
Social Housing Allocations Policy

November 2021

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1. Overview

1.1 Introduction

- 1.1.1 This is the social housing allocations policy for Southend-on-Sea Borough Council (“the Council”).
- 1.1.2 The policy enables the Council to consider the individual needs of applicants whilst making best use of our limited supply of social housing stock.
- 1.1.3 The policy sets out:
- how to apply for housing
 - who will be accepted on to the Home-seekers’ Register?
 - how we will prioritise applications
 - what the decision-making processes are
 - how homes will be let
- 1.1.4 This allocations policy and a summary guide may be viewed at www.southend.gov.uk or at the Civic Centre, Victoria Avenue, Southend-on-Sea, Essex SS2 6ER.

1.2 Objectives

- 1.2.1 Southend-on-Sea Borough Council has a 2050 ambition based around key themes and outcomes.
- 1.2.2 This allocations policy seeks to support Southend 2050 ‘Safe and Well’, and ‘Opportunity and Prosperity’ visions by contributing towards:
- protecting and improving the quality of life for the most vulnerable in our community
 - supporting people in all parts of the borough to feel safe and secure
 - supporting Southenders to remain well enough to enjoy fulfilling lives, throughout their lives
 - helping people to find a home that meets their needs
 - supporting key regeneration schemes to get underway
 - ensuring our children are school and life ready

This policy also seeks to support and complement the implementation of the Council’s [Housing Homelessness and Rough Sleeping Strategy 2018-2028](#) and tenancy strategy.

1.3 Legal context

- 1.3.1 The allocation of social housing is governed by the Housing Act 1996 as amended by the Homelessness Act 2002 and the Localism Act 2011 “The Act”.

- 1.3.2 The Act requires all local authorities to have an allocations scheme setting out how social housing will be allocated and for all allocations to be made in accordance with this scheme.
- 1.3.3 Under the Act, local authorities can only allocate social housing to ‘eligible’ and ‘qualifying’ persons.
- 1.3.4 Eligibility criteria, which relate to immigration status, are set by central government. However, within certain restrictions, local authorities can decide which categories of person do or do not qualify for social housing. The criteria for qualification on to the Council’s Home-seekers’ Register are set out in S 2.2.1. All housing applicants will be assessed against these criteria, to ensure that the Council lets homes to those in the highest assessed need and meets its legal obligations.
- 1.3.5 The law states that when framing an allocation scheme, “reasonable preference” must be given to the following groups:
- people who are homeless
 - people who are owed a housing duty by an authority
 - people occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
 - people who need to move on medical or welfare grounds (including grounds relating to a disability)
 - people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or others)
- 1.3.6 This policy has been designed, and will be monitored, to ensure that reasonable preference is afforded to the above groups.
- 1.3.7 This policy is further informed by additional legislation and guidance listed in appendix A, including the Homelessness Reduction Act 2017, which strengthens the amount of support Councils are required to give those who are homeless, or at risk of homelessness, and the Equality Act 2010, which protects against unjust discrimination on the grounds of age, gender/gender re-assignment, disability, caring responsibility, religion, ethnicity, sexual orientation, or maternity.

1.4 Equalities

- 1.4.1 Through this allocations policy the Council will endeavour to be responsible, accessible, and sensitive to the needs of all applicants. The Council will work to make Southend a place where people’s differences are respected and catered for and where citizens have equal chance of getting the support they need.
- 1.4.2 This policy introduces, for the first time, the opportunity for those who require an adapted property to participate in the Council’s Choice Based Lettings Scheme.

1.5 Choice Based Lettings/Statement on choice

- 1.5.1 The Council aims to ensure that those who qualify for entry onto the Home-seeker's Register can exercise choice in deciding where they wish to live and in the type of property they would prefer. The Council therefore operates a Choice Based Lettings (CBL) scheme whereby vacant social housing is advertised, and those who qualify for inclusion on the Home-seekers' Register are given the opportunity to 'bid' (express interest) in the properties they would like to be considered for.
- 1.5.2 Homeless applicants will be given choice over where they wish to live whilst being assisted under Homeless Prevention and Relief Duties (i.e., during the first 56 days of working with the Council to prevent or resolve their homelessness). However, if/when a full homelessness duty is accepted by the Council, we will make one direct offer of suitable accommodation, which is likely to be in the private rented sector. We hope that this will encourage people who are at risk of homelessness to engage with us during the Prevention and Relief stages.

1.6 Advice and information

- 1.6.1 The Council will ensure that housing advice and options information is freely available to everyone in the Borough on how to apply for housing. The Council will produce a summary guide of this policy.
- 1.6.2 The Council may also provide advice and signposting on applicants' likelihood of obtaining social housing and other options that may be available to you to resolve your housing needs.
- 1.6.3 If applicants are likely to have difficulty making an application without assistance, support will be made available.

1.7 Assessment decisions

- 1.7.1 Assessment decisions are made by officers within the Council's Community Housing Team, in close collaboration with relevant professionals such as Occupational Therapists, Private Sector/Regulatory Enforcement Officers and Social Care staff.

2. Applying for social housing and joining the Home-seekers' Register

2.1 What is the Home-seekers' Register?

- 2.1.1 The Home-seekers' Register contains all households who are:
1. Seeking affordable housing; and
 2. Meet the national and local criteria to be considered for social housing.

2.1.2 Only those who are on the Home-seekers' Register will be able to express interest/ 'bid' for vacant social housing.

2.2 Who can join the Home-seekers' Register?

2.2.1 Anyone can apply to join the Home-seeker's Register however, to be accepted, applicants must meet all three of the following conditions:

1. be eligible for social housing (see S.3 which relates to age and immigration status)
2. have a housing need, as defined by this policy (meet one of the banding criteria laid out in S.5.2)
3. not fall into any of the exclusion criteria outlined in S.4

2.2.2 The number of households on the Home-seekers' Register has always been greater than the number of properties that become available every year. Many people on the Home-seekers' Register will not receive an offer of social housing.

2.2.3 If you are thinking of joining the Home-seekers' Register, or already on it, you are also encouraged to explore your full range of options which may include:

- mutual exchange (with other social housing tenants)
- private rent
- house-shares
- supported housing
- staying where you are, but with adaptations or other works being done to the home
- shared ownership
- ensuring you are in receipt of all/any financial support you may qualify for
- floating support

2.2.4 You can call the Community Housing Team on 01702 215002 for advice and guidance on these options, and/or explore our website www.southend.gov.uk

2.3 How to apply to the Home-seekers' Register

2.3.1 You can apply for the Home-seekers' Register via our website www.southend.gov.uk or www.southend-on-the-move.org.uk. Free computer/internet access is available on the ground floor of the Council offices, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ER, as well as at libraries across the borough.

2.3.2 If you are unable to access a computer with internet access, please call our offices on 01702 215000. We will ensure you are provided with support to complete your application. Such support may be provided by the council directly, or, where appropriate, by a partner organisation.

Consent and declaration

2.3.3 If you apply to join the Home-seekers' Register, you will be required to sign a declaration to confirm that:

- the information provided is true and accurate
- you will inform the Council of any change in circumstance that affects your housing situation
- you understand that information may be shared with other relevant parties
- you consent to the Council making enquiries of any relevant persons to confirm the information on the application form is correct
- you consent to the release of any relevant information
- the information may be used to help in the detection and prevention of fraud
- the data collected in the application may be merged with the data of other housing applicants and data held within the organisation to contribute to the analysis of local needs and trends. No personal level information about you will ever be published
- you understand that the Council may act against applicants who withhold or provide false information regarding their housing application. Where an applicant has been let a property as a result of providing false information, the Landlord of that property may take court action
- you understand that if you are found to be providing false information you will be excluded from the Home-seekers' Register

Additional support with applications

2.3.4 Where required, you will be given assistance to apply to the Home-seekers' Register and understand the outcome of your application. If you are vulnerable and do not qualify for entry onto the Home-seekers' Register, we will provide advice regarding alternative housing options.

2.3.5 If you qualify for inclusion on the Home-seekers' Register and it is identified that you require support to search for suitable properties, this will be given. This may involve an occupational therapy referral to ensure that you are being supported to be as independent as possible.

2.3.6 The Council recognises the importance of advocacy and where appropriate will allow you to appoint someone to express an interest in available homes on your behalf, where you have provided signed consent to do so. Those acting on an applicant's behalf might include family members, social workers, or support agencies.

2.3.7 To further assist vulnerable or potentially excluded people, the following methods will be used:

- potentially vulnerable residents will be identified through the assessment process. These applicants will be contacted by the Council staff to establish what support is required and to identify ways to ensure they can access the CBL system.
- where applicants agree, support agencies can be provided with access on behalf of the applicant to review properties and make bids.

- whilst we will strive to empower people to be as independent as possible, automatic bidding can be made upon request. Here, the scheme will automatically place bids on the properties you have the greatest chance of being successful for
- if an applicant cannot access the internet, in exceptional circumstances, we will send them details of available properties and give them access to a telephone line to be able to bid
- translation services will be made available online and/or by phone where required

Multiple applications

2.3.8 An applicant can only be included on one active application on the Home-seekers' Register at any one time.

2.4 How we will deal with your application

2.4.1 Upon receipt of an application form, the Council will assess your details to determine:

- if there is a housing need as defined by this policy (meet one of the banding criteria laid out in S.5)
- if you fall into any of the categories for exclusion from the Register
- whether your age and immigration status make you eligible to be considered for social housing

2.4.2 As part of the assessment process, we may request additional information and supporting evidence regarding your eligibility and housing needs before confirming if you have been accepted onto the Home-seekers' Register. We may also invite you for interview or conduct a home visit.

2.4.3 After assessment the Council will write to you to advise whether you have been accepted onto the Home-seekers' Register. If you are accepted onto the Home-seekers' Register the Council will inform you of:

- your unique reference number, which allows you to bid for homes through the CBL scheme (please see S.7.2 for details on bidding)
- your band of priority (please see S.5.2 for banding criteria)
- your "Effective Date" (please see S.5.5)
- the size of property for which you are entitled to bid (Please see S.6)
- how decisions may be reviewed (S.8)

2.4.4 If you are not accepted onto the Home-seekers' Register you will be given reasons why and information on the review process (S.8).

2.4.5 Every application received by the Council will be considered according to the facts unique to that application as the Council recognises that every applicant's situation is different. Individual

circumstances will be considered however, all applications will be assessed in accordance with this policy.

Discretion

- 2.4.6 On occasion the Director with responsibility for social housing allocations may, in exceptional circumstances and in accordance with government guidance and legislation, exercise discretion when making decisions regarding an applicant's qualification, banding and bedroom need.
- 2.4.7 Discretion will only be used where a failure to do so would result in a disproportionately negative impact on an applicant compared to other Home-seekers' with a like need. Decisions will consider the context of the case in relation to the prevailing housing market situation in Southend, overall levels of housing needs and the balance between housing supply and demand.

2.5 Change of circumstances

- 2.5.1 If you are on the Home-seekers' Register and have a change of circumstance that affects your housing needs, you must inform the Council as soon as possible. Failure to provide information which materially changes your application may result in any potential offers being withdrawn.
- 2.5.2 A housing needs assessment will be made based on the new circumstances. Examples of change of circumstances are detailed below, although this list is not exhaustive.
- change of address
 - people joining or leaving the household
 - birth of a child
 - relationship breakdown
 - change to the medical circumstances of anyone included in the application
 - death of a household member
 - death of a joint applicant
 - any other material circumstances that change the housing application
 - change of income and/or capital
 - change to employment status
 - receipt of a housing benefit overpayment

2.6 Re-registration

- 2.6.1 You may be asked by the Council to check and confirm your details at least every 12 months to ensure that information held is accurate and up to date. Failure to respond will result in the application being cancelled.
- 2.6.2 If you contact the Council within 28 days of your application being cancelled at re-registration and indicate that you still want to be considered for housing, your application will be reinstated from the last Effective Date. An interview with a Housing Officer may be required.

2.7 Cancelling a Home-seekers' Register Application

2.7.1 Applications will be cancelled from the Home-seekers' Register in the following circumstances:

- at the applicant's request
- if the applicant become ineligible for housing (please see S.3 for eligibility rules)
- if the applicant's household, no longer meets any of the banding/housing need criteria set out in S.5.2
- if the applicant completes a mutual exchange
- if the applicant does not maintain their application through the re-registration process (S.2.6) or moves and does not provide a contact address
- where the applicant has died

2.7.2 Applicants are required to actively bid for social housing (details on bidding can be found in S.7.2). If an applicant does not express an interest in any available properties for 6 months, their application may be cancelled. Please see S.7.11 for further information on the steps taken when applicants do not bid for social housing.

2.7.3 When an application is cancelled, we will write to the applicant or their representative to notify them, sending correspondence to their last known address or e-mail (if available). When an applicant has been highlighted as vulnerable, the Council will contact the applicant to check their circumstances before cancelling the application. Any applicant whose application has been cancelled has the right to ask for a review of the decision. (Please see S.8 for reviews process).

2.7.4 Where an applicant re-applies to the Home-seekers' Register at a later date, their new Effective Date will be the date they re-apply. (Unless S.2.6.2 applies).

3. Eligibility criteria

3.1 Eligibility overview

3.1.1 Anyone can approach the Council for housing advice and assistance. However, regardless of housing need, local authorities must consider whether applicants are, by law, eligible to be considered for an allocation of a Council or housing association home.

3.2 Eligibility: Immigration status

3.2.1 Under s.160ZA of the Housing Act 1996, as amended by the Localism Act 2011, a person will be considered to be ineligible for social housing if they are:

- Subject to immigration control within the meaning of the Asylum and Immigration Act 1996, unless they are of a class prescribed by regulations made by the Secretary of State pursuant to s.160ZA (2) of the Housing Act 1996.
- From a class of persons from abroad who the Secretary of State has made regulations prescribing that they are ineligible pursuant to s.160ZA (4) of the Housing Act 1996. This

often relates to people who have been living abroad for some time and have returned to the UK.

- 3.2.2 The Council cannot, by law, allocate accommodation to anyone who is subject to immigration control within the meaning of the Asylum and Immigration Act (1996), unless they:
- already hold an Introductory or secure tenancy with the Council
 - already hold an assured tenancy allocated to them by the Council
 - are in a class prescribed by regulations made by the Secretary of State
- 3.2.3 Any person making an application who is identified as falling under the Asylum and Immigration Act (1996) will be assessed in accordance with the Act. Applicants whose immigration status makes them ineligible to be considered on the Home-seekers' Register will be notified in writing of the decision and the reason for the decision.
- 3.2.4 If an applicant is accepted onto the Home-seekers' Register, but subsequently becomes ineligible, their housing application will be cancelled, and the applicant notified. Applicants found to be ineligible have a right to ask for a review of the decision.
- 3.2.5 The Council reserves the right to seek independent advice and assistance to resolve the issue of eligibility.
- 3.2.6 In some instances, a person may be eligible despite being subject to immigration control. The Council will disregard as members of the household those who are "restricted", such as those who are:
- subject to immigration control and from a class of persons abroad, as defined in S.3.2.1 above
 - those with no leave to enter or remain in the UK
 - those with leave but subject to a condition of no recourse to public funds

Restricted household members may be considered whilst determining the size of accommodation required.

EEA Nationals

EEA nationals living in the UK before 1st January 2020

- 3.2.7 In accordance with the Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861), the current eligibility rules on access to social housing and homelessness assistance also apply to those Registered under the EU Settlement Scheme.
- 3.2.8 Those granted pre-settled status (also known as limited leave to enter or remain), including frontier citizens working in the UK, where they have less than five years' continuous residence in the UK, will have the current eligibility regulations applied. This also applies to EEA nationals

who have not yet applied to the EU Settlement Scheme to secure long-term immigration status in the UK.

3.2.9 Those granted settled status (indefinite leave to remain) under the EU Settlement Scheme are eligible for access to social housing, supported housing and homelessness assistance, on a comparable basis to a UK national, provided that a habitual residence test is satisfied.

EEA nationals that move to the UK from 1st January 2021

3.2.10 EEA nationals that move to the UK from 1st January 2021 will generally have no recourse to public funds and will not generally be eligible for social housing, unless they:

- fall under a government exemption as set out in government Eligibility Rules (e.g., having a refugee status), or
- are eligible and have been granted indefinite leave to remain by the UK government.

3.2.11 Those granted settled status/indefinite leave to enter or remain under the EU settlement scheme are eligible to join the Home-seekers' Register. Evidence of settled status will be required.

3.2.12 Those granted pre-settled status/limited leave to enter or remain or Frontier working in the UK will be eligible, provided the terms of their leave do not prevent them from making recourse to public funds.

3.3.12 EEA nationals granted settled status will be able to prove their eligibility for social housing using their digital status, via the web page: www.gov.uk/view-prove-immigration-status

3.3 Eligibility: Age

3.3.1 All persons under 16 years of age are unable to Register.

Applicants aged 16 and 17 are minors, and as such are prevented by law from holding a legal interest in land. Tenancies to 16- or 17-year-old applicants will therefore be either:

- granted to a third party acting on trust for the minor
- granted as a secure licence until the minor turns 18

If you are eligible to be considered for social housing, you must also have a housing need (meet one of the banding criteria outlined in S.5.2) and not fall within any of our exclusion criteria (S.4) before you will be accepted on to the Home-seekers' Register.

4. Exclusion

4.1 Exclusion overview

4.1.1 You will not usually qualify for inclusion on the Register if you:

- have the financial means to resolve your own circumstances
- own your own property

- are guilty of behaviour that could get you evicted if you were a tenant

4.2 Financial resources (Exclusion)

4.2.1 If you have income and/or capital which would enable you to purchase a suitable property (including low-cost home ownership) or afford/access suitable, mid-range private rented housing in the borough, you will be deemed capable of resolving your own housing needs and not qualify for entry onto the Home-seekers' Register. To determine whether you can afford to resolve your own housing circumstances the Council will undertake a financial assessment, which may include:

- your income, and, where relevant, your partner's income
- any capital, assets, or savings available to you and, where relevant, your partner
- average property prices in the Council area for the type of accommodation needed by the household
- your ability to service the required mortgage/rent payments based on a realistic assessment of financial position and commitments

4.2.2 If your income exceeds that set out in the table below you will not normally be allowed to access the Home-seekers' Register.

Table 1: Income and savings thresholds

Household type	Earnings threshold	Savings threshold
Single person households	£30,000	£16,000
Households of more than 1 person	£50,000	£16,000

4.2.3 The income and savings thresholds outlined in the table above may be reviewed periodically by the Council and the details of any updates will be published on the Council's website.

4.2.4 Under-occupying Council tenants (Council tenants with spare rooms in their property) will not be subject to the above income thresholds. Other social tenants from within the borough will be exempt from income thresholds where the social landlord has entered into a reciprocal arrangement to re-let your home via the Council's CBL scheme.

4.2.5 In the event of being excluded from the housing Register on grounds of income, you will be given advice on alternative options which may include low-cost home ownership.

4.3 Owner occupation (Exclusion)

4.3.1 Homeowners will usually be deemed as having the assets to resolve their own housing need and will not normally qualify for inclusion on the Home-seekers' Register, although advice and information can be provided to home-owners in need. In exceptional circumstances and in line with [sections 2.4.6-2.4.7](#) (discretion) a homeowner may be granted access to the Home-seekers' Register.

4.4 Unacceptable behaviour (Exclusion)

4.4.1 If you have a history of unacceptable behaviour, you will not qualify to be accepted onto the Home-seekers' Register. Unacceptable behaviour can include:

- any behaviour whereby the Council could take legal action if you were a tenant
- owing significant housing related debt to a Council, Registered Landlord or Private landlord, or owing a housing benefit overpayment. Significant housing related debt is considered the equivalent to 8 weeks and above chargeable rent for your property
- failing to adhere to the terms of an agreed payment plan in relation to rent arrears or housing debt
- conviction for illegal or immoral use of the home
- causing nuisance and annoyance to neighbours or visitors
- committing criminal offences, including anti-social behaviour
- allowing the condition of the property to deteriorate beyond reasonable wear and tear
- obtaining a tenancy by deception, for example giving untrue information
- being a perpetrator of domestic abuse as this is a ground for possession

4.4.2 When considering levels of unacceptable behaviour, the Council will consider when this behaviour took place, the length of time that has elapsed since, any exceptional circumstances and whether there has been any change which would show you have amended your behaviour so that you are considered suitable to become a tenant.

4.4.3 If considered to have a history of unacceptable behaviour you will be informed of this decision in writing. You will also be informed of how you may correct your behaviour to have your case re-considered, for example, by agreeing an arrangement to make payments towards rent arrears and adhering to this, or by showing that the circumstances or behaviour that made you unsuitable to be a tenant have changed.

4.4.4 The Council may decide to exclude existing applicants from the Home-seekers' Register where they become aware of unacceptable behaviour.

5. Priority and housing need

5.1 Overview of how we prioritise applications

5.1.1 Only those with a housing need, as defined by the banding criteria below, will be considered for inclusion on the Council's Home-seekers' Register. Everyone who qualifies for the Home-seekers' Register will be given a band of priority (see S.5.2) and an "Effective date" (S.5.5). An Effective date is usually the date an applicant went into their band of priority, however, please see S.5.5 for exceptions.

5.1.2 Properties are generally awarded to the bidder in the highest band, with the earliest Effective Date. However, where the property is a specialist property to meet mobility needs, those who require that type of accommodation will be prioritised (in band and effective date order) before those without a need for that type of accommodation.

5.2 Bands of Priority

5.2.1 Band A is the highest band of priority and Band D the lowest.

5.2.2 The band of priority awarded to an applicant will depend on their housing need and connection to the borough. If the applicant has a housing need, but does not have a local connection to the borough, they will be placed in Band D. Please see section 5.4 for further information regarding Local Connection.

5.2.3 The criteria for each band are outlined below.

5.2.4 Band A

a. Regeneration or redevelopment (Band A)

If you are a social tenant and part of an SBC approved¹ regeneration scheme, do not wish to live on the regenerated site, and have been given written confirmation that you will need to move within the next 12-18 months, you will be placed in band A.

If you fall into this category, you will have your Effective Date backdated to your tenancy start date.

If you wish to leave the regeneration site, you will rescind your right to return.

b. Needing to flee violence/harassment/abuse (Band A)

Band A on the ground of serious violence/harassment/abuse will be awarded where:

- An investigation and assessment have identified that you, or a member of your household, is being subjected to continuing and serious harassment, violence or other conduct causing alarm and distress that will be improved by alternative accommodation, and
- All other alleviating options have been explored as part of the investigation.

Harassment might be due to, but not limited to; race, gender, sexual orientation, mental health, physical disability, learning disability, age, religion, domestic abuse, or harassment by a current partner, former partner, or associated persons.

Substantiating written evidence must be available together with a formal recommendation from senior officers (e.g., Multi Agency Risk Assessment Case panel referral).

c. Urgent medical or welfare needs (Band A)

¹ Please see Appendix 4 for approved regeneration schemes

If you or a member of your household has a health/welfare condition that is being caused or made worse by your current housing and your home cannot be adapted to meet your needs, you will be awarded either urgent/Band A, or Band C medical/welfare priority. Urgent medical/welfare priority will be given if your property has been shown to have an extremely significant impact on a proven medical condition that can only be improved by a move to a different property. If your/ your household member's health would remain the same regardless of any property type or location, urgent medical priority will not apply. Further information on the medical assessment process can be found in appendix 1.

d. Urgent disrepair (Band A)

Where the Council has determined that a property is in disrepair/a poor condition, it will be assessed in line with appendix 3. Depending on the extent of the disrepair, this may result in Band A, or Band C priority. Band A will be awarded in urgent situations only.

e. Lack of bedrooms (Band A)

The number of bedrooms your household requires will be assessed in accordance with S.6 of this policy. Two same sex children will generally be expected to share a bedroom, whilst two opposite sex children will be expected to share a room up until the age of 10.

If you lack three or more bedrooms you will be placed into Band A, unless evidence exists that shows the overcrowding is deliberate.

If you have exclusive use of one room but share kitchen or bathroom facilities with non-family members and lack two or more bedrooms you will be placed in band A. This does not include temporary accommodation.

If you are assessed as being statutorily overcrowded as defined in Part X (10) of the Housing Act 1985 or under the Health and Housing Safety Rating System (Housing Act 2004), you will be placed in Band A.

f. Spare rooms in social housing (under occupation) (Band A + priority for newbuilds)

You will be awarded band A on the grounds of having spare rooms if you meet the following three criteria:

- You are a social housing tenant living in the borough of Southend-on-Sea.
- You have one or more excess bedrooms.
- You would be willing to downsize to a property that meets your needs.

To encourage you to downsize, you will also be given priority for new build council housing.

Bedroom need will be assessed in line with S.6 of this policy.

g. Giving up an adapted social property (Band A)

If you are a tenant of an adapted, social property in the borough of Southend-on-Sea, with adaptations that are no longer required, you will be placed into Band A.

h. SBC care leaver ready to live independently (Band A)

If you are a Southend-on-Sea Borough Council looked after child, you will be awarded Band A priority where:

- You will shortly be leaving care, and
- Have been assessed by Social Care/your Personal Advisor and Community Housing teams as ready to live independently.

i. Supported housing (Move on) (Band A)

If you live within an approved short term housing project (usually up to a maximum of 2 years) and have been assessed as ready to move on to independent accommodation, you will be awarded Band A priority.

When the supported housing provider has assessed that you are ready to live independently, they will write to the SBC Community Housing Team outlining the steps taken to ensure your readiness for independent living and any recommendations for additional support required to assist with your transition to independent living.

The Community Housing Team may liaise with you, or your supported housing provider, health, or social care worker(s) to verify your readiness for independent living and any support or additional steps required before Band A move on priority is awarded to the application.

Move on priority will only be awarded in respect of supported housing schemes where an agreement has been reached with the Director with responsibility for Housing to allocate vacant units within the supported housing scheme via the Supported Housing Access Point.

5.2.5 Band B

a. At risk of homelessness/the Prevention Duty (Band B)

If you are at risk of homelessness within the next 56 days, you will be invited to liaise with an Officer within the Community Housing Team to co-design a personalised housing plan aimed at preventing your homelessness. This is referred to as being assisted under the 'homeless prevention duty'.

You will be placed into band B if you:

- Engage with the Council to prevent your homelessness,
- Follow the agreed steps set out in your personalised housing plan, and
- Do not fall within any of the exclusion criteria listed in S.4.

If you find/accept a private rented sector property whilst working with the Council to prevent your homelessness, and the Council have verified the property's suitability, you will be entitled to remain on the housing Register, in Band C².

The process for those who are homeless or facing homelessness is outlined in appendix 2.

b. Homelessness relief/Relief Duty (Band B)

If you approach the Council as homeless, we will ask you to work with us to create a personalised housing plan exploring your full housing options; the 'relief duty'.

You will be placed into Band B if you:

- Are being assisted under the homeless relief duty and engaging with the process,
- Follow the agreed steps in your plan, and
- Do not fall within any of the exclusion criteria listed in S.4.

If you find/accept a property within the private rented sector whilst being assisted by the Council under the Relief duty, you will be entitled to remain on the housing Register in Band C³.

c. Homeless – non-priority need (Band B)

If you remain homeless after the relief duty has expired, we will investigate what further housing duties may be owed to you. You will remain in Band B if, following investigation, you are:

- Found to be unintentionally homeless.
- Do not have a priority need.
- Do not fall within any of the exclusion criteria listed in S.4.

d. Lack of 2 bedrooms (Band B)

The number of bedrooms your household requires will be assessed in accordance with S.6 of this policy. Two same sex children will generally be expected to share a bedroom, whilst two opposite sex children will be expected to share a room up until the age of 10. If you lack two bedrooms in your home, you will be placed into band B unless evidence exists that shows the overcrowding is deliberate.

e. 3 or more band C items (Band B)

If you are assessed as having three or more band C needs which cumulatively necessitate an increase to a higher band, you will be placed in band B. This may include an application where more than 2 household members have the same assessed need.

² Applicable to prevention cases that accept a suitable private rented sector offer on or after the day this policy is enacted.

³ Applicable to relief cases that accept a suitable private rented sector offer on or after the day this policy is enacted.

5.2.6 Band C

a. Lack of bedrooms (Band C)

The number of bedrooms your household requires will be assessed in accordance with S.6 of this policy. Two same sex children will generally be expected to share a bedroom, whilst two opposite sex children will be expected to share a room up until the age of 10. If you lack one bedroom in your home, you will be placed into band C unless evidence exists that shows the overcrowding is deliberate.

b. Disrepair/poor property condition (Band C)

Where the Council has determined that your property may be in disrepair, it will be assessed in line with appendix 3. Depending on the extent of the disrepair, this may result in band A, Band C, or no priority.

c. Support (Band C)

If you can demonstrate the need to move nearer local facilities or relatives to give or receive essential support or take up work that would not otherwise be available, you will be placed into Band C.

d. Homeless prevention/relief cases where a private rented sector offer has been accepted (Band C)

If you accept a suitable private rented sector offer whilst working with the Council under its homeless prevention or relief duties, you will be able remain on the housing register in Band C.

This will apply to prevention and relief cases that accept a private sector offer on, or after the day this policy comes into force.

e. Medical/welfare (Band C)

Where your health/welfare condition is being caused or made worse by your current housing circumstances and cannot be resolved by carrying out adaptations to your current property, you will be awarded either urgent/Band A, or Band C medical/welfare priority. Further details on the process for assessing medical/welfare need are outlined in appendix 1.

f. Low-income households (Band C)

If you spend over a third of your income on low cost rented accommodation, you will be placed into band C.

Low cost rented accommodation will be based on lower quartile rents in the borough.

g. Former relevant child (Band C)

Some young people who are adequately housed, but were previously in care will be eligible for band C. This will apply where you are:

- Under the age of 25 at time of both application and allocation.
- The Housing Team have received written confirmation from the Council's Children's Social Care Team that you are a Southend 'former relevant child' within the meaning of 23C (1) of the Children Act 1989.

5.2.7 **Band D**

a. Intentionally homeless or refused main duty offer of accommodation (Band D)

Should you/your household remain homeless after the prevention and relief duties have expired, we will further investigate your circumstances. Where you are found to be 'intentionally' homeless (as defined by part 7 of in the Housing Act 1996) you will be placed into Band D. Where you are found to be owed a full housing duty and turn down a suitable offer of accommodation, we will discharge our homelessness duty and place you in Band D.

b. Homeless, or at risk of homelessness but refusing to engage under the Council's prevention and relief duties (Band D)

If you are homeless or at risk of homelessness, you will be offered the opportunity to work with the Council in developing a personalised housing plan and will be expected to follow the steps within it. If you do this, you will be placed into Band B, so long as you meet local connection criteria and are not guilty of behaviour which would enable us to evict you if you were a tenant.

However, if you deliberately or unreasonably refuse to engage with the Council under its prevention or relief duties or refuse to follow the steps within your personalised housing plan, you will be placed into Band D.

If you have previously declined homeless prevention or relief support from the Council, but have changed your mind, you can contact the Housing Solutions Team at any time to ask for help. If you go on to engage in following the steps within your personalised housing plan, your housing application/banding will be re-assessed accordingly.

c. Housing need, but no local connection (Band D)

If you have a housing need but do not have a local connection to the borough, you will be placed in Band D.

5.2.8 **Exceptional/emergency status (2 week time limit)**

In rare/exceptional cases, where an urgent move is needed to ensure the applicant's immediate safety/welfare and remaining in their current accommodation would cause risk of death or injury, we will award an 'emergency' band to a housing application.

Exceptional/emergency status is time limited and will last for 2 weeks. If the applicant has not applied for a property suitable for their needs (size, type, adaptations, etc.) within that time their Emergency Priority Band will be reviewed by a designated senior officer and if not renewed the

applicant will be placed in the appropriate Band for their needs or made a Direct Let. If no suitable vacancy has arisen within this time, then the Emergency Priority Band will be renewed automatically for a set period. **Direct lets of accommodation may be made to those with exceptional/emergency status.**

Substantial evidence must exist to enable exceptional/emergency housing status to be considered.

Circumstances that may result in emergency banding being awarded include:

- a. Risk of death or serious injury.
- b. The award of an emergency medical assessment.
- c. The award of an emergency disrepair assessment by a private sector enforcement officer or environmental health officer.
- d. Where senior ranking police officer formally recommends an urgent move to escape violence or threats of violence.
- e. Where the applicant, or a member of their household, has suffered a sudden traumatic event and living within their home will cause considerable distress (e.g., serious sexual assault).
- f. Where there are extreme cases of cumulative need and where it is unacceptable for the applicant to remain in the current banding (subject to the discretion of the Community Housing Manager).

An applicant with exceptional/emergency status who bids for a home will be considered as a priority above all other applicants in any other Band. If two or more exceptional/emergency status applicants bid for the same dwelling, the Effective Date will determine the successful applicant unless otherwise stated in the advert.

The award of exceptional/emergency status will be given by the Community Housing Manager and evidenced in a written assessment, recorded on the applicant's case file. This will be assessed on a case-by-case basis and awarded at the discretion of the Council.

5.2.9 **One suitable offer**

a. Homeless households owed a full housing duty by SBC (one suitable offer)

Homeless households being assisted by SBC under its Homelessness Relief duty will be placed into Band B and able to bid for social housing. Those who have been unsuccessful in finding social or private accommodation whilst under the relief duty, and who have later been found to be owed a full housing duty by SBC will be placed in the 'One Suitable Offer' band. Applicants in the One Suitable Offer band will not be able to bid for social housing but will be offered a rent/deposit loan to assist with finding a home in the private rented sector. If you are owed a full housing duty, the Council will make one direct offer/match to a suitable property, which may be in the social or privately rented sector.

5.3 Armed Forces personnel

5.3.1 Due to a requirement for movement within service, those with certain links to the Armed Forces who live outside the borough will be treated as though they have a connection to the borough when assessing their housing need. Please see S.5.4.2 (d).

5.3.2 If you fall within one of the categories below and are in urgent housing need, you will be given additional priority.

- A person serving in the regular forces who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.
- A person formerly served in the regular forces.
- A person who has recently ceased or will cease to be entitled to reside in the accommodation provided by the Ministry of Defence following the death of the person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to the person's service.
- A person is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

5.3.3 Urgent housing need for the purpose of awarding additional priority will be defined as falling within bands A or B of this policy. The Council will award additional priority by awarding those with links to the services the appropriate band, as set out by this policy, and backdating the effective date by the total cumulative length of military service. This will have the effect of raising their priority above applicants in similar circumstances who have not undertaken military service.

5.3.4 Current members of the Armed Forces may also request that this additional priority be applied to their housing application six months prior to the date they are due to leave military service. Appropriate evidence of the end to military service will be required.

5.4 Local connection

5.4.1 You will only be considered for Bands A – C if you have both a housing need and a connection to the borough.

5.4.2 To be considered as having a local connection to Southend, one of the following must have been demonstrated and verified.

a. Live in borough

You are normally resident in the borough. This will typically mean that you live in settled accommodation in the borough and have done so continuously for the last 3 years, or 3 of the last 5 years.

b. Work in borough

You work in the borough for 16 hours or more per week and have done so for 3 of the past 5 years, prior to application. Verification of substantive employment in Southend-on-Sea will be required at point of application.

If you meet statutory Right to Move criteria you will also receive this connection.

c. Family in borough

You have family members who are resident in the borough. Family members are defined as parents, adult children or brothers or sisters who have been resident in Southend-on-Sea for at least 5 years.

d. Armed Forces

- You are a member of the Armed Forces and former service personnel, and your application has been made within 5 years of discharge.
- You are a bereaved spouse or civil partner of a member of the Armed Forces and former service personnel.
- You are a serving member or former member of the reserve forces and need to move because of a serious injury, medical condition, or disability as a result of your service.
- You are a divorced or separated spouse or civil partner of service personnel and need to move out of accommodation provided by the ministry of defence.

e. Housing duty owed

If the Council has accepted a full duty under part VII of the Housing Act 1996 to your household, you will be considered as having a local connection to the borough.

f. Engagement with services

Those who have a history of rough sleeping may struggle to demonstrate that their residency within the borough has been settled. Where this is the case, the Council will accept written confirmation from Council commissioned providers that an individual has been engaging with them/living within their supported housing for at least 6 months.

g. Fleeing domestic abuse

Those needing to move to escape domestic abuse in their own local area will be treated as though they have a local connection to the borough.

h. Exceptional circumstances

There are exceptional circumstances which the Council considers give rise to a local connection. Applications will be considered on an individual basis.

5.5 Effective date

- 5.5.1 If you qualify for inclusion on the housing Register you will be given an Effective Date which in most circumstances will represent the date you went into your band of priority. Available

properties will be allocated to the bidder in the highest band of priority with the earliest effective date.

a. General applicants

The effective date for general applicants will be the date the application was received for assessment.

b. Homeless applicants accepted under Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002

The date the formal homeless application was made to Southend Council. If however the homeless applicant was already in band due to another need, then their application remains the same and does not change to the date of the homeless application.

c. Applicants in short-term supported housing

If you live in approved short-term supported housing and are ready to move on, you will have an Effective Date of the day you moved into the scheme. Proof of this will be provided by the accommodation provider and will require verification by a designated officer within the Council's housing department.

d. Applicants subject to an approved regeneration scheme

If you are living in an approved social housing regeneration scheme, wish to leave the regeneration site and have received written notice of demolition within 12 – 18 months, you will have your Effective Date backdated to the date your tenancy commenced.

e. Armed Forces personnel in urgent housing need

Those with certain links to the Armed Forces will have their effective date backdated by the cumulative length of service. Please see S.5.3 for further details.

f. Exceptional/emergency priority

Effective Date will be the date emergency priority status was awarded.

If you move bands due to a change in your circumstances, your effective date will be impacted as follows:

- **Moving down into a band you have been in previously:** your Effective Date will become the date that applied when you were last in that band.
- **Moving down a band into a band you have not previously been in:** the Effective Date will be the original application date.
- **Moving up to a higher band:** The Effective Date will be the date when an applicant is assessed as requiring a higher band.

If you are housed through the Home-seekers' Register and re-apply, this will be treated as a new application, and you will be given a new effective date.

5.6 Intentionally worsening your own circumstances

- 5.6.1 If, in the reasonable opinion of the Council, you are found to have intentionally worsened your housing circumstances to in such a way that would afford you priority for social housing, your housing need will be assessed on the basis of your previous accommodation circumstances.

6. Bedroom need assessment

6.1 Bedroom need

- 6.1.1 If you qualify for inclusion on our Housing Register, you will be informed what size properties you can bid for.
- 6.1.2 Housing assessments for bedroom requirement will take into account the size of the property and the best use of the available space. For example, if a household is using a bedroom as a study they would not be assessed as lacking a bedroom.
- 6.1.3 The table below shows the size of the property that applicants may be considered for based on their household composition, either when expressing interest for an advertised property or for a direct let. Table 1 does not provide an exhaustive list of all bedroom requirement scenarios and should be considered in conjunction with the rest of the information in this section of the policy for further clarification.

Table 1: Bedroom need

	Property size					
	Studio	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed
Single person	✓	✓				
Single person with overnight contact with 1 or more child		✓				
Co-habiting couple		✓				
Non-co-habiting couple			✓			
Household with 1 child			✓			
Household with 2 children of same sex			✓			
Household with 2 children of opposite sex or 3 or more children			✓	✓		
Household with 4 or more children or household of at least 6 people in total				✓	✓	
Household with 5 or more children or household of at least 8 people in total					✓	✓

6.1.4 We will also use the below criteria to assess whether you are lacking a bedroom within your current property.

- Single applicants require one bedroom.
- Couples require one double bedroom.
- Non-cohabiting joint applicants (e.g., siblings) require two bedrooms.
- Two children of the same sex require one double bedroom. If there are three children in one room they will be assessed as lacking a room.
- Two children of the opposite sex can share up until the age of 10.
- Two children of the opposite sex require two bedrooms if at least one of the children is aged 10+.
- A single applicant or joint applicant with one child require two bedrooms.

6.1.5 We will decide in each case whether the people included in your application will be considered as part of the household. The Council may not consider the following as members of the household:

- Non-dependent children.
- Other non-dependent adults e.g., lodgers.
- Carers (unless medical evidence has been provided to say that live in care is required).

6.1.6 Furthermore, due to a shortage of properties with four bedrooms or more, the Council will discuss with large households whether they can be divided into two or more smaller households.

6.1.7 Where more than one eligible applicant wishes to have a shared application they will be known as joint applicants.

Split families

- 6.1.8 The Council will accept joint applications if you and your family are, not by choice, living in separate households due to the lack of suitable accommodation available and wish to be re-housed and have not been accepted by the Council under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002). This includes those who may not have been living as part of the household at the time of the application, but who it would be reasonable to expect to live with the applicant, as part of his/her household.
- 6.1.9 For split families/households an application form should be completed to provide details of all properties currently occupied/rented to ensure the application is placed in the correct Banding.
- 6.1.10 Applicants will have their circumstances assessed by the Council to determine the best way of addressing their housing needs.

Staying contact with children

- 6.1.11 If you have staying contact with a child for less than 51% of the year, your children will not be counted as part of your household when assessing your bedroom needs. Evidence such as a formal Court Order may be required to verify the situation.

7. Allocation of properties

7.1 Advertising

- 7.1.1 Properties will be advertised from 12:00am Wednesday morning – 11:59pm Sunday night each week on our website www.southend-on-the-move.org.uk and through newsletters that can be posted to you if you cannot gain internet access.

7.2 Bidding

- 7.2.1 If you qualify for inclusion on the Home-seekers' Register, you will be given a reference number and pin code to allow you to log in and 'bid' (express an interest) for up to 3 properties per week. If you are not on our Home-seekers' Register, you will be able to see the details of available properties but will not be able to bid.
- 7.2.2 There is no need for you to stay up for the start of the bidding cycle to be the first to place a bid. The shortlisting position will change throughout the bidding cycle as other people place and remove bids for properties.
- 7.2.3 The final shortlist position is only set once the bidding cycle finishes and will be the same regardless of what time or day the bids are placed in the bidding cycle.
- 7.2.4 The expression of a bid does not guarantee the offer of a tenancy as there are more people in housing need than there are properties available.

7.2.5 If you are on the Home-seekers' Register but have not expressed an interest in any available properties for 6 months, your application will be reviewed and may be cancelled based on an assessment of the properties advertised and the level of activity on your account.

Accessing the Choice Based Lettings System

7.2.6 Free computer access is available on the ground floor of the Council offices, at the borough's libraries and via 'Southend Free Wi-Fi' in the town centre and Seafront.

7.2.7 If you are unable to access the internet you can opt to receive a newsletter showing all relevant information regarding available properties and will be able to call our bidding hotline to register a bid. A property reference number is required to use this service, which can be found on the newsletter.

7.2.8 If you are unable to access either the newsletter/hotline or the internet, you or your support worker/carer should inform the Council at the earliest opportunity, who will work with you, and potentially an Occupational Therapist, to enable you to participate in the Choice Based Lettings scheme and be considered for properties.

7.2.9 Wherever possible, we wish to empower people to bid for themselves, however there is an option to go on 'auto-bid'. Those placed on auto-bid will have the computer automatically place bids on the three properties which the applicant has the greatest chance of success for.

Property descriptions

7.2.10 Wherever possible, all advertised properties will include:

- a photograph of the property
- type of property (e.g., bungalow, house, flat)
- number of bedrooms
- location of property
- rent and, where applicable, service charges
- details of services provided (e.g., caretaker, cleaning, support etc)
- whether tenants are permitted to keep pets at the property
- whether priority will be awarded to people with a medical need for ground floor accommodation
- whether the property is adapted, and if so, its mobility rating (see appendix 1, table 1)
- whether the scheme is a sheltered property aimed at older people (and if so, the minimum age criteria)
- whether the property has been set aside for a direct let applicant

7.2.11 Adverts will also give information on who will be eligible to apply for the property, e.g., where a partner landlord may have additional restrictions in place.

7.2.12 Adverts for Council properties will be categorised by their mobility rating. When assessing your application, we will advise you what types of property you can bid for.

Partner landlord criteria

7.2.13 Landlords who advertise properties through the Choice Based Lettings Scheme may have specific policies or set eligibility criteria, for example age limits for sheltered housing or income limits for charitable landlords, which must be met before an offer can be made. Details will be clarified within the advert and/or viewings and applicants are responsible for checking the criteria before bidding.

7.3 Shortlisting

7.3.1 After the close of advertising, a shortlist of eligible applicants will be generated by the CBL system. In normal circumstances the shortlist will identify the order of applicants based on who is in the highest band with the earliest effective date. Adverts will specify any additional criteria and any applicants who do not meet these additional advertised criteria will not be shortlisted.

7.3.2 In circumstances where there is more than one applicant in the same Band, the computer system will give priority to the applicant with the earliest Effective Date. If in the unlikely circumstance that there is more than one applicant with exactly the same Band and date in Band/Effective Date, a senior Housing Officer will make an allocation decision based on the best use of the housing stock and needs of the applicants.

7.3.3 When a short list of applicants is completed, the top applicants will be offered an accompanied viewing of the property. In certain circumstances joint viewings with more than one applicant present may take place, this is to ensure that if the applicant who tops the shortlist decides not to take the tenancy, the property can be quickly offered to the next person on the shortlist. If a shortlisted applicant is not contactable or contacted but fails to respond within 24 hours the property will be offered to the next person on the shortlist.

7.3.4 The applicant at the top of the shortlist will be given 24 hours after viewing a property and receiving a verbal offer of a tenancy, to accept or refuse the offer. If the offer is refused the person next on the shortlist will be offered the property and given 24 hours to accept or refuse the offer.

7.3.5 In exceptional circumstances the Council may make a decision not to offer a property to the applicant at the top of the shortlist if in doing so the offer could put a vulnerable person at risk of any harm.

7.3.6 If you are first to place your bid, you will not receive any priority over other bidders as shortlisting is based on the prioritisation criteria set out in S.5.2.

7.3.7 Any bids received after 11.59pm Sunday will not be considered.

7.3.8 You should only bid for properties that match your needs and any eligibility criteria shown on the advert.

7.4 Direct Lets

7.4.1 Most properties will be advertised through the CBL scheme for Home-seekers to bid on. However, applicants owed a full housing/homelessness duty will be unable to bid. Instead, they will be made a suitable offer of accommodation within either the private or social sector.

7.4.2 Any other cases requiring a direct let of accommodation will be referred to a senior officer within the Community Housing Team for approval. The list below gives some examples of where the Council might do this. This list is not exhaustive:

- Where an applicant in Emergency band has not found a property through bidding and/or requires immediate rehousing sooner than a bidding cycle would permit.
- Where an existing social tenant is required to move to make best use of stock, and they have not been successful in obtaining a property through CBL.
- Applicants who have refused multiple offers of suitable accommodation through CBL, but where it would be inappropriate to suspend their application in accordance with S.7.10.

7.4.3 Information as to which properties have been allocated through Direct Lets will be made available via the On the Move website.

Direct Lets will be made on the basis of a suitable property becoming available. Where a property becomes available that is suitable for more than one applicant with a Direct Let status, the date the applicants were awarded a Direct Let status will be used as a deciding factor in determining to whom the property will be allocated.

7.5 Excluded properties

7.5.1 The Council is committed to advertising as many vacant properties as possible through the CBL system. There will be occasions when certain properties will not be advertised and the reasons for these exclusions will be monitored. This may include properties required for existing tenants whose properties are subject to major works, requiring them to vacate or requiring a management move.

7.6 Formal offer of a property

7.6.1 Once an applicant has confirmed that they want to accept the offer of the tenancy, the landlord of the property, which could be the Council or a Partner or a Housing Association, will give the applicant a formal offer of the tenancy. During the period after acceptance of an offer and before tenancy sign up, the CBL system will not allow the applicant to be considered for other properties.

7.6.2 The landlord of the property or a managing agent acting on behalf of the landlord will conclude the tenancy sign up.

7.7 Recently let properties

7.7.1 The Council wishes to be transparent in how its social housing is allocated. Therefore, the Council regularly publishes the details of successful applicants of recently let properties, to help others understand their likelihood of being housed in a similar property. The details include:

- the week the property was advertised
- property size and type
- property location
- number of applicants who applied for each property
- band of successful applicant
- effective Date of successful applicant

7.7.2 The successful applicant's personal details will not be published.

7.8 Tenancies

7.8.1 All new tenancies offered by the Council will generally be considered as an introductory tenancy unless one of the following applies:

- the person/s being offered the tenancy is already a secure tenant with the Council or another local authority
- the person/s being offered the tenancy is already an assured tenant of a Housing Association in or out of the Council area

7.8.2 Information on the tenancy types offered by other advertising landlords may be included in the advert wording and details of advertising landlord's approaches to tenancy management can be found on their websites.

7.8.3 Further details on different tenancy types can be found at www.direct.gov.uk

7.9 Withdrawal of offers

7.9.1 Offers may be withdrawn in the following circumstances:

- Where there has been a change in the applicant's circumstances.
- Where the successful applicant has rent arrears or other housing related debts that had not previously come to light.
- Following verification, the applicant is not eligible for the property.
- Where an error has been made in the advertising criteria.
- Where an offer of accommodation could put a vulnerable person at risk of any harm.

7.10 Refusing an offer of accommodation

7.10.1 If you refuse an offer of social housing, the Council will contact you to offer support and assistance and verify your circumstances.

7.10.2 Where you refuse 3 offers of accommodation within a 12-month period, the Council will review your banding and need for re-housing. This may lead to the application being suspended or cancelled.

7.10.3 If you are owed a full statutory homeless duty, that duty will be discharged (cease) if you turn down a suitable offer of accommodation.

7.11 Not bidding for social housing

7.11.1 If you are in Bands A – C and have not bid for social housing for 3 months +, we will review whether there were any suitable properties you could have bid on within this time. If there were suitable properties that you had not bid for, we will contact you to offer support and assistance, ensuring you are able to access the bidding system.

7.11.2 If you continue to fail to place bids on suitable properties within a 3-month period, you're banding and need for rehousing will be reviewed. This may result in your application being suspended or cancelled.

7.12 Allocations to staff, Council members or their family members

7.12.1 Members of staff (of the Council or South Essex Homes), their close family, elected members or board members of advertising landlords who wish to apply to join the housing Register will be able to do so in the same way as other applicants. However, they must disclose their status on the application form at the time of applying or disclose this information to the Community Housing team if the situation arises for existing applicants.

7.12.2 If an applicant who is a member of staff, elected member or a member of their direct family, makes a successful bid for a property, a senior Housing Officer will be informed and must approve the letting prior to the formal offer being made.

7.13 Allocations/tenancy management outside the scope of the Allocations Policy

7.13.1 The following tenancy management areas fall outside of Part 6 of the Housing Act 1996 and will be managed by the applicable landlord, in accordance with their tenancy policies:

- mutual exchanges (House/flat swaps between social housing tenants)
- temporary decants to allow repairs to be carried out
- allocations to a person entitled to rehousing under section 39 of the Land Compensation Act 1973
- persons transferring from an introductory to secure tenancy in the same property
- where a secure tenancy is assigned by way of succession to the same property
- where a secure tenancy is assigned to someone who would be qualified to succeed to that tenancy if the secure tenant died immediately before the assignment
- where court orders are made under one of the following:

- Section 24 of the Matrimonial Causes Act 1973
- Section 17 (1) of the Matrimonial and Family Proceedings Act 1984
- Paragraph 1 of Schedule 1 of the Children Act 1989.

Transfers of existing social tenants

7.13.2 In accordance with S159 (4A) of the Localism Act 2011, if you are a secure or introductory tenant or assured tenant of a private Registered Provider who has requested a transfer and the Council is satisfied that you are not considered in a reasonable preference category (S.1.3.5), your case can be treated as transfers outside this policy. The Council will only consider using this power in exceptional circumstances where it can be shown that to do so would help promote social and economic mobility, make best use of the social housing stock and only where authorised by a delegated senior officer.

7.14 Difficult to let

7.14.1 Given that demand for social housing in the borough outweighs supply, the Council do not foresee difficulty in allocating its social housing stock, however if this is the case, the property will be used as a direct let in accordance with S.7.4 of this policy.

7.15 Protocol for housing potentially dangerous offenders

7.15.1 There is no absolute exclusion preventing dangerous offenders from being included on the Home-seekers' Register. However, before any known offender is offered housing, full consultation will be undertaken with the relevant support agencies to assess the risks involved. Some dangerous offenders will be given a high priority so that the relevant agencies can continue to monitor them.

7.15.2 Rehousing of dangerous offenders will be carried out in full consultation with relevant agencies to minimise the risk to the public and with the long-term aim of influencing the successful accommodation and rehabilitation of the offender, thus minimising the risk of re-offending, and protecting the public and victims of offenders. The Council, CRC or Probation will bid on behalf of any applicant that falls within this category.

7.16 Sheltered housing

7.16.1 Sheltered housing will be advertised through the CBL scheme. Property in schemes designated as sheltered housing by the Council will only be available to households who meet the requirements for this type of accommodation e.g., the age threshold.

7.17 Extra care housing

7.17.1 Extra care housing is generally property where additional support and social care services are provided, predominantly for older people, although it may sometimes also be used by those with mental health issues, learning or physical disability.

7.17.2 Allocation to extra care housing will not be advertised through CBL but made via a Direct Let as decided by a dedicated allocation panel. Allocations through this panel will be based on an assessment of the level of support and care required by the applicant.

7.18 Supported housing

7.18.1 Supported housing is a short-term arrangement that aims to help people to acquire the skills to live independently. Supported housing in the borough includes schemes aimed at those recovering from homelessness, those with multiple needs, learning difficulties, mental health issues and young people.

7.18.2 Allocations of approved supported housing are made by a multi-agency panel of supported housing providers, chaired by a Council Officer, called the 'Access point'.

7.18.3 Referral forms to be considered for supported housing allocated via the access point can be obtained by calling 01702 234918 or emailing accesspoint@southend.gov.uk

7.18.4 Those living in approved supported housing schemes will be given band A priority on the Home-seekers' Register when their supported housing provider confirms that they are ready to move on into independent living.

7.19 Local lettings policies

7.19.1 Local lettings policies (LLPs) may be used for a time limited period to meet a set objective arising from a local housing need. Any LLPs in place will be published on the Council's website. LLPs will be agreed between the Council and participating landlords and are time limited with clear explanation of how applications will be prioritised.

8. Complaints and reviews

8.1 Statutory reviews

8.1.1 If you have applied for social housing, you have the right to request a review of decisions made under part V1 (6) of the Housing Act 1996 in particular:

- Decisions about the facts of your case which are likely to be, or have been, taken into account in considering whether to allocate housing accommodation to you.
- Lack of any reasonable preference based on previous behaviour s167 (2C) Housing Act 1996
- Ineligibility for an allocation based on immigration status s160A (9).

8.1.2 Decision letters issued in respect of housing applications will advise you of your right to request a review and provide appropriate guidance on how to do this. An applicant can obtain further details of the review procedure from the Council's Housing Solutions Team.

- 8.1.3 A request for a review of a decision on the grounds listed in 8.1.1 can be made in writing or verbally to the Council. The request should be made within 21 days following the notification of the decision. Reviews will be considered within eight weeks of the request being received and the applicant will receive a written response outlining the result of the review.
- 8.1.4 Reviews will be undertaken by an officer who was not involved in the original decision, and who is senior to the decision-making officer.
- 8.1.5 If you do not agree with the outcome of the review, you can make a complaint through the Council's complaints procedures, contact the Local Government Ombudsman (see S.8.3) or seek to challenge the decision via a judicial review.

8.2 Homeless reviews

- 8.2.1 Homeless applicants have the right to request a review of certain decisions made by the Council in respect of a homelessness application. This includes the right to request a review of the suitability of accommodation offered via the Home-seekers' Register or in the private sector in order to discharge the Council's duty.
- 8.2.2 A review request must be made within 21 days of notification of a decision, although a late review request can be accepted under exceptional circumstances at the discretion of the Council.
- 8.2.3 Having requested a review, you will be invited to make representations to support the review, which can be in writing and / or orally. Someone who is acting on your behalf can also make representations. The case file together with any new information provided as part of the review request will be sent to the reviewing officer. The Council will write to you notifying you of the outcome of the review.
- 8.2.4 A review regarding the suitability of accommodation will be completed within 8 weeks, although extensions to this can be agreed if required.
- 8.2.5 If you are requesting a review of a decision about the suitability of accommodation, you will be advised to accept and move into accommodation pending the outcome of your review request. If the review goes in your favour alternative accommodation will be provided as quickly as possible. However, if you have accepted the original offer and the Council's decision about the suitability of the property stays the same, you will be entitled to remain in the property, but no further accommodation will be provided.
- 8.2.6 There is no right to request a review of the decision of an earlier homelessness review. You have the right to appeal on a point of law to the County Court if you are dissatisfied with the decision on a review, or if you are not notified of a decision on the review within the prescribed time period.

8.3. The Local Government and Social Care Ombudsman

8.3.1 If you are not satisfied with the action the Council takes, you can send a written complaint to the Ombudsman. A complainant must give the Council an opportunity to deal with a complaint first, using all stages of the internal complaints procedure where necessary.

8.3.2 You may complain to the Local Government and Social Care Ombudsman if you consider that you have been caused injustice if a housing authority:

- took too long to do something
- did not follow their own rules or the law
- broke their promises
- treated the applicant unfairly
- gave the applicant the wrong information

8.3.3 The Ombudsman can be asked to investigate complaints about most Council matters including housing.

8.3.4 Complaints about this scheme should be sent to:

The Complaints Officer,
Performance and Business Support,
Growth and Housing,
Southend-on-Sea Borough Council,
P.O. Box 6,
Civic Centre,
Victoria Avenue,
Southend-on-Sea,
Essex, SS2 6ER

or e-mail gh-ne-complaints@southend.gov.uk

The Local Government Ombudsman can be contacted at:

Tel: 0300 061 0614

Website: www.lgo.org.uk

If an applicant wishes to make a complaint against a social landlord, they should contact:

The Housing Ombudsman Service,
PO BOX 152,
Liverpool L33 7WQ

Tel: 0300 111 3000

Website: <https://www.housing-ombudsman.org.uk>

9. Confidentiality and access to information

9.1 Your right to Information

9.1.1 You have the right to request such general information that will enable you to assess:

- how your application is likely to be treated under the Allocations Policy, including, in particular, whether you are likely to be regarded as a member of a group of people who are to be given preference by virtue of this policy
- whether accommodation appropriate to your needs is likely to be made available to you

9.1.2 You have the right to request the Council inform you of any decision about the facts of your case which is likely to be or has been taken into account in considering whether to allocate housing accommodation to you.

9.2 Data protection

9.2.1 The Council's policies on data protection can be viewed by going to www.southend.gov.uk and searching for 'Data protection'.

9.2.2 If you apply to the CBL scheme, the Council will only seek information that they require to assess your application and housing needs. The Council will collect and keep data in accordance with the Council's guidelines on handling personal data.

9.3 Freedom of information

9.3.1 The Freedom of Information Act is in two parts. The first part, the Publication Scheme, came into force in February 2003 and the Council's Publication Scheme is available on the website www.southend.gov.uk. The second part of the Act came into force on 1st January 2005. Since then, the Council has been obliged to provide information to anyone who requests it unless an exemption applies. The deadline for meeting requests is 20 working days. It is free to make a request, but the Council can charge for copying and postage.

9.4 Requesting information

9.4.1 If you are looking for your own personal information, this is handled in accordance with data protection legislation. More detail can be found at www.southend.gov.uk

9.4.2 Please note that we cannot provide you with personal information about other people without their consent.

10. Monitoring and reviewing the Allocations policy

- 10.1 The Council will monitor the operation of the Allocations policy to ensure it meets its stated objectives and complies with existing and emerging legislation. Where aspects of this policy are revised, the date of the change will be recorded on the front of this document.
- 10.2 Overall, the scheme operates to give reasonable preference to those set out in S.1.3.5 over others and we will monitor operation of this accordingly.

Appendix 1: Medical assessment procedure

1. Obtaining a medical assessment

- 1.1 Medical assessments will be carried out for any applicant who believes that their (or a member of their household's) medical condition or disability is being affected by their current accommodation.
- 1.2 The applicant will be required to state on their application form how their current accommodation is impacting on these conditions, and how they believe this will be alleviated or improved by a move to a different property.
- 1.3 They may be required to provide supporting documentation or details from a suitably qualified professional such as their GP, Medical Consultant etc.
- 1.4 Medical banding assessments will be carried out by a housing officer, or where appropriate, a panel involving Housing officers, adaptations experts and Occupational Therapists. Occasionally, an independent medical professional may be called upon.
- 1.5 Where an adapted property may be required, an assessment will first be carried out by the Council's Occupational Therapy Team.
- 1.6 The assessments will determine how the medical condition(s) are being affected by the current housing circumstances and if there is a medical need for a particular type of property.
- 1.7 The housing officer will apply the relevant banding to the application in accordance with S.2, below.
- 1.8 If the Home-seeker is not in agreement with the result of the assessment, they can ask for the decision to be reviewed. Details of how to do this can be found in [S.8](#) of the Allocations policy.

2. Medical needs assessment

- 2.1 Where your health/welfare condition is being caused or made worse by your current housing and your home cannot be adapted to meet your needs, you will be awarded either urgent/Band A or Band C medical/welfare priority if you have a local connection (as per S.5 of Allocations Policy).
- 2.2 Medical/welfare priority will be given if your health/welfare can only be improved by a move to a different property. If your health/welfare would remain the same regardless of any property type or location, medical/welfare priority will not apply. For example, if a wheelchair user is already living in a property that is adapted to meet their needs, no additional priority will be given on medical grounds.
- 2.3 Band C medical/welfare priority will be awarded where there the accommodation is having a significant impact on the applicant's health/welfare. Where the impact is extreme, urgent (Band

A) medical priority will be awarded. As per S.5.2.7(c) of the Allocations Policy, those without a local connection but who have a housing need will be placed in band D.

3. Medical assessment procedure for applicants who may require an adapted property

- 3.1 Wherever possible and safe to do so, we will seek to resolve your housing need without moving you to a different property. Where the information on your application form indicates that Occupational Therapy support or aids and adaptations may be required, the Community Housing Team will make a referral to the Occupational Therapy Team (OTT).
- 3.2 The OT will undertake an assessment of the information provided and may need to carry out further investigations such as an assessment of the Home-seeker in their current property.
- 3.3 An occupational therapy assessment will be conducted, and a range of solutions considered to improve your wellbeing within the existing property. An OT will explore if clinical or other kinds of intervention are planned such as surgery, physiotherapy, and counselling. Strategies to manage your health and wellbeing at home will be considered. This may include using new techniques, alternative equipment, or modification/adaptations to your existing property.
- 3.4 Where your housing/medical/welfare needs can be met within your current home, in a reasonable timeframe, priority will not usually be awarded. However, if remaining in your home would place you or your family members at risk of violence or abuse, or it is not possible to undertake required works within a reasonable timeframe, we would award the appropriate banding priority to your application, in accordance with S. 5, and enable you to bid for appropriate social housing.
- 3.5 Following the assessment the OT will:
 - Inform the Community Housing Team whether needs can be met in the current property.
 - Provide advice and assistance to the Home-seeker on applying for relevant financial support to adapt their current property where eligible/where the landlord consents.
 - Where the need cannot be met in the existing property, the OT will bring the case to a panel involving Housing Officers, Adaptations experts and Occupational Therapy. The panel will:
 - agree the appropriate medical / welfare banding (Band A, Band C, or none)
 - determine if only ground floor and/or lifted accommodation is suitable
 - determine if additional bedrooms are required for medical / welfare reasons
 - determine whether a household should be prioritised for a property with a garden on medical/welfare grounds. This will be awarded only where the absence of a garden would have a disproportionately negative impact on an individual/their carer/household compared with like others in housing need

- assess the level and extent of adaptations which the Home-seeker may require. This is known as the ‘mobility rating’ and is determined in accordance with S.4, table 1 (Mobility Ratings)
- in exceptional cases, where the applicant is unable to bid for themselves/with support, is at risk of harm and/or requires a highly specialised property, the panel may directly match a disabled applicant to an adapted property. Refusals will be dealt with in line with S.7.10 of the Allocations policy

3.6 If agreement at panel is not reached regarding the assessment, senior housing and occupational therapy officers will meet within 10 working days to agree the final banding and mobility rating.

3.7 The Community Housing Team will notify the applicant of the outcome of their application including, where relevant, their band of priority and they types of properties they can bid for.

3.8 The Occupational Therapy Team will provide advice to the applicant on how to best stay safe and well in their existing home whilst awaiting adaptations or a move to an alternative property.

4. Mobility ratings

4.1. If a household requires an accessible/adapted property, they will be given a ‘mobility rating’ to indicate which properties they should bid for.

Table 1: Mobility ratings

Mobility rating	Description
A1: Accessible and Adaptable (non-wheelchair)	Typical requirements: <ul style="list-style-type: none"> • shallow steps • level access shower • space for stairlift
A2: Wheelchair Accessible and Adaptable	Typical requirements: <ul style="list-style-type: none"> • level or ramped access • stairlift / through floor lift • level access shower • level access throughout • widened doors to accommodate a wheelchair

4.2 Properties marked ‘A1’ (accessible/adaptable – non wheelchair) will be advertised with priority given to those with a medical need for this type of accommodation. Households without a need for A1 properties will be able to bid but will receive 2nd priority.

4.3 Properties marked ‘A2’ (Wheelchair accessible/adaptable) will be advertised so that only those with a medical need for this type of accommodation can bid for them. If an A2 property is not let during its first bidding cycle, it will be re-advertised.

Should an A2 property remain unlet after 2 bidding cycles, a direct offer will be made to a household in need of an A2 property. If there are no households in need of a wheelchair adapted property of that size, or all those eligible for an A2 property turn the offer down, it will be direct let to another household in housing need, in accordance with S.7.4 of this policy (Direct Lets).

- 4.4 Where a household turns down an offer of a an A1 or A2 property, their application will be dealt with in line with S.7.10 of the Allocations policy.
- 4.5 Where a household with a need for A1 or A2 accommodation does not bid, their application will be dealt with in accordance with S.7.11 of the Allocations policy.

Appendix 2: Procedure for assessing applicants who are homeless or at risk of homelessness

1. Homeless prevention

- 1.1 If you have indicated that you are at risk of homelessness within the next 56 days, you will be invited in for an interview with a Housing Solutions Officer who will work with you to prevent homelessness and develop a personalised housing plan (The 'Prevention Duty').
- 1.2 Those engaging with a personalised housing plan will be placed into band B. However, our first aim will be to prevent homelessness and work with you and your landlord to keep you in your current property, where it is safe to do so.
- 1.3 If you do need to move and are at risk of homelessness, we will make our interest free rent deposit scheme available to you, so that you can source a private rented property. On most occasions this will be the quickest route to resolving your housing needs.
- 1.4 If you accept a private rented sector offer/find a suitable private property whilst being assisted under the prevention duty, you will remain on the Register, in band C.

2. Homeless relief

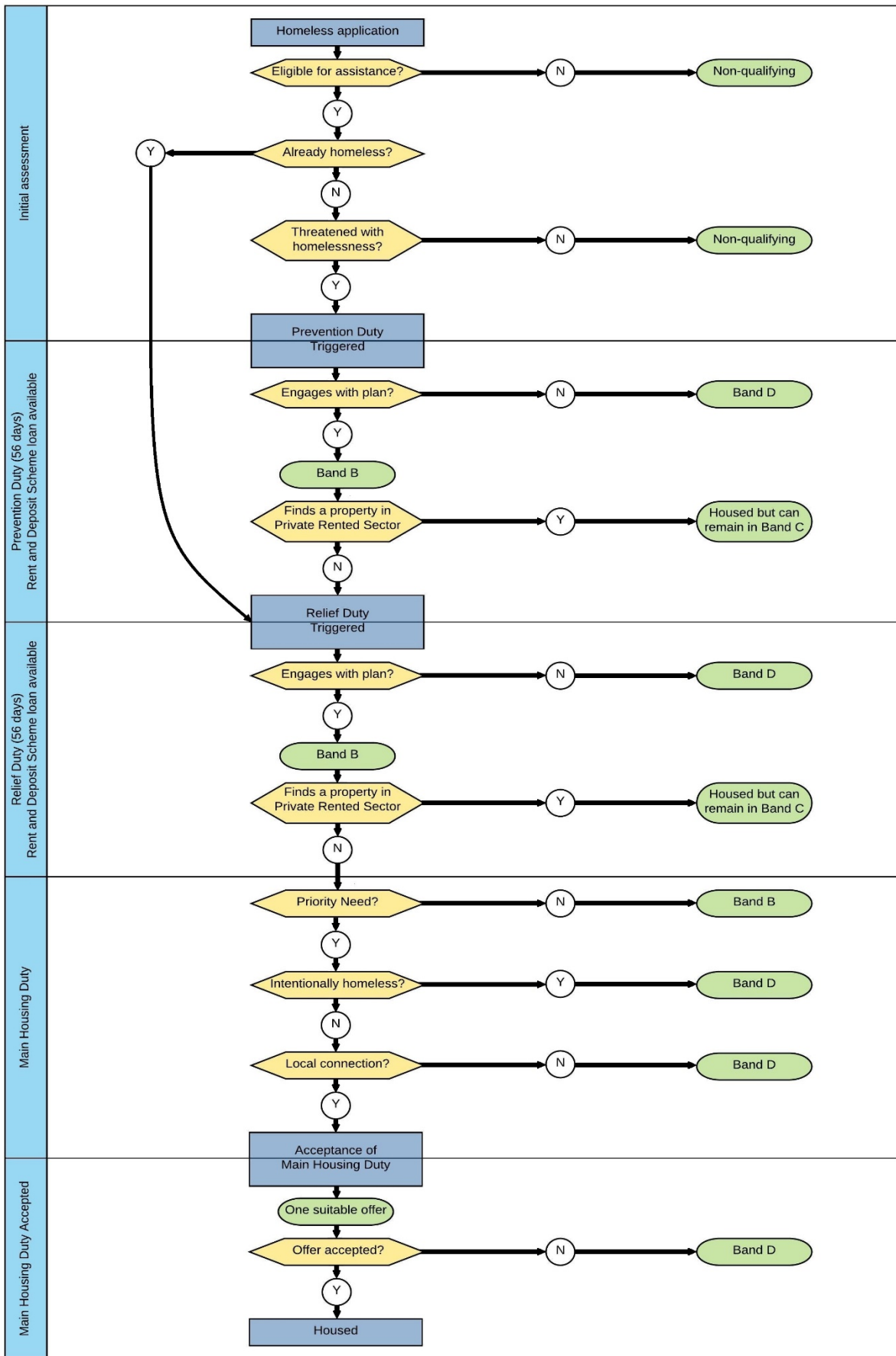
- 2.1 If we have been unable to prevent your homelessness, or you are already homeless, we will assist you under the homelessness 'relief duty'. This is where we will work with you to help you to secure accommodation, in the private or social sector.
- 2.2 We will ask you to work with us to create your own personalised housing plan exploring your full housing options; the 'relief duty'.
- 2.3 If you are being assisted under the homeless relief duty and engaging with the process, following the agreed steps in your plan, you will be placed into band B.
- 2.4 If you accept a private rented sector offer/find a suitable private property whilst being assisted under the relief duty, you will still be able to remain on the Register in band C.

3. Full/main housing duty

- 3.1 If we have been unable to resolve your homelessness during the relief duty, you may be owed a full/main housing duty. Here, in accordance with homelessness legislation, we will investigate if you:
 - are eligible for homelessness assistance
 - are homeless
 - are in priority need
 - are unintentionally homeless
 - have a local connection to the borough

- 3.2 If all these requirements are met, we will accept a full housing duty to you. You will then be placed into the 'One suitable offer' band and will no longer be able to bid for social housing. If you are in the one suitable offer band, we will match you to a suitable property in the private or social sector and notify you of the offer. Once you have moved to your suitable accommodation, your housing application will be closed.
- 3.3 If, however, you refuse a suitable offer of accommodation, we will discharge our homeless duty to you, and you will be placed into band D on the housing Register.
- 3.4 If you are found to be not in priority need, you will remain in band B on the housing Register where you will be able to continue to bid for social housing, whilst still having the rent deposit loan scheme available to you if you manage to find accommodation within the private rented sector.
- 3.5 If you are found to be intentionally homeless, you will be placed into band D on the housing Register, unless you are found to fall within any of the exclusion criteria outlined in S.4.
- 3.6 A flow chart illustrating the procedure for assessing the banding priority for those who are homeless or at risk of homelessness is shown overleaf:

Green boxes indicate level of priority on Homeseekers' Register



Appendix 3: Procedure for assessing properties in a poor state of repair

1. Notify landlord

Where an applicant indicates the property is in disrepair the Community Housing team will advise the applicant to speak to their landlord. This should usually lead to the issue being resolved and there should not be a need to move to a different property.

2. Notify the Council's Private Sector Housing Team

If the landlord is aware of the disrepair but has failed to take appropriate action within a reasonable time, the applicant will be advised to report the issue to the Council's Private Sector Housing team through the MySouthend portal, or, if the applicant does not have internet access, by calling on 01702 215000.

Where there is a suspected or identified vulnerability, the Community Housing team can make the referral to the private sector team on behalf of the applicant.

3. Follow recommendations

Those referred will be required to work with the Private Sector Housing team and follow any recommendations made. This may include allowing reasonable time for your landlord to make required repairs.

The Private Sector Housing team may make contact with the relevant landlord or managing agent who is responsible for the property before or after any visit.

4. Banding assessment

Following any inspection of the applicant's property, if there is any enforcement action and there is no prospect of this being completed within reasonable timeframe, the applicant will be placed into either band C or band A, depending on the extent of the issues.

Failure to cooperate with the Council's Community Housing or Private Sector Housing team, or unreasonably preventing the landlord from carrying out works required will prevent any disrepair priority being awarded to your housing application and your application will be suspended until such time that you permit the works to take place.

Appendix 4: Approved regeneration schemes

1. S.5.2.4 (a) of the Allocations policy states that where social rent tenants of approved regeneration schemes have been served with written notice that they need to leave their property within 12 – 18 months, band A priority will be awarded.
2. For the purposes of the Allocations policy the following regeneration schemes are defined as approved:
 - The Better Queensway Scheme.
3. Accommodation within this scheme includes the following high-rise buildings:
 - Quantock
 - Malvern
 - Pennine
 - Chiltern

Selected properties in Sutton Road will also be included, where occupied by secure tenants.

4. Further information on the Better Queensway regeneration project can be found at betterqueensway.co.uk
5. This appendix may be updated from time to time to include additional regeneration schemes, if/where approved by Cabinet.

Appendix 5: Legislative framework

The Allocations Policy is shaped by numerous legislative requirements and powers, including:

- Part 6 of The Housing Act 1996 (as amended and extended by the Homelessness Act 2002 and the Localism Act 2011).
- The Homelessness Reduction Act 2017.
- The Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012.
- The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012.
- The Allocation of Housing (Procedure) Regulations 1997.
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967).
- The Homelessness (Suitability of Accommodation) (England) Order 2012.
- The Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006.
- The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2020.
- The following statutory guidance:
 - The Allocation of accommodation: guidance for local housing authorities in England (2021).
 - Providing social housing for local people (December 2013).
 - Right to Move: Statutory guidance on social housing allocations for local Housing authorities in England (March 2015).
 - Improving Access to Social Housing for Victims of Domestic Abuse in Refuges or other types of accommodation (November 2018).
 - Improving Access to Social Housing for Members of the Armed Forces (June 2020).

The Council's Homelessness, Housing and Rough Sleeping Strategy and Tenancy Strategy are taken into account as required by 166A (12) of the Housing Act 1996