



# CABINET

19 March 2013

**A Meeting of the CABINET will be held on Tuesday, 26th March, 2013, 6.00 pm in Committee Room 1 Marmion House, Lichfield Street, Tamworth**

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## A G E N D A

### NON CONFIDENTIAL

**1 Apologies for Absence**

**2 Minutes of the Previous Meeting** (Pages 1 - 4)

**3 Declarations of Interest**

*To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.*

*When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.*

**4 Matters Referred to the Cabinet in Accordance with the Overview and Scrutiny Procedure Rules**

None

**5 Local Authority Mortgage Rate for Mortgages Under Housing Act 1985**  
(Pages 5 - 6)

(The Report of the Portfolio Holder for Core Services and Assets)

**6 Healthier Tamworth** (Pages 7 - 14)

(Report of the Portfolio Holder for Community Development)

**7 Allocations Policy** (Pages 15 - 80)

(Report of the Portfolio Holder for Housing)

**Restricted**

**NOT FOR PUBLICATION** because the report could involve the disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended)

- 8 Housing Regeneration Programme Update** (Pages 81 - 120)  
(Report of the Portfolio Holder for Housing)
- 9 Tamworth Golf Course** (To Follow)  
(Report of the Leader of the Council)

Yours faithfully



**Chief Executive**

*People who have a disability and who would like to attend the meeting should contact Democratic Services on 01827 709264 or e-mail [committees@tamworth.gov.uk](mailto:committees@tamworth.gov.uk) preferably 24 hours prior to the meeting. We can then endeavour to ensure that any particular requirements you may have are catered for.*

To Councillors: D Cook, R Pritchard, S Claymore, S Doyle, M Greatorex and J Oates



## **MINUTES OF A MEETING OF THE CABINET HELD ON 20th FEBRUARY 2013**

**PRESENT:** Councillors S Claymore, M Greatorex and J Oates

The following officers were present: Anthony E Goodwin (Chief Executive), John Wheatley (Executive Director Corporate Services), Rob Barnes (Director - Housing and Health), Stefan Garner (Director of Finance), Anica Goodwin (Director - Transformation/Corporate Performance), Rachel Ashford and Natalie Missenden (Public Relations Officer)

### **119 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors D Cook, R Pritchard and S Doyle.

### **120 CORPORATE UPDATE**

Rita Symons (Accountable Officer) South East Staffordshire and Seisdon Peninsula Clinical Commissioning Group gave her apologies and will attend a future Cabinet meeting to give a presentation on the Clinical Commissioning Group.

### **121 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 30 January 2013 were approved and signed as a correct record.

*(Moved by Councillor J Oates and seconded by Councillor M Greatorex)*

### **122 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

### **123 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES**

None

**124 CORPORATE VISION, PRIORITIES PLAN, BUDGET & MEDIUM TERM FINANCIAL STRATEGY 2013/14**

The Report of the Leader of the Council seeking approval for the Single Corporate Vision and Strategic Priorities for 2013/14 and the recommended package of budget proposals was considered.

**RESOLVED:** That all 25 recommendations as contained in the report be approved.  
*(Moved by Councillor S Claymore and seconded by Councillor M Greatorex)*

**125 QUARTER 3 2012/13 PERFORMANCE REPORT**

The Report of the Leader of the Council providing Cabinet with a performance and financial health-check was considered.

**RESOLVED:** That the contents of the report be endorsed.

*(Moved by Councillor S Claymore and seconded by Councillor J Oates)*

**126 CABINET REPORT FOR WRITE OFFS 01/04/12 - 31/12/12**

The Report of the Portfolio Holder for Core Services and Assets providing members with details of write offs from 1 April 2012 to 31 December 2012 was considered.

**RESOLVED:** That the amount of debt written off be endorsed.

*(Moved by Councillor S Claymore and seconded by Councillor M Greatorex)*

**127 DOMESTIC ABUSE POLICY**

The Report of the Portfolio Holder for Community Development seeking Member's approval to adopt the proposed Domestic Abuse policy was considered.

**RESOLVED:** That the Domestic Abuse Policy be approved.

*(Moved by Councillor J Oates and seconded by Councillor S Claymore)*

**128 PRIVATE SECTOR HOUSING ENFORCEMENT POLICY**

The Report of the Portfolio Holder for Housing seeking approval for the revised and updated Enforcement Policy was considered.

- RESOLVED:** That:
- 1 The Private Sector Enforcement Policy be approved subject to consultation with the Council's Private Sector Landlords forum, and;
  - 2 That the Director of Housing and Health in consultation with the Portfolio Holder for Housing be authorised to make any changes arising from the above consultation.

*(Moved by Councillor M Greatorex and seconded by Councillor J Oates)*

**EXCLUSION OF PRESS AND PUBLIC**

- RESOLVED:** That members of the press and public be now excluded from the meeting during consideration of the following item on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 1 and 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

**129 REVIEW OF PAY POLICY**

The Report of the Leader of the Council detailing Tamworth Borough Council's reviewed Pay Policy Statement so that statutory guidance as set out in S38 of the Localism Act 2011 is adhered to was considered.

- RESOLVED:** That :
- 1 The Pay Policy Statement approved by Appointments & Staffing be endorsed, and;
  - 2 Council be requested to formally endorse the Pay Policy Statement.

*(Moved by Councillor S Claymore and seconded by Councillor M Greatorex)*

**130 DISCRETIONARY RATE RELIEF REPORT**

The Report of the Portfolio Holder for Corporate Services and Assets seeking approval for the award of Discretionary Rate Relief in respect of a qualifying group's application was considered.

**RESOLVED:** That the recommendations as contained in the report be approved.

*(Moved by Councillor S Claymore and seconded by Councillor J Oates)*

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Leader

26 March 2013

**Report of the Portfolio Holder, Core Services & Assets**

Local Authority Mortgage Rate for Mortgages granted Under Housing Act, 1985

**EXEMPT INFORMATION**

None

**PURPOSE**

The purpose of this report is, in accordance with Section 438 of the Housing Act 1985, to make the statutory declaration of the local authority mortgage interest rate from 1 April 2013 to 30 September 2013.

**RECOMMENDATIONS**

**Cabinet is recommended to endorse the statutory declaration of interest to remain unchanged at 4.72%.**

**EXECUTIVE SUMMARY**

In accordance with Section 438 of the Housing Act 1985 with effect from 1 June 2012 the Authority interest charged on Council mortgages has been 4.72%.

**RESOURCE IMPLICATIONS**

There are no significant resource implications.

**LEGAL/RISK IMPLICATIONS BACKGROUND**

None

**SUSTAINABILITY IMPLICATIONS**

None

**BACKGROUND INFORMATION**

Authorities are required to charge whichever is the higher of:

1. The standard national rate, which is set by the Secretary of State, or
2. The applicable local average rate based on the Authority's own borrowing costs and a small percentage (0.25%) for administration.

The Council currently has a portfolio of 3 mortgages with a total amount outstanding of £36,653.23.

The standard national rate last declared by the Secretary of State after taking into account rates charged by building societies is 3.13%.

The applicable local average rate for Tamworth Borough Council is the Council's local average rate 4.47% plus 0.25% being 4.72%.

The mortgage interest rate that will be applied from 1 April 2013 will be 4.72% as it is the higher of the standard national rate and the local average rate.

**REPORT AUTHOR**

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## REPORT OF THE PORTFOLIO HOLDER FOR HEALTH

### HEALTHIER TAMWORTH

#### EXEMPT INFORMATION

Non-confidential

#### PURPOSE

To provide background information to the Healthy Cities network and agree to the registration of Tamworth to the network.

#### RECOMMENDATIONS

- That members agree the registration of Tamworth BC to the UK Healthy Cities Network
- That the Portfolio Holder for Health and Community Safety is named as the political lead for the development of the Healthy Cities concept within Tamworth
- That the £15k Healthy Living Programme contingency budget is released and as part of the final accounts process reserved to support the delivery of the Healthy Tamworth initiative
- That the Director of Housing and Health working in consultation with partners develop a strategic plan to develop and deliver the aims of Healthier Tamworth

#### EXECUTIVE SUMMARY

The Healthy Cities concept is based on a network of towns and cities worldwide where there is a demonstrable commitment to improve the health and wellbeing of local people. Membership of the network provides opportunities to learn from others, gives access to training and provides a clear indication of the Council and its partners intentions in relation to The improvement of health and wellbeing for residents.

Attached at Annex One is a paper prepared by Jon Topham, Staffordshire Public Health Team, which provides information regarding the network and Healthy Cities concept.

Registration with the network and the development of a strategic plan for health improvement is recommended to support the Council and its partners in improving health and wellbeing outcomes for the people of Tamworth.

Currently Tamworth has a mixed position in relation to indicators of health. A considerable amount of work has been undertaken to improve the health of Tamworth residents both by the Council and its partners. Tamworth has excellent partnership arrangements in place which are driving joint approaches to tackling health issues locally. As a District Council Tamworth has been pro-active in embracing the opportunities for new partnerships presented by National Health Service reform and an emphasis on prevention. Through the Tamworth Strategic Partnership a new Tamworth Health and Wellbeing Group has been formed to ensure continued coordination between key Health and Wellbeing commissioning agencies.

The network provides an opportunity to take this important work to the next level providing an opportunity to learn from others and provide a focus for the engagement of Tamworth residents in developing a response to the health issues of the town. How the Healthy City

concept is implemented in Tamworth is not prescribed and it is anticipated that the aims, vision and plans will be developed in consultation with local residents.

Learning from the network and partners indicates that a key part of achieving improved Health and Wellbeing outcomes will be to change the perceptions and attitudes of local people. To achieve this the Council and its partners will consider the benefits of branding and social marketing. The Council is currently developing an 'Active Tamworth' brand currently focussed principally on the Council's Community Leisure services and local leisure offer and complementing existing corporate and place brands. It is thought beneficial that, within the overall Healthy Tamworth framework this brand could be fully developed to encourage a range of health and wellbeing outcomes eg Active Kids / Active Travel / Active Retirement / Active Spaces. Once developed appropriate member approval will be sought for this and other programmes and projects.

### **RESOURCE IMPLICATIONS**

Registration with the Network costs £1,500. This sum can be met from within existing budgets.

A sum of £15k was identified within 2012/2013 budgets to seek to deliver increased access to Community Leisure services and included within the Corporate Finance Costs centre as a contingency named Healthy Living Programme. It has been possible for improved outcomes to be achieved without any call on this contingency. It is therefore proposed that this sum is now released and that a reserve is proposed as part of the final accounts process to enable this budget to be used in developing and delivering the Healthy Tamworth programme.

### **LEGAL/RISK IMPLICATIONS BACKGROUND**

Membership of the Network will require the Council and partners to fulfil requirements and to engage in an ongoing programme of health improvement. Should the Council or partners fail to do this there is a potential reputational risk.

However, membership of the network provides considerable benefits and a more significant risk exists in not making use of this and other tools to improve the health and wellbeing of Tamworth residents.

### **SUSTAINABILITY IMPLICATIONS**

Improving the Health and Wellbeing for Tamworth residents is a critical issue in ensuring the achievement of strategic priorities. The interdependency between poor health and wider social determinants is now well documented.

### **BACKGROUND INFORMATION**

Further information is attached at Annex One.

### **REPORT AUTHOR**

Robert Barnes Director of Housing and Health

### **LIST OF BACKGROUND PAPERS**

### **APPENDICES**

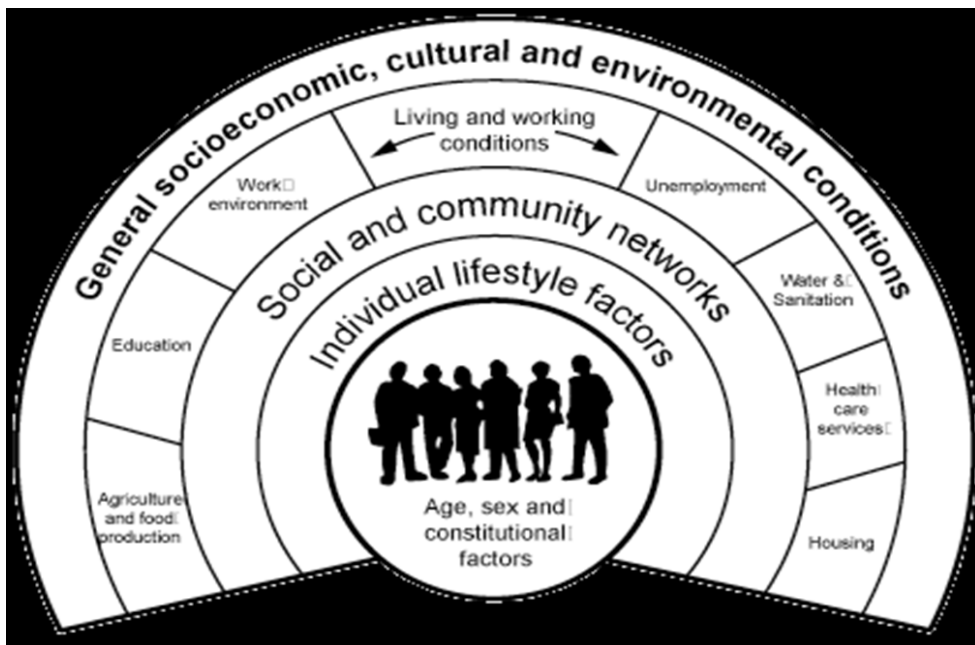
Annex One: Healthy Cities Briefing

# HEALTHY CITY / HEALTHY TAMWORTH

## Developing the Concept

### 1. Introduction

- 1.1. There are a number of “red flag” issues in Tamworth that partners have recognised and where action is required to deliver a transformative agenda.
- 1.2. The issues that require attention are about health inequalities, aspiration, and attitudes to health. Tamworth is not a particularly sick town, but it is potentially an unhealthy town.
- 1.3. Significant issues in Tamworth include high levels of obesity amongst adults in Tamworth, high rates of Teenage Pregnancy amongst younger people, lower levels of educational attainment and an ageing population.
- 1.4. The issues are complex and require be multi-faceted answers which will require cohesive partnership working and effective coordination of plans and strategies.
- 1.5. The shift in emphasis that is required will mean that we must build momentum across a range of “wider determinants of health” to address health and wellbeing in the town. These issues can best be characterised in the following diagram:



- 1.6. The Healthy City approach will give us a framework upon which we can clearly state our aspirations to improve the health and wider socio-economic conditions of Tamworth residents and to build this around a dedicated Healthy Tamworth approach

## **2. What is Healthy City?** - Quite simply a Healthy City (Health Town) is a process.

A process based on an aspiration to promote health and to build a local movement for health / public health. It is

- 2.1. Conscious of health and is striving to improve it. Thus any city can be a healthy city, regardless of its current health status.
- 2.2. Committed to health, with a process and structure to achieve it.
- 2.3. A place which continually creates and improves its physical and social environments and expands the community resources that enable people to mutually support each other in performing all the functions of life and developing to their maximum potential.
- 2.4. A place which builds upon certain key concepts. These concepts include; cross sector partnerships, community empowerment / participation, equity, action to address the determinants of health, strong political support, effective leadership and institutional change
- 2.5. Initially this will mean
  - 2.5.1. Joining a network of other towns and cities
  - 2.5.2. Using Healthy City to drive the Healthy Tamworth developing the brand, that shows strong civic commitment and potentially puts Tamworth on the national and international map
  - 2.5.3. Identifying themes for action that are based on the Healthy City themes. The key agreed themes currently are:
    - Health and Health equity in all local policies
    - A Caring and supportive environment:
    - Healthy living
    - Healthy urban environment and design

## **3. What is needed to become a Healthy City?**

3.1. Healthy City operates at different levels and there is a European Healthy City Network and also a UK Healthy City network. A small number of larger Cities are part of the WHO network, but there is a larger group of UK towns and cities, who are linked into the UK Network. These include Brighton, Carlisle, Preston, Leeds, Bristol, Manchester, Newcastle, Swansea and Warrington.

- 3.1.1. As of January 2013 entry to the UK network is based on a partial subscription model following the submission of an application form. To complete the application we will need to ensure that we have; a

named lead politician and an explicit commitment from the Council Leader endorsing the 2008 [Zagreb Declaration for Healthy Cities](#).

- 3.1.2. We will also need to ensure that we have an identified lead and provide administrative and technical support and that Tamworth has formal local partnership arrangements that demonstrably focus on health and health equity and can steer Healthy Cities work. This will also need to show that we have in place a range of strategies and activities to address the overarching goal and core themes of [Phase V of the WHO European Healthy Cities Network](#)
- 3.1.3. Finally, Tamworth is expected to commit to attending at least one UK Network meeting, will actively participate by; sharing and taking part in learning activities and that we provide an annual update on activities and progress.

#### **4. Is it worth it?**

- 4.1. Healthy City is now a well know brand and has some cache nationally and internationally. Membership is not an onerous process and it usually receives strong political support from the towns and cities that participate.
- 4.2. The benefits of membership depend on how Tamworth approaches Healthy City but include: a bigger profile for Tamworth, access to training and learning, access to expertise, and national and international connectivity.
- 4.3. Enhanced access to European networks may also enable stronger European bids for funding streams and provide an earlier warning of the opportunities that exist to draw in funding.

#### **5. A Tamworth perspective**

- 5.1. Tamworth has many of the elements required to become a Healthy Town / Borough.
- 5.2. The Tamworth Strategic Partnership is strong and has the potential to act as the focus for much of this work, particularly through the Health and Wellbeing group, and there are work streams developing on a number of fronts, these include:
  - 5.2.1. Health and Health equity in all local policies; planning and health, Healthier housing strategy
  - 5.2.2. A Caring and supportive environment- for example; Frail elderly and Long Term Conditions with CCG; Community Hubs and the focus on

priority neighbourhoods; the citizens panel; and the partnership arrangements at TSP.

5.2.3. Healthy living - for example: TSP Healthy Lifestyles specification; Public Health commissioning for Health improvement; Active Tamworth; Scoping work around Obesity and Teenage Pregnancy; Community Safety agenda; and joined up working with the CCG. Opportunities around Public Health resource to deliver funding for a physical activity project

5.2.4. Healthy urban environment and design – for example: health impact assessment for Core Strategy; engagement of planners in Spatial Planning and health agendas; joined up approaches to impact assessments and the Healthier Housing Strategy.

5.3. Healthy City would in reality give TSP a solid national platform and it could provide strong network linkages that could assist Tamworth to develop its plans moving forward, it would ensure strong political support and give a national profile to TSP and Tamworth.

## 6. The Tamworth Concept

6.1. Based on key priorities for example Obesity (Physical Activity and Healthy Eating) and Teenage Pregnancy that are built around key Healthy City themes. This could be visualised using a matrix, as follows:

	Obesity	Teenage Pregnancy		
Health and Health equity in all local policies				
A Caring and supportive environment:				
Healthy living				
Healthy urban environment and design				

6.2. Built around some key principles:

- A strong focus on prevention
- Community empowerment and participation

- Building a brand and developing appropriate marketing / social marketing approaches
- Strong and effective partnership working to achieve Healthy Tamworth (including the private sector)
- Holding each other to account
- A focus on getting policy right
- Recognition that good health and wellbeing is built on the wider determinants of health

6.3. With a strong project delivery methodology as follows:

- A Health and wellbeing group to act as the project group for Healthy Tamworth and to report back to TSP
- actions based on need
- base on commissioning and using the commissioning cycle to drive change
- a focus on the long term impacts
- focus on areas where partnerships can add value
- focus on areas where we can make a difference together
- focused on specific agreed priority outcomes with specific agreed priority actions and agreed indicators upon which we can measure progress

## **7. Taking it forward – Initial Milestones**

- 7.1. Draft Healthy Tamworth concept paper and draft initial application for February TSP & February Cabinet meetings
- 7.2. Link Obesity scoping and teenage pregnancy scoping to Healthy Tamworth Concept paper – actions to be owned by TSP and TSP Health and Wellbeing Group
- 7.3. Initial proposals for Public Health Physical Activity funding Feb 2013 as part of concept
- 7.4. Develop Health and Wellbeing Group March 2013 with remit to develop action plan focused on key agreed priorities
- 7.5. Submit Healthy City application following Council approval in April 2013

## **Links**

UK Healthy Cities

<http://www.healthycities.org.uk/index.php?s=1>

Application form

<http://www.healthycities.org.uk/how-to-join.php?s=66&subs=21>

Zagreb Declaration

[http://www.healthycities.org.uk/uploads/files/zagreb\\_declaration\\_for\\_healthy\\_cities.pdf](http://www.healthycities.org.uk/uploads/files/zagreb_declaration_for_healthy_cities.pdf)

Phase V of the European Healthy Cities Network

[http://www.euro.who.int/data/assets/pdf\\_file/0009/100989/E92260.pdf](http://www.euro.who.int/data/assets/pdf_file/0009/100989/E92260.pdf)



26 March 2013

**REPORT OF THE PORTFOLIO HOLDER FOR HOUSING****ALLOCATIONS POLICY****EXEMPT INFORMATION**

None

**PURPOSE**

To update Cabinet on key issues relating to demand for social housing in Tamworth. To seek approval for amendments to the Allocations Policy subject to the completion of consultation. The revised Policy is attached at Annex One to this report.

**RECOMMENDATIONS**

- ✓ **That Cabinet approve the draft policy subject to the completion of formal consultation**
- ✓ **That following the completion of consultation a further report is submitted to full Council by September 2013 to agree the final policy**

**EXECUTIVE SUMMARY**

Tamworth Borough Council's allocation policy is used to determine an applicant's relative priority for an allocation of social housing. This includes allocation of both Council housing and nominations to Registered Providers. The Council has also increasingly sought to maximise the role of the Private Sector Accommodation in meeting housing need. The existing Policy was approved by Cabinet in May 2010. Since this date legislative changes brought in by the Localism Act 2011 and the Welfare Reform Act 2012 mean that the policy now requires changes to be made in order to fully reflect the changing political climate and local needs. In addition increasing demand for social housing means that the Council needs to review its allocations policy to ensure that the best use is made of all available accommodation to meet housing need. A number of issues are impacting on the level and type of housing need within the borough. These issues include the implementation of Welfare Benefit Reform, the need to provide re-housing for residents affected by regeneration plans and the impact of the economic downturn.

This report makes a number of recommendations for changes to the current allocations policy. A detailed explanation of the proposed changes is shown at Annex Two to this report. Annex Two includes a description of the rationale for each proposed change and information regarding the alternative options considered. Key recommendations include:

The introduction of qualifying criteria for access to the Housing Register and the potential for the register to be closed;

The use of Private Rented Sector Accommodation, where suitable and available, to meet the needs of homeless households;

Changes to the bedroom need calculation to mirror that used for Housing Benefit calculation;

The application of a reduced preference for households applying from outside the Tamworth area and

Various changes to the way in which need is assessed.

## **RESOURCE IMPLICATIONS**

At this stage the costs of consultation on this draft policy are not expected to exceed £2000 and will be met from within existing budgets.

## **LEGAL/RISK IMPLICATIONS BACKGROUND**

The allocation policy approved in 2010 relied in the use of S167 Housing Act 1996 to determine which households would not qualify for an offer of accommodation as a result of unacceptable behaviour. As this section has now been repealed the authority needs to use the freedoms available under the Localism Act 2011 to frame a list of none qualifying characteristics that are reflective of local housing conditions. A full list of the characteristics which may be determined as making an applicant none qualifying are listed in the draft policy at section 2.4 and are subject to consultation with a final list determined in line with the approval of this report.

A risk assessment is attached to this report at Annex Three of this report.

As part of the consultation plan detailed in Appendix Two a full legal review of the proposals contained in this report will be undertaken.

## **SUSTAINABILITY IMPLICATIONS**

The importance of housing in ensuring sustainable communities is well documented. Housing is central to our lives and impacts on our ability to prosper, to be safe and healthy and to achieve our aspirations. Most households will meet their own housing need without requiring direct support from the Council. However sizable minority of households will wish to access social housing for a variety of reasons. Ensuring that there is a fair and transparent means to assess the need for these households and ensure that housing assets are used to target those in greatest need is an important function of the Council delivered through its Allocations Policy. The policy needs to balance the need to provide support to those who need it whilst encouraging independence and motivation for those who can meet their own housing need to do so.

## **BACKGROUND INFORMATION**

At a national and local level the demand for social housing is increasing whilst the supply is decreasing. This creates pressure on a local authority to determine that those households who achieve an allocation of social housing are those that are considered to fall into a 'reasonable preference group' as determined by the Housing Act 1996 as amended and are those for whom the need is confirmed at a local level.

In 2010 Tamworth Borough Council introduced the concept of choice based lettings and the allocations policy previously approved was framed to have regard to the legal responsibilities of the Council and introduce as much transparency into the allocations process as possible. This was significant change which placed the onus on applicants to bid for available properties with additional support through the bidding process provided for vulnerable households. The implementation of Choice based lettings has greatly increased the efficiency of the allocations process in targeting housing need. However further change is needed to ensure that best use is made of available housing stock in a changing environment.

At the current time there are 2164 households on the Council's Housing Register. During 2012/2013 a total of 303 allocations have currently been made from the Housing Register. Of these 245 were to Council properties and 58 by way of nominations to Registered Providers.

A number of national and local issues are presenting the Council with particular challenges in continuing to meet demand:

## **Impact of Welfare Benefit Reform**

For the first time the Welfare Reform Act 2012 introduces penalties for social housing tenants of working age who are under occupying accommodation, with clear descriptions provided as to how a household will be assessed. In order to mitigate the financial impact on our social housing partners and our own retained landlord services it is imperative that the allocations policy reflects this assessment in order to avoid households being allocated property that is too large as defined by the Welfare Reform Act and therefore unaffordable for them.

Analysis of Council tenants affected by welfare benefit reform indicates that some 519 households are likely to be affected. Of these 132 have indicated that they will wish to move to smaller accommodation due to the welfare benefit changes. It is expected that as the reality of making additional rental payments hits home this number will increase.

Those households identifying that they wish to move have the following bedroom need:

Fifty Five require one bedroom properties  
Sixty Six require two bedroom properties  
Eleven require three bedroom properties

Based on historical data of Council owned stock availability, demand exceeds supply. It is therefore necessary to ensure the Allocations Policy manages expectations and ensures wider housing options are promoted, including renting in the private sector as well as signposting people into owner occupation. A realistic assessment of what the Council can provide is necessary to ensure a balanced approach to meeting its strategic housing obligations.

Wider reform to Welfare Benefits will also have an impact on housing need. The introduction of universal credit has been shown through the outcome of pilot programmes to have an impact on rent arrears levels. Over time this will lead to increased numbers of households made homeless as the result of eviction in both the private public rented sector. Although each eviction will lead to a vacancy inevitably there will be an increase in the number of households seeking support from the Council for re-housing.

This additional demand must be seen in the context of the number of allocations made. As described above a total of 333 allocations have been made so far this year.

## **Regeneration**

Locally the Council has approved plans for the redevelopment of existing Council housing in the Kerria and Tinkers Green areas. As a result affected residents will require re-housing. A separate report refers to the potential impact of this regeneration.

However from these plans there arises a need to provide re-housing for a potential 137 households to require re-housing. Whilst a phased approach will be taken and a variety of options presented to those affected it is clear that these proposals will place additional pressure upon the available lettings through the Housing Register.

## **Economic Downturn**

The global economic downturn continues to affect the financial wellbeing of many households and this inevitably impacts on the ability of households to meet housing needs. It is anticipated that this lack of economic resilience will result in grater levels of homelessness and a greater requirement for the Council to seek to support households in meeting and maintaining housing.

Overall there is a growing mismatch between the demand for social housing and the available supply. To improve this situation the Council has a number of strategic responses including:

Make best use of all available stock including developing the capacity of the Private rented Sector and reducing the number of empty homes  
Increase the number of affordable homes by developing new housing including the development of new homes on underused garage sties  
Develop new opportunities and funding solutions to deliver additional homes including the exploration of the use Special Purpose Vehicles to develop new housing  
Prevent homelessness wherever possible through a combination of targeted support and advice

### **Legislative Changes**

Since the policy was last reviewed there have been legislative changes, as outlined in the Legal Implications section of this report, that will impact on the sustainability of the current policy. The Localism Act 2011 has introduced the power for local authorities to make full use of the private rented sector when looking to discharge a homeless duty accepted to any household, as well as to offer Councils the freedom to make decisions at a local level to ensure that social housing allocations are made to those who most need them, and whilst no change has been made to the reasonable preference groups described in the 1996 Act, it is for the local authority to determine which, if any, of the households who apply for social housing who do not fall into a reasonable preference category are considered to be qualifying for an offer of accommodation. This allows the Authority to determine which groups of people might be refused access to accommodation either as a result of any defining characteristic including for example, anti social behaviour, criminal activity, income or assets.

The proposed changes to the policy attached at Annex Two are therefore for intended to support the Council in meeting housing need by:

Restricting access to the Housing Register for those who have no housing need or who could meet their own housing need

Making full use of new powers to house households within the Private Sector where available and suitable

Making changes to the allocations system where this helps to best target available properties to those with the greatest housing need

### **Consultation**

The proposed changes to the policy will be subject to a formal consultation. A consultation plan with associated timescales is attached at Annex Three. Consultation will include a full legal review, development of an Equality and Health Impact Assessment.

In addition a delivery plan will be formulated prior to submission of final proposals to full Council in September 2013.

### **REPORT AUTHOR**

Rob Barnes Director (Housing & Health) Ext 447  
Rachel Ashford Ext 484

### **LIST OF BACKGROUND PAPERS**

### **APPENDICES**

Annex 1 Allocations Policy

Annex 2 What is being changed table  
Annex 3 Consultation timetable  
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**Tamworth Borough Council**

**Finding a Home  
Allocations Scheme**

**March 2013**



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- 4.1. Size of properties and bedroom deficiency
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## **5.0. Finding a home – how properties are allocated?**

- 5.1. Finding a Home through choice based letting
- 5.2. Summary of steps
- 5.3. Advertising cycle
- 5.4. Bidding
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### **Appendices**

- 1. Performance Indicators – Impact
- 2. Equality Impact Assessment
- 3. Escalation Policy
- 4. Sheltered Needs and Risk Assessment
- 5. Vulnerability Approach
- 6. Nominations Agreement – RSLs
- 7. Extra Care Housing Allocations Local lettings plan

1. The Housing Act 1996 (Part 6), as amended by the Homelessness Act 2002 (*the Act*), requires all Local Authorities to have an allocation scheme for determining priorities and for defining the procedures to be followed in allocating housing accommodation.

The Localism Act 2011 introduced significant changes to Part 6 allowing Local Authorities the power to determine which applicants do or do not qualify for an allocation of social housing allowing for the housing register to be more focused reflecting local circumstances. The Act also allows for Local Authorities to utilise the private sector to discharge a 'full' housing duty to homeless applicants. This policy represents a significant cultural shift for Tamworth Borough Council in the ways it offers help and assistance to households in housing need, placing a much stronger emphasis on self help tools and private sector accommodation. It acknowledges that for many households in need social rented accommodation is not the only or even the best option whilst continuing to offer a safety net for the most vulnerable within society.

The purpose of this document is to set out Tamworth Borough Council's (TBC's) *Finding a Home* allocation scheme including the allocation of accommodation to homeless households.

The Policy has been drawn up with regard to TBC's statutory duties and other TBC policies. The policy has been informed by wide-ranging statutory consultation with all parties and a summary is set out at Appendix 1.<sup>1</sup>

The aims of this policy are to:-

- ✓ Ensure maximum choice and maximise options for prospective and existing tenants' in order to prevent homelessness.
- ✓ Make best use of stock through for the policy by releasing under-occupied properties or adapted properties
- ✓ Provide an open, transparent and equitable service to all customers that is tailored to individual needs and vulnerability
- ✓ Provide access to social rented accommodation for the most vulnerable in an emergency situation
- ✓ Provide support to less vulnerable households to access a variety of private sector accommodation options
- ✓ Allow for temporary closure of the register where it is determined that the level of demand is so high as to not be met within a reasonable time period
- ✓ Ensure value for money by improving customer satisfaction and sustaining tenancies longer-term

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<sup>1</sup> S3a Local Government Act 1999 (as amended by the Local Government and Public Involvement in Health Act 2007) and Part 6 of the 1996 Housing Act

The Allocations Scheme is available free of charge<sup>2</sup> and summary details are available routinely to everyone making an application for housing in accordance with Chapter 5 of the 2012 Allocation of accommodation: guidance for local housing authorities in England. This is part of TBC's commitment to providing an open and transparent allocations scheme.

Advice and assistance is also available free of charge.

### 1.1. Policy Links

The Allocations scheme contributes to the corporate priorities of allowing households to aspire and prosper in Tamworth & to be healthier and safer in Tamworth, with an emphasis on **One Tamworth, perfectly placed.**

The Sustainable Communities Strategy (2008-2021) reflects the overall direction of travel for the economic, social and environmental well being of Tamworth. This policy compliments that and by removing barriers to housing for households with employment commitments and promotes social mobility regionally supporting the principles around place, people and prosperity.

Consideration has also been given to the wider objectives set out in the Strategic Housing Market Assessment and complimentary Housing Strategy (2009-2012) and Homelessness Strategy (2009-2012) Documents.

It is intended that a regular Annual Lettings Plan will be published that seeks to review, challenge and impact assess how the Allocations policy is being delivered strategically and operationally. Specific emphasis has therefore been placed on homelessness prevention and maximising housing options in the public and private sector through nominations and other arrangements.

Further this policy also links to other key policies and procedures including:-

- ✓ Corporate Domestic Abuse policy
- ✓ Landlord Financial Inclusion Strategy 2009-2012
- ✓ Tenancy Management Policy 2009
- ✓ Private Sector Housing Policy

### 1.2. What is an Allocation?

*The Act* states that TBC allocate housing accommodation when they<sup>3</sup>:

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<sup>2</sup> S.168 Housing Act

<sup>3</sup> S159 Housing Act 1996 as amended by the Homelessness Act 2002

- ✓ Select a person to be a secure or introductory tenant of housing accommodation held by the Authority
- ✓ Select a person to be a fixed term tenant of housing accommodation held by the Authority
- ✓ Nominate a person to be a secure or introductory tenant of housing accommodation held by another housing Authority
- ✓ Nominate a person to be an assured tenant of housing accommodation held by a registered provider

### 1.3. What is not an Allocation?

Secure, introductory or demoted tenancies arising in the following circumstances are not covered by the allocations provision of the Act<sup>4</sup>, and therefore, fall outside of the scope of this document. These are contained within the revised Tenancy Management Policy (2009):-

- ✓ Succession to a tenancy on the death of a previous tenant; and
- ✓ Assignment of a tenancy by way of a mutual exchange; and
- ✓ Assignment of a tenancy to a person who would be qualified to succeed to the tenancy on the death of a current tenant; and
- ✓ Transfer of the tenancy pursuant to a court order under family law or the Civil Partnership Act 2004; and
- ✓ Where a person becomes a secure tenant on ceasing to be an introductory tenant.

### 1.4. *Finding a Home* and the Housing Register

TBC operates a housing register (waiting list), which is a list of people (applicants) who have applied for housing in Tamworth. Section 2 sets out how TBC administers this list.

### 1.5. Choice Based lettings - *finding a home*

TBC's policy allows for three methods to allocate properties.

The majority of council properties will be let through Choice Based Lettings known as *finding a home*. This method of allocating involves the property being advertised and the applicants expressing an interest, otherwise known as a bid. This process is described in more detail in section 5.

A small percentage of properties may be directly matched where TBC would not want to advertise the property. They will however be let in accordance with this policy and the only difference is they will not be advertised

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<sup>4</sup> S160 Housing Act 1996 as amended by the Homelessness Act 2002

Finally some schemes and sites may be subject to local lettings plans, these include Thomas Hardy Court which will be let in accordance with the extra care local lettings plan appended.

#### 1.6. Local Lettings Policies

*The Act*<sup>5</sup> allows TBC to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall TBC demonstrates compliance with the Act. This policy provides a framework for local lettings policies and as annual impact assessments are undertaken local lettings plans will, subject to member approval, be appended separately.<sup>6</sup>

This allows for detailed consultation, review, monitoring of each local lettings policy as appropriate and allows TBC to respond to a changing social and economic climate.

#### 1.7 Temporary closure of the Register

Tamworth Borough Council recognises that historically it has maintained a waiting list that is far larger than the number of void properties can support. From time to time when there is particular pressure on either a particular property type or size the Council will close the list in order to alleviate the pressure.

Any such temporary closure will be undertaken by the Portfolio Holder (Housing) in consultation with the Director (Housing and Health) and be communicated via Tamworth Borough Council's website.

#### 1.8. Impact Assessment and Outcomes

Aligned to the aims of this policy will be SMART<sup>7</sup> actions and indicators to evidence key achievements and these are set out at Appendix 1

In addition there will be regular impact assessments on the current policy and a commitment to continuous improvement as the revised allocation scheme is embedded and realised

TBC fully accepts the need to develop people's understanding of how social housing is allocated<sup>8</sup> and will seek to improve this through:-

- ✓ Dedicated web and online information

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<sup>5</sup> S167(2E) 1996 Housing Act

<sup>6</sup> Thomas Hardy Court – Extra Care in Sheltered Housing (49 units let through nominations)

<sup>7</sup> Specific Measurable Achievable Realistic Timed

<sup>8</sup> The Ipsos Mori survey reports that 8% of the general public know how social housing is allocated – 48% said they know a little and 41% said they know nothing – source: Fair and Flexible le CLG 12/2009

- ✓ Regular articles in TBC's Talkback and Landlord publication Open House
- ✓ Regular Press and positive news statements
- ✓ Open and transparent performance information
- ✓ Regular dialogue with tenants' through tenants forums and involvement groups
- ✓ Monitoring customer satisfaction arrangements

19. Equality Impact Assessment - This allocations scheme has been framed in accordance with equality legislation. The Equality Impact Assessment (Appendix 2) was completed within a multi-agency environment and access and monitoring tailored to known equality strands. This will be reviewed and published following the regular impact assessment in relation to lettings outcomes.

- 2.0. In order to be made an allocation, or take part in choice based lettings – *finding a home* -, a person(s) has to be registered on TBC’s waiting list and be both eligible and qualify for an allocation. TBC’s waiting list is open to anyone over the age of 18 subject to the eligibility and qualification arrangements set out in sections 2.1-2.9.

This section sets out the framework for determining that eligibility and qualification. A key driver behind the scheme is preventing homelessness<sup>9</sup>. The value of homelessness prevention can not be underestimated. It is widely acknowledged that households which experience homelessness have poorer health, education and employment outcomes than households who do not. This policy supports prevention through:-

- ✓ Prioritising and making best use of stock
- ✓ Utilising private sector housing as appropriate
- ✓ Matching and prioritising applications under the Disabled Facility Adaptation/Grants route
- ✓ Signposting financial assistance for customers’ to remain in their own home, i.e. mortgage rescue
- ✓ Multi-agency working to prevent homelessness
- ✓ Making use of internal trained mediators to return people home

- 2.1. Making an Application to join the Housing Register

An Application to join the waiting list must be made using a TBC housing application form. Applications are available from Marmion House and can be downloaded on online at [www.findingahometamworth.gov.uk](http://www.findingahometamworth.gov.uk)

Having paid attention to the number of lettings compared with numbers on the waiting list, final verification of the customers details will be completed at Offer stage.

To access the housing waiting list the form must be submitted with the relevant proof of identification. These details including other declarations on the form will be further verified at offer stage.

Advice and Assistance is free of charge and customers can contact the Council for help to complete the necessary forms through the Housing Advice Team.

- 2.2. Who can be included on the application form?

TBC will accept single and joint applications. Generally people listed on an application form will be considered either members of the

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<sup>9</sup> See TBC’s Homeless Prevention and Housing Strategy 2009-2012

applicants' household or members of the host household, with whom they currently live.

Children of applicants' will only be allowed on the application of the parent who has parental responsibility for the child (ren) and for whom the appropriate benefits are in payment (eg child benefit)  
In accordance with the Tenancy Management Policy, tenancies can be held on Trust for minors where succession rights apply.

Multiple or duplicate applications for the same family will not be allowed and could result in delays to housing whilst details are verified.

Applications are subject to verification checks

### 2.3. Who is eligible to join the Housing Register?

Anyone over the age of 18 can apply to join the Waiting List.

Acceptance on the list does not mean that the applicant is eligible and qualified for an allocation of housing. Some applicants will be ineligible or unqualified as described in 2.4.

Some minors aged 16 – 18 may be allowed onto the waiting list if certain criteria apply. These are laid out in section 2.4

### 2.4. Who may be eligible for an allocation of housing?

All applications will be assessed to determine the applicants' eligibility in line with s160 of the Housing Act 1996 and as expanded on in the CLGs code of guidance.<sup>10</sup>

Specific policy responses are detailed below and will be treated in accordance with all statutory instruments at the time of the application.

#### ***Persons Subject to Immigration control and persons from abroad***

If an applicant(s) is considered ineligible or not habitually resident due their immigration status or by virtue of living abroad then this will be dealt with by virtue of *the Act* and the Housing Advice team will confirm the reason for this decision and keep under review. In order to assess eligibility TBC would require proof of identity (passports or identity cards) and declarations to confirm that they intend to occupy a property in Tamworth as their principal dwelling.

#### ***Applicants Under 18 years Old***

Applicants aged 16 or 17 are able to join the waiting list, only when one of the following exceptions apply.

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<sup>10</sup> Communities Local Government – Allocation of Accommodation: Guidance for Local Housing Authorities in England (June 2012)



Where:-

- ✓ A referral has been made by a partner agency supporting move-on from a fixed support scheme with a comprehensive support and tenancy sustainment package
- ✓ Is in the care of Staffordshire County Council or is a care leaver with the appropriate move-on support
- ✓ Has had a s17 statutory assessment<sup>11</sup>
- ✓ Is owed the full statutory duty<sup>12</sup>
- ✓ There is full compliance under safeguarding responsibilities<sup>13</sup>

As part of TBC's commitment to homeless prevention all attempts will be made to relocate 16/17 year olds back into former family homes through trained mediators and/or external counselling.

There will also be a requirement for a 16/17 year old to have a trustee to act as a guarantor in relation to the tenancy agreement. This would normally be a family member or third party and is at the discretion of Housing Advice. A tenancy can not be legally held until the person(s) is 18 or over.

#### ***Applicants who do not qualify for an offer of accommodation***

*The Act*<sup>14</sup> permits TBC to decide whether an applicant(s) or member of that applicant(s) household can be treated as not qualified for an allocation. Consideration can be given to this either at the time of application, during an application or before an allocation is made

In deciding this housing staff will consider and take into account all circumstances including, but not limited to:-

- ❖ Households containing a member where a Notice Seeking Possession or equivalent has been served in relation to behaviour or conduct of tenancy
- ❖ Households containing a member who have been given an order made in a civil court that is linked to a property or the locality of a property
- ❖ Households containing a member who has an unspent criminal conviction that is linked to a property or the locality of a property
- ❖ Perpetrators of domestic abuse who are subject to a non-molestation order, an injunction order, an occupation or restraining order
- ❖ Households containing a member who have been evicted from a tenancy due to a breach of any tenancy condition

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<sup>11</sup> Children Act 1989

<sup>12</sup> S193(2) and s195(2) Housing Act 1996

<sup>13</sup> Tamworth Borough Council's safeguarding Policy 2009

<sup>14</sup> S160zA Housing Act 1996 as amended by The Localism Act 2011

- ❖ Households containing a member who has been convicted of using a property for illegal or immoral purposes
- ❖ Households containing a member who has committed an act of fraud, withheld or falsified or misrepresented any information pertaining to public funds and /or services
- ❖ Households containing a member who has displayed threatening, violent or otherwise abusive behaviour towards a Tamworth Borough Council employee or partner, or person employed to undertake work on their behalf.

If the housing officer decides that these apply then a report will be compiled and submitted to a grade 8 officer or above detailing:-

- ❖ Whether the circumstances that caused the behaviour have changed and this must involve third party evidence to show rehabilitation or confirmation of resolution
- ❖ Whether the perpetrator of the behaviour is still a member of that household
- ❖ Whether TBC can accept reassurances that behaviour has changed and this can be supported
- ❖ What support is required, if any, to support any physical, mental or learning difficulties to sustain a tenancy going forward
- ❖ What reasonable adjustments or letting can be made to support and sustain a tenancy
- ❖ What impact this would have on other members of the family
- ❖ What impact this would have on the locality in the event of an allocation
- ❖ What impact this would have on TBCs ability to let a particular property or property type.

Other households may also be considered as not qualifying if they are considered to have sufficient resources to resolve their own housing issues or have no housing need. In deciding this housing staff will consider and take into account all circumstances including, but not limited to:-

- ❖ The applicant's household income
- ❖ Households that have significant savings and /or investments
- ❖ Owner occupiers aged under 60
- ❖ Households occupying accommodation that is suitable for the needs of the household

When considering the households financial circumstances the regulations for an award of Housing Benefit will be used as a guidance tool in order to ascertain qualification. Any decision that an applicant is not qualifying on financial grounds is subject to the review process outlined below.

If considered appropriate the household will be considered as none qualifying and removed from the register. Applicant(s) will be informed of their right to review.<sup>15</sup>

### ***Right to Review***

Applicant(s) have the right to request a review against any decision made in the allocation process.

Any request for a review will initially be considered by the Housing Advice Team leader. The applicant will be given the opportunity to provide any additional supporting documentation, from whatever source they feel is best able to outline and confirm their reason(s) for requesting the review. The applicant(s) will be informed of the outcome of the review within 28 days of the request. The reply will contain the decision made, the reasons for the decision and facts taken into account when making the decision.

A secondary review may be requested by the applicant or the Housing Advice Team Leader in the event that either the applicant is dissatisfied or the Team Leader is unable to agree an outcome on a case. This review will be conducted by an independent senior officer at Grade 8 or above from TBC. The applicant(s) will be given further opportunity to make representations in writing for consideration by the reviewing officer. The reviewing officer will not have been involved in the previous and/or original decision. The applicant(s) will be informed within 28 days, the reply will contain the decision made, the reasons for the decision and facts taken into account when making the decision.

Further appeals or reviews must be received within 7 days of the notification of the reviewing officers' decision and will then be considered by the Director of Housing & Health and the Council's Solicitor / Monitoring Officer.

The outcome from this is still challengeable via the Ombudsman and through judicial review.

### ***Repeat Applications***

Repeat applications following a decision around eligibility or qualification will only be considered in the context of the right to review or where there has been a material change to the applicants' circumstances. Where there has been no factual or material change TBC will rely on its previous decision.

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<sup>15</sup> S167(4A(b))

## 2.5. Assessing Applications

Once applicant(s) are assessed as eligible and qualifying then they will be treated in accordance with this policy to ensure that those in greatest need are given preference for an allocation.

### **Elected Member Involvement**

Where an over-ride to the allocations policy is necessary then this will be approved by the Director of Housing & Health (and where appropriate the Councils solicitor/monitoring officer). These will be logged and routinely reported to the Portfolio Holder for Housing. Examples of the need for an over-ride could include:-

- ❖ No-one eligible from the waiting list
- ❖ Direct match for reasons of vulnerability or witness protection
- ❖ Adaptation suitable for a specific family type not necessarily eligible for that property type
- ❖ Need to decant for major repairs

### **Escalation Policy**

Housing staff should abide by the escalation policy where an elected member or known relative applies for a council property (including garages). This policy is attached at appendix 3.

## 2.6. Notification of Registration

Once an applicant(s) has been registered they will receive written confirmation of key details including their band, registration date and entitlement. The letter will also confirm how to bid for properties, summarised in the *finding a home* guide.

## 2.7. Confidentiality

TBC will abide by the Data Protection Act and other relevant legislation to protect confidentiality and information will only be shared if prior approval is sought from the applicant(s). Unless there is an exception to this:-

- ❖ TBC is permitted to disclose information under data protection legislation
- ❖ There is a requirement by law to disclose information
- ❖ TBC believes consent has been obtained and given for a third party disclosure

## 2.8. Misrepresentation or with-holding Information

It is a criminal offence for anyone to try and obtain accommodation from TBC by knowingly and recklessly giving a false statement or deliberately withholding information. Offences are prosecuted in the magistrates' court (punishable by up to a fine of £5000).

Applicants found guilty of such an offence will be considered to be not qualifying for an allocation of accommodation and treated in accordance with the procedure detailed under 2.4.

TBC may also seek possession of any tenancy granted as a result of information later found to be false or misleading.

## 2.9. Keeping the Housing Register up-to-date

### **Annual Review**

Each year, on the anniversary of an applicant's registration date, an annual review letter will be sent to the applicant asking if they want to remain on the waiting list and if they want to update their housing needs / circumstances.

If no reply is received within 28 days then a reminder will be sent. If there is no reply within 14 days then the application will be cancelled. Applications can be re-instated at the discretion of the Housing Advice Manager if there were reasonable grounds for not responding, e.g. applicant was / is on holiday or hospital.

If a customer is assessed as vulnerable then the housing advice team will arrange to make all reasonable contact through known third parties or by visiting known addresses.

TBC will take a robust approach to managing the waiting list to ensure the focus remains on those in housing need.

### **Changes in Circumstances**

Applicant(s) have the responsibility to keep the housing advice team up-to-date on changes in personal circumstances.

If the change in circumstances results in a change to the priority banding or position within a band then a new letter will be issued.

### **Cancelling Applications**

Applications will be cancelled in the following circumstances:-

- ❖ A request has been received to do so from all applicant(s) in writing

- ❖ There is no reply to the annual review within 28 days and there is no reason to extend this for reasons of vulnerability
- ❖ The applicant has been re-housed

### **Tell Us**

The right to review is included under 2.4. If there are any complaints, compliments or comments about this process than applicant(s ) are encouraged to use either the review procedure or the TBC's Tell Us scheme.

## 3.0 Assessment and priority for Housing

### 3.1 Reasonable Preference Groups

*The Act* requires all Local Authorities to have an allocation scheme for determining priorities.<sup>16</sup>

TBC operates a choice based letting system known as finding a home. Simply and to improve transparency TBC operates a banding system, prioritising reasonable preference groups set out in *the Act*<sup>17</sup>. *The Reasonable preference categories set out in Part 6 are:-*

- ✓ People who are homeless (within the meaning of part 7 of the Housing Act 1996)
- ✓ People who are owed a duty by any housing authority under s190(2); 193(2); or 195(2) of the 1996 Act or are occupying accommodation secured by any housing authority under s 193 (3)
- ✓ People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- ✓ People who need to move on medical or welfare grounds, including grounds relating to disability and
- ✓ People who need to move to a particular locality in the district of the Authority, where failure to meet that could lead to hardship (to themselves or others)

The Localism Act 2011 gave local Housing Authorities the power to utilise the private rented sector to discharge any homeless duty. Tamworth Borough Council will use this power for ALL homeless households with the possible exception(s) listed below:-

- The applicant or a member of the applicant's household is the subject of an ongoing safeguarding concern and the case is open to a named social worker
- The applicant or a member of the applicant's household requires supported accommodation inc sheltered
- The applicant has been assessed as not suitable for PRS accommodation by virtue of their personal circumstances.

### 3.1 Bands

Each of the bands are categorised according to need. There are 5 bands, with Band 1+ being the highest priority. As an applicant's circumstances change and alternative bandings are awarded then the date of the banding will be used to prioritise within a band. Effectively this means someone receiving a high medical award will only claim the date from the date of that award as opposed to the

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<sup>16</sup> S167(1)

<sup>17</sup> S167(2)

date of registration which may be months earlier and not when the medical need arose.

### **Band 1+**

Applicants in the following circumstances will be placed in this band which is the highest band (Band 1+).

- Applicants whose need for accommodation is so severe as to risk the health and wellbeing of the applicant or a member of the applicants household if an emergency housing solution is not found.
- Any other category of applicant as approved by Cabinet

### **Band 1**

#### **Band 1**

Applicants in the following circumstances are deemed to have an urgent need for re-housing and reflect all the reasonable preference categories:-

- Applicants assessed as statutory homeless by Tamworth Borough Council and are owed a full housing duty in Tamworth but are not suitable for private rented sector accommodation (*see paragraph 3.3*)
- Applicant's current home is within Tamworth and is due to be demolished, or is subject to a Demolition Order or to a Prohibition Order covering a main part of the dwelling, or has been included within a Clearance Area or has a lack of facilities. This would include situations where the condition of the property occupied is seriously detrimental to the health of any of the household and the defects to the property cannot be readily remedied.
- Where applicants are unable to continue to occupy their current accommodation due to high medical need or disability (*see paragraph 3.8*)
- Applicants with a high need for alternative accommodation on the grounds of significant social welfare need including issues of vulnerability (*see paragraph 3.9*)
- Applicants with a need to move to a particular locality where significant hardship would be caused if they did not move (*See paragraph 3.9*)
- Applicants who are overcrowded because their present home is short of at least 3 bedrooms
- Applicants who are under occupying rented accommodation by at least 3 bedrooms
- Applicants that are presently the tenant of Tamworth Borough Council, and are prepared to move to a flat or bungalow, thereby making their current home available to a household that needs a house.(*see paragraph 3.11. incentive to move*)
- Applicants that are presently living in medium term supported housing



and are required to move on. Confirmation from the organisation providing the supported accommodation that the applicant(s) is ready to move on and have completed a programme will be required in accordance with Service Level Agreements or other specific arrangements in place. (Provided applicants are eligible to register for housing).

- Applicants who are joint tenancy termination households and require move on to more suitable accommodation releasing larger accommodation

## **Band 2**

Applicants in the following circumstances will be placed in Band 2

- Applicants assessed as statutory homeless by Tamworth Borough Council and are owed a full housing duty in Tamworth and have been assessed as suitable for discharge into PRS. (*see paragraph 3.3*)
- Applicants with a medium need for alternative accommodation on the grounds of serious social/welfare need including issues of vulnerability (*see paragraph 3.9*)
- Applicants with a medium medical need who have been assessed as requiring suitable alternative accommodation because their medical condition and/ or disability is having a significant detrimental affect on their ability to live independently at home (*see paragraph 3.8*)
- Applicants who are overcrowded because their present home is short of at least 2 bedrooms
- Applicants who are under occupying rented accommodation by at least 2 bedrooms
- Applicants who are in Armed Forces accommodation and have received a discharge notice

### Band 3

Applicants in the following circumstances will be placed in Band 3

- Applicants who are assessed as homeless or threatened with homelessness but to whom a full housing duty is not owed and who may be from other Local Authorities where there is no statutory duty to obtain housing (see *paragraph 3.31*)
- Applicants with a low medical need or disability where a move to more suitable alternative accommodation would improve their health (see *paragraph 3.8*)
- Applicants who have a low housing need on welfare grounds will be placed in Band 3
- Applicants who are overcrowded because their present home is short of 1 bedroom
- Applicants who are under occupying rented accommodation by 1 bedroom
- Applicants aged over 25 who are living in shared accommodation which includes facilities such as the bathroom or kitchen where the applicant is not related to the other members of the household

### Band 4

Applicants in the following circumstances will be placed in Band 4

- Applicants who have a band 3 need that is subject to a reduced preference

3.3.

#### Homeless Applicants

TBC have a legal duty under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011) to ensure that homeless applicants who are owed a duty under s193 (2) are provided with suitable accommodation. Applicants meeting this criteria will receive a letter or be contacted<sup>18</sup> confirming that it has a duty to assist the applicant obtain housing. Homeless applicants will

<sup>18</sup> Contacted based on vulnerability assessment

be automatically placed in the appropriate band once that decision has been made

Homeless households for whom the Council has accepted a duty to re-house will be subject to a suitability test. This test will be undertaken by the Homelessness Officer as part of the homelessness decision making process and where this test shows that they are able to do so the Council will make a suitable offer of private rented accommodation if available.

The suitability test will consider such issues as the homeless applicant's previous residential history, financial circumstances and their involvement with other statutory agencies, such as Social Services.

If the household refuses this offer then the applicant will be registered with a Band 2 priority. The suitability test will address the applicants' ability to sustain Private Rented tenancy taking account of issues of vulnerability, financial means and previous housing tenure.

If, as a result of the suitability test it is considered that a homeless household would not be able to sustain Private Rented Accommodation then they will be placed into Band 1 and a suitable offer of social housing made.

#### Priority Cards

Band 1+ Band 1 will be subject to a 2 month priority card. This will ensure that housing staff are monitoring and supporting applicant(s) in bidding or identifying housing options. At the end of the 2 months, subject to a satisfactory review, then the priority can be extended for 2 months by which time there is an expectation that the applicant(s) housing needs would have been met or the duty to re-house discharged.

#### 3.4. Band 1

##### **Reasonable Preference**

All Band 1+ and Band 1 will be reported to senior managers monthly to ensure local case management and housing options are being fully explored.

Band 1 reflects all the reasonable preference categories and will be placed in date order. On transition this will be the application date as priorities' are updated and awarded this will be the priority date.

## **Making Best Use of Stock**

In addition to the reasonable preference categories TBC has sought to make best use of its stock by awarding priorities to those applicants who:-

- Can be matched for a disabled facility adaptation
- Are under occupying accommodation
- Approved under the incentive to move scheme releasing larger accommodation
- Supported through move-on and supported housing

### **3.5. Band 2**

Band 2 seeks to give priority to those whose housing needs are less than Band 1.

Band 2 would give priority for a 2 bedroom deficiency or excess and is assessed based on the overall household needs.

TBC also gives Band 2 priority for members of the armed forces who have a discharge notice. This is intended to prevent applicants being forced down the homelessness route and is in line with the CLG circular issued April 2009.<sup>19</sup>

### **3.6. Band 3**

Band 3 is intended to reflect lower level housing needs, but recognises that there is still a housing need as opposed to simply wanting to move.

### **3.7. Band 4**

Band 4 is a list of applicant(s) with a Band 3 need who are subject to a reduced preference that will be listed in date order.

### **3.8. Medical Grounds**

TBC has three corresponding medical priorities that will require evidence from relevant care or medical professionals as part of the assessment process. As part of TBCs commitment to making best use of its stock, TBC will consider customers needs in relation to adaptations in the context of value for money when looking to address longer-term requirements.

Band 1 = High Medical Award  
Band 2 = Medium Medical Award  
Band 3 = Low Medical Award

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<sup>19</sup> Communities and Local Government Circular 04/2009 Housing Allocations Members of the Armed Forces

### **High Medical Award**

This is assessed as being where current housing conditions are having a major adverse affect on the medical condition of either the applicant or a member of their household. These customers will be placed in Band 1 and would require evidence from a senior health practitioner or a consultant and be a tailored assessment clearly linking the health concern with the current accommodation based on ongoing medical care and making a recommendation as to a more appropriate property type to relieve the impact of the accommodation upon the health concern.

Examples would include;

- A wheelchair user occupies a home where facilities are upstairs and therefore inaccessible & flatted accommodation or bungalow is recommended;
- An applicant is due to be discharged from hospital and their current accommodation is totally unsuitable;
- A referral has been received from a consultant or other equivalent social health care professional stating that their current housing is having a severe effect on an applicant's mental well being or a member of their household
- An applicant or a member of their household who needs to move to suitable adapted accommodation as assessed by an Occupational Therapist because of their serious injury, medical condition or disability. Consideration will be given to applicants eligible for Disabled Facility Adaptations or the Disabled Facilities Grant.

### **Medium Medical Need**

Applicants with a medium medical need who have been assessed as requiring suitable alternative accommodation because their medical condition and/ or disability is having a detrimental affect on their ability to live independently at home. This would require evidence from medical practitioners who can recommend suitable property types or characteristics based on knowledge of the applicants medical needs. Examples would include:

- An applicant who fulfils a risk assessment for the need to have sheltered accommodation
- An applicant who needs an additional bedroom for a carer
- An applicant who requires a different type of accommodation or a different layout of accommodation

## **Low Medical Need**

Applicants who have been assessed as having a low medical need or a disability where a move to suitable alternative accommodation would improve their health will be placed in Band 3. This is typically evidenced by a letter from the GP or family planning services and is based on the applicants' interpretation of their medical needs. Examples would include:

- Someone with a degenerative condition whose needs are likely to occur in the future, typically within 12 months time.

### 3.9 Social , Welfare and Hardship Grounds

TBC has three corresponding social/hardship grounds to reflect the levels of urgent housing needs. TBC seeks to sustain tenancies and will engage in multi-agency discussions to determine the best way to resolve issues. Social, hardship and welfare is an umbrella priority that will include anything other than medical.

Band 1 – High Social, Welfare and Hardship Grounds

Band 2 – Medium Social, Welfare and Hardship Grounds

Band 3 – Low Social, Welfare and Hardship Grounds

## **High Social, Welfare and Hardship Grounds**

Those applicants needing to move urgently on social welfare grounds will be placed in Band 1. Priority of this level will only be awarded if the current situation is so significant it will have a serious impact on the well being of the applicants. This would require third party corroboration from an agency involved in the case.

Examples would include;

- ✓ Child/ children separated from parents (where they previously lived together) where the child can not currently occupy the home of the parent preventing them living as a family unit.
- ✓ Applicants with a high degree of vulnerability whose housing situation is having a detrimental affect on their life;
- ✓ Applicants who need to move to recover form the affects of violence, emotional or sexual abuse;
- ✓ People who need to move to for racial or homophobic abuse.
- ✓ An applicant needing to move to a particular area to take up employment and if they did not significant financial hardship would be caused;

- ✓ An applicant needing to move to be closer to a vulnerable relative where there is no alternative solution and not to do so would cause significant hardship

The Borough Council may also carry out a home visit, if this is deemed appropriate in order to verify the details provided by the applicant.

### **Medium Social, Welfare and Hardship Grounds**

Applicants who have a medium housing need on welfare grounds will be placed in Band 2; this would require third party supporting evidence.

Examples would include;

- Applicants who need to move to receive care or support;
- Applicants who need to move as part of an agreed support plan to re-integrate them into the community.
- Applicants who need to move and if they did not do so they would not be able to take up a full time educational opportunity
- Applicants who need to move to a particular area provide support and not to do so would cause personal hardship.

### **Low Social, Welfare and Hardship Grounds**

Applicants who have a low housing need on welfare grounds will be placed in Band 3.

Examples would include:

- Applicants who have a family member returning to their household at a later date
- Applicants with limited access arrangements
- Applicants who are part time students who need to move into the areas to study courses on a term time basis and want to become resident in Tamworth.

### **Assessment of medical and/ or social priorities**

To ensure consistency around these assessments where applicants are considered to have **high** needs this will be subject to an officer completing a report and being approved by an officer grade 8 and above. It will then be reported along with other Band1 and Band1+ for monitoring and case review.

All housing officers who are responsible for case management can prepare cases for approval and pass to housing advice for recording on the applicant's housing application form.

### 3.10 Reduced Preference

The legislation prevents blanket exclusions and TBC will consider all applications in the context of this policy.

Reduced preference will be applied for rent arrears; former tenant rent arrears, outstanding charges on temporary accommodation and outstanding debts accrued via the application of a homelessness prevention tool. Where £250 or 4 weeks rebated rent is owed this will lead to a demotion in band. So if an applicant is in band 3 they will move to Band 4. Where arrears are between 1p - £249.99 then they will not be demoted but expected to clear the arrears or debt before the new tenancy commences.

Reduced preference will also be applied to applicants who have a housing need but do not have a local connection with the Borough of Tamworth. When establishing local connection the guidance provided in the Homelessness Code of Guidance will be used.

TBC also reserves the right to apply reduced preference to households who have taken action, or failed to take action which has resulted in a worsening of their housing circumstances to an extent that is likely to result in an increased level of priority in terms of banding. This may include situations where a household returns to live with family thereby overcrowding the property where previously no such overcrowding existed.

### 3.11 Incentive to Move Scheme

In making best use of stock TBC uses its incentive to move scheme to encourage people to move out of under occupied properties. The policy covers moves from

- Houses to flats or bungalows
- Adapted properties to non-adapted properties where a suitable match has been made
- Chain lets – effectively giving up 2 or 3 properties to move into 1 larger property that is assessed as solving multiple needs

People will need to sustain a tenancy for up to 3 years where an incentive payment has been made before making a further application to transfer home again. Moving within 3 years will result in the payment being recovered unless there is an exception such as:-

- Moving into residential care or long-term hospice
- Death
- Moving in with relatives

The terms of the incentive to move scheme are subject to review and set out in the Guide.



### 3.12 Sheltered Housing

TBC has a number of sheltered schemes across the Town and allocations are in accordance with the policy. In addition to meeting the eligibility criteria outlined, prospective tenants will be required to meet the requirements of a needs and risk assessment before an offer is made. This is shown in appendix 4

To promote financial inclusion the independent living manager covering a scheme will also explain the costs of living in the scheme in terms of rent, service charges, scheme charges and community alarm services. This will allow applicants to make an informed choice about living there.

### 3.13 Disrepair

TBC will seek to deal with any council tenancy repairs before it considers moving applicants. Decant or temporary relocation may be assessed as necessary in the event of major works and these types of lettings will be done on that temporary basis.

Any decant will be on the basis of a licence agreement as their substantive and principle dwelling will remain their tenancy, whilst under repair.

Private Sector Housing will be managed in accordance with the Housing Act 2004 and/or other relevant legislation or statutory instruments. Where issues of disrepair are so significant as to necessitate an emergency Prohibition Order the occupier(s) of the dwelling will qualify for Band 1 status from the date of the Order.

### 3.14 Child / Children in Need

A child in need is defined under the Children Act 1989 as:

“A child who is unlikely to maintain or to have the opportunity of achieving or maintaining a reasonable standard of health or development without the provision of services by the Local Authority; the child’s health or development is likely to be significantly impaired for further impaired without the provision of services...”

A high social need award will be granted, allowing the household into band 1, if there is evidence to confirm: \_

- The child has been assessed by social services – children’s services via a statutory assessment procedure
- Social services have clearly indicated the aspect(s) of the child’s development hindered by the current housing circumstances

- TBC's safeguarding and designated officers within housing are satisfied that the evidence supports this high social award.

For the purposes of this assessment the household is considered that which has care and control of the child for the majority of the time.

### 3.15 Move-On

TBC works in partnership with a number of agencies who support move-on arrangements. Whether this is through hostels, supporting people funded and/or other specialist accommodation.

Applicants moving on from short term accommodation (up to 2 years duration) who are capable of independent living (with or without care and support plans) will be placed in Band 1 if there is evidence from the support provider to confirm

- Their rehousing requirements confirm a high social and/or medical need and have the appropriate move on package in place
- Or
- This will free up a place for a vulnerable person(s) to occupy that place

In accordance with service level agreements or specific move on arrangements agreed with providers.

### 3.16 Vulnerability Assessment and Support

TBC has described in the policy its commitment to reviewing applications.

As medical and social needs are given, case officers will review those applications and work with customers to bid for properties and maximise their housing choices.

TBC supports the vulnerability checklist and approach which is shown at Appendix 5

### 3.17 Nominations to Registered Providers (RPs)

RPs have a duty under s 170 of the 1996 Housing Act to co-operate with Local Authorities – where the Authority requests it – to such an extent as reasonably practical. TBC holds nomination agreements with all RPs who have housing stock in the Borough and the agreement will be regularly monitored in terms of :-

- Numbers of voids / properties as per the nominations agreement
- Lettings arrangements and contributions to wider housing options in Tamworth.

The council has an obligation to maximise local housing resources.  
The Nomination agreement is attached as appendix 6.

## **4.0 Property Eligibility and Entitlement**

4.0 TBC will make best use of its stock. Accommodation will normally be offered according to applicants needs and detailed in the household criteria below:-

One bedroom is needed for:

- ✓ Each adult couple
- ✓ Any other person aged over 16
- ✓ Two children of the same sex under the age of 16
- ✓ Two children under the age of 10 regardless of their sex
- ✓ Any other child
- ✓ A carer (who is not part of your household) if you or your partner need overnight care

The Council reserves the right to under occupy homes if this is the best use of housing stock led by demand, adaptation or through individual personal need and this type of over-ride will be approved by the Director of Housing & Health.

The household criterion has been adopted to reflect the changes made by Government to Welfare Benefits. This approach will seek to ensure that applicants are not allocated accommodation which has a 'spare' bedroom for benefit purposes and be unaffordable as a result.

### 4.1. Household size and Local Lettings plans

#### **Requirements of 4 or more bedrooms**

TBC has a limited number of 4 and 5 bed roomed properties. Where a family has a household make up which supports an allocation of a property of this size they will be allowed to bid for smaller properties but their housing options will be considered by the allocations team in terms of sustaining that tenancy and is always subject to not breaching overcrowding legislation.

#### **Local lettings Plans**

Where local lettings plans exist then properties will be let in accordance with that, e.g. Extra care housing and the Local Lettings Plan is attached as appendix 7

## 5.0 Finding a Home through choice based lettings

### 5.0 Finding a Home

TBC uses Choice Based Lettings known as *finding a home* to advertise the majority of its properties. TBC believes that by providing applicants with more say and greater choice over the accommodation they are allocated is a key contributor to achieving balanced and sustainable communities.

TBC know that tenants who are offered a choice in their accommodation are more likely to be satisfied and live in their home for much longer.<sup>20</sup>

TBC will work with all registered providers to maximise housing choices and manage expectations locally in terms of general housing provision. The Strategic housing service will foster enhanced housing options through developing and providing information on:-

- Renting in the private sector
- Low cost home ownership options
- Nomination and accommodation in the social housing sector
- Homeswapper and mobility schemes
- Monitoring mutual exchanges for existing TBC tenants'
- Home improvement schemes and investment in DFA/DFG schemes enabling applicants to remain in their own home
- Development of an older persons strategy investing in sheltered, supported and extra care housing provision

5.1 TBC has a dedicated web-site – finding a home –for people to access available properties. Access is also promoted through:-

- Dedicated advertising and reception support in Marmion House
- Electronic catalogues emailed to all partners for dissemination
- Online access through the web and in the local libraries
- Posters at key sites such as sheltered schemes
- Regular finding a home events and campaigns

5.2 There are 5 key steps to finding a home, in summary

Step One	Advertising Each week all available properties will be advertised with a closing date. Properties will be clearly labelled in terms of eligibility and bids invited.
Step Two	Expressing an Interest/Bidding Customers will be able to bid through the web, via the phone, in person or via a proxy bid during the

<sup>20</sup> Monitoring the longer term impact of CBL, Herriott Watt University and BMRB, October 2006 referenced by CLG code of Guidance 041209

	weekly cycle
Step Three	Sorting Bids and Verification At the end of the cycle a list will be generated with all eligible applications and the allocations team will offer to the applicant in most need at the of that list
Step Four	Allocation The allocation will be verified by the allocations team and the customer given an expected move in date
Step Five	Publish Results Unsuccessful applicants will not be contacted but results will be published on the web including band details, waiting time and equality and diversity information.

### 5.3. Step One – Advertising

All available properties will be added to the web site each week as well as advertised as outlined in 5.1.

The adverts will be clearly labelled with eligibility and household criteria as well as displaying pictures and other useful property information, an example is shown below.

Accessibility | Skip Navigation | Sitemap | AAA Text Size | Marmion House, Lichfield Street, Tamworth, Staffordshire B79 7BZ Phone: 01827 709709 enquiries@tamworth.gov.uk


**Tamworth Borough Council**

Home Properties Locations What can I bid for? Lettings results Contact Us FAQs

Home > Search > Results > Property Details > Register your bid [Back to Property Details](#)

### Register your bid

**CBL Ref: 1**  
**Property address: Masefield Drive**



To make a bid for this property please fill in the information requested below then click Submit Bid.

**Please note:**  
**All boxes must be completed before your bid will be accepted**

**✘ There was a problem with your bid**  
Please check the below:  
**Your Housing Application number is incorrect. Please telephone Housing Advice on 01827 709459 for help.**

**CBL Property Reference:**

**Address:**

**\* Your Housing Application number:**  [What is my Housing Application number?](#)

**Your full name:**

**Your date of birth:**

**Your contact number:**

**Additional contact number (optional):**

**Submit Bid**

Statistics | Help | Terms & Conditions | Complaints | Privacy Policy | Freedom of Information | Design by Emerald

#### 5.4. Step Two – Bidding

Applicants can place a bid anytime during the 7-day cycle in a number of ways:-

- Online
- Via the phone (text or call)
- In Person at Marmion House
- Via a third party
- Via a proxy bid

Applicants are restricted to 3-bids per cycle so that housing demand can be properly assessed. Research shows that serial bidding will have an adverse impact on avoidable contact and first time acceptance rates.

Applicants will need their housing application reference number to bid and this is a simple action. There is no penalty for refusal rates<sup>21</sup> and customers will only be placed in abeyance or overlooked if there is an unresolved enquiry on their application.

Bids will only be accepted on properties applicants are eligible for. The system has been designed to remind applicants of this eligibility test to avoid wasting their bids during the cycle.

Bids can be made by third parties or through proxy bids. Proxy bids are those made on behalf of an applicant. An example of a proxy bid would be in case of a homeless offer. To balance priority need with choice applicants will be invited to bid for themselves, but if a suitable property is identified the case officer will make a bid on the applicants behalf. The applicant is still able to refuse this offer, but it will be assessed as to whether this is a reasonable refusal and whether their priority should be reduced or the homeless duty is discharged.

#### 5.5. Step Three – Sorting Bids

Once the closing date is known, all eligible bids will be uploaded into Orchard and the top 3 applicants selected for verification by the allocations team. The Bids will be sorted by order of bands, Band 1+ being at top and continuing until band 4

The allocations team will confirm with housing advice that all proxy bids are in and that they have checked vulnerability issues via the waiting list to eliminate any access issues.

The applicant in most need, once verified, will be offered the property. If they refuse then the next applicant will be considered and so on.

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<sup>21</sup> There is no automatic penalty, but if a reasonable offer is refused then this will lead to a review of that priority banding especially in the case of homelessness decisions and Band1 & Band1+ cases.

Verification will include satisfactory identification, post inspection where appropriate and personal circumstances match the original form.

In the case of two applicants having the same needs and same waiting time - effectively joint first, then the Head of Housing Operations will determine the most suitable allocation based on best use of the stock.

In the case of the same applicant being first for a number of properties then they will be asked to choose their preference before an allocation is made.

#### 5.6. Step Four – Allocation

Once the allocations team have contacted the prospective tenant and confirmed they are successful an accompanied viewing will be arranged. If the offer is accepted this will be recorded on orchard until the void works are complete and the sign up can be arranged.

The customer will be informed of the lettable standard and the likely date of completion of the works . An appointment will also be made to see TBCs financial inclusion officer to ensure money management issues are discussed and rent payment schedules agreed.

#### 5.7. Publishing Results

Once the allocation has successfully been made then the results will be published on the lettings page confirming the property, successful band number, date of application, number of bids, times advertised and equality monitoring information.

Satisfaction will be monitored through the impact assessment in terms of successful and non-successful applications. Performance indicators will be set to capture access information and ensure that lettings mirror the profile on the waiting list. Performance reports will be available from the web and from orchard.

Properties allocated as direct lets will also be published, so that the scheme remains open and transparent.

Nominations will also be published once the scheme is reviewed fully.

On the *finding a home* website TBC has also given consideration to how long applicants might have to wait to improve customer perceptions of how properties are allocated. Included is information on:-

- General information by area on properties types and stock
- Information on properties coming available
- Published results on lettings in terms of access, satisfaction and numbers let



- Annual Impact assessment against letting outcomes<sup>22</sup>

## 5.8. Vulnerability and promoting customer access

Building applicant capacity to identify properties and bid is key to the success of TBCs scheme. Through the housing advice and allocations team, officers will check the waiting list each cycle to ensure that those in most need have had the opportunity to bid. This can be achieved through a number of ways:-

### Case Management

Officers' will case manage Band1+, Band1 & time limited Band 2 groups to ensure they are regularly encouraging applicants to bid and where necessary making proxy bids on their behalf.

Orchard will be kept up to date to show how this is being case managed and applicants still reserve the right to refuse any offer.

### Proxy Bids

Third parties can make proxy bids as long as they have the applicants housing application number and CBL reference. This will be encouraged to promote greatest access to the scheme. Customers will be informed of a proxy bid but retain the right to refuse this. Where this is considered a reasonable offer this will be part of the review in to an applicant's priority banding.

Households with a B1+ or B1 status will be reviewed by an allocated case worker at the end of every weekly bidding cycle. Where an applicant has failed to place a bid on a property which is of sufficient size for the household, a proxy bid will be placed on the applicant's behalf

### Sheltered housing

Each of the Independent Living Managers, based at TBC sheltered Scheme will receive copies of available properties to display and disseminate to scheme residents and to advise prospective customers who routinely contact schemes.

Sheltered Housing will be allocated in accordance with choice based lettings – finding a home. A needs and risk will be an additional qualifying requirement to ensure the customer is suitable for enhanced housing related support.

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<sup>22</sup> The annual lettings plan is due 2010/11 in order to collect base line data from the implementation of bands and choice

## 5.9 Open Allocations – Lower demand properties

Properties that do not receive bids on the first cycle will be carried over for a second cycle. If there is still insufficient interest then the eligibility criteria will be reviewed and any over-ride agreed by the Director of Housing & Health. Results will be displayed in the same way to monitor the scheme overall.

## 5.10 Direct Lets

By way of exception to choice based lettings there will be some direct lets, often referred to as management moves, direct offers or direct lets. These will occur where:-

- There is a sensitivity with the letting and it should not be advertised either due to the property or person, i.e. MARAC<sup>23</sup> referrals.
- An adapted property identified by an Occupational Therapist as a suitable match for some one on the DFA register
- The property is to be used as a decant or temporary accommodation
- At the discretion of the Director of Housing & Health

A direct let is simply an offer straight from the waiting list, without being advertised and therefore will still be let in accordance with this policy. Allocations of this nature will be kept to a minimum to maintain a fair and transparent allocation scheme, with the majority of applications being made to applicants that fall within the reasonable preference categories as set out in the Housing Act 1996.<sup>24</sup>

5.11 Local Lettings plan will be allowed under this policy.<sup>25</sup> As new plans are developed they will be impact assessed in relation to this policy. At the time of writing extra care housing is the only available plan and is appended as referred to earlier.

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<sup>23</sup> Multi-Agency Risk Assessment Conference

<sup>24</sup> S167(2) Housing Act 1996 as amended by Homelessness Act 2002

<sup>25</sup> S167(e) 1996 Housing Act

## What is being changed – an overview

The current policy	What is proposed	Why we are proposing the change	What will the change mean
<p><b>One: Access to the Housing Register</b></p> <p>The Council currently operates an entirely open Housing Register. This means that with a few exceptions any person can join the housing register even if they have no housing need. Once they have registered the applicants housing need is assessed and they are allocated a priority band based on this.</p> <p>As a result many households on the housing register who have no or little housing need stand very little chance of being successful in bidding for a property.</p>	<p>In the future applicants to the Housing Register will need to qualify to join the Register. In short this qualification test will establish whether the applicants have any housing need and test if they have the means to meet their own housing need</p> <p>Households who do not qualify will not be registered and will not be able to bid for properties. Non-qualifying applicants will be able to make further applications if their circumstances change.</p> <p>In addition the revised Allocations Policy includes the power for the Council to close the register should this provide necessary in the future.</p>	<p>The Localism Act 2011 allowed Councils to decide which groups of people may or may not qualify for an allocation of social housing to reflect local pressures and circumstances.</p> <p>By only registering applicants who have a housing need the Council is able to:</p> <ul style="list-style-type: none"> <li>Reduce the administrative burden of maintaining a register</li> <li>Maintain a clearer picture of housing need in Tamworth</li> <li>Provide a clear view to residents about the prospects of accessing accommodation</li> <li>Encourage those who are able to meet their own housing need to do so.</li> </ul> <p>Closure of the register is included in the Policy as a provision which would be used in extreme circumstances and could be applied to particular property types or areas only. This is linked to the provision of Local Lettings Plans and information regarding these provisions can be found at xx in the policy.</p>	<p>Applicants will need to have a demonstrable housing need rather than just a desire to move in order to qualify. Approximately 46% of those currently on the list have no housing need, they would simply like to move home.</p> <p>Some people who have the financial resources to rent or buy on the open market will not qualify. Approximately 10% of those currently on the list are owner occupiers who may have the resources to resolve their own housing need.</p> <p>Information regarding the qualifying criteria which will be applied can be found in section 2.4 of the policy.</p> <p>Closure of the Housing Register is a provision which would be implemented only in extreme circumstances. This would be in circumstances where the Council faces an overwhelming demand for particular housing types and in order to meet existing demand must temporarily close the register to new applications.</p>

<p><b>Two: Re-housing homeless households in the Private Rented Sector</b></p> <p>Homeless households, for whom the Council has accepted a duty to re-house, are placed in Band One. Although the Council may suggest that they consider moving into private rented accommodation they are entitled to a suitable offer of Social or Affordable housing.</p>	<p>Homeless households for whom the Council has accepted a duty to re-house will be subject to a suitability test. Where this test shows that they are able to do so the Council will make a suitable offer of private rented accommodation if available. If the household refuses this offer then the applicant will be registered with a Band 2 priority.</p> <p>The suitability test will address the applicants ability to sustain Private Rented tenancy taking account of issues of vulnerability, financial means and previous housing tenure.</p> <p>If, as a result of the suitability test it is considered that a homeless household would not be able to sustain Private Rented Accommodation then they will be placed into Band 1 and a suitable offer of social housing made.</p>	<p>The Localism Act 2011 has allowed Council's to use private rented sector (PRS) accommodation to discharge the full homeless duty without the consent of the applicant. Many households who present to TBC are able to live in PRS tenancies and do not require social housing.</p> <p>The demands placed on the social housing stock means that the Council must make best use of all available tenures including private rented accommodation. It is not a good use of resources to provide additional priority for social housing where applicants could successfully occupy Private Rented Accommodation where this is available.</p>	<p>It is expected that the majority of homeless households where the Council has accepted a duty to re-house will be directed to an available Private Rented Home. Only where households have a particular vulnerability or are clearly unable to successfully occupy Private Rented Accommodation will a Band One priority be awarded.</p> <p>Households offered a Private Rented property who choose to refuse will be placed in Band 2 and will continue to have the right to bid for Social housing vacancies along with other applicants.</p> <p>A suitable private sector letting will be one which is affordable to the applicant and meets their housing needs. All such properties will be subject to an inspection to ensure that they are free from hazards. If the Council is not able to make such an offer within a reasonable timescale then an offer of social housing may be made instead.</p> <p>Information regarding the issues considered as part of the suitability test are shown at 3.3 within the allocations policy.</p>
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<p><b>Three: Changing the bedroom need calculation</b></p> <p>Currently households containing a child aged over 5 who is of opposite sex to it's siblings is awarded a priority for a separate bedroom. The changes to the way housing benefit is calculated mean that children aged under 10 will be expected to share, those of the same sex aged between 10 &amp; 16 will be expected to share and only at 16 will an allowance to be made for the child to have their own room.</p>	<p>By changing the allocations policy to mirror that of the housing benefit policy it will mean that the number of bedrooms applicants are entitled to will be the same in all rented accommodation.</p> <p>This will have the benefit of removing the confusion that occasionally arises with the current policy where the social housing allocation is more generous than the private housing and thereby increasing pressure on a scarce social housing resource</p>	<p>This change brings the bedroom need calculation into line with the housing benefit calculation and thereby ending the differential in place between social and private rents.</p>	<p>Applicants will be allocated a property with the same number of bedrooms regardless of if it is owned by a private landlord or the Council.</p> <p>Approximately 4% of those on the list would see their entitlement increase and 8% would see the entitlement decrease.</p>
<p><b>Four: removing the bedroom need for households who have access to a child or children</b></p> <p>Currently households who have proven access to a child or children for more than 50% of the time are allowed a bedroom for that child. This is contrary to the calculation used for housing benefit and will be removed in the new policy.</p>	<p>In future no bedroom need will be given for families where the child is not permanently resident</p>	<p>This change brings the bedroom need calculation into line with the housing benefit calculation and prevents allocation of property that is assessed as having a 'spare' bedroom for HB purposes</p>	<p>For any applicant who has access to children they will be expected to share a room with a permanent household member for the duration of the access visit.</p>
<p><b>Five: adding an allowance for people who wish to down size who do not fulfil the Incentive to Move criteria</b></p> <p>Currently there is no additional priority given to households who wish to move to smaller property but are</p>	<p>Within the new policy the number of 'spare' bedrooms an applicant may have within their home will be used to calculate an appropriate level of priority so that those with the most 'spare' bedrooms are given the highest priority to move to smaller accommodation.</p>	<p>Changes to the way housing benefit is calculated will mean many people have to make unaffordable contributions to their rental payments to top up their HB entitlement. Households with one 'spare' bedroom will need to pay approximately £10 per week and</p>	<p>The new policy will provide some priority for tenants who are looking to move to smaller accommodation because their current home is too large for their needs.</p> <p>Tenants with 1 'spare' bedroom and no other housing need will be placed</p>

<p>not willing to consider either age restricted accommodation (EG sheltered) or a flat.</p>	<p>This accommodation may be of any type as long as it has the number of bedrooms the applicant is entitled to based on the people within their household.</p> <p>Some schemes will remain where a cash incentive is paid to mostly older people who are willing to move from a family sized home into age restricted accommodation</p>	<p>those with two 'spare' bedrooms approximately £19 per week, in addition to a contribution towards Council Tax</p> <p>This change applies only to households of 'working age' and will not impact on those who are already of pensionable age</p>	<p>into Band 3. Those with 2 'spare' bedrooms will be placed into Band 2 and anyone with 3 or more 'spare' bedrooms will go into Band 1 to allow them to bid for a home of the correct size for their household.</p>
<p><b>Six: restricting access to the list to those aged eighteen.</b></p> <p>Currently children aged 16+ can join the Housing Register, however as these children are minors they can not legally hold a tenancy and require an adult to act on their behalf.</p> <p>Some children who are subject to various protections under the Children Act will still be able to join the Housing Register subject to fulfilling the qualification test outlined above</p>	<p>In future you will need to be at least 18 to join the register.</p> <p>Children aged 16 – 18 who are not protected by the provisions contained within the Children Act will be offered help and support to remain at home wherever it is safe to do so,</p>	<p>An applicant will need to be 18 to legally sign a tenancy agreement &amp; many families will find themselves with a 'spare' bedroom under the welfare benefit rules if a teenage child leaves home</p>	<p>With a few exceptions for children who are in the care of social services, applicants need to be an adult to join the list.</p> <p>This change would affect less than 1% of those on the list.</p>
<p><b>Seven: removing the priority attached to having a young child in an upper floor flat</b></p> <p>Currently the policy allows for a level of preference to be awarded to households who have a child aged under 5 living in an upper floor flat or</p>	<p>In the new policy this additional priority is removed to reflect the changing nature of the accommodation available and the level of need.</p> <p>Tamworth Borough Council has always had a strong demand for</p>	<p>Most allocations are made as a result of the applicant 'bidding' on a property &amp; some households prefer to live in flats &amp; maisonettes without the responsibility for maintaining a garden.</p> <p>Additionally most new build</p>	<p>Approximately 4% of those on the housing register currently have this priority.</p>

<p>maisonette.</p>	<p>accommodation from single parent households who require two bedroom accommodation and there simply is not the supply of ground floor flats / maisonettes and houses to ensure that all households with a young child are accommodated at ground floor level.</p> <p>By applying this level of preference the expectation of the applicant is unrealistically raised.</p>	<p>developments contain flattened accommodation and locally we do not have the number of ground floor flats and houses required to ensure all small children in social housing do not have to live in upper floor flats and maisonettes.</p>	
<p><b>Eight: removing cumulative need</b></p> <p>Under the current policy some identified needs are allowed to accumulate which has the effect of increasing the overall banding level. This does not apply to all identified needs and as such is an area of confusion for applicants.</p>	<p>By removing this element of the policy all applicants will be assessed on the basis of their most pressing or urgent need</p> <p>Applicants who have several low level needs these will be recorded but they will not result in the application being given a higher level of preference than an applicant who has just one low level need.</p>	<p>Some applicants find this process confusing as not all identified needs are subject to cumulative preference.</p>	<p>This will mean that applications are assessed on the basis of the households most urgent need.</p>
<p><b>Nine: Applying a 'reduced preference' to applicants who do not have a connection with Tamworth.</b></p> <p>Currently all applications are assessed on the same basis irrespective of the local connection to Tamworth.</p>	<p>The Localism Act allows local authorities to give additional preference to applicants who have a connection to the area they are seeking accommodation.</p> <p>TBC will continue to allow anyone who fulfils the eligibility and qualification criteria to register but will then apply a reduced preference to their application if they do not fulfil the local connection criteria. In</p>	<p>The demand for social rented accommodation within the Borough far outstrips the supply. This change, along with the introduction of qualification to register as outlined at point 1 will serve to limit the number of applicants on the list and encourage those that have other options to pursue those in addition to a social rented home in Tamworth.</p>	<p>This will mean that households who are demonstrating the same level of need will have a different banding. Where the household has a connection to the Borough their band level will be 1 higher than the household who is not able to demonstrate a connection</p> <p>Up to 13% of those on the housing register MAY be affected by this</p>

<p><b>Ten: Remove the automatic band 3 priority for applicants wishing to move out of the family home</b></p> <p>Currently the policy allows a band 3 priority for applicants wishing to set up a home away from their family irrespective of any overcrowding or under occupation within the family home.</p>	<p>assessing local connection TBC will have reference to the criteria provided by the Homelessness Code of Guidance</p> <p>In the future all applications will be subject to the qualification test so if the parental home is not overcrowded and there is no other demonstrable housing need the application will be considered to be none qualifying and the applicant will not be permitted to join the list.</p>	<p>Changes in welfare benefit reform are such that children aged over 16 are allowed a bedroom of their own within the family home irrespective of the sex of the child. Any change in the family make –up by a child leaving home may result in a ‘spare’ bedroom for the parents.</p> <p>It is generally accepted that young adults who are able to remain within the family home whilst completing their education and training succeed at a higher level than those with a more chaotic housing history</p>	<p>based on the location of their current home address</p> <p>Up to 22% of those on the housing register MAY be affected by this change based on their banding at November 2012</p>
<p><b>Eleven: applying a bedroom need for an unborn child only at 20 weeks gestation.</b></p> <p>Under the current policy the bedroom need for pregnant women is reassessed as soon as the pregnancy is confirmed</p>	<p>The new policy will allow for households to be assessed as needing a bedroom for the child at the time a Maternity Certificate is provided which is at approximately the half way point in the pregnancy.</p>	<p>TBC is keen to try and accommodate emerging households however for any household where housing benefit is required in order to pay the rent, the entitlement will not change until the child is born leaving the household with a 14% contribution to the rent in addition to all other costs.(approx £10- £12 per week plus Council Tax contribution).</p> <p>By changing the point that the bedroom entitlement is assessed it limits the period of time an applicant may be expected to pay for a ‘spare’ bedroom if an allocation is achieved</p>	<p>As bedroom calculations will be assessed in line with the changes in welfare benefit as detailed at point two above, any household that already contains 1 child aged under 10 is unlikely to see an increase in bedroom entitlement</p> <p>Up to 5% of those on the housing register MAY be affected by this change.</p>



prior to the birth of the baby.

## An overview of the considerations made to inform the recommendations

Proposal One: Access to the Housing Register	Matters for Consideration	Conclusion
Option One: Maintain an open register	<p><b>Positives:</b> Ensures equality of access Ensures there is a deep pool of applicants to avoid difficulties in letting properties</p> <p><b>Negatives:</b> Administratively burdensome Provides an unrealistic expectation to applicants and discourages applicants to meet their own need Distorts the picture of housing need in the area</p>	<p>The current approach is not sustainable and is administratively burdensome. Maintaining an open register does not enable focus on households in housing need</p>
Option Two Close the Housing Register	<p><b>Positives:</b> Closure of the register may be appropriate if demand became overwhelming Closure of the register would enable the Council to meet current need and reduce the number of households on the register Closing the register in a targeted way could help to meet priority needs Cannot close the register to those who are homeless</p> <p><b>Negatives:</b> If the register is closed then applicants with housing need will be more likely to become homeless as their needs worsen Closure of the register could lead to some properties becoming difficult to let Closure of the register will lead to significant numbers of complaints and advocacy from other agencies- this would be administratively burdensome</p>	<p>Closure of the register is an extreme measure which would only be appropriate to meet specific aims for a limited period of time. Closure of the register would be likely to lead to a build up of unmet housing need and potentially an increase in homelessness However closure of the register may be appropriate in specific circumstances and should form part of the Council's stated policy</p>
Option Three Introduce a qualifying criteria and limit access to the register	<p><b>Positives:</b> Enables a clear and transparent view of the purpose of the housing register It is administratively burdensome to maintain a register with 46% of households with no housing need Provides a clear view of housing need in the area Qualifying criteria will be clear to applicants and can be changed in the future to address changing housing</p>	<p>By applying qualifying criteria and reducing access to the Register the Council is able to maintain a focus on ongoing housing need in a transparent manner.</p>

Recommendation	That access to the Housing Register is limited by the application of Qualifying Criteria. Although it is not envisaged that closure of the Housing Register is implemented at this stage this is a tool which the Council may have to consider implementing in the future and a policy statement to this effect should be included.	<p>needs</p> <p>Reduces risk of housing need being unmet</p> <p><b>Negatives:</b> The Qualifying Criteria may be open to challenge by applicants</p> <p>Likely to be unpopular with some residents and will require a change of culture</p>	
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<b>Proposal Two: Discharge into the PRS</b>		<b>Matters for consideration</b>	<b>Conclusion</b>
Option 1	Discharge the homeless duty for all accepted statutorily homeless households into the private rented sector	<p><b>Positives:</b> Ensures equality of access and removes the perception that homeless households 'queue jump' into social rented accommodation</p> <p><b>Negatives:</b> very likely to be the subject of legal challenge as a blanket exclusion</p> <p>There is not sufficient capacity in the Private Rented Sector to enable all homeless households to be accommodated</p> <p>For some vulnerable households Private Rented Accommodation may not be suitable</p>	<p>This approach is not believed to be sustainable with early indications from the landlord forum indicating a majority of landlords being unwilling to accommodate households who have been homeless</p>
Option 2	Continue to use only social rented accommodation to discharge a full homeless duty	<p><b>Positives:</b> In line with the current policy and is generally accepted by applicants and support workers</p> <p><b>Negatives:</b> Demand from homeless households is predicted to increase in the immediate future as Welfare Benefit reform is rolled out.</p> <p>Some residents see homeless households a 'queue jumping' in order to achieve an allocation of social housing they may not have achieved for the housing register.</p> <p>This does not provide the opportunity to make the best use of the Private Rented Sector</p>	<p>This option is also unsustainable. It is anticipated that that the changes brought about by changes in welfare benefit reform and the continuing global economic downturn will increase the numbers of households approaching for assistance as homeless</p>
Option 3	Use an assessment criteria to establish which homeless households need a social rent tenancy and which are able to manage a PRS tenancy	<p><b>Positives:</b> Each individual household can be assessed against a set of predetermined criteria to establish the level of need and how it is best met</p> <p>Best use is made of the Private Rented Sector and social housing</p> <p>Social housing can be targeted to those who need it most</p> <p><b>Negatives:</b> Will require a significant cultural change and is likely to be unpopular with some residents and</p>	<p>This option best ensures that the right outcome is offered to the household who are in urgent need of accommodation.</p>

<b>Recommendation</b>		support organisations	
	That an assessment criteria is use to establish the best option for each individual household taking into account such factors as, housing history; vulnerability and multi agency support.		

Proposal Three: Changing the way that bedroom need calculated Changes 3, 4 and 11 above	Matters for consideration	Conclusion
Option 1 Mirroring the Welfare Benefit criteria totally	<p><b>Positives:</b> This criteria is simple and easy to understand</p> <p><b>Negatives:</b> The criterion makes no allowance for unborn children which will result in families with children living in overcrowded 1 bedroom accommodation.</p> <p>This may result in mothers being unable to return to overcrowded or otherwise unsuitable accommodation following confinement</p>	<p>This option will result in families with young children living in overcrowded accommodation which they may struggle to move on from given the known demand for 2 bed property.</p>
Option 2 Disregard the Welfare Benefit criteria and continue to assess bedroom entitlement based on local need and property supply	<p><b>Positives:</b> Likely to be popular with applicants particularly as TBC has availability 3 bedroom homes that is often in excess of demand.</p> <p>May encourage inward migration as neighbouring Authorities change their assessment criteria</p> <p><b>Negatives:</b> Will leave households with a 'spare' bedroom for HB purposes which may increase rent arrears</p> <p>Is not considered to be sustainable in light of demand for social rented accommodation</p>	<p>This option is unsustainable. Whilst initially the option of being allocated a larger home may appeal to many applicants, the reality of higher running costs along with the contribution to the rent and Council tax will be difficult to sustain as further changes to welfare benefit reform take effect (Universal credit)</p>
Option 3 Use a hybrid of options 1 & 2 which take the most sustainable elements of both options by allowing a bedroom for the unborn child (where applicable) when the Maternity Certificate is awarded	<p><b>Positives:</b> An allowance can be made for households where a child is expected to try and avoid the family becoming overcrowded at the child's birth.</p> <p>This is a clear and transparent approach which can be understood by applicants</p> <p><b>Negatives:</b> There is still a potential for rent arrears but this is limited to a maximum of 20 weeks (MAT B 1 is generally issued at approximately 20 weeks) assuming an allocation at 20 weeks gestation and a resulting live birth</p>	<p>This option would appear to be the most sustainable. By making an allowance for an unborn child at a fixed point in the pregnancy the trigger for the additional bedroom entitlement is clear. Given the demand for 2 bedroom accommodation it is considered to be unlikely that an allocation will be achieved within the first bidding cycle of the entitlement being changed thus reducing proportionately the number of weeks that the household has a 'spare' bedroom/</p>
Recommendation	<p>That bedroom entitlement be calculated in line with the assessment used by housing benefit, with the exception of households containing an expected child where the birth size that would not create a 'spare' room for benefit purposes,</p>	<p>to ensure that applicants are allocated a property size that would not create a 'spare' room for benefit purposes, with the exception of households containing an expected child where the birth</p>

of that child would create an additional bedroom entitlement, who will be assessed as having the bedroom need from the point the Maternity Certificate is issued.	
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Proposal Four: Making an allowance within the policy to give priority to existing tenants who are under occupying their current home as determined by the changes in welfare benefit reform	Matters for consideration	Conclusion
Option 1 Do nothing. There is an allowance within the existing policy to allow for OAPs to move to age restricted accommodation	<b>Positives:</b> This policy is well established and well understood by the households who may benefit from it <b>Negatives:</b> In the majority of cases households who will qualify for this scheme are not subject to the changes in welfare benefit	This option does nothing to help address the 500+ households that are known to TBC as under occupying and will be affected by Welfare Benefit Reform.
Option 2 Apply priority to households who have 2 or more 'spare' bedrooms	<b>Positives:</b> This option will target effectively the households who will feel the biggest impact by welfare benefit reform <b>Negatives:</b> Generally these households will be occupying 3 and 4 bedroom homes for which there is a lower demand than other property sizes.	Whilst this option is preferable in terms of targeting households who will need to pay most for their 'spare' bedrooms it does very little to address the needs of the Borough. The demand is for 1 & 2 bedroom accommodation and this option would release accommodation that is larger than most households will be entitled to be allocated.
Option 3 Apply as inversely proportional to overcrowding assessment	<b>Positives:</b> The highest level of priority is awarded to those with the most spare bedrooms, but those with only one 'spare' room will also get some priority to move This provides a means to facilitate moves and therefore reduce rent arrears and financial hardship to households affected by Welfare Benefit Reform <b>Negatives:</b> Initially the property releases is likely to be larger family homes rather than the smaller 2 bedroom units which attract the highest demand.	This option is easy to understand and targets the highest level of priority at the households who have the most 'spare' bedrooms.
Recommendation	That households in rented accommodation are awarded priority to move to smaller accommodation with the same level of priority as those who are overcrowded to the same extent.	



<b>Proposal Five: Restricting access to the housing register to adults aged over 18*</b>		Matters for consideration	Conclusion
Option 1	Allow anyone over 16 to join the register in line with the current policy	<p><b>Positives:</b> This is the policy that TBC currently operates and it is well known and understood</p> <p><b>Negatives:</b> By admittance to the register there is an expectation of an allocation and most applicants do not achieve an allocation</p> <p>All children aged under 18 require a guarantor as legally they are not able to sign a tenancy agreement in their own right</p>	<p>This option raises unrealistic expectations amongst young people that they will achieve an early allocation.</p> <p>Most applicants are never allocated social rented housing including this age group.</p>
Option 2	Allow only adults onto the list with noted exceptions	<p><b>Positives:</b> There is no delay in formalising an offer of tenancy whilst a guarantor is sought</p> <p>There is clarity in the legality of the agreement</p> <p>This manages the expectations of young people applying to join the Register and ensures that the allocations policy reflects benefit rules</p> <p>Young people who have need for re-housing will continue to be able to access this through the support of relevant agencies in accordance with the Children Act</p> <p><b>Negatives:</b> a small number of under 18s who are currently on the list will be excluded by this change</p>	<p>Changes in Welfare Benefit mean that any child aged over 16 who remains within the parental home is entitled to their own bedroom. By encouraging young people to remain within the family home wherever possible the impact of welfare benefit reform for the household is mitigated to some degree.</p>
Recommendation	By restricting access to the register to applicants aged 18 and over the applicant is able to take full legal responsibility for the tenancy.		
* Some children aged 16-18 must be admitted to the register to satisfy requirements of the Children Act			

Proposal Six: Eradicate the low priority award for households with a child aged under 5 who live in an upper floor flat	Matters for consideration	Conclusion
Option 1	Currently TBC will make a band 3 award to households in this position	This option raises unrealistic expectations amongst applicant. Most Band 3 need to be allocated, particularly into 2 bedroom accommodations.
Option 2	No award is made to households in this position	Most allocations are made as a result of the applicant 'bidding' on a property & some households prefer to live in flats & maisonettes without the responsibility for maintaining a garden. Additionally most new build developments contain flatted accommodation and locally we do not have the number of ground floor flats and houses required to ensure all small children in social housing do not have to live in upper floor flats and maisonettes.
Recommendation	Remove the low priority award to households containing a child aged under 5 years to reflect the current housing conditions within the Borough	

<b>Proposal Seven: Remove Cumulative need</b>		Matters for consideration	Conclusion
Option 1	Currently TBC will apply a higher banding award to some applicants who have more than 1 reasonable preference award within a band, for example Medium medical award and 2 bedrooms short.	<p><b>Positives:</b> This allows for some applicants with multiple needs that are all at a similar level to be given recognition of the cumulative effect of these needs</p> <p><b>Negatives:</b> The process is not clear or well understood by applicants as it is not applied universally to all reasonable preference categories.</p> <p>Some applicants will 'points chase' in order to achieve a higher banding by virtue of cumulative need</p>	This process is difficult for some applicants to understand and presents an incentive for applicants to 'points chase'
Option 2	All applications are assessed on the basis of the most urgent or pressing need	<p><b>Positives:</b> Easily understood. All applicants can describe the most pressing or urgent need for their household</p> <p>Enables effective targeting of priority needs</p> <p>Removes the incentive for households to 'points chase'</p> <p><b>Negatives:</b> a small number of households who have benefitted from cumulative need may loose this priority.</p>	This option is easier for applicants to understand and for staff to implement.
Recommendation	Assess all applications on the basis of their most urgent or pressing need.		

Proposal Eight: Restrict access to the list to those who have a connection to Tamworth.	Matters for consideration	Conclusion
Option 1	<p>Allow access to the list to anyone who fulfils the eligibility and qualification criteria on an equal basis.</p>	<p>As the demand for social rented accommodation increases locally this option is not sustainable</p>
Option 2	<p>Make a local connection to Tamworth a 'qualification criteria' and exclude from the list anyone who is unable to meet the criteria</p>	<p>This option is potentially liable to expensive legal challenge and may leave TBC with properties in low demand locations that it is unable to allocate.</p>
Option 3	<p>Allow access to the register to anyone who fulfils the eligibility and qualification criteria but apply a reduced preference to the overall priority</p>	<p>This option allows for the list to primarily address local housing need whilst maintaining a sufficiently large pool of applicants to ensure that there are potential tenants for any hard to let homes.</p>
Recommendation	<p>Allow access to the register to households without a connection to the Borough but apply a reduced preference so that an applicants with a local connection but the same level of need will always be placed higher on the list than someone without a connection to the Borough</p>	

Proposal Nine: Consider to be none qualifying households seeking independent accommodation where no other housing need exists	Matters for consideration	Conclusion
<p>Option 1</p> <p>Applicants who are adequately housed within the family home are considered to be in housing need and admitted to the register</p>	<p><b>Positives:</b> In line with the current allocations policy a low (band 3) priority award is made</p> <p><b>Negatives:</b> Most of these households are seeking 1 or 2 bedroom accommodation which is the highest demand sized accommodation within the Borough</p> <p>Most will not achieve an allocation on this priority alone</p> <p>The administration of an overly large list is burdensome and unsustainable</p>	<p>Most household who have attracted this level of priority are seeking 1 or 2 bedroom accommodation which is in the highest demand. To increase this demand further and raise unrealistic expectations of an allocation is administratively burdensome.</p>
<p>Option 2</p> <p>Households adequately accommodated within the family home are considered to be none qualifying</p>	<p><b>Positives:</b> Simple to understand and administer</p> <p>Reduces the possibility of the parents being subject to benefit reductions as a result of having spare rooms</p> <p>Provides young and emerging households with a more realistic assessment of their options</p> <p><b>Negatives:</b> Likely to be unpopular</p>	<p>Whilst potentially unpopular this option will mitigate any potential risk to the parental home by way of unaffordable 'spare' bedrooms and ensures those seeking to leave the parental home have a realistic view of the options available to them</p>
<p>recommendation</p>	<p>Households who are adequately accommodated within the family home, and who have no other housing need, are considered to be none qualifying and declined admittance to the housing register.</p>	<p>Households who are adequately accommodated within the family home, and who have no other housing need, are considered to be none qualifying and declined admittance to the housing register.</p>

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Consultation Plan period 18<sup>th</sup> March – 10<sup>th</sup> June

<b>Who?</b>	<b>When?</b>	<b>How?</b>
3 <sup>rd</sup> sector organisations	18/3	Post & email
	w/c 13 <sup>th</sup> May	Reminder letter
Members	18/3	email
	w/c 13 <sup>th</sup> May	Reminder letter
	w/c 20 <sup>th</sup> May	Seminar / briefing
Housing Staff	18/3	Email
HAT, V&A & reception teams	W/C 18/3	Seminar
Registered providers	18/3	Post & email
	w/c 13 <sup>th</sup> May	Reminder letter & email
Neighbouring LAs	18/3	email
Applicants	W/C 18/3	Letter
	April	Drop in(s) (Reception)
	w/c 13 <sup>th</sup> May	Reminder letter
Everyone	18/3	website
	w/c 24 <sup>th</sup> June	Press release

Implementation

<b>When?</b>	<b>What?</b>
w/c 10 <sup>th</sup> June	compile consultation responses & formulate recommendations
Mid July	Recommendations to solicitor for final legal view
	Member briefings
	Staff briefings
End July	Final legal approval
August	Cabinet report & comms drafted
September	Cabinet for approval
Late September	applications re-assessed and re-banded & letters sent
	Press release
	Website updated with new policy
October	applications re-assessed and re-banded & letters sent
November	appeals & re-banding requests
January 2014	First allocations on new policy







**RISK ASSESSMENT FORM**  
 Consultation for revised ALLOCATION POLICY 2013

**Business Objective:** A transparent and fair scheme used to allocated social rented accommodation

**Completed by:** Rachel Ashford **Date completed:** 31<sup>st</sup> January 2013

No	Risk & Impact (Threat/Opportunity to achievement of business objective)	Assessment of Gross Risk			Risk Treatment Measures Implemented	Assessment of Current Risk [With control measures implemented]			Action Plans for Additional Treatment Measures	Timescale
		Impact (Severity) [I]	Likelihood (Probability) [L]	Risk Score [IxL]		Impact (Severity) [I]	Likelihood (Probability) [L]	Residual Risk Score [IxL]		
1	The draft policy on which consultation is based represents a significant policy change which may be complex for some of those consulted to understand particularly more vulnerable groups	2	4	8	A consultation plan has been developed which allows for interaction in a variety of formats to encourage all applicants etc to engage with	1	1	2	Consultation will seek to include all know support groups for vulnerable client groups (eg Homestart & Age UK)	April 2013
2	The consultation method is not accessible to all parties who require consultation	2	2	4	Consultation will be undertaken in a variety of ways including drop in sessions and seminars and over a number of weeks to allow for maximum opportunity to participate	1	1	2		

3	The consultation period will be resource intensive possibly resulting in below target performance during the consultation period	1	3	3	3	The staffing resource will be split between day to day activity and consultation activity to limit the impact	1	2	2	2		
4	The consultation responses are inconclusive on key issues	1	1	2	2	Consultation documentation and support to be as informative as possible with all staff supporting the consultation appropriately trained.	1	1	2	2	Final policy approval will be made in line with democratic process	September 2013
5	Consultation on the draft policy reveals that it contains elements that are inequitable across some equality strands	2	2	4	4	An initial legal view will be sought prior to consultation to establish the legality of the draft  Any significant issues raised during consultation will be addressed prior to approval and implementation	1	1	2	2	Use a specialist advisor where necessary to mitigate any unreasonable impact	June 2013
6	Managing expectation of customers with regard to the implementation of the revised policy both positive and negative	2	2	4	4	Clear implementation timetable included as part of the consultation process	1	1	2	2		

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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