

## REPORT OF THE HEAD OF PARK DIRECTION

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**SUBJECT:**  
**CONSULTATION ON THE CHOICEHOMES@PEMBROKESHIRE ALLOCATION POLICY (DRAFT)**

### **Purpose of Report**

To approve the National Park Authority's response to the above consultation. The Consultation Document can be found in Appendix A.

### **Background**

In terms of restricting occupancy for local need when considering planning applications for new residential proposals planning authorities can impose occupancy controls on private developments whether they are low cost home ownership properties or privately rented properties.

However, Planning Authorities cannot require that occupancy controls be imposed on development that will be transferred to a registered social landlord (RSL). For example Pembrokeshire County Council (– not currently building), Pembrokeshire Housing and Cantref – both Housing Associations. This Authority can, and does however, seek to secure **voluntary** lettings agreements with all Registered Social Landlords developments.

In the absence of a voluntary letting agreement with Registered Social Landlords the ChoiceHomes@Pembrokeshire Allocation Policy is used.

When choice based letting was introduced in Pembrokeshire in 2006 a new joint allocation policy was adopted by the social landlords in the area. As a result of changes in demand for the type of housing available, changes in the general housing market and the welfare benefit changes that are being introduced, it became clear that the original allocation policy needed updating.

The Housing Partners have worked closely to produce the attached draft ChoiceHomes@Pembrokeshire Allocation Policy which is now being circulated for consultation.

The closing date for responses was **Tuesday 4th December**. The **draft** Pembrokeshire Coast National Park Authority response set out in this report has been forwarded to the County Council by the closing date with the proviso that it requires formal agreement by Pembrokeshire Coast National Park Authority members and may be subject to change.

For the benefit of new Members, when the Authority approved our current Affordable Housing Supplementary Planning Guidance on the 30<sup>th</sup> of March 2011 the Authority agreed to carry forward an old definition of a 'Local Person' as an interim measure while the ChoiceHomes@Pembrokeshire Allocations Policy was being reviewed and the County Council's own affordable housing supplementary planning guidance was being adopted.

Progress is being made on both these areas of work and it is the intention to report to Members on updating Pembrokeshire Coast National Park Authority's Supplementary Planning Guidance when Pembrokeshire County Council's documents are finalised. This will be an ideal opportunity to provide a consistent approach across the County on the issue of defining local need. Other issues emerging such as the imminent publication of the document 'Securing Mortgage Access for Affordable Housing' (2012) will also need to be considered as will action points from our current Scrutiny Committee review of affordable housing policy.

**How the proposed Allocation Policy will work in the National Park:** The proposed policy would normally give preference to people with a connection to Pembrokeshire – see paragraph 7.1 page 6. In the National Park (along with other rural areas in Pembrokeshire) each Housing Partner can also specify the ratio of their properties (up to a maximum of 1 property in 3) that will be available for letting under the Rural Communities Policy. This policy is set out under Section 13 (page 10 and 11).

**Response:** The policy reflects the constraints within which Pembrokeshire County Council and its partners must work. Given more urgent housing need it is appreciated that 'local need' cannot be the primary factor in considering allocating housing.

Technical Advice Note 2: Planning and Affordable Housing sets out the context for defining 'local need' at paragraph 10.16 for planning authorities and includes existing households needing separate accommodation; those providing essential services, those with a connection or long standing links and those who have a job offer. Villages or groups of villages, community council areas, electoral wards or the local authority area are examples of 'local' areas (paragraph 10.17).

The approach proposed in the ChoiceHomes@Pembrokeshire Allocation Policy would be consistent with this and subject to a proposed amendment below it is suggested that the local occupancy controls set out in our current supplementary planning guidance could be updated to reflect this approach and provide consistency. This would of course need to be subject to consultation when the supplementary planning guidance is formally reviewed.

One change is proposed, i.e., that in paragraph 13.5 of 'The ChoiceHomes@Pembrokeshire Allocation Policy', reference be made to 'the Community Council and adjacent Community Council area' rather than the 'Electoral Ward'. This would reflect officer understanding that Community Council areas are recognised more as relating to what is regarded as being 'local'.

## **Recommendation**

**That the above response be approved as the National Park Authority response to the consultation 'The ChoiceHomes@Pembrokeshire Allocation Policy'.**

### Background Documents

[Pembrokeshire Coast National Park Local Development Plan Adopted September 2010](#)

[Supplementary Planning Guidance on Affordable Housing \(Adopted 30<sup>th</sup> March 2011\)](#)

[Planning Policy Wales Edition 5 November 2012](#)

[Technical Advice Note 2 Planning and Affordable Housing June 2006](#)

[National Park Authority - 31 March 2010](#)

*(For further information, please contact Martina Dunne on ext 4820)*



# The ChoiceHomes@Pembrokeshire Allocation Policy



## **The ChoiceHomes@Pembrokeshire Allocation Policy**

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## 1. Introduction

- 1.1. There are approximately 8,200 houses, flats and bungalows located in the various towns and villages throughout Pembrokeshire that are classed as social housing. The number and type of homes vary considerably from one area to another.
- 1.2. These homes are owned by the different social landlords that operate in Pembrokeshire (the Housing Partners). At the time this policy was agreed the Housing Partners are Pembrokeshire County Council, Pembrokeshire Housing and Cantref. Each of the Housing Partners manages their own stock of homes and have different tenancy agreements and conditions. For further information please contact the individual landlord.
- 1.3. This document describes in detail the policy for the allocation of social housing by all the Housing Partners taking part in the ChoiceHomes@Pembrokeshire scheme. It gives guidance on who can apply for accommodation and what is likely to happen after they apply.
- 1.4. The Housing Partners are committed to providing equality of opportunity and all applicants and tenants will be treated equally and without discrimination. We will deal with all our customers reasonably and will not discriminate on the grounds of a person's race, ethnic origin, nationality, religion or belief, cultural background, sex, sexual orientation, age, disability or illness, marriage or civil partnership, pregnancy and maternity. In order for the Housing Partners to monitor equal opportunities, applicants are requested to complete all relevant parts of the application form.
- 1.5. The Housing Partners will provide reasonable assistance to applicants and tenants requiring assistance to complete the application form. Further information is available on supporting documents.

## 2. How ChoiceHomes@Pembrokeshire works

- 2.1. Customers who apply and are accepted onto the scheme will join the ChoiceHomes@Pembrokeshire Register (the Register). The Housing Partners manage the Register as a joint partnership. This means that customers will need to complete only one application form to seek properties owned by any of the Housing Partners.
- 2.2. When a customer is accepted onto the Register they will be placed in one of three 'bands'. Which band will depend on the customer's individual housing need, based on the information provided on their application form and any other information provided. The bands are Bronze, Silver and Gold, with customers in the Bronze band having the lowest priority and those in the Gold band having the highest. More information on the bands can be found in **Sections 23-26**.

- 2.3. Some customers may be given extra priority for housing for a short period of time because of their circumstances. More information can be found in **Section 27 – Customers with Priority Status**.
- 2.4. When a property is advertised, customers on the Register who would like to live there can apply (make a 'bid') for the property. The customer with the highest need and the earliest date of application who has bid for the property will then be offered a tenancy.

### **3. How to ask for a review**

- 3.1. During the process decisions will have to be made by the Housing Partners in relation to the customer's application. If a customer does not agree with any of these decisions they should, to begin with, contact a housing officer at the Housing Partner they passed their application to. The officer will check the information and try to resolve the issue.
- 3.2. Customers who are still dissatisfied have the right to request a review of any of the following decisions made by the Housing Partners under this Policy:
  - a. Admission to the Register
  - b. Suspension from the Register
  - c. Removal from the Register
  - d. Assessment of banding
  - e. Reduction in banding
  - f. Award of Priority Status
  - g. Removal of Priority Status
  - h. Eligibility for an allocation
  - i. Suitability of accommodation offered to customers with Priority Status
  - j. Any other decision about the facts of the customer's case
- 3.3. A request for a review of any of the above decisions must be made within 21 days of the original decision. In the request the customer should explain why the decision is wrong and provide any additional evidence that may be relevant to the review. The review will be undertaken on the basis of all facts known at the time. The Housing Partners aim to give customers written notification of the review decision within 8 weeks of the date the request for the review was made.
- 3.4. Reviews will be undertaken by a senior housing officer or manager who was not involved in the original decision.

### **4. Joining the Register**

- 4.1. Anyone aged 16 and above can apply to join the Register subject to the exclusions in **Section 8 - Customers who cannot be allocated accommodation.**
- 4.2. Introductory or assured shorthold tenants of any social landlord cannot join the Register unless they have held their existing tenancy for at least 12 months. The Housing Partners may reduce this period having regard to the social, financial and medical circumstances of the customer and members of their household.
- 4.3. If at any time a customer does not wish their name to remain on the Register the customer must inform in writing one of the Housing Partners.

## **5. Existing tenants who would like to exchange their home**

- 5.1. Secure or Assured tenants of any social landlord have the right to exchange their home with another secure or assured tenant. To access this service customers do need to join the Register, and should contact one of the Housing Partners before undertaking an exchange.

## **6. Advice on completing an application to join the Register**

- 6.1. Customers must be on the Register before they can bid for homes. Application forms to join the Register can be obtained from any of the Housing Partners.
- 6.2. If a customer has any difficulty understanding or completing the registration form, or requires assistance, this can be obtained from the Housing Partners or other agencies, such as Pembrokeshire Care Society or SHELTER.
- 6.3. The application form must be completed in full as all the information asked for on the form is required for customers to join the Register and proof of identity will be required. If the form is not fully completed, the application will not be registered until all information is provided.
- 6.4. If at any point information comes to the attention of the Housing Partners which will affect a customer's banding or right to be on the Register, the customer will be notified in writing of the change of banding or removal from the Register.
- 6.5. If a customer on the Register signs a tenancy agreement for a property let by one of the Housing Partners, their current application will then be finished and will be removed from the Register unless this is 'move-on' or supported accommodation or an interim solution.



## 7. Customers living outside Pembrokeshire

7.1. Customers living outside the County can still apply to join the Register and will be considered in the same way as current residents. However as there is high demand for properties in Pembrokeshire, customers with the same banding and/or priority status (see **Sections 23 to 28**) who meet the following criteria will be considered first:

- a. Customers who have lived continuously in Pembrokeshire as their principal residence for 12 months prior to making an application.
- b. Customers who need to move to a specific area of Pembrokeshire to provide or receive essential support. 'Essential support' will be support provided to or by a family member which allows the receiver to continue living independently with little or no additional help from health or social services.
- c. Returning armed forces personnel with a family connection to Pembrokeshire or guaranteed permanent employment prior to discharge.
- d. Customers escaping domestic abuse.
- e. Customers released from prison who were resident in Pembrokeshire for 12 months immediately prior to detention and are not subject to **Sections 20 and 21**.
- f. Customers who have to move to Pembrokeshire to take up key positions, which contribute to the provision and expansion of certain industries, e.g. agriculture and public services, for which there is a shortage of local people with the necessary skills (subject to confirmation from Economic Development) and for whom social housing is the only option.
- g. Customers who are to be re-housed as part of arrangements set out by the Multi Agency Public Protection Panel (MAPPP) (see **Section 9 - Customers who may have special conditions attached to their application**).
- h. Customers who were previously resident in Pembrokeshire but moved outside the county to move-on accommodation or supported housing that addressed their support needs, and who wish to return to Pembrokeshire when that support finishes.

## 8. Customers who cannot be allocated accommodation

8.1. Certain people, by law, are not allowed to be allocated accommodation. These include:

- a. most people who are subject to immigration control, i.e. they need the permission of the UK government to enter and remain in the United Kingdom and
- b. people who have not made their usual home in the UK, the Channel Islands, the Isle of Man or the Irish Republic.

8.2. For those customers who subsequently become eligible to be allocated accommodation the registration date of their application will be the

date they became eligible (this date will be used to determine their position within the bands relative to other customers).

- 8.3. If customers are uncertain whether they are eligible for an allocation or require further information, they should contact one of the Housing Partners.
- 8.4. A customer awaiting a MAPPP assessment will not be able to join the Register until such an assessment has been carried out and any recommendations have been adhered to (see **Section 9** for further information).

## **9. Customers who may have special conditions attached to their application**

- 9.1. Partnerships are in place between relevant agencies to manage high risk offenders in the community.
- 9.2. The Housing Partners will have due regard for the safety of residents to ensure a responsible approach is taken to housing such offenders.
- 9.3. A customer who is recognised to be a person who presents significant risk to others, or themselves, will not be able to bid for accommodation until the MAPPP has assessed the risks associated with them. The Housing Partners will co-operate in considering suitable accommodation options in these cases. The customer must accept any recommendations from the MAPPP. No accommodation will be allocated if the customer refuses to consent to a risk assessment being completed.
- 9.4. Some customers who are identified via the MAPPP may not be able to bid for properties in the normal way. Suitable properties will be identified, and where necessary, offers will be made under **Section 15 - Help for others**.
- 9.5. Consideration will be given to the customer's support package, the availability of suitable accommodation, as well as the risk of re-offending. Further consideration will be given to the location of possible accommodation. This will take into consideration the type of offence and the risk to the local community if the offender is re-housed.

## **10. Customers with medical reasons to move**

- 10.1. A customer's banding may be increased if they have a medical reason to move.
- 10.2. When a customer indicates that there are medical issues affecting a member of the household to be taken into account in the assessment of their application, the Housing Partners will consider the effect of the

medical issues faced by individual household members on the whole household.

10.3. Any health information provided by the customer may be verified by a home visit or by requesting confirmation from a doctor or other health professional. Confirmation may be required from a medical professional that the customer's medical condition is affected by their current housing situation and that moving will alleviate their condition.

10.4. The Housing Partners may refer an application and medical information to a medical professional for further advice and guidance where the nature and impact of a medical condition on the customer's housing circumstances is not immediately apparent. However the final decision will rest with the Housing Partners.

10.5. A medical condition, however severe, will not be taken into account in the banding of the application if:

- a. moving to different accommodation will not improve or alleviate the condition,
- b. the customer already lives in suitable accommodation, or
- c. it is reasonable and practical to improve the current accommodation within a reasonable time such that it becomes suitable for the customer or the member of their household.

10.6. The medical assessment will consider the severity of the medical condition, the effect current housing has on it and the level of improvement moving will have on the condition.

10.7. If a change in banding is awarded on medical grounds it will only apply to suitable accommodation that will alleviate the medical condition. E.g. if a person has mobility problems (stairs), the increase in banding will only apply to ground floor flats or bungalows or adapted properties.

## **11. How many bedrooms can customers have?**

11.1. Customers are entitled to one bedroom for each of the following within their households:

- a. A married couple or two people cohabiting as if they were married
- b. Civil partners or two people cohabiting as if they were civil partners
- c. Each person aged 16 or over not falling within sub-paragraphs (a) and (b) above
- d. Two children of the same sex under the age of 16
- e. Two children regardless of sex under the age of 10
- f. Any additional child who cannot share with another child

11.2. For example, a married couple with sons 12 and 6, and daughters 5 and 3 require accommodation as follows:

Married couple	1 bedroom	4 bedroom property required
Sons aged 12 & 6	1 bedroom	
Daughters aged 5 & 3	1 bedroom	
Daughter aged 1	1 bedroom	

11.3. The customer's current accommodation will be assessed in accordance with paragraph 11.1 above and an increase in banding will only be awarded where there are not enough bedrooms or too many. The banding will be:

- a. Silver if they need one extra bedroom to prevent a category 2 hazard due to the lack of adequate space for living and sleeping to exist at the accommodation.
- b. Gold if they need two or more extra bedrooms to prevent a category 1 hazard due to the lack of adequate space for living and sleeping to exist at the accommodation.
- c. Gold if they are a Housing Partner Tenant and have more bedrooms than their assessed need and wish to move to a property that meets their assessed need.

11.4. The relevant Housing Partner may carry out a home visit to assess the customer's housing need.

11.5. Where a customer or a member of their family is pregnant, the accommodation needs of the child will only be considered once the child is born.

11.6. If separated parents share childcare, the child will only be considered when calculating the number of bedrooms for the household of the designated main carer. If care is shared equally the main carer will be the parent that receives child benefit for that child.

11.7. Parents whose children visit but are not part of the household are not assessed as needing an extra bedroom.

11.8. Customers whose age qualifies them for state pension credit may be considered for designated older persons accommodation that has 1 bedroom more than their assessed need.

11.9. Customers may not be considered for properties that have 1 or more bedrooms less than the households needs, unless in the opinion of the relevant Housing Partner the property will better meet their needs than their existing property, e.g. same number of rooms but rooms are larger; or currently have 2 bedrooms, have a need for 4 bedrooms, so 3 bedrooms would be an improvement.

## **12. Can customers have an extra bedroom for their carer?**

12.1. Customers may be considered for an additional bedroom where accommodation for a non-resident carer is needed. The person in need of care must in the opinion of the relevant Housing Partner be so severely disabled physically or mentally ill that they need a carer to attend on them for prolonged or repeated periods at night to be eligible. Proof of carer arrangements will be required.

## **13. Rural Communities Policy**

13.1. This policy provides for customers with a local connection to a rural area to be given an additional preference in respect of properties available for letting in that area in order to sustain rural communities and assist those who require or provide support.

13.2. For the purposes of this policy, a rural area is those areas specified for the purposes of section 157(1) of the Housing Act 1985 in the Schedule to The Housing (Right to Acquire and Right to Buy) (Designated Rural Areas and Designated Regions) (Wales) Order 2003. This includes all areas in Pembrokeshire except Haverfordwest, Merlins Bridge, Pembroke, Pembroke Dock, Fishguard, Goodwick, Neyland and Milford Haven.

13.3. In April of every year, each Housing Partner will specify the ratio of their properties (up to a maximum of 1 property in 3) that will be available for letting under the Rural Communities Policy.

13.4. Additional preference under the Rural Communities Policy will only be given to customers in the Silver and Gold bands and those with Priority Status.

13.5. A customer will qualify for a local connection to the rural area (electoral ward) if you or a member of your household:

- a. Have lived within the area as your only or principal home, continuously for the last 5 years, or
- b. Can demonstrate that you lived in the area for at least 10 years previously, before moving away, and that you have one of the following reasons to return:
  - i. Your permanent job (at least 16 hours per week), or unpaid work for the emergency services or coast guard, is located within the area, and you have a need to live close to work. This can include volunteering for the emergency services and RNLI.
  - ii. A child who is a member of your household attends a school that is located within the area, and they currently have to travel more than 10 miles each way to attend this school. The child

must be expected to attend this school for at least the next 3 years.

- iii. You have a parent or close family member (grandparents, parents, siblings, child) who lives in the area as their only or principal home and who would provide support to or receive support from you. This support:
  - 1) must not be provided by others (including professional care), and
  - 2) would dramatically improve the quality of life of the person receiving the support, and
  - 3) must not currently be sustainable because you currently live too far away to reasonably provide or receive this support.

13.6. When a property is advertised under the Rural Communities Policy:

- a. A customer with a local connection with the rural area in which the property is situated and whose needs match the property will be given priority over customers who do not have a local connection to that area.
- b. If two or more customers with a local connection bid for the same property, the process in **Section 30 - Offers of accommodation** will be applied to those customers.
- c. If no one with a local connection bids for the property, the process in **Section 30 - Offers of accommodation** will be undertaken with those customers who have placed a bid.

13.7. When new properties are built in rural areas the Housing Partners may operate a separate local lettings policy to allocate the properties for the first time.

## 14. Help for older or disabled customers

14.1. A number of properties managed by the Housing Partners have been specifically developed or adapted to meet the needs of customers who require specialist housing. When these properties become available they may not be advertised in the usual way outlined in this policy. Instead the Housing Partners will match the specific needs of the customer to a specialised property that is available and offer it directly to the customer without going through the bidding process. This will assist the Housing Partners in making the best use of limited stock.

14.2. The types of property this type of letting may apply to are limited to:

- a. Homes for life schemes
- b. Specialised furnished tenancies
- c. Disabled adapted properties
- d. Sheltered Housing

- e. Supported Housing schemes

## **15. Help for others**

- 15.1. Where a customer has been identified by a Housing Partner as having a need for housing which cannot be met through the normal operation of this policy, the relevant Housing Partner may allocate a property to the customer without going through the normal advertising and bidding process.
- 15.2. Such an allocation must be recommended by one of the Housing Partners and agreed by another Housing Partner.
- 15.3. This may apply to a range of cases, for example where there is exceptional hardship, a change from a joint tenancy to a sole tenancy, for the effective management of housing stock or where the safety of residents is a concern. Each case will be considered on its individual merit.
- 15.4. This does not apply where the case falls within **Section 14 - Help for older or disabled customers**.
- 15.5. Where a customer has been placed in temporary accommodation to enable the Local Authority to meet its homelessness duty to them, the relevant Housing Partner may grant the customer an introductory, assured shorthold or assured tenancy of the property the customer occupies.
- 15.6. Where a customer who is a tenant of a Housing Partner has been temporarily decanted to alternative accommodation to enable building works to be carried out, the Housing Partner may at their discretion grant the customer an introductory, secure, assured shorthold or assured tenancy of the alternative accommodation provided it meets the customer's housing needs and they are on the Register.

## **16. Verifying customers information**

- 16.1. At any point before a customer becomes a tenant, checks may be carried out by the Housing Partners as a minimum to:
  - a. Confirm information provided on the application form.
  - b. Confirm that they meet the eligibility criteria for the property they have been offered.
  - c. Verify there are no current, or previous, rent arrears or other breaches of tenancy.
  - d. Verify there is no current, or previous, property damage.
  - e. Verify there has been no harassment/anti-social behaviour or relevant criminal activity.
  - f. Ensure the customer can afford the rent charged for the property.

## **17. What happens if a customer's circumstances change?**

- 17.1. It is important that the information provided by the customer relating to the application is accurate and updated at all times as this can affect the band customers are placed in, and therefore their chances of being housed.
- 17.2. If a customer's circumstances change after applying to join the Register, for instance, they move or their household composition changes, they must contact any of the Housing Partners to complete a Change of Circumstances Form. Once the completed form is returned the application will be re-assessed and the customer will be informed of any changes to their assessed need or banding.
- 17.3. If a member of the customer's household makes a separate application to join the Register in his/her own right, they will no longer be considered a part of the customer's household for re-housing and will be removed from the customer's application.
- 17.4. Where the Housing Partners have been notified that the customer's circumstances have changed and are awaiting a completed Change of Circumstances Form, the customer will be suspended from the Register (see **Section 21 - What happens when a customer is suspended from the Register**). If the Change of Circumstances Form is not returned within 2 months of the notification, the customer's application will be removed from the Register. The customer will be given written notification of this decision and have the right to request a review (see **Section 3 - How to ask for a review**).

## **18. Annual application review**

- 18.1. The Housing Partners will review each application on the Register every 12 months to ensure that information is current and up-to-date. Customers will be sent a review form which they must complete and return. If the customer does not return a completed review form within 4 weeks, the Housing Partners will send the customer a reminder letter. If the completed review form is not returned within 4 weeks of the date of the reminder letter, their application will be cancelled. Customers will then need to complete a new application form if they wish to be considered for housing and the date the new form is received will become the date used to determine a customer's position within the bands relative to other customers.
- 18.2. Customers have the right to request a review of a decision to remove their application from the Register (see **Section 3 - How to ask for a review**).



## **19. What happens if a customer provides incorrect information?**

19.1. If a customer knowingly or recklessly makes a false statement in connection with an application for an allocation, or knowingly withholds information which the Housing Partners have reasonably required the customer to give in connection with an allocation of accommodation:

- a. they commit an offence, the maximum penalty for which is currently a fine of £5,000;
- b. their application may be removed from the Register; and
- c. their landlord will seek to recover possession of any property let to them as a result of that allocation .

19.2. Customers have the right to request a review of a decision to remove their name from the Register (see **Section 3 - How to ask for a review**).

## **20. Reasons to suspend a customer from the Register**

20.1. The Housing Partners may suspend a customer from the Register where satisfied that the customer, or a member of their household, is guilty of unacceptable behaviour serious enough to make him unsuitable to be a tenant.

20.2. The customer does not need to have been a tenant of one of the Housing Partners when the unacceptable behaviour took place.

20.3. The unacceptable behaviour must be behaviour that would have entitled a Housing Partner to a court order for possession had the customer been a secure or assured tenant at the time.

20.4. Unacceptable behaviour is:

- a. Non-payment of rent.
- b. Breach of a tenancy condition.
- c. Causing nuisance or annoyance
- d. Conviction for immoral or illegal use of the premises.
- e. Conviction for a criminal offence committed at the premises or in its locality.
- f. Domestic violence.
- g. Damaging the property.
- h. Damaging the landlord's furniture (if provided).
- i. Obtaining a tenancy obtained by deception.
- j. Paying a premium on mutual exchange.
- k. Being guilty of inappropriate conduct as a service tenant.

20.5. In deciding whether the behaviour is serious enough to make the customer unsuitable to be a tenant, the Housing Partners will take into account how much time has elapsed since the behaviour was committed and the customer's recent behaviour.

20.6. A customer who is suspended from the Register will be notified in writing of the suspension and its length and may request a review of that decision (see **Section 3 - How to ask for a review**).

## **21. What happens when a customer is suspended from the Register**

21.1. A customer who is suspended from the Register has no right to be allocated a property or to participate in bidding for a property.

21.2. Customers suspended from the Register will normally be suspended for a minimum period of 6 months.

21.3. If a customer is suspended from the Register the Housing Partners will inform them:

- a. When a review of their suspension will take place; and
- b. What they need to do to have their suspension lifted

21.4. Customers may ask the Housing Partners to review their suspension earlier if they believe they have met the requirements to have their suspension lifted.

21.5. The new registration date of the application will be the date the suspension is lifted (this date will be used to determine their position within the bands relative to other customers).

## **22. Placing customers into 'bands'**

22.1. Customers will be awarded priority for an allocation by being placed in the Bronze, Silver or Gold band, with customers in the Bronze Band having the lowest priority and those in the Gold Band having the highest

22.2. Some customers may be given extra priority for housing for a short period of time because of their circumstances. More information can be found in Section 28 – Customers with Priority Status.

22.3. Within each band, priority will be in date order of when their housing application form was received. Therefore those customers who have been waiting the longest will be placed highest within each band.

22.4. The Housing Partners may review a customer's banding at any time. If a customer's banding is changed, they will be notified of this in writing.

22.5. Customers have the right to request a review of a decision on which Band to place them in (see Section 3 - How to ask for a review).

## 23. The Bronze band

23.1. Customers will be placed in this band for one or more of the following reasons:

- a. The customer occupies rented accommodation, they have been assessed as needing accommodation of the same size and they have no pressing medical, financial or social need to move.
- b. Customers financially equipped to deal with their own housing needs. For this we will look at the household earnings, value of the customer's existing property (if they own it), savings and other assets.
- c. The customer is an owner-occupier and has no pressing medical, financial or social need to move.
- d. The customer lives in 'move on' accommodation or supported housing and has not been assessed by their current support/housing provider as being ready to move to alternative accommodation.

## 24. The Silver band

24.1. Customers will be placed in this band for one or more of the following reasons:

- a. The customer needs social housing in a specific area of Pembrokeshire because of a need to move for medical or welfare reasons.
- b. The customer is sharing accommodation with family and/or friends and/or others who will not to be rehoused with the customer. This does not include customers who are lodgers.
- c. Customers who are determined to be intentionally homeless.
- d. An environmental health officer has or would decide that a category 2 Hazard as defined by the Housing Health and Safety Rating System exists at the accommodation that the customer occupies.
- e. The customer has a medical condition where re-housing would assist in alleviating that condition (medical evidence may be required to show how re-housing would alleviate the condition) (this is subject to the conditions in **Section 10 - Customers with medical reasons to move**).
- f. The customer needs to move because they cannot afford to live at their current accommodation.
- g. The customer lives in a caravan on a licensed site, which lacks access to basic facilities and/or an environmental health officer has decided that the caravan is in such serious disrepair that it is not reasonable for the customer to continue to occupy it and the customer does not have access to any other suitable accommodation.

## 25. The Gold band

25.1. Customers will be placed in this band for one or more of the following reasons:

- a. Customers who are currently determined to be unintentionally homeless.
- b. The customer has been left in a home let by a Housing Partner following the death of the tenant. The customer must also meet all of these 4 conditions;
  - i. The customer is a family member (as defined by s113 Housing Act 1985) of the deceased tenant.
  - ii. The customer resides in the property.
  - iii. The customer resided in the property for at least 12 months immediately before the tenant died.
  - iv. The customer has no right to succeed to the tenancy.
- c. The customer has been left in a home let by a Housing Partner, after the tenant has been admitted to residential care and there is no reasonable prospective of the tenant returning to reside at the property. The customer must also meet all of these 4 conditions;
  - i. The customer is a family member (as defined by s113 Housing Act 1985) of the tenant.
  - ii. The customer resides in the property.
  - iii. The customer resided in the property for at least 12 months immediately before the tenant was admitted into residential care.
  - iv. The customer has no right to be assigned the tenancy.
- d. The customer is a tenant of a Housing Partner, is under-occupying the property by at least 2 bedrooms and wishes to move to accommodation that meets their assessed need.
- e. Households with children under 18 years who are tenants in private rented sector accommodation and who are sharing a kitchen, bathroom and/or toilet with other households (not including lodgers and/or friends) not related to the customer.
- f. An environmental health officer has or would decide that a category 1 Hazard as defined by the Housing Health and Safety Rating System exists at the accommodation that the customer occupies
- g. The customer is experiencing severe harassment or threats of violence which are likely to be carried out where moving out of their existing accommodation is the only reasonable way of alleviating the harassment or threats.
- h. The customer has a medical condition where re-housing is essential to alleviating the condition (medical evidence may be required to show how re-housing would alleviate the condition) (this is subject to the conditions in **Section 10 - Customers with medical reasons to move**).
- i. The customer meets five or more criteria in the Silver band.

## 26. Reducing a customer's banding

- 26.1. Any customer who deliberately makes their situation worse in order to increase their banding will have their banding reduced to what it would have been before.
- 26.2. A customer who is a tenant of a Housing Partner and who is subject to a suspended possession order will have their banding reduced to the Bronze band until the order has been complied with or expired.
- 26.3. When deciding whether to reduce a customer's banding, the Housing Partners will take into account, amongst other things, the social, financial and medical circumstances of the customer's household.
- 26.4. Any reduction in banding will normally be for a minimum period of 6 months.
- 26.5. If a customer's banding is reduced the Housing Partners will inform them:
  - a. When a review of their reduction will take place; and
  - b. What they need to do to have their reduction lifted
- 26.6. Customers may ask the Housing Partners to review their reduction in banding earlier if they believe they have met the requirements to have it lifted.
- 26.7. The Local Authority's statutory homeless duty will take precedence over a reduction in banding.
- 26.8. Customers have the right to request a review of a decision on to reduce their banding (see **Section 3 - How to ask for a review**).

## 27. Priority Status

- 27.1. The purpose of the Priority Status is to help certain customers in specific situations to access social housing. Priority Status is separate to a customer's Bronze, Silver or Gold banding and gives priority over other customers without Priority Status when bidding. All of the reasons for granting Priority Status to a customer are equal. One reason will not take precedence over another. Customers can only be granted Priority Status for one reason at a time.
- 27.2. A customer will be awarded Priority Status if:
  - a. Customers that the Local Authority has a statutory duty to secure permanent accommodation for under homeless legislation.
  - b. Customers engaging with the Local Authority to prevent future homelessness.

- c. The customer is a young person leaving the care of Pembrokeshire County Council and a referral has been made by the Social Services Department.
- d. Customers in move-on accommodation or supported housing, who are engaged with the local authority to look at their housing options, and where the support agency involved has advised the Housing Partners that the customer is ready to move on.
- e. The customer is in hospital and their home is unsuitable for them to occupy on leaving hospital for health reasons.
- f. Displaced agricultural workers who are subject to the provisions of the Rent (Agriculture) Act 1976.

27.3. Priority Status will normally be granted to a customer for a maximum period of 6 months but the Housing Partners may grant it for a longer period in exceptional circumstances.

27.4. If two or more customers with Priority Status bid for the same property, the customer who was first awarded their current Priority Status will be successful. Where such customers were granted Priority Status on the same date, the customer who was first placed on the Register will be successful.

27.5. The Housing Partners may remove a customer's Priority Status if they are satisfied that there is no entitlement to it. If they are minded to do so, they will inform the customer of this and their reasons for the decision and invite the customer's views before making their decision. If they decide to remove the Priority Status, they will give the customer written notification of the decision and the reasons for it.

27.6. The Housing Partners may bid for a property on behalf of a customer with Priority Status if the customer has not made any bids for one month and suitable properties have been advertised during that time. The Housing Partners may extend the one-month period in exceptional circumstances.

27.7. If a customer's bid for a property (or one made on their behalf by the Housing Partners) is successful and they refuse an offer of that property, their Priority Status will be removed if the Housing Partners decide that the property is suitable for them. The Housing Partners recommend that any customer with Priority Status thinking of refusing an offer should first discuss this with a housing officer.

27.8. Customers have the right to request a review of a decision to remove Priority Status (see Section 3 - How to ask for a review). The property may not be held available pending the outcome of the review.

## **28. How properties will be advertised**

28.1. Properties which customers may bid for are currently advertised on the ChoiceHomes@Pembrokeshire website, at the offices of the Housing

Partners and by email to different agencies and organisations that support vulnerable groups. Other ways of advertising are likely to be developed during the life of this policy.

## **29. How customers bid for advertised properties**

29.1. Customers may bid for a property by contacting one of the Housing Partners or bidding on the Choice Homes@Pembrokeshire website. In order to bid, customers will need their 'customer number' which appears on correspondence from the Housing Partners. Other ways of placing bids may be developed during the life of this policy.

29.2. Bids must be placed before the closing date which will appear in the advertisement for the property.

## **30. Offers of accommodation**

30.1. After the closing date, the Housing Partners will compile a shortlist of eligible customers who have bid for the property based on their banding, if they have Priority Status, and the length of time on the Register.

30.2. If a customer is successful they will be contacted by the relevant Housing Partner to tell them they are being considered for the tenancy of the property. (This is referred to below as the 'invitation').

30.3. Customers will not be considered for a property if they owe more than 8 weeks 'payable rent' or more than £100 in other charges in respect of a property which is, or has been, let to them by one of the Housing Partners or another social landlord. 'Payable rent' is the rent which the tenant is liable to pay after deduction of any housing benefit which has been awarded. In applying this policy regard will be made to the social, financial and medical circumstances of the customer's household, at the discretion of the Housing Partners.

30.4. Customers must indicate they would be willing to take up the tenancy of any property they have been considered for within a set period from the date of the invitation. The relevant Housing Partner will inform the customer how long this period is when the invitation is made. The period may be extended at the discretion of the Housing Partner. If the customer does not indicate they would be willing to take up the tenancy, the invitation will be withdrawn and made to the next successful customer on the list.

30.5. A Housing Partner may obtain character and financial references about the customer and/or members of the customer's household.

30.6. A customer who has indicated they would be willing to take up the tenancy of a property will be invited to view it, before a tenancy is offered to them.

30.7. Customers who do not indicate they would be willing to take up the tenancy of a property or do not accept the offer of a tenancy will remain on the Register.

### **31. Withdrawing an invitation**

31.1. A Housing Partner may withdraw an invitation at any time if the Housing Partner is not satisfied that:

- a. the customer is eligible for an allocation; or
- b. the information supporting the application is not true.

1.2. There may be other reasons for withdrawing an invitation, for example if the current tenant withdraws their notice to leave the property.

31.2. Customers have the right to request a review of a decision to withdraw an invitation (see **Section 3 - How to ask for a review**).

### **32. Once an offer of accommodation has been accepted**

32.1. Once a customer has satisfied any verification checks under **Section 16 - Verifying customers information** and has accepted an offer of accommodation, the Housing Partner involved will explain to the customer the process of taking up their new tenancy.

32.2. When a customer is granted a tenancy by one of the Housing Partners as a result of an allocation under this policy their application will be removed from the Register.