

27 November 2018 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks

Despatched: 19.11.18



# Housing & Health Advisory Committee

## Membership:

Chairman, Cllr. Lowe; Vice-Chairman, Cllr. Parkin

Cllrs. Abraham, Dr. Canet, Coleman, Esler, Eyre, Gaywood, Horwood, Parson, Pearsall and Miss. Stack

## Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. <b>Minutes</b> To agree the Minutes of the meeting of the Committee held on 18 September 2018, as a correct record.	(Pages 1 - 4)	
2. <b>Declarations of Interest</b> Any interests not already registered		
3. <b>Actions from Previous Meetings</b>	(Pages 5 - 6)	
4. <b>Update from Portfolio Holder</b>	(Pages 7 - 8)	
5. <b>Referrals from Cabinet or the Audit Committee (if any)</b>		
6. <b>Budget: Service Reviews and Service Change Impact Assessments (SCIAs)</b>	(Pages 9 - 32)	Adrian Rowbotham Tel: 01732 227153
7. <b>Process undertaken to alter discretionary grant maximums associated with the Housing Assistance Policy</b>	(Pages 33 - 70)	James Cox Tel: 01732 227312
8. <b>'Local Ladder' Shared Ownership Grant Scheme</b>	(Pages 71 - 72)	Gavin Missons Tel: 01732 227332
9. <b>Housing Allocations Policy</b>	(Pages 73 - 150)	Hayley Brooks Tel: 01732 227272

10. **To note minutes of the Health Liaison Board** (Pages 151 - 154)  
To note the minutes of the meeting of the Health Liaison Board held on 23 May 2018 and 7 November 2018.
11. **Work Plan** (Pages 155 - 156)

#### EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or [democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk).

**HOUSING & HEALTH ADVISORY COMMITTEE**

Minutes of the meeting held on 18 September 2018 commencing at 7.03 pm

Present: Cllr. Lowe (Chairman)

Cllr. Parking (Vice Chairman)

Cllrs. Abraham, Dr. Canet, Eyre and Parson

Apologies for absence were received from Cllrs. Coleman, Esler, Horwood, Pearsall and Miss. Stack

Cllr. Carroll was also present.

13. Minutes

Resolved: That the Minutes of the meeting of the Advisory Committee held on 12 June 2018 be approved and signed by the Chairman as a correct record.

14. Declarations of Interest

No additional declarations of interest were made.

15. Actions from Previous Meetings

The action was to be chased and rolled over to the next meeting.

16. Update from Portfolio Holder

Members' noted the Portfolio Holder's update.

17. Referrals from Cabinet or the Audit Committee

There were none.

18. Challenges of the Homelessness Reduction Act 2017

The Housing & Health Manager presented the report and gave a [presentation](#) on the new Homelessness Reduction Act (HRA) 2017 which amended Part 7 of the Housing Act 1996 with 13 main changes that amended existing duties, provided a number of new duties and affected the homelessness prevention work of the Council's Housing Advice Service within the Communities and Business Team. In October 2018 public authorities (as specified in the Homelessness (Review Procedure etc.) Regulations 2018 had a duty to refer a person who was homeless or

## Agenda Item 1

### Housing & Health Advisory Committee - 18 September 2018

threatened with homelessness, with their consent, to a relevant local housing authority.

*Action1: Housing & Health Manager to check whether the Armed Forces are a specified public authority with a duty to refer.*

In response to questions the Housing & Health Manager advised that referrals to the HERO Officers had increased since April but it was unknown whether this was due to the Act. A new Housing Officer and an additional fourth HERO Officer had just been recruited. There was funding available for the new duty until 2020, but after that there was talk about performance led funding, but nothing further was known at the moment.

#### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That the report and information be noted.

#### 19. Extension of Mandatory Licensing of Houses in Multiple Occupation (HMOs)

The Housing Standards Team Leader presented the report which advised regulations extending the mandatory licensing of Houses in Multiple Occupation (HMOs) to cover all properties with 5 or more occupiers living in 2 or more households and sharing amenities, regardless of the number of storeys, had now been published and would come into force on 1 October 2018. The report sought agreement to the proposals for the implementation of the extension of HMO licensing, noting the degree of uncertainty on the numbers requiring licensing and impact upon resources and the level of fees associated with the processing of applications.

#### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet to approve

- a) the approach outlined within the report to deliver the extension of mandatory licensing; and
- b) the setting of the associated application fees as detailed below
  - i) an HMO with no more than 5 units of accommodation be set at £654.00 with any additional habitable rooms including bedrooms being charged at £23.00;
  - ii) renewal applications be charged at £412.00;

**Housing & Health Advisory Committee - 18 September 2018**

- iii) costs associated with a change of HMO licence holder, if within 12 months of previous licence being proposed be £306, (after a year the usual licence fee is applicable); and
- iv) for landlords who have become members of the various accrediting schemes run county and nationwide, a 10% discount be applied.

20. Local Essential Workers Definition

The Housing Policy Manager presented the report which provided comment on the Local Essential Worker Definition so that it could be refined for inclusion within the Local Plan and Affordable Housing Supplementary Planning Document (SPD) in readiness for consultation planned for the end of the year. He also updated Members on progress made with investigations made on a possible scheme of providing loans from s.106 contributions for shared ownership homes which would free up housing and help residents take their first step on the property ladder.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That the report and information be noted.

21. Work Plan

The work plan was noted. The following reports were moved to the meeting in February 2018: Housing Strategy progress report no.2; Integrated care and local care hubs; and a social prescribing update.

THE MEETING WAS CONCLUDED AT 8.14 PM

CHAIRMAN

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**ACTIONS FROM THE MEETING HELD ON 12 June 2018 (as at 19.09.18)**

Action	Description	Status	Contact Officer
Action 1	Emergency Planning and Property Service Manager to provide Members with list of Parish and Town Councils who have emergency plan.	The following town and parish councils have community emergency/flooding plans in place: Brasted; Chevening; Chipstead; Crockenhill; Eynsford; Edenbridge; Fawkham; Hartley; Horton Kirby & South Darenth; Otford; Shoreham; Westerham; and West Kingsdown	Alex Dawson Ext. 7368

**ACTIONS FROM THE MEETING HELD ON 12 June 2018 (as at 08.11.18)**

Action	Description	Status	Contact Officer
Action 1	Housing & Health Manager to check whether the Armed Forces are a specified public authority with a duty to refer.	Armed Forces are included as a public authority within the Government’s Homelessness Reduction Act ‘Duty to Refer’ criteria. For full details on the public authorities see <a href="https://www.gov.uk/government/publications/homelessness-duty-to-refer/a-guide-to-the-duty-to-refer#public-authorities">https://www.gov.uk/government/publications/homelessness-duty-to-refer/a-guide-to-the-duty-to-refer#public-authorities</a>	Hayley Brooks Ext. 7272

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Housing & Health Advisory Committee

**27 November 2018**

## **Portfolio Holders Report**

### **Housing**

On 26 October, Peter Fleming, Andrew Stirling, Hayley Brooks and I visited the Romford YMCA as they have recently won the KCC's youth contract for the district. They combine Housing, Health and Leisure for communities and it was interesting to see how they do this for particular hard to reach groups. We want to explore more ways in which we can work with them to build up communities across our district.

In the New Year the Council plans to launch our new Local Ladder Scheme at Enterprise Way in Edenbridge where West Kent Housing Association is building 120 affordable units. Local Ladder will help people to leave the social and private rented sectors and step up onto the housing ladder in the district.

Our new Landlord Liaison Officer, Ainsley Drummer, is making huge progress finding more private sector landlord partners for the council – helping us to manage the new requirements of the Homelessness Reduction Act. I plan to invite Ainsley to the next Housing & Health Advisory Committee in the New Year to update members on progress.

The Council's insulation project of Hedge Barton Mobile Home Park has been nominated for the Kent Environment Champions award 2018.

On 31<sup>st</sup> September the Council celebrated Starts at Home Day with the Rt Hon Sir Michael Fallon at West Kent Housing Association's Woodlands Court – which sits at the centre of a new older peoples' hub in Swanley. The new West Kent hub together with the opening of retirement village: Emerson Park shows the Council's older people's housing strategy progressing as more purpose built homes for older people with community and support services, across tenures, are being built across the district.

### **Health & Leisure**

From 1<sup>st</sup> to 4<sup>th</sup> October Lesley Bowles and I attended the World Health Organisation's Healthy Cities Conference in Belfast, where I spoke in a plenary session about the council's health in all policies approach. The conference provided us both with an opportunity to network with local government representatives from all around the world – and it was comforting to see that we are all grappling with the same issues. It was also good to see that Sevenoaks District Council is a world leader in some of our health work.

I attended the official opening of the new gym at the Sevenoaks Leisure Centre on 26 September.

The week commencing 12 November the Council is celebrating the centenary of Parliamentary women's suffrage by showing a film about how the role of women has changed in the last century and exhibiting some work by Orchards Academy. Encouraging participation in political life has been

## Agenda Item 4

identified by the World Health Organisation as one of the 6 P's to health and wellbeing along with People, Place, Peace, Prosperity and Planet.

On 3 November two plays highlighting the impact of dementia were performed at the Stag Theatre that was supported by a market place of support services available across the district. The council now has a brochure of all support services available.

On 13 November the council supported Purple Tuesday, a day supported by the government dedicated to accessible shopping. The aim is to enable and encourage retailers across the country, and online to introduce new measures to make the shopping experience more inclusive and accessible for disabled customers. The Council was able to promote a number of our initiatives that support disabled people including our Shop Safe Stay Safe Scheme and our Better Care Grant to the Citizens Advice Bureau to provide more holistic advice.

**BUDGET 2019/20: SERVICE DASHBOARDS AND SERVICE CHANGE IMPACT ASSESSMENTS (SCIAs)**

**Housing and Health Advisory Committee - 27 November 2018**

Report of	Chief Finance Officer
Status	For comment
Also considered by	Economic and Community Development Advisory Committee - 25 September 2018
	Planning Advisory Committee - 2 October 2018
	Legal and Democratic Services Advisory Committee - 4 October 2018
	Direct and Trading Advisory Committee - 9 October 2018
	Finance Advisory Committee - 15 November 2018
	Policy and Performance Advisory Committee - 29 November 2018
Key Decision	No

**Executive Summary:**

This report sets out updates to the 2019/20 budget within the existing framework of the 10-year budget and savings plan. The report presents growth and savings proposals that have been identified which need to be considered (if applicable to this Committee), and requests further suggestions from the Advisory Committees, before finalising the budget for 2019/20.

Informed by the latest information from Government and discussions with Cabinet, it is proposed that the Council continues to set a revenue budget which assumes no direct funding from Government through the Revenue Support Grant or New Homes Bonus. This will result in the Council continuing to be financially self-sufficient as set out in its Corporate Plan.

To achieve this aim and to ensure a balanced budget position over the next 10-year period, whilst also increasing the Council's ability to be sustainable beyond that time, a savings requirement of £100,000 per annum is included.

Other pressures may result in a requirement for further savings. Officers will continue to monitor these pressures and report the latest position to Cabinet in December.

## Agenda Item 6

**Portfolio Holder** Cllr. John Scholey

**Contact Officer(s)** Adrian Rowbotham, Ext. 7153

Alan Mitchell, Ext. 7483

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### **Recommendation to each Advisory Committee:**

- (a) Advise Cabinet with views on the growth and savings proposals identified in Appendix D applicable to this Advisory Committee.
  - (b) Advise Cabinet with further suggestions for growth and savings applicable to this Advisory Committee.
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**Reason for recommendation:** It is important that the views of the Advisory Committees are taken into account in the budget process to ensure that the Council's resources are used in the most suitable manner.

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### **Introduction and Background**

- 1 The Council's financial strategy over the past fourteen years has worked towards increasing financial sustainability and it has been successful through the use of a number of strategies including:
  - implementing efficiency initiatives;
  - significantly reducing the back office function;
  - improved value for money;
  - maximising external income;
  - the movement of resources away from low priority services; and
  - an emphasis on statutory rather than non-statutory services.
- 2 Over this period, the Council has focused on delivering high quality services based on Members' priorities and consultation with residents and stakeholders. In financial terms, the adoption of this strategy has to date allowed the Council to move away from its reliance on general fund reserves.
- 3 Using the data sources available to the Council, this report sets out a budget over the 10-year period but recognises that it is likely that more accurate data will become available in future months and current assumptions may need to be updated.
- 4 In setting its budget for 2011/12 onwards, the Council recognised the need to address both the short-term reduction in Government funding as well as the longer-term need to reduce its reliance on reserves. The outcome was a 10-year budget, together with a four-year savings plan, that ensured the

Council's finances were placed on a stable footing but that also allowed for flexibility between budget years.

- 5 With the Revenue Support Grant provided by Government ceasing from 2017/18 it is important that the council remains financially self-sufficient by having a balanced economy and a financial strategy that is focused on local solutions. These solutions include:
  - continuing to deliver financial savings and service efficiencies;
  - growing the council tax and business rate base; and
  - generating more income.
- 6 The intention of this report is to provide Members of each Advisory Committee an opportunity to give their views on potential growth and savings items that could be included in the updated 10-year budget that will be presented to Council on 26 February 2019.
- 7 The 'Financial Prospects and Budget Strategy 2019/20 and Beyond' report has been presented to Cabinet to start the budget setting process for 2019/20.

#### **Financial Self-Sufficiency**

- 8 The Council's Corporate Plan, introduced in 2013, set out an ambition for the Council to become financially self-sufficient which was achieved in 2016/17. This means that the Council no longer requires direct funding from Government, through Revenue Support Grant or New Homes Bonus, to deliver its services.
- 9 This approach was adopted in response to the financial challenges the Country is faced with in bringing its public spending down to ensure it is able to live within its means. In practice this has seen Government funding to local authorities dramatically reduced since 2010/11 with Sevenoaks District Council receiving no Revenue Support Grant from 2017/8.
- 10 The decision to become financially self-sufficient is intended to give the Council greater control over its services, reducing the potential for decision making to be influenced by the level of funding provided by government to local authorities.
- 11 The Council's decision to seek to become financially self-sufficient was subject to scrutiny by the Local Government Associations Peer Challenge of the District Council during December 2013. In their closing letter to the Council they concluded that they 'fully support that aspiration and given the existing and anticipated squeeze upon public finances this makes much sense'.
- 12 With the Council receiving no Revenue Support Grant from 2017/18 and New Homes Bonus reducing from 2018/19, this approach remains appropriate. The attached 10-year budget assumes no Revenue Support Grant or New

## Agenda Item 6

Homes Bonus. Any funding received from these sources will be put into the Financial Plan Reserve which can be used to support the 10-year budget by funding invest to save initiatives and supporting the Property Investment Strategy. One of the aims of the Property Investment Strategy is to achieve returns of 5%+ when not borrowing or in excess of 3% for schemes that include some external borrowing; therefore using funding for this purpose will result in additional year on year income that is not impacted by Government decisions.

- 13 Cabinet are keen to remain financially self-sufficient and be ahead of the game. This allows this Council to move ahead in the knowledge that it has the financial resources to provide the services that the district's residents want into the future.

### Service Dashboards

- 14 The intention of service dashboards is to provide Members with improved information during the budget setting process to provide context and inform any growth and savings ideas that Members may put forward.
- 15 The Service Dashboards cover a summary of the services provided, objectives, achievements and opportunities, challenges and risks and performance.
- 16 **Appendix A** contains the Service Dashboard for this Advisory Committee and **Appendix B** contains the budget for those services.

### Savings Plan

- 17 **Appendix C** to this report sets out a summary of the savings and growth items approved by Council since the 10-year budget strategy was first used in 2011/12, which have allowed the Council to deliver a 10 year balanced budget.
- 18 The savings plan requires a total of over £7 million to be saved between 2011/12 and 2018/19 which is an average saving of nearly £900,000 per annum. In the fourteen years from 2005/06, over £10m of savings will then have been made.
- 19 The 10-year budget attached shows a net saving or additional income requirement of £100,000 per annum to deliver a long-term sustainable budget.
- 20 Other pressures may result in a requirement for further savings. Officers will continue to monitor these pressures and report the latest position to Cabinet in December.

### Proposed Growth and Savings Items

- 21 Growth items are items that are in addition to non-service issues and risks, such as grant settlements, impacts of economic change and other pressures

highlighted in the 'Financial Prospects and Budget Strategy 2019/20 and Beyond' report considered by Cabinet on 13 September 2018.

- 22 A number of growth and savings items will be proposed at the seven Advisory Committees with the aim of achieving the £100,000 mentioned above. The £100,000 does not necessarily have to all be achieved in 2019/20 but the impact is required to be £1m (i.e. £100,000 x 10 years) over the 10-year budget period.
- 23 The proposed growth and savings items relating to this Advisory Committee are listed in **Appendix D**.
- 24 Service Change Impact Assessments (SCIAs) contain further details for all proposed growth and savings items. SCIAs applicable to this Advisory Committee can be found in **Appendix E**.
- 25 During the budget process last year, each Advisory Committee was asked to provide further growth and savings suggestions to Cabinet. Some suggestions were approved as part of the 2018/19 budget but Cabinet indicated that some other suggestions would be worth keeping on a list for future investigation. The suggestions for future investigation relating to this Advisory Committee are included in **Appendix F** and Members may wish to consider these ideas when proposing growth and savings suggestions.

### **Financial Summary**

- 26 The assumptions currently included take into account the latest information available but a number of assumptions may change before the final budget meeting in February 2018.
- 27 The 10-year budget attached at **Appendix G** includes the changes that were included in the 'Financial Prospects and Budget Strategy 2019/20 and Beyond' report.

### **Role of the Advisory Committees**

- 28 Training sessions on the budget process have been provided to Members in previous years to ensure that they have an understanding of the process and relevant issues to allow them to play an active part in the budget setting process. If Members require refresher training, please contact Adrian Rowbotham, Chief Finance Officer.
- 29 Views of the Advisory Committees on the growth and savings items proposed together with any additional suggestions will be considered by Cabinet at its meeting on 6 December 2018.

### **Process and Timetable**

- 30 This report is the second stage of the budget process as shown in the Budget Timetable (**Appendix H**).

## Agenda Item 6

- 31 It is possible that Advisory Committees may have to re-address service budgets in January if significant changes have taken place leading to a large and unmanageable deficit.

### **Key Implications**

#### Financial

All financial implications are covered elsewhere in this report.

#### Legal Implications and Risk Assessment Statement.

There are no legal implications.

For the effective management of our resources and in order to achieve a sustainable budget it is essential that all service cost changes and risks are identified and considered.

Challenges and risks are included in the Service Dashboards and each Service Change Impact Assessment (SCIA) includes the likely impacts including a risk analysis.

Financial risks will be reviewed again when the Cabinet publishes its proposals for the annual budget.

#### Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups.

Individual equality impact assessments have been completed for all Service Change Impact Assessments (SCIAs) to ensure the decision making process is fair and transparent.

### **Conclusions**

The Strategic Financial and Business Planning process has ensured that the Council follows a logical and well considered process and approach in dealing with the many difficult financial challenges that it has faced. The 10-year budget has further improved this process and helped to ensure that the Council is well placed in dealing with more immediate and longer-term financial challenges.

By becoming financially self-sufficient at an early stage, this Council has become much more in control of its own destiny as the Property Investment Strategy should provide a much more stable income stream than the reducing direct government funding streams.



The attached 10-year budget shows that this Council can continue to be financially stable going into the future with a level of assurance that any council would aspire to.

This budget process will once again be a major financial challenge for a Council that already provides value for money services to a high standard. In making any budget proposals, Members will need to consider the impact on service quality and staff well-being, to ensure that these proposals lead to an achievable 10-year budget that supports the Council's aspirations for customer-focused services.

Members' consideration and scrutiny of the relevant services is an essential and key element in the business and financial planning process. If the net total of growth and savings proposals identified by the Advisory Committees and approved by Cabinet does not reach the £100,000 savings target, additional savings will be required that may result in service changes, to ensure a balanced budget position.

### **Appendices**

Appendix A - Service Dashboards relating to this Advisory Committee.

Appendix B - 2017/18 Budget by Service relating to this Advisory Committee.

Appendix C - Summary of the Council's agreed savings plan and growth items.

Appendix D - New growth and savings items proposed relating to this Advisory Committee (if applicable).

Appendix E - Service Change Impact Assessment forms (SCIAs) for the new growth and savings items relating to this Advisory Committee (if applicable).

Appendix F - Update on growth and savings suggestions made last year relating to this Advisory Committee (if applicable)

Appendix G - 10-year budget.

Appendix H - Budget timetable.

### **Background Papers**

None

**Adrian Rowbotham**  
Chief Finance Officer

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## Service Dashboard Portfolio for Housing & Health

### The services we provide

Housing strategy & policy, housing standards, housing needs, empty homes, gypsy and traveller, disabled facilities grants, health, energy efficiency, fuel poverty, leisure

#### Service contribution

Statutory service



Income generating



Working in partnership



#### Corporate priorities

Self-sufficiency ✖

Value for Money ✓

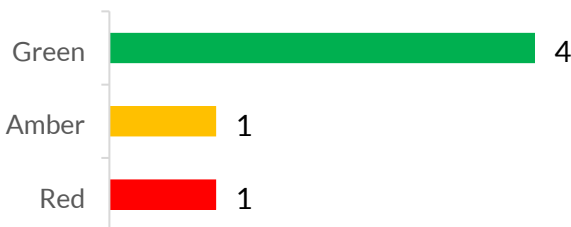
Safe district ✓

Collect rubbish effectively ✖

Green Belt ✖

Local economy ✓

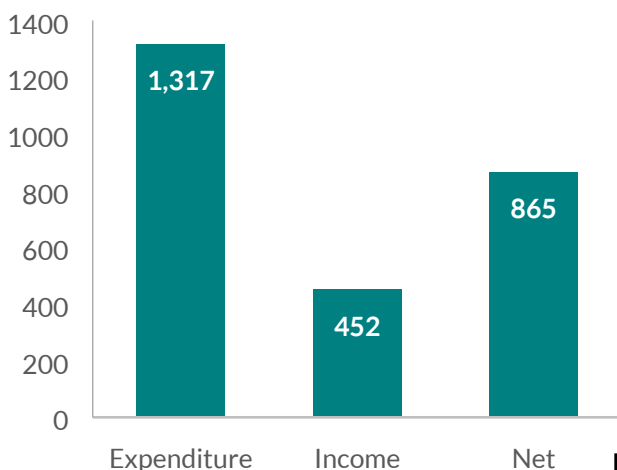
#### Performance



#### Achievements & Opportunities

- Launch of the 'One You' and 'One You, Your Home' services
- New Housing Strategy, further integrating health in to our services
- Adopted a new definition of 'local essential' worker
- Innovative services delivered through the Better Care Fund & to improve energy efficiency at a mobile home site
- On target to provide £800k of disabled facilities grants across the District
- Established Quercus Housing to deliver affordable homes for the District

#### Revenue Budget (£000)



#### Challenges & Risks

- Continuing to work to reduce health inequality across the District
- Seeking a creative solution to the Council's ageing leisure facilities
- Seek to provide more affordable homes across the District
- Successful delivery of the Housing Strategy

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SCIA Year	No.	Description	2011/12 - 2018/19 £000	2019/20 £000	Later Years £000	Total £000
		<b>Direct and Trading Advisory Committee</b>				
2016/17	8	Playgrounds: reduction in asset maintenance (reversal of temporary saving item)			7	
2016/17	9	Public Conveniences: reduction in asset maintenance (reversal of temporary saving item)			8	
		<b>Economic and Community Development Advisory Committee</b>				
		No savings or growth agreed from 2019/20 onwards				
		<b>Finance Advisory Committee</b>				
2011/12	62,63	Staff terms and conditions - savings agreed by Council 18/10/11		(186)	(187)	
2018/19	11	Members Allowances: increase following JIRP review		15		
		<b>Housing and Health Advisory Committee</b>				
		No savings or growth agreed from 2019/20 onwards				
		<b>Legal and Democratic Services Advisory Committee</b>				
		No savings or growth agreed from 2019/20 onwards				
		<b>Planning Advisory Committee</b>				
		No savings or growth agreed from 2019/20 onwards				
		<b>Policy and Performance Advisory Committee</b>				
2017/18	10	Apprenticeship Levy (reversal of temporary growth item)			(45)	
2018/19	3	Swanley Local Office contract		(10)	(15)	
2018/19	13	IT Developers: funding for two years (reversal of temporary growth item)			(51)	
		Minor movements between years			(1)	
		<b>Total Savings</b>	<b>(7,051)</b>	<b>(196)</b>	<b>(188)</b>	<b>(7,435)</b>
		<b>Total Growth</b>	<b>1,930</b>	<b>15</b>	<b>(96)</b>	<b>1,849</b>
		<b>Net Savings</b>	<b>(5,121)</b>	<b>(181)</b>	<b>(284)</b>	<b>(5,586)</b>

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Housing and Health Advisory Committee: 2018/19 Budget by Service

<u>Revenue</u>		2018/19	2018/19	2018/19	Net
Chief Officer	Description	Expenditure	Income	2018/19	
		£'000	£'000	£'000	
Communities and Business	All Weather Pitch	0	(5)		(5)
Communities and Business	Choosing Health WK PCT*	117	(117)		0
Communities and Business	Health Improvements	44	0		44
Communities and Business	HERO	111	(75)		36
Communities and Business	Homeless	170	(28)		142
Communities and Business	Housing	214	0		214
Communities and Business	Housing Initiatives	53	0		53
Communities and Business	Leader Programme	5	0		5
Communities and Business	Leisure Contract	195	(20)		175
Communities and Business	Leisure Development	20	0		20
Communities and Business	Partnership - Home Office *	34	(34)		0
Communities and Business	West Kent Enterprise Advisor Network *	43	(43)		0
Env & Op Svs	DFG Admin	0	(20)		(20)
Env & Op Svs	Energy Efficiency	30	(1)		29
Env & Op Svs	Gypsy Sites	39	(65)		(26)
Env & Op Svs	Private Sector Housing	242	(44)		198
		1,317	(452)		865
	* = externally funded				

<u>Capital</u>		2018/19
Chief Officer	Description	Expenditure
		£'000
Housing	Improvement Grants	889
		889

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## New Growth and Savings Proposals: Housing and Health Advisory Committee

SCIA Year	No.	Description	Year	Ongoing	2019/20 Impact £000	10-year Budget Impact £000
<b>Growth</b>						
2019/20	15	Travellers site - loss of Kent County Council grant	2019/20	Yes	9	90
Sub Total					9	90
<b>Savings</b>						
None						
Sub Total					0	0
Net Savings Total					9	90

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**SERVICE CHANGE IMPACT ASSESSMENT**

SCIA 15 (19/20)

<b>Chief Officer:</b>	Richard Wilson	<b>Service:</b>	Hever Road Travellers Site
<b>Activity</b>	Private Sector Housing	<b>No. of Staff:</b>	0.55 FTE

Activity Budget Change	Year: 2019/20 Growth / (Saving) £000	Later Years Comments (ongoing, one-off, etc.)
Loss of KCC grant	9	Ongoing

**Reasons for and explanation of proposed change in service**

In previous years a supporting people grant was received from Kent County Council (KCC). This grant ceased approximately two years ago but income from the grant remains in the budget.

**Key Stakeholders Affected**

N/A

**Likely impacts and implications of the change in service (include Risk Analysis)**

N/A

**Risk to Service Objectives (High / Medium / Low)**

Low

**SERVICE CHANGE IMPACT ASSESSMENT**

<b>2018/19 Budget</b>	<b>£'000</b>	<b>Performance Indicators</b>		
<b>Operational Cost</b>	39	<b>Code &amp; Description</b>	<b>Actual</b>	<b>Target</b>
<b>Income</b>	(65)	N/A		
<b>Net Cost</b>	(26)			

**Equality Impacts**

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

**Update on Growth and Savings Suggestions made last year relating to this Advisory  
Committees**

Cabinet 07/12/17:

Cabinet discussed the further growth and savings items suggested by Advisory Committees and indicated that the following items be kept on the list for future investigation.

Housing and Health Advisory Committee

<b>Growth</b>
none
<b>Savings</b>
Become a social landlord for young workers (PPAC but HHAC remit)

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	Plan 2018/19	Plan 2019/20	Plan 2020/21	Plan 2021/22	Plan 2022/23	Plan 2023/24	Plan 2024/25	Plan 2025/26	Plan 2026/27	Plan 2027/28	Plan 2028/29
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
<b>Expenditure</b>											
Net Service Expenditure c/f	14,470	14,687	14,966	15,321	15,705	16,083	16,468	16,859	17,254	17,655	18,166
Inflation	732	560	653	470	478	485	491	496	501	510	517
Superannuation Fund deficit and staff recruitment & retention	0	0	100	0	0	0	0	0	0	0	0
Net savings (approved in previous years)	(427)	(186)	(232)	14	0	0	0	(1)	0	1	0
<b>New growth</b>	<b>292</b>	<b>15</b>	<b>(51)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>New savings/Income</b>	<b>(380)</b>	<b>(110)</b>	<b>(115)</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>	<b>0</b>	<b>0</b>
<b>Net Service Expenditure b/f</b>	<b>14,687</b>	<b>14,966</b>	<b>15,321</b>	<b>15,705</b>	<b>16,083</b>	<b>16,468</b>	<b>16,859</b>	<b>17,254</b>	<b>17,655</b>	<b>18,166</b>	<b>18,683</b>
<b>Financing Sources</b>											
Govt Support: Revenue Support Grant	0	0	0	0	0	0	0	0	0	0	0
New Homes Bonus	0	0	0	0	0	0	0	0	0	0	0
Council Tax	(10,420)	(10,816)	(11,157)	(11,508)	(11,869)	(12,239)	(12,619)	(13,010)	(13,411)	(13,798)	(14,196)
Business Rates Retention	(2,700)	(2,096)	(2,138)	(2,181)	(2,225)	(2,270)	(2,315)	(2,361)	(2,408)	(2,456)	(2,505)
Collection Fund Surplus	(255)	0	0	0	0	0	0	0	0	0	0
Interest Receipts	(130)	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)
Property Investment Strategy Income	(735)	(1,185)	(1,185)	(1,185)	(1,185)	(1,285)	(1,329)	(1,329)	(1,529)	(1,529)	(1,529)
Contributions to/(from) Reserves	(14)	(353)	(353)	(353)	(179)	(179)	(635)	148	148	148	148
<b>Total Financing</b>	<b>(14,254)</b>	<b>(14,700)</b>	<b>(15,083)</b>	<b>(15,477)</b>	<b>(15,708)</b>	<b>(16,223)</b>	<b>(17,148)</b>	<b>(16,802)</b>	<b>(17,450)</b>	<b>(17,885)</b>	<b>(18,332)</b>
<b>Budget Gap (surplus)/deficit</b>	<b>433</b>	<b>266</b>	<b>238</b>	<b>228</b>	<b>375</b>	<b>245</b>	<b>(289)</b>	<b>452</b>	<b>205</b>	<b>281</b>	<b>351</b>
<b>Contribution to/(from) Stabilisation Reserve</b>	<b>(433)</b>	<b>(266)</b>	<b>(238)</b>	<b>(228)</b>	<b>(375)</b>	<b>(245)</b>	<b>289</b>	<b>(452)</b>	<b>(205)</b>	<b>(281)</b>	<b>(351)</b>
<b>Unfunded Budget Gap (surplus)/deficit</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Assumptions**

Revenue Support Grant:	nil all years
Business Rates Retention:	Business Rates Retention pilot estimate in 18/19, safety-net in 19/20 plus 2% in later years
Council Tax:	2.97% in 18/19, 2% in later years
Council Tax Base:	Increase of 580 Band D equivalent properties per annum in 19/20 - 26/27, 480 from 27/28
Interest Receipts:	£130,000 in 18/19, £250,000 in later years
Property Investment Strategy:	£735,000 from 18/19, £1.185m from 19/20, £1.285m from 23/24, £1.329m from 24/25, £1.529m from 26/27 onwards. Sennocke Hotel income included from 2019/20.
Pay award:	2% in all years
Other costs:	2.25% in all years
Income:	2.5% in all years except for off-street car parks which are 3.5% from 19/20 -23/24.

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2019/20 Budget Setting Timetable

	Date	Committee
<b>Stage 1</b>		
Financial Prospects and Budget Strategy 2019/20 and Beyond	4 September	Finance AC
	13 September	Cabinet
↓		
<b>Stage 2</b>		
Review of Service Dashboards and Service Change Impact Assessments (SCIAs)	25 September	Economic & Comm. Dev. AC
	2 October	Planning AC
	4 October	Legal & Dem. Svs AC
	9 October	Direct & Trading AC
	30 October	Finance AC
	27 November	Housing & Health AC
	29 November	Policy & Performance AC
↓		
<b>Stage 3</b>		
Budget Update (incl. Service Change Impact Assessments (SCIAs), feedback from Advisory Committees)	6 December	Cabinet
↓		
<b>Stage 4</b>		
Budget Update (incl. Government Settlement information)	10 January	Cabinet
↓		
<b>Stage 5</b>		
<i>Budget Update and further review of Service Change Impact Assessments (if required)</i>	<i>January - February</i>	<i>Advisory Committees</i>
↓		
<b>Stage 6</b>		
Budget Setting Meeting (Recommendations to Council)	14 February	Cabinet
↓		
<b>Stage 7</b>		
Budget Setting Meeting (incl. Council Tax setting)	26 February	Council

Note: The Scrutiny Committee may 'call in' items concerning the budget setting process.

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**PROCESS UNDERTAKEN TO ALTER DISCRETIONARY GRANT MAXIMUMS  
ASSOCIATED WITH THE HOUSING ASSISTANCE POLICY**

**Health and Housing Advisory Committee**

Report of Chief Officer, Environmental and Operational Services

Status For Decision

Also considered by Cabinet - 6 December 2018

Key Decision Yes

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**Executive Summary:** To reduce the grant maximums for the Accelerated Facility Grant from £7,500 to £6,500 and the specific situation funding from £50,000 to £0.00. To allow the Portfolio Holder for Health and Housing to consider and agree any future changes to discretionary funding associated with the Housing Assistance Policy going forward allowing better control of financial resources.

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**This report supports the Key Aim of the Community Plan** by ensuring caring communities via providing the right support at the right time, reducing poverty and social exclusion; providing a healthy environment by reducing health inequalities and improve health and wellbeing for all

**Portfolio Holder** Cllr. Michelle Lowe

**Contact Officer** James Cox, Ext. 7312

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**Recommendation to Health and Housing Advisory Committee:** It be recommended to Cabinet that

- (a) a reduction of the maximum Accelerated Facility Grant from the current £7,500 to £6,500 and reduction of the Specific Situation Funding from the current £50,000 to £0.00 be approved; and
- (b) the Portfolio Holder for Housing and Health (and any successor with responsibility for Housing) be delegated authority to amend all discretionary grant maximums.

**Recommendation to Cabinet:** That

- (a) a reduction of the maximum Accelerated Facility Grant from the current £7,500 to £6,500 and reduction of the Specific Situation Funding from the current £50,000 to £0.00 be approved; and
  - (b) the Portfolio Holder for Housing and Health (and any successor with
-

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responsibility for Housing) be delegated authority to amend all discretionary grant maximums.

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**Reason for recommendation:** To allow Private Sector Housing to better manage demand against available resources for all discretionary assistance ensuring sufficient resources remain for the core services especially Mandatory Disabled Facility Grants

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### Introduction and Background

- 1 The current Housing Assistance Policy (HAP) adopted in December 2017 deliberately provided a wide range of discretionary assistance to improve the health and wellbeing of Sevenoaks residents along with providing financial support for preventive measures reducing demand on primary health and social care. The change in approach was to ensure housing provided more services to prevent use of primary and social care services.
- 2 Private Sector Housing has two types of financial support, these being mandatory Disabled Facility Grant and discretionary funding. Mandatory DFGs are the core provision and must at all times be protected. Over recent years the Better Care Fund has provided substantially more money to Sevenoaks District Council to provide new innovative ways to reduce demand upon primary health and social care and discretionary funding has been designed to meet these demands.
- 3 However, as a result of the HAP providing a wider range of discretionary services and Private Sector Housing funding initiatives such as Your Home and Sevenoaks Living Independently project in collaboration with the CAB demand for discretionary funding has dramatically increased, this has meant the ability to better manage current budgets is required to ensure statutory Disabled Facility Grants are not adversely effected and by extension Sevenoaks residents in most need.
- 4 The current HAP clearly states maximums for all discretionary grants including Accelerated Facility Grants of £7,500 and specific situation funding of £50,000. After a recent review of current and future expected demand verses financial resources it is necessary to reduce the availability of both of these grants.
- 5 It is therefore proposed the current maximums for the Accelerated Facility Grant is reduced from the current £7,500 to £6,500 and reduces the specific situation funding to £0.00.
- 6 Going forward, with demand for both mandatory and discretionary funding being unpredictable, it is necessary to undertake regular assessments of present and future commitment to ensure budgetary control. The current HAP has specific maximums for all discretionary grants and these can not be changed without going through the Cabinet decision making process. Following such a process doesn't allow changes to the discretionary maximums to be made quickly if demand suddenly changes. To ensure

Private Sector has the ability to manage resources, rapid changes to discretionary maximums will be required it is proposed therefore for the Portfolio Holder for Health and Housing to be able approve such changes.

### **Other Options Considered and/or Rejected**

Option 1 - To continue with the current discretionary assistance limits. If this occur then there is a risk of being unable to meet our obligations given the financial resources available.

### **Key Implications**

#### Financial

There are no significant financial implications for Sevenoaks District Council as funding for all mandatory and discretionary grants is obtained via an annual allocation from central government.

#### Legal Implications and Risk Assessment Statement.

There are no significant legal implications arising from this report.

#### Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. The results of this analysis are set out immediately below.

There will be a very limited impact upon the customer because of these changes. All disabled customers, once they have been assessed by an Occupational Therapist, are eligible to apply for assistance. Reductions in the discretionary Accelerated Facility Grant maximum will reduce slightly the number of customers able to apply for this discretionary grant, however for those customers falling out of this discretionary route, are still able to apply for a mandatory Disabled Facility Grant (DFG).

All DFG applications are means tested so customers on the lowest incomes including those receiving a passported benefit (Guaranteed Pension Credit) will obtain a 100% grant. For those customers who are unable to receive financial assistance this will be because of their financial situation (income and savings) and not related to disability.

Specific Situation Funding has a limited type of applicant, and given the current increasing demand the availability needs to be withdrawn. However, the applicant will still be able to apply for other discretionary and mandatory adaptation grants.

## Agenda Item 7

All mandatory and discretionary grants aimed at funding adaptations and prevention works are provided by an annual allocation from central government via the Better Care Fund. By reducing the availability of discretionary funding we still enable more customers to obtain assistance when compared against the mandatory system but controls need to be put in place to ensure financial management is maintained.

### Conclusions

It is recommended that the maximums for the Accelerated Facility Grant be reduced to £6,500 and for the Specific situation funding be reduced to £0.00. In addition to ensure a more response grant policy the Portfolio Holder for Health and Housing in future has the ability to either increase or decrease maximums for all discretionary funding.

### Appendices

Appendix A - Housing Assistance Policy 2017

### Background Papers

[The Regulatory Reform \(Housing Assistance\) \(England and Wales\) Order 2002.](#)

**Richard Wilson**

**Chief Officer Environmental & Operational Services**

**APPENDIX A**

**SEVENOAKS DISTRICT COUNCIL**  
**PRIVATE SECTOR HOUSING ASSISTANCE POLICY 2017**

**Review date of December 2018**

## Private Sector Housing Assistance Policy

### 1.0 Context

There have been significant changes in the way housing assistance is funded and the priorities of both national government and Sevenoaks District Council, this new housing assistance policy reflects the current priorities and will also give sufficient flexibility to meet the challenges in the years to come.

#### 1.1 Background since 2008

Since 2008 there have been two significant developments which directly influence this housing assistance policy.

Firstly, since 1969 there has been considerable funding directed to Councils for improvement grants enabling unfit or substandard domestic property's to be brought up to a reasonable standard. Unfortunately since 2010 all such money from Central Government ceased, reducing the Councils ability to promote and fund such improvement works.

Secondly, in June 2013 Central Government introduced the Better Care Fund (BCF) to ensure a transformation in integrated health and social care as it was recognised that "The effects of poor housing cost the NHS over £2 billion every year (around 2% of the annual budget in England). Improving homes delivers a return on investment quickly".

The Better Care Fund (BCF) is one of the most ambitious programmes across the NHS and local government to date. It creates a local single pooled budget to incentivise the NHS and local government to work more closely together around people, placing their wellbeing as the focus of health and care services. BCF also shifts resources into social care and community services for the benefit of the people, communities and health and care systems. Integral to the BCF is the inclusion within the overall budget of the annual Disabled Facility Grant allocation and the political decision to increase the DFG over several years.

Given the change in political and financial emphasis this policy must reflect this by maximising the partnership role the Council can play in particular with neighbouring local authorities but also with the NHS. Although Private Sector Housing's core role, that of housing advice and financial assistance (depending on financial resources available), will not be overlooked.



## 2.0 Introduction

This document details the Councils Housing Assistance Policy and Conditions attached to such funding. This policy has been adopted under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order enables local authorities to develop a means of providing assistance to any resident so they can address local needs and priorities.

The Housing Grants Construction and Regeneration Act 1996 states the processes by which grants are processed, so if any unusual scenarios are presented then this Act will be the primary source of information.

This Policy explains the only mandatory grant, the Disabled Facilities Grants, the funding for which is received from KCC via the BCF and administered in line with the Housing Grants, Construction and Regeneration Act 1996. In addition discretionary assistance aligned to the requirements of the BCF will also be set out.

The policy will also explain the discretionary financial assistance available to residents which is principally aimed at enabling residents to reside safely in their own home.

This Policy recognises the limitation on the Councils own capital funds and the fact it is unlikely that substantial additional support from either the Council or Central Government will be forthcoming, so ensuring when ever possible financial assistance is recovered and recycled to assist further residents is essential.

Any queries relating to this policy or grant conditions should be referred to the Private Sector Housing Team Leader, Sevenoaks District Council, Argyle Road, Sevenoaks, TN13 1HG.

### 3.0 FUNDAMENTAL PRINCIPLES

This Policy reflects local housing conditions and its core objectives are:

- The requirement to instigate and formulate links with Health and third sector organisations to provide opportunities to improve the lives of the most vulnerable people, giving them control, placing them at the centre of their own care and support, and, in doing so, providing them with a better service and better quality of life;
- The need to ensure households reside in property's that are free from category one hazards; and
- The need to provide not only financial assistance but assistance through a combination of education, encouragement and direct/indirect financial assistance.

It is neither possible nor desirable for the Council to offer financial assistance to directly fund all private sector housing repairs or maintenance. It can only directly assist a small proportion of these through targeting the limited available resources at priority areas. When it does provide assistance this funding must be repayable thus allowing the recycling of such funding to other applicants.

Although the responsibility to maintain private property rests firmly with the owner, it is recognised that the private housing stock is a major public asset and can have an important affect on the occupier's health. Most assistance is offered as an investment in this local and national asset, for long-term public benefit and economic regeneration. An important reason for providing assistance is the improvement of our resident's health along with supporting the wider National Health Services by aiding rapid transfers from hospital and reducing delayed transfers of care commonly described as bed blocking.

The use of repayable grants is the way the Council provides assistance. Grants that are repaid will be recycled into further private sector housing renewal. The Council and Central Government considers this is an appropriate way forward given the pressure on resources and because, over time, it will allow more homeowners to be assisted with a limited amount of resource.

Money repaid to the Council will be reinvested in the private sector housing assistance capital programme.

No financial assistance will be paid towards the cost of repairing tenanted dwellings, or for works to provide means of escape in case of fire or basic amenities or in HMOs (houses in multiple occupation); these needs will be remedied firstly by education and funding from the landlord and if need be recourse to the appropriate enforcement action.

## **4.0 GRANT ASSISTANCE**

### **4.1 Mandatory Assistance**

### **4.2 Disabled Facility Grant**

Such grants are available to owners or tenants over the age of 18 for providing essential adaptations enabling disabled people better freedom of movement into and round their homes and giving access to essential facilities. This is a statutory grant and administrative process is contained in the Housing Grants, Construction and Regeneration Act 1996 and associated guidance. The maximum amount of grant is £30,000 (The Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008).

To be eligible for assistance an assessment must be undertaken by a suitably qualified Occupational Therapist who recommends adaptations because of person's disability and not for any other reason such as overcrowding. An assessment by the Council must also be satisfied that the works required are "necessary and appropriate" and "reasonable and practicable" bearing in mind the layout and condition of the property. The Council are also obliged to consult with the welfare authority which in our case is Kent County Council before formal approval is given.

Examples of common adaptations include:

- Providing ramps to allow a person to get in and out of their house
- Stair lifts and through floor lifts including a five year warranty
- Level access showers for people who cannot use a conventional bath.

#### **4.2.1 Test of resources for owner occupiers and tenants**

For each application a test of resources will be undertaken following the requirements of the Housing Renewal Grants Regulations 1996 and in the Housing Renewal Grants (Amendment) (England) Regulations 2008.

Calculations are based upon the regulations governing entitlement to housing benefit and council tax support. The income and capital of each relevant person (the disabled occupant and their spouse or partner) is taken into account in the assessment of financial resources.

In the case of families with a disabled child or young person there is no means test and 100% grant is awarded up to the maximum limit.

Where all relevant persons are in receipt of a pass ported benefit then a 100% grant is awarded.

#### **4.2.2 Waiting List**

At present and nor is it envisaged there will be a need to prioritise DFG enquires, but should demand for these grants significantly increase or there be a legislative change there may be times when an applicant will unfortunately be placed on a

## Agenda Item 7

waiting list and be assisted in chronological order, although as part of any such waiting list a set of priorities including clinical need will be used to determine if priority should be given.

### **4.2.3 General Consent repayment conditions**

Repayment conditions are applicable to every DFG over £5,000 under The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008. Certain exemptions are applicable regarding repayment but the maximum amount of repayment the Council can require is £10,000. Appendix A provides specific details.

## **5.0 BETTER CARE FUND SOURCED DISCRETIONARY FUNDING**

### **5.1 Discretionary funding supported through the Better Care Fund (DFG allocation)**

#### **5.1.1 Introduction**

Historically, the way in which DFG funding could be used was rather prescriptive. However, since the introduction of the BCF a wider more integrated view is being promoted. In a recent letter from the Department of Health they stating that the DFG funding will continue to be included within the BCF to “encourage areas to think strategically about the use of home aids/adaptations, use of technologies to support people in their own homes, and to take a joined-up approach to improving outcomes across health, social care and housing.”

Mandatory DFG applications will of course take precedence over discretionary funding, however if budgets allow discretionary funding will be used for grants and other initiatives and innovations. All such expenditure must be based on the requirement of the BCF and will achieve at least one or more of the core principles:

- a) Reducing or eliminating hospital admissions;
- b) Allowing a speedier discharge from hospital;
- c) Considering the long term needs of individuals and reductions in associated treatment and social care costs; and
- d) Undertaken works, adaptations or provision of equipment that is not provided by any other service

### **5.2 Collaborative Working**

Funds will be used from the BCF to fund initiatives linked to the four core principles. Examples of such innovative work would include the Health and Housing Co-ordinator at Tunbridge Wells and Darenth Valley Hospital and a similar role assisting GPs. Funding will be made available to undertake minor works to facilitate hospital discharge or prevent admissions.

### **5.3 Discretionary Disabled Facility Grant (DDFG)**

#### **5.3.1 Introduction**

This funding will be made available only as funds via the BCF allow. Mandatory DFG's will take precedent over discretionary funding.

Discretionary funding will be for three specific areas  
Funding adaptations over the £30,000 maximum;  
Relocation funding; and  
Specific situation funding.

DDFG is principally available to applicants who meet the eligibility criteria for mandatory DFG and who require additional funding in order to pay for the

## Agenda Item 7

adaptations or to move to another property more suited to adaptation (or already adapted). A principle aim of this DDFG is to replace the 'top up' grants administered by KCC.

A more suitable property does not necessarily need to be within the Sevenoaks District.

Assistance may be refused in cases where an applicant is found to have an outstanding debt to the council of any kind. This does not have to be in relation to the same property that the current application for assistance is for. In particular an applicant with council tax arrears may only apply for assistance once the outstanding debt has been repaid or an appropriate payment method has been arranged and adhered to.

Appendix B and D details the repayment conditions associated with all Discretionary Disabled Facility Grant

### **5.3.2 Funding adaptations over grant maximum (Such grants are commonly referred to as 'Top up grants')**

For adaptations, over the £30,000 maximum, repayable top up assistance is solely for the necessary and appropriate and reasonable and practical adaptations, if applicants wish to have adaptations over and above this level or a higher specification of fixtures and fittings this will not be covered by this assistance. If schemes become excessive in nature and it is the belief of the Council this is unnecessary then no discretionary funding in such a situation would be made available, an example of this would be if a ground floor extension was reasonable by a two storey extension was being proposed in such a situation discretionary funding would not be made available. DDFG discretionary funding will not be able to be used for the purposes of an 'offset grant'. An offset grant is one where SDC agree a scheme but instead the applicant wishes to undertake a different more extensive/expensive solution.

Owner occupiers are eligible for top up assistance, although tenants will be considered on an individual basis as factors such as impact upon rentability, length of tenancy and agreement of landlord are important.

Maximum amount of top up assistance for all owner and tenant applications will be £30,000 or 50% of the equity existing at the time of application, whichever is the lesser.

Currently registered social landlord tenants are able to apply for a mandatory DFG and can receive up to £30,000, given it would be considered good practice for a responsible social landlord to respond to the needs of its disabled tenants, discretionary assistance above the mandatory maximum will be limited to £15,000. Discretionary funding will only be available if a RSL match funds the discretionary assistance given by the Council. If adaptations exceed £60,000 (mandatory £30,000 plus discretionary from SDC match funded by RSL) then no further funding will be made available from the Council.

All applicants for top up assistance will be subject to the means test used for mandatory DFGs, those on a pass ported benefit and where the adaptations are for a child and one of the parents is in receipt of such a benefit will not go through the means testing process.

Any funding provided via this route for owner occupiers or tenants application is repayable on disposal or transfer of the property to which it relates. A charge will be placed with Land Registry and local land charges. No charge can be placed upon a property owned by a RSL.

The applicant will not normally be eligible for top up assistance where a relocation grant has previously been provided by the Council as any new property would be more appropriate for the disabled persons needs.

### **5.3.3 Relocation funding**

Maximum amount of assistance associated with all relocation assistance applications, will be £10,000 and no repayment requirement.

Relocation funding is available when a proposed adaptation via the mandatory route has been assessed and determined by the Council and Occupational Therapist as not being reasonable and practicable because of either cost and/or extent of works involved. Funding will assist customers in providing financial assistance to cover the costs of moving to another property which can be outside of the District.

To assist moving to another property grant assistance can be obtained for:

- estate agents fees (limited to 1.5% of the property value)
- solicitors fees
- valuation fees
- Stamp Duty (limited to the amount for a property valued at 15% higher than the property being sold)
- mortgage arrangement fees
- removal costs

The applicant is responsible for obtaining from an OT a report advising that the new property is suitable to fully meet or have the potential to meet the needs of the disabled person are family and agreement from Sevenoaks District Council as to the condition of the proposed property (property is fit for human habitation)

### **5.3.4 Specific situation funding**

Maximum grant of £50,000 with a repayment requirement once the property is sold or transferred.

Discretionary assistance will be considered in specific and unusual situations which prevent a disabled person from receiving a much needed adaption.

## Agenda Item 7

For those owner occupiers and private sector tenants who for very specific reasons are ineligible for a mandatory DFG. As a result of not being able to fund essential adaptations additional social care costs, hospital admissions and poor family environment will result. Circumstances that are applicable include:

Long term prognosis, limited or no income and living off diminishing amount of savings or for applicants who need additional facilities at a second property which is not their sole or main residence.

To be eligible to make a discretionary application one must have to been assessed by an Occupational Therapist as requiring the adaptations; adaptations are necessary and appropriate and reasonable and practical, unable to make a mandatory application, have sufficient equity in the property and accept, including landlord a charge being placed upon the property.

In order to determine upon eligibility and if such assistance is reasonable for private sector tenants of an application, a summary of the case shall be produced by the Team Leader - Private Sector Housing and submitted to the Property Services Manager and Portfolio Holder for Health and Housing and only if both parties agree will discretionary assistance be considered.

A maximum amount of £50,000 will be available or 50% of the equity existing at the time of application, whichever is the lesser. However any application must demonstrate value for money, no other option is available (i.e relocation) and once completed there is no expectation of a successive mandatory DFG application being made.

This grant will have regard to the means testing criteria undertaken via the mandatory DFG process and have the same eligible criteria as a mandatory DFG.

Specific operational guidance is included within Appendix D

### **5.3.5 Accelerated Facility Grant (AFG)**

Maximum grant of £7,500 with repayment being considered between £5,000 and £7,500.

AFG assistance will provide a quicker more streamlined service.

AFGs will be considered for those adaptations costing under £7,500 and recommended by an Occupational Therapist. Applicants must be owner-occupiers, private sector tenant or RSL tenants, be registered or registerable disabled. No means test will be applicable for this grant.

Such a grant is appropriate in situations for low cost or urgently needed disabled aids and adaptations (for instance, a straight stair lift or level access shower) that, if not carried out, could directly affect the occupant's health, safety and welfare, or the health, safety and welfare of the disabled person's carer. AFG is not for property repair or its maintenance, it is solely for adaptations.



The grant will only require one estimate and be limited to a maximum of £7,500. Any grant liable to exceed this amount will be required to apply for a mandatory DFG. A charge shall be applied to such grants between £5,000 and £7,500 and will be those stated by The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008. See Appendix B for conditions appropriate for an AFG.

### **5.3.6 Hospital Discharge Grant (HDG)**

The HSG has a maximum of £3,000. No requirement for repayment shall be applied to such grants.

This grant is solely to provide support to any customer being discharged from hospital. Due to the many housing related issues which prevent a timely hospital discharge a specific list of works can not be given, however all works associated with the grant must be essential to enable the customer to once again reside in their own home. Examples of works that would be expected to be supported by a HDG include deep cleaning, decluttering, minor adaptations, boiler repairs/replacement, minor repairs, moving furniture.

Purchasing of furniture such as single beds will be able to be funded by a HDG, if this is preventing hospital discharge. Provision of furniture and other similar household goods will be available including for residents of registered social landlords.

Applicants for a HDG must be in hospital at the time of referral and awaiting discharge. Owner occupiers and private sector tenants are available to make an application for this grant and applicants are not required to go through the means testing process. An application form will need to be completed along with confirmation of ownership/tenancy and work is required to allow hospital discharge to occur.

### **5.3.7 Safe and Secure Grant (SSG)**

The maximum grant will be £1000.00, available to owners and private sector tenants with no repayment criteria being applicable.

The Safe and Secure Grant is designed to reduce admissions to hospital and promote independence. Repairs to the house and its environs will be minor in nature and could include:

- repairs or modifications to stairs, floors and steps;
- safety and security repairs; and
- providing additional property modifications to promote independence for customers with a specific disability, diagnosed condition (or written evidence supporting a condition) with a Dementia to ensure they reside in their own home as long as possible.

## Agenda Item 7

With the new links being forged it is envisaged that many organisations can refer applicants in the Council for assessment, these organisations would include Community care agencies, charities and family carers.

This type of non-means tested grant will be available to those who are over 60 or with a specific ill health diagnosis (or written confirmation of systems by a medical professional or disability). This grant is primarily aimed at those individuals and carers living with Alzheimer's and Dementia.

### **6.0 DISCRETIONARY ASSISTANCE**

#### **6.1 Housing Assistance Grant (HAG)**

Maximum £10,000 is available to an owner occupier and repayable upon sale or transfer. Appendix C details the repayment conditions associated with a HAG.

In principle, the Council takes the view responsibility for all repair and maintenance of a property rests with the owner. Discretionary financial assistance will normally only be available where it can be demonstrated that other funding options have been explored and eliminated, or where the use of discretionary funding assists the Council in meeting its strategic objectives.

Subject to funds being available financial assistance to qualifying residential premises will be provided as a discretionary Housing Assistance grant. Once the budget has been committed no further offers will be made. In such circumstances, the Council may draw up a waiting list of people wanting assistance which will be administered using a points system.

The Council will consider applications for a means tested, repayable HAG where it can be demonstrated that reasonable steps have been taken to fund the works through alternative means, for example through conventional loans, equity release or similar schemes. The Council accepts that commercial products may not always be appropriate and will seek to target limited funds to those in the greatest need.

For each application a test of resources will be undertaken following the requirements of the Housing Renewal Grants Regulations 1996 and in the Housing Renewal Grants (Amendment) (England) Regulations 2008.

Assistance may be refused in cases where an applicant is found to have an outstanding debt to the council of any kind. This does not have to be in relation to the same property that the current application for assistance is for. In particular an applicant with council tax arrears may only apply for assistance once the outstanding debt has been repaid or an appropriate payment method has been arranged and adhered to.

For these reasons, it cannot be assumed any HAG funding will be available.

Enquiries will be prioritised to take into account the applicant's circumstances,

financial need, the nature of the work and it's urgency. Applicants must understand the grant system is not an emergency service so anything requiring urgent action will need to be undertaken by the resident.

Applications for discretionary assistance will only be considered in the following circumstances:

- Where essential works are required to remedy Category 1 hazards (as assessed using the Housing Health and safety Rating System - HHSRS); or Multiple category 2 hazards (Band D) that pose a risk to health of the vulnerable group.

**6.1.2 Applications for discretionary assistance will not be considered in the following circumstances:**

- for non-essential repairs or for works which are considered desirable rather than essential (including kitchen and bathroom refurbishments to replace dated but otherwise serviceable fittings);
- for repairs to porches, conservatories, sheds, outbuildings, garden fences, boundary walls etc.;
- for cosmetic repairs, redecoration and cleaning works;
- for the replacement of windows and doors on grounds of energy efficiency unless considered by the Council to be in serious disrepair and beyond economical repair;
- for completing DIY projects;
- the funding of works which would normally be covered by a household insurance policy. Discretionary funding is not intended to be an alternative to insurance cover; and
- for instances where a disabled persons home is unsuitable for adaption to meet their specific needs.

**6.1.3 Pre qualifying criteria**

The Council will specify a period of time during which the applicant must have lived in the dwelling as his/her only or main residence prior to the date of the HAG application for assistance and reserves the right to specify different periods for different purposes. A period of three years will apply to all HAG discretionary applications. In exceptional circumstances (i.e when a life changing event has occurred requiring significant adaptations), the Council may consider exercising its discretion in relation to this requirement if there are particular strategic reasons to do so.

It is not the Council's intention to make discretionary financial assistance available to those who have recently purchased a property and have decided not to

## Agenda Item 7

commission a full structural survey or Homebuyer's Report since this would have provided the opportunity to re-negotiate the purchase price to reflect any defects identified by the surveyor.

## **7.0 GENERAL GUIDANCE ON THE OPERATION OF THE HOUSING ASSISTANCE POLICY**

### **7.1 Buildings Not Attracting Grant Assistance**

The following dwellings will not qualify for grant assistance:

- Properties, which are not of a permanent nature or where the conditions are such it is not cost effective to undertake significant repairs;
- Dwellings, sheds, outhouses and extensions such as conservatories that do not have planning permission or building regulations approval.
- Non-residential buildings.
- Improving conditions within the private rented sector as this is the responsibility of the landlord.

### **7.2 Eligibility Criteria**

Eligible applicants are freeholders and long leaseholders with at least 10 years interest left in the property. A tenant (with the landlords permission) can apply for most grants although a HAG is unavailable. The property must be the main or only residence of the applicant or a member of their family who the works are for and have the intention of residing there. A property must be within geographical area of Sevenoaks District Council.

A person who lives in the dwelling under a right of exclusive occupation for a period of more than 5 years or for life will be able to apply assistance.

**7.2.1 Qualifying house boat** means a boat or similar structure designed or adapted for use as a place of permanent habitation which -

- (a) has its only or main mooring within the area of a single local housing authority;
- (b) is moored in pursuance of a right to that mooring; and
- (c) is a dwelling for the purposes of Part 1 of the Local Government Finance Act 1992 (council tax).

And includes any yard, garden, outhouse and appurtenances belonging to it or usually enjoyed with it.

**7.2.2 Qualifying Park Home** means a caravan within the meaning of Part 1 of the Caravan Sites and control of development Act 1960 (disregarding the amendment made by section 13(2) of the caravan sites act 1968) which-

- (a) is stationed on land forming part of a protected site within the meaning of the Mobile Homes Act 1983;
- (b) is occupied under an agreement to which the Act applies or under a gratuitous licence; and

## Agenda Item 7

(c) is a dwelling for the purposes of Part 1 of the Local Government Finance Act 1992 (council tax).

And includes any yard, garden, outhouse and appurtenances belonging to it or usually enjoyed with it.

All funding is provided subject to funding being available. The Council reserves the right to refuse an application and when necessary have a waiting list.

### 7.3 Form of Application

Application for assistance must be on the forms prescribed and provided by the Council and must include:

#### 7.3.1 All Grants

- Applications must be in writing and include full particulars of the proposed works including, where relevant, plans and specifications of the works for which assistance is being sought;
- For grants over £7,500 at least two itemised estimates from independent building contractors unless otherwise directed by the Council;
- For grants under £7,500 at least one itemised estimate from an independent building contractor unless otherwise directed by the Council;
- If works undertaken by Maintenance operatives employed by Sevenoaks District Council costs will be calculated on an hourly rate basis plus the cost of any materials
- Particulars of any professional fees or other charges which relate to the preparation of the scheme, the supervision of the works or the administration of the contract;
- Proof concerning the ownership or tenancy of the dwelling;
- written consent from all owners of the dwelling to the carrying out of the proposed works;
- Written confirmation from applicants agreeing to the relevant conditions.
- Where required by the Council, the consent of the mortgagees;
- Certificate required in the case of an owners/occupiers application or certificate for a tenants application accompanied by an owners certificate from the landlord.

- Signed agreement to repay the grant under certain circumstances as stated by the Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008 (England)) or
- Undertaking that it is an applicants intention that the dwelling will be occupied by the applicant as their only or main residence for a period of 5 years from completion of the works and to repay any financial assistance in circumstances.
- Financial information regarding any outstanding debts or charges placed against the property.

#### **7.4 Certificate of Future Occupation**

**7.4.1 Owner's application** - The owner must sign an owner-occupation certificate which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that they or a member of their family (in the case of Disabled Facilities Grants this must be the disabled person) will live in the property as their, or that family member's only or main residence for 5 years.

#### **7.4.2 Tenant's application**

(a) The tenant must sign a tenant's certificate which certifies that their intention is that they or a member of their family will live in the property as their, or the member's, only or main residence for 5 years.

(b) This certificate must be accompanied by a certificate of intended letting from the landlord.

**7.4.3 Occupiers application** - An occupier must sign an occupiers certificate indicating they have acquired and occupy a qualifying house boat or park home.

#### **7.5 Amount of Assistance**

The council will specify the maximum amount for assistance. These amounts are inclusive of all costs including Value Added Tax and fees.

#### **7.6 Eligible Works**

Eligible works will be only those identified as such by an officer of the Council's Private sector housing Team with reference to the Council's Policy. Any relevant fees will also be included. Any works, which would be eligible for assistance but can be paid for via an insurance claim or third party claim, will not attract grant assistance. In exceptional cases assistance may be given on condition it is repaid out of the proceeds of any future claim.

Works outside the curtilage of the property will not normally eligible for assistance unless they relate to the provision of essential services such as water, gas or electricity.

## Agenda Item 7

### **7.7 Restriction on grants for works already begun (Section 29 HG,C&R Act 1996)**

An application for assistance will not be approved where the relevant works have been completed before the assistance is approved.

Where an application has been received and works have started before the assistance has been approved, only those items yet to be carried out will be considered as part of the application. The only exception to this restriction will be where the Council are satisfied there were good reasons for doing so and prior agreement of the Council was obtained.

### **7.8 Fees & Other Ancillary Costs**

Other charges that can be included within a grant application, where applicable, will include:

- confirmation of the owner's interest, when required by the Council;
- specialist surveys, design/preparation of drawings, plans & schedules;
- assistance in completing forms;
- applications for planning permission and building regulation approval;
- obtaining estimates
- supervision of the relevant works
- disconnection and re-connection of electricity, gas, water or drainage utilities where this is necessary for the grant-aided works
- the services and charges of an occupational therapist

### **7.9 Notification of Approval of Assistance (Section 34 HG,C&R Act 1996)**

The Council will notify an applicant in writing whether the application for assistance is approved or refused. The notification will be provided as soon as reasonably practicable after receipt of a completed application but no longer than 6 months from the date of the receipt of the completed application.

A grant approval will only be approved if the applicant has agreed to the applicable conditions i.e. repayment.

The approval will specify the amount of assistance, the amount that is ineligible, the applicant's contribution if any towards the eligible costs, expiry date of the assistance and applicable conditions. Assistance is not transferable to another person on the sale of the property. Expiry date will be 12 months for DFGs, top up assistance and specific situation funding, for others 6 months expiry date shall be stated.

In the case of refusal, the Council will give a written reason for refusal. The applicant will be able to appeal against the decision made on their grant application and the process for doing this is set out under appeal procedure.



### **7.10 Re-determining an Approval and Unforeseen Works (Section 34 HG,C&R Act 1996)**

If after an application has been approved the Council are satisfied that owing to circumstances beyond the control of the applicant.

- a) The eligible works cannot be, or could not have been carried out for approval amount;
- b) The amount of the costs which have been or are to be incurred has decreased/increased; or
- c) The eligible works cannot be, or could not have been, carried out without carrying out additional works which could not have been reasonably foreseen at the time the application was made;

The Council may re-determine the estimated expense and the amount of grant. At no time will any re-determination exceed the grant maximum.

Additional works identified once works have been commenced must be seen and agreed prior to them being carried out. An instruction will be given authorising any unforeseen works.

### **7.11 Extension of time (Section 37 HG,C&R Act 1996)**

An offer of assistance will expire after 6 or 12 months depending upon the type of grant, by which time all works must have been completed. If an extension of time is required an application must be made to the Council, an extension will only be given if delays have occurred outside of the control of the applicant and in which case an extension of no more than 3 months will be given. A second extension will not be considered. If there is no evidence of the applicant arranging for the works to be completed during the 6 months at the end of this time the grant will be closed and any costs incurred in the application process will not be reimbursed by the Council.

### **7.12 Supervision of Works**

Applicants are advised to use a suitably qualified person to supervise and arrange the works. This can be, the Home Improvement Agency or any other approved surveyor to assist with their applications.

Relevant fees to the Improvement Agency or other approved managing agent will be included as eligible works, currently 12.5% of eligible costs.

If no specific contract in place, the building contract will be between the applicant and the chosen contractor and will not include the Council. An officer from the Council's Private sector housing Team will check the works to ensure they are carried out according to the specification of work and in accordance with good building practice. However, the Council and its officers are **not** liable for any poor workmanship and do not provide any guarantee. Any faults with the works will be a matter between the applicant and their contractor.

## Agenda Item 7

Where eligible works are not of an acceptable standard, the Council will withhold monies.

### **7.13 Conditions of Payment (Section 37 HG,C&R Act 1996)**

Assistance will only be paid if:

- (a) The work is completed within the time stated in the approval or such further period the council may allow. This must be confirmed in writing. This period is normally 12 months from approval, although this can be shorter especially when works need to be completed in a short period of time.
- (b) The work is carried out in accordance with the conditions of approval,
- (c) The work is carried out by one of the contractors whose estimate accompanied the application. The Council will normally assess the assistance on the lowest estimate,
- (d) The applicant completes a request for payment form or verbally confirms acceptance and satisfaction of the completed works and that the builders are not members of the applicant's family.
- (e) The Council is provided with an acceptable invoice or receipt for payment for the works or fees. The invoice must include full details of the builder/surveyor employed including VAT registration details. The applicant or a member of his family cannot submit an invoice,
- (f) The Council has been notified in advance that the works have begun.
- (g) That the works have been completed to a satisfactory standard and in accordance with the grant offer and estimates,
- (h) Any copies of specified guarantees and test certificates are submitted. Trades having a competent person regime must either use a competent person or make a building regulations application.
- (i) Payments are either made to the applicant or preferably direct to the contractor or agents. In the case of a Disabled Facilities Grant, payment of the grant can be delayed by up to six months where existing budgets have already been committed.

### **7.14 Interim Payments (Section 35, HG,C&R Act 1996)**

Interim payments will normally be paid, but these are at the discretion of the Council. The applicant's contribution (if any) will be taken into account in any payment. Normally the applicant will have to pay any contribution they may have towards the cost of the work first, before any grant payments are made. Payments will only be paid for work satisfactory completed and not for materials not yet used or installed. Eligible works must be carried out to the satisfaction of the council and an acceptable invoice supplied.

## **7.15 Grant and repayment Conditions**

### **7.15.1 Introduction**

Are explained in more detail in grant specific appendices as conditions vary between mandatory and discretionary assistance, however it is the Councils belief that a charge either with land registry or with local land charge are appropriate in most situations.

Before imposing any such repayment or other conditions or taking steps to enforce it, the Council shall have regard to the ability of the applicant to make that repayment or contribution. It would therefore be possible that assistance be provided without the repayment condition i.e restrictions on additional charges or no equity within the property.

### **7.15.2 Repayment upon Breach of Conditions (Sections 40-43 HG,C&R Act 1996)**

In the case of a breach of grant conditions applicable to a specific grant the monies becomes repayable to the Council.

In the case where an applicant ceases to be the owner, or it appears to the Council that the applicant was not at the time of the application being approved entitled to the grant, no payment shall be made and the grant cancelled. In the case where interim payments have been paid, no further payments will be made and the Council will decide whether recovery of any or all previous payments is necessary.

## **7.16 Successive Assistance**

There is no restriction upon applicants receiving a second for mandatory disabled facility grants or AFG.

It is not envisaged that successive Specific Situation Grants, relocation funding nor top up funding would be available.

For the HDG and SSG a maximum of 2 grants in a three year period will be allowed and only for different works (i.e. because of a worsening of a medical condition).

For the HDG successive grants are appropriate, however if we return to a property and once again undertaking similar works (i.e. cleaning property) then a charge for repayment will be considered.

Given it is the view of the Council that it is for the home owner to maintain a property the council will not generally consider giving assistance on more than one occasion in relation to a specific property.

For HAG discretionary assistance a condition will be placed upon the customer to keep the property free from Category 1 hazards, in a good state of repair for 5

## Agenda Item 7

years and the level of maintenance carried out will be taken into account when considering any new application.

### **7.17 Appeal Procedure**

Representations can be made in the following cases:

- In the event of disagreement with a decision,
- In the case that one of the conditions of one of the aforementioned grants should be waived or changed,
- That there is an exceptional case for providing assistance which is not within the Councils existing policy,
- There has been some error or excessive delay in the processing of a grant.

In such cases the person should write in the first instance to:

Private Sector Housing - Team Leader  
Sevenoaks District Council  
Argyle Road Sevenoaks TN13 1HG

psh@sevenoaks.gov.uk

Appendix A  
Repayment Conditions - Disabled Facility Grant

**Disposal of the dwelling: The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008**

Where a grant is for a sum exceeding £5000, the council may demand repayment of such part of the grant that exceeds £5000 (but may not demand an amount in excess of £10,000) if:

- (a) The recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and
- (b) the council, having considered:
  - (i) the extent to which the recipient of the grant would suffer financial hardship were he required to repay all or any of the grant;
  - (ii) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his employment;
  - (iii) whether the disposal is made for reason connected with the physical or mental health or well being of the recipient of the grant or of a disabled occupant of the premises; and
  - (iv) whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity,

is satisfied that it is reasonable in all the circumstances to require the repayment.

NOTES:

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is reregistered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of grant may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all grant conditions shall cease to be in force,

## Agenda Item 7

4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

### Definitions

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction.
2. 'Date of Approval' means the date on which the application for grant is formally approved.
3. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
  - i. sale of the freehold or an assignment of the lease or
  - ii. the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
  - iii. any other form of sale, assignment, transfer or disposal.

Other situations that arise during the post approval construction phase will be decided upon with reference to the Housing Grants, Construction and Regeneration Act 1996 and they are explained in detail in Section 7: General Guidance on the operation of the housing assistance policy.

### Insurance and compensation claims:

#### **The Housing Renewal Main Grants (recovery of compensation) General Consent 1996 and Section 51 HG,C&R Act 1996**

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the grant, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

The Council may determine not to make such a demand or to demand a lesser amount.

## Appendix B

### REPAYMENT CONDITIONS - DISABLED FACILITY GRANT

#### 1. Funding adaptations over £30,000 (top up assistance)

All approvals shall have the condition for repayment upon the sale or transfer of the property. Upon completion a charge will be registered with local land charges or Land registry.

Other situations that arise during the post approval construction phase will be decided upon with reference to the Housing Grants, Construction and Regeneration Act 1996 and they are explained in detail in Section 7: General Guidance on the operation of the Housing assistance policy.

#### **Insurance and compensation claims:**

The Housing Renewal Main Grants (recovery of compensation) General Consent 1996 and Section 51 HG,C&R Act 1996

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the grant, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

The Council may determine not to make such a demand or to demand a lesser amount.

#### NOTES:

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is reregistered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.

2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.

3. A voluntary repayment of the amount of grant may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all grant conditions shall cease to be in force.

4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

## Agenda Item 7

### Definitions

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction.
2. 'Date of Approval' means the date on which the application for grant is formally approved.
3. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
  - i. sale of the freehold or an assignment of the lease or
  - ii. the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
  - iii. any other form of sale, assignment, transfer or disposal.

### **2. Relocation Funding**

No repayment conditions are applicable.

#### **Insurance and compensation claims:**

The Housing Renewal Main Grants (recovery of compensation) General Consent 1996 and Section 51 HG,C&R Act 1996

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the grant, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

The Council may determine not to make such a demand or to demand a lesser amount.

### **3. Specific situation funding**

#### **Repayment**

All approvals shall have the condition for repayment upon the sale or transfer of the property. Upon completion a charge will be registered with local land charges or Land registry.



Other situations that arise during the post approval construction phase will be decided upon with reference to the Housing Grants, Construction and Regeneration Act 1996 and they are explained in detail in Section 7 General Guidance on the operation of the Housing assistance policy.

**Insurance and compensation claims:**

The Housing Renewal Main Grants (recovery of compensation) General Consent 1996 and Section 51 HG,C&R Act 1996

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the grant, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

The Council may determine not to make such a demand or to demand a lesser amount.

**NOTES:**

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is reregistered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of grant may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all grant conditions shall cease to be in force
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

**Definitions**

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction.
2. 'Date of Approval' means the date on which the application for grant is formally approved.

## Agenda Item 7

3. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
- i. sale of the freehold or an assignment of the lease or
  - ii. the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
  - iii. any other form of sale, assignment, transfer or disposal.

### 4. Accelerated Facility Grant

Where a grant is for a sum exceeding £5000, the council may demand repayment of such part of the grant that exceeds £5000 (but may not demand an amount in excess of £10,000) if:

- (b) The recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and
- (b) the council, having considered:
  - (v) the extent to which the recipient of the grant would suffer financial hardship were he required to repay all or any of the grant;
  - (vi) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his employment;
  - (vii) whether the disposal is made for reason connected with the physical or mental health or well being of the recipient of the grant or of a disabled occupant of the premises; and
  - (viii) whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity,

is satisfied that it is reasonable in all the circumstances to require the repayment.

#### NOTES:

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is reregistered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.

3. A voluntary repayment of the amount of grant may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all grant conditions shall cease to be in force,

4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

**Definitions**

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  - i. sale of the freehold or an assignment of the lease or
  - ii. the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
  - iii. any other form of sale, assignment, transfer or disposal.

Other situations that arise during the post approval construction phase will be decided upon with reference to the Housing Grants, Construction and Regeneration Act 1996 and they are explained in detail in Section 7 General Guidance on the operation of the Housing assistance policy.

**Insurance and compensation claims:**

The Housing Renewal Main Grants (recovery of compensation) General Consent 1996 and Section 51 HG,C&R Act 1996

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the grant, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

The Council may determine not to make such a demand or to demand a lesser amount.

### **Appendix C:**

#### **Housing Assistance Grant**

##### **Repayment**

All approvals shall have the condition for repayment upon the sale or transfer of the property. Upon completion a charge will be registered with local land charges or Land registry.

Other situations that arise during the post approval construction phase will be decided upon with reference to the Housing Grants, Construction and Regeneration Act 1996 and they are explained in detail in Section 7 General Guidance on the operation of the housing assistance policy.

##### **Insurance and compensation claims:**

The Housing Renewal Main Grants (recovery of compensation) General Consent 1996 and Section 51 HG,C&R Act 1996.

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to then eligible works and shall repay the grant, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

The Council may determine not to make such a demand or to demand a lesser amount.

##### **NOTES:**

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is reregistered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of grant may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all grant conditions shall cease to be in force
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

## Definitions

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction.
2. 'Date of Approval' means the date on which the application for grant is formally approved.
3. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
  - i. sale of the freehold or an assignment of the lease or
  - ii. the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
  - iii. any other form of sale, assignment, transfer or disposal.

## Agenda Item 7

### Appendix D DFG Specific operation Guidance

#### **Change of circumstances affecting disabled occupant:**

If a grant has been approved but, before the certified date of completion:

- (a) the works cease to be necessary or appropriate to meet the needs of the disabled occupant, or
- (b) the disabled occupant ceases to occupy the property or it ceases to be the intention that they should occupy it, or
- (c) the disabled occupant dies,

the Council may decide:

- (a) not to pay the grant or not to pay any further instalments, or
- (b) that part or all of the works should be completed and paid, or
- (c) the application should be re-determined.

The Council may demand repayment of any instalment plus interest from the date it was paid until repayment.

#### **Carrying out and completion of works:**

In approving an application for a grant the Council will require as a condition of payment of the grant that the eligible works are carried out in accordance with such specifications as they determine.

The eligible works must be carried out within 12 months from the date of approval of the application. The Council in extenuating circumstances may extend this period.

The eligible works must be completed to the satisfaction of the council and acceptable invoices, demands or receipts for the works and any preliminary or ancillary services or charges must be provided. An invoice, demand or receipt is not acceptable if given by the applicant or a member of his family. Unless the Council directs otherwise, the eligible works must be carried out by the contractor whose estimate accompanied the application.

#### **Repayment where applicant not entitled to grant Section 43 HG,C&R Act 1996**

Where an application for a grant is approved but it subsequently appears to the Council that the applicant was not entitled to that grant the Council will not pay the grant or any further instalments.

The Council will demand repayment of the grant plus interest from the date it was paid until repayment.

#### **Applicant ceases to be entitled before payment of the grant 40 HG,C&R Act 1996**

This section applies where an application for a grant is approved but before the certified date the applicant ceases to be a person entitled to a grant. In the case

of a joint application this section does not apply unless all the applicants cease to be so entitled.

Where this section applies—

- (a) no grant shall be paid or, as the case may be, no further instalments shall be paid, and
- (b) the authority may demand that any instalment of the grant which has been paid be repaid forthwith, together with interest from the date on which it was paid until repayment, at such reasonable rate as the authority may determine.

For the purposes of this section an applicant ceases to be a person entitled to a grant:

- (a) in the case of an owner's application—
  - (i) if he ceases to have a qualifying owner's interest, or
  - (ii) if he ceases to have the intention specified in the owner's certificate which accompanied the application;
- (b) in the case of a tenant's application—
  - (i) if he ceases to be a qualifying tenant of the dwelling, or
  - (ii) if the application was accompanied by an owner's certificate and the landlord ceases to have the intention specified in the certificate.

If the case falls within section 41 (change of circumstances affecting disabled occupant), the authority shall act under that section.

**Change of circumstances affecting disabled occupant Section 41 HG,C&R Act1996**

This applies where an application for a grant has been approved and before the certified date—

- (a) the works cease to be necessary or appropriate to meet the needs of the disabled occupant, or
- (b) the disabled occupant ceases to occupy the dwelling qualifying houseboat, qualifying park home or flat concerned or it ceases to be the intention that he should occupy it, or
- (c) the disabled occupant dies.

Where the application related to more than one disabled occupant, this section applies if any of paragraphs (a) to (c) applies in relation to any of them.

- (2) This section applies whether or not the disabled occupant (or any of them) is the applicant (or one of them).
- (3) Where this section applies the local housing authority may take such action as appears to them appropriate and may decide—

## Agenda Item 7

- (a) that no grant shall be paid or, as the case may be, no further instalments shall be paid,
  - (b) that the relevant works or some of them should be completed and the grant or an appropriate proportion of it paid, or
  - (c) that the application should be re determined in the light of the new circumstances.
- (4) In making their decision the authority shall have regard to all the circumstances of the case.
- (5) If the authority decide that no grant shall be paid or that no further instalments shall be paid, they may demand that any instalment of the grant which has been paid be repaid forthwith, together with interest from the date on which it was paid until repayment, at such reasonable rate as the authority may determine.



**‘LOCAL LADDER’ SHARED-OWNERSHIP GRANT SCHEME**

**Housing and Health Advisory Committee - 27 November 2018**

Report of Chief Planning Officer

Status For Information

Key Decision No

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**This report supports the Key Aim of delivering the District Council’s latest Housing Strategy: ‘Wellbeing Starts at Home’ (2017).**

**Portfolio Holder** Cllr. Michelle Lowe

**Contact Officer** Gavin Missons, Ext. 7332

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**Recommendation to the Housing and Health Advisory Committee:** That Members note that a report will be taken to Cabinet on 06/12/18 seeking approval to launch ‘*Local Ladder*’ - a proposed new and bespoke shared-ownership grant scheme which will be operated by the District Council.

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**Introduction and Background**

- 1 Back in June 2018, the Housing and Health Advisory Committee (HHAC) was presented with a report seeking support to develop a new and bespoke local shared-ownership grant scheme. Support was subsequently given and it was proposed to return to the HHAC when a product had been developed and which would be based on Member preferences.
- 2 This report is to advise Members that work on the new product is nearing completion and is in line with Member preferences, as recommended at the HHAC meeting in June.
- 3 A report with full details of the proposed scheme will be taken to Cabinet on 06/12/18, seeking approval to formally launch in late January 2019. Unfortunately the report was not ready for the printing of this agenda and will not be published until the day after this meeting. Therefore, HHAC Members should refer to the Cabinet report for full details of the proposed scheme, when published on 28 November 2018.

## Agenda Item 8

### Key Implications

#### Financial

None directly arising from this report.

#### Legal Implications and Risk Assessment Statement.

None directly arising from this report.

**Appendices** None

**Background Papers** Housing Strategy: Wellbeing Starts at Home (2017)

[https://www.sevenoaks.gov.uk/downloads/file/1028/housing\\_strategy\\_2017](https://www.sevenoaks.gov.uk/downloads/file/1028/housing_strategy_2017)

Affordable Housing SPD (2011)

[https://www.sevenoaks.gov.uk/info/20069129/current\\_local\\_plan/259/supplementary\\_planning\\_documents\\_and\\_other\\_guidance](https://www.sevenoaks.gov.uk/info/20069129/current_local_plan/259/supplementary_planning_documents_and_other_guidance)

Survey of Employers' Housing Needs (2017)

[https://www.sevenoaks.gov.uk/downloads/file/1029/survey\\_of\\_employers\\_housing\\_needs](https://www.sevenoaks.gov.uk/downloads/file/1029/survey_of_employers_housing_needs)

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**Richard Morris**

**Chief Planning Officer**

## HOUSING ALLOCATIONS POLICY

### Housing & Health Advisory Committee - 27 November 2018

Report of Chief Officer, Communities & Business

Status For Consideration

Also considered by Cabinet - 6 December 2018

Council - 26 February 2019

Key Decision No

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**Executive Summary:** It is necessary to revise the Sevenoaks District Housing Allocations Policy to incorporate changes in legislation and to ensure that social housing allocations prioritise those with the greatest housing need. Members are asked to approve the Housing Allocations Policy, set out at Appendix B.

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**This report supports the Key Aims of** providing the right support at the right time and reducing health inequalities and improving health and wellbeing for all.

**Portfolio Holder** Cllr. Michelle Lowe

**Contact Officer** Hayley Brooks, Ext. 7272

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**Recommendation to Housing & Health Advisory Committee:** That Members agree the recommendation to Cabinet below.

**Recommendation to Cabinet:** That Members recommend to Council approval of the Housing Allocations Policy.

**Recommendation to Full Council:** That Members approve the Housing Allocations Policy.

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**Reason for recommendation:** The Council has a legal requirement to produce a Housing Allocations Policy in line with current housing and homelessness legislation. Updates are required to the existing Policy due to legislative changes and to reflect the current demands for social housing.

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### Introduction and Background

- 1 All local authorities with responsibility for housing are required by law to publish a Housing Allocations Policy, which sets out how social housing properties will be allocated to those in priority need. The Council must

## Agenda Item 9

ensure that the District's Housing Allocations Policy complies with all legislative requirements, case law, national and local housing policies.

- 2 When producing this Policy, this Council must ensure that it clearly details how social housing will be allocated, to comply with Part 6 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and Homelessness Reduction Act 2017). The Localism Act 2011 introduced significant amendments to Part 6 of the Housing Act, giving housing authorities greater powers when allocating social housing locally, based on local housing and priority needs.
- 3 This Council's Social Housing Register and waiting list is operated by West Kent Housing under a series of Service Level Agreements. This arrangement has been in place since the social housing stock transfer in 1989. This Council remains legally responsible for the District's Housing Allocations Policy. This includes ensuring the Policy is up to date and adhered to, when social housing is allocated through the Housing Register.
- 4 The Housing Allocations Policy was last approved by Cabinet on 3 August 2006, with minor wording amendments in 2014 and 2016 approved by Portfolio Holder Decision. The draft version of the updated Housing Allocations Policy was approved for consultation by Members of the Housing and Health Advisory Committee on 27 February 2018.

### Updated Housing Allocations Policy and Consultation

- 5 Following Member approval of the draft Policy in February 2018, a six week public consultation was held between 26 March 2018 and 7 May 2018 to seek the views of partners, housing applicants and members of the public on the proposed changes to the Policy.
- 6 The consultation asked people to comment on the changes and state whether they agreed or disagreed with each Policy change. An overview of the main changes include:
  - Eligibility and Qualification - updates to existing criteria including local connection, income limits, exclusions and exemptions;
  - Allocating properties - adding clearer criteria for bidding and offers;
  - Priority needs - Updates to the Banding scheme criteria and definitions for those with a housing and priority need.
- 7 An online survey was widely promoted to key partners and sent to over 90 key voluntary sector organisations, statutory agencies and housing providers. The survey was also sent to all current Housing Register applicants on the waiting list for social housing, published on the Council's website and featured in the Council's In-Shape magazine. Hard copies of the survey were posted out on request.
- 8 As part of the consultation, workshops were held with 18 representatives from key partner organisations including housing associations, voluntary

sector organisations and Members. Their comments have been taken into consideration for the final version of the Policy.

- 9 In total, the Council received 163 responses to the survey, with 86% completed by individuals and 13% completed by organisation representatives. Overall, 88% of the responses stated that they agreed or selected 'maybe' to the changes and 8% disagreed (the remaining 4% of answers stated 'not applicable').
- 10 A summary of the consultation survey responses to each question is attached at Appendix A.
- 11 The updated and final version of the Housing Allocations Policy is attached at Appendix B.

#### Implementation of the revised Policy

It is intended that the new policy will be used to allocate new applications to the register with effect from 1<sup>st</sup> April 2019 and to reassess existing registrations when they become due for their Annual Review.

Any future minor changes or amendments, to ensure the Policy complies with current legislation and operational procedures, would be made through a Portfolio Holder Decision, approved by the Council's Portfolio Holder responsible for Housing.

### **Key Implications**

#### Financial

The Housing Register is operated by West Kent Housing as part of a new Service Level Agreement at the cost to this Council of £88,000 per annum. This Council is part of the Kent Homechoice Partnership and contributes £10,861 per annum to the partnership for the online Choice Based Lettings System (online bidding and application system for social housing properties). The system is provided by Locata for all Kent local authorities and housing providers.

#### Legal Implications and Risk Assessment Statement

As a local housing authority, this Council has a legal duty to provide and publish a Housing Allocations Policy in order to comply with Part 6 of the Housing Act 1996 (as amended by the Homelessness Act 2002).

The updated Housing Allocations Policy also takes into account the Government's Code of Guidance for allocating housing. As well as the Council's duties within the Equalities Act 2010, Localism Act 2011 and the new Homelessness Reduction Act 2017.

Risk Assessment Statement - The following risks have been assessed with the knowledge and detail available to the Council at the time of writing this report:

## Agenda Item 9

Risk	Likelihood	Impact	Total	Comments and controls
That the Housing Allocations Policy does not comply with housing and homelessness legislation resulting in a possible legal challenge by applicants	1	4	4 Low	The revised Policy takes account of the Government's Code of Guidance for allocating housing and relevant legislations, as stated above.
That the new Policy is perceived to lack transparency and fairness by applicants.	1	4	4 Low	Public, applicants and partner consultations were carried out prior to the Policy being adopted. Detail within the Equalities Act and Code of Guidance were included in the updated Policy. Updated Policy includes clear processes for assessing applications to promote transparency and fairness. It also sets out a clearer outline of review and appeal processes for applicants.
That the new Policy may change the way in which applications are processed.	2	4	8 High	Clearer operational processes and definitions will make the procedures more efficient. Close working with the managing agent will ensure that the updated processes are in place for all applicants.
That the new Policy may change the way in which priority need is assessed, which may impact on those with lower needs.	2	3	6 High	New Policy provides clearer definitions for banding and priority categories in line with legislation. New removal and qualification rules ensure that only people with genuine housing needs are accepted onto the Register. This will result in the waiting list being shorter and vacant properties more available to those with priority housing needs.

### Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from

different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. The impact has been analysed and does not vary between groups of people. The results of this analysis are set out immediately below.

The updated Housing Allocations Policy will result in clearer definitions and transparency for those with an identified housing need, including reasonable preference groups and protected characteristics. This will provide greater opportunities for people with an identified housing need to join the Sevenoaks District Social Housing Register as well as prioritising those with the greatest need. The Equalities Impact Assessment is set out at Appendix C.

### Resource (non financial)

Applications for the Sevenoaks District Housing Register are managed by West Kent Housing's Allocations Team who work closely with this Council's Housing Advice Service. Any changes to the Policy should be managed within existing resources.

### Safeguarding Children and Vulnerable Adults

The updated Policy emphasises and provides clearer definition relating to those who are in the greatest need and require social housing. This Policy highlights 'reasonable preference' groups as identified in Section 166A(3) Part 6 of the Housing Act 1996 (as amended). This includes people who may be in priority need of housing due to safeguarding related issues such as: people occupying unsanitary, overcrowded or unsatisfactory living conditions; those with welfare and medical issues relating to a disability; people suffering hardship; and urgent re-housing due to violence. The amended Branding criteria ensures that priority is given to these groups.

Council Housing Officers work closely with West Kent Housing to refer customers using the Council's Safeguarding Policy in relation to any safeguarding concerns. All staff are trained in Safeguarding and keep their knowledge up to date, as well as working closely with the Council's Safeguarding leads.

### **Conclusions**

The Sevenoaks District Housing Allocations Policy has been updated following a consultation period and Members are asked to recommend that this Policy is approved and adopted by this Council.

### **Appendices**

Appendix A - Summary of Consultation Responses

Appendix B - Updated Housing Allocations Policy

Appendix C - Equalities Impact Assessment

### **Background Papers**

[Communities and Local Government - Allocation of accommodation: guidance to local housing authorities in England](#)

[Part 6 of the Housing Act 1996 \(as amended\)](#)

## Agenda Item 9

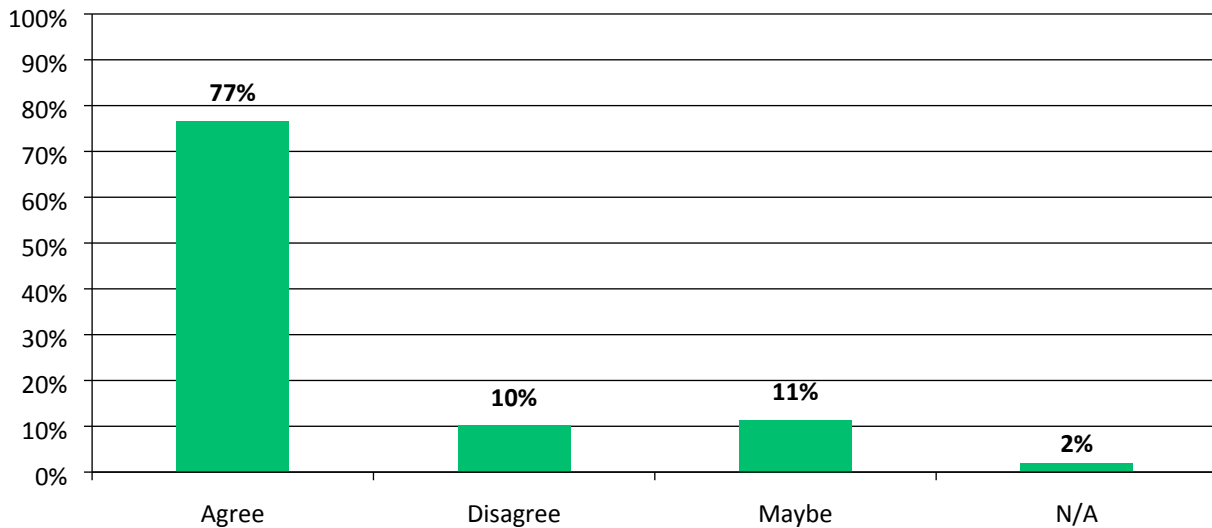
**Lesley Bowles**  
**Chief Officer Communities & Business**



Appendix A  
 Summary of Sevenoaks District Housing Allocations Policy  
 Consultation Results 2018

**Question 1**

**Do you agree with the proposed changes to the Local Connection Criteria (Section 3.1) ?**



Comments:	Response and actions taken:
1. Think it is important to include Grandchildren when looking at family with caring need.	Wording in section 3.1(c) has been amended to be 'typically but not exclusively relating to...'
2. More clarification is needed on point e under ex armed forces and the reasoning why. For example, those dismissed for inappropriate conduct should not be considered.	The armed forces criteria is set out in section 4.1. If inappropriate conduct is a concern, then the factors under section 5.3.4 would be applied when assessing suitability to be a tenant
3. Close connection rules are far too strict and don't allow for unmarried relationships.	See point 1 above.
4. I think for people who have no living family at all (and there cannot be lots of those) the family connection to move to another area should be waived.	The other qualifying factors set out in Section 3 would then apply including local connection, employment, older people and Right to Move.
5. Caring for a relation is important if they are in need of support including getting shopping, if they can't get their shopping on their own. This should be considered a need, it goes without saying that anyone who can't manage to go shopping would also struggle with hospital/doctors appointments and would need help with paying bills.	Comment noted. Wording in 3.1(c) amended from '(i.e. to carry out shopping once a week)' to '(e.g. occasional or infrequent help with a task)'. This would be assessment on a case-by-case basis. Wording changed to clarify this further.

## Agenda Item 9

### Appendix A

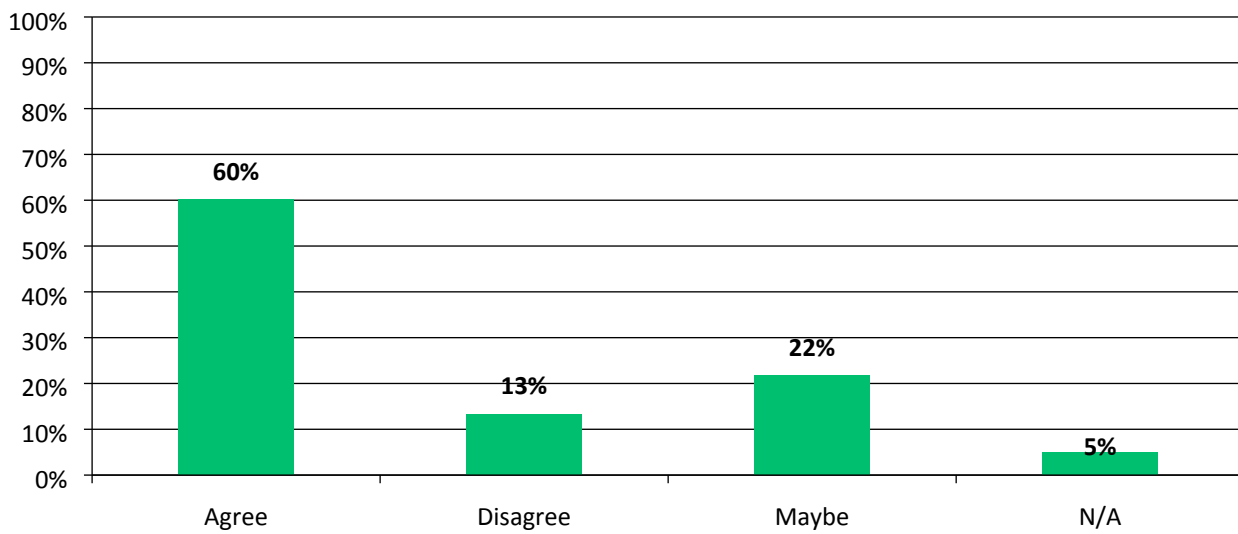
<p>6. Why should British Nationals need to connections of 2/3 years (in some cases of at least 5 years) in lieu of non-Nationals entering the UK (legally or illegally) and able to choose anywhere they wish to live?</p>	<p>Section 5.2.1 sets out Immigration Status. The qualifying criteria in section 3 would apply to everyone with an eligible immigration status to enter or remain in the UK - as defined in s.13(2) of the Asylum and Immigration Act 1996 and under the Immigration Act 1971. The Council would work with the Home Office for anyone who does not have this immigration status.</p>
<p>7. Removes duty to house those needing to move to the area to take up offer of employment. This is not fair because it means you'd have to turn down a job because you live too far away and have no means of moving closer.</p>	<p>Section 3.5 has been introduced which puts a greater emphasis on qualifying for social housing under 'Right to Move' for work related reasons - as set out in The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/ 967).</p>
<p>8. Should include people who contribute to the community in other ways e.g. volunteering.</p>	<p>Comment noted. Section 3.2 (Employment) - following wording added: '(e) Where an applicant can provide evidence that they are unable to engage in paid work, a community contribution including substantial voluntary work or employment related training, both within the District, would be considered on a case-by-case basis to meet this criteria.'</p>
<p>9. The over 60's may not be able to work 16 hour a week.</p>	<p>Section 3.2 employment - This relates to adults of a working age only, for details relating to older people see sections 3.4, 4.2 and 6.7. Also see point 8. above added for people unable to engage in paid work.</p>

#### Summary of other comments:

10. I particularly support the increase from a 6 month residency requirement to a two year one. I also agree that holiday lets and bed and breakfast do not qualify as residency.
11. I agree that housing should be for people with a genuine connection to the area.
12. I feel that is the right thing to do and feel people with health issues & diagnosed mental health illness cases should be looked into & given more priority. Yes, the changes seem fair.
13. I think some kind of local connection priority needs to be acknowledged, for local people who want and need to stay where they have been raised. If they have always lived in a specific village, hamlet or town or if an applicant has multiple generations of family from a specific place which they want to stay/return to and they can provide evidence of this history then they need to be given some kind of a mention in regards to local connections. In many of these cases, local people are very invested in these villages and the villages need their support.
14. If you are 75 years old and a single person, wanting to be near your children and being lonely that should be taken into consideration.
15. I agree although some older people have lived in the area for more than 2 years but may not have any family but friends who care for them who have lived in the area.
16. It is important for people's mental health to live near to our relatives. If close relatives live here, the level of support they/we need should be irrelevant.
17. Councils need to be open to a wider variety of people with different circumstances and not become stricter.
18. I don't agree with the being employed in Sevenoaks district, I had to take the first job that came.
19. I still have family members living the area, but now I wish to return to the area in my retirement I am told that is not a local connection? Extremely unfair.
20. If your parents or close relative had recently bought and sold a property in a different area. Then the 5 year connection may be valid. You would still be in same position needing social housing but discriminated against because your parents have moved away.

**Question 2**

**Do you agree with the proposed changes to the Employment Criteria (Section 3.2)?**

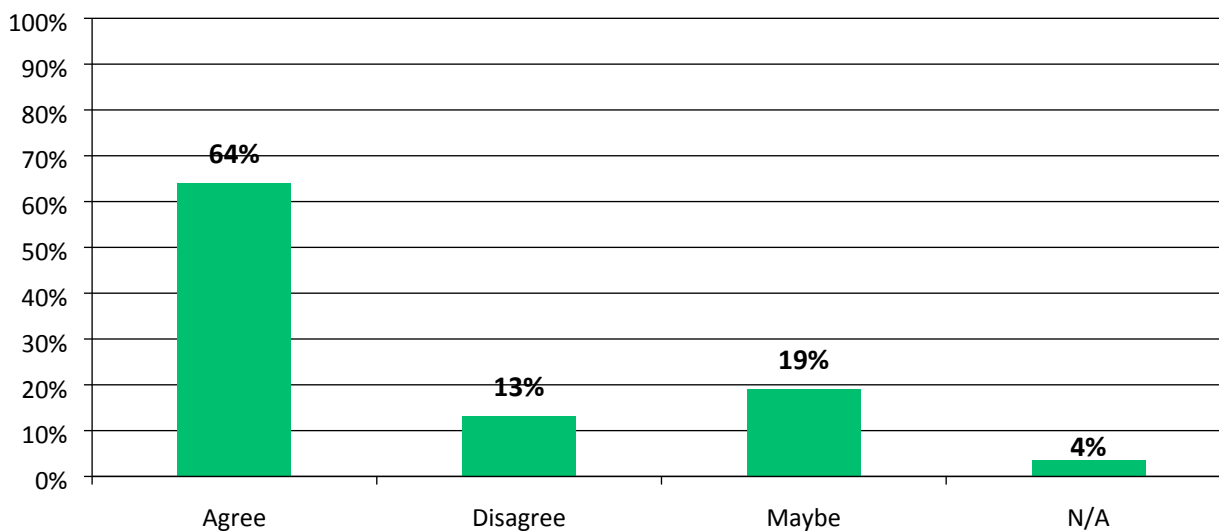


Comments:	Response and actions taken:
1. An allowance should be made if your employer moves the place of employment to SDC. You should be able to apply immediately otherwise it may result in people losing their employment, as the distance to travel to work is too expensive or just too far to travel.	Section 3.5 has been introduced which puts a greater emphasis on qualifying for social housing under ‘Right to Move’ for work related reasons - as set out in The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/ 967).
2. I disagree with the point re temporary contract. This implies someone on a 12 month temporary contract will be applicable. Fixed long term contracts of over 12 months should be acceptable but not temporary contracts 12 months or less.	Any changes in income levels or to employment contracts would be re-assessed as part of the Annual Review progress with each applicant on the Housing Register. The Governments code of guidance urges councils to support households in low paid employment and incentivise applicants to take up employment.
3. It doesn't mention those that are retired and have lived in the area for over 25 years and are being asked to move because the current property is unsuitable.	Please see Section 4.2 regarding over 55 year olds.
4. Unless disabled and cannot work.	Comment noted. Section 3.2 wording amended to include other community contributions to be taken into account. Medical and disabilities would always be taken into account when assessing applications.
Summary of other comments:	
5. Good to have people living and working in the area. 6. Employment or self-employment 99.9% of the time is always a positive and any help or advice that will support that is a positive. 7. I strongly agree with this. In addition, it would be good for those people who really need to live in this area. 8. I agree with the proposed changes as it considers different types of employment contract as well as self-employment.	

9. Good luck proving the hours you've worked for the last six months if you're on a zero hour contract!
10. I agree with all except the ability to get housing in Sevenoaks based on working only 16 hours per week. Surely, such a small amount of work could be found in almost any area, unless the persons being considered had disability, which stopped them working for more than 16 hours per week.
11. I do not agree with this, as there are not enough jobs in the district to supply this need. The proximity to London makes it easier to get work there and earn more money but enjoy living in the district of Sevenoaks. People work in London to afford to employ local people who are plumbers, electricians etc.
12. Think limiting work area to just Sevenoaks district is a short sighted.
13. I agree there must be a connection but people may not work in the district but have childcare in the district.
14. Seems fair policy but worry that people can get fraudulent documents.
15. I agree that social housing should be offered to working people to give them a start at least being able to save to buy.
16. All depends on how long they have had the 16 hrs or full time employment, open to abuse for those that could get those hours just to get the move they want then give it up once their aim has been achieved.

**Question 3**

**Do you agree with the proposed changes to the Income Limit Criteria (Section 3.3)?**



**Comments:**

1. It is essential that household income per person is included in the Income Limit Criteria.

**Response and actions taken:**

As set out in Section 3.3, the income considers all household members to give a combined income across all members of the household.

**Summary of other comments:**

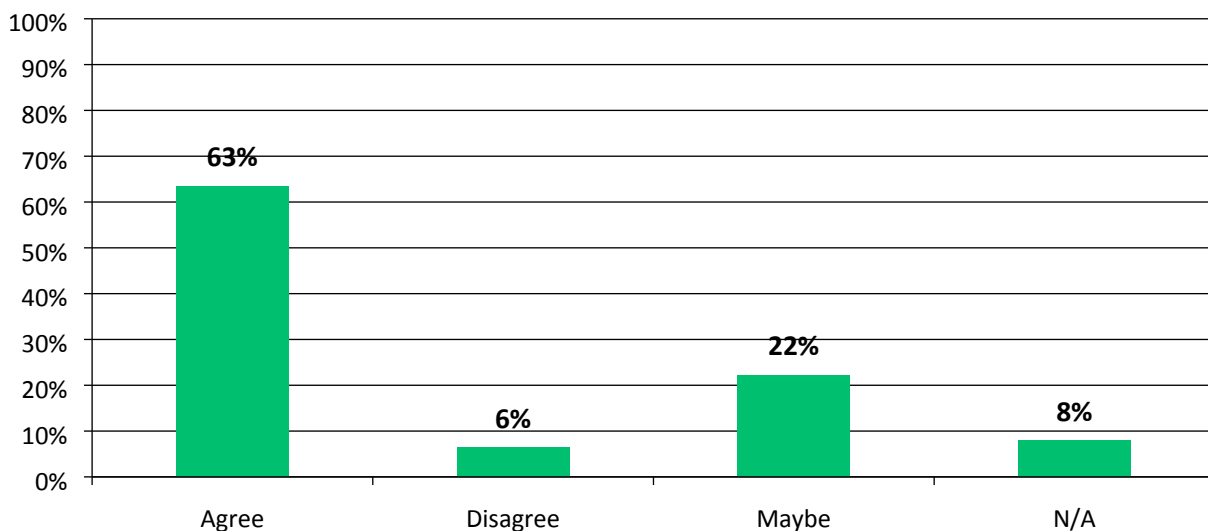
2. I support the income distinction between one bed property and properties for families.
3. Agree that if they can afford to privately rent or buy then they should be doing so, social and affordable housing stock needs to be given to those who can't afford to do so.
4. I feel social housing should help those on the lowest income as private rents are beyond their budget.

Appendix A

5. The original income was low compared to the national living wage. If both parents worked full time, it would push them slightly over the limit.
6. Even on a maximum gross income of £30,000 to £40,000, sometimes this isn't enough for private rent/buying a property in this district.
7. Don't agree with the amount £30,000 for one bed need. This may stop people downsizing and freeing up family homes.
8. People earning £30,000 per annum are well able to afford to rent privately, or obtain a mortgage, so should not be able to obtain social housing.
9. £30,000 for a one bedroom need is more than ample to rent privately or affordable rent only.
10. £40,000 should be affordable rent only as that amount is higher than most people having to cope on low wages or benefits.
11. With current house prices and difficulties to get a mortgage, the minimum income is too low.
12. This will cause people to not get high-end jobs.
13. I think all benefits should be taken into account as monies going to the household as a person's wages are all counted.
14. I think £30,000 and £40,000 respectively are on the low side considering today's cost of living.
15. These income limits seem very high - maybe too generous!
16. I think the total income should include all and any benefits, not just certain ones.
17. Because of the cost of basic living is increasing sharply, maybe raising the amounts to £5k more is more realistic.
18. Again, sometimes affordability criteria are relaxed in exceptional circumstances by housing associations.

Question 4

**Do you agree with the proposed changes to the 'Right to Move' wording (Section 3.5)?**



Comments:	Response and actions taken:
1. I fail to understand the 'Right to Move' criteria. In my opinion, they have no real purpose that would benefit the applicant.	The Government's Code of Guidance states: The Government wants to increase opportunities for hardworking households. That is why we have announced an intention to

Appendix A

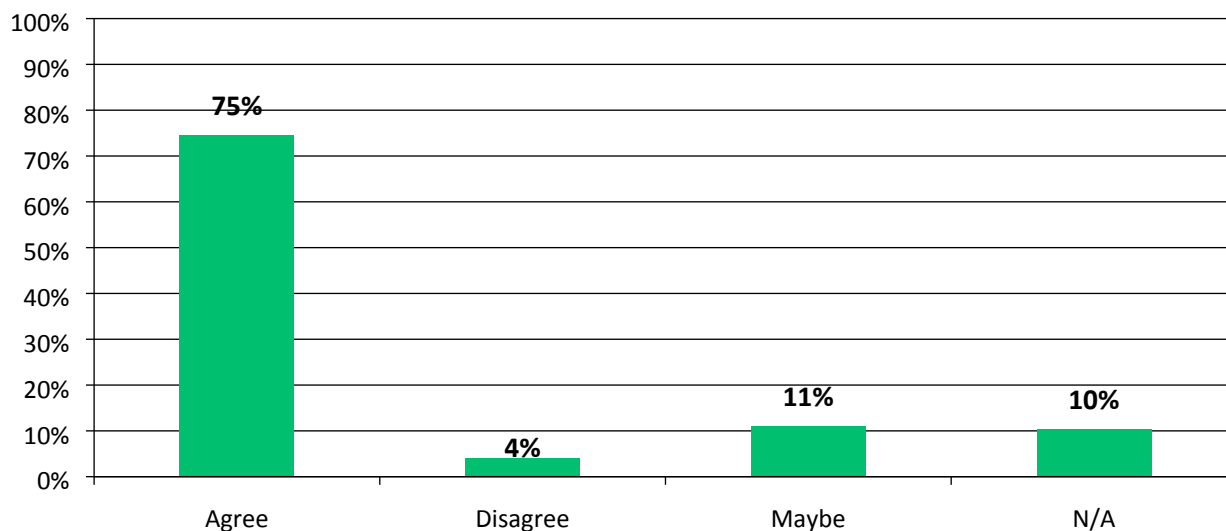
Comments:	Response and actions taken:
	introduce a Right to Move for social tenants seeking to move to take up a job or be closer to their work, across local authority boundaries.
2. Should only be if full time work, not just for 16 hours.	Comment noted. The range of factors outlined in section 3.5 will be considered on a case-by-case basis. This section also states the work should be for at least 16 hours per week. The following wording has been added to clarify this: 'These factors will be taken into account when considering each applicant on a case-by-case basis.'

**Summary of other comments:**

3. To live near the workplace will help too as parking is not good in Sevenoaks District and people can use the public transport or walk to get to work.
4. If helps keep people in employment and helps with child care etc.
5. This is a much fairer opportunity for working families; so much of my time I could spend with my family is wasted travelling to and from work.
6. As long as clause c is always explored and checked out before any consideration.
7. Maybe, if the place they are looking into moving to had poor transport links.
8. Also if the education of children will be affected. It's no good only taking childcare into consideration because it costs money.
9. Need to move could include someone suffering ill health and needs to be near family who will help to look after them thus saving social services input.
10. In addition, working hours should be taken into consideration alongside time taken to travel. For example, do they need to travel during peak hours or not as this will impact both time taken, and potentially cost (train).

**Question 5**

**Do you agree with the proposed changes to the Armed Forces Personnel Exemption wording (Section 4.1)?**



**Summary of other comments:**

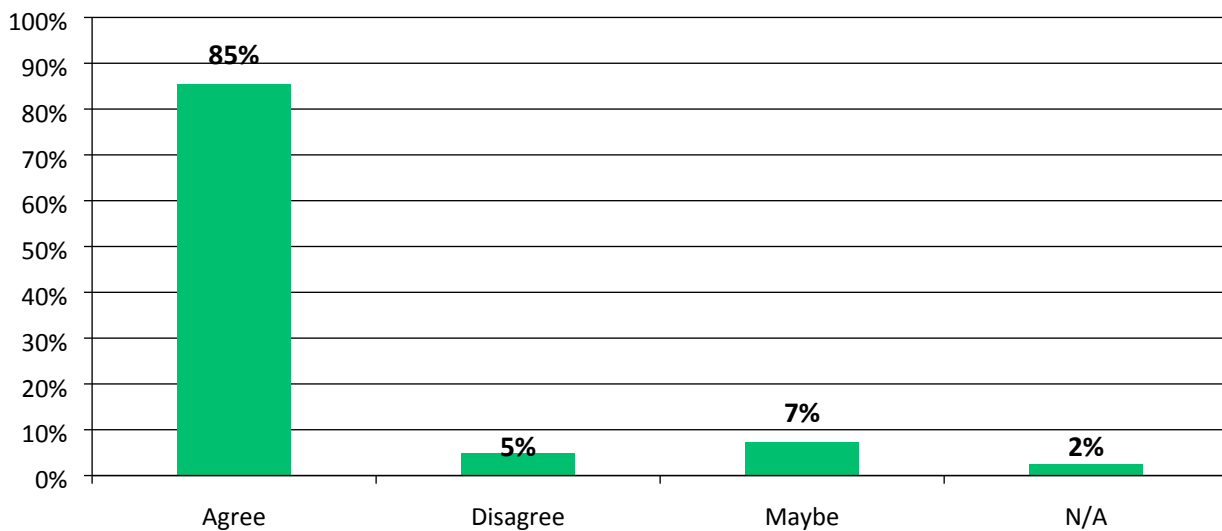
1. This policy shows a recognition of the service members of armed services have given and I support the policy of treating them and their families as local residents to help them secure housing.

Appendix A

2. Their priority should not outweigh those of a greater need.
3. Armed forces personnel should be given immediate access to housing when needed as they risk their lives for us to live safely.
4. Not much medical or rehabilitation support services near here.
5. My husband is ex forces. That doesn't seem to matter to most councils.
6. Need to look after Armed Forces personnel who have contributed to the defence of this Country.

Question 6

**Do you agree with the proposed changes to Unacceptable Behaviour wording (Section 5.3.4)?**



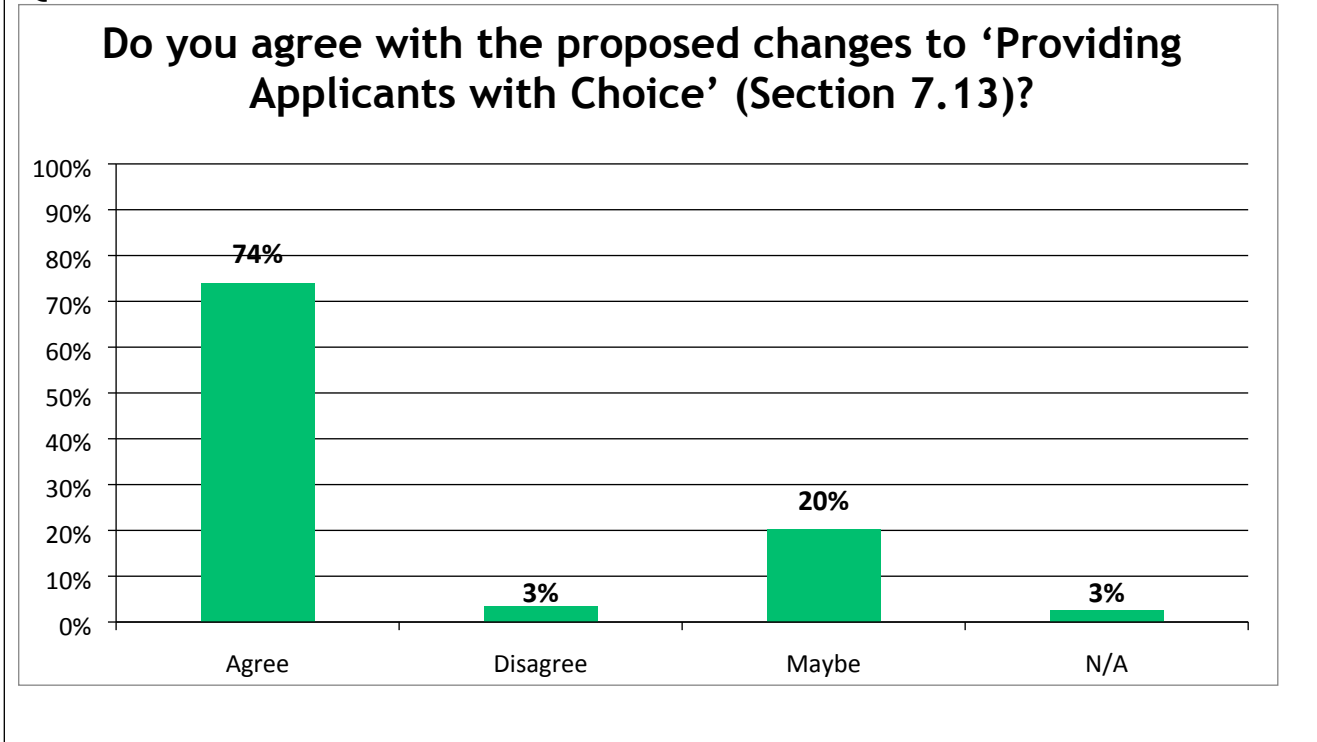
Comments:	Response and actions taken:
1. I suggest a clause that tenants need to keep their animals under control so; keeping dangerous dogs are a ground for eviction if others are put at risk.	Comment noted. Where dogs are allowed, appropriate controls are used in tenancy agreements operated by each housing provider.
2. I agree, but would like to see this inclusive of verbal abuse and verbal aggression shown towards staff members.	Comment noted. Point i) includes abuse and aggression towards members of staff. The wording has been amended to include verbal abuse and to clarify the organisations involved.
3. Ref 3.0 a and b refer to the tenancy applicant as he instead of he or she or gender neutral.	Comment noted. This wording has been amended to 'the applicant'.
4. Make domestic abuse an example of ASB to reinforce its importance.	Comment noted. Wording has been strengthened to include nuisance or annoyance to neighbours or any other persons, which includes anti-social behaviour, abuse, discrimination and harassment.
5. I agree with the bad behaviour but not the debt. Sometimes people fall on hard times and it shouldn't be held against them.	Comment noted. This section includes: 'It is important that the applicant demonstrates they are taking reasonable steps to address the debts.' It also recognises the following exception in point iv: 'except where this has been verified by the Council as being through no fault of their own. '

Appendix A

<p>6. Temporary mental health problems, bereavement, loss of job, loss of relationship. Are there no second chances?</p>	<p>This section states the following exception in point iv: ‘except where this has been verified by the Council as being through no fault of their own.’ The wording has been strengthened by adding ‘This would be assessed based on supporting evidence provided by the applicant and considered on a case-by-case basis.’</p>
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<p><b>Summary of other comments:</b></p>	
<p>7. Applicants should appreciate being offered a home and good behaviour within their family and community they live in is vital.              8. If they’re not fit to be a tenant then they shouldn’t be a tenant, simple. This type of housing is a privilege to the under privileged, they need to be appreciative of it or they simply don’t deserve it.              9. If they are paying off rent arrears and trying, they should have chance to reapply.              10. Eviction also should be implemented quicker to make available to new tenants who deserve a place.              11. Applicants should not be able to apply again if they do this sort of thing, it will happen again anti- social behaviour &amp; violence is not acceptable, one warning only it’s their responsibility to keep to the rules.              12. If people need housing then they need housing, you can’t have an area deciding it will only house nice tenants.              13. The section regarding rent arrears would need careful scrutinizing.              14. Only if the person has made no attempt to catch up on rent arrears, sometimes people lose their job. Sometimes a crossover of new job means no income for up to 2 months. Benefits won’t pay out due to new job, if they have made no attempt to rectify a situation or are entered in a payment plan then fine.</p>	

**Question 7**



<p><b>Comments:</b></p>	<p><b>Response and actions taken:</b></p>
<p>1. I agree in the case of A bands, B bands however have been over allocated. These</p>	<p>Comment noted. This updated Allocations Policy aims to provide further clarify on</p>

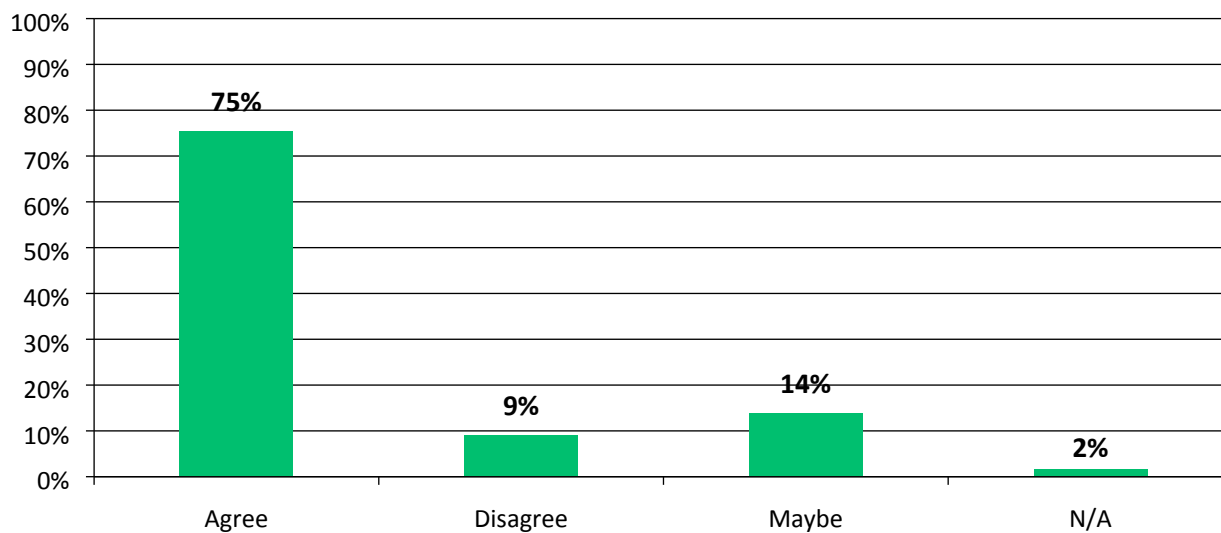


Appendix A

Comments:	Response and actions taken:
bands are obvious and open abuse of the system.	banding allocations as well as ensuring that the allocation process is fair and transparent. It is important that social housing priorities those in greatest housing need.
2. This effectively removes choice from homeless people. It allows you to put them in unsuitable housing, because if they do not accept they will not be housed at all. This could be setting people up to fail.	Bids are only placed within preferred locations as selected by the applicant. The Register operates a choice based system, set out in Section 7.13. Only suitable and reasonable offers would be made, to ensure applicants are offered appropriate housing to their needs.
3. Again, I am surprised that no direct mention is given to those fleeing domestic abuse.	Commented noted. New section at 4.3 added for applicants fleeing domestic abuse or violence, outlining their priority status and exemptions to the local connection rules.
<b>Summary of other comments:</b>	
<p>4. Applicants who have applied for Social Housing will need to make their own research of the area, to go and see the house from the outside. Check parking, transport links, what the community offers before deciding if they want to bid for the property.</p> <p>5. It should be made clear that every effort will be made to house people locally. Failure to do this can cause mental health problems due to removal of support networks. It also makes it difficult for people to remain in employment in the local area. Wherever possible children should be allowed to remain at their own school and not have to move to a different area, unsettled children will not fulfil their potential and may disrupt the learning of others in the class.</p> <p>6. Yes, I agree as if people are in band A and are offered a property they should take it. People in Band B and band C etc. may get a chance as band C never comes out for a property on Kent home choice.</p> <p>7. Why should people have to be or become homeless, also why should certain people be put first into homes because of vulnerability when they have only just been put in an area for so called safety. They like others should wait until the people on list before them should be housed.</p> <p>8. If they are genuinely homeless, a home is Home, refuse it then get off the register.</p> <p>9. I think applicants in band A and B must evidence they are making bids on all suitable homes or risk losing their banding as applicants are currently being too picky in which areas they wish to bid on and what type of homes they would like to live in.</p> <p>10. Homeless people should have the same right to turn down property as any other person. Under these rules, your house could be unfit for habitation, meaning anyone would turn it down, but you could force a homeless person to live there.</p> <p>11. If temporary housing is a financial burden on the council, the solution is to build more council housing, not deny basic rights to our most vulnerable people.</p> <p>12. There are justifiable reasons why an offer may not be accepted this should not automatically remove you from the list maybe it's too far to walk to the local primary school and you don't own a car for example.</p> <p>13. While I agree with most of the above. I think if there's a very good reason why a place is not suitable (we don't get to see the inside of houses) so for example, say if there mould and an asthmatic looked around but couldn't take that property for health reasons then I don't think they should be punished.</p> <p>14. More consideration must be given to single people especially single males without children.</p>	

**Question 8**

**Do you agree with the proposed changes to the ‘Refusal of Offers’ wording (Section 7.7)?**



**Comments:**

1. I do not agree with having a maximum offer of two homes before removing a person from the register. Applicants are only shown a photo of the outside of the house. Not all medical needs are black and white. Further information would help people choose which home they bid for and would hopefully alleviate bidders whom feel a house isn't suitable after viewing it.

2. As long as there is an appeal procedure.

**Response and actions taken:**

Comment noted. Section 10.1 wording has been strengthened to make allowances for people with disability, housing, medical needs and to consider other exceptional circumstances.

Comments noted. An appeals process is in place, wording has been added to Section 10.1 to make this clearer.

**Summary of other comments:**

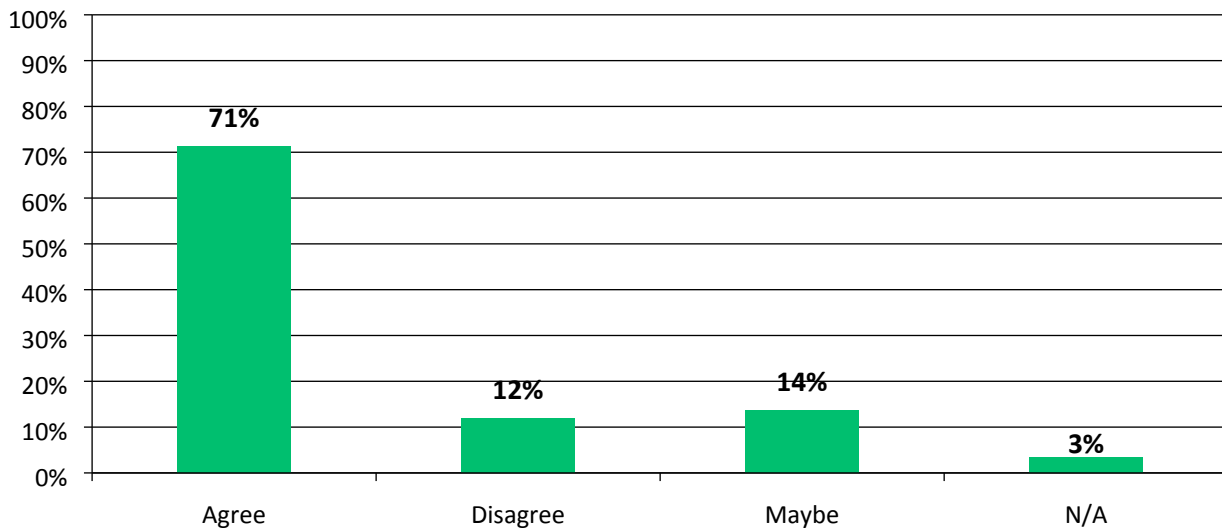
1. Applicants need to give good reason for refusing the offer - they placed the bid.
2. Actively bidding, being responsible and taking everything into consideration when placing the bid should definitely be at the forefront of all applicants by bidding for a property. They're not genuinely interested in it wastes the time of the people who shortlist all the bids making the entire process longer meaning waiting times are extended...people need to bid responsibly.
3. Yes, I agree if people aren't taking properties, they're not in their highest needs. As some people would take the first property council officers offer them.
4. If genuinely homeless surely if they have no extra needs e.g. disability, then this seems fair.
5. If an applicant seriously wants to live in the area and bids for properties only to then turn them down, they are preventing other genuine applicants from being considered for that property and wasting time considering their applications.
6. People shouldn't even be allowed two chances.
7. If a property is refused, it can easily be offered to another bidder in the queue.

Appendix A

8. There is not nearly enough information on the Homechoice site to allow us to make an informed decision. No pictures of the inside. Give us more information upfront and people won't bid on unsuitable properties.

Question 9

**Do you agree with the proposed changes to the Banding System (Section 7.2)?**



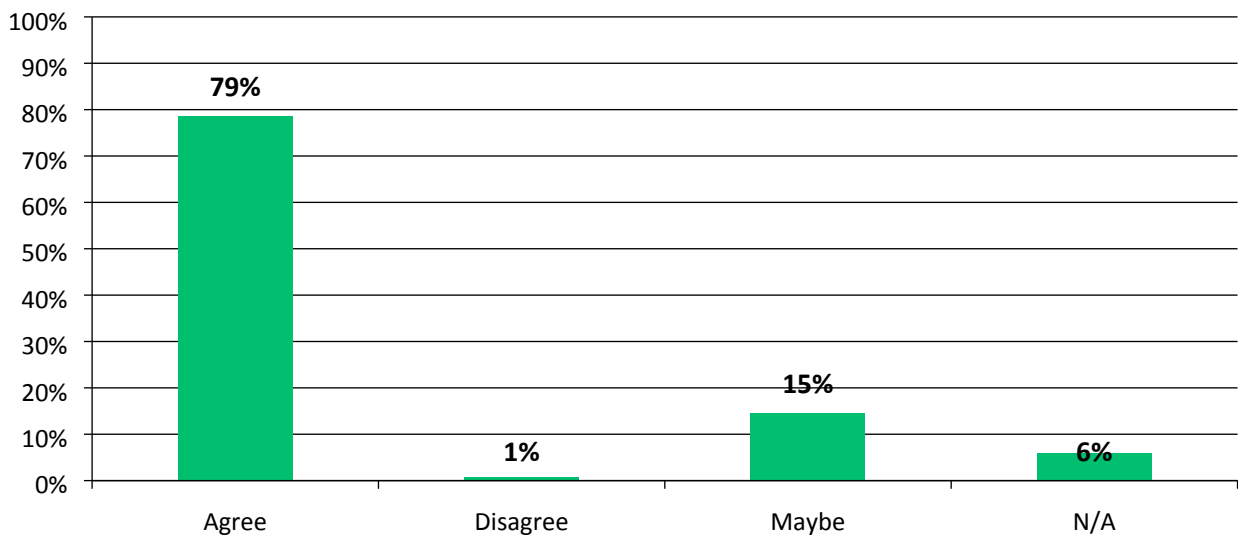
Comments:	Response and actions taken:
1. As long as medical evidence is taken into account.	Comment noted. Yes, medical priority is taken into account and detailed within Section 7.2.
2. If fleeing domestic abuse is addressed.	Comment noted. Yes fleeing domestic abuse or violence is prioritised within Band A - urgent need to move (detailed in Appendix 2).
3. I think they should have a band for working parents to encourage people to get into employment.	Comment noted. The 'Right to Move' category has been added to the banding, in line with new national Code of Guidance. This gives priority based on employment needs (detailed in Section 3.5).
4. You use the word 'normally' and I think it useful to highlight the type of exceptional circumstance that would allow someone to be treated differently to the norm.	Comment noted. The word 'normally' has been removed from Section 7.2. Wording has been amended to provide clearer definitions.

Summary of other comments:
5. Agree as band A should accept properties that Kent home choice offer them as gives band b and c etc. to be offered a property.
6. As will help people in every band to be offered a property.
7. The banding system doesn't work; you need to be homeless to understand what a lot of us go through. It doesn't take in any consideration of your mental health and what you're personally going through.
8. Agree with the banding. However, I think how you decide which band people get is completely wrong.
9. Placing urgent needs before medical needs is wrong. Putting those just registered before longer registered is unfair.

10. I think consideration should be given to all aspects of the individual applicant’s situation not just the highest need, they may have varying issues, which should give band plus elements of bands.
11. The proposal is to remove Band E. Removal of this band will potentially have an impact on how quickly an empty sheltered home can be let, which will cause rental loss to the housing provider and may necessitate identifying future tenants outside of the housing register.
12. Priority within a band will not always be decided by the Housing Association based on length of time.
13. Great distress has been caused to people on the waiting list when they see people in the same band being allocated housing ahead of them who have not been on the waiting list as long. It looks very unfair.
14. Don't feel bandings are always correct.

**Question 10**

**Do you agree with the proposed changes to the Homelessness and Housing Advice wording (Section 8)?**



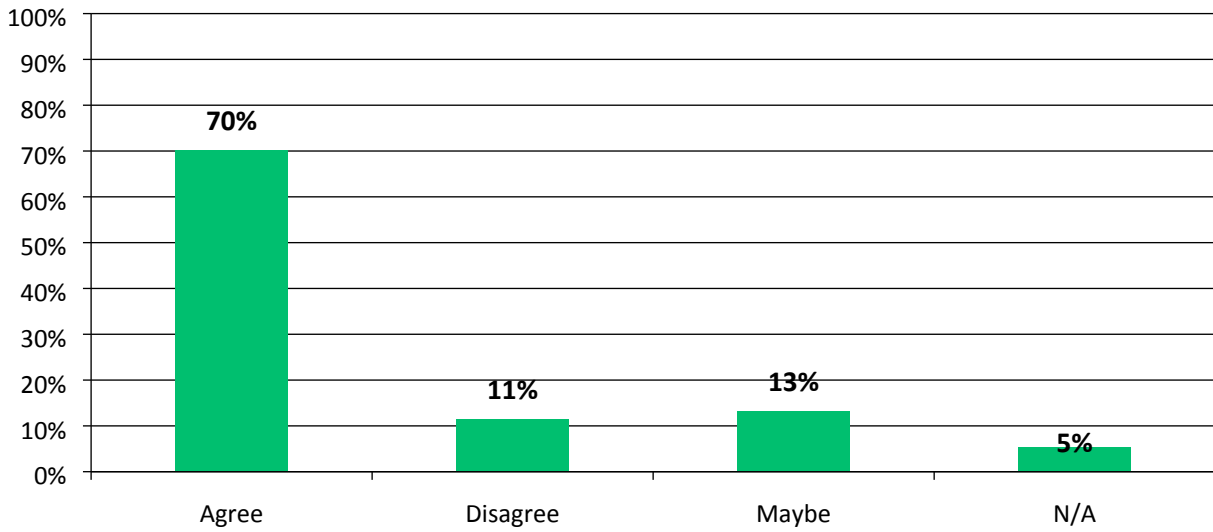
**Summary of other comments:**

1. Any advice that is beneficial to someone in need and can be given fairly and willingly is always a good thing.
2. Priority must be given to people who are currently homeless, not to people who may become homeless and homeless people.
3. It gives a clear procedure for both, the District and the applicant.
4. There are many reasons why people end up homeless it causes so much stress if the local authorities leave it until the last minute to decide if you qualify for housing. Once you receive notice, things should start to move having to move when you don't want to is stressful enough.
5. If the homeless is valid and not the parents "evicting" their children as we all know this is the best way of claiming homelessness.

Appendix A

**Question 11**

**Do you agree with the proposed changes to the ‘Refusal of Suitable Offers’ section (Section 10)?**



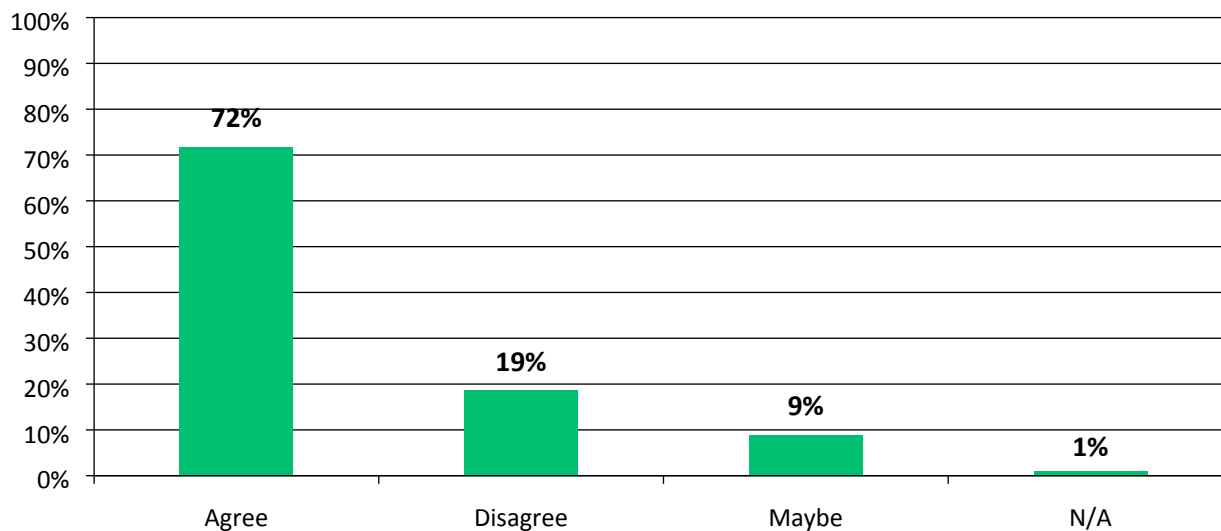
Comments:	Response and actions taken:
1. As long as needs are taken into account and there is a robust appeal process.	Comment noted. There is a review and appeal process in place, the wording in 10.1 has been amended to strength this wording.

**Summary of other comments:**

2. If you're homeless and offered a home, I can't think of any reason that you would refuse a property within the district that you've approached and asked for help.
3. A more common sense approach to housing needs.
4. The procedure is balanced.
5. All people should have the same right to refuse. No one should lose their place on the register because they turned down unsuitable accommodation.
6. I think two strikes even with an urgent need is fairer.
7. 12 months is harsh, 6 months exclusion is more substantial.
8. Depends on people's circumstances.
9. "Refusal of suitable offer" and "Removal from register" are two completely separate sub headings, although interlinked have very different meanings.
10. Fair enough but should be sent post not dependant totally on e-mailed as sometimes problems can occur if technology goes wrong.

**Question 12**

**Do you agree with the proposed changes to the ‘Failure to Bid’ section (Section 10.2)?**



Comments:	Response and actions taken:
1. Applicant will need to explain why they are not bidding.	Comment noted. This would be discussed with the applicant, including during the Annual Review, wording amended to make this clearer in Section 6.10.
2. In a number of cases, when a prospective applicant expresses an interest in a property, housing associations advise them to contact the Local Authority and join the register. They will often be waiting for a specific property or village, and so may not bid on anything else as a result. This can lead to them remaining on the register for some time, and running the risk of removal from that register and inability to re-join. We would hope exceptional circumstances would be considered.	Commented noted. Exceptional circumstances wording has been added to Section 10.2.
3. I can only bid when properties in the right town/area become available. The properties I am permitted to bid for are few and far between....only FIVE in the last 12 months. If no properties become available in the town in a 12 month period, then I will be unable to bid on anything. It would be extremely unfair if my application were removed from the register in this case.	Comment noted. The Register operates a Choice Based Lettings system, so any bids are placed based on the applicant’s preferred locations. We will also encourage applicants to select as many locations as reasonably possible to maximise their opportunities for housing selections. All applicants would be contacted before removal to discuss the circumstances on a case-by-case basis. The wording in sections 10.1 and 10.2 has been amended to clarify this.
4. If applicant does not bid in any time period, they should be left on Housing Register without time penalty - properties offered may not be suitable.	The properties offered are based on the bids placed by that applicant, as part of the Choice Based system detailed in Section 7.13.

Appendix A

<p>5. Sometimes, no suitable properties are available to bid on within three months. This is because most of your properties are for over 55's, or too far away from where I work. I should not be punished because you do not have enough housing.</p>	<p>Comment noted. We recognise that the demand for social housing far outweighs the need. All applicants would be contacted before removal to discuss the circumstances on a case-by-case basis. The wording in sections 10.1 and 10.2 has been amended to clarify this.</p>
<p>6. I think the proposed 'failure to bid' is a joke. In nearly 2 years there has hardly been any properties that would be suitable for my medical needs. If I don't bid, it's because the property would not be suitable. I thought all housing register applicants had freedom of choice, hence they choose which property they bid on. Sometimes I do not see a property in the area that I need live for periods longer than 3 months. This should be looked at.</p>	<p>Comment noted, see response to point 3 - 5 above.</p>
<p>7. There may be circumstances where a person finds it hard to place a bid due to family crisis or illness or homelessness and reduced access to internet. There is no mention of what would happen in this circumstance.</p>	<p>Comment noted. See response to point 5 above regarding exceptional circumstances being taken into account and discussing this with applicant before they are removed.</p>
<p>8. You can't bid if there is not the size property or area you need so this is unfair on people and people are not always aware of this, so this is very unfair should be no time limit and should not have to re-register.</p>	<p>Comment noted. See response to point 5 above regarding exceptional circumstances being taken into account and discussing this with applicant before they are removed.</p>
<p>9. If you need a ground floor accommodation because you find it difficult to go up the stairs with bags of shopping, none of the above comes up, how can you bid?</p>	<p>Comment noted. See response to point 5 above regarding exceptional circumstances being taken into account and discussing this with applicant before they are removed.</p>

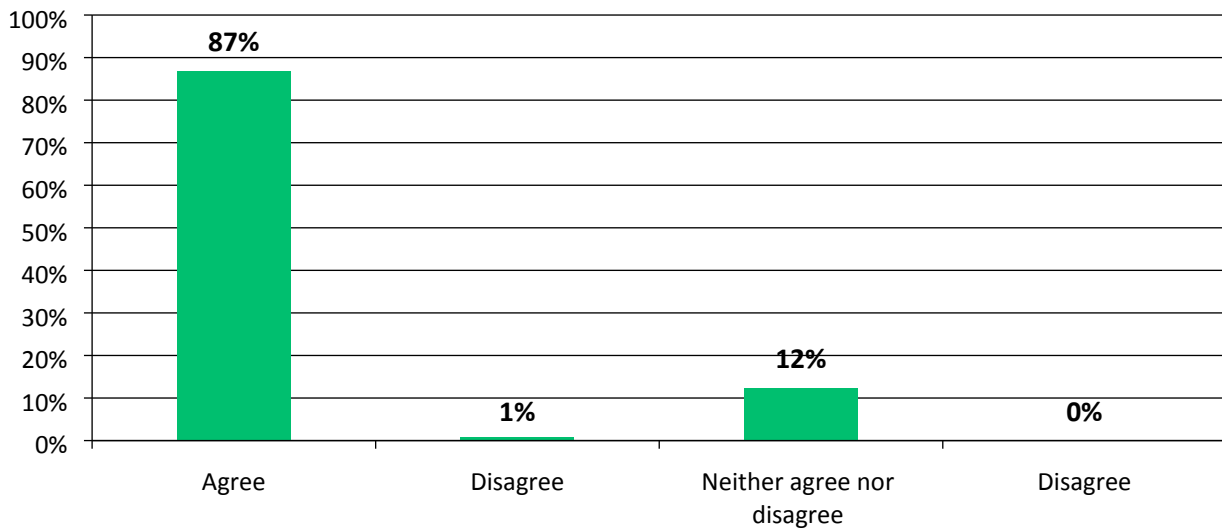
**Summary of other comments:**

- 10. I support this as it stops people, not in real need, of clogging up the system.
- 11. I agree totally, in our circumstances we have lost out on a few properties to people in band A or B for a considerable amount of time.
- 12. The applicants have to be engaged. The Housing register has to become a dynamic list.
- 13. If the applicant is registered for a local needs property only (can only bid for local needs housing), there may not be a vacancy within the 12 month period.
- 14. If there are properties available which are suited to the applicant and they do not bid for them then yes. The lack of houses does mean that without the properties available bidding history can appear sparse.
- 15. I also feel that if given a priority, yes it should be used at any given suitable opportunity, but if the applicant is made to feel they are bidding on properties, which they're not entirely happy to, but are doing so in fear of losing their "promotion" I don't feel that's fair.
- 16. Allowances need to be made for victims of domestic abuse who are very likely to miss deadlines as they try and 'sort things out' with the perpetrator or blame themselves or allow themselves to be persuaded to go back into the abusive relationship. It can take many cycles of violence before the victim is truly ready to go through with a move out of area and to cut ties.
- 17. I don't see why a person in their 80's should bid every year. They do not know how their health is. Whilst happy in their present accommodation, in two years they may need to move. 80 year olds are not able to search the registry with ease on a computer.

18. I find very little properties that I am eligible for in Swanley i.e.1 bed flat, as most that come up are for over 55's. So in a nutshell, there may be cases when no bidding has been done because no eligible properties in that area are available.
19. I do agree that a person should keep bidding to show they are looking but the new system stops you showing that if no eligible places come up.

**Question 13**

**Do you agree with the proposed changes to the 'Giving False Information' section (Section 10.3)?**



**Comments:**

1. If it is a criminal offence, as well as being removed from the register, should they not also be reported to the police and potential criminal charges posed against them?

**Response and actions taken:**

Comment noted. Wording has been added to Section 10.3 to include criminal prosecution proceedings.

**Summary of other comments:**

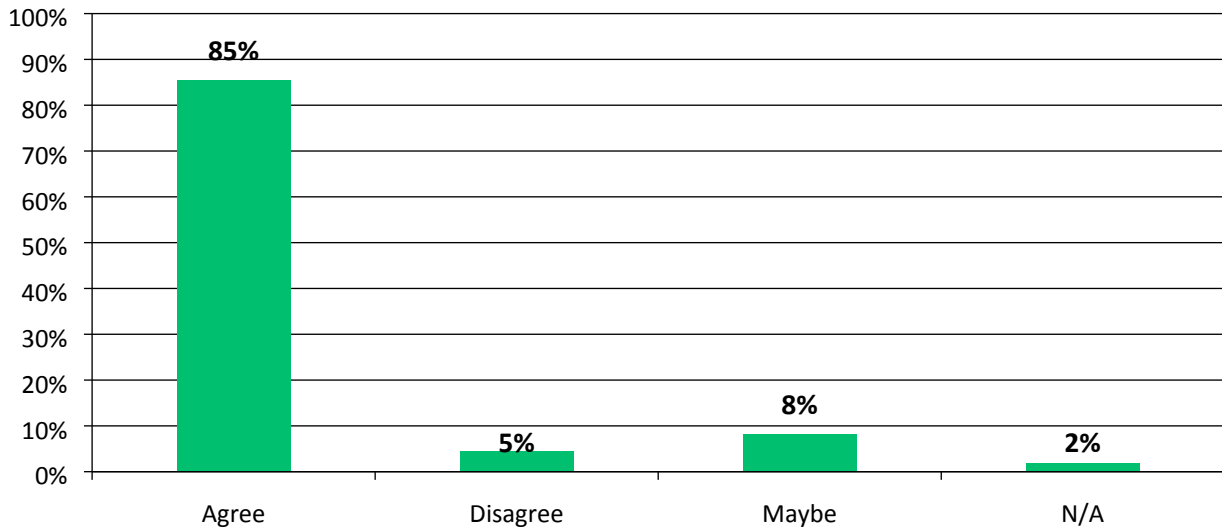
2. This should be reviewed regularly.
3. Should not be allowed to go back on the register for cheating the system, and taking away chance for genuine cases no obligation to let them back in 12 months. How do you know it's not going to happen again.
4. If someone gives false information, they should be unable to re-apply forever, not just for a period of 12 months.



Appendix A

Question 14

Do you agree with the proposed changes to the 'Confidentiality' section (Section 11.1)?



Comments:	Response and actions taken:
1. The new data protection rules will cover this.	Comment noted. Wording for the new GDPR regulations has been added to Section 11.
2. This does not comply with GDPR. People have a right to be informed about where you are sending their data and why. People should not be penalised for refusing to share information with third parties.	Comment noted. See response above in point

**Summary of other comments:**

- 5. Keeping confidentiality in all circumstances and the need to be forthcoming with any information outweighs the Data Protection Act. If there is a need to supply information and it's justified and serious then yes.
- 6. Consent to data sharing should always be optional and never result in removal from a housing register.

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# **Sevenoaks District Housing Allocations Policy**

## **2018**

## Agenda Item 9

# SEVENOAKS DISTRICT HOUSING ALLOCATIONS POLICY

## CONTENTS

1.	Introduction and Background.....	1
1.1.	What is an Allocation? .....	1
1.2.	Legal Framework.....	1
2.	Eligibility to join the Housing Register.....	2
2.1.	Who can join the Sevenoaks District Housing Register (SDHR) .....	2
2.2.	16 and 17 year olds and Care Leavers .....	3
3.	Qualifying to join the Register .....	3
3.1.	Local Connection.....	3
3.2.	Employment in Sevenoaks District .....	4
3.3.	Income and Asset Thresholds.....	5
3.3.1.	Income Limit Summary .....	6
3.3.2.	Capital Assets and Savings Limits .....	7
3.3.3.	Limited Exceptions - Income and Asset Thresholds .....	7
3.4.	Older People’s properties .....	8
3.5.	Right to Move Applicants .....	8
3.6.	Rural Exception Site Homes and Parish Connection .....	9
3.7.	Alternative Affordable Housing Options .....	10
4.	Exemption to the local connection rules .....	11
4.1.	Armed Forces Personnel.....	11
4.2.	Over 55’s wishing to downsize .....	11
4.3.	Threats of violence and/or domestic abuse.....	11
4.4.	Exceptions process .....	12
5.	Exclusions – Non-qualification rules .....	12
5.1.	Housing Register exclusions .....	12
5.2.	People who WILL be excluded from joining the housing register.....	12
5.2.1.	Immigration Status .....	12
5.2.2.	No Local Connection.....	13
5.3.	People who MAY be excluded from joining the housing register .....	13
5.3.1.	Home owners.....	13
5.3.2.	Help to Buy Shared Ownership.....	14
5.3.3.	Financial limits .....	14
5.3.4.	Unacceptable Behaviour.....	14
6.	How to Apply for Social Housing.....	15
6.1.	How to join the Housing Register .....	15
6.2.	Assessing Applications.....	16
6.3.	Data Sharing and Declaration.....	17
6.4.	Applicant checks .....	17

6.5.	Joint applications .....	18
6.6.	Households with access to children/shared residency order .....	18
6.7.	Housing for People Aged 55+ .....	18
6.8.	Notification of Registration .....	18
6.9.	Change of circumstances .....	19
6.10.	Reviewing and Renewing Housing Applications .....	19
6.11.	Cancelling Applications .....	20
6.12.	Short Term Interim Rented Properties.....	20
6.13.	Deliberate Worsening of Circumstances .....	20
6.14.	Misrepresentation, False Statements and Withholding Information .....	21
7.	The Allocation Process.....	21
7.1.	How are applicants selected for allocation? .....	21
7.2.	The Banding system .....	22
7.3.	Banding Allocation Exceptions .....	24
7.4.	Type of property allocated to an Applicant .....	24
7.5.	What are other considerations and exceptional circumstances .....	25
7.6.	Making an offer of a Property .....	26
7.7.	Refusals of Offers .....	26
7.8.	Local Lettings Plan.....	27
7.9.	Sensitive Letting (property).....	27
7.10.	Social and Welfare Priority .....	27
7.11.	Special Circumstances (applicant).....	28
7.12.	Specially adapted Properties.....	28
7.13.	Providing Applicants with Choice.....	28
8.	Homelessness and Housing Advice .....	29
9.	Requesting a Review and Making a Complaint .....	30
9.1.	The Review Process .....	30
9.2.	Making a Complaint .....	31
10.	Removal from the Register.....	32
10.1.	Refusal of Suitable Offers .....	32
10.2.	Failure to bid.....	33
10.3.	Giving False Information .....	33
11.	Applicant Information and Rights .....	34
11.1.	Confidentiality .....	34
11.2.	Data Protection and Information Sharing .....	34
11.3.	Equal Opportunities and Monitoring.....	35
11.4.	Treating all applications fairly.....	35
11.5.	Right to information .....	36
12.	Glossary .....	36
13.	Appendix 1 - Definitions .....	37

## Agenda Item 9

14. Appendix 2 –Banding Criteria .....	39
15. Appendix 3 – Documents required for Housing Register application .....	44
16. Appendix 4 – Social and Welfare Priority Assessment Panel.....	46

## 1. Introduction and Background

### 1.1. What is an Allocation?

Sevenoaks District Council is a local housing authority. This policy sets out who qualifies for social housing in the Sevenoaks District and how we will make this assessment. It covers how applicants can apply for and access social housing, the priority they will be given and the order in which any offer of social housing will be made.

Sevenoaks District Council no longer owns its own housing stock, having carried out a transfer of its housing stock to West Kent Housing Association in 1989. This Allocation Policy therefore applies to all properties to which we have rights of nomination (whether by way of a legally enforceable arrangement or not).

West Kent Housing is appointed as the ‘Managing Agent’ for the Sevenoaks District Housing Register (SDHR) and administer the Sevenoaks District Housing Register and the Kent Home Choice Based Lettings (CBL) scheme on behalf of this Council. The Housing Allocations Team at West Kent Housing is responsible for assessing new applications and will assess whether an applicant qualifies for the Housing Register using this policy to assess housing needs and will award any priority Band to an application if the criteria set out in this policy are met.

### 1.2. Legal Framework

This Council, as a local housing authority, has a legal duty to develop and publish a Housing Allocations Policy. The legal requirements for this duty, including the Housing Act 1996 Part VI (as amended by the Homelessness Act 2002), Localism Act 2011, the Equalities Act 2010 and the Homelessness Reduction Act 2017, have been considered when developing this Policy. This Policy will be reviewed on a regular basis and updated if there are any changes to relevant legislation or operational processes. Minor changes or amendments can be made at any time to update the Policy and approved by the Council’s Portfolio Holder responsible for Housing.

The Government’s code of guidance has also been considered when drafting this Policy including:

- a) Allocation of Accommodation: Guidance for Local Housing Authorities in England (2012, DCLG/MHCLG) “the Code”;
- b) Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG/MHCLG, December 2013) “Supplementary Code”.

The following statutory regulations have also been considered when developing this Policy:

- a) Allocation of Housing (Procedure) Regulations 1997, SI 1997/483;
- b) Allocation of Housing (England) Regulations 2002, SI 2002/3264;
- c) Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294;
- d) Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869;

## Agenda Item 9

- e) Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, SI 2012/2989;
- f) The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015;

To ensure this Policy meets all data protection requirements, it is regularly monitored and reviewed. This Council is committed to ensuring that this policy is non-discriminatory and that customers can access the service taking account of any vulnerability or other specific housing needs. This includes reasonable preference categories (as defined in Part 6 of the Housing Act 1996) and protected characteristics (as defined in the Equality Act 2010), as well as being provided with a Statement of Choice through the Kent Homechoice System ([www.kenthomechoice.org.uk](http://www.kenthomechoice.org.uk)).

In accordance with The Local Authority Order 1996 (SI 1996 No 3205), Sevenoaks District Council (SDC) has contracted out the management of the register to West Kent Housing under a series of Service Level Agreements.

## 2. Eligibility to join the Housing Register

### 2.1. Who can join the Sevenoaks District Housing Register (SDHR)

Subject to the exclusions outlined in section 5 below, anyone living in the United Kingdom who is over the age of 16 can apply to join the housing register if they:

- a) have a genuine reason for seeking affordable housing in Sevenoaks District;
- b) have a local connection to the Sevenoaks District (see section 3.1 for full details);
- c) are applying for a social housing property to use as their only or principal residence; and
- d) are capable of maintaining a tenancy.

Local housing authorities may only allocate accommodation to people who are defined as 'qualifying persons' under the Housing Act 1996. The Government has granted all housing authorities, including this Council, the power to decide the criteria of people who are, or are not, classed a qualifying person for the register. It should be noted that individual Registered Housing Providers might have their own letting and eligibility rules.

Sevenoaks District Council is part of the Kent Homechoice Partnership that advertises vacant properties in this District using an online Choice Based Lettings Scheme. Some exceptional circumstances, as outlined in this Policy, may mean that properties are advertised or allocated in partnership with the relevant housing provider.

Once an applicant has been accepted onto the Housing Register, a decision will be made as to the size of property they are eligible to bid for under the Kent Homechoice Lettings Scheme using the National Bedroom Standard.

All applications to the register should be made by completing an on-line application available at <http://www.kenthomechoice.org.uk/register.aspx>.

Those without access to the internet should contact The Housing Options Team, West Kent Housing Association, 101 London Road, Sevenoaks, Kent, TN13 1AX for assistance.

### 2.2. 16 and 17 year olds and Care Leavers

*The text highlighted in red forms the operational changes which went out to public consultation  
The blue text is the additional changes as a result of the consultation responses.*



Applicants aged 16 and 17 can join the Housing Register. If they are successfully offered a property, the tenancy will be held in trust until they reach the age of 18. There is no legal necessity for a guarantor for this age group, but a guarantor (such as a parent, legal guardian, social worker or relative) would be beneficial to ensure the young person is able to successfully manage being a tenant. If a 16 or 17 year old is successful for a tenancy, they will be referred to Kent County Council to assess if they require any additional support, particular at the outset of the tenancy. Standard affordability criteria's will apply.

Care leavers and 16/17 year olds applying to join the Housing Register will be considered in accordance with the relevant Kent Housing Group protocols in place between Kent County Council and Kent district and borough councils.

### 3. Qualifying to join the Register

Only those who:

- Can demonstrate a local connection to the District, and;
- Have been assessed as having an identified housing need, and;
- Are not currently suitably housed

are eligible to apply for inclusion on the Sevenoaks District Housing Register.

#### Suitability/adequacy of current home

Only those who are not currently suitably/adequately housed will be eligible to apply to join the Housing Register. An applicant will be considered to be suitably/adequately housed if all the following apply:

- The number of bedrooms in the home is sufficient for the household, in accordance with the Bedroom Standard (see paragraph 7.4);<sup>1</sup>
- The household spends 35% or less of their gross household income (including any benefits other than those excluded benefits listed in paragraph 3.3) on the rental costs of their home;
- The applicant and their household are able to reside together (except as set out in paragraph 6.6);
- The property is fully accessible to all members of the household;
- The property is located within the Sevenoaks District

If an applicant's circumstances means that any one of the elements listed above are missing, the applicant will not be considered to be suitably/adequately housed as part of this Policy.

#### 3.1. Local Connection

An applicant can only join the Housing Register if they have a local connection to the Sevenoaks District and are assessed as having a housing need, as defined by this Policy.

There are a number of defined exceptions to the local connection qualification rules. Full details can be found below.

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<sup>1</sup> In accordance with the 'Bedroom Standard' formulas in Part 10 of the Housing Act 1985 and the Housing Benefit Regulations

## Agenda Item 9

To demonstrate a local connection to the District, applicants must meet at least one of the following criteria:

- a) Have lived permanently in Sevenoaks District continuously for the last 2 years, or 3 years in total out of the last 5 years;
- b) Be in paid full or part time employment in Sevenoaks District, for a minimum of 16 hours per week. See section 3.2 below for further details. This relates to adults of a working age, for details relating to older people see sections 3.4, 4.2 and 6.7.
- c) Have close family (typically but not exclusively relating to mother, father, brother, sister, son or daughter) that has lived in Sevenoaks District for a minimum of the last 5 years and the circumstances are that they need to give or receive essential care and/or support for the foreseeable future. It is the responsibility of the applicant to provide documentary evidence to show the level of support will be required by the applicant to demonstrate it is significant and ongoing and is not short term or low level (e.g. occasional or infrequent help with a task). This would be assessment on a case-by-case basis. This may older people needing to move to the District to be closer to family and/or social networks; this would be considered on a case-by-case basis.
- d) Applicants to whom the Council has accepted a full homelessness duty under section 193 (2) of the Housing Act 1996.
- e) A local connection is automatically applied for any serving or ex armed forces personnel or War Widows/Widowers, see section 4.1 below for full details and applicants fleeing domestic abuse or violence.

For the purposes of determining a local connection, the Council will not consider a holiday let, including bed and breakfast accommodation booked for holiday purposes, as a local connection.

There may be times when it is not appropriate to apply the local connection provision set out within this Policy. In these circumstances, the Council and the Managing Agent can on behalf of the Council, exercise discretion not to apply the local connection provisions in exceptional circumstances. Each case will be assessed on its merits.

For properties on Rural Exceptions Sites, different local connection criteria will apply. See Section 3.6 for full details.

### 3.2. Employment in Sevenoaks District

A working age applicants will be considered to have employment in the District and therefore may meet the local connection criteria if they are:

- a) In paid full or part time permanent employment for 16 hours or more per week and their actual working location is within Sevenoaks District; or
- b) Working in Sevenoaks District on a temporary or zero-hour employment contract that has been in place for at least 6 months and can demonstrate they have worked at least 16 hours per week since starting the employment contract;
- c) Self-employed applicants are required to demonstrate that their permanent base of operations is within the Sevenoaks District, even if their work requires them from time to time to work outside of Sevenoaks District;
- d) The employment must be the actual place of work in Sevenoaks District and not employment based on a head office or regional office situated in the District but from which they do not work;

- e) Where an applicant can provide evidence that they are unable to engage in paid work, a community contribution including substantial voluntary work, employment related training and registered foster carers. See the criteria below for full details.

At least one adult member of the household must be employed at the point of application and at the point of nomination for a property, in accordance with validation process of the relevant housing provider. The applicant must provide evidence that a permanent job offer has been accepted and meets the above criteria. It will be the applicant's responsibility to provide documentary evidence to satisfy this Council that the work or job offer is genuine. Appropriate evidence could include:

- a contract of employment
- wage/salary slips or bank statements covering the last three months;
- Tax and benefits information – e.g. proof that the applicant is in receipt of working tax credit (if eligible).

Where the employment status of an applicant does not meet the criteria in 3.2 a) to d) above, a decision on local connection will be made by the Managing Agent in consultation with the Council.

This criterion only relates to adults of a working age, for further details relating to older people see sections 3.4, 4.2 and 6.7.

For details, relating to employment can be found under the 'Right to Move' section of this Policy (Section 3.5).

### Community Contribution

Where an applicant can provide evidence that they are unable to engage in paid work, a community contribution including substantial voluntary work, employment related training and registered foster carers. This contribution must be within the District and would be considered on a case-by-case basis.

To qualify for the Register through a community contribution, at least one member of the household must meet the following criteria:

- Carry out volunteering or community activities for at least six months; and
- For a minimum of 64 hours per month, up to the time of application; and
- For at least six months up to when a property is offered.
- Volunteering must be with a recognised not-for-profit organisation, charity or faith-based community group/organisation.
- Provide required evidence that the contribution meets this criteria.
- Be able to provide at least one reference to confirm the circumstances of the volunteering/community activity and to determine the future longevity of this activity.

### **3.3. Income and Asset Thresholds**

Maximum income limits have been set as part of this Policy and anyone above these limits will not qualify to access the Housing Register. This is to ensure that social housing is allocated to those in the greatest need due to their housing priority and affordability.

## Agenda Item 9

The Council has the authority to decide who will or will not qualify to join the Register as part of its housing duties<sup>2</sup>, this includes whether an applicant has financial resources available to meet their needs. An applicant may not be deemed as a ‘Qualifying Person’ if:

- The household income exceeds the income limited (benefits are included with the exception as set out below);
- Have the means to purchase property on the open market or via shared ownership.
- Have the means to privately rent suitable accommodation for a minimum of one years.

The income and saving/asset limits, together with the exceptions, are set out in this Policy below.

Due to the pressure on social housing in this District, those with sufficient assets and/or income will not be allowed to access the Housing Register as they can pursue other housing options. If an applicant is unsure if they qualify because of their household income and asset thresholds, they should contact the Council’s Housing Advice Service or the Managing Agent for further advice. If they are above the thresholds and unable to access the Register, Housing Officers at Sevenoaks District Council can assist with other available housing options. The Housing Advice Team can be contacted on 01732 227000.

It is the applicant’s responsibility to provide all financial information and supporting evidence relating to all members of the household and to update the Managing Agent of any changes from the original housing application immediately. Any person who knowingly withholds or falsifying any financial information, on their housing application about their total household finances, may be guilty of committing a criminal offence and could face a conviction or fine if prosecuted. This will also result in a disqualification or suspension from the Housing Register, withdrawal of a tenancy offer or further legal action. See Section 6.14 for full details.

### 3.3.1. Income Limit Summary

A household cannot qualify if they have a total gross household income that exceeds that set out below. Income that is assessed will include both gross earned income and income from benefits (excluding disability related benefits). This is the total combined income across all members of the household and is based on the household size and bedroom need<sup>3</sup>:-

<b>Household size</b>	<b>Maximum Income Limit (per annum)</b>
1 bedroom need	£30,000
2 or more bedroom need	£40,000

This gross income of all household members will determine eligibility and will include:

- Gross wages or income;
- Any regular cash deposits from others;

<sup>2</sup> In accordance with Section s.160ZA (6)(a) Housing Act 1996 (as amended by the Localism Act 2011) which allows the authority to decide who will be or will not be a qualifying person and section 166A (5)(a) of the Housing Act 1996

<sup>3</sup> In accordance with the ‘Bedroom Standard’ formulas in Part 10 of the Housing Act 1985 and the Housing Benefit Regulations

- All Benefits and Allowances received by all members of the households (including those that are means tested but excluding disability related benefits). Exclusions from this calculation are listed below.

Financial payments excluded and therefore not included within this calculation are:

- Guardians or Fostering Allowance;
- Disability Living Allowance (DLA);
- Attendance Allowance (AA);
- Personal Independence Payment (PIP);
- Armed Forces war pensioners' mobility supplement (AFIP);
- Armed Forces Independence Payments;

These are all payments designed to help people with the extra costs they have to incur because of a disability or some other specific living arrangement. Therefore, other payments of this nature may also be excluded and considered on the evidence provided by the applicant. It is the responsibility of the applicant to provide the relevant evidence and documents to enable the income calculation to be undertaken.

### 3.3.2. Capital Assets and Savings Limits

In addition to the income limits above, applicants applying for general needs properties cannot have capital assets or savings that exceed £16,000 in total across all members of the household (for all general needs household sizes). This figure is in line with the current housing benefit savings limit. Assets include equity in any home owned.

Applicants applying for housing that is designated specifically for those aged 55+ (including sheltered, supported housing and extra care schemes) may have savings and/or assets up to the value of £350,000.

### 3.3.3. Limited Exceptions - Income and Asset Thresholds

Fostering/adopting - Applicants who are approved foster carers or a prospective adoptive parent with appropriate supporting documentation, who do not meet the financial limits, but who can clearly demonstrate that they are not able to access the open housing market, may be considered for inclusion on the register. A full financial assessment will be undertaken and the application considered by the Social and Welfare Panel (see Appendix 4 for Social and Welfare Panel details). Confirmation in writing will be requested from the relevant County Council or adoption agency.

Help to Buy (Low Cost Ownership Schemes (LCHO)) - This restriction does not prevent applicants being considered for any Help to Buy schemes as set out in section 5.3.2 (e.g. Shared Ownership). The rules for being accepted onto the Help to Buy Register are different and are applied on a scheme by scheme basis. If the gross household income exceeds the Income and Asset limits in this Policy, but is below £80,000, the applicant may still apply to Register under 'Help to Buy' for a LCHO assessment. Those with an income below £80,000 (the current government set 'Help to Buy limit) may be eligible for affordable housing through a LCHO scheme. Those with a household total annual income of £80,000 will not be eligible for any affordable housing options. These amounts are subject to change in line with the government's 'Help to Buy' limits.

## Agenda Item 9

Special Circumstances - The Managing Agent in consultation with the Council may choose not to apply these criteria where the applicant or a member of their household, despite having the financial means to resolve their housing situation, cannot resolve the situation in a reasonable period of time and their housing needs are so urgent and exceptional as to require social housing.

Vulnerability - Vulnerable clients whose income exceeds the financial limits but who have documentary evidence to show that they cannot access private rented accommodation or LCHO may be assessed by the Social and Welfare Panel to be able to join the Housing Register.

### 3.4. Older People's properties

Anyone who is over the age of 55 and meets the qualification to join the Housing Register can apply for sheltered or supported housing (specifically for this age group) if they:

- are either aged 55 or over or;
- can provide evidence that their projected income is anticipated to fall below the current income limit at the time of retirement.

The size of the housing specifically designed for over 55's (including sheltered or Extra Care), may include one bedroom more than they require e.g. enabling the applicant to bid on two bedroom sheltered housing even if they only have a one bedroom need. Any offer is subject to an affordability assessment to ensure ongoing rental costs can be met.

The support and housing needs of an applicant will be assessed by sheltered housing team of the relevant housing association. Where it is identified that an applicant is bidding on accommodation that is not suitable for their needs, an assessment will be made to support them to identify a suitable home. Individual housing associations may vary this age criteria.

Applicants for extra care housing schemes in the District will be assessed by a Joint Allocations Panel who will consider the applicant's care, support, social and housing needs. The Panel will include representatives from Sevenoaks District Council, Kent County Council, housing association and care provider. On occasions, extra care properties may be advertised and allocated outside the Choice Based Lettings scheme.

If required, the Managing Agent will support the applicant to apply and bid on properties advertised via the Choice Based Lettings scheme. Where applicants are a current tenant of a housing association, this support should be provided by their existing landlord.

### 3.5. Right to Move Applicants

The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/ 967) and corresponding statutory guidance, allow existing social housing tenants to be allocated social housing across local authority boundaries within England for work related reasons. This may include a need to move to be closer for work or to take up a job offer.

The onus is on the applicant to provide the information needed to evidence the 'Right to Move' to alleviate hardship. In determining hardship, this Council will take into account:

- a) Distance and/or time taken to travel between work and home;



- b) The availability and affordability of transport, taking into consideration the level of the applicant's earnings;
- c) The nature of the work and whether similar opportunities are available closer to home;
- d) Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move;
- e) The length and type of the work contract;
- f) Whether failure to move would result in the loss of an opportunity to improve the applicant's employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship.

These factors will be taken into account when considering each applicant on a case-by-case basis. It will be up to the applicant to provide evidence to support their application. Work that is short term and voluntary (unpaid) is not included. The work should be for at least 16 hours per week and for at least the minimum wage, or an apprenticeship, and expected to last for at least a year.

### 3.6. Rural Exception Site Homes and Parish Connection

Some properties or developments have a specific local connection requirement in their planning or funding conditions, such as rural exceptions sites and those developed under planning agreements. In these cases, there will be restrictions on who can bid for the home and this will be made clear in the advert for the vacant property. This type of qualifying criteria is usually agreed as part of planning or funding conditions (known as a Section 106 Agreement). In these circumstances, local connection criteria will usually mean connection to a village or parish rather than the district as a whole.

Applicants who are only interested in Rural Exceptions Sites homes must clearly state this on their Housing Register application form. Such applicants will not be considered for general properties advertised through the Housing Register for Sevenoaks District.

The District Council's Local Plan (Policy SP4) establishes the local connection criteria for Rural Exceptions Site homes<sup>4</sup>. This criterion is then set out in the planning permission (Section 106 agreement) applying to each Rural Exceptions Site home. These are available from the District Council's Housing Policy team on 01732 227000 or email: [housing.policy@sevenoaks.gov.uk](mailto:housing.policy@sevenoaks.gov.uk).

An applicant can demonstrate a local connection for a home on a Rural Exceptions Site if they:

- Live in the Parish and have done so continuously for the last three years to date; or
- Have lived in the Parish for at least five out of the last ten years to date; or
- Have been a member of a household currently living in the Parish and have close family resident in the Parish for a minimum of 10 years continuously; or
- Are employed full time in the Parish on a permanent basis or those who will be taking up such employment and whose main place of work is within the Parish; or
- Are providing an important service in the Parish requiring them to live locally.

The Section 106 agreement will set out which is the primary Parish (i.e. normally, this is where the homes are located). Applicants from the primary Parish will have priority over all

<sup>4</sup> For full details of the criteria and definitions, see the Council's SP4 Policy within the Local Plan at <https://www.sevenoaks.gov.uk/localplan>

## Agenda Item 9

other applicants on the Housing Register who have made a bid for the vacant home. All applicants from the primary Parish will then be considered in order of the Banding Criteria. The current Policy is that the home will be allocated to the applicant with a local connection to the primary Parish, who has the highest Banding and earliest date of registration under the Housing Register.

If no applications are received from those with a local connection to the primary Parish, applications will then be considered from those with a local connection to a Neighbouring Parish (these are specified in the Section 106 Agreement). All such applicants will be considered in the same way as described above.

If no applications are received from those with a local connection to the primary Parish or Neighbouring Parishes, the Council may consider:

- Applications from all other applicants from the Housing Register who have made a bid for the vacant home;
- Use other means of identifying a suitable application for the property, as there are no interested, relevant or suitable Register applicants;
- Offering a direct let from a Registered Housing Provider's waiting list or advertising the properties using other methods.

The District Council's Local Plan is being updated and a new Plan is due to be adopted in the summer of 2019. Priority will still be given to those with a local connection to the primary Parish. However, how applications are then considered may change and this Policy will be updated to reflect any changes within the new Local Plan.

All applicants for Rural Exceptions Site homes will need to provide proof of their local connection to the Parish/Neighbouring Parish. Very strict turnaround times apply when homes become vacant. Applicants must therefore be ready to provide proof of their local connection when asked to do so by the housing association landlord within 3 working days of a request being made. Failure to do so may result in an application being rejected or overlooked. Due to the very strict turnaround times, it is therefore recommended all correspondence and proof of connection is done via email.

### 3.7. Alternative Affordable Housing Options

Often renting privately can be a quicker route to accessing affordable rental properties, particularly as the demand for social housing far outweighs the supply. The Council may offer applicants a property in the private rented sector, subject to eligibility and affordability. These offers are subject to specific regulations put in place by the Council to protect the health and safety of tenants. Other affordable housing solutions are subject to availability and where applicants can be matched to available affordable and suitable homes, for a longer term or an interim period.

As part of the Council's housing advice and support duties, Register applicants may be contacted with alternative housing options suitable to their needs, such as low cost home ownership options and private sector renting, as opportunities arise. This may include help to access a private rented property, for a minimum of six month, with a tenancy or lease arrangement with a private landlord or alternative housing provider.



The Council's affordable housing schemes may be able to assist an applicant with their upfront financial costs, such as a deposit or required rent in advance, subject to eligibility and ongoing affordability. Further details about these Schemes are available at [www.sevenoaks.gov.uk/housing](http://www.sevenoaks.gov.uk/housing). From time-to-time the Council may contact Register applicants to offer them further affordable housing opportunities including affordable and private rental properties, rural exception properties and shared ownership, which is often a quick route to finding the right home.

#### 4. Exemption to the local connection rules

##### 4.1. Armed Forces Personnel

One exception to the District's local connection criteria is Armed Forces Personnel<sup>5</sup> or War Widows/Widowers meeting the criteria below. The following people are able to apply to the Housing Register in this District regardless of whether or not they meet the District local connection criteria. This exception is set by housing legislation<sup>6</sup> and has not been decided locally. This includes:

- Those who are currently serving in the regular forces or who were serving in the regular forces at any time in the 5 years proceeding their application to the Housing Register;
- Bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased to be, or will cease to be, entitled to reside in Service Family Accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly connected to their service;
- Serving or former members of the Reserve Forces who need to live in the District because of a serious injury, illness, medical condition or disability that is wholly or partly connected to their service.

##### 4.2. Over 55's wishing to downsize

If an applicant is aged over 55 and currently living in Sevenoaks District wishes to downsize, they may be considered for sheltered or supported housing (specifically designated for this age group) even if they do not meet the local connection rules. This would ensure that their required support and housing needs are met and to release another property in this District.

Households applying for extra care housing will be subject to a Joint Allocations Panel when allocating properties. See section 3.4 above for full details relating to properties for older people.

##### 4.3. Threats of violence and/or domestic abuse

Applicants who are victims of domestic abuse, at risk of threats of domestic abuse/violence or those who escaping domestic abuse, may be exempt from requiring a local connection. The Council will support an applicant who is homeless and require urgent re-housing as a result of violence or threats of violence. This includes intimidated witnesses and those escaping serious anti-social behaviour or domestic violence or abuse.

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<sup>5</sup> as defined by S.374 of the Armed Forces Act 2006

<sup>6</sup> The Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 (SI 2012/1879)

## Agenda Item 9

A person has a homelessness priority need if they are vulnerable as a result of having to leave accommodation because of violence from another person, or threats of violence from another person that are likely to be carried out. An assessment of this risk will be carried out as part of any homelessness approach made to the Council, under the Homelessness Reduction Act 2017 assessment of priority need.

In cases involving violence, the safety of the applicant and ensuring confidentiality is the paramount concern. Advice and guidance on local services including the Multi-agency Risk Assessment Conference (MARAC), specialist refuges and support services will be available from the Council's Housing Advice Service.

### 4.4. Exceptions process

Sevenoaks District Council retains the authority to exercise its discretion when making decisions with regard to someone being accepted or banded awarded on the Housing Register. This will be related to 'exceptional circumstances' which is defined as an additional social and/or welfare need above the housing need which has been evidenced by the Housing Officer, support or partner agency. See Appendix 4 for further details regarding social and welfare needs.

## 5. Exclusions – Non-qualification rules

### 5.1. Housing Register exclusions

Some people are excluded from the Housing Register either due to government regulations or because the Council has decided to exclude them. This could be because they are not considered suitable to be tenants (because of their previous recorded conduct) or because the Council has to prioritise the use of housing stock.

We cannot nominate someone for housing if they are ineligible for an allocation of housing accommodation by being subject to immigration control or a person from abroad who is ineligible<sup>7</sup>. See section 5.3 below for further information.

If it is considered that an applicant is not eligible to apply for the Housing Register, the Managing Agent will inform them in writing of this decision, stating the grounds for the decision, within the Notice of Determination letter. This letter will include how the applicant can request a review of this decision. If the applicant is affected by these exclusions, they can contact the Housing Advice Service at the Council for further advice.

### 5.2. People who **WILL** be excluded from joining the housing register

Current legislation states or allows that the following are ineligible to join the Housing Register and they **will be excluded**:

#### 5.2.1. Immigration Status

- People from abroad subject to immigration control or regulations, or people prescribed as 'ineligible' by Regulations made by the Secretary of State.

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<sup>7</sup>Housing Act 1996, s.160ZA (1), (2) and (4) and Regulations 3 and 4 Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294

- A person from abroad who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996 will be ineligible, unless they are of a class of persons prescribed by the Secretary of State who are subject to immigration control but are eligible for an allocation.
- Certain persons from abroad, who are not subject to immigration control, and fail the habitually resident test in the Common Travel Area (as defined in the Allocation of Accommodation Code of Guidance for local housing authorities).
- Any application identified as falling under the Asylum and Immigration Act 1996 will be assessed in accordance with the Act.

The Council reserves the right to seek independent advice and assistance to resolve the issue of eligibility. This may mean contacting the Home Office Immigration and Nationality Directorate.

### 5.2.2. No Local Connection

- Details of local connections are set out in section 3.1.
- Applicants who do not have a local connection with the District will be excluded from the Sevenoaks District Housing Register. They may still be able to access housing advice and support through the Council's Housing Advice Service. An exception to this is Armed Forces Personnel or War Widows/Widowers meeting the criteria set out in section 4.1 and applicants fleeing domestic abuse or violence, as set out in section 4.3.
- Anyone who is aged over 55 and living in the District already, who wishes to downsize to a smaller property may apply to the Register, even if they do not meet the local connection rules. For example, they have lived in the District less than two years continuously. However, they will only be considered for accommodation specifically designated for this age group and the financial limit rules will apply. This is to assist with freeing up family sized properties in the District.
- Applicants with a local parish connection to a Rural Exceptions Site property, who do not meet the District local connection criteria, will only be eligible to place bids on properties where they meet the criteria and parish connection to apply for a relevant Rural Exceptions Site properties. Such applicants will not be considered for general properties advertised within the District (see section 3.6 for full details on exception sites).

### 5.3. People who **MAY** be excluded from joining the housing register

#### 5.3.1. Home owners

If an applicant (including anyone in the household covered by the application) owns a property, they are not eligible to join the Register (this includes properties owned and rented out to other persons and or properties in other countries). The exemption is **unless** the applicant can demonstrate there are exceptional financial and personal circumstances that prevent them from living in this accommodation or securing other suitable accommodation to meet a housing need. For example: they have insufficient resources to pursue Help to Buy (low cost home ownership) and/or a medical condition or disability, or other vulnerability including risk of homelessness due to mortgage arrears following illness or job loss). This will be assessed the Managing Agent in consultation with the Council on a case-by-case basis.

Owner occupiers aged 55 and over whose savings and assets fall within the limits (set out in section 3.3), and they meet the local connection criteria, can apply to the Register, but will

## Agenda Item 9

only be considered for housing designated for this age group (this includes sheltered or extra care housing).

### 5.3.2. Help to Buy Shared Ownership

All applicants are required to provide details of their income and assets. If applicants exceed the financial limits for the Register but have sufficient funds to access home ownership options, then the housing advice service can advise accordingly. Those with an income that exceeds the current government 'Help to Buy' limit of £80,000 will not be able to register for LCHO and will not be eligible for any form of affordable housing.

Help to Buy is a range of home ownership products designed to assist people who cannot afford to buy a property on the open market. Local Help to Buy Agents are appointed by the Government to administer the schemes to support how to access these low cost home ownership (LCHO) options. For details of the Help to Buy Agents, visit [www.helptobuyese.org.uk](http://www.helptobuyese.org.uk). Other options available may include Help to Buy, shared ownership and shared equity.

### 5.3.3. Financial limits

Applicants will be required to provide proof of income and assets for all members of the proposed household over the age of 16. Savings and financial assets will be assessed on a case-by-case basis to determine whether or not the applicant is able to secure suitable housing.

Applicants with a household income above the financial limits, as outlined in Section 3.3 of this Policy, will not qualify to be included on the Housing Register. Applications who are assessed as having savings and/or financial assets (including capital), which are sufficient to allow them to meet their housing needs, will not qualify for the Housing Register.

### 5.3.4. Unacceptable Behaviour

This will apply where the applicant (including any member of the current or prospective household) has a history of serious unacceptable behaviour or former rent arrears, which in our view makes the applicant unsuitable to be a tenant<sup>8</sup>.

We will determine whether the behaviour and/or former or current rent arrears means that they cannot qualify for the Register. We will not be restricted to applying a test of whether the behaviour would entitle the landlord to a Possession Order (if the applicant was a tenant).

Whether the behaviour and/or former or current rent arrears means that the applicant cannot qualify for the Register will be decided by a register officer working for the Managing Agent. A right to have a review will then be carried out by a senior officer for the Managing Agent in consultation with Sevenoaks District Council.

Reasons for non-qualification, including but are not limited to anti-social behaviour, where:

- i. The Applicant, or any member of the household, has assaulted or been unnecessarily aggressive to a member of staff. This may include an officer employed by Sevenoaks District Council, housing association or partner agency involved in the application.

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<sup>8</sup> In accordance with s160ZA (8) of the Housing Act 1996, as amended by the Homelessness Act 2002

This exclusion may include where an injunction is being sought or has already been obtained. This type of behaviour may include, but not limited to: violence; verbal abuse; threats of violence or other aggressive behaviour or;

- ii. Nuisance or annoyance to neighbours, or any other persons, which includes anti-social behaviour, forms of abuse, discrimination and harassment;
- iii. The Applicant, or any member of the household, have knowingly given false or misleading information or withheld information that has been reasonably requested;
- iv. The Applicant has rent arrears and a recoverable housing related debt (except where this has been verified by the Council as being through no fault of their own). This includes failing to uphold repayments as part of a housing debt repayment plan;
- v. The Applicant has been non-compliant with a current or former tenancy agreement. This may include obtaining a tenancy by deception, allowing the condition of a property to deteriorate, using the property for illegal or immoral behaviour.

As rent arrears or recoverable housing-related debt may prevent the applicant from being considered for an allocation of a property, it is important that the applicant demonstrates they are taking reasonable steps to address the debts. This would be assessed based on evidence provided by the applicant and considered on a case-by-case basis.

For further advice and support can be provided by the Housing Advice Service at Sevenoaks District Council on 01732 227000 or email [housing@sevenoaks.gov.uk](mailto:housing@sevenoaks.gov.uk). For independent advice and support, contact a local Citizens Advice service.

Applicants who are excluded will be informed in writing and will be advised of their statutory right to request a review of this decision; see section 9.1 for further details of the review process.

For the applicant to be able to re-apply for the Register at a later date, it is important that you can demonstrate that you have taken reasonable steps to address the issues within the original exclusion.

## 6. How to Apply for Social Housing

### 6.1. How to join the Housing Register

Any applicant interested in joining the Register can undertake the pre-assessment process on the Kent Homechoice website at [www.kenthomechoice.org.uk](http://www.kenthomechoice.org.uk) to find out whether they qualify. If an applicant qualifies to join the Register, they must apply through the Kent Homechoice website by completing the online application form, this is a choice based lettings scheme, and it is used all across Kent. They must include on the application all members of the household, i.e. people who live with them, or would reasonably be expected to live with them.

Applicants who are verified as meeting the eligibility and qualification rules will be registered on Kent Homechoice. It is the applicants' responsibility to ensure that the information provided on the application form is correct and all the required supporting documents must be provided within 28 days of making the application or within an appropriately agreed timescale. See Appendix 3 for details of the required documents. The applicant will then receive a registration letter and a Welcome Pack that contains a user guide. The letter will also state the Band according to the housing needs, the size of property they are eligible for and a unique Kent Homechoice reference number. This letter may be sent electronically to the applicant's email address on the Register application.

## Agenda Item 9

Once registered, the applicant can bid on advertised social housing properties in the area of their choice within Sevenoaks District.

The Managing Agent is able to set up an auto-bid process on behalf of the applicant if required, and this can be discussed directly with the Managing Agent. This enables bids to be made automatically in the areas specified by the applicant.

**Failure to bid on suitable and reasonable properties within the applicants chosen and preferred areas within a 12 months' period may result in the applicant being removed from the Housing Register; see section 10.2 for further details.**

Any applicants without access to the internet can contact the Allocations Team, West Kent Housing Association, 101 London Road, Sevenoaks, Kent, TN13 1AX, or call 01732 749400 for assistance with applying and bidding on the Register.

### 6.2. Assessing Applications

In order to assess the applicant's housing need, a housing register officer will use a needs based Banding System scheme, Banding A to D. The full details of the Banding system are set out in Section 7.2 and Appendix 2 of this policy.

The Bands are awarded to reflect the applicant's housing need, based on the information provided on the application and supporting documents. The housing needs reflected in the highest Band (A) indicates the greatest need for housing. Usually an application may be linked to several factors across different priority bands; the highest factor that applies to applicant's circumstances will determine which Band they are placed in. For example, an applicant with an emergency medical condition will go into Band A, even if their other circumstances are linked to a lower band.

**It is the applicant's responsibility to ensure that all the required information and supporting documentation are provided to within 10 working day from request. Incomplete applications will not be made active until such time when all information has been received to complete an assessment. If the application is incomplete, it will be cancelled after a period of 28 days from the date the information was requested.**

A cancellation of this nature does not prevent the applicant from making another application at a later date. In these cases, the effective date of registration will not be backdated to the earlier application date.

If the applicant is a current or previous tenant, a reference may be requested from the current or previous landlord. If applicable, references may also be requested from a recent landlord. Where a landlord does not reply, a reminder will be sent and, if still not forthcoming, any other information or records available will be checked to try to determine whether there have been any concerns over the way an applicant may have conducted their tenancy.

The applicant will not be disadvantaged if, despite every effort, it is not possible to obtain a reference from current or previous landlords.

### 6.3. Data Sharing and Declaration



As part of the online Register application, the applicant will be required to sign a declaration to:

- a) Confirm that the information given is correct and that any changes of circumstances will notified the Managing Agent or Council;
- b) Give consent to allow enquiries to be made concerning their eligibility for housing and level of priority;
- c) Give consent to allow information to be provided to other partner organisations in the scheme.

To determine eligibility for the Housing Register, the Managing Agent or Council will make any enquiries they deem necessary in order to assess the application. This may include information sharing with professionals such as health professionals, Kent County Council, other Council departments and the Police etc. By submitting personal information on the Housing Register application form, the applicant is giving permission to share information with other housing providers and statutory agencies as needed to process and verify the application, in accordance with Kent Data Sharing Protocols.

### 6.4. Applicant checks

In the interests of assessing an applicant's eligibility to join the Register, all members of the prospective household will be requested to disclose any pending court cases or unspent criminal convictions.

The Managing Agent or Council may use any information disclosed during the application, assessment and allocation of property processes to find out whether the applicant qualifies for joining or remaining on the Register.

Where a criminal conviction is spent<sup>9</sup>, this will not be taken into account. The assessment will reflect whether there is evidence of any current serious unacceptable behaviour regardless of any previous convictions of this nature.

If during the assessment process, it is felt that there is a need for a police check, the Disclosure and Barring Service may be contacted for information. This is to establish if there has been any involvement in serious crimes that constitutes as 'unacceptable behaviour' within the non-qualification criteria of this Policy.

Information gained will not automatically exclude the applicant from the Register. It may also be used to make informed decisions about any nomination for vacant property. All assessments will be carried out in accordance with the data protection and information sharing policies and legal requirements.

### 6.5. Joint applications

Joint applications will be accepted and will be treated as one application. The housing need of the full household will be considered in assessing housing needs. When allocating to two or more persons jointly, at least one of the persons must qualify and all of them must be eligible (see section 3 for details). However, in relation to the housing associations that are part of this Policy, some individual association may decide whether to allow a joint tenancy depending on their own rules.

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<sup>9</sup> In accordance with the 'spent convictions' definitions outlined in the Rehabilitation of Offenders Act (ROA) 1974

## Agenda Item 9

### 6.6. Households with access to children/shared residency order

As part of the assessment process, the applicant will record whether children live with them part of the week, whether or not this arrangement is set by the court or not. All children should be detailed on the application; however, applicants should be aware that this does not automatically mean they will be guaranteed an additional bedroom(s) for the child/children.

Social housing is a scarce resource and therefore social housing can only be allocated to those who have a housing need. In certain situations, a child will have a permanent place of residence with another parent and it will only be in exceptional circumstances that it would be reasonable to expect a child who has a home with one parent to be provided with another home<sup>10</sup>.

It is the applicant's responsibility to ensure they provide evidence of any court order or residency order and proof of child benefit and tax credits as part of the application process.

### 6.7. Housing for People Aged 55+

Some housing within the District is advertised and offered to specific target groups. The need for supported/sheltered properties for people aged over 55 is a priority in this District as the older population increases. See section 3.4 above for further information.

### 6.8. Notification of Registration

When an application has been fully assessed, the applicant will be notified in writing and this notification will include the following information:

- Whether they qualify for the register and, if not, why not;
- If the applicant does qualify, they will be notified of the registration date and unique Kent Homechoice registration reference number to enable the applicant to start bidding on properties, and;
- The allocated Band according to the assessed housing need and the type of property the applicant can bid for;
- Details of the applicant's right to request a review of the decision. This may include querying the allocated banding or in certain other specified circumstances (see the review section 9.1 below for further details).

### 6.9. Change of circumstances

It is the applicants' responsibility to let the Council or Managing Agent know of any change of circumstances for any and all members of the household and, where requested, provide proof of that change. Notification of a change in circumstances should be done as soon as possible and within 2 weeks of any change. Registered applicants should fill in the online change of circumstances form available at [www.kenthomechoice.org.uk](http://www.kenthomechoice.org.uk) and submit evidence. Examples of a change in circumstances include, but are not limited to:

- a. A change of address or contact details, for any members of the prospective household;
- b. A change in medical condition or disability (either existing or newly diagnosed);

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<sup>10</sup> Holmes-Moorhouse v Richmond upon Thames 2009



- c. A request for additional family members or other people wishing to be added to the application (This will be subject to an assessment and the rules set out in this policy);
- d. Any family member or any other person(s) on the application who is no longer part of the household; and
- e. Any significant changes in income, savings or assets that may require a reassessment of the application.

It does not follow that every change in circumstance will result in a change in priority. The information provided by the applicant will be used to reassess their priority and may result in no change to priority band, change to higher or lower priority or may result in your application being removed from the register if you no longer qualify under this policy.

The applicant will not actively be considered for social housing whilst the change of circumstance is being verified and we undertake to assess the change of circumstances as quickly as possible. Checks will be made on an application's current circumstances before an offer of a tenancy is made. Failure to notify the Managing Agent of a relevant change in circumstance may result in the application not being valid at the time of offer and they will not be offered a property.

### **6.10. Reviewing and Renewing Housing Applications**

Every applicant on the Housing Register will have their application reviewed annually or more frequently, as required. This will be on a rolling basis depending on the operational processes adopted at any time for reviewing the Register. A letter will be sent to all applicants requesting confirmation of the current circumstances and whether they wish to remain on the Register, this may be sent electronically to a given email address. Failure to complete the annual review will result in the application being cancelled and the need to re-apply. If a reply is not received within 28 days of the date sent, the application will be cancelled in line with 6.11 below.

*As part of the annual Review, the Managing Agent may discuss the applicant's bidding and offers, which may relate to the terms and restrictions detailed of this Allocation Policy, as outlined in Section 7 and 10.*

The Allocations Policy is monitored to make sure that allocations made reflect current housing needs and meet legislation requirements. This policy will be reviewed and updated regularly, particularly when changes in legislation and/or operational processes are required, to ensure the Housing Register continues to meet local housing needs.

### **6.11. Cancelling Applications**

An application will be cancelled from the Housing Register in the following circumstances:

- a) At the request of the applicant;
- b) If the applicant (including all household members) become ineligible under one of the eligibility and qualification rules;
- c) When the applicant has been housed;
- d) On failure to reply to a review letter or requests for further information within a given time period;
- e) Where it is discovered that the applicant has given false or misleading information;
- f) If the applicant fails to bid on any properties, which are suitable to the household size and within preferred locations within a 12 month period.

## Agenda Item 9

- g) If the applicant refuses two suitable and reasonable offers of a property, for which the applicant has placed a bid.

In circumstances b), e), f) and g), the applicant will be notified in writing including the reason why the application has been cancelled and detailing the right to request a review of the decision. It is the applicant's responsibility to inform the Managing Agent of any changes which may result in the application being cancelled.

### 6.12. Short Term Interim Rented Properties

On occasions, where a property is hard to let, some homes may be available for short term lets for people with exceptional circumstances or who are waiting on the Housing Register and are assessed by the Council to be homeless and in priority need. These types of properties including temporary or emergency night paid accommodation provided by a housing association, private landlord or alternative housing provider.

### 6.13. Deliberate Worsening of Circumstances

Where there is evidence that someone has deliberately made their housing situation worse in order to gain a higher priority on the Register, the assessment of their needs will be based on the circumstances before their situation changed through their deliberate worsening of their circumstances.

Examples of this may include, but not limited to:

- Allowing family members or others to move into a property who previously had suitable accommodation or the financial means to secure their own accommodation and this has resulted in the property being overcrowded;
- Moving from previously suitable or more suitable accommodation which it was reasonable for the applicant to continue to occupy, into a less suitable property;
- If the applicant was a Homeowner and has transferred their property to another family member within the last 5 years from the date of application to join the Housing Register.
- Giving up affordable and suitable private rented accommodation, which could have been kept to move in with other relatives or friends, creating a situation of overcrowding and/or sharing of bathroom/kitchen and/or a split household;
- Requesting or colluding with a landlord or family member to issue them with a Notice to Quit.
- Where a customer fails to report or to cooperate with the landlord to get repairs done to the property which worsens the housing condition or where advice has been provided of appropriate actions the tenant needs to take to reduce or prevent a condition such as condensation but fails to do so which exacerbates a medical condition

These are examples only. There will be other circumstances considered to decide whether someone has deliberately worsened their circumstances. The Managing Agent in consultation with the Council reserve the right to review and make a decision based on the information provided by the applicant. Further information may be requested from other sources (including family members and/or landlords) before a decision is made.

### 6.14. Misrepresentation, False Statements and Withholding Information

Applicants must supply full information about their circumstances, and must provide supporting evidence where required to do so. It is an offence to provide false information, or to withhold information, in order to fraudulently obtain a tenancy (Section 171, Housing Act 1996).

Any person who knowingly withholds any information about their housing application or deliberately provides false information, will be guilty of committing a criminal offence, and could face a conviction.

If an applicant has knowingly given false information, the Managing Agent in consultation with the Council will:

- Suspend or disqualify the applicant from the housing register and/ or;
- Withdraw any offer of a tenancy and/ or;
- Work with the landlord to take County Court action for misrepresentation and/or eviction from a tenancy.

## **7. The Allocation Process**

### **7.1. How are applicants selected for allocation?**

Applicants who meet the eligibility criteria and are validated for the Register will have their individual housing needs assessed and their application will then be placed in a band according to their circumstances and housing priority. Each year the total amount of vacant social housing stock varies. Applicants and nominations for homes are made in accordance with the rules in section 7 of this policy. Allocations of a home is made by the relevant housing association/landlord in line with their own Eligibility Policy.

Nominations to the landlord who make the offer are made in line with the banding system. The banding system gives preference to those most in need. Properties will be offered to the bidder in the highest band who has the earliest Banding Date; some exceptions may apply to this process due to exceptional circumstances.

Further validation of the application details may be undertaken by the landlord, in line with their own Eligibility Policy, before an offer of accommodation is made. This is to determine that the applicant is still eligible to receive the nomination for a property and circumstances are up to date.

As part of this Policy, vacant homes will be advertised for two Kent Homechoice bidding cycles. If after two bidding cycles an applicant is not allocated to a property because either

- a) no eligible bids have been received for the property
- or
- b) those who have been offered the property have refused it

other means of identifying a suitable application for the property will be considered to minimise the time the property is vacant. This may include a direct let from a Registered Housing Provider's waiting list or advertising it using other methods.

### **7.2. The Banding system**

## Agenda Item 9

The banding system will be used to decide when to make an offer of accommodation and to whom. On occasions, properties may be allocated outside of this system in exceptional circumstances and as agreed by the Council and the Managing Agent. These exemptions are outlined below. Once an application has been verified and all documents received, the Managing Agent will allocate an A to D banding criteria based the applicant's housing needs based on their identified reasonable preference groups<sup>11</sup>

There are 4 bands and properties will be allocated in the following order based upon housing need:

<b>Band A:</b> Urgent need to move	These are applicants in need of the highest priority with an urgent need to move.
<b>Band B:</b> High Priority	These applicants in need of a high priority need to move.
<b>Band C:</b> Medium Priority	These applicants have a medium priority need to move.
<b>Band D:</b> Low Priority	These applicants have a low priority need to move.

Priority for an offer of housing is determined by the band and then the length of time the applicant has been placed in that Band. Medical priority, and any other exceptional circumstances **including social and welfare needs**, will be assessed by the Managing Agent with the option of referring the case to an independent medical advisor if considered appropriate. It is the responsibility of the applicant to provide any supporting evidence to support additional priority or medical needs. **Examples of exceptional circumstances are outlined in Section 7.5. The process for assessing social and welfare priorities are detailed in Appendix 4.**

See Appendix 2 for the full definitions for each priority group awarded a banding. Usually, an application is linked to several factors across different priority bands but the highest factor will determine the band.

Applicants for older people's extra care housing schemes in the District will be assessed by a Joint Allocations Panel who will consider the applicant's care, support, social and housing needs. The Panel will include representatives from Sevenoaks District Council, Kent County Council, the relevant housing association and care provider. On occasions, extra care properties may be advertised and allocated outside the Choice Based Lettings scheme.

The Banding criteria's are set out below, for full detailed descriptions for each criteria, please see Appendix 2 of this Policy:

<b>Banding System A-D</b>	<b>Housing Need Priority Group or Circumstance</b>
<b>Band A</b> <b>Urgent Need to Move</b>	Imminent risk of serious harm, violence or domestic abuse
	Demolition or Compulsory Purchase Order
	Major works

<sup>11</sup> as defined in Part 6 of the Housing Act 1996

	Statutory overcrowding
	Emergency medical condition, welfare need or disability
	Young people in care
	Releasing adapted housing
	Agricultural workers (Rent Agriculture Act)
<b>Band B High Priority to Move</b>	Homeless households in TA for over 6 months
	Qualification under Homelessness Reduction Act 2017
	Serious Medical, Welfare or Disability needs
	Hardship (support or employment)
	Under-occupying in social housing
	Overcrowding in social housing
	Serious hazards assessed in private sector housing
	Moving to housing specific for older people (and is a current Sevenoaks District tenant)
	Members of the Armed Forces
	Parental eviction – at home for over 12 months
	Applicants in supported housing
<b>Band C Medium Priority to Move</b>	Homeless households in TA under 6 months
	Made and eligible for homeless application but not in priority need
	Rough Sleepers (verified)
	Parental eviction – unable to remain for 12 months
	No or shared access to facilities essential to health and wellbeing
	Overcrowding (as defined by the Bedroom Standard) with no priority need (as defined by Housing Act 1996)
	Non-successor – low priority
	Intentionally homeless
	Non critical or serious Medical, Welfare or Disability needs
	No access to a kitchen
<b>Band D: Low Priority to Move</b>	Need to share kitchen, bathroom, WC or living room
	Local connection qualification for making a considerable community contribution
	Rural Exception Site applicants with a Parish Connection
	Over 55 years olds wanting housing designated for older people with some low housing and social needs
	Not currently suitably/adequately housed
	Applicants banding reduced permanently or for a period of time

### 7.3. Banding Allocation Exceptions

Priority within a Band will be determined by the length of time the application has been placed in that Band and most allocations will be made to people in the highest band, and then by the time they have waited within that Band.

In some exceptional circumstances, an offer will be made to someone outside of the priority band and ‘time registered’ procedure. This is where there is an urgent need for an individual household to be housed or where there is an operational or financial need to house certain categories of applicants, or where the vacancy is for a Rural Exceptions Site Home.

For example, if there are additional preferences due to an exceptionally urgent need for housing, an applicant may be placed at the front of the priority band and made an offer of housing as soon as possible. A decision whether a need to be housed is exceptionally urgent

## Agenda Item 9

would be made by the Managing Agent in consultation with the Council. Examples of the circumstances, but are not limited to:

- A need to move due to a fire or flood or severe storm damage to a home;
- An imminent risk of violence and/or are to be housed through a witness protection programme;
- An applicant needs to house urgently as part of a multi-agency protocol such as a Public Protection arrangement (MAPPA), Multi Agency Risk Assessment Conference (MARAC) etc.;
- Where an applicant is homeless and in temporary accommodation that would not be suitable for more than a short period of time or where there is a need to move out of temporary accommodation to manage the budgetary impact on the Council as a whole.
- Where a vacant adapted property or a property designed to disability standards becomes available, it may be offered if an applicant has an established need for this property type, regardless of the date they were registered or banding.

In some circumstances, qualification criteria for a property will be restricted to households that meet specific criteria. Restrictions may apply to:

- properties subject to a local lettings policy;
- properties situated on rural exception sites;
- properties subject to an agreement under Section 106 of the Town and Country Planning Act 1990

Further details of exceptions to the banding criteria and local connection rules can be found in this Policy. The Managing Agent in consultation with the Council has the authority to allocate properties in exceptional circumstances outside the current banding system.

### 7.4. Type of property allocated to an Applicant

The Council wants to make the best use of affordable housing properties that become available in the District. When deciding the size and type of property for which applicants are eligible, the Government's National Bedroom Standard<sup>12</sup> will apply. A summary of how a property size is calculated can be found below.

When bidding for properties, there are a number of very important considerations that an applicant should take into account. These include property size, location and affordability. Any additional exceptional circumstances will be taken into account, it is the responsibility of the applicant to provide relevant supporting evidence.

Applicants should note that not all types of accommodation are available in all of the towns and villages in the Sevenoaks District. Therefore, to maximise opportunities of being offered a property, it is important that an applicant bids for all types of properties that meet their housing needs in their preferred locations. **Applicants who do not bid on any suitable properties within a 12 month period and/or decline two reasonable offers on properties, including where an applicant has placed a bid AND the property meets their bedroom size within their preferred areas, this will result in the applicant being removed from the Housing Register, see section 10 for full details.** Alternatively, if the applicant has been awarded an urgent (Band A) or high priority (Band B) and fails to bid or accept suitable

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<sup>12</sup> In accordance with s.169 of the Housing Act 1996



properties, this priority banding may be removed at the discretion of the Managing Agent in consultation with the Council.

### **National Bedroom Standard Summary**

When the National Bedroom Standard is used to calculate the size of the property (based on the household size), the following rules will apply:

The Bedroom Standard allocates a separate bedroom to each:

- married or cohabiting couple;
- adult aged 21 years or more;
- pair of adolescents aged 10-20 years of the same sex;
- pair of children aged under 10 years regardless of sex.

### **7.5. What are other considerations and exceptional circumstances**

Other considerations and exceptional circumstances may be taken into account when assessing the bedroom and household size requirements of an application for a property.

*These include, but are not limited to:*

- Where an applicant has been identified as requiring a live-in carer (by Kent County Council Social Care Service), a need for a spare bedroom would be taken into account, subject to affordability checks;
- Prospective foster carers or adopters who would require an extra bedroom to accommodate a foster or adoptive child;
- Where a property has been substantially adapted for the needs of a disabled person, the property will only be allocated to applicants if their household would benefit from those adaptations;
- Where an additional room may be required for medical or welfare reasons, applications would be assessed by the Social and Welfare Panel;
- Older people's sheltered housing will only be available if the applicant is over 55. However, the age criteria may vary for exceptional circumstances, including high support and care needs, and may differ for individual Registered Housing Providers.

### **7.6. Making an offer of a Property**

Once an applicant has bid on a property and the advert closes, the details of the applicants who have bid on the property are passed to the relevant housing provider (who owns the property). Prior to an offer being made, the housing provider will contact the successful applicant to carry out further verification on eligibility and priority based on the housing provider's own Eligibility Policy.

Once verification is completed, the successful applicant will receive an offer of a tenancy in writing from the Registered Housing Provider (the landlord) which will include details of the weekly rent and any service charges. Once the applicant has been offered a property, they will be unable to place any further bids on other properties.

In certain situations, the offer will not be made, or, if made, may be withdrawn if:

- Since joining the scheme, the applicant has become ineligible;

## Agenda Item 9

- On verification of their details, the priority band has been incorrectly awarded due to the information received by the applicant, or due to mistakes in the assessment of the application itself;
- The circumstances of the applicant have changed since the priority band was awarded or they are no longer entitled to the same level of priority;
- The landlord has a good housing management reason not to offer a property.

If the applicant does not reply to an offer within 2 working days of receiving an offer, then the offer will be deemed to have been refused and the property will be offered to the next applicant on the shortlist who qualifies for that offer.

All offers will be formally made in writing. Notification in writing may be made by letter, e-mail or, in an urgent situation, by text.

### 7.7. Refusals of Offers

Unless the applicant is being housed under the homelessness legislation (see section 8), the applicant may refuse a maximum of two suitable and reasonable offers of accommodation<sup>13</sup>. If both offers are considered suitable and reasonable and are refused, the applicant will be removed from the register and will not be able to re-apply for 12 months.

Before any applicant is removed, checks will be made to determine if both the offers were reasonable in relation to the applicant's housing needs, taking into account any additional disability, physical or medical needs or exceptional circumstances. The Applicant will have the right to request a review of the decision to be removed from the Register. See section 9.1 on the review process.

It is within the discretion of the Managing Agent in consultation with the Council to waive this removal.

Full details regarding 'Refusals of Officer' and 'Removal from the Register' can be found in Section 10.

### 7.8. Local Lettings Plan

The Housing Register may sometimes use local lettings plans (LLP) to nominate a property. A local lettings plan is an agreement between a developer and the Council about how properties will be allocated. It is used to facilitate sustainable communities:

- Where there have been particular management problems identified in an area;
- When nominating a new or refurbished development to ensure the creation of a balanced and sustainable community. This could include, for example, consideration of child density levels. In these circumstances a nominations agreement will be made between the housing provider and the Council during the development phase;
- To fulfil requirements under Planning Agreements (also known as section 106 conditions);
- To assist with wider strategic objectives of the Council, e.g. to remedy under-occupation of existing social rented homes.

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<sup>13</sup> 'suitable offers' is defined by the Homelessness (suitability of accommodation) (England) Order 2012)



The Council will monitor to ensure that allocations reflect the Local Lettings Plan and do not discriminate on equality grounds.

### **7.9. Sensitive Letting (property)**

An individual property may be a 'sensitive let'. This could be where there is a confirmed history of anti-social behaviour or criminal activity at that property involving the previous tenant or members of their household. A property will only be named a sensitive let with the approval of a senior manager for the Managing Agent or Council.

Properties let sensitively will be allocated as part of Local Lettings Plan in place between the relevant housing providers and the Council. Sometimes, preference may be given to those with a local parish connection and this will be clearly stated in the advert for the vacant property. The introduction of a Local Lettings Plan is subject to the Registered Provider/Housing Association obtaining the agreement of the Council's Chief Officer responsible for housing allocations. More information on these policies are detailed in section 7.8. above

### **7.10. Social and Welfare Priority**

The Social and Welfare Panel is able to consider and make decisions on applications relating to register eligibility, exemptions and banding when information on the application does not clearly fit within the assessment criteria, and additional social and/or welfare priorities may be taken into account. The Panel is made up of representatives from the Managing Agent, Sevenoaks District Council and the Registered Housing Provider. The Panel meets at least monthly to consider the supporting evidence and documentation provided by a relevant support worker or professional (this may include Housing Officer, Social Worker, Education Welfare Officer etc.) to consider urgent social and welfare priorities.

For further details on the Social and Welfare Panel can be found in Appendix 4.

### **7.11. Special Circumstances (applicant)**

Under some special circumstances, it may be necessary to consider other priorities when assessing a person's need for housing. This will be decided at the time of application and/or when the Managing Agent or Registered Provider/Housing Association receives relevant information, usually having considered the advice of relevant professionals and in agreement with the applicant. This would generally be when the applicant would be at risk of harm if housed in a particular location, or may pose a risk to others.

Examples could be where there has been a breakdown in a violent relationship, or where someone is at serious risk of harm because they have acted as a witness in court, or where we have information from the Police or Probation Service that they may be a risk to the community<sup>14</sup>.

Applicants are entitled to details of any criteria attached to their housing application, although provision will be made to ensure that confidentiality is not breached that would put others at risk. If a bid made under Choice Based Lettings (CBL) results in an applicant being

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<sup>14</sup> This includes data received as of the Serious and Organised Crime and Policing Act 2005 (SOCAPA 2005, Chapter 4) which states that a public authority "must take reasonable steps to provide the assistance requested".

## Agenda Item 9

at risk, the Managing Agent will discuss the suitability of the offer with the applicant. This may result in the offer of accommodation not being made. If a bid under the CBL scheme is made that may place an applicant at risk, the suitability of the offer will be discussed and a decision may then be made not to make such an offer of accommodation.

### 7.12. Specially adapted Properties

Some homes have been specially adapted to meet people's needs or have the potential to be adapted to meet people's needs. This includes: homes for the disabled and for older people. To ensure we match people to appropriate homes and make the best use of the accommodation, properties currently adapted or suitable for adaptation will be advertised for those with a recognised need. The Council, in partnership with the housing provider, reserve the right to allocate such a property outside of the Choice Based Lettings scheme, band and date order system in order to best match that property to an applicant who requires an adapted property. This includes where a vacant property has been identified as suitable for an applicant's disability, physical or medical needs because home adaptations could be put in place to make the property accessible, through the Council's Disabled Facilities Grants (DFG). The property will be assessed in advance of an offer for suitability and required alterations and/or adaptations by the relevant housing provider and the Council.

### 7.13. Providing Applicants with Choice

As far as possible, the Council wishes to give choice to anyone who is looking to obtain an offer of social housing. This is why the Council operates Choice Based Lettings scheme to give applicants the best possible choice over where they may wish to live. However, this must be set against the need to resolve a situation where there is an urgent need to provide settled or alternative housing. For example, where there are homeless households to whom there is a statutory duty to provide housing. Therefore, in certain circumstances, choice may be limited.

In very exceptional circumstances, the Council or Managing Agent may make a direct offer of suitable accommodation at any time in order to resolve a threat of homelessness, homelessness itself, or to reduce the financial burden on the Council of the cost of temporary accommodation:

- a. If an applicant is accepted by the Council as statutorily homeless and owed a duty to house<sup>15</sup>;
- b. If an applicant is granted homeless status<sup>16</sup>; or
- c. If an applicant has been awarded Homeless Prevention banding under this policy.

Please note that if an applicant falls into the categories listed above and refuse a suitable offer of accommodation, they will lose the allocated A or B priority banding.

An offer of suitable accommodation made will also bring to an end any statutory homeless duty owed<sup>11</sup>. **The applicant will be warned of this consequence at the point the property is formally offered.** It is unlikely that the applicant would then receive a second offer within 12 months given lower banding. However, if they do receive such an offer and refuse that

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<sup>15</sup> & <sup>11</sup> Housing Act 1996, sections 193(2) or 195(2)

<sup>16</sup> Under section 166A (3) (a) (people who are homeless within the meaning of Part VII of the Housing Act 1996)

second offer, this applicant will be removed from the Register for a minimum period of 12 months.

## **8. Homelessness and Housing Advice**

It is important to be aware that not all housing problems can be dealt with through the Housing Register, or at least not in a short term or immediate timescale. For example if someone is homeless, at risk of becoming homeless, issues with a current landlord or disrepair of a property.

If someone is homeless or at risk of homelessness within 56 days, the Council's Housing Advice Service can assess a person's needs, as part of their duties under Part 7 of the Housing Act 1996 (as amended). As part of this service, a Housing Advice Officer will work with the individual to assess their housing situation and complete a Personalised Housing Plan to help prevent them from becoming homeless. This may include supporting the individual into alternative suitable housing, liaising with the current landlord or family member, assessing affordability to maximise income or placing the individual in emergency or temporary accommodation if they are homeless and assessed as having a priority need.

The Council is able provide housing advice and assist with other housing options. This may include help to access a private rented property, for a minimum of six month, with a tenancy or lease arrangement with a private landlord or alternative housing provider. The Council's Private Sector Letting Scheme (PSL) may be able to assist a customer with their upfront financial costs such as a deposit bond or required rent in advance, subject to eligibility and ongoing affordability. Further details about PSL are available at [www.sevenoaks.gov.uk/housing](http://www.sevenoaks.gov.uk/housing).

From time-to-time the Council may contact Register applicants to offer them further affordable housing opportunities including access affordable and private rental properties and shared ownership, which is often a quick route to finding the right home.

Someone requiring housing advice about housing problems, housing options or wish to make an application as homeless, should contact the Housing Advice Service at Sevenoaks District Council, Council Offices, Argyle Road, Sevenoaks TN13 1HG, tel: 01732 227000.

## **9. Requesting a Review and Making a Complaint**

### **9.1. The Review Process**

Any applicants have the right to appeal a decision made in relation to a housing application to join the Register and any subsequent decisions. The applicant has a right to ask for a formal review of the decision within 21 days of receiving the notification letter.

An applicant has a legal right to a review of a decision in the following circumstances if they:

- a) Do not agree with the allocated Band, or with a banding change;
- b) Consider that a decision has been reached based on incorrect information;
- c) Disagree with a decision made on the basis of immigration status;
- d) Disagree with a decision made based on serious unacceptable behaviour;

## Agenda Item 9

- e) Disagree a decision regarding being removed from the Register – as set out in Section 10.

If an applicant wishes to request a review of a decision, the process is set out below:

- i. The applicant will be notified in writing of any decisions made in respect of the application stating their right of review;
- ii. If an applicant wishes to seek a review, they must request a review of a decision within 21 days of being notified in writing, unless there are exceptional circumstances outside this timescale. The applicant must give reasons why they wish to have the decision reviewed, including where they believe an incorrect decision has been made, based on the facts.
- iii. The review request must be in writing (email is acceptable) stating the reasons for the review. The request for a review should be addressed to:

Housing Allocations Team  
West Kent Housing Association  
101 London Road  
Sevenoaks  
Kent TN13 1AX  
Email: [housing.options@wkha.org.uk](mailto:housing.options@wkha.org.uk)

- iv. A manager for the Managing Agent or Council, who has not been involved in making the original decision, will carry out the review. The review process should be completed within 56 days of the request for a review. Any extension to include timescale will be agreed with the applicant.
- v. The review will be considered on the basis of the allocation scheme, any legal requirements and all relevant information. This will include information provided by the applicant on any relevant developments and submitted evidence since the original decision was made.
- vi. Aim to complete the process and inform them in writing of the decision within 21 working days of receipt of the request and supporting information, after taking into account any additional information that is provided. Alternatively, if additional time is required for the review, this will be agreed with the applicant within the 56 days. It is the responsibility of the applicant requesting the review to provide additional documented evidence to be considered as part of the review process.
- vii. If you do not agree with the review decision, you may appeal to the County Court on a point of law, within 21 days of the review decision.
- viii. The applicant may also raise their dissatisfaction through the West Kent Housing Association's Complaints Policy, which is detailed on their website at [www.westkent.org](http://www.westkent.org).
- ix. If the applicant wants to make a complaint as part of this work, it is the applicant's right to direct complaints to the Local Government Ombudsman, the Housing Ombudsman or other appropriate bodies. This will not prejudice any Review appeal or onward decision. See section 9.2 below for full details.

### 9.2. Making a Complaint

To make a complaint about this Policy, complaints should first be made using the Stage 1 and 2 of the Council's complaints procedure. A copy of the current procedure is available on the Council's website at [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk).

If the applicant is still not satisfied with the outcome of their complaint, a further complaint can be made direct to the Local Government Ombudsman service. The Local Government Ombudsman is an independent service run by central government to make sure that Local Authorities provide the required standard of service to customers.

The Ombudsman will deal with a complaint if a customer feels they have been treated unfairly as a result of maladministration.

All complaints to the Ombudsman must be in writing. Applicants can request assistance from their local Councillor or get someone else to write on their behalf. The contact details for the Local Government Ombudsman are:

Local Government Ombudsman  
PO Box 4771  
Coventry CV4 0EH

If an applicant wishes to make a complaint about how the Managing Agent has handled a housing application or the operational process of an application, please use West Kent Housing Association's Complaints Policy which is detailed on their website at [www.westkent.org](http://www.westkent.org), in the first instance before using the Council's Complaint's procedure as detailed above.

### 10. Removal from the Register

#### 10.1. Refusal of Suitable Offers

The bidding process forms part of a choice based lettings process and therefore all bids placed by applicants or officers are within the preferred locations selected by the applicant, as part of the Register application process (as detailed in Sections 6 and 7.13).

Where an applicant has placed a bid on a property and then refuses two offers of a property and the properties are considered to be suitable and/or reasonable<sup>17</sup> in a 12 month period, they may be removed from the Housing Register and will not be able to reapply for a period of 12 months. Please note: These offers include properties that match your specified housing need and will include all types of properties in your preferred locations such as flats, houses, bungalows and maisonettes.

All applicants will be contacted by the Managing Agent before removal to discuss this matter and if required offer further housing advice and support. Any exceptional circumstances including allocated property size, any additional housing and/or medical needs of the applicant will be considered.

##### Exceptional Circumstances

Additional number of refusals may be allowed if a property does not meet the applicant's disability, physical or medical needs or in other exceptional circumstances. This will be assessed on a case-by-case basis. If a property requires additional adaptations to support the applicant's disability, physical or medical needs, the housing association may assess the property's suitability for appropriate new home adaptations through the Council's Disabled Facilities Grants (DFG).

The following exception will apply in relation to the refusal of two suitable and reasonable offers of a property, as part of the Housing Allocations process:

##### Homelessness Duty Exception

If an applicant is owed a main homelessness duty<sup>18</sup>, the two offer policy does not apply and the refusal of one suitable and reasonable offer may end the homelessness duty owed by the Council. This is also likely to result in the Council discharging their statutory homelessness duty for the applicant, as the offer has been refused. This includes bids made by Council Housing Officers, on behalf of the applicant, where there is an urgent or immediate need to provide suitable and affordable housing to an applicant at risk of homelessness. This forms part of the Council's main housing duty<sup>17</sup>.

##### Band A Exception

The two refusal rule will not apply if an applicant has been awarded an 'urgent need to move' priority banding A on the Housing Register, as the housing need is classed as an urgent and immediate. In this instance, the applicant may be removed from the Register if they refuse one suitable and reasonable offer. Alternatively, on assessment of the refusal, the applicant's priority banding may be removed and a lower priority banding awarded, if the applicant no longer has an urgent need to move.

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<sup>17</sup> 'suitable offers' is defined by the Homelessness (suitability of accommodation) (England) Order 2012)

<sup>18</sup> 'main homelessness duty' as defined in section 193 (2) of the Housing Act 1996

This exception will apply if the property is deemed, by the Council or the managing agent, to be suitable and reasonable and therefore meets the urgent housing needs. This includes where the bid has been placed by the Council on behalf of the applicant. As above, exceptional circumstances will be taken into account.

Please note: The bids are placed by Officers or applicants within the preferred locations pre-selected by the applicant, as part of their application through the Choice Based Letting System (detailed in Section 7.13).

Any decision to waive the removal from the Register rule for refusing two offers due to exceptional circumstances, for any of the above, will be made by the Council or Managing Agent in consultation with each other and the applicant. It is the responsible of the applicant to provide any additional supporting evidence to justify this waive.

The applicant will be informed in writing with 14 days of refusal with the opportunity to appeal this decision.

### 10.2. Failure to bid

If an applicant does not bid on any property within a period of 12 months, the applicant will be removed from the Housing Register and will not be able to reapply for a period of 12 months, unless they can demonstrate exceptional circumstances. All applicants will be contacted by the Managing Agent before removal to discuss this matter and if required offer further housing advice and support.

It is the responsibility of the applicant to provide supporting evidence as part of exceptional circumstances. The Managing Agent in consultation with the Council have the authority to waive this removal.

Note: If the applicant is granted a priority or urgent band (A or B), the applicant may lose this priority banding if they are not bidding within a reasonable period of time, which could be as little of 3 months. In this instance, the housing application would be re-assessed to allocate the new lower banding based on the housing needs.

#### Exceptional Circumstances

Additional number of bids could be allowed if a property does not meet the applicant's disability, physical or medical needs or in other exceptional circumstances. This will be assessed on a case-by-case basis. Other exemptions will apply as set out in Section 10.1 above.

The failure to bid will not apply if the applicant has joined the Housing Register for access only to Rural Exceptions Site properties. It is recognised that the applicant will only bid on these types of property when they become available, based on the applicant meeting the specified criteria and local connection to the relevant parish. See Section 3.6 for full details.

### 10.3. Giving False Information

It is a criminal offence if an applicant knowingly gives false statements, withholds information and fails to disclose change of circumstances relevant to an application. This is in connection with the Council exercises its allocating social housing functions<sup>19</sup>. An

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<sup>19</sup> As outlined in the Housing Act 1996, Part 6 Section 171



## Agenda Item 9

offence is also committed if an applicant allows a third party to provide false information on their behalf. This includes:

- (a) It is an offence to knowingly or recklessly to make a statement which is false in a material particular, or
- (b) Knowingly to withhold information, which the Council has reasonably required the applicant to give, in connection with the exercise of these functions.

If an applicant is found to have withheld or given false information and are removed from the Register, they will not be able to reapply for a minimum period of 12 months. Decisions to remove anyone from the register will be made based on the seriousness of the false information given and an assessment of why the information was withheld.

Where a criminal offence has been committed relating to false or fraudulent information, the Council will work with the Police to take action to prosecute the applicant. This offence may result in a conviction or fine. The Council will also consider possession proceedings in partnership with the relevant housing provider, under Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by the Housing Act 1996, s 146), where an applicant has given false information and obtained a tenancy.

## 11. Applicant Information and Rights

### 11.1. Confidentiality

Information received in relation to an application will be treated in confidence in accordance with the EU General Data Protection Regulation (GDPR) 2016/679 and the Data Protection Act 2018. Confidential Information held about customers will not be disclosed to third parties apart from:

- Where the individual has consented to the disclosure;
- Where it is necessary to process their application;
- [sub-processors]
- Where the Council is required by law to make such a disclosure;
- Where disclosure is made in accordance with a recognised Information Sharing Protocol;
- for reasons of public protection; or
- otherwise in accordance with our Privacy Notice at [www.sevenoaks.gov.uk/privacy](http://www.sevenoaks.gov.uk/privacy).

### 11.2. Data Protection and Information Sharing

The Managing Agent and Council will ensure that all information provided by an applicant, and by third parties in relation to an application, is treated in strictest confidence. In doing so, this will comply fully with legal requirements<sup>20</sup>.

Your personal data will be dealt with in accordance with the Privacy Notice on the application form, the Council's general Privacy Notice (which can be found at

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<sup>20</sup> Data Protection Act 2018 and GDPR, in relation to the way the Council stores and processes the information we hold on applicants, and with s.166(4) of the Housing Act 1996.



[www.sevenoaks.gov.uk/privacy](http://www.sevenoaks.gov.uk/privacy)) and this Policy. Together they set out what personal data we will collect on you, how it will be used, and how it will be shared.

The processing is necessary under the Public Task purpose and is necessary for the Council to perform a task in the public interest or for its official functions, and that task or function has a clear basis in law. All applicants will be asked to sign a declaration as part of their Register application form to give consent to share personal information about them or any member of the household, in relation to the processing of their application.

Where an applicant does not consent to their information being shared, this may result in an application not being complete and consequently, unless there is an exceptional reason for not consenting, the applicant will not be admitted onto the Housing Register.

The applicant's information may be shared irrespective of whether consent has been obtained in exceptional circumstances. These circumstances will include:

- a) In accordance with the provisions of the Crime and Disorder Act<sup>21</sup>
- b) For the purposes of the prevention or detection of crime and fraud.
- c) Where there is a serious threat to the applicant or a third party, including staff or contractors.
- d) Where information is relevant to the management or support duties of the proposed landlord or any nominated support organisation, to ensure the health and safety of the applicant, a member of the household or a member of staff.

### 11.3. Equal Opportunities and Monitoring

Sevenoaks District Council is committed to ensuring that its policy and procedures in the letting of property are non-discriminatory and that all customers are able to access the service especially taking account of any vulnerability or other specific needs, and also the needs of different groups protected by Section 149 of the Equality Act 2010.

To identify the needs of our customers, the application form will have specific questions relating to vulnerability, ethnic origin, sexual orientation, disabilities and other relevant criteria. This information will be used to monitor the impact of the policy on minority and specific needs groups and to make such amendments as may be required, to ensure no group is disadvantaged by the policy.

Under the Equality Act<sup>22</sup>, this Council is required to give due regard to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, in their exercise of a public function. To comply with our duties in the Equality Act, 'reasonable preference' categories are given priority for housing and the overall customer satisfaction with the scheme is monitored.

### 11.4. Treating all applications fairly

Decisions about housing applications and the allocation of housing are usually carried out by Council Officers rather than elected Councillors. However, this does not prevent Councillors from seeking or providing information on behalf of their residents, with written consent from the applicant to act on their behalf.

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<sup>21</sup> Crime and Disorder Act 1998, Section 115

<sup>22</sup> Equality Act 2010, section 149

## Agenda Item 9

In order to ensure that we treat all applicants fairly, applicants must disclose whether the application for housing is from a Councillor or employees of the Council or a partner Housing Association. Canvassing is not allowed. These applications will be assessed in the normal way, but an offer of housing must be approved by a manager at Sevenoaks District Council with responsibility for housing.

### 11.5. Right to information

You are entitled to request copies of personal information that the Council holds about you. Further details about your rights can be found in our general Privacy Notice at [www.sevenoaks.gov.uk/privacy](http://www.sevenoaks.gov.uk/privacy). You may make this request by writing to the Data Protection Officer at the Council Offices or by emailing [data.protection@sevenoaks.gov.uk](mailto:data.protection@sevenoaks.gov.uk).

In line with the Freedom of Information Act 2000, we make certain information about our services publicly available through our Publication Scheme. If the information you are after is not already available then you may make a request to the Council. Further details about making a request can be found on our website.

## 12. Glossary

AA	-	Attendance Allowance
AFIP	-	Armed Forces war pension
CBL	-	Choice Based Lettings Scheme
DBS	-	Disclosure and Barring Service
DCLG	-	Department of Communities and Local Government
DFG	-	Disabled Facilities Grant
DLA	-	Disability Living Allowance
HERO	-	Housing, Energy, Retraining and Options
KCC	-	Kent County Council
LCHO	-	Low Cost Home Ownership
LLP	-	Local Lettings Plan
MAPPA	-	Multi Agency Public Protection Arrangement
MARAC	-	Multi Agency Risk Assessment Conference
MHCLG	-	Ministry of Housing, Communities and Local Government
PIP	-	Personal Independence Payment
PSL	-	Private Sector Lettings Scheme
SDC	-	Sevenoaks District Council
SDHR	-	Sevenoaks District Housing Register
SLA	-	Service Level Agreement
TA	-	Temporary accommodation
WKHA	-	West Kent Housing Association

13. Appendix 1 - Definitions

<b>Accommodation</b>	A shared dwelling or property are behind a door that only that household can use and there is at least one other such household space at the same address with which it can be combined to form the shared dwelling.
<b>Adult</b>	An adult is a person aged 18 or over who has legal control over their person, actions and decisions and is therefore regarded as independent, self-sufficient and responsible.
<b>Affordable Housing</b>	Accommodation provided by ‘Registered Housing Providers’ or other providers approved by Sevenoaks District Council.
<b>Allocation</b>	A housing authority allocates accommodation (under Part 6 of the Housing Act 1996) when it: <ul style="list-style-type: none"> <li>• selects a person to be a secure or introductory tenant of accommodation held by that authority;</li> <li>• nominates a person to be a secure or introductory tenant of accommodation held by another housing authority;</li> <li>• nominates a person to be an assured tenant of accommodation held by a Private Registered Provider.</li> </ul>
<b>Assured tenant</b>	A person with an assured shorthold tenancy, including of an Affordable Rent property.
<b>Child</b>	A dependent child is defined as being under 16 years of age, or under 18 and in, or about to begin, full-time education or training. A 16 or 17 year old may not be seen as dependent if they are living independently, have been excluded by parents or are leaving care etc.
<b>Common Travel Area</b>	Includes the UK, the Channel Islands, the Isle of Man and the Republic of Ireland.
<b>Council</b>	Sevenoaks District Council
<b>District</b>	The whole locality area for the Council of the Sevenoaks District.
<b>Employment</b>	Paid employment in the District.
<b>Exception Site</b>	A site outside the normal development boundary of a village or market town that has been granted planning permission to provide accommodation for local people. Allocation arrangements are specified in a Section 106 Agreement.
<b>Guarantor</b>	Person who holds the responsibility to ensure rent is paid as well as any losses, expenses or damages where the young person fails to carry out their obligations under the agreement.
<b>Homeless</b>	An individual who lacks housing including a person whose primary residence during the night is a supervised public or private facility (Shelter) that provides temporary living.

## Agenda Item 9

<b>Household</b>	One person or a group of people who have the accommodation together as their only or main residence to make up a household.
<b>Housing Register</b>	A list of applicants who are eligible to apply for housing in the District.
<b>Intentionally homeless</b>	<ul style="list-style-type: none"> <li>• If a person deliberately does or fails to do anything in consequence ceases to occupy accommodation (or the likely result of being forced to leave accommodation) and;</li> <li>• the accommodation is available for the person's occupation; and</li> <li>• it would have been reasonable for the person to continue to occupy the accommodation.</li> </ul>
<b>Managing Agent</b>	'West Kent Housing Association' who manages the Sevenoaks District Housing Register on behalf of Sevenoaks District Council as part of a Service Level Agreement.
<b>Secure tenant</b>	A person with a flexible tenancy granted under s.107A of the Housing Act 1985
<b>Statutory homelessness</b>	Statutory duties on local housing authorities to ensure that advice and assistance to households who are <b>homeless</b> or threatened with <b>homelessness</b> is available free of charge
<b>We/our</b>	This is intended to mean Sevenoaks District Council

14. Appendix 2 –Banding Criteria

Banding A-D	Criteria	Housing Need – Full Description
<p><b>Band A</b></p> <p><b>Urgent Need to Move</b></p>	<p><b>Imminent risk of serious harm, violence or domestic abuse</b></p>	<p>Applicants with an exceptional need to move. This includes those owed a homelessness duty, or who would be owed a homelessness duty if assessed, as a result of being a victim of serious violence, harassment, intimidation or where threats of violence are likely to be carried out.</p> <p>It also includes domestic violence, witnesses to crime or victims of crime, racial or homophobic harassment. Applicants who qualify under this category are not required to have a local connection and their eligibility will be determined by the Social and Welfare Panel (See Appendix 4 for full details). Alternatively, in an exceptionally urgent case by the Chief Officer responsible for housing for Sevenoaks Council.</p> <p>The Council may bid on properties, on behalf of applicants in this category as part of the Council’s main Homelessness Duty<sup>23</sup>. The refusal of one suitable and reasonable offer will apply; see Section 10.1 for full details.</p>
	<p><b>Statutory overcrowding</b></p>	<p>Applicants who are statutorily overcrowded as <a href="#">defined by the Housing Act 1985</a>.</p>
	<p><b>Demolition or Compulsory Purchase Order</b></p>	<p>Demolition or Compulsory Purchase Order (CPO). Where the applicant’s property is subject to demolition or subject to a Compulsory Purchase Order for redevelopment.</p>
	<p><b>Emergency medical condition, welfare need or disability</b></p>	<p>Applicants with an emergency medical condition, welfare need, or disability that is critically affected by their housing circumstances.</p> <p>This must be supported by Police, <a href="#">MAPPA Process</a>, (Multi-Agency Public Protection Arrangements produced by the National Offender Management Service) Social Services or medical professional. This category includes Service Personnel who need to move into suitable adapted accommodation because they have sustained serious injury, a medical condition or a disability during their service.</p> <p>Note: Emergency medical or Welfare or disability priority will be assessed and verified by the Social and Welfare Panel (See Appendix 4 for full details). A case may be referred to an independent medical advisor for advice if appropriate.</p>
	<p><b>Young people in care</b></p>	<p>Young people in care and considered ready to move out of care by Kent Social Services. See Section 2.2 for full details.</p>
	<p><b>Releasing adapted housing</b></p>	<p>A tenant of one of the Housing Register partner Registered Providers/Housing Associations who would release an adapted social housing property by moving. See Section 7.12.</p>
	<p><b>Major works</b></p>	<p>A tenant of one of the SDHR Partner Registered Providers/Housing Associations where the social landlord requires the tenant to move due to major works or other urgent management reason.</p>
	<p><b>Agricultural workers</b></p>	<p>Farm workers who need <u>immediate</u> housing under the Rent (Agriculture) Act as recommended by the Agricultural Dwelling</p>

<sup>23</sup> ‘main homelessness duty’ as defined in section 193 (2) of the Housing Act 1996

## Agenda Item 9

Bandin g A-D	Criteria	Housing Need – Full Description
		Housing Advisory Committee.
<b>Band B</b>  <b>High</b> <b>Priority</b> <b>to Move</b>	<b>Homeless households in Temporary Accommodation (TA) over 6 months</b>	<p>Homeless households owed a full homeless duty by Sevenoaks Council under sections 193 (2) and have been accommodated in temporary accommodation for a period of 6 months– <i>note these applicants might be made a direct offer in any area that is suitable.</i></p> <p>Households in this category will be made one suitable offer only, in line with Section 10 of this Policy.</p> <p>The Council may bid on properties, on behalf of applicants, in this category as part of the Council’s main Homelessness Duty<sup>24</sup>. The refusal of one suitable and reasonable offer will apply, see Section 10.1 for full details.</p>
	<b>Parental eviction – at home for over 12 months</b>	<p>A priority need household as defined by the Housing Act 1996 (as amended) who was at threat of homelessness, but has been able to remain in the parental home for over 12 months since the initial threat of homelessness.</p>
	<b>Qualification under Homelessness Reduction Act 2017</b>	<p>Applicants where it has been decided that they qualify as part of this Council’s duty under the Homelessness Reduction Act 2017 and the Council is satisfied they will be homeless, or threatened with homelessness within 56 days and the Council has accepted a 56 day Prevention Duty, this timescale may be extended by the Council.</p>
	<b>Serious Medical, Welfare or Disability needs</b>	<p>Applicants with a serious medical condition, welfare need, or disability that is seriously affected by their housing circumstances</p> <p>Note: An award of Band B medical or Welfare or disability priority can be assessed and verified by the assessing officer but some cases will need to be assessed by the Social and Welfare Panel (See Appendix 4 for full details).</p> <p>A case may need to be referred to an independent medical advisor for advice if appropriate.</p>
	<b>Overcrowding in social housing</b>	<p>A social housing tenant in the District who is overcrowded (unless caused deliberately) in their two bedroom home according to the Bedroom Standard, as set out under section 4.8 of the <a href="#">Allocation of accommodation: guidance for local housing authorities in England</a></p> <p>In addition, there is a reason to believe that the household would be considered to be in priority need according to the Housing Act 1996 (as amended) and a move would free up a social home.</p>
	<b>Under-occupying in social housing</b>	<p>A tenant of one of the Housing Register partner Registered Providers/Housing Associations who are under-occupying their home and need to move to a smaller property.</p> <p><b>Note:</b> This is not applicable to households who are making another member of the household homeless in order to downsize.</p>
<b>Applicants in supported housing</b>	<p>Applicants in Supported housing who have been assessed by the Council as being ready to move on from that accommodation and where the Council agrees that their circumstances are such that social</p>	

<sup>24</sup> ‘main homelessness duty’ as defined in section 193 (2) of the Housing Act 1996



Bandin g A-D	Criteria	Housing Need – Full Description
		housing will only offer an appropriate housing move on solution.
	<b>Serious hazards assessed in private sector housing</b>	<p>Where an authorised officer from the Council has determined that a private rented property contains one or more serious Category 1 hazards as defined by the <a href="#">Housing Health &amp; Safety Rating System</a> and there is no prospect of the issues being remedied in a period of time that the Council considers reasonable.</p> <p>Households living in private rented housing where their conditions give rise to an imminent risk of serious harm, and where the Local Authority has served a Prohibition Order or Emergency Prohibition Order under Part 1 of the Housing Act 2004, and the view of the local authority is that the conditions or circumstances that gave rise to that order cannot be resolved.</p> <p><i>Note: It is for the Council’s housing application assessing officer to decide with advice the seriousness of the hazard.</i></p>
	<b>Moving to housing specific for older people</b>	A tenant of one of the Housing Registered Providers/Housing Associations already within the District and living in general needs housing, who wants to move into older person’s specific accommodation within the District. See Section 3.4 for details.
	<b>Members of the Armed Forces</b>	Members of the Armed Forces persons who are serving in the regular forces who will be discharged within three months and have served for five years preceding their application for an allocation of housing accommodation. In line with Section 4.1 of this Policy.
	<b>Hardship</b>	<p>Hardship on support grounds: Applicants that have demonstrable evidence that they provide or receive substantial and on-going support to or from relatives or friends and need to move in order to deliver that support as detailed in Section 3.1 This will only be considered where there are significant medical or welfare issues including grounds relating to disability.</p> <p>Employment Hardship: Priority will only be given in exceptional circumstances and customers will need to show that they need to move to take up or continue an employment opportunity not available elsewhere and need to move in order to take up this employment, as detailed in Section 3.2. They will only be considered where they do not live within a reasonable commuting distance. In line with Section 3.5 (Right to Move) of this Policy.</p>
<b>Band C</b> <b>Mediu</b> <b>m</b> <b>Priority</b> <b>to Move</b>	<b>Made and eligible for homeless application but not in priority need</b>	<p>An applicant where a decision on their Homeless Application to Sevenoaks Council is that they are eligible, homeless but not in priority need.</p> <p><i>Note: For this award to continue the applicant must still be homeless whilst on the register and still be homeless at the point of any offer.</i></p>
	<b>No or shared access to facilities essential to health and wellbeing</b>	<p>Applicants without access to:</p> <ul style="list-style-type: none"> <li>• A bathroom/shower room within the building in which they live.</li> <li>• A WC within the building in which they live.</li> <li>• Hot or cold water supplies, electricity, gas or heating.</li> </ul> <p>(Note: Applicants who have access to shared facilities in shared accommodation will not qualify under these criteria).</p>

## Agenda Item 9

Bandin g A-D	Criteria	Housing Need – Full Description
	<b>Non-successor tenant</b>	A tenant of one of the SDHR Partners including Registered Providers/Housing Associations, where the social landlord requires the person to move due to irregular occupation of a social property as a non-successor who is not considered to be in priority need as defined by the Housing Act 1996 (as amended).
	<b>Homeless households in Temporary Accommodation (TA) under 6 months</b>	Homeless households owed a full homeless duty by Sevenoaks Council under section 193 (2) of the Housing Act 1996 (as amended) and have been accommodated in temporary accommodation for a period of less than six months– <i>note these applicants might be made a direct offer in any area that is suitable.</i>  The Council may bid on properties, on behalf of applicants in this category as part of the Council’s main Homelessness Duty. The refusal of one suitable and reasonable offer will apply, see Section 10.1 for full details.
	<b>Parental eviction – unable to remain at home for 12 months</b>	A priority need household as defined by the Housing Act 1996 (as amended) who has been asked to leave the parental home and is unable to remain for a further minimum of 12 months.
	<b>Rough sleepers (verified)</b>	Applicants where it has been verified by the Council that they are rough sleeping in the Sevenoaks District and meet the local connection rules.
	<b>Overcrowding</b>	Households who are overcrowded as defined by the Bedroom Standard under section 4.8 of the <a href="#">Allocation of accommodation: guidance for local housing authorities in England</a> with no priority need (as defined by the Housing Act 1996 (as amended)).
	<b>Intentionally homeless</b>	An applicant where a decision on their Homeless Application to Sevenoaks Council is that they are eligible, homeless, in priority need but are intentionally homeless.  <i>Note: This award will only be for the period that the Council is under an intentional homeless duty. This is normally for 1 month, being the period that under this duty a household that is intentionally homeless is owed an advice and temporary accommodation duty.</i>
	<b>Non critical or serious Medical, Welfare or Disability needs</b>	Applicants with a medical condition, welfare need, or disability that is affected significantly by their housing circumstances but not at a critical or serious impact level.  <i>Note: An award of Band C medical or Welfare or disability priority can be assessed and verified by the assessing officer and will not normally need to be assessed by the Social and Welfare Panel (See Appendix 4 for full details).</i>  <b>Note:</b> A case may be referred to an independent medical advisor for advice if appropriate.
<b>No access to a kitchen</b>	Applicants without access to a kitchen. <b>Note:</b> Applicants who have access to shared kitchen facilities in shared accommodation will not qualify under this criteria.	
<b>Band D:</b>	<b>Over 55 years old and wanting housing designated</b>	Applicants aged 55 years and over who want to move into sheltered housing, or other housing specifically designated for this age group and have an identified housing and social need. This includes older



Bandin g A-D	Criteria	Housing Need – Full Description
Low Priority to Move	<b>for older people</b>	people needing to move to be closer to family and/or social networks and therefore this qualifies the applicant for a local connection.
	<b>Making a considerable community contribution</b>	Applicants who have a qualifying local connection of ‘making a considerable community contribution’ and who meet the financial limits, but who do not have a housing need recognised in the other priority bands.
	<b>Need to share kitchen, bathroom, WC or living room</b>	Applicants who need to share a kitchen, bathroom, WC or living room with people who are not part of their household.  This could, for example, be a young couple or adult “children” who wish to set up their own home but circumstances require them to continue living in their family home or live in a house in multiple occupation with all or some shared facilities re the bathroom, kitchen and toilet.
	<b>Not currently suitably/adequately housed</b>	Applicants who are not currently suitably/adequately housed. For example, a couple who wish to establish their first independent home together but have low priority need to move.
	<b>Banding reduced for a period of time</b>	The Council has the right to reduce an applicant’s priority under its allocation scheme. Example reasons for this may include, but are not limited to a change in circumstances, failure to bid or not accepting the agreed amount of reasonable offers or fails to provide documentary evidence to support a higher priority banding.
	<b>Rural Exception Site Housing with a Parish connection</b>	Applicants who have been accepted onto the Housing Register as they meet the criteria and definition of local parish connection for Rural Exceptions Site properties. This includes the where they do not meet the Allocation Policy local connection criteria. See Section 3.6 for full details.

**Please Note:** Applicants who can demonstrate more than one type of housing need will be placed in the highest Band that applies.

## 15. Appendix 3 – Documents required for Housing Register application

Proof of an applicant’s identity, current address, household details and finances are required before the application can be accepted onto the Housing Register to verify the information provided. This list include, but not limited to, the following documents requirements:

Required documents	Examples
Proof of identity At least one proof of identity must include a photograph	Birth certificate Valid Passport
Current proof of residence One of the following for each person aged over 16 years	<ul style="list-style-type: none"> <li>• Rent card/book</li> <li>• Recent bill or credit payment book for gas, electricity, water supply or telephone</li> <li>• Confirmation from Employer or DSS</li> <li>• Tenancy Agreement</li> <li>• Full UK driving licence</li> <li>• Council tax bill</li> <li>• Notice to quit, Section 21 or Property repossession order if applicable</li> </ul>
If the applicant is a Council or Housing Association tenant	Copy of the tenancy agreement
Proof of Income All of these are relevant for each member of the household over 16 years	<ul style="list-style-type: none"> <li>• Last three months’ wage slips (or 13 weeks if paid weekly) or latest tax return if self employed</li> <li>• Proof of all benefits received i.e. income support, DLA, etc.</li> <li>• Disbursement details (if there has/will be a house sale in last 3 years)</li> </ul>
Proof of Financial details	<p>The most recent three months’ full bank statements for every account held by each person aged over 16 years. This includes:</p> <ul style="list-style-type: none"> <li>• Bank, building society, savings and post office accounts.</li> </ul> <p>Each statement must show all transactions because summary statements or balance sheets will not be accepted.</p>
Proof of any other assets held	<p>Copies of other assets including stocks, shares and bonds – including any assets owned outside the UK.</p> <p>A current valuation of any property owed including outside the UK.</p>
Proof of income from child benefits or equivalent	<p>Children living with the applicant - Proof of the following:</p> <ul style="list-style-type: none"> <li>• Child benefit</li> <li>• Child Tax and Working Tax Credits</li> </ul>

## Agenda Item 9

	<ul style="list-style-type: none"><li>• Custody or Residence Order</li><li>• A letter from a Solicitors confirming that they acted for the applicant in relation to a dispute regarding custody/ residence of children &amp; how it was resolved</li><li>• Confirmation from DSS or Social Services</li></ul>
Maternity Certificate	If pregnant, a copy of the Maternity Certificate (MAT B1) which a doctor/midwife will provide at the 26 weeks pregnant stage.

### 16. Appendix 4 – Social and Welfare Priority Assessment Panel

#### The purpose and frequency of the Panel

Social and Welfare Panel is able to consider and make decisions on applications, exemptions and banding when information on the application does not clearly fit within the assessment criteria, and additional social and/or welfare priorities may be taken into account.

The Panel meets at least monthly (more frequently if required) to consider the supporting evidence and documentation provided by a relevant support worker or professional (this may include Housing Officer, Social Worker, Education Welfare Officer etc.) to consider urgent social and welfare priorities. Any evidence will be sent to Panel representatives in advance for consideration.

#### Panel Representatives

The Panel will consist of the following representatives:

- Sevenoaks District Council - Housing Advice Team Leader or relevant representative with responsibility for Housing;
- West Kent Housing Association Senior Officer or their relevant representative;
- Additional members co-opted as and when required.

#### Panel Process

A written assessment and supporting evidence is considered by the Panel to establish whether a social and welfare priority should be awarded, as the evidence indicates an exceptional reason for a change in priority banding or housing. **All options for resolving the applicant's difficulties will be considered before any additional priority may be awarded.**

Some examples of social and welfare priority that may be considered by the Panel include:

- Urgent welfare needs in order to deal with child protection issues arising under the Children Act;
- To provide further protection and reduce the risk level to vulnerable adults or children, as the current home could contribute to deteriorate to the household member at risk;
- Where an applicant requires a type of special housing provision such as where additional care or support is required for a long term medical condition or disability;
- Families with a child with medical or behavioural difficulties, which may require an additional bedroom or a particular type of accommodation;
- Requiring additional space to accommodate a carer or to foster/adopt (confirmation in writing will be requested from the relevant County Council or adoption agency);
- The need for rehousing due to irreconcilable neighbour disputes when all other options have been exhausted including mediation etc. This may include acts (or attempted acts) of violence, threats, witnesses of crime, harm, intimidation and harassment.
- Applicant requests for exceptions to this Policy, such as increase affordability due to a change of circumstances (ill health, loss of work etc.) or to alleviate hardship;
- Requests for a transfer or rehousing where there has been a bereavement or personal tragedy in the property or area;

- Applicants that may be excluded from this Policy but where exceptional circumstances need to be considered to establish qualification.

### **Monitoring and Outcomes**

All decisions and reasons for that decision will be recorded and the applicant informed of the decision. Additional evidence or information may be required before the Panel can make a final decision. In exceptional cases, an applicant may be asked to attend the Panel to provide clarification on their case.

A review date will be set (at least annually) to ensure that the priority award remains valid; the applicant at review may be required to re-apply for a Panel assessment. If the applicant has been awarded an 'urgent need to move' priority banding is A, they will be removed from the Register if they refuse 1 suitable and reasonable offer which meets the urgent housing needs and is within their preferred locations. Applicants who have been awarded as an urgent priority banding of A will be reviewed on a six monthly basis to see if any help or support is required with bidding and to ensure this urgent priority awarded is still valid and appropriate.

It is the applicant's responsibility to notify the Managing Agent of any changes in their housing and/or social and welfare circumstances to enable priority to be re-assessed. Failure to notification may result in the loss of any priority banding.

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**EqIA Template – for DECISIONS**

**Appendix C**

This template should be completed alongside proposals that will be subject to decision by Councillors.

<b>Summary of decision to be made:</b>	Final Sevenoaks District Housing Allocations Policy		
<b>Lead Officer (job title):</b>	Hayley Brooks, Head of Housing and Health		
<b>Date the final decision is due to be made:</b>	26/02/2019	<b>Date this assessment commenced:</b>	1/10/2018
<b>Is the decision relevant to the aims of the Public Sector Equality Duty?</b>			<b>Yes / No</b>
Eliminate discrimination, harassment and victimisation			<b>Yes / No</b>
Advance equality of opportunity			<b>Yes / No</b>
Foster good relations			<b>Yes / No</b>
If the answer is yes to any of the above, proceed with the assessment. If the answer is no, please say why and summarise any evidence:			
For each of the following characteristics, summarise any existing data, consultation activity, interpretation of the impacts and actions that can be taken to reduce or mitigate any negative impacts:			
<b>Characteristic:</b>	<b>Data and consultation</b>	<b>Summary of impact</b>	<b>Actions</b>
Disability	Sevenoaks District Housing Needs Survey 2017, Health Profiles, 2011 Census, Sevenoaks District Housing Strategy, West Kent Homelessness Strategy	The updated 'reasonable preference' criteria and clearer definitions and processes for the applicants relating to banding priorities will ensure openness and transparency for people who may have a disability.	WKEP Aim: <a href="#">Other actions as a service provider</a>
Carers	As above	Enhanced wording which supports the role of carers as part of a social housing application ensures that carers needs are considered at all times	WKEP Aim: <a href="#">Other actions as a service provider</a>
Race	As above	None - the allocations policy aims to treat all applicants equally irrespective of race	WKEP Aim: <a href="#">Other actions as a service provider</a>
Gender	As above	None - the allocations policy aims to treat all applicants equally irrespective of gender	WKEP Aim: <a href="#">Other actions as a service provider</a>
Age	As above	Updates within the 'reasonable preference' criteria ensures 16/17 care leavers and over 55 year olds with an identified housing need are given priorities and will provide	WKEP Aim: <a href="#">Other actions as a service provider</a>

EqlA Template – for DECISIONS

Appendix C

		greater clarity and transparency.	
Religion / Belief	As above	The allocations policy aims to treat all applicants equally irrespective of religion or belief	WKEP Aim: <a href="#">Other actions as a service provider</a>
Sexual Orientation	As above	The allocations policy aims to treat all applicants equally irrespective of sexual orientation	WKEP Aim: <a href="#">Other actions as a service provider</a>
Pregnancy / Maternity	As above	The current allocations policy prioritises pregnancy and maternity as a protected characteristic, no changes are recommended to this.	WKEP Aim: <a href="#">Other actions as a service provider</a>
Marital or Civil Partnership Status	As above	The allocations policy aims to treat all applicants equally irrespective of this status	WKEP Aim: <a href="#">Other actions as a service provider</a>
Gender reassignment	As above	The allocations policy aims to treat all applicants equally irrespective of gender reassignment	WKEP Aim: <a href="#">Other actions as a service provider</a>
<b>Summary of impacts :</b> (to be included in committee reports)	<p>Under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The impact has been analysed and does not vary between groups of people.</p> <p>The decisions recommended through this paper will result in clearer definitions and transparency within the updated Housing Allocations Policy for those with an identified housing need, including reasonable preference groups and protected characteristics. This will provide greater opportunities for people with an identified housing need to join the Sevenoaks District Social Housing Register as well as prioritising those with the greatest need.</p>		
Please tick the outcome of this assessment:	<b>No impact</b>	<del>Adjust the policy</del>	<del>Continue the policy</del>
Date assessment will be reviewed:	01/11/2018		



**HEALTH LIAISON BOARD**

Minutes of the meeting held on 23 May 2018 commencing at 2.00 pm

Present: Cllr. Dyball (Chairman)

Cllrs. Clark, Parkin, Searles and Miss. Stack

Apologies for absence were received from Cllrs. Dr. Canet, Esler and Halford

Cllr. Mrs Bosley was also present.

1. Minutes

Resolved: That the Minutes of the meetings of the Board held on 7 February 2018, be approved and signed by the Chairman as a correct record.

2. Declarations of Interest

There were no additional declarations of interest.

3. Actions from the previous meeting

The Head of Housing and Health advised that an email had been circulated to all members including the requested Licensing Public Access link. As requested by the Board, the Head of the Licencing Partnership discussed the Street Trader Framework with the legal team and the Chief Officer. She advised that there was no desire at the present time to pursue the adoption and implementation of a street trading licensing scheme within Sevenoaks. It would be put in the licensing service plan for 2018/19 to investigate viability and practicalities of implementing a street trading scheme in the future.

4. Update on West Kent Health - One You

The Head of Housing and Health gave members an overview of the work of the new West Kent 'One You' Health Service, developed in partnership with Kent County Council and neighbouring District Councils. The service works with partners to deliver health improvement services through a holistic assessment model and the national 'One You' health campaign. Local residents were supported to improve their health and wellbeing and reduce health inequalities thorough targeted assessments and interventions.

The Head of Housing and Health welcomed the Healthy Living Project Officer to give a presentation to the board. He provided some background information to the National Campaign which focused on six areas; smoking, drinking, eating, moving,

sleep and stress. At the Council these priorities were accompanied by housing and financial support and advice. A range of different council departments and partner organisations had been working together to provide quality support.

NHS health checks have been offered by One You advisors to those between 40 and 74 who had been either self-referred or referred by their GP with no health problems. Mobile applications were also in operation which could assist with behaviour change and quizzes could be taken on both the Kent County Council and Sevenoaks District Council websites with opportunities for One You self-referral. Completed self-referral forms would form a health team database which would allow the team to analyse referral patterns. Over 200 referrals had been received with the majority coming through the contact centre or GP's however there was expected to be an increase in online self-referrals which currently appeared low, due to the limited time the website had been live. The One You Service had been running workshops based on need and had planned targeted work to reach out to individuals who could be less likely to seek support. Future plans also included seeking new funding opportunities, partnerships, increased referrals in all areas of the district and engagement with national health campaigns. A One You advisor in attendance at the meeting provided greater insight into the referral and support process and client case studies. She also highlighted the importance of workshops targeted at improving mental health and also those tailored for specific groups.

Resolved: That the report be noted

5. Update on GP pilot - 'One You Your Home' Project

The Head of Housing and Health updated Members on this Council's involvement in the 'One You Your Home Project'. She advised how the Council had developed a new pilot project with three local GP surgeries, in partnership with Age UK and funded by this Council's allocation of the Better Care Fund. The project aimed to support residents, identified by health professionals, with non-medical issues such as the need for home adaptations and equipment, help with housing and financial issues and healthy lifestyle behaviours.

The One You 'Your Home' advisor in attendance at the meeting informed the Board of her experiences including supporting Edenbridge Surgery, with many of the referrals coming from GPs and Dementia Cafes. The 'Your Home' project incorporated the Sevenoaks specific housing and finance aspects into the National One You health campaign. She discussed case studies to help describe the role and the support available.

Member discussed the update, how to better reach out to those not usually engaging in services, and what the health responsibilities of districts were compared with other local authorities.

Resolved: That the report be noted

## 6. Updates from Members

The Chairman, Cllr. Dyball advised that the third Every Step Counts walk had been very well attended and referrals had been coming in through the One You Advisors for the Swanley Every Step Counts walk. Cllr Dyball emphasised the benefits of the Every Step Counts walks for the communities they take place in and the health of the participants.

Cllr. Clark tabled a written summary of his updates to the board. Cllr. Clark advised that the Rural Services Network Health and Social Care Board had made a submission to the Housing Communities and Local Government Committee which had identified the challenges of providing social care in rural areas. Cllr. Clark also advised that the GP surgery in New Ash Green was currently struggling with recruiting new staff which was resulting in waiting times of three to four weeks. Members and Officers discussed the possibility of posting a One You Advisor in the surgery to help filter patients. Cllr. Clark advised the board on the New Ash Green Community Hub which had got off to a good start and provided an opportunity to combat loneliness and isolation. Members discussed the Action with Communities in Rural Kent Coffee Caravan and whether this scheme might be eligible for Community Infrastructure Levy (CIL) funding. A future update on the success of the van was considered. Members and Officers also discussed a how a similar van initiative may be suitable for the One You service.

Cllr. Searles proposed that he would discuss with the CCG Board if they would like to send a representative to present to the Board. Cllr Searles advised that he was the Council's representative on the KCC Health and Wellbeing Board. He was yet to receive updates on the proposal for a GP in the A&E department at Darent Valley Hospital.

Cllr. Parkin advised the Board that the Alzheimer's and Dementia Support Services (ADSS) had organised a dementia friendly community singing event which would meet monthly and a Summer Fayre was also planned in West Kingsdown.

Cllr. Stack advised she supported the formulation of some training on the health approach, she hoped it could potentially be included in member training.

*Action 1: for the Head of Housing and Health to discuss with the Portfolio Holder where the council can do more to promote health in all policies and departments*

The Chairman invited the Council Chairman, Cllr Pat Bosley to update the Board on her ambitions for the year relating to health and wellbeing. She advised the Board a range of events she would be organising and taking part in.

## 7. Workplan

The work plan was noted with Members considering possible external attendees for the coming year. The following additions were agreed:

## Agenda Item 10

Health Liaison Board - 23 May 2018

19 September 2018

Cllr Stack to update on the One You Marketing Campaign

7 November 2018

Community Safety Manager to Update on the work of the LSP Mental Health Sub Group

A representative from KCC to come on talk on the future of strategic commissioning.

THE MEETING WAS CONCLUDED AT 3.35PM

CHAIRMAN

Housing and Health Advisory Committee Work Plan 2018/19 (as at 30.10.18)

27 November 2018	27 February 2019	11 June 2019 (tbc)	1 October 2019 (tbc)
Health Liaison Board update Shared Ownership grant scheme - product approval Budget: Service Reviews and Service Change Impact Assessments (SCIAS) Final Housing Allocations Policy	Health Liaison Board update Update on Better Care Fund grants and projects Housing Strategy progress report no. 2 Integrated Care and Local Care Hubs Social Prescribing update Civil penalties and charges	Health Liaison Board update	Health Liaison Board update

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