

Housing Allocations and Choice Based Lettings Scheme

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NORTHAMPTON
BOROUGH COUNCIL

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SECTION ONE

1.1. Introduction

- 1.1.1. This is Northampton Borough Council's Housing Allocations and Choice Based Lettings Scheme ("Northampton's Allocation Scheme"). In accordance with section 166A of the Housing Act 1996 and Part 6 of the Housing Act 1996 (as amended by the Homelessness Act 2002), and the Localism Act 2011, all local authorities are required to have a scheme that determines the allocation of its dwellings, and gives a reasonable preference to certain categories of people.
- 1.1.2. Northampton's Allocation Scheme has been framed to give additional preference to particular groups of people if they have urgent housing need in accordance with section 166A of the Housing Act 1996, and to Armed Service personnel under regulations introduced during 2012.
- 1.1.3. Northampton Borough Council ("the Council") has agreed that housing need will be reflected cumulatively in the manner set out below.
- 1.1.4. Under section 166A (14) of the Housing Act 1996 a local housing authority in England may not allocate housing accommodation except in accordance with its allocation scheme. The scheme must include a statement of the authority's policy on offering:
 - (a) a choice of housing accommodation; or
 - (b) the opportunity to express preference about the housing accommodation to be allocated to them.
- 1.1.5. Social landlords have a duty under section 170 of The Housing Act 1996 to cooperate with housing authorities to such an extent as is reasonable in the circumstances in offering accommodation to people with priority under the housing authority's allocation scheme.
- 1.1.6. Similarly section 213 of the Housing Act 1996 provides that, where a private registered provider has been requested by the Council to assist in the discharge of its homelessness function under Part 7 of the Housing Act 1996, it must also cooperate to the same extent.
- 1.1.7. Northampton's Allocation Scheme sets out in detail the Council's general policies relating to the allocation of social housing across the Northampton Related Development Area (the "NRDA"), and the procedures and processes used by officers to implement those policies.
- 1.1.8. To ensure fairness, the policies described in Northampton's Allocation Scheme will be applied consistently to all applications to join Northampton's Housing Register ("the Register").
- 1.1.9. The individual circumstances of each applicant will be considered in every case using the information provided by the applicant on their housing registration form and any additional relevant information that may be required and/or supplied.

- 1.1.10. Any provision in Northampton's Allocation Scheme may be waived in exceptional circumstances and at the discretion of the appropriate senior officer with delegated authority (as stated in the department's Scheme of Delegations). The application of such discretion will normally require a full report of the circumstances of the individual case to be prepared by the Housing Advice and Options Manager for the consideration of the delegated officer (currently the Head of Housing and Wellbeing).
- 1.1.11. Every local housing authority is required to have a housing allocations scheme (their "Allocation Scheme") for determining priorities and the procedure to be followed in allocating housing accommodation.
- 1.1.12. For the absence of doubt "procedure" includes all aspects of the allocation process, including all the persons or descriptions of persons by whom decisions are to be taken.
- 1.1.13. The Localism Act 2011 introduces significant amendments to Part 6 of the Housing Act 1996. The main policy objectives behind the amendments enable housing authorities to better manage their housing registers by giving them the power to determine which applicants do or do not qualify for an allocation of social housing.
- 1.1.14. Authorities have been granted the ability to operate a more focussed list, which better reflects local circumstances and can be understood more readily by local people. The amendments make it easier for authorities to manage unrealistic expectations, by excluding people who have little or no prospect of being allocated accommodation.
- 1.1.15. The Council will operate a managed approach to Northampton's Allocation Scheme in response to the legislative amendments described above.
- 1.1.16. The Localism Act 2011 also gives local housing authorities the power to discharge their main homelessness duty with an offer of private rented accommodation. This new power became effective on 9 November 2012, by way of Statutory Instrument 2012/2599.
- 1.1.17. The Council will operate the power to discharge its main homelessness duty under Part 7 of the Housing Act 1996 via Northampton's Allocation Scheme in accordance with sections 148 and 149 of the Localism Act 2011. The additional power to discharge the main housing duty into the private rented sector under Part 7 of the Housing Act 1996 does not extend to the allocation of accommodation within the provisions of Part 6 of the Housing Act 1996.
- 1.1.18. Northampton Partnership Homes (NPH) is an Arm's Length Management Organisation (ALMO) that was set up by the Council in 2015 to manage Northampton's local housing authority stock, and a range of housing related services, on behalf of the Council.
- 1.1.19. The ALMO is a Company Limited by Guarantee that is wholly owned by the Council and became responsible for the administration of Northampton's Allocations Scheme and the maintenance of Northampton's Housing Register on 5 January 2015.

1.1.20. The Homelessness Reduction Act 2017 came into effect on 3 April 2018 and amends Part 7 of the Housing Act 1996 by adding two new duties to local housing authorities' statutory rehousing duty:

- (a) a 56 day duty to prevent homelessness; and
- (b) a 56 day duty to relieve homelessness.

1.1.21. In order to ensure that their housing needs are met as quickly as possible, everyone who is homeless or at risk of becoming homeless and approaches the Council for assistance under the Homelessness Reduction Act 2017 will be actively encouraged to apply to join Northampton's Housing Register.

1.2. Scope

1.2.1. The definition of an allocation for the purposes of Part 6 of the Housing Act 1996 is given below - so far as is generally relevant to Northampton's Allocations Scheme:

- (a) selecting a person to be a secure or introductory tenant of housing accommodation (i.e. in practice accommodation held by the Council);
- (b) nominating a person to be a secure or introductory tenant of housing accommodation (i.e. in practice accommodation held by another housing authority); and
- (c) nominating a person to be an assured tenant of housing accommodation held by a private registered provider.

1.2.2. The term "assured tenant" includes a person with an assured short hold tenancy, including of an affordable rent property. The term "secure tenant" includes a person with a flexible (i.e. fixed term) tenancy granted under section 107A of the Housing Act 1985.

1.2.3. The statutory framework within Part 6 of the Housing Act 1996 applies to the allocation of accommodation to existing secure or introductory tenants of the local housing authority and existing assured tenants of private registered providers only in the following circumstances:

- (a) the allocation involves a transfer;
- (b) the application for transfer is made by the tenant; and
- (c) the housing authority is satisfied that the tenant is to be given reasonable preference under the statutory framework.

1.2.4. Accordingly; those existing secure, introductory and assured tenants who are seeking a transfer and are not considered to be entitled to such a reasonable preference fall outside the scope of the statutory framework. Northampton's Allocation Scheme does apply to the following:

- (a) existing tenants who occupy an adapted property and no longer require those adaptations but the Council requires the property for an applicant who does need them; and

(b) existing tenants who are under-occupying their accommodation.

1.2.5. The following circumstances are not covered by the provisions of Part 6 of the Housing Act 1996 in respect of the allocation of accommodation or Northampton's Allocations Scheme:

- (a) mutual exchanges between secure tenants;
- (b) mutual exchanges between secure and assured tenants, and those with flexible/fixed term tenancies;
- (c) assignments;
- (d) renewals/extensions of fixed term/flexible tenancies;
- (e) transfers to existing tenants where the Council is satisfied that the tenant does not have reasonable preference;
- (f) transfers to existing tenants that the Council initiates for management purposes, including temporary decants;
- (g) conversion of introductory tenancies to secure tenancies;
- (h) successions under section 89 of the Housing Act 1985;
- (i) allocations to persons who lawfully occupy accommodation let on family intervention tenancies;
- (j) provision of non-secure temporary accommodation in discharge of any homelessness duties or powers;
- (k) transfer of tenancies by court order under family law or under the provision of the Civil Partnerships Act 2004;
- (l) re-housing due to being displaced from previous accommodation by the Council or being re-housed by the Council pursuant to the Land Compensation Act 1973; and
- (m) temporary decants to allow property repairs to be carried out.

1.2.6. Through Northampton's Allocation Scheme the Council aims to:

- (a) empower people to make decisions and choices over where they live and exercise choice;
- (b) help create sustainable communities and encourage the effective use of available affordable housing; and
- (c) give applicants as much opportunity as possible for their views to be taken into account when they are seeking a new home.

1.2.7. The provisions within the Localism Act 2011 include creating new freedoms and flexibilities for communities and individuals; and ensuring through localism, a greater number of decisions are made about housing at a local level.

1.2.8. The Homelessness Reduction Act 2017 amends Part 7 of the Housing Act 1996 by adding two new duties to local housing authorities' statutory rehousing duty: a 56 day duty to prevent homelessness and a 56 day duty to relieve homelessness.

1.2.9. The new prevention duty requires the housing authority to take reasonable steps to prevent an eligible applicant who is threatened with homelessness within 56 days from becoming homeless. It can do this either by arranging for them to remain in their current home or by securing accommodation elsewhere, such as through a private tenancy of at least six months.

- 1.2.10. The new relief duty requires the housing authority to take reasonable steps to help an eligible applicant to secure accommodation within 56 days if homelessness has not been prevented or if a person requests assistance when they are already homeless.
- 1.2.11. If homelessness is not successfully relieved within 56 days and the applicant is eligible, has a priority need for accommodation and is not intentionally homeless, the housing authority will owe the applicant the main housing duty and will be required to provide them with settled accommodation.
- 1.2.12. The Council will support applicants to choose and access the housing options that are best for them, and will promote the range of alternatives to social rented accommodation, such as low cost home ownership, mutual exchange, and accessing accommodation within the private rented sector.
- 1.2.13. The Council will ensure that it promotes independent living for all applicants who are seeking accommodation that will meet their support needs. Options will include providing information and free advice about staying put options such as aids and adaptations, and mobility schemes.
- 1.2.14. The demand for settled affordable housing in Northampton far outweighs the supply. In the last three years the Council has let on average 1,100 properties each year. In order to maximise the supply of affordable housing the Council will continue to work closely with a number of private registered providers (also known as housing associations) to secure nomination rights for a percentage of their homes.
- 1.2.15. The Council is committed to offering choice to all applicants seeking housing, which it aims to achieve by operating Northampton's Allocation Scheme.
- 1.2.16. The Council wants to make it as easy as possible for applicants to move between local authority, housing association and private sector tenures by encouraging the extension of Northampton's Allocation Scheme to cover low cost home ownership options and properties for rent within the private sector as well as affordable housing.

1.3. Objectives

- 1.3.1. The objectives of Northampton's Allocations Scheme are:
 - (a) to discharge the Council's statutory duties as contained in Part 6 and Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002), the Localism Act 2011 and the Homelessness Reduction Act 2017;
 - (b) to offer applicants information and free advice to enable them to make informed choices about their housing options;
 - (c) to offer as much choice as possible to applicants;
 - (d) to create an easy to understand, fair and transparent system;
 - (e) to house those in priority need as determined by the law;
 - (f) to help prevent homelessness;
 - (g) to make the most effective use of the local housing stock;
 - (h) to support the principles of social inclusion, community cohesion and meet applicant's expectations;

- (i) to respond to the circumstances of vulnerable individuals which includes joint working with other agencies;
- (j) to ensure and promote equality of opportunity in accessing the Housing Register based on reasonable preference;
- (k) to promote sustainable tenancies and communities by acknowledging support needs where appropriate;
- (l) to promote low cost home ownership schemes to applicants on the Housing Register;
- (m) to promote private rented accommodation to applicants on the Housing Register;
- (n) to encourage residents to access employment and training; and
- (o) to recognise residents who make a contribution to the local community.

1.3.2. The Council is committed to providing a fair and transparent service to anyone eligible to register for housing under Northampton's Allocations Scheme, and to allocate accommodation - in the majority of cases - to those households with the greatest need.

1.3.3. The Council is keen to ensure that as far as is possible the allocation of accommodation is administered in such a way as to promote social cohesion and create balanced sustainable communities.

1.4. Advice and assistance

1.4.1. In accordance with section 166 of the Housing Act 1996, all local housing authorities are required to secure that:

- (a) advice and information is available free of charge to persons in their district about the right to make an application for an allocation of housing accommodation; and
- (b) any necessary assistance in making such an application is available free of charge to persons in their district who are likely to have difficulty in doing so without assistance.

1.4.2. All local housing authorities in England shall secure that an applicant for an allocation of housing accommodation is informed that they have rights mentioned in section 166A(9) of the Housing Act 1996 (see paragraph 2.1.4).

1.4.3. Every application made to a local housing authority for an allocation of housing accommodation shall (if made in accordance with the procedural requirements of the authority's allocation scheme) be considered by the authority.

1.4.4. The fact that a person is an applicant for an allocation of housing accommodation shall not be divulged (without his consent) to any other member of the public.

1.4.5. The Council acknowledges that (except in certain circumstances) Northampton's Allocation Scheme requires the active participation of housing applicants and to reflect this, the Council aims to provide free advice and assistance to ensure that no person is disadvantaged by the way Northampton's Allocation Scheme operates.

- 1.4.6. General information about Northampton's Allocation Scheme will be made available as follows:
- (a) the procedures for applying to go onto the Housing Register and for applying for advertised vacancies;
 - (b) how applicants will be prioritised under Northampton's Allocations Scheme;
 - (c) how successful applicants will be selected;
 - (d) rules on how properties will be advertised, including bidding cycles and restrictive labelling (for example, certain properties will only be allocated to applicants who meet the mobility requirements of the property);
 - (e) how to request a review of the procedures; and
 - (f) details of the private registered providers that advertise vacancies through the Councils choice based lettings website ["YOURHOME Northampton"](#)
- 1.4.7. Applicants will also be provided with information regarding their own application which will include:
- (a) the Band they have been awarded under Northampton's Allocations Scheme;
 - (b) the type of properties they are entitled to bid for;
 - (c) their chances of bidding successfully on the property types and areas in which they are interested;
 - (d) if they are homeless and living in temporary accommodation what may happen in terms of 'direct offers' and 'proxy bidding' if they have been in the Emergency Band for at least six weeks and have not yet made a successful bid for accommodation;
 - (e) the documents they will need to supply in regard to verification and references, and when this information will need to be provided;
 - (f) the average waiting time per property type for each priority housing needs group; and
 - (g) whether their application has been awarded reduced priority or they are considered to be ineligible to join the register and what action may be required to rectify the matter.
- 1.4.8. Information will be provided in writing, on the web site and verbally.
- 1.4.9. Properties will be advertised through YOURHOME Northampton. The information provided in the advertisements will be comprehensive and clear. YOURHOME Northampton aims to promote informed choices and to guide applicants to bid only for properties they can realistically expect to be considered for.
- 1.4.10. Advertisements will include as many of the following as possible:
- (a) property location;
 - (b) property type, size and floor level;
 - (c) type of tenancy to be offered;
 - (d) amount of rent and other charges payable;
 - (e) the energy performance certificate rating;
 - (f) the type of heating;
 - (g) whether there is a heating charge payable that is not covered by housing benefit;
 - (h) any additional amenities such as a garden or parking with the property;

- (i) photos of the property and links to guides about the local area; and
 - (j) adaptations to the property that may aid mobility within the home.
- 1.4.11. Applicants who may experience any difficulty with reading or understanding Northampton's Allocation Scheme will, upon request, be offered the following services:
- (a) an interpretation service if their first language is not English;
 - (b) signing if speech or hearing is impaired;
 - (c) provision of documents in large print or braille if they have a visual impairment; and/or
 - (d) an interview to explain Northampton's Allocations Scheme and information about where independent advice can be obtained about the Scheme.
- 1.4.12. As there are likely to be many more applicants than properties available, the Council will also provide information about other housing options. This will include advice on:
- (a) registered providers, many of which will advertise their vacancies through YOURHOME Northampton;
 - (b) renting in the private rented sector;
 - (c) available low cost home ownership options; and
 - (d) mutual exchanges.

SECTION TWO

2.1. The legal framework

- 2.1.1. Further to the Homelessness Act 2002, the Allocation of Accommodation: Guidance for Local Housing Authorities in England 2012, and all subsequent Housing legislation, Northampton Borough Council will continue to provide a Housing Register, and allocations will principally be made through the Council's Choice Based Lettings scheme YOURHOME Northampton.
- 2.1.2. All current applications on the Housing Register will have been assessed as being eligible for accommodation and prioritised in accordance with Northampton's Allocations Scheme. Northampton's Allocations Scheme is a common housing allocations scheme between the Council and all housing associations and private registered landlords who provide affordable housing within the NRDA. The priority for nominations in paragraph 7.13 will proceed on the same basis as for the granting of a tenancy by the Council.
- 2.1.3. In determining the rules within Northampton's Allocation Scheme, the Council has paid due regard to The Housing Act 1996, as amended by The Homelessness Act 2002, Localism Act 2011, and Homelessness Reduction Act 2017, the published Tenancy Strategy, the Homelessness Strategy, the 2012 Code of Guidance and the Regulatory Framework. Additionally, the Council will have regard to case law, relevant legislation (including any amendments) relevant codes of practice and local policies (see Appendix C).

2.1.4. When anyone applies to join the Housing Register, they will be informed by the Council of their relevant statutory rights under section 166(1A) and section 166A(9) of the Housing Act 1996:

- (a) the right to request such general information as will enable applicants to assess how their application is likely to be treated under the allocations scheme including include whether they are likely to fall within any of the groups entitled to a reasonable preference;
- (b) the right to request such general information as will enable applicants to assess whether accommodation appropriate to their needs is likely to be made available and if so how long it is likely to be before such accommodation becomes available;
- (c) the right to be informed of any decision about the facts of the applicant's case which has been, or is likely to be taken into account when considering whether to allocate accommodation (including any decision that the applicant is ineligible or not qualifying or not to be given any reasonable preference); and
- (d) the right to request a review of any decision in (c) above and the right to be informed of the review decision and the grounds of it.

2.2. Equality and diversity

2.2.1. The Council is subject to the provisions of the Equality Act 2010. The Council has a duty to:

- (a) eliminate unlawful discrimination;
- (b) advance equality of opportunity; and
- (c) foster good relations between persons who share a relevant protected characteristic and those who do not.

2.2.2. The protected characteristics are; age, race, disability, sex, pregnancy, and maternity, sexual orientation, religion or belief, and gender reassignment.

2.3. Data protection and freedom of information

2.3.1. The information that applicants provide may be personal and sensitive or fall within special categories of data as defined under the General Data Protection Regulations and Data Protection Act 2018. Data will only be shared with a third party with the applicant's permission and then only for the purposes of assisting with their re-housing. Applicants will be asked to sign a consent form as part of their housing application to enable the authority to share their information. Personal data will also be handled in accordance with the Electronic Communications Act 2000.

2.3.2. Applicants have the right under the General Data Protection Regulation and Data Protection Act 2018 to see all information held regarding their application for housing.

2.3.3. The Freedom of Information Act 2000 gives applicants a right to see information on how Northampton's Allocation Scheme was prepared and approved by the Council.

2.3.4. Under the Freedom of Information Act 2000 requests must be made in writing, must state the applicants name and address for a response and must describe the information requested.

2.4. Information on the Housing Register

2.4.1. Under section 166(1) of the Housing Act 1996 an applicant on the Housing Register of a local authority is entitled to free advice and information about the right to make an application for housing and accommodation. The entitlement includes the ability to request any necessary assistance when completing an application, specifically for those applicants who would normally have difficulty in doing so without assistance.

2.4.2. Applicants are also entitled to be given such general information that will enable them to assess how long it is likely to be before housing accommodation appropriate to their needs may become available for allocation (see paragraph 2.1.4 above). The information will be published on YOURHOME Northampton website and will be provided to each applicant on request at no charge.

2.5. False statements

2.5.1. Section 171(1) of the Housing Act 1996 makes it an offence for anyone, in connection with the exercise by a local housing authority of their functions under Part 6 of the Housing Act 1996 (and therefore in seeking an allocation of accommodation) to:

- (a) knowingly or recklessly make a materially false statement; or
- (b) knowingly withhold information which the authority has reasonably required him/her to give in connection with the exercise of those functions.

2.5.2. A person guilty of this offence is liable on summary conviction to an unlimited fine.

2.5.3. The circumstances in which an offence is committed could include:

- (a) any false information given on an application form for alternative housing/ accommodation;
- (b) any false information given in response to subsequent review letters; and
- (c) any false information given or submitted by applicants during the proceedings of a review.

2.5.4. Ground 5 in schedule 2 of the Housing Act 1985 (as amended by section 146 of the Housing Act 1996) enables Northampton Borough Council to seek possession of a tenancy granted as a result of a false statement by an applicant or a person acting at the applicant's instigation.

SECTION THREE

3.1. Choice based lettings

- 3.1.1. The Council has adopted a choice based lettings scheme called YOURHOME Northampton, and partnership schemes with Daventry District Council and South Northamptonshire Council to allow applicants on the Housing Register to express their property and area preferences within the NRDA and also provides information about a range of other housing options.
- 3.1.2. Anyone who applies for social housing in the NRDA has the opportunity to join a common housing register, called the Northampton Housing Register. This is a common register shared by all of the major social housing providers and accredited private sector rented landlords in the NRDA in order to make access to all social housing and affordable housing in the area as easy as possible. It provides for access through one joint application form and register that can be used by partners and the Council to determine allocations.
- 3.1.3. The amount of choice that the Council is able to offer is limited by the acute housing pressures it faces and legal responsibilities it has to some groups in housing need such as those found to be statutorily homeless.
- 3.1.4. The Council believes that any applicant considered to be eligible under Northampton's Allocation Scheme should be able to express a preference/choice over the type of property and the area in which they would like to live. However applicants should be aware that the Council's ability to satisfy their expressed preference/choice may be severely limited.

3.2. Direct offers

- 3.2.1. Whilst the majority of applicants will be housed through the choice based lettings system, the Council may make direct offers to applicants in the following circumstances, (provided applicants qualify and are assessed in accordance with this policy and as being in urgent housing need):
- (a) situations where urgent rehousing is required due to the applicant spending an excessive amount of time in temporary accommodation provided by Northampton Borough Council, or an existing property being uninhabitable, or where there are serious health and safety or personal protection issues to be addressed to discharge a statutory homelessness duty;
 - (b) other urgent housing need situations where in the circumstances it would not be reasonable to wait for the choice based lettings process to take place including landlord transfer requests;
 - (c) cases where the tenant has died and there is no right of succession where the Authority has agreed to rehouse the applicant in an alternative property;
 - (d) threat to life in the area in which the applicant currently resides;
 - (e) emergency cases where an applicant's home has been damaged by fire,

flood or other disaster, they may be provided with other accommodation if it is not possible to repair the existing home;

- (f) households who on Police advice must be moved immediately due to serious threats to one or more members of the household;
- (g) to facilitate a three way (or greater) mutual exchange. Mutual exchanges are not an allocation, but where the Authority is satisfied that to do so would make best use of its housing stock and support the needs of the tenants involved, rather than a direct swap (assignment) taking place, the Council may make available a property for three-way exchange;

3.2.2. All direct offers of accommodation will be authorised by the relevant team leader or service manager within the Rehousing Team or the Housing Advice and Options team.

3.2.3. In addition, an average of up to five 'direct offers' per fortnight may be made to homeless households living in temporary accommodation as part of the action the Council is taking to reduce the amount of time homeless households spend in temporary accommodation.

3.3. Qualifying to join Northampton's housing register

Applicants must qualify under each of the following requirements, and not be disqualified under any of the relevant provisions in subsection 3.5. below.

Age

3.3.1. Anyone who is 16 years of age or over can apply under Northampton's Allocation Scheme, subject to the provisions below. However, this does not guarantee housing under the Scheme. Each applicant will be assessed on their individual circumstances, and must satisfy the eligibility and qualification criteria. The applicant's relevant statutory rights will be determined under the Housing Act 1996.

3.3.2. Any applicant who is under 18 cannot by law be granted a tenancy, but the legal estate can be held on trust until they reach the age of 18. A trustee will be appointed by the minor and will be required to sign the tenancy agreement on their behalf. Any action taken regarding breach of tenancy will be taken against the tenant and not the trustee.

3.3.3. Local connection

3.3.4. With the exception of Armed Forces personnel (see paragraph 3.3.5.) any applicant will be required to meet the local connection criteria in order to qualify to join the Housing Register for an allocation. A local connection will be established if:

- (a) the applicant is living in the Borough of Northampton or the NRDA and has done so continuously for three years immediately prior to making the application to join Northampton's Housing Register;
- (b) the applicant is working in the Borough of Northampton or the NRDA and has done so continuously for nine months immediately prior to making the

- application to join Northampton's Housing Register;
- (c) the applicant wants to live near to a close relative (or another person if there is no other living relative who can provide support/care) who is living in the Northampton Borough or the NRDA and has done so continuously for the past five years, and the applicant is either providing them with support/care or is receiving support/care that they cannot receive in their local area.

3.3.5. A close relative is as defined in Homelessness legislation as father, mother, stepfather, stepmother, son, daughter, stepson, stepdaughter, grandmother, grandfather, grandson, granddaughter, brother, sister, uncle, aunt, niece or nephew (whether of full blood, half blood or by affinity) of that person or of that person's spouse or former spouse.

3.3.6. Consideration will also be given to another person if there is no other living relative that can provide support. This decision is made at the discretion of the Team Leader.

3.3.7. Through the Military Covenant, the Government has made clear its responsibility to support the British Armed Forces in return for the important contribution they make to the country. Therefore, in accordance with the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, the local connection criteria does not apply to the following applicants:

- (a) anyone serving in the regular forces or who has served in the regular forces within five years of the date of their application;
- (b) anyone who has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where:
- i. the spouse or civil partner has served in the regular forces; and
 - ii. their death was attributable (wholly or partly) to that service;
- (c) special consideration is appropriate in some cases as per the Armed Forces Covenant which states that special consideration will be appropriate in cases for those who have given the most such as the injured and the bereaved.

3.3.8. Applicants who have served in the Armed Forces and have been dishonourably discharged will be reviewed on a case by case basis by the Rehousing Team Leader.

Priority Bands

3.3.9. All applicants must fall within the provisions for one or more of the priority Bands (see Section 6).

3.4. Interpretation/translation and other facilities

3.4.1. Where a language need is identified, from whatever source, and the applicant has no other means, all written material given to the applicant will be translated into the relevant language. This will be given together with a copy of the English version. The Rehousing Officer will enter any translation requirements on the

applicant's computer records.

3.4.2. An interpreter will be arranged for any subsequent interviews with the applicant. In addition, where it becomes apparent during the course of an interview that an applicant has language difficulties, the Rehousing Officer will ask the applicant whether they want an interpreter to be present and if they have a family or friend who can assist them. A record will be made of the applicant's request and the Rehousing Officer will ensure that the appropriate arrangement is in place. Whenever an interpreter is present, their name and relationship to the applicant will be recorded on the interview notes.

3.4.3. Similar arrangements will be made for applicants with other needs such as Braille or enlarged script.

3.5. Those applicants who are eligible and are not disqualified

3.5.1. The Council will only allocate housing accommodation to applicants who are eligible and meet the qualification criteria.

3.5.2. An applicant may not be allocated accommodation under Part 6 of the Housing Act 1996 if they are a person from abroad who is ineligible for an allocation of accommodation under section 160ZA of the 1996 Housing Act. The Council will ensure compliance with the statutory provisions for eligibility (as amended from time to time). Current information as to eligibility may be obtained by reference to the 2012 Code of Guidance or by enquiry to the Authority.

3.5.3. An applicant subject to immigration control within the meaning of the Asylum and Immigration Act 1996 is ineligible for an allocation of housing accommodation by a local housing authority unless they are a class prescribed by regulations made by the Secretary of State.

3.5.4. The Secretary of State may by regulations prescribe other classes of persons from abroad who are ineligible for an allocation of housing accommodation, either in relation to local housing authorities generally or any particular local housing authority.

3.5.5. The regulations detailing which classes of persons from abroad are eligible or ineligible for an allocation of accommodation are set out in the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (SI 2006 No. 1294) and (SI 2012/2588).

3.5.6. Northampton's Allocations Scheme will at all times, have due regard for relevant case law that may impact the decision process and outcome.

3.5.7. The effect of the Eligibility Amendment Regulations is to maintain the Government's policy that non EEA nationals who are normally subject to immigration control should only have access to social housing or homelessness assistance if it accords with the Government's immigration and asylum policy, which broadly means only if they have been granted leave to enter or remain in the UK and this leave is not conditional on the person having no recourse to public funds.

- 3.5.8. The Localism Act 2011 allows local authorities to establish their own qualification criteria for applicants wishing to be included onto the Housing Register. The following criterion has been set by the Council with specific reference to non-qualifying persons who do not have a reasonable preference under s166A (3) Housing Act 1996:
- (a) an applicant unsuitable to be a tenant of the Council by reason of unacceptable behaviour;
 - (b) an applicant whose financial resources are above the levels set by the Council; and
 - (c) an applicant who has deliberately worsened their circumstances in order to qualify to join the Housing Register.
- 3.5.9. An applicant's eligibility or qualification to join Northampton's Housing Register will be kept under review during the application process. Applicants who cease to be eligible and/or qualifying may be removed from the Housing Register at any time.
- 3.5.10. Each application will be assessed on its own merits. Any applicant rejected as ineligible or non-qualifying will be provided with a written explanation. The notification will give clear grounds for the decision, which will be based firmly on the relevant facts. The letter will be issued by the Housing Applications Officer. The applicant will have the right to request a review of the decision.

Unacceptable behaviour

- 3.5.11. Except for an applicant to whom the Council decides reasonable preference is to be given under section 166A (3) Housing Act 1996, an applicant is not qualified to join the Housing Register for an allocation if they or a member of their household has been guilty of unacceptable behaviour serious enough to make the applicant unsuitable to be a tenant of the authority.

Unacceptable behaviour includes, but is not limited to:

- (a) owing significant housing related debt to a Council, private registered landlord or private landlord. Significant housing debt is the equivalent of two weeks or more chargeable rent for the tenancy.
- (b) failing to adhere to the terms of an agreed payment plan in relation to rent arrears or housing debt;
- (c) being subject to a court order (including an interim order) for breach of tenancy conditions;
- (d) conviction for illegal or immoral use of the home;
- (e) causing nuisance and annoyance to neighbours or visitors;
- (f) committing criminal offences in or near the home and still posing a threat to neighbours or the community;
- (g) being violent towards a partner or members of the family;
- (h) allowing the condition of the property to deteriorate;
- (i) obtaining a tenancy by deception, for example giving untrue information;
- (j) paying money illegally to obtain a tenancy, for example a corrupt payment;
- (k) applicants that have been convicted of housing or welfare benefit related fraud, where that conviction is unspent under the Rehabilitation Offenders Act 1974.
- (l) being a perpetrator of domestic abuse as this is a ground for possession

(Grounds 2A as amended); and
(m) acts of violence and aggression towards employees of the Council or their agents.

- 3.5.12. Acts of violence and aggression to employees will not be tolerated by the Council and any applicant who threatens or uses violence towards any Council employee or contractor will be removed from the Housing Register immediately.
- 3.5.13. Applicants who have been disqualified from joining the Housing Register due to unacceptable behaviour - as determined by the Head of Housing - can make an application for housing in the future if they can demonstrate a change of behaviour. The Council will consider whether the change of behaviour warrants revoking the applicant's disqualification from the Housing Register.
- 3.5.14. Checks will normally be carried out at the visit stage (see subsection 3.10.) but can be carried out at any time. The Rehousing Officer will ask the applicant whether there are any court orders outstanding against them, in relation to current or previous housing related debts, and record this on the file.
- 3.5.15. The Rehousing Officer will refer the case to the Rehousing Team Leader who will then decide whether it is reasonable to cancel the application.
- 3.5.16. The applicant will be informed of the outcome in writing and a copy of the letter will be kept on the applicant's file.

Financial resources

- 3.5.17. The Council considers £30,000 per annum for a single person household and £40,000 per annum for family household income to be sufficient financial resource to buy a home or pay market rent in Northampton.
- 3.5.18. Except for an applicant to whom the Council decides reasonable preference is to be given under section 166A (3) of the Housing Act 1996, single applicants who earn £30,000, and joint applicants with a joint income of £40,000 a year, or who have assets or savings of £16,000 for a single applicant £32,000 for joint applicants or more are not qualified to join the Housing Register.
- 3.5.19. An applicant or applicants with an income or capital above the threshold but entitled to reasonable preference will be placed in the Reduced Priority Band (see section 5.27.1).
- 3.5.20. The applicant will be informed of the decision in writing and a copy of the letter will be kept on the applicant's file.

Deliberately worsening housing circumstances

- 3.5.21. Except for an applicant to whom the Council determines a reasonable preference is to be given under section 166A (3) of the Housing Act 1996; where there is clear evidence and a conclusion can properly be drawn that an applicant has deliberately worsened their circumstances in order to qualify to join the Housing Register, then the applicant will not qualify to join the Housing Register. The Head of Housing will make this decision. Examples may include:

- (a) selling a property that is affordable and suitable for the applicant's needs;
- (b) moving from a secure tenancy or settled accommodation to insecure or less settled or overcrowded accommodation;
- (c) requesting or colluding with a landlord or family member to issue them with a Notice to Quit; or
- (d) deliberately overcrowding a property by moving in friends and/or other family members who have never lived together with the applicant previously, and who then request rehousing to larger accommodation.

3.6. How to apply to join Northampton's Housing Register

- 3.6.1. Applicants are required to complete the on-line application form (through [Northampton Partnership Homes website](#) , or by visiting Northampton's One Stop Shop at the Guildhall St Giles Square, Northampton, NN1 1DE.
- 3.6.2. Applicants will also be requested to submit a passport size photograph of themselves (and any partner included on their application) that complies with current British passport standards.
- 3.6.3. Upon receipt of the application form the Rehousing Officer will check that:
 - (a) the applicant is at least 16 years of age;
 - (b) the applicant does not have an existing application;
 - (c) where a current application already exists the new registration form is linked to the previous application;
 - (d) any change in circumstances, e.g. family composition, is updated;
 - (e) the full details of the household have been provided, including the sex, dates of birth and relationship of any household members listed; and
 - (f) full accommodation/tenancy details have been provided.
- 3.6.4. Where the applicant states that a member of their household has a tenancy elsewhere, the Rehousing Officer will request full details to retain on the applicants file.
- 3.6.5. Where the applicant is a Northampton Borough Council tenant, the Rehousing Officer will establish whether they are a joint tenant and that all members of the tenancy are included in the application.
- 3.6.6. Application forms will only be accepted by the Council as complete once all correct and relevant information and supporting documents have been received and verified.
- 3.6.7. If an applicant or their representative does not supply the required information then the application to join the Housing Register will not usually progress and applicants will be expected to reapply at a later stage when they are able to provide the necessary details in the required format.
- 3.6.8. However; where the applicant has made a homelessness application to the Council under Part 7 of the Housing Act 1996, their application to join the Housing Register will continue to be processed and will only be cancelled if the Council subsequently decides that it does not owe the applicant a housing duty

under the homelessness legislation, and the applicant fails to provide all of the relevant supporting documentation required to determine whether they qualify to join the Housing Register.

3.7. Fraud investigations

- 3.7.1. Any concerns that the Rehousing Officer has regarding information that has been provided will be discussed with the Rehousing Team Leader who will decide whether they:
- (a) consider there to be insufficient evidence to cancel the application;
 - (b) want more information to be gathered locally before making a decision;
 - (c) consider there to be insufficient evidence and require a formal fraud investigation;
 - (d) have a suspicion of fraud and require a formal fraud investigation;
 - (e) are satisfied that the applicant has provided fraudulent information; or
 - (f) there is sufficient evidence to warrant a verification visit by the Council's visiting officer.
- 3.7.2. The Rehousing Team Leader may seek advice from the Fraud Team Leader, and will notify the Rehousing Manager in all cases where fraud is suspected.
- 3.7.3. The purpose of a formal fraud investigation is to establish the facts relating to the application. The Rehousing Team Leader will be responsible for making the referral for a formal investigation and detailing the suspicion.
- 3.7.4. If it comes to light that an applicant has provided incorrect information at the time of the application or visit (such as deliberate concealment of a debt, an eviction, or a deliberate worsening of their circumstances) then their application may either be cancelled or the applicant may be placed into a reduced priority Band.
- 3.7.5. The applicant will receive the reasons for any action in writing.
- 3.7.6. In some cases putative fraud may be reasonably obvious, for example, the applicant may admit that they have tried to claim a priority they are not entitled to or have included a household member who does not exist.
- 3.7.7. The self-correcting principle will usually be applied in the first instance, the Rehousing Officer will usually send a warning. If the applicant does retain their eligibility to remain on the Housing Register then their application will usually receive a reduced priority Banding.
- 3.7.8. In some cases the applicant may not admit to the fraudulent activity, although it may still be obvious e.g. they have failed to demonstrate that they live where they are supposed to. In such cases, the applicant will be treated as a non-qualifying person, and be cancelled from the register.
- 3.7.9. If the applicant is unable to prove the entire claimed household membership they will be registered only on the basis of the family members that the Council is willing to accept.
- 3.7.10. If there is a second offence, or the Rehousing Team Leader considers that the

fraud is deliberate serious and adequately proved, they may recommend rejecting the application on grounds of fraud.

- 3.7.11. Any potential rejection on the grounds of fraud will only be determined in consultation with the Housing Advice and Options Manager or the Head of Housing and Wellbeing, who may also decide whether further action should be taken (including criminal proceedings against the fraudulent applicant).
- 3.7.12. Any rejection from the Housing Register on the grounds of fraud will be treated as a permanent exclusion and will apply to any subsequent applications from the same applicant even if the application is made from a different address.
- 3.7.13. The applicant will be advised of the permanent exclusion and the reasons why. "Fraudulent Information Provided" will be recorded on their casefile.
- 3.7.14. There will be no provision for lifting the sanction detailed in 3.7.23. and 3.7.24. other than through an exceptional circumstance report.
- 3.7.15. If information is requested from the applicant and is not received by the Rehousing Team within 28 days then the application will not be registered. The applicant will be notified in writing, all original documents will be returned by registered post and the application form and photocopies of documents will be destroyed.
- 3.7.16. Where applications are found to be fraudulent the Council can:
 - (a) cancel the applicant's housing application;
 - (b) take action to repossess any tenancy it has provided for the applicant; and
 - (c) take criminal proceedings against the applicant.

3.8. Forms of proof for supporting documents

- 3.8.1. The Council will not accept as proof photocopied documents, unless the original has been provided (in person if possible) and verified by the Council by delivering the original in an envelope to Housing Applications, Northampton One Stop Shop, The Guildhall, and St Giles Square, Northampton, NN1 1DE. All documents will be returned by recorded delivery.
- 3.8.2. Any applicant who is subject to immigration control, a national of European Economic Area (EEA) or an Accession State National, will be required to provide additional documents.
- 3.8.3. Full details of the documents that the Council will accept as proof are listed in the Supporting Document Checklist (Appendix B).

3.9. Changes of circumstances

- 3.9.1. Where a re-assessment due to a change of circumstances leads to an application being awarded a different priority status the Rehousing Officer will update the applicants' records and inform applicants in writing. If the supporting documents are not supplied the application will be suspended.

3.10. Who gets visited

- 3.10.1. All applicants will be subject to a verification visit and/or other appropriate investigations by a Rehousing Officer to confirm their eligibility for housing, prior to receiving an offer.
- 3.10.2. Applicants will be contacted a maximum of three times to meet with a visiting officer to verify their details. If the verification visit has not been completed after the third attempt, then the application will receive a reduced priority Banding until such time as all details can be confirmed.
- 3.10.3. The primary purpose of a visit is to check that all information relating to the applicant's housing application is properly recorded, that their housing need has been correctly assessed, and that they are a "Qualifying Person" and otherwise eligible for an offer.
- 3.10.4. All assessments will be provisional until verified at a visit. The applicant will be notified in writing of any change in their status or entitlement following the visit.

3.11. The home visit

- 3.11.1. The Visiting Officer will complete a visiting form to confirm that they have checked the proof of identity and date of birth for all people on the application, and proof of residency for each household member over 16 included on the application.
- 3.11.2. The Visiting Officer will:
 - (a) check that the rooms, facilities, and tenure claimed are correct and that the rent is actually being paid at the level required. The applicant will be asked to provide details of rent books/agreements/payments etc. If they are in rent arrears the reason will need to be checked;
 - (b) ask the relevant questions to satisfy themselves that the information being provided supports the application; and
 - (c) require access to all areas within the property in order to verify the details that have been provided by the applicant.

3.12. After the home visit

- 3.12.1. The information and documentation gathered at the home visit will be used to confirm the applicant's eligibility for an offer and the details will be added to the applicant's file.
- 3.12.2. Even where an applicant has been approved for an offer, the Council reserves the right to reinvestigate the application in the event of any information arising that questions the applicant's entitlement to an offer. Such reinvestigation can be at any stage prior to the applicant signing the tenancy.
- 3.12.3. If after an applicant has signed up for a tenancy information comes to light that indicates that the property has been obtained through deception, then the

Council will take legal action to secure an eviction.

- 3.12.4. If the applicant is not approved for an offer then the Rehousing Officer will inform the applicant of the reason in writing (see section 7.7.1). It may be that more information is required before a final decision can be made.
- 3.12.5. Where a decision is made for an applicant to be excluded from the Housing Register or placed in the Reduced Priority Band, the Rehousing Officer will inform the applicant of their decision in writing, with details of the reason for the decision and the applicant's statutory right of review.

3.13. Periodic review of the Housing Register

- 3.13.1. Applicants will not be required to annually re-register their housing applications after first applying. They are however required to inform the Council of any changes in their circumstances, which affect their housing application.
- 3.13.2. The Council will monitor the bidding patterns of applicants and identify applicants who fail to bid. If an applicant fails to submit a bid for more than 12 months then the Council will remove their housing application from the Housing Register. The Council will inform the applicant of this decision in writing. The letter will also advise the applicant that they can request a statutory review of the decision to remove their application from the Housing Register due to no bids being submitted for the previous 12 month period.
- 3.13.3. The Council will check periodically whether there has been a change of circumstances for applicants on the Housing Register and may promote broader housing options with those applicants who are unlikely to be allocated accommodation in the near future.
- 3.13.4. Where an applicant is homeless and living in temporary accommodation provided by the Council, they may be made a 'direct offer' of suitable accommodation or subject to 'proxy bidding' (by Officers of the Council or NPH) if they have been in the Emergency Band for at least six weeks and have not made a successful bid for accommodation.

3.14. The Annual Lettings Plan

- 3.14.1. The Council will produce an Annual Lettings Plan; this will set annual targets for property types across priority Bands.
- 3.14.2. The Council will operate a robust monitoring mechanism in order to demonstrate that overall reasonable preference is given to those in the reasonable preference categories.
- 3.14.3. The Annual Lettings Plan will be published on an annual basis and all of the lettings that are made within the NRDA will be monitored against this. The plan will be devised to ensure that the Council meets its statutory duty and obligations, whilst also ensuring that all lettings under Part 6 of the Housing Act 1996 contribute to the overall purpose of the Lettings Plan (Appendix D).
- 3.14.4. If whilst monitoring the plan, the outcomes appear to differ from the commitment

that the Council has made to certain Bandings and groups with reasonable preference, strategic tactics may be implemented to ensure that the Council meets with its statutory obligations.

- 3.14.5. The Housing Act 1996 requires that each local housing authority determines and publishes an allocation scheme setting out how it will prioritise its applications for social housing. The “Allocation Scheme” must adhere to the acknowledgement and provision of accommodation for those who may fall into a reasonable preference category, and will include applicants who are homeless and who are living in overcrowded households.
- 3.14.6. The Annual Lettings Plan is an essential tool that identifies who will be considered for rehousing by the Council and can also be used to illustrate a commitment to rewarding households who are working or who have a community contribution; both with or without reasonable preference. Northampton’s Annual Lettings Plan will make a clear statement that the Council wishes to reward those who make a positive contribution to their neighbourhood, and to the economic growth of the area.
- 3.14.7. The Council will make a commitment to encourage longevity of tenure and tenancy sustainment by providing a mechanism for families who are already tenants and have maintained their tenancies to a reasonable standard and without arrears the ability to move into larger accommodation as their circumstances change and they require more space. All of these strategies are designed to meet with the statutory obligations of the Council, as well as to contribute to wider strategic and corporate plans that the Council are required to deliver.
- 3.14.8. It is the aim of the Council to ensure that the Annual Lettings Plan demonstrates a more transparent process that delivers a more effective policy for the allocation of accommodation. The Annual Lettings Plan will always be governed by the Council’s statutory obligations; however, it will encourage fairness for those who wish to be acknowledged for making a positive contribution to Northampton economically and towards sustainable communities.

3.15. Requests for review

- 3.15.1. Section 166A (9) of The Housing Act 1996 includes the following rights for applicants in respect of their application:
 - (a) the right to request the Council to inform them of any decision about the facts of his case which is likely to be or has been taken into account in considering whether to allocation housing or not; and
 - (b) the right to request a review of a decision in relation to (a) above or as to a decision that they are ineligible or not a qualifying person and to be informed of the decision on review and the grounds for it.
- 3.15.2. Letters notifying applicants of ineligibility or non-qualification for joining the Housing Register, or about the Band that they have been awarded, or about any other decision concerning the facts of their case, will state that the applicant has a right to request a review of the decision.

- 3.15.3. Applicants who wish to request a review of the decision that has been made in respect of their application, are required to make their request in writing within 21 days of receiving the decision letter. The request for a review should be addressed to the Rehousing Manager, Northampton Borough Council, The Guildhall, St Giles Square, Northampton, NN1 1DE,
- 3.15.4. The Rehousing Manager or other suitable officer will undertake a review of any decision that has been requested. The reviewing officer will not have been involved in an original decision, and will not sit on the Welfare Panel to review the case.
- 3.15.5. The Council will determine the review within 56 days of the request, or such longer period as may be agreed with the applicant. The Council will notify the applicant of the outcome of the review including the reasons if the original decision is confirmed. The Council's decision on review is final and any challenges to that decision can only be made through judicial review proceedings.
- 3.15.6. In cases where the Council considers that an applicant may have difficulty in understanding the implications of a decision on ineligibility or disqualification, then the appropriate officer will make arrangements for the information to be explained to the applicant verbally.

3.16. Review of Northampton's Allocation Scheme

- 3.16.1. The Council will monitor Northampton's Allocation Scheme to ensure that it addresses local housing needs and complies with legislative requirements. Northampton's Allocation Scheme will be reviewed annually to ensure that its aims and objectives are met.

SECTION FOUR

4.1. Assessment and monitoring

The Banding assessment process explained below will be applied to all eligible and qualifying applications and applicants will be informed in writing of the assessment. The Council aims to assess complete applications within 28 working days.

4.2. Northampton's Banding Scheme

- 4.2.1. An applicant's circumstances will be assessed and the application placed in either the Emergency Band, Band A, Band B or the Reduced Priority Band as explained in Section six. Within each Band, priority will be accorded by:

- (a) a priority star system; and
- (b) the date of registration.

In broad terms, the greatest priority will be awarded to those assessed as having the highest housing need.

4.3. Reasonable preference

- 4.3.1. The Council is required by law to determine the relative priority that Housing Register applicants are awarded. This is particularly important when, as is the case in Northampton, the demand for social housing is greater than the availability of homes.
- 4.3.2. The law, as it applies to local housing authorities, requires that reasonable preference for housing must be given to those in the categories set out in the Housing Act 1996 (as amended). The statutory reasonable preference categories cover:
- (a) all homeless people as defined in Part 7 of the Housing Act 1996;
 - (b) people who are owed a particular statutory duty by any local housing authority under certain provisions of homelessness legislation;
 - (c) people occupying unsanitary, overcrowded or otherwise unsatisfactory housing;
 - (d) people who need to move on medical or welfare grounds (including grounds relating to a disability); and
 - (e) people who need to move to a particular locality within the district to avoid hardship to themselves or others.
- 4.3.3. Applicants are to be disregarded for these purposes if they would not have fallen within (a) and (b) without the Council having had regard to a restricted person (as defined under section 184(7) of the Housing Act 1996, relating to immigration cases).

4.4. Determining priority between applicants with reasonable preference

- 4.4.1. The Council will determine priority between applicants with reasonable preference by taking into account various factors including:
- (a) the financial resources available to an applicant to meet their housing costs; and
 - (b) the contribution that an applicant makes to Northampton or their local community, for example through working or volunteering.

SECTION FIVE

5.1. Priority star system

- 5.1.1. Within each Band, applicants will be prioritised, first, by reference to a priority star system.
- 5.1.2. Where applicable, one priority star will be awarded for each of the following:
- (a) applicants owed a statutory homelessness duty under either section 193(2) or section 195(2) of the Housing Act 1996;
 - (b) applicants occupying unsanitary or statutory overcrowded housing (as defined by Part 10 of the Housing Act 1985), or otherwise living in

unsatisfactory housing conditions in accordance with hazards identified through the Housing Health Safety Rating Scheme as confirmed by the Council;

- (c) applicants who need to move on severe medical or severe welfare grounds;
- (d) applicants who need to move to a particular locality in their district of the authority where failure to meet their needs would be detrimental to their health and well-being and cause severe hardship;
- (e) working households as described in subsection 5.13, and subsection 5.14 of Northampton's Allocation Scheme; and
- (f) applicants who are undertaking a community contribution as described in subsection 5.17 of Northampton's Allocation Scheme.

5.2. Registration date

- 5.2.1. The registration date will be the date that a fully completed application is received by the Council, except where there is a change to the applicant's Band (see paragraph 5.2.2. below). The registration date will affect the order of priority within each Band.
- 5.2.2. Where an applicant's change of circumstances result in a higher or lower priority Band being awarded, then the date of moving in to the higher/lower Band will be the date that affects their order of priority within that Band.

5.3. Change of circumstances

- 5.3.1. Applicants are required to report any change of circumstances that may affect their application by emailing the details to yourhome@northamptonpartnershiphomes.org.uk and providing the necessary supporting documents.
- 5.3.2. The onus will be on the applicant to inform the Council when there is a relevant change in their circumstances.
- 5.3.3. The Rehousing Officer will inform the applicant in writing of any change to their Band within 28 days of receiving the details of the change in circumstances.
- 5.3.4. Where an applicant's change in circumstances results in a higher or lower priority Band being awarded to their application then the date of moving to the higher/lower Band will become the priority order date for consideration within that Band.

5.4. Financial assessment

- 5.4.1. All applicants will be subject to a financial means test to establish their level of housing need, to enable the Council to provide informed advice on the availability of affordable accommodation relative to the applicant's circumstances.

5.5. Local connection criteria

- 5.5.1. The Council will establish whether or not the applicant or a member of their family has a local connection to the NRDA (see paragraph 3.3.3.).

5.5.2. There is an exception to the local connection criteria for the Armed Forces (see section 3.3.3.).

5.5.3. Where an applicant has been placed outside of Northampton by Northamptonshire County Council's Children Services Department, but Northampton is the location they would normally live in, then they will be considered to have a local connection.

5.5.4. Where an applicant has been moved to secure accommodation outside of the NRDA for example due to detention in prison or in hospital under the Mental Health Act, then the applicant will retain the local connection afforded immediately before their detention.

5.6. Joint tenancies

5.6.1. The Council will usually grant a joint tenancy to applicants with a long-term commitment e.g. civil partners and married and unmarried couples.

5.6.2. Under section 160ZA(1)(b) of the Housing Act 1996, a housing authority must not allocate a joint tenancy to two or more people if they are persons from abroad who are ineligible or if they are not qualifying. However, where two or more people apply and one of them is eligible and qualifying, the authority may allocate a tenancy to the person who is eligible and qualifying. In addition, whilst ineligible and non-qualifying family members must not be granted a tenancy, they may be taken into account when determining the size of accommodation which is to be allocated.

5.7. Residence and contact with children

5.7.1. Where applicants have children subject to residence and contact issues, the Council will usually consider the children as permanent household members of the partner with the primary residence and control of the child/children. Where the other partner applies to join the Housing Register, it will not always be possible to consider the child/children as part of their housing application.

5.7.2. Documentary evidence detailing residence and contact arrangements such as a court order or solicitor's letter, and who receives the Child Benefit will be required to determine the property size that an applicant will be considered for.

5.8. Prospective adopters and foster carers

5.8.1. Northamptonshire County Council has a duty under section 22G of the Children's Act 1989 to ensure sufficient accommodation is provided to meet the needs of looked after children. Northampton Borough Council will work in partnership with Northamptonshire County Council to best meet the needs of prospective and approved foster carers and adopters, to enable Northamptonshire County Council to fulfil its duties.

5.9. Transfers

5.9.1. Northampton's Allocation Scheme will not apply to existing social housing tenants except as indicated in paragraph 1.2.5.

- 5.9.2. Existing social tenants who do not meet the necessary criteria above will be encouraged to find a mutual exchange that meets their housing need.
- 5.9.3. Social housing tenants applying for a transfer and who are considered by the Council to be entitled to a reasonable preference for an allocation will be treated on the same basis as new applicants, in accordance with the requirements of section 166A(3) of the Housing Act 1996, and allowed to join the Housing Register.
- 5.9.4. Social housing tenants who request a transfer, where the Council is satisfied that tenant is not entitled to reasonable preference, will not be considered within Northampton's Allocation Scheme, except as specified in paragraph 1.2.5.

5.10. Landlord request transfers

- 5.10.1. The Council accepts that there may be exceptional circumstances where management discretion is required to resolve a household's urgent housing need by way of authorising a landlord request transfer. Landlord request transfers will be kept to a minimum, and all such transfers will be authorised by the Rehousing Team Leader. Examples will include, but are not limited to:
- (a) threat to life; and
 - (b) households who, on Police advice, must be moved immediately due to serious threats to one or more members of the household, or who's continuing occupation would pose a threat to the community.
- 5.10.2. Landlord request transfers will be placed into the Emergency Band, and if all other housing options have been explored, may result in a direct offer of accommodation.

5.11. Under-occupation

- 5.11.1. The Council will run targeted incentive schemes (subject to financial resources being available) to encourage and support tenants with spare bedrooms to mutually exchange or transfer into smaller properties, in accordance with the Property Lettings Criteria (Appendix A).
- 5.11.2. Under-occupying applicants who would otherwise be awarded reduced priority due to rent arrears may still be considered for a transfer in certain circumstances; this would however be at the discretion of the Housing Services Manager to enable properties to be released to assist families on the Housing Register waiting for larger properties.
- 5.11.3. The under-occupation scheme will help to address the requirements of the Welfare Reform Act 2012, which reduces Housing Benefit entitlement for work age social tenants who under-occupy their property (measured in accordance with the Local Housing Allowance size criteria).

5.12. Working households

- 5.12.1. The Council wants to support the economic growth of Northampton, and

encourage people to work and raise levels of aspiration and ambition. The Council will therefore offer increased priority to applicants who are working and making a contribution to the local economy. The increased priority gained by being a working household will apply across the NRDA and is not linked to a specific area.

- 5.12.2. One priority star will be awarded in respect of being a working household. The allocation of any property will be subject to a financial assessment to support and demonstrate an applicant's ability to afford suitable accommodation.
- 5.12.3. Applicants who are not in the Emergency Band, Band A or B or the Reduced Priority Band but are in employment will not qualify to join the Housing Register. The applicant's housing priority rather than their employment status will define their qualification to join the Housing Register.

5.13. Definition of a working household

- 5.13.1. The definition of a working household for the purpose of Northampton's Allocations Scheme is a household where the applicant or joint applicants is/are in employment.

Employment includes:

- (a) a permanent contract;
 - (b) working as a temporary member of staff; or
 - (c) self-employment.
- 5.13.2. Qualifying applicants are required to have been working for 16 hours or more per week for nine out of the last 12 months. Verification will be sought at the point of application, and at the point of offer. Applicants will be required to provide payslips, P45 and P60, tax returns, bank statements, and a verifying letter on headed paper, or contract of employment from the employer in order to qualify.
 - 5.13.3. Proof of employment must be supplied at the time of application and verified at time of offer. If the applicant's employment status changes their priority may be retained where a realistic prospect of re-employment can be demonstrated. The decision will take into account the applicant's previous employment history, their age and other relevant factors. However the applicant must satisfy the employment definition at the time of the offer of accommodation.

5.14. Community contribution

- 5.14.1. Applicants who play a part in making their neighbourhood strong, stable and healthy - those who help make it a good place to live work and play - are valuable people and the Council is keen to recognise them for the good they do.
- 5.14.2. The community contribution priority scheme is a Northampton Borough Council scheme for applicants across the NRDA which offers increased priority to qualifying applicants, in addition to any other reasonable preference they may be entitled to due to their housing need.
- 5.14.3. One priority star is awarded for a household that meets the community

contribution criteria. The allocation of any property will be subject to the applicant's eligibility for that particular property.

5.14.4. All applicants are given the opportunity to request a community contribution award, regardless of which housing partner they originally registered with.

5.14.5. Applicants who are actively undertaking community contributions but are not in the Emergency Band, Band A or B or the Reduced Priority Band will not qualify to join the Housing Register. The applicant's housing need determines whether they qualify to join the Housing Register rather than any community contributions they may be making.

5.15. Community contribution awards – how they work in practice

5.15.1. The community contribution award is additional to the applicant's reasonable preference status. If the Council declines an applicant's requests for a community contribution award that decision will have no bearing on the applicant's qualification to join the Housing Register.

5.16. Definition of community contribution

5.16.1. The Council will award a community contribution star based on the following criteria. Both criteria need to be satisfied:

(a) Criterion 1 - If an applicant, over the age of 16 has lived in the NRDA for three years continuously, now, or in the past and can pass the 'current positive local residence history' test (no anti-social behaviour, hate crime or convicted criminal activity).

(b) Criterion 2 – If an applicant volunteers. Volunteers must have been volunteering for a continuous period of at least 6 months up to the point of application, and the same at point of offer. Volunteering must be for a not-for profit organisation or a charity and must be for a minimum of 10 hours per month. Tenants and Residents Associations (which are constituted), are classified as not-for-profit organisations and must be registered with Northampton Borough Council, Daventry District Council, South Northamptonshire Council or a Registered Provider to qualify.

5.17. Evidence required for voluntary work

5.17.1. A letter will be required from the manager of the voluntary organisation confirming that the applicant has volunteered for a minimum of 10 hours per month in the specified location for at least six months immediately prior to the date of the letter.

5.18. Employment mobility

5.18.1. Applicants who wish to move to Northampton because they work in the area and have an income or capital that exceeds the threshold to join the Housing Register will be offered housing advice to encourage access to affordable private rented accommodation and low cost home ownership.

5.19. Medical, welfare and disability grounds

- 5.19.1. The Housing Act 1996 states that reasonable preference on the Housing Register should be given to applicants who have a need to move on medical or welfare grounds.
- 5.19.2. The medical and welfare category includes applicants, or members of the applicant's household, whose health is being affected by their current property, and where a move to another more suitable property would alleviate their condition or make it easier to manage.
- 5.19.3. Where it appears that there is a need to make enquiries into an applicant's medical condition, the Council will refer the case to an independent medical adviser. The applicant can provide their own medical evidence if appropriate along with a medical/welfare assessment form, which will be sent to the independent advisor.
- 5.19.4. If the independent medical adviser opines the Council that reasonable preference should be granted then the following awards will be considered:
- (a) severe medical award where it can be demonstrated that, due to an illness or disability, it would be unacceptable for the applicant to remain in their current dwelling; or
 - (b) moderate medical award when it can be demonstrated that due to an illness or disability the applicant finds living in their current dwelling difficult and it is clear that remaining in that dwelling would contribute to deterioration in their health; or it would be beneficial for the applicant to move to alternative accommodation but, at present, the applicant can manage in their present dwelling.
- 5.19.5. Where appropriate, the independent medical adviser will also recommend the type of property most appropriate to the household's medical needs.
- 5.19.6. The medical award will determine the Band the applicant is placed in. Where two or more members of a household would qualify for medical priority, only the highest priority will be awarded and (if applicable) only one priority star applied.
- 5.19.7. If the medical and welfare priority assessment was completed more than 12 months prior to the point of offer then the Rehousing Officer will arrange for it to be reviewed before the offer is made to ensure that the recommendations still apply.
- 5.19.8. Welfare grounds may be attributed to any member of the household. The following list is not exhaustive:
- (a) infirmity due to old age;
 - (b) the need to give or receive care;
 - (c) behavioural difficulties;
 - (d) the need to recover from the effects or threats of violence or physical or emotional abuse;
 - (e) young people at risk;

- (f) a mental or physical disorder;
- (g) a physical or learning disability; and
- (h) financial hardship.

5.19.9. Where an applicant is likely to require adaptations to their home then an assessment of both the current and prospective property will be completed.

5.19.10. The Council's independent medical adviser does not carry out individual medical examinations. Their recommendations are based on the information given by the applicant on the housing application form. Where required, the independent medical adviser will request the necessary information from the relevant medical professional.

5.20. Vulnerable people

5.20.1. The Council is committed to ensuring everyone with a local connection to the NRDA has fair access to Northampton's Allocation Scheme, and that the relevant support is provided for applicants to access the scheme where appropriate.

5.20.2. The Council will ensure that vulnerable applicants and those who may be disadvantaged by the choice based lettings process will be provided with support and assistance in accordance with the Council's Access Strategy.

5.20.3. Specialised support is available to facilitate health and wellbeing in line with the Council's objectives to promote the health and wellbeing of the Community as a whole, such as tackling worklessness, reducing poverty, promoting financial inclusion and supporting independence. The Council will work with partnership agencies to enable vulnerable clients to access the personalised help and support they may require.

5.20.4. Any support that is offered to enable an individual applicant to access other services will not guarantee acceptance on the Housing Register or accommodation, as this will be determined through the normal application process.

5.21. Independent living

5.21.1. The term "older persons housing" applies to a range of accommodation and tenancy based support services that are designed to meet the needs of older people (or younger disabled people) to support them to live independently with their own tenancy and manage their own affairs for as long as possible.

5.21.2. As a general rule, applicants who qualify to join the Housing Register will be considered for older persons housing if they are over 55 years old, or disabled and in receipt of a disability benefit.

5.21.3. Applicants wishing to be considered for older persons housing (including existing Council tenants) will be required to complete a housing application form (see subsection 3.6.).

5.21.4. The Council will start by establishing the applicant's eligibility and whether they have reasonable preference. An Older Person's Officer will then assess the level

of the applicant's support needs to establish whether they can be accommodated in older persons housing and that the appropriate level of service can be provided).

5.21.5. Northampton's older persons housing supply consists of flats, bungalows, and retirement schemes - some of which offer community rooms social activities and other on-site care and support facilities.

5.21.6. A sheltered housing panel allocates Eleonore House accommodation on the basis of the assessed needs of applicants; this is outside of the Choice Based Lettings policy. The sheltered housing panel will consider all factors of the customers housing and support needs when allocating the available accommodation.

5.22. Reduced Priority Band - general

5.22.1. The Reduced Priority Band comprises a number of categories of applicant who either:

- (a) would not have qualified under Northampton's Allocations Scheme but for the Council having decided they should be given a reasonable preference under section 166A(3) of the Housing Act 1996 ; or
- (b) would otherwise be placed in the Emergency Band, or Bands A or B.

5.23. Reduced priority due to housing related debts

5.23.1. Applicants with housing related debts will usually be awarded reduced priority. Debts may include current or former rent arrears (including temporary accommodation arrears), the cost of repairing damage to a former social housing property or legal costs arising from court action in connection with a current or former tenancy.

5.23.2. The Council will only consider housing related debt accrued within the last six years.

5.23.3. The reduced priority will be applied at the point of initial assessment or the point at which the Council is made aware of the debt. The following procedure will apply:

- (a) Applicants with any property-related debts (such as rent arrears, repair damage debt, or a housing benefit overpayment) to the Council or private landlord, either relating to their existing home or a former home, will usually be awarded less priority than other applicants when being considered for offers of accommodation, or when being considered for a nomination to a private registered provider for housing. The reduced priority will usually apply until the applicant has cleared the debt in full.
- (b) The decision as to whether an applicant owes the Council or a previous landlord money will usually be assessed at the point of application and reassessed or reviewed as part of the visit and/or investigation process.
- (c) Any Council tenant who has breached the terms of a suspended possession order for arrears will not be made an offer except with the prior

approval of the Head of Housing and Wellbeing.

- 5.23.4. Any applicant with reasonable preference previously evicted from accommodation due to rent arrears or a property related debt as described above will be considered for the Housing Register and placed in the Reduced Priority Band.
- 5.23.5. Applicants who are placed in the Reduced Priority Band will be informed of the decision in writing, including how the decision was reached.
- 5.23.6. Applicants can request a review of the decision by putting their request in writing to the Rehousing Manager.
- 5.23.7. In exceptional circumstances the Council will consider an applicant for an offer of accommodation with outstanding arrears or property related debt. Exceptional circumstances may include but will not be limited to: applicants who are victims of domestic violence; racial harassment or other hate crime; or have urgent medical need.

5.24. Reduced priority due to deliberately worsening housing circumstances

- 5.24.1. Where there is clear evidence that an applicant has deliberately worsened their circumstances in order to join the Housing Register, or to achieve higher priority on the Housing Register, and the applicant has not been disqualified for this reason, then their application will be awarded reduced priority and may be referred for a fraud verification visit. The Head of Housing will be responsible for making the decision.
- 5.24.2. Deliberately worsened circumstances include but are not limited to:
 - (a) selling a property that is affordable and suitable for the applicant's needs;
 - (b) moving from a secure tenancy or settled accommodation to insecure or less settled or overcrowded accommodation;
 - (c) requesting or colluding with a landlord or family member to issue a Notice to Quit; and
 - (d) deliberately overcrowding the property by moving in friends and/or other family members who have never lived together previously and/or have not lived together for a considerable period of time, then requesting rehousing to larger accommodation.

5.25. Reduced priority due to non-compliance with the tenancy agreement and/or unacceptable behaviour

- 5.25.1. Reduced priority may be awarded where the Council is satisfied, having considered all available evidence, that an applicant (or a member of their current or prospective household) has failed to adhere to the terms and conditions of any current or previous social housing or private rented sector tenancy agreement.
- 5.25.2. Non-compliance and unacceptable behaviour includes failing to maintain the terms and conditions of any previous social rented or private sector rented tenancy, for example;

- (a) failing to maintain a tenancy and the property to a reasonable standard; and/or
- (b) committing acts which cause or are likely to cause nuisance or annoyance to neighbours or others in the locality where they live or where they previously have lived.

5.25.3. The reduced priority will apply until the applicant (or a member of their household) has demonstrated, to the satisfaction of the Council, that circumstances have changed such that the previous conduct is unlikely to reoccur.

5.25.4. The reduced status of the application will be reconsidered at the request of the applicant and only where there has been no reasonable cause for complaint or concern against the applicant (or members of their household) and where the applicant can demonstrate that they are now in settled housing accommodation.

5.26. Reduced priority due to income or capital above financial threshold

5.26.1. The Council considers income of £30,000 per annum for a single person household and £40,000 per annum for a family household to be sufficient financial resource to buy a home or pay market rent in Northampton.

5.26.2. Single applicants who earn £30,000 or more per year or have savings of £16,000 and joint applicants with a joint annual income of £40,000 a year, or who have savings of £32,000 or more, with reasonable preference, will be placed in to the Reduced Priority Band.

5.27. Reduced priority due to failure of pre-transfer inspection

5.27.1. Existing Council tenants who apply to join the Housing Register will have a pre-transfer inspection carried out to determine whether their property meets the required standard for it to be re-let within three days of becoming vacant. The inspection will take place before their application is accepted. The “required standard” will be the void standard in operation by the Council at the point of becoming void.

5.27.2. New applicants who occupy a property that does not meet the required standard will not be accepted onto the Housing Register.

5.27.3. For existing applicants where a transfer has been accepted, the application will be checked to see when the last pre-transfer inspection was carried out. Where the inspection took place more than six months prior to the date of acceptance, then a further inspection will be carried out before an offer is made.

5.27.4. If the property fails the pre-transfer inspection, then the offer will not proceed. The applicant will be given reduced priority and placed in the Reduced Priority Band until any identified issues are rectified. The decision to place the applicant in to the Reduced Priority Band will be made by the Head of Housing.

5.27.5. Once the applicant’s property meets the required standard their application will be reinstated to the appropriate Band.

5.27.6. The pre-transfer inspection procedures may not apply in the following circumstances:

- (a) domestic abuse;
- (b) fear of violence; or
- (c) where the moving applicant is under-occupying their current home by two bedrooms or more and has been given Emergency Band priority, is over the Pension Credit age and has medical or welfare grounds to move which does not enable them to address the outstanding issues identified in the pre-transfer inspection e.g. decorating (at the discretion of the landlord).

5.28. Reduced priority for refusal of three offers of suitable accommodation

5.28.1. In circumstances where an applicant has successfully bid, but refused three offers of suitable accommodation within 12 months of the date of the first offer, then their application will be placed into the Reduced Priority Band for a 12 month period from the point of third refusal. The exception to these rules is for Homeless applicants owed a full homelessness duty under section 193(2) or 195(2) of the Housing Act 1996 where only one offer of suitable accommodation will be made and refusal of that offer will result in the discharge of the Council's homelessness duty.

5.29. Notification of reduced priority

5.29.1. Any applicant who has their priority reduced will be notified of the decision in writing. The letter will include the following information:

- (a) the reason(s) for the decision to reduce priority;
- (b) the Band that the applicant's housing circumstances would have warranted, and the Band that they have been placed in as a result of the Council's decision;
- (c) the applicant's right to request a review against the decision;
- (d) the action that is required before the applicant can be reconsidered again on the Housing Register;
- (e) that any request for review of the decision must be made in writing within 21 days of written notification of the decision; and
- (f) that any review will be dealt with by a senior officer not involved in the original decision.

5.29.2. All appeals will be dealt with within 28 days of the Rehousing Team receiving the appeal or request for review, and the applicant will be advised of the outcome in writing.

5.29.3. An applicant may request that their application be removed from the Reduced Priority Band at any time. The request for removal of the reduced priority should be made in writing and set out how and why the applicant believes that their request is justified.

5.30. National Witness Mobility Scheme (NWMS)

5.30.1. The Council participates in the government-funded National Witness Mobility

Scheme, which gives local authorities, other social landlords and the Police access to a nationally coordinated fast-track witness relocation scheme.

- 5.30.2. Witnesses, who are intending to give evidence in civil and criminal cases such as domestic violence, hate crimes, antisocial behaviour, gun crimes, sexual assault, child abuse and other serious crimes - and consider that it is unsafe to remain in their home - will be assessed by their local authority and a designated Police Officer.
- 5.30.3. If there is a serious risk to the witness, and it is unsafe for them to pursue normal homelessness routes, they can be offered the opportunity to relocate quickly away from the unsafe area. Referrals will be made to and from the NWMS office.
- 5.30.4. The NWMS includes “Protected Persons” as specified in section 82 and schedule 5 of the Serious Organised Crime and Police Act 2005.

SECTION SIX

6.1. The structure of the Priority Banding System

- 6.1.1. The Council operates a needs based Banding system as described below. The Bands are listed in priority order.

6.2. Emergency Band

Applicants who have a statutory right of succession and wish to succeed to a Council or housing association property, but that property is not suitable for the applicant’s household type due to under-occupation, or being designated as sheltered housing and/or having been adapted and the applicant does not qualify for an adapted property.

Tenants who have to vacate their home within six weeks due to a Compulsory Purchase Order or Council tenants who have to move, because their home requires major works within six weeks; to be determined and managed in accordance with the Council’s decant procedure.
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Applicants who are under-occupying a Council or housing association partner’s property. The under-occupation scheme will be important in light of the measures in the Welfare Reform Act 2012, which will reduce Housing Benefit entitlement for working age social tenants who under-occupy their property (measured in accordance with the Local Housing Allowance size criteria).
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Applicants who are statutorily overcrowded as defined by Part 10 of the Housing Act 1985.

An emergency landlord request transfer as defined by subsection 5.10. of Northampton’s Allocation Scheme.

Hospital discharge applicants who have somewhere to live on leaving hospital which is unsuitable for their medical needs and cannot be made suitable through adaptations due to cost, structural difficulties, or cannot be adapted within a
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reasonable amount of time, or hospital discharge applicants who have nowhere at all to live when they leave hospital.

Applicants who are being discharged from the Armed Forces who have sustained serious injury, illness, medical condition, or disability during service which is attributable (wholly or partly) to the person's service. It will also cover serving former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.

Applicants accepted by the Council as being statutorily homeless and owed the duty under section 193 of the Housing Act 1996 (as amended).

Applicants accepted by the Council as being owed the relief duty under section 189B of the Housing Act 1996 (as amended), and who have been assessed as being in priority need and unintentionally homeless.

Applicants within Bands are ranked by reference to any priority star award and then in date order.

6.2.1. Emergency Band - direct offers

After 6 bidding cycles (6 weeks), where the applicant has been unsuccessful in their bidding – or if the applicant has not been bidding - the Council may offer a direct let of suitable accommodation within the borough. This will depend on the availability of suitable accommodation.

If an applicant refuses a direct offer and exercises their right to request a statutory review as to the suitability of the offer then, if the review finds that the offer was unsuitable, the applicant will be able to continue to bid until they are successful or have been made another direct offer of suitable accommodation.

6.3. Band A - urgent need

Applicants who have a severe medical, welfare award or disability (including learning disability) where the current accommodation is unsuitable or it is unreasonable to remain in occupation.

Applicants who have priority on welfare grounds and require moving urgently because of a risk to their health or wellbeing. This would include a person who needs to move to a different locality in order to give or receive care, to access specialised medical treatment, or to take up a particular employment, education or training opportunity.

Applicants who permanently lack one or all of the following essential facilities; hot water, heating, a kitchen, internal toilet and bathroom.

Private sector tenants who are required to vacate their home as a result of enforcement action by the Local Authority.

Applicants who are occupying partnership agency accommodation and who have an agreed move on plan.

Applicants who no longer require the adaptations in their current home. Applicants who release an adapted property where the tenant does not require their current home and will therefore be releasing an adapted property by moving.

Applicants who are part of a multi-agency public protection agreement (MAPPA)

Where there is a serious threat to the well-being of a child and their accommodation is a contributory factor to the risk and an emergency move is required to mitigate the risk to the child as confirmed by Northamptonshire County Council's Director of Adult and Children's services.

Applicants who have an agreed fostering or adoption agreement in place with Northamptonshire County Council, who need to move to a larger home in order to accommodate a looked after child. Special guardians, holders of a residence order, and family and friend carers who are not foster carers but who have taken on the care of a child because the parents are unable to provide care will also be included in this category.

Applicants who could not be expected to find their own accommodation, such as young adults with learning disabilities who wish to leave the family home to live independently within the community.

Applicants who are being discharged from the Armed Forces, bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.

Applicants accepted by the Council as being owed the relief duty under section 189B of the Housing Act 1996 (as amended) and assessed as being in priority need.

6.4. Band B - moderate need

Applicants who are owed a duty under the Rent (Agriculture) Act 1976 and Northampton Borough Council service tenants who are due to retire or have their contract of employment terminated.

Applicants who are sharing facilities (bathroom, kitchen etc.) with a separate family household.

Applicants who require a move for moderate medical or welfare grounds where there is an acknowledgement that alternative accommodation would be beneficial but is not essential.

Applicants owed a reasonable preference who qualify to join the Housing Register and would be classed as an Emergency, Band A or B priority need applicant in accordance with Northampton's Allocations Scheme but have been given reduced priority as a result of one of the reasons outlined below:

- (a) rent arrears, or other related housing debt to the Council from any applicant who applies, including joint applicants/family members;
- (b) deliberately worsening housing circumstances to achieve higher priority;

- (c) non-compliance with tenancy agreement or unacceptable behaviour, including committing or allowing to be committed acts of antisocial behaviour and damage to Council property;
- (d) income or capital above the thresholds;
- (e) property not meeting the repair void standard required for a transfer applicant, including the state of cleanliness, or decoration; and/or
- (f) refusal of three reasonable offers within a 12 month period.

Applicants accepted by the Council as being owed the prevention duty under section 195 of the Housing Act 1996 (as amended) and assessed as having no priority need.

Applicants accepted by the Council as being owed the relief duty under section 189B of the Housing Act 1996 (as amended) and assessed as having no priority need.

Applicants who are homeless or threatened with homelessness but have been notified by the Council under section 184 of the Housing Act 1996 (as amended) that they have no right to rehousing under the homelessness legislation because they are not in “priority need” or they are considered to have become homeless “intentionally”, or where homelessness duties have been discharged but homelessness continues.

SECTION SEVEN

7. Management of Northampton’s Allocations Scheme

7.1. Introduction

7.1.1. Void (empty) properties affect the Council in terms of a loss of rental income, the continuing provision of temporary accommodation for homeless families, the possible deterioration of the property, increased risks of squatting and vandalism, and a poor public image. It is therefore essential that void properties are let quickly and without unnecessary delay.

7.2. Advertising properties

7.2.1. Empty properties that are to be offered through YOURHOME choice based lettings scheme will be advertised on a weekly cycle. Property details will be published via the on-line [YOURHOME Newsletter](#) and bids are to be made via [YOURHOME website](#).

7.2.2. The type of properties that are advertised are likely to vary (sometimes considerably) from week to week, depending on what becomes available within the NRDA.

7.2.3. Adverts may include Council and private registered landlord properties for social rent or affordable rent, rent to buy, shared ownership, mutual exchange and private rented properties.

7.2.4. Every advert will contain:

- (a) the eligibility criteria required for the property;
- (b) the size, type and location of the property;
- (c) the rental charge; and
- (d) the approximate date the property will be available to view.

7.3. Exempt allocations

7.3.1. The following are not defined as “allocations” under Northampton’s Allocation Scheme:

- (a) a succession to a tenancy on a tenant’s death pursuant to section 89 of the Housing Act 1985;
- (b) an assignment of a tenancy by way of mutual exchange;
- (c) an assignment of a tenancy to a person qualified to succeed to the tenancy on the tenants death;
- (d) the transfer of a tenancy by a court order under family law provisions or under the Civil Partnership Act 2004;
- (e) an introductory tenancy becoming a secure tenancy;
- (f) a Council initiated transfer (e.g. decant to alternative accommodation to allow for major works);
- (g) re-housing due to being displaced from previous accommodation by the Council or being re-housed by the Council pursuant to the Land Compensation Act 1973;
- (h) an allocation to a person who lawfully occupies accommodation let on a family intervention tenancy;
- (i) the provision of non-secure temporary accommodation in discharge of any homelessness duty or power.

7.4. The bidding and nominations process

7.4.1. Eligible applicants can make bids for properties up until the advertised deadline for that bidding round. Bids can be made by telephone or text bidding, online via the website, or at the Guildhall One Stop Shop. Full details of how to bid are set out in Northampton’s Allocation Scheme Bidding Guide, which will be sent out to all newly registered housing applicants.

7.4.2. Bids that are received after the advertised deadline, will not usually be considered other than at the discretion of a team leader or equivalent.

7.4.3. Applicants can bid for up to three affordable properties each bidding cycle, and for unlimited private rented properties. Bids can be cancelled and reassigned to other properties if desired.

7.4.4. All bids will be checked by the Rehousing Team against the eligibility criteria. Ineligible bids will be excluded from consideration by the Resettlement Team Leader. So far as is possible the Council will use the Banding system and waiting time within the Band to allocate accommodation in accordance with paragraph 7.4.7. below.

7.4.5. Restrictive labelling of properties through YOURHOME Northampton may be applied to ensure that the Council meets its statutory obligations and to help achieve the outcomes of Northampton's Housing Strategy, Homelessness

Strategy, Tenancy Strategy and Annual Lettings Plan.

- 7.4.6. Restrictive labelling may also be applied to the allocation of sheltered housing or to properties that have adaptations to meet the needs of elderly, or vulnerable or disabled applicants.
- 7.4.7. The highest bidder will be awarded priority in descending order between the Emergency Group, Band A, Band B and the Reduced Priority Band. Within each priority will be awarded according to the existence and number of the applicant's priority stars and then their registration date. However, there may be other reasons why it may be necessary or advisable to reject a bid that would otherwise have been successful: for example where the property would not be suitable for that particular applicant.
- 7.4.8. On occasions, the Council may choose not to advertise a property through the Choice Based Lettings Scheme, and offer the property as a direct let. This may be due to the serious nature and needs of an applicant, or as part of the Council's efforts to reduce the amount of time that homeless households spend in temporary accommodation. The details of individual direct lets will remain confidential, in order to protect the applicant.
- 7.4.9. Applicants who refuse three suitable offers within a 12 month period will be awarded reduced priority for a 12 month period, from the date of the third offer. After this 12 months period the applicant will revert to their previous band, unless their circumstances have changed.
- 7.4.10. The Council may arrange multiple viewings for some properties (i.e. inviting more than one applicant to view a property) and expects all partner agencies to follow a multiple viewing framework. All invited applicants will be required to bring proof of their identity and original documentation for verification.
- 7.4.11. The applicant with the highest priority could be required to sign for the property immediately. At the point of sign-up the successful applicant's photograph and National Insurance number will be taken as further verification of their identity.
- 7.4.12. All applicants who have been allocated a Northampton Borough Council tenancy through YOURHOME will be encouraged to attend a tenancy and money advice workshop.
- 7.4.13. All Northampton Borough Council properties will be let to the agreed lettable standard, and a copy of the standard will be included with the offer letter.
- 7.4.14. Any applicant who is offered accommodation may be subject to appropriate investigative checks. The checks will be carried out to:
- (a) verify the applicant's circumstance or that of their household;
 - (b) determine eligibility (see subsection 3.7.); and
 - (c) identify any support needs to enable independent living.

7.5. Multiple offers

- 7.5.1. Up to five applicants may be invited to view a property at a time.

- 7.5.2. The purpose of a multiple offers is to reduce the void period, where there have been or are likely to be sequential refusals. The Re-housing Officer will decide on the number of offers to be made (usually three) before selecting applicants from the top of the shortlist.
- 7.5.3. The Re-housing Officer will check each applicant and when satisfied that the applicant is suitable (based on the information that is known and as defined by policy) will create an offer on the CAPITA IT system using the standard procedure.

7.6. Accompanied viewings

- 7.6.1. If the Council is the landlord of the property to be offered then an accompanied viewing will be arranged to take place usually within two days of making the offer (although it may be longer).
- 7.6.2. The Housing Officer for the area will carry out the viewing and will bring the following records to the appointment:
- (a) property details as advertised;
 - (b) the list of applicants and their queue position;
 - (c) family details of each applicant viewing;
 - (d) details of the special needs of any of the applicants (in order for the appropriate arrangements to be organised);and
 - (e) any other relevant information.

7.7. Withdrawal of offer

- 7.7.1. An offer will be withdrawn prior to the tenancy being signed, where:
- (a) the applicant has made a false declaration, or failed to provide up to date information which substantially altered their eligibility for the property offered;
 - (b) the information available at the time of offer about the vacant property was incorrect, and it is subsequently discovered that the size and type is no longer suitable to the applicant's needs; or
 - (c) incorrect information on the applicant's computer records substantially alters the applicant's qualification to join the Housing Register and/or their priority status.

7.8. Feedback on let properties

- 7.8.1. All properties that have been let through YOURHOME Northampton will be listed in a future YOURHOME newsletter showing the number of bidders for each property, and the profile of the successful bidder including their Band, number of stars for multiple need within the band, and date of registration.

7.9. Local lettings policies and plans

- 7.9.1. Local lettings policies and plans are tools which can be used to stabilise an area that has specific and particular issues.
- 7.9.2. The Government's Sustainable Communities Plan states the key objectives of a local lettings policy is to provide stable, settled, safe communities.

- 7.9.3. A local lettings policy may include (amongst other things) rules around child density and lettings to key workers.
- 7.9.4. The Council and other housing providers may decide to operate one or more local letting policies within a particular area. The need for the policy will be clearly defined in relation to specific areas or types of property, and will set out how the local community will benefit from it.
- 7.9.5. A local lettings policy may be introduced, as part of a multi-agency approach with existing local communities or in partnership with private registered providers to take account of social factors.
- 7.9.6. A Community Impact Assessment will be undertaken in consultation with applicants and communities before a local lettings plan is agreed.
- 7.9.7. Local lettings policies will be reviewed on a regular basis.
- 7.9.8. All local lettings plans will be published and revised or revoked where they are no longer appropriate or necessary.

7.10. Adapted and adaptable properties

- 7.10.1. The Council will seek to make the best use of adapted and adaptable properties based on the applicant’s needs and requirements.
- 7.10.2. Where an applicant or another member of the household has a disability which causes a mobility problem, then they will be prioritised for accommodation that has been adapted or can be reasonably adapted in accordance with the following criteria:

Mobility 1- Full wheelchair access. The property will include ramped or level access in and out of the property, an accessible kitchen and level access to the bathroom;
Mobility 2- Partial wheelchair access. The property will include ramped or level access and accessible bathroom facilities;
Mobility 3- Assisted access. The property will include level access or shallow steps with handrail(s) and accessible bathroom facilities.

- 7.10.3. Where a disabled applicant seeks accommodation that does not meet their needs, the Council will take into account whether it is “reasonable and practicable” to adapt the property (in accordance with local housing authority statutory duties under the Equality Act 2010, and the Housing Grants, Construction and Regeneration Act 1996.)
- 7.10.4. In its deliberation of what is reasonable and practicable the Council may consider alternative accommodation (including any pre-adapted property) that in its opinion would be better suited to meeting the applicant’s needs.
- 7.10.5. The decision over what is reasonable and practical will be based on the authority’s knowledge of any accommodation that is available at that time, and the specific needs of the applicant.

7.10.6. Applicants who require an adapted or adaptable property will be re-housed on a priority needs basis, in accordance with Northampton's Allocations Scheme.

7.11. Introductory tenancies

7.11.1. All new Council tenants will be granted an introductory tenancy for the first twelve months of their tenancy. Introductory tenancies can be extended for a further six months provided a Notice of Extension has been served no later than eight weeks before the tenancy ordinarily would become secure.

7.11.2. Introductory tenancies will not be granted to current secure Council tenants transferring, or to new tenants who are already secure tenants of another authority or assured tenants of a private registered provider.

7.12. Fixed term flexible tenancies

7.12.1. At the end of the introductory period a family (including a single parent family) and a single or two-person household will usually be offered a fixed term flexible tenancy in accordance with the Council's Tenancy Policy. A web version of the Council's Tenancy Policy can be obtained from www.northampton.gov.uk

7.12.2. Other household groups, including older people and households with a disabled person who meets the qualifying requirements of Mobility 1 or 2 on the Housing Register will usually be offered a periodic secure or assured tenancy when the introductory period comes to an end.

7.13. Private registered provider nominations

7.13.1. The statutory register of social housing providers includes local authority providers and private non-profit and profit making registered providers. Most private non-profit providers are also known as housing associations.

7.13.2. The Council and those private registered providers with stock in Northampton will have formal agreements in place to ensure that a negotiated percentage of lettings will go to applicants on Northampton's Housing Register.

7.13.3. Northampton's private registered provider partners will participate in the Council's common Housing Register and advertise their properties through YOURHOME Northampton.

7.13.4. All nominations to private registered providers will be prioritised according to Northampton's Allocation Scheme.

7.13.5. Northampton's Allocation Scheme operates in accordance with section 170 of the Housing Act 1996. At the Council's request, Northampton's private registered provider partners have a duty to co-operate to such extent as is reasonable in the circumstances in offering accommodation to people with priority under Northampton's Allocations Scheme.

7.14. Property letting criteria

7.14.1. The size and type of property that applicants are usually eligible for based on

their household composition is detailed in Appendix A. Exceptions may apply (for example when an applicant requires medical equipment, adaptations or a live in carer). Some properties that are advertised in YOURHOME Northampton will only be available to certain groups as per the Annual Lettings Plan. Applicants will be advised of the type of property they can bid for when they receive their assessment letter.

7.15. Bed size eligibility

- 7.15.1. The maximum number of bedrooms that an applicant is eligible to bid for will be determined by the size of their household. Where possible household size will be indicated on the advert for the property. Women who are pregnant will be classed as having a dependant, but will be allocated a one bedroom property as per the Welfare Reform legislative changes.
- 7.15.2. If an applicant receives support from a carer who does not reside with them but may need to stay overnight, then the Council will take into account the applicant's need for a spare bedroom.
- 7.15.3. The maximum number of bedrooms that an applicant will be considered for is set out in Appendix A.
- 7.15.4. Northampton's Allocations Scheme will support social housing tenants affected by the under-occupation measures introduced by the Welfare Reform Act 2012 who choose to move to more suitable sized accommodation.
- 7.15.5. The options for under-occupying tenants will include moving to alternative Council, housing association or private sector accommodation. The Council will also actively promote mutual exchanges and will on occasion match suitable applicants together.

7.16. Racial harassment

- 7.16.1. Where an applicant refuses a property prior to viewing because the previous tenant was re-housed as a result of racial harassment, or there is a known problem of racial harassment in the vicinity of the property, then the refusal will be considered to be reasonable.
- 7.16.2. Where an applicant refuses an offer of accommodation - as a result of racial harassment - whilst viewing the property, then the refusal will be considered to be reasonable.

7.17. Fear of violence

- 7.17.1. If an applicant is being re-housed as a direct result of harassment then the offer can be reasonably refused where the applicant:
 - (a) sees a member or friend of the perpetrator's household when viewing the property; or
 - (b) learns of their existence within the area subsequent to choosing their area of choice; and fears further violence.

PROPERTY LETTINGS CRITERIA

Accommodation will be let in accordance with the following criteria

Household Makeup	Bedroom Assessment
A single person	Bedsit/studio flat or 1 bedroom flat
A couple or an applicant who is pregnant	1 bedroom flat
A single pensioner or applicant who requires ground floor accommodation	1 bedroom flat or bungalow
Pensioners above the Pension Credit age who require ground floor accommodation due to support and proven medical reasons	1-2 bedroom flat or bungalow
A one child family	2 bedroom flat, maisonette or house
A two child family of the same sex or opposite sex if the child is under 10 years of age	2 bedroom flat, maisonette or house
A two child family of the same sex under 16	2 Bedroom flat, maisonette or house
A two child family with children of opposite sex and over the age of 10	3 bedroom flat, maisonette or house
A three child family	3 bedroom flat, maisonette or house
A four child family depending on the family make up	3 bedroom flat, maisonette or house 4 bedroom house
A five child family	4, 5 or 6 bedroom house
A six plus child family	4, 5 or 6 bedroom house

For the purpose of this lettings criteria, a child is someone who is under the age of 16 and therefore will be considered eligible for family accommodation.

Applicants with children aged 16 or over will only be considered for flats or maisonettes.

Applicants with children under the age of 16 can place bids for flats on any floor.

SUPPORTING DOCUMENT CHECKLIST

Proof of identification and eligibility

One of the following must be provided for each applicant:

- (a) birth certificate (a secondary form of photo identification will be required if birth certificate is provided)
- (b) passport
- (c) EU identification card
- (d) National Insurance card
- (e) photograph of the applicant and all family members

Additional documents may also be required where an applicant (or in some circumstances a member of the applicant's household) is:

- (a) subject to immigration control;
- (b) a national of the European Economic Area (EEA); or
- (c) an Accession State National.

Where an applicant is accepted as a refugee or granted indefinite, exceptional, discretionary or limited leave to remain in the UK then the relevant Home Office documents will also be required.

A nationals of the EEA, will be required to provide recent payslips as evidence of current employment (2 months or 6 weekly) to demonstrate eligibility.

Accession State Nationals will be required to provide current registration documents and proof of current employment e.g. recent wage slips, contract details, self-employment reference number verification.

Proof of residence

Any two of the following recent documents must be provided for each applicant; documents that are more than 6 months old will not be accepted:

- (a) household bill
- (b) DWP Benefit document
- (c) current driving licence
- (d) bank, credit card or catalogue statement with current address
- (e) tenancy or licence agreement
- (f) rent book or letter from the current landlord
- (g) Section 21 or Section 8 notice from the current landlord
- (h) proof of marriage
- (i) proof of name change (if applying in a different name)
- (j) proof of pregnancy
- (k) Child Benefit award letter or a recent bank statement showing Child Benefit payments
- (l) custody or residency paperwork if access to children applicable
- (m) completion statement if an applicant has previously owned a property

Before an applicant can sign the tenancy agreement for their new home they will be

required to produce their National Insurance card with the number clearly shown. Failure to provide the National Insurance card at the appointment to sign the tenancy agreement will result in the offer of accommodation being withdrawn.

The Council will conduct credit reference checks to verify the information that the applicant has provided on their housing application in an attempt to reduce tenancy fraud. If false information has been provided at any stage then the offer of accommodation will be withdrawn, or the application will be removed from the Housing Register.

REFERENCES

- Adoption of Children Act 2002
- Anti-Social Behaviour Act 2003
- Asylum and Immigration Act (Treatment of claimants etc.) Act 2004
- Children Act 1989
- Children (leaving care) Act 2000
- Civil Partnership Act 2004
- Crime and Disorder Act 1998
- Code of Practice for Racial Equality in Housing
- Code of Guidance Allocation of accommodation: guidance for local housing authorities in England 2012
- Data Protection Act 1998
- Equality Act 2010
- The Equality Act (Sexual Orientation) Regulation 2007
- Freedom of Information Act 2000
- Gender Recognition Act 2004
- Homelessness Act 2002
- Homelessness Reduction Act 2017
- Homeless Code of Guidance
- Housing Act 1996, 1985, 1988 & 2004
- Housing and Regeneration Act 2008
- Human Rights Act 1998
- Immigration and Asylum Act 1999
- Immigration (European Economic Area) Regulations 2006
- Localism Act 2011
- Land Compensation Act 1973
- Mental Health Act 1983
- National Assistance Act 1948 Section (21)
- Northampton Borough Council Domestic violence strategy
- Protection of Eviction Act 1977
- Rehabilitation of Offenders Act 1974

THE ANNUAL LETTINGS PLAN

The Annual Lettings Plan outlines the anticipated supply of general needs lettings over the coming year.

For the Northampton Borough Council, the distribution of properties within the Choice Based Lettings Scheme will be as follows:

Band Emergency	45%
Band A	20%
Band B	15%
Working Households	10%
Tenants Reward Scheme	10%

The Emergency Band lettings will be substantially higher than the other Bands to take account of the increased under occupation applicants following new Welfare Reform legislation.

NRDA CASCADING NOMINATIONS AGREEMENT**First tier nominations**

The applicant :

- (a) is living in the NRDA and has done so continuously for three years immediately prior to making the application to join Northampton's Housing Register;
- (b) is working within the NRDA (permanent contract, temporary/fixed term or self-employed for a minimum of 16 hours per week) and has done so continuously for nine months immediately prior to making the application to join Northampton's Housing Register; or
- (c) wants to live near a close relative (or another person if there is no other living relative who can provide support/care) who is living in the NRDA and has done so continuously for the past five years, and the applicant is either providing them with support/care or is receiving support/care that they cannot receive in their local area.

Second tier nominations

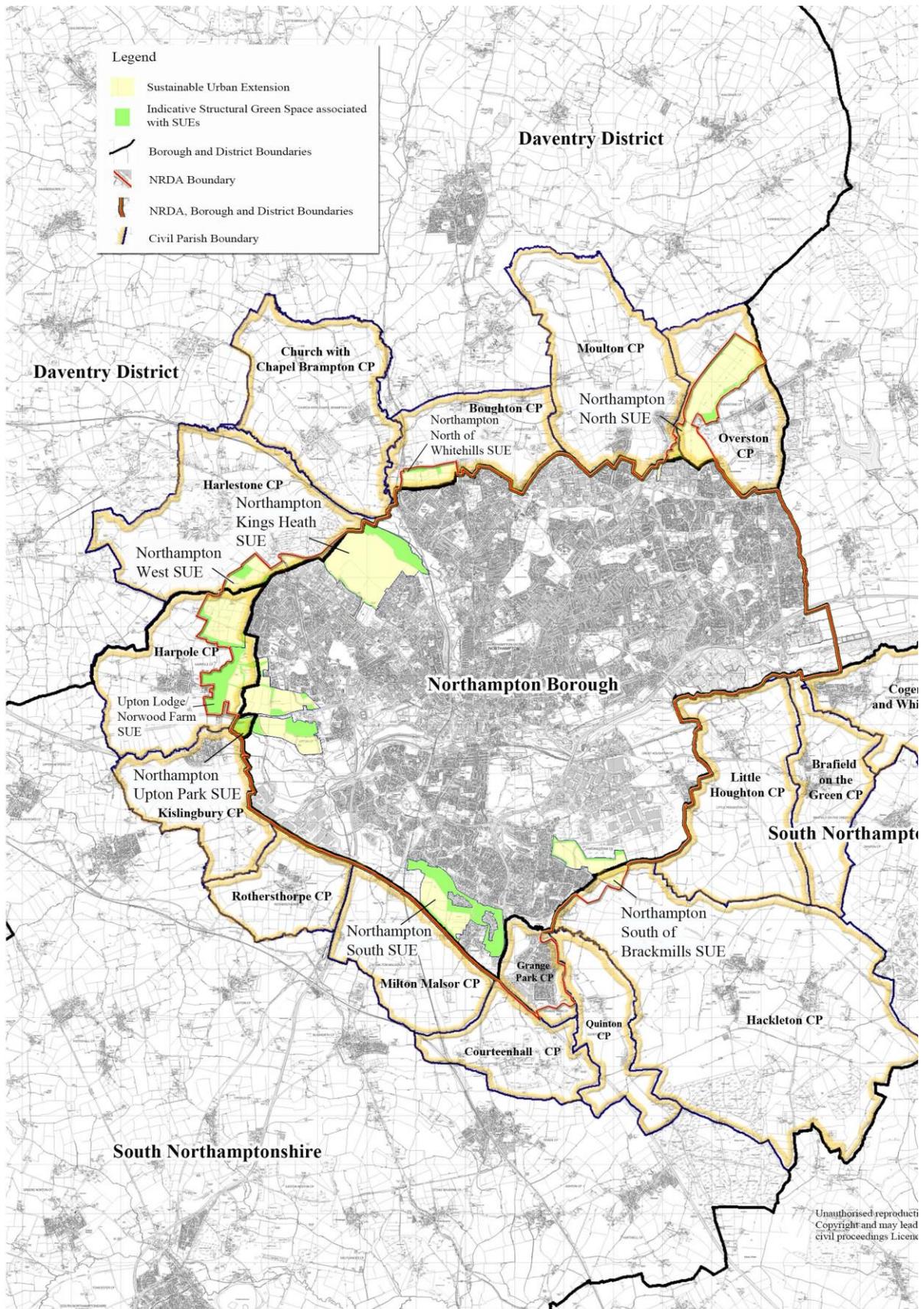
The applicant:

- (d) is and has been a resident for 6 out of the past 12 months, in the parishes immediately adjoining the specific NRDA SUE within which the property is located, in the district of Daventry or South Northamptonshire;
- (e) is permanently employed in or has an offer of permanent employment in the parishes immediately adjoining the specific NRDA SUE within which the property is located, in the district of Daventry or South Northamptonshire;
- (f) has been a resident in the parishes immediately adjoining the specific NRDA SUE within which the property is located in the district of Daventry or South Northamptonshire for 3 out of the immediately preceding 5 years; or
- (g) is a person with a close relative who is and has been a resident for the past 5 years in the parishes immediately adjoining the specific NRDA SUE within which the property is located in the district of Daventry or South Northamptonshire.

Third tier nominations

The applicant:

- (h) is and has been a resident for six out of the last 12 months either within the district of Daventry or South Northamptonshire; whichever one borders the NRDA SUE where the property is located;
- (i) is permanently employed in or has an offer of permanent employment either within the district of Daventry or South Northamptonshire; whichever one borders the NRDA SUE where the property is located;
- (j) has been a resident for 3 out of the immediately preceding 5 years either within the district of Daventry or South Northamptonshire; whichever one borders the NRDA SUE where the property is located; or
- (k) is a person with a close relative who is and has been a resident for the past 5 years, either within the district of Daventry or South Northamptonshire; whichever one boards the NRDA SUE within which the property is located.



Northampton Related Development Area with District Boundaries