



**WOKINGHAM  
BOROUGH COUNCIL**

# **ALLOCATIONS POLICY**

**November 2014**

# WOKINGHAM BOROUGH COUNCIL ALLOCATIONS POLICY

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### **1. i ALLOCATING HOUSING - WHAT IS A HOUSING ALLOCATION?**

As a local housing authority Wokingham Borough Council has a legal duty to decide which applicants should be offered a Council or Housing Association property (where there are nomination rights).

The purpose of the Allocations Policy is to provide a summary of the method for allocating social housing in our Borough.

### **1. ii ALLOCATING HOUSING - HOUSING NEED - REASONABLE PREFERENCE**

Section 166A of the Housing Act 1996 provides that local housing authorities must have an allocation scheme for determining priorities and the procedure to be followed in allocating housing accommodation. The scheme must be framed so as to give reasonable preference to any applicant who falls within the statutory reasonable preference categories in Section 166A (3). Local housing authorities may frame their scheme so as to give additional preference to particular descriptions of people who fall within the reasonable reference categories and who have urgent needs.

The Wokingham Borough Council Banding Scheme has been constructed to take account of the requirements of section 166A.

### **1. iii ALLOCATING HOUSING – THE BANDING SYSTEM**

The purpose of banding rather than having one date-only list is to ensure that our legal responsibilities are met. To facilitate movement in the Housing Register an Allocation Scheme will sit above the Banding System and will describe the percentage of allocations made from each band annually. The percentage scheme is an annual guide and percentages will be monitored quarterly. The percentages within the scheme may be affected by:

- Large new developments becoming available
- Unplanned housing need issues (such as floods or emergencies)
- Patterns of ease of letting (e.g. if some properties are difficult to let)
- Local Lettings Schemes (e.g. for working people or to meet the needs of a particular area)
- Specialist housing schemes for specific need

**1. iv ALLOCATIONS SCHEME**

<b>Band</b>	<b>Guiding Percentage</b>
One	All applications in this band will be prioritised above any other.
Two	After Band One applicants have been prioritised, a minimum of 85% of allocations will be made from applications within this band. If all applicants for a particular type of property are exhausted from this band, allocations will automatically be made from the next band (Band Three).
Three	Up to 12 % of allocations will be made from applications within this band. If all applicants for a particular type of property are exhausted from this band, allocations will automatically be made from the next band (Band Four).
Four	Up to 3% of allocations will be made from applications within this band apart from where applicants within the Bands 1-3 inclusive have been exhausted.

## 2. BANDING SCHEME

BAND	CRITERIA
<p><b>ONE</b></p>	<p><b>EXCEPTIONAL CIRCUMSTANCES – MOST URGENT BAND</b></p> <ul style="list-style-type: none"> <li>• Statutory Overcrowding (not just overcrowding, but extreme situations WITH GUIDANCE FROM Environmental health)</li> <li>• Prohibition/Demolition/Closing Order (Environmental Health guidance &amp; where it is not possible to remedy)</li> <li>• Serious property failure (Social Housing)</li> <li>• Under-occupying by two bedrooms or more (Social Housing where the vacancy comes back for re-let).</li> <li>• Urgent health or disability needs (Medical A)</li> <li>• Urgent social or welfare needs (Social A)</li> <li>• Homeless (full duty)</li> </ul>
<p><b>TWO – Majority of lets to this Band</b></p> <p>Working people/volunteers will be prioritised for a percentage of properties within the Allocations Scheme</p>	<ul style="list-style-type: none"> <li>• Under-occupying by 1 or more bedrooms (social housing)</li> <li>• Move-on from supported housing</li> <li>• Care Leavers in housing need</li> <li>• Overcrowding by 2 or more bedrooms short</li> <li>• Urgent unsatisfactory housing (Environmental Health defined)</li> <li>• Compound needs (2 or more categories from Band Three)</li> <li>• Members of the Armed and Reserve Forces – Who fall into one of the groups below: <ul style="list-style-type: none"> <li>○ Serving or 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.</li> <li>○ Bereaved spouses and civil partners of members of the Armed Forces leaving Services family accommodation following death of their partner</li> <li>○ Serving members of the Armed Forces leaving service accommodation through no fault of their own and comprise a family with children or fall into one of the priority groups defined by the Housing Act 1996</li> </ul> </li> </ul>
<p><b>THREE</b></p>	<ul style="list-style-type: none"> <li>• Significant health or disability needs (Medical B)</li> </ul>

	<ul style="list-style-type: none"> <li>• Significant social or welfare needs (Social B)</li> <li>• Unsatisfactory housing (Environmental Health defined)</li> <li>• Overcrowding by one bedroom short</li> <li>• Insecure tied accommodation</li> <li>• Insecure private rented accommodation</li> <li>• Homeless (not full duty cases)</li> <li>• Members of the Armed Forces leaving service accommodation through no fault of their own on discharge</li> <li>• Former members of the Armed Forces with housing need</li> </ul>
<b>FOUR</b>	<ul style="list-style-type: none"> <li>• No housing need/adequately housed</li> <li>• Sharing but not overcrowded</li> <li>• Out of Area</li> <li>• Owner Occupiers</li> <li>• Finances preclude priority</li> <li>• Those where there is evidence that an applicant has deliberately worsened their circumstances in order to qualify for higher priority</li> </ul>

### **3. SIZE CRITERIA – BEDROOM STANDARD**

So that we make best use of social housing stock, it is essential to closely match property size with household need.

A separate bedroom is allocated to:

- Each married, civil partnership or co-habiting couple irrespective of gender/sexual orientation/marital status
- Any other person aged 21 years or over (who is allowed to be included in the application – see above)
- Each pair of children or young people aged between 10-20 of the same sex
- Each pair of children under 10 regardless of gender

In exceptional circumstances the council may exercise discretion in deviating from the Bedroom Standard. A household may be offered a larger or smaller property where:

- the Independent Medical Adviser considers that the applicants require larger accommodation on health grounds
- the household is prepared to accept smaller accommodation (as long as this does not cause statutory overcrowding) and this is agreed by the housing provider

#### **4. APPLICANTS WHO MAY BE DEPRIORITISED OR NOT PRIORITISED FOR AN ALLOCATION**

##### **Non-Local Applicants**

Applicants who live outside of Wokingham Borough will not generally be prioritised for housing under the Allocations Policy. Our priority is to house those applicants who live within the area.

If a Wokingham resident has needed to move to a neighbouring Borough for affordability reasons (e.g. due to the scarcity of privately rented accommodation within the Borough) and applies to join the Housing Register within 12 months of their move out of Borough they will be considered as in area applicants.

If a person who lives elsewhere and has an urgent need for housing in Wokingham (e.g. to provide essential care that cannot otherwise be delivered) an applicant can ask that a Senior Officer consider the facts of the situation and decide whether the applicant should be considered “in-area”.

Applicants from out of the area will be placed into Band Four (see Banding Scheme) and have a smaller chance of being housed under the Wokingham Borough Council Allocations Policy. Opportunities for re-housing will occasionally arise for these applicants where a property has been hard to let or where applications from higher bands have been exhausted.

##### **Owner Occupiers**

Owner Occupiers are generally not prioritised for most social housing (and are placed in Band Four). This rule does not apply to some Extra Care Housing where applications from owner-occupiers can be accepted. Owner Occupiers include those who have:

- An interest in a property as a free holder or leaseholder in the UK or anywhere else in the world
- Part ownership of a property under a Shared Ownership Scheme
- Ownership of mobile homes, houseboats and accommodation on seasonal holiday parks

A housing opportunity for an owner occupier applicant may come about if a vacancy arises that has not been accepted by anyone in Bands One to Three, or Band Four within-area or outside the area. The likelihood of this happening, however, is low.

If an applicant who previously owned a property has sold, they will be required to provide evidence of the sale and of the profit received. If no monies were received from the sale, this will also need to be evidenced. A redemption statement from the mortgage lender or a completion statement from the solicitor who acted on their behalf during the sale, will be accepted as evidence.

If an applicant has disposed of capital without making adequate housing arrangements, for example, gifting the capital to relatives or friends, they will not be prioritised.

### **Savings/Capital**

Those who do not own accommodation but have sufficient savings (£60,000 or more) to buy a property (or share in a property, or fund a privately rented home) will not be prioritised.

Where an applicant is deprioritised and placed in Band Four they can ask for a review of the decision.

### **Unacceptable Behaviour or Actions**

When deciding whether or not an applicant is eligible for housing, Wokingham Borough Council may decide that the applicant should be deprioritised if satisfied that;

- The applicant or members of the household have been guilty of unacceptable behaviour serious enough to make them unsuitable as a tenant of social housing

An assessment of the facts of each individual application will be made by a Senior Officer who will be responsible for the decision to de-prioritise.

### **Rent Arrears**

If a Social Housing tenant applies for a transfer and has housing need and would ordinarily be in Bands One to Band Three they will be deprioritised if their rent account is in arrears (until their account is cleared).

Requests for exceptional consideration can be made to a Senior Officer. The Senior Officer will look at the individual circumstances and will consider;

- Urgency/seriousness of housing need
- Payment history
- Level of arrears

### **Income**

Gross household income (of sole and joint applicants together) will be taken into consideration. Depending on the bedroom size needed, working age applicants with the income thresholds set out below will be placed in Band Four as they are deemed to have sufficient financial resources to pay a market rent or buy a home in the Borough.

- One bedroom need - £40,000 per annum<sup>1</sup>
- Two bedroom need and above - £60,000 per annum<sup>2</sup>

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<sup>1</sup> Figure as at October 2014 - Subject to annual review

<sup>2</sup> Figure as at October 2014 - Subject to annual review

## **Deliberate Worsening of Circumstances**

The Housing Needs Team will assess every application to confirm the applicant is in the housing need they have described on their application form.

If there is evidence that a household has knowingly acted in a way to try and increase priority for housing, (when there was an alternative option which would not have resulted in a higher priority), then the Council reserves the right to place the application into the appropriate band as though the latest move had not happened.

Examples of deliberate worsening of circumstances might include:

- Selling a property that is affordable and suitable for an applicant's needs
- Moving from a secure Assured Tenancy to insecure, overcrowded accommodation, where there is no good reason for this move
- Where there is evidence that it was reasonable for an applicant to have remained in their original accommodation.

The purpose of this policy is to provide a disincentive for households to worsen their housing circumstances to try and achieve a higher priority for social housing.

## **5. STATEMENT OF CHOICE**

The Housing Act 1996 requires that the council states its policy with regard to offering applicants a choice of housing accommodation, or offering them the opportunity to express preference about the housing accommodation to be allocated to them.

All applicants have the opportunity to request the areas in the Borough (based mainly on Parish boundaries) where they would prefer to live.

We will make offers of accommodation that are:

- Suitably- sized for household need
- Within requested areas of choice

**Other issues that affect choice are:**

- If a household has children solely aged 17 or over our offer will generally be a flat rather than a house
- If an applicant is over 55 they can be considered for a bungalow, and for some Extra-Care Housing
- If an applicant is over 60 they can be considered for sheltered accommodation, bungalow, and for some Extra-Care Housing

- Where as part of the Multi-Agency Public Protection arrangements (MAPPA), a decision has been made to disallow an applicant from choosing where they can live.
- Where advice is provided from another agency (e.g. Police, Probation, Social Services) that leads the council to decide there would be a risk to another person or the wider community or the applicant themselves from allowing that applicant choice.

## **6. NUMBER OF OFFERS**

Generally we will make up to two offers (within a 12 month period) before an application is suspended for 12 months. While an application is suspended no offers of accommodation will be made.

Where high priority has been awarded to an application (those in Band One) we will only make one offer. If the offer is refused without good reason the priority will be removed.

If an applicant believes an offer to be unreasonable there is a right to ask a senior officer to review the decision.