

Tonbridge & Malling Borough Council

Housing Allocation Scheme

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In this booklet we have used 'we' or 'the Council' to refer to Tonbridge & Malling Borough Council or the Housing Needs Service, and 'you' or 'the applicant' to refer to someone who applies for housing.

1. INTRODUCTION

Tonbridge & Malling Borough Council maintains a register of households who want to move to affordable housing managed by our housing association partners. In 1991 we transferred our housing stock to Tonbridge & Malling Housing Association, now known as Russet Homes. As the Council no longer owns any accommodation, we rely on housing associations to provide housing for people in need of affordable accommodation in the borough.

The Council is a member of Kent Homechoice, the new choice based lettings (CBL) scheme for allocating housing association homes in the borough. CBL is a new approach to letting homes which will make lettings arrangements more transparent. Rather than the Council selecting households from the housing register and matching them to a vacancy in the housing association stock of properties, the CBL scheme allows applicants to bid for suitable properties they are interested in. Available homes are advertised on the internet and a bi-weekly property magazine, which allows applicants to see what housing association homes are available, and enables them to play a greater role in the process of selecting their home.

So that accommodation can be allocated fairly on the basis of greatest housing need, we ask that applicants complete an assessment form to join the Council's housing register, giving information about themselves and their household's circumstances and preferred type and location of housing. This information is then used to determine each applicant's priority on the housing register.

The housing allocation scheme explains how and why the Council matches people in need of housing to its housing association partners, who provide affordable housing. This document sets out the Council's housing allocation scheme for:

- determining priorities, and
- defining the procedures to be followed in matching prospective tenants to homes available to rent from our housing association partners.

We use a banding scheme with points to apply fairness and equality in matching applicants on the housing register to properties. We prioritise the competing demands for accommodation and each year an allocations forecast is drawn up with our housing association partners linking the vacancies that are likely to arise with the kinds of applicants who are likely to be offered these vacancies. This is based on an examination of the different levels of housing need on, for example, the Council's housing register, and Russet Homes transfer list etc.

The Council's housing register is registered under the Data Protection Act 1998, and information on it is received, held, and disclosed only for registered purposes. We deal with all applications in a confidential manner, and applicants have the right to see information on their file relating to their application, except where this involves confidential third party information. If an applicant is not eligible, does not respond to the annual review or is removed from the housing register, their

assessment form will be kept for 2 years before being destroyed.

The Council promotes equal opportunities for all applicants regardless of race, colour, gender, nationality, religion, sexuality, disability, marital status, family circumstances or age.

The Council may be able to help applicants with low cost home ownership opportunities such as shared ownership and Homebuy, and may be able to assist with access into private rented accommodation and in suitable circumstances provide assistance with rent in advance payments and/or deposit bonds.

Advice on a wide range of housing matters can be obtained from the Council's Housing Options team. The service is free, confidential and specific to your housing needs.

The Director of Health and Housing is responsible for this policy, and its operation is regularly reviewed by the Director.

1.1 : Information about the allocation scheme

A full copy of the Council's housing allocation scheme will be provided to any member of the public who asks for one, although we may charge a reasonable fee for this service. The Council will make a copy of the housing allocation scheme available for inspection at its offices at:

TONBRIDGE & MALLING BOROUGH COUNCIL
Environmental Health & Housing Services
Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ

TONBRIDGE & MALLING BOROUGH COUNCIL
Tonbridge Castle, Castle Street, Tonbridge, Kent, TN9 1BG

Telephone: 01732-876067
Internet: www.tmbc.gov.uk

e-mail: housing.services@tmbc.gov.uk

A summary of the Council's housing allocation scheme appears at Appendix 1 and is also available separately. There is no charge for a copy of the summary.

2. LEGAL FRAMEWORK

The housing allocations scheme has been drafted to comply with Part 6 of the Housing Act 1996, as amended by the Homelessness Act 2002. Part 6 of the Housing Act 1996 covers allocations of housing association homes. It sets out the circumstances of applicants to whom we should give reasonable preference when deciding who will be offered a property. The scheme takes account of the 2002 Allocation of Accommodation Code of Guidance for local housing authorities and the 2008 Allocation of Accommodation: Choice Based Lettings - Code of Guidance for Local Housing.

2.1 : Reasonable preference categories

In accordance with section 167(2) of the Housing Act 1996 (as amended by the Homelessness Act 2002), the Council's housing allocation scheme gives reasonable preference to:

- All categories of homeless people (whether or not the applicant is owed a housing duty) and including those who are considered to have become

homeless intentionally and those not considered to be in priority need for accommodation;

- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing;
- People who need to move on medical or welfare grounds, including grounds relating to disability; and
- People who need to move to a particular locality within the borough of Tonbridge & Malling to avoid hardship to themselves or others.

2.2 : Additional preference categories

The Council will give additional preference to the following categories of people who fall within the reasonable preference categories above and who have urgent housing needs:

Those owed a homelessness duty as a result of violence or threats of violence likely to be carried out and who as a result require urgent rehousing, including:

- victims of domestic violence;
- victims of racial or homophobic harassment amounting to violence or threats of violence;
- witnesses of crime, or victims of crime, who would be at risk of intimidation amounting to violence or threats of violence if they remained in their current homes; and
- close family members of convicted perpetrators of harassment, violence or threats of violence who are at risk from victims or victims families.

Those who need to move because of urgent medical reasons, where failure to rehouse could have life threatening consequences, or will lead to a rapid decline in health. If more than one person in the applicant's household has a medical condition or disability that affects their housing need, we will take this into account when deciding on medical or disability priority.

If the applicant's household has several different needs, for example if they are overcrowded and also have welfare or medical needs, the combined need may mean that the application will be awarded a higher band or level of points than each element alone would merit.

In each of these cases there must be clear evidence that rehousing will result in an improvement in health and/or welfare. Each case will be considered on its individual merits and will require evidence from other agencies / professionals where appropriate.

2.3 : Allocations covered by the scheme, although not by the rules under Part 6 of the Housing Act 1996

Where the Council has a duty to rehouse displaced occupiers into suitable alternative accommodation either:

- under the Rent (Agriculture) Act 1976, where an agricultural worker needs to be rehoused as his/her accommodation is required to accommodate another worker in the interests of efficient agriculture; or
- following the compulsory purchase of a property under the Land Compensation Act 1973,

we will award 40 points from either the date that the agricultural worker was given
September 2008

a valid notice to quit, or the compulsory purchase order was obtained. In exceptional circumstances, we may consider a discretionary offer outside of the points scheme.

2.4 : Allocations falling outside the rules in our allocations scheme and also Part 6 of the Housing Act 1996

- If we provide temporary accommodation for homeless people under Part 7 of the Housing Act 1996.
- If we grant a service tenancy to a Council employee to enable them to carry out their duties properly.
- In exceptional circumstances, where we can get a series of moves under way and meet the housing needs of several households through allocating a property to a particular household.
- Transfers of housing association tenants for management purposes, for example: a temporary decant to allow repairs to a property to be carried out; accommodating tenants in an emergency or those that are seeking a move as a result of domestic violence or harassment.
- Some housing association vacancies are reserved for use for their own transfer needs, and these will fall outside of this housing allocation scheme. The Council will however monitor the number and type of the vacancies filled in this way.
- Reciprocal arrangements: other councils or housing associations outside the borough occasionally approach the Council to rehouse a person outside the normal procedures and offer in return an empty home for one of the Council's nominees.
- The Council may occasionally initiate such arrangements where there is a special need to find an applicant a home outside the borough. The Housing Needs and Strategy Manager will initiate, accept or refuse reciprocal arrangements according to the circumstances of each individual case.

2.5 : Reconciling choice and housing need

The Council aims to give applicants a choice of home while continuing to give reasonable preference to those with the most urgent housing need. In reconciling choice and housing need, the housing allocations scheme provides a banding system with points that prioritises applicants housing need.

3 : MAKING AN APPLICATION TO BE INCLUDED ON THE HOUSING REGISTER

3.1 : General overview

If you are over 16 years old then you can complete an assessment form to record your household's housing needs on the housing register. The Council will consider all applications for social housing in accordance with the procedures set out in this housing allocation scheme. Any applicant wishing to join the housing register must complete and sign a housing assessment form, complete any supplementary forms or answer further questions as we require, provide written proof of their identity, current housing and personal circumstances, with other documents to independently verify this information, as may be requested.

If you need assistance completing the form or require an assessment form in another format please contact us on 01732 876067.

It is the responsibility of the applicant to complete the assessment form accurately. The information will be used to assess the level of housing need by placing the applicant in the appropriate priority band, and awarding points in accordance with the table on pages 12-13. Home visits and interviews are also carried out to confirm housing needs. Insufficient information may result in an application being awarded a lower priority, or in not being admitted onto the housing register.

The housing assessment form asks you to state the areas of the borough where you would prefer to be offered accommodation. It also asks what type of home you would prefer, and if it includes a flat, what floor level you would prefer. This information is recorded for the purposes of monitoring the level of demand in the borough. You can choose as many or as few areas and property types as you wish. However, if you limit your choices, you could limit your access to vacancies that may arise, and will usually have to wait longer for an offer. Although most applicants will have some choice in terms of the type and location of home, due to the high level of demand for housing in the borough there is still a need to prioritise applications. This is done by looking at all the relevant circumstances of each application and ensuring that reasonable preference is given through the banding and points system, based on housing need.

The types and sizes of empty homes and the areas which they are in vary considerably. In addition, the needs of persons applying for housing are very different and it is impossible to define them all. A guide to the size and type of homes for which applicants will be considered is set out on page 21, and a table giving details of homes managed by Russet Homes is included on page 33.

Other vacancies in the borough occur from time to time with other housing associations, and from newly built social housing. When we allocate homes on new developments we try to achieve balanced and stable communities as quickly as possible. In some cases where a housing association builds new homes, particularly in rural sites, it may be a planning condition that only certain people with a specific local connection to the area can be offered this accommodation.

Some housing association properties are designated or adapted for people who are frail, have disabilities or have special support needs. When such supported, sheltered or adapted properties become available they will, where possible, only be let to people who meet the relevant eligibility criteria. Information regarding eligibility for specific schemes can be sought directly from the housing association.

The Council will write to you to tell you whether your application has been accepted on to the housing register, which of the priority band you have been placed in, and the level of points your circumstances attract. If your circumstances change, for example a person joins or leaves your household or your address changes, this may affect your level of housing need, and you must inform us in writing of any change. We will write to you to let you know if your band or points level changes.

3.2 : Ineligible households

An applicant may be ineligible to join the housing register because:

- (i) they are subject to immigration control within the meaning of the Asylum

and Immigration Act 1996 (unless the Secretary of State has stated that they should be eligible for housing). This includes the following groups of people:

- visitors who have limited leave to enter or remain in the UK, granted on the understanding that they will not get public funding;
 - people who have valid leave to enter or remain in the UK, which includes a condition that they will not get public funding;
 - asylum seekers;
 - most people who are not habitually resident in the UK, including certain people who are in the UK under sponsorship arrangements;
 - illegal entrants;
 - people who have overstayed their leave; or
 - any other person from abroad who the Secretary of State has judged ineligible for housing; and/or
- (ii) the Council is satisfied that the applicant (or a member of the applicant's household) has been guilty of unacceptable behaviour serious enough to make that person unsuitable to be a tenant.

3.3 : Unacceptable behaviour

Where the Council is satisfied that an applicant (or a member of the applicant's household) is guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant, we may decide either to treat the applicant as ineligible for inclusion on the housing register or to remove any priority for reasonable preference that may have been awarded.

Where the Council decides that an applicant is ineligible to join the housing register, or will not be awarded any preference because of unacceptable behaviour, we will give the applicant written notification of its decision with clear reasons for the decision which will be based firmly on the relevant facts of the case. Any decision to exclude an applicant from the housing register or reduce priority will need to be approved by the Housing Needs and Strategy Manager.

The only behaviour which can be regarded as unacceptable for these purposes is behaviour by the applicant or by a member of the applicant's household that would – if the applicant had been a secure tenant of the Council at the time – have entitled the Council to a possession order under section 84 of the Housing Act 1985 in relation to any of the grounds in Part 1 of Schedule 2, other than Ground 8. These are 'fault' grounds and include behaviour such as conduct likely to cause nuisance or annoyance, and use of the property for immoral or illegal purposes. It is not necessary for the applicant to have actually been a tenant of the Council when the unacceptable behaviour occurred. The test is whether the behaviour would have entitled the Council to a possession order if, whether actually or notionally, the applicant had been a secure tenant.

Where the Council has reason to believe that an applicant (or a member of the applicant's household) may be ineligible for inclusion on the housing register on the basis of unacceptable behaviour, it will take the following steps:

- The Council will satisfy itself that there has been unacceptable behaviour which falls within the definition in section 160A(8) of the Housing Act 1996. In considering whether a possession order would be granted in the circumstances of a particular case, the Council will consider whether, having established the grounds, the court would decide that it was reasonable to

grant a possession order. The Council will consider all the circumstances of the applicant and the applicant's household. It is acknowledged that in cases involving noise problems, domestic violence, racial harassment, anti social behaviour, intimidation and drug dealing, courts are likely to grant a possession order. Rent arrears would probably lead to a possession order, although in many cases it will be suspended giving the tenant the opportunity to pay the arrears.

- Having concluded that there would be an entitlement to an order, the Council will satisfy itself that the behaviour is serious enough to make the person unsuitable to be a tenant of the Council. For example, the Council will need to be satisfied that, if a possession order were granted, it would not be suspended by the court. Behaviour such as the accrual of rent arrears which have resulted from factors outside the applicant's control – for example, delays in housing benefit payments, or liability for a partner's debts, where the applicant was not in control of the household's finances or was unaware that arrears were accruing – would not be considered serious enough to make the person unsuitable to be a tenant.
- The Council will satisfy itself that the applicant (or a member of the applicant's household) is unsuitable to be a tenant by reason of the behaviour in question – in the circumstances at the time the application is considered. Previous unacceptable behaviour may not justify a decision to consider the applicant (or a member of the applicant's household) as unsuitable to be a tenant where that behaviour can be shown to have improved.

The Council must be satisfied on all three aspects as set out above. Only then will the Council consider exercising its discretion to decide that the applicant (or a member of the applicant's household) is to be treated as ineligible for inclusion on the housing register. Where there are relevant agencies providing support to the applicant, advice and information will be sought (with the applicant's permission) prior to making a decision on whether to exclude the application. Information will be sought concerning the applicant's current circumstances and any relevant actions that have taken place since the incidents in question.

If an applicant (or a member of the applicant's household), who has, in the past, been deemed by the Council to be ineligible, considers that the unacceptable behaviour should no longer be held against them, the applicant can make a fresh application. Unless there has been a considerable lapse of time, it will be for the applicant to show that there has been a material change in their behaviour or their circumstances, for example they have sought help and support in managing their tenancies or have an established repayment plan to clear arrears, and can provide evidence to support this.

3.4 : Joint tenancies

Housing associations will not grant a joint tenancy to two or more people if any one of them is a person from abroad who is ineligible or is a person who is being treated as ineligible because of unacceptable behaviour.

4 : HOUSING REGISTER : GENERAL INFORMATION

4.1 : Effective date

The effective date is usually the date that your application is received. However if you do not provide all the necessary documentation in order for us to make an assessment within 28 days of receipt of your application, your effective date will be delayed to the date when all the necessary information is received.

If you are subsequently awarded high or medium priority points on the grounds of medical or welfare needs, your effective date will be amended to the date that the high or medium medical or welfare priority was awarded.

If you become homeless and you have been awarded priority points because the duty to rehouse you has been accepted, your effective date will be amended to the date that the duty was accepted, or the date that you were placed into temporary accommodation, if this was earlier.

The banding scheme reflects broad levels of housing need. Therefore changes in circumstances often make no difference to the band you are in. However, sometimes a significant change in circumstances, such as the birth of another child or a sudden worsening in your health, may result in a change of band.

If you move to a higher priority band, then your effective date will be the date that you moved into the higher band. This happens each time you move up a band.

If you move to a lower priority band, and have never been in the lower band, you will keep the effective date when you joined the housing register. However, if you have previously been in that lower band, then your effective date will be the date that applied when you were registered in that band.

4.2 : Annual review

We will write to you to confirm any changes in your circumstances once a year on or around the anniversary of the date you were first registered. If you fail to reply to the letter or provide any additional information we ask for within 28 days of the letter, we will assume that you no longer wish to be on the housing register and we will cancel your application without further notification. All waiting time will be lost. If you reply to the review letter telling us of a change of circumstances, you must also supply information verifying the change in order for us to reassess your application.

4.3 : Keeping applications up to date

Applications will be removed from the housing register for the following reasons:

- not responding to the annual review;
- not responding to correspondence from the Council where information is being sought from the applicant;
- the applicant is no longer eligible to join the housing register;
- the applicant no longer wishes to be rehoused; or
- applicants leaving temporary accommodation which was arranged by the council, and for whom no forwarding address has been supplied.

It is the responsibility of the applicant to inform the Council of any material change that would affect the priority awarded to their application. Should an offer of

accommodation be made to an applicant and on further investigation it appears that the applicant's circumstances have changed and they would not have been entitled to the priority that had been awarded, the Council will reserve the right to withdraw the offer. During this period of further investigation, the RSL may not hold the property for the applicant.

Any written advice and information will be available in summary in a range of formats and languages, as appropriate. There may be a short delay in providing this information whilst this is arranged. Applicants can request a home visit in order to access help and advice, should they have problems which make it difficult for them to access the service in person.

The Council will inform applicants that they have the right to certain general information:

- information that will enable applicants to assess how their application is likely to be treated under the housing allocation scheme, and, in particular, whether they are likely to fall within the reasonable preference categories; and
- information about whether a home appropriate to their needs is likely to be made available, and, if so, how long it is likely to be before such a home becomes available based upon data on turnover rates.

In practice waiting times depend on the applicant's personal circumstances, the number of applications received, the number of homes available for letting and changes in legislation, as well as the preferences made by applicants. Accordingly, only a very general indication can be given as to how long an applicant may have to wait for an offer. Such an indication offers no guarantee of housing by a certain date. People in low housing need are likely to wait for a considerable period of time before receiving an offer and some may never receive an offer of accommodation.

4.4 : The right to request a review of a decision

An applicant has the right to request a review of the following decisions:

- to treat the applicant as ineligible because of immigration status or unacceptable behaviour serious enough to make the applicant unsuitable to be a tenant of the Council;
- not to give the applicant any preference under the housing allocation scheme because of unacceptable behaviour serious enough to make the applicant unsuitable to be a tenant of the Council; or
- about the facts of the applicant's case which has been, or is likely to be taken into account by the Council in considering whether to make an allocation.

If you do not agree with the decision about your acceptance on to or removal from the housing register, or the level of priority awarded to your application you may request a review by writing to us within 28 days of receiving the notification, outlining your reasons for requesting a review. If you are unable to request a review in writing, you will be given the opportunity to attend an interview to give details of your reasons why you do not agree with the decision. The review will be conducted by a senior officer of the Council not involved in the original decision, who will give detailed written reasons for the decision on review. You will usually receive a decision letter within 28 days, unless further information is required to reach a decision. You will be advised if this is the case, and given a timescale in

which the review will be concluded.

4.5 : Offences related to information given or withheld by applicants

It is an offence for anyone seeking help from the Council to knowingly or recklessly give false or misleading information, or knowingly withhold information, which the Council has reasonably required the applicant to give on an assessment form for social housing or in response to subsequent review letters, or to fail to notify of a relevant change in circumstances which could affect the priority awarded. The Council will decide when these provisions apply and when to begin criminal proceedings.

You should also be aware that it is an offence under the Housing Act 1996 to obtain accommodation on the basis of false or deliberately misleading information. When housing has been allocated on the basis of false or misleading information, legal action may be taken to obtain possession of the property.

5 : CBL BANDING AND THE POINTS SCHEME

All applications are placed into one of four bands, and within each band, relative priority is determined through the points scheme. Points are awarded for housing needs, depending on your circumstances, in accordance with the scheme below. The Council will not usually register applicants who do not receive any points under the allocations scheme on the basis that they do not have a recognised need for social housing and therefore have no realistic chance of being offered accommodation. If your circumstances change, you will need to re-apply.

Overcrowding	Points
For each person lacking a bed space <i>(For further information see paragraph 5.1.1 below)</i>	10

Lacking facilities	Points
<i>(If you are not currently living in traditional housing)</i>	8

If you lack one or more of the following:

- Bath or shower
- Electricity supply
- Internal W.C.
- Piped water supply

Sharing facilities	Points
<i>(Except with other members of the same household seeking rehousing)</i>	4

If you share one or more of the following:

- Bath or shower
- W.C.
- Somewhere to prepare and cook food

Condition of current housing	Points
• High Priority - a move is essential	40
• Medium Priority - a move would be beneficial	15
• Low Priority – a move is not essential	5

(For further information see paragraph 5.1.2 below)

Medical or disability reasons for moving	Points
• High Priority - a move is essential	40
• Medium Priority - a move would be beneficial	15
• Low Priority – a move would be desirable, but is not essential	5
<i>(For further information see paragraph 5.1.3 below)</i>	

Social or welfare reasons for moving	Points
• High Priority - a move is essential	40
• Medium Priority - a move would be beneficial	15
• Low Priority – a move would be desirable, but is not essential	5
<i>(For further information see paragraph 5.1.3 below)</i>	

Local connection	Points
Applicants with a local connection to Tonbridge and Malling	5
<i>(For further information see paragraph 5.1.6 below)</i>	

Council duties	Points
Duties to displaced residential occupiers following compulsory purchase etc.(see paragraph 2.3 above)	40

Homelessness	Points
• Where the Council accepts it has a duty to secure accommodation under Part VII Housing Act 1996	35
• Where you are of no fixed abode or homeless, but the Council does not owe you a duty to secure accommodation	10
• For each month spent in temporary accommodation, up to a maximum of 12 months	1

NB: Points awarded for homelessness cannot be combined with points from other need categories, except for medical, social or welfare priority.

Under occupation

Housing association tenants moving to a smaller home will receive 10 points for each bedroom given up
(For further information see paragraph 5.1.7 below)

5.1 Further information on the points scheme

5.1.1 Overcrowding/lacking bed spaces:

Overcrowding is assessed by comparing the applicant's current bedroom availability against the number of bedrooms the household requires, based on the criteria in section 6, and the general rules below. In assessing the number of bedrooms in the current accommodation, the following rooms are discounted:

- kitchen, bathroom, living room and any room with a floor area of less than 6.5 square metres. It is assumed that any other room (including a second reception/living room) can be used as a bedroom, as long as it is suitable to be used for that purpose.

In determining whether a bedroom is considered to be a double room (suitable for 2 people to share) or a single room (suitable for only one person) the assessment is based on floor area as follows:

- a single room has a minimum floor area of 6.5 square metres
- a double room has a minimum floor area of 10.2 square metres

Two children of the same sex would be expected to share a double room until they are eighteen years of age, unless there is an age gap of ten years or more. Two children of the opposite sex would be expected to share a double room until the oldest is seven years of age. A couple or single parent would not be expected to share their bedroom with a child.

Where applications are received from applicants who need or receive support from carers on a full time residential basis or during the night, the Council will, wherever possible, take account of the applicant's need for an extra bedroom to accommodate their carer. Such requests will need to be verified by supporting medical information, form part of a formal care package where appropriate, and be approved by the Housing Medical/Welfare Panel.

5.1.2 Condition of property

If you are a tenant of a private landlord and you state on your housing application form that there are problems with the condition of your home, we will refer the case to the Council's Private Sector Housing team. An officer from the Private Sector Housing team will contact you to discuss the issues and if necessary arrange to visit the property to assess the problems and discuss the options available to get the landlord to carry out any appropriate work. You must co-operate with this and no priority will be awarded if you refuse to allow the Private Sector Housing team to contact your landlord, or prevent works to be carried out, e.g. by refusing to let anybody into your home. If this happens, you may be seen as making your housing need worse and your priority may be disregarded.

The Private Sector Housing officer will inspect the property using the Housing Health and Safety Rating System (HHSRS), which is a risk assessment approach to assess hazards to health and safety in the home. The officer will identify if there are hazards and determine the appropriate category. For category 1 hazards the Council has a duty to take action, whereas for a category 2 hazard, we may take action. Your priority will be based on this assessment as follows:

High Priority : the Council's Private Sector Housing Officer has confirmed that category 1 hazards are present in your home. A move is essential as occupying the property poses a serious and imminent risk to the health and safety of your household, and it would not be reasonable to live in the property whilst remedial works are undertaken.

Medium Priority : – the Council's Private Sector Housing Officer has confirmed that category 1 hazards are present in your home. A move would be beneficial as occupying the property poses a risk to the health and safety of your household, and the property will continue to remain unsuitable for your occupation following remedial works.

Low Priority: – the Council's Private Sector Housing Officer has confirmed that there are category 1 hazards but your home will be suitable for your occupation following the necessary remedial action.

No Priority: – the Council's Private Sector Housing Officer has confirmed that there are category 2 hazards but no further remedial action is required.

5.1.3 Medical/disability or social/welfare reasons for moving

We may award priority on the grounds of illness/disability or social/welfare if your household contains a person or people with an illness/disability or who has welfare or support needs and the accommodation is unsuitable because of those factors. For example, the illness may worsen as a result of continuing to live in the home, or a member or members of the household may have difficulty with access to the property due to their medical condition or disability, or you may be at risk in your home but could continue to live independently if you were able to move nearer to friends or relatives who could help look after you. You may also get welfare/support priority if you need to move to care for someone with a welfare or support need.

The starting point of the assessment is your current accommodation. If it meets the medical and/or welfare and support needs of you and all members of your household, no priority will be awarded. Next, in medical cases we look at whether the current housing makes the illness or disability worse, and if so, whether a move to somewhere more suitable to your medical or disability needs would either:

- (a) improve your medical condition; or
- (b) substantially improve your quality of life.

In welfare/support cases we look at whether your needs are made worse by your current housing, and if so would a move to accommodation more suitable to your needs improve things for you. If there are welfare or support needs but a move would not improve the situation, no welfare/support priority will be awarded. If you want to move to look after someone with welfare or support needs, we will take transport options into account as part of the assessment.

To carry out this assessment we use the information you give in the medical/welfare assessment form, together with any supporting information received from your GP or other health professional, social worker or support worker in medical cases. Your case may be referred to the Council's independent medical advisers for advice. For welfare/support assessments we will ask for contact details for any carer, social services or other support worker you have. Where appropriate we may make a joint assessment with social services, or an appropriate support agency. This will ensure we identify any ongoing support needs. Joint work with other agencies may also identify ways to enable you to stay in your current home with appropriate support. If this resolves your support needs, you can stay on the register if you have other housing needs but will not receive welfare/support priority.

The housing medical/welfare panel will then take into account all the relevant factors and will recommend the priority that the application should receive purely on medical or welfare/support grounds as either:

High Priority: – a move is essential, where a medical condition is very serious or life threatening, or your care or support needs are very high, and your health or related quality of life could be substantially improved by a move to suitable alternative accommodation

Medium Priority: – a move would be beneficial, where a medical condition or your care or support needs are serious, and your health or related quality of life could be improved by a move to suitable alternative accommodation

Low Priority: – a move would be desirable but is not essential. Where your medical condition or care or support needs are low and your related quality of life could be improved to a limited extent by a move to suitable alternative accommodation

No priority: The need for rehousing on medical or welfare/support grounds is not demonstrated – you or a member of your household may have a medical condition, or have welfare/support needs but rehousing would not improve the situation.

In assessing priority the housing medical/welfare panel will take the entire household's relevant medical conditions and welfare/support needs into account. For example, a household may contain several members with a medical condition or welfare/support needs which, if the members lived separately, would mean they each had low priority. But the household as a whole may be awarded medium priority to reflect the effect of the medical conditions and/or welfare needs in combination.

5.14 : Medical/disability and social/welfare assessment guidelines

In this document we cannot show the level of priority which particular conditions may attract, as we assess each application on its merits and some medical complaints affect different people in different ways. Some common conditions are detailed below, with guidance as to factors that may influence priority:

Asthma: This is a very common condition in adults and children, which can be influenced by factors outside the home. It is often difficult to establish whether rehousing would help and many applications will not be awarded priority. If the current accommodation is damp, this may make a difference and we would refer the matter to the Council's Private Sector Housing Service in all types of tenancy.

Epilepsy: A current tendency to epilepsy may suggest a need for accommodation on the ground floor or with a lift available. Priority will depend on the severity of the condition. An episode in the past with no current tendency would not usually lead to any priority being awarded.

Stress or depression: These conditions are often influenced by factors outside the accommodation or by other housing needs such as overcrowding for which priority is already given. Many applications will therefore not be awarded priority. We will make an individual assessment as to how your current accommodation affects your condition.

Mobility difficulties: We will not award any priority if your current housing meets your households mobility needs. Priority will differ depending on the severity of the difficulty and the unsuitability of the property. Factors such as the number of steps within and leading to a property will be relevant. If you are physically unable to access your home due to your mobility difficulties, and it would not be reasonable for necessary adaptations to be carried out we will award high priority and may consider an urgent discretionary allocation outside of the points scheme.

Welfare/Support needs: You may need settled accommodation urgently because, otherwise, there would be risks to your welfare which other applicants would not face.

High priority may be awarded in situations where, for example:

- there is severe emotional or physical trauma resulting from violence (including racial or homophobic attacks and domestic violence) or threats of violence, or physical, emotional or sexual abuse;
- the household includes a child who is assessed as a child in need under the Children Act 1989 and requires settled accommodation to meet that need, e.g. because of a disability, illness or developmental problems;
- a household member gives or receives care, without which the person being cared for is at risk of harm or will have to move into institutional care;
- you are approved by social services for adopting or fostering a child and a child is to be placed, but you need to be rehoused to provide a suitable home for the child;
- a member of your household needs to be near a particular school because the school is named in their statement of special educational needs, and there is no reasonable alternative way for the child to attend the school, and the local education authority has recommended that you move;
- you are a tenant of Russet Homes or another housing association or Council, and have been assessed as requiring a move to sheltered accommodation

Medium priority may be awarded in situations where you have care and support needs which make it important that you get settled accommodation so that these needs can be met and support services arranged, or you will face hardship if unable to give or receive support, for example:

- A household member gives or receives significant care, which helps them live independently. The need for respite care, should the main carer be unavailable, will be taken into account when we decide on priority.

Low priority may be awarded in situations where you would face hardship, for example:

- due to the distance from work and the lack of transport facilities. This will generally only apply if you work shifts or nights. Factors we will take into account in deciding on your priority will include the availability of public transport, the availability of private transport and your financial resources.
- due to the distance from childcare facilities, in exceptional circumstances. Factors which would be taken into account would include how easily you could travel to the child-minder, nursery or playgroup - whether it involved several changes of public transport; whether you could use a car instead; your financial resources; the type of childcare (for example, is it provided by a family member, and you would be unable to go on working without it?)
- due to the need to move to a particular locality within the borough near to relatives or friends to give or receive emotional or practical support

5.1.5 : Move-on from supported housing schemes

If you have support needs, these may be jointly assessed by a multi-agency panel with a view to a suitable housing and support package being agreed. The Joint Assessment Referral Panel (JARP) is made up of representatives of relevant organisations including KCC Supporting People, Adult Services, community mental health teams, probation services, housing providers and support providers. The JARP assessment is used to inform decisions on intervention to enable a household to remain in their own home, placements into

temporary accommodation and options for the provision of more settled accommodation including managed move on arrangements.

Applicants currently living in specialist accommodation with services funded by Supporting People, and who are deemed to be both ready to move-on by the scheme manager and capable of sustaining an independent tenancy will be awarded priority according to the urgency of the need to move-on from the scheme, using the following guidelines:

High priority will usually be awarded where the applicant has completed a support programme, and/or whose tenancy/licence to occupy has expired;

Medium priority will usually be awarded where the applicant is within 3 months of completing a support programme and/or has been served with notice to leave the scheme.

5.1.6 Local connection

The Council operates an open housing allocations scheme. However those applicants with a proven local connection will be given additional preference by the award of 5 points. For these purposes, you have a local connection if at the date of application:

- you are currently resident within the borough, or were previously resident here for either 6 out of the last 12 months, or 3 out of the last 5 years;
- you are employed in the borough on a permanent basis;
- you have immediate family members (parents, brothers, sisters or adult children) who have lived in the borough for the last 5 years or more. Other family members such as grandparents, aunts and uncles will only be considered if that relative played an important role in your upbringing or is able to offer you practical or emotional support; or
- you have other special reasons for living in the borough, for example you are attending full time education here.

Within the borough there are some particular properties or new developments that have a specific local connection requirement in their planning or funding conditions, such as rural exceptions sites and those developed under section 106 agreements. There are restrictions on who can be nominated, and those without the relevant local connection would not be considered. In these cases, a local connection will usually mean a connection to a specific village or parish rather than a connection to the borough as a whole. Applicants will be required to provide evidence to verify their local connection as part of their application for housing in such properties.

5.1.7 Under occupation

If you are currently a tenant of Russet Homes or another housing association or Council, and want to move to a smaller home, you will be awarded 10 points for each bedroom that you give up, for example if you currently live in a 3 bedroomed home and want to move to a 2 bedroomed home you will be awarded 10 points, but if you want to move to a 1 bedroomed home you will be awarded 20 points, provided that you will remain suitably housed and do not become overcrowded by moving to a smaller home.

5.2 : Exceptional priority / special applications

Where there are exceptional circumstances that require an applicant to be rehoused urgently an application can be considered outside of the points scheme on a discretionary basis. For example, cases where the applicant is a high risk offender where the Council has been asked to assist under the Multi Agency Public Protection Arrangements, or where the Council has a homeless duty to an applicant who has received a Discharge Order through the Mental Health Tribunal Board. Such cases will be considered for rehousing outside of the points scheme on an individual basis by the Council's Director of Health and Housing.

5.3: CBL Banding Priorities

All applicants will be placed into one of the following four priority bands. Within each band, individual applicants will also have points awarded for housing needs.

Band A – Urgent

- Overcrowding – applicants requiring additional 3 or more bedrooms
- Under occupation - RSL tenants needing a home with 2 or more bedrooms less than they currently occupy
- Displaced residential occupier where a CPO is to be executed
- Applicants requiring a wheelchair accessible/adapted home

Band B – High

- Overcrowding – applicants requiring additional 2 bedrooms
- Applicants awarded a high priority (40 points) on medical grounds
- Applicants awarded a high priority (40 points) on welfare grounds
- Applicants awarded a high priority (40 points) on property condition grounds
- Applicants urgently requiring move on from supported accommodation who are capable of sustaining an independent tenancy, and have completed a support programme and/or whose licence has expired
- Homeless applicants where the Council has accepted a duty to secure accommodation under part VII Housing Act 1996
- RSL tenants assessed as requiring sheltered accommodation
- RSL tenants occupying a home with significant adaptations that are no longer required

Band C – Medium

- Overcrowding – applicants requiring additional 1 bedroom
- Applicants awarded a medium priority (15 points) on medical grounds
- Applicants awarded a medium priority (15 points) on welfare grounds
- Applicants awarded a medium priority (15 points) on property condition grounds
- Homeless applicants where the Council does not owe a duty to secure accommodation
- Applicants who are NFA or residing in non secure accommodation eg sofa surfing/shed or garage/caravan/car/tent
- Under occupation - RSL tenants needing a home with 1 bedroom less than they currently occupy

Band D – Low

- Applicants awarded a low priority (5 points) on medical grounds
- Applicants awarded a low priority (5 points) on welfare grounds
- Applicants awarded a low priority (5 points) on property condition grounds

- Applicants who are not overcrowded but are sharing facilities with others who are not part of their household
- All other applicants who wish to be rehoused in the borough

5.3.1 Composite Needs

Where priority is determined solely by the award of points on the grounds of medical, welfare or property conditions, applicants will be placed in the following bands:

Priority on medical, welfare or property conditions	Resulting Band
High	Band B
Medium	Band C
Low	Band D

Applicants with at least one Band A factor will be placed into Band A. Applicants with at least one Band B factor will be placed into Band B. Applicants with at least one Band C factor will be placed into Band C.

5.3.2 Composite needs CBL banding table

Band resulting from medical, welfare or property condition	1 or more additional Band A factors	1 or more additional Band B factors	1 Band C factor	2 or more Band C factors	3 or more Band C factors	1 or 2 Band D factors	3 or more Band D factors
Band B	Band A	Band A	Band B	Band A	Band A	Band B	Band B
Band C	Band A	Band B	Band C	Band B	Band B	Band C	Band C
Band D	Band A	Band B	Band C	Band C	Band B	Band D	Band C

Some applicants will be affected by a combination of different housing needs factors and may fall into more than one band, for example they may have a medium priority on overcrowding grounds (Band C), and a low priority on property condition grounds (Band D). The banding scheme recognises where housing needs factors combine and gives greater priority to such households as follows:

Where a high priority (Band B) on medical, welfare or property conditions is combined with 1 or more additional Band B factors, or 2 or more additional Band C factors the application will be placed into Band A.

Where a medium priority (Band C) on medical, welfare or property conditions is combined with 1 or more additional Band B factors, or 2 or more additional Band C factors the application will be placed into Band B.

Where a low priority (Band D) on medical, welfare or property conditions is combined with 1 or more additional Band A factors, the application will be placed into Band A. Where a low priority (Band D) on medical, welfare or property conditions is combined with 1 or more additional Band B factors, or 3 or more additional Band C factors the application will be placed into Band B. Where a low priority (Band D) on medical, welfare or property conditions is combined with 1 or more additional Band C factors, or 3 or more additional Band D factors the application will be placed into Band C.

6 : PROPERTY SIZE GUIDELINES

Generally, homes are offered in line with the following guide:

Household size	Type and Size of Home
A Single person- Depending on his/her needs	Bedsit / studio flat , one bedroomed flat, house bungalow or sheltered accommodation
A Couple- Depending on their needs	One bedroomed flat, house, bungalow or sheltered accommodation
Two adults with special needs for separate bedrooms- Depending on their needs	Two bedroomed flat, house, bungalow or sheltered accommodation
A couple or single parent with one child, or expecting a first child*	Two bedroom flat or house
A couple or single parent with two children, or expecting a second child*	Two or three bedroomed flat or house (depending on sex of children)
A couple or single parent with three or more children, or expecting a third or subsequent child*	Three or four bedroomed house (depending on sex of children and also on availability)

* Proof of pregnancy will be required where an extra bedroom is required for an expected child.

The term couple is deemed to be a heterosexual couple or a same sex couple, whether married, in a civil partnership or cohabiting.

The following are examples of some of the exceptions that may be made to this guide:

- a medical recommendation to increase the size of home to be offered (for example, to meet a medical need for separate bedrooms), or
- the home to be allocated includes special adaptations and there are no other applicants of the correct household size available that require those adaptations, or
- the allocation is the result of an emergency, or
- the home is being used as temporary accommodation, or
- the home is being let under the terms of a local lettings policy, or
- bungalows will generally be allocated to households where both applicants are over 60 years of age or where a member of the household is registered as disabled and needs level accommodation.

Applicants who have shared access to children but who are not dependent upon them will not automatically be eligible for consideration for an additional bedroom. In deciding where dependent children should be housed an assessment will be made of the housing circumstances of each parent to decide whether there is suitable alternative accommodation available for the child. An additional bedroom will only be available where no other suitable accommodation is available for the child to occupy.

7 : KENT HOMECHOICE – THE CHOICE BASED LETTINGS PROCESS

A key Government aim of the 2002 Homelessness Act was to facilitate a choice based lettings approach, which means that instead of waiting to be made an offer of accommodation, eligible applicants can view details of the homes available for letting, and can then apply for those they are interested in.

Kent Homechoice is a partnership of Kent District Councils and Housing Associations, set up to provide Choice Based Lettings allowing applicants to take a more active role in choosing where they want to live. Councils and Housing Associations advertise housing vacancies in the borough every two weeks, and applicants can then apply (bid) for any vacancies suitable for their needs. Successful bidders will be shortlisted in priority order according to their band, points level and time waiting. The applicant with the highest priority under the allocation scheme will be offered the property, subject to their circumstances being verified by the Housing Association. Feedback is provided following each advertising round, giving the band and points levels of all successful bidders, which enables applicants to understand both the availability of suitable properties and the likelihood of success when bidding.

7.1 : Bidding for available properties

Applicants registering on the Council's housing register automatically become members of Kent Homechoice, and will be sent a Kent Homechoice User Guide which gives detailed information on the CBL process. The User Guide includes a step by step guide to the various bidding processes and details of the symbols used in the property advertisements.

Every fortnight, Kent Homechoice advertises all empty council and housing association homes that are available to let. Properties are advertised on the internet and also on a published freesheet. The advertisements include photographs and give basic details of the properties, including the area, number of bedrooms, floor level and mobility level, weekly rent and service charges, and the date it will be ready to occupy, together with any age or pet restrictions. Advertisements will also specify whether preference will be given to particular groups of applicants such as existing RSL tenants. Some properties will be ring-fenced so that only a particular group can bid eg sheltered housing schemes and properties adapted for wheelchair users.

In each fortnightly bidding cycle, so long as they are eligible for them, applicants may bid for up to three properties that are suitable for their needs, and may refuse any resulting offers of accommodation without penalties.

All homeseekers are given a unique Kent Homechoice PIN number to be used when bidding for properties. Applicants can bid for properties in one of the following ways: on the internet, by telephone, by text message, by coupon or in person, before the closing date of the bidding period. Information on how to bid is available in the user guide, on the internet and at Council offices and there is a procedure where people can register to bid on the behalf of others who may have difficulties e.g. relatives and friends, staff or support workers.

At the end of each bidding cycle, all bids for the available homes are put into priority order according to individual bands and points within each band, which produces a list of eligible applicants for each property. Shortlisted applicants are

subject to verification checks by the landlord of the properties applied for, and the highest priority applicant will be offered the property. In the event of two or more applicants sharing the top points score within the priority band, their effective date order will be used to determine priority (see paragraph 4.1).

If an offer is refused, the property will be offered to the applicant with the next highest band/points, and so on, until the property is successfully let.

Where an applicant is the highest priority bidder for more than one property, they will be asked to state their order of preference, and will be offered their first choice of property in the first instance, followed by any subsequent preferences as necessary.

The Council reserves the right to refuse to shortlist or to make an offer of accommodation on management grounds (for example where offering the property to the highest priority applicant would put others at risk) or where new information has been received which alters an applicant's priority.

7.2: Direct Offers

Occasionally, certain properties are excluded from CBL, and instead are allocated by making direct offers to selected applicants. The circumstances in which a direct let may be made include (but are not limited to) the following:

- where a property is uniquely suitable for a particular applicant due to wheelchair accessibility, disabled adaptations, location or layout.
- an applicant in Band A with high priority on health or welfare grounds, where a direct let is considered the best way of dealing with the urgency of their situation (for example in cases of terminal illness or where there is an immediate threat of violence)
- where an applicant is considered unable to participate in CBL, based on the outcome of their medical or welfare assessment
- applicants in Band B where the Council have accepted the duty to rehouse as homeless, but they have been unsuccessful in bidding. This will only apply if the duty has been accepted for a minimum of six months, and the applicant has either failed to bid for any suitable properties or has bid but not been shortlisted for any suitable properties. The Council will make one reasonable offer of accommodation before duty is discharged.

The Council will ensure that, wherever possible, direct offers will be suitable to the applicant's assessed need in terms of location, property type and floor level, and any essential requirements on health and welfare grounds. Other factors such as non-essential preferences regarding the location or type of rehousing requested by the applicant, or the location or type of their current accommodation will not normally be taken into consideration.

7.3 : Period for considering an offer

Following the shortlisting and verification processes, the successful bidder will be contacted directly by the landlord housing association either through personal visit or by telephone and offered an opportunity to view the property. The applicant will normally be expected to accept or refuse an offer of accommodation within 24 hours of the viewing. These arrangements may differ between registered social landlords. The housing association may allow some applicants a longer period than others for considering an offer depending on their

circumstances, for example where:

- the applicant, particularly a vulnerable applicant, wishes to take advice in coming to a decision;
- the applicant is not familiar with the home offered; or
- the applicant is in hospital or some form of temporary home such as a hostel or refuge.

7.4 : Refusals of offers

Under Choice Based Lettings, applicants can generally refuse offers of accommodation without penalties. However, where an applicant refuses a direct offer, in most cases their needs will be re-assessed to check whether their priority or urgency for a move should be reduced. For those applicants in band B where the Council have accepted the duty to rehouse as homeless, the refusal of a direct offer will usually result in the discharge of the rehousing duty.

The Council is under a legal duty to offer 'suitable' accommodation to such homeless applicants. A 'suitable' offer of housing is one that takes into account the following:

- whether the accommodation is affordable by the applicant, having taken into account the financial resources available including entitlement to housing benefit where applicable, the costs of the accommodation, and other reasonable living expenses;
- the size, floor level, space and arrangement of the home, where this is applicable to the housing needs of the household;
- any housing related medical or welfare grounds for rehousing; and
- any risk of domestic or other violence.

When a direct offer is made to a homeless applicant, the offer letter will explain that it is a final offer, and that if you refuse it, you will have the right to ask us to review whether it was suitable for your needs. Any review will be conducted by the Housing Needs and Strategy Manager. If you have refused the offer either verbally or in writing by notifying either the Council or the housing association, and have asked for a review, we will not hold the property for you during the review period and it will be immediately re-offered to another applicant.

Alternatively, you are entitled to both accept the offer and also seek a review as to its suitability, which means that if the decision that the property is suitable is upheld on review, then you can remain in the accommodation offered. If the decision on review is that the property is not suitable, then you will be entitled to a further offer. However, if you have not accepted the offer, and we decide on review that it was suitable, your refusal is likely to constitute a discharge of the Council's homelessness duty, no further offers will be made, and you will be required to secure your own housing and leave any temporary accommodation that may have been provided.

8 : AMENDMENTS TO THE HOUSING ALLOCATIONS SCHEME

8.1 : Procedure

From time to time it may be necessary to make minor amendments to the published housing allocations scheme, for example if we decide to allow an unlimited number of bids per fortnightly cycle, or a change to the frequency of

reviewing applications from annually to six monthly or two yearly. The authority to introduce such minor amendments is delegated to the Director of Health and Housing, and would not be subject to a full consultation period. However, we will seek to inform all applicants of any changes by publicising details on the Council's website and in the Kent Homechoice user guide.

APPENDIX 1: HOUSING ALLOCATIONS SCHEME SUMMARY

1 : INTRODUCTION

Tonbridge & Malling Borough Council maintains a register of households who want to move to affordable housing managed by our housing association partners. We use a banding scheme with points to assess applicants priority in terms of their housing needs, and to apply fairness and equality in matching applicants on the housing register to properties. This document provides a summary of the Council's housing allocation scheme for:

- 1 determining priorities, and
- 2 defining the procedures to be followed in matching prospective tenants to homes available to rent from our housing association partners.

A copy of the full Housing Allocation Scheme is available from the Council Offices at: Tonbridge and Malling Borough Council, Environmental Health & Housing Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent, ME19 4LZ or Tonbridge and Malling Borough Council, Tonbridge Castle, Castle Street, Tonbridge, Kent TN9 1BG Tel: 01732-876067

e-mail: housing.services@tmhc.gov.uk

Internet: www.tmbc.gov.uk

2 : MAKING AN APPLICATION TO BE INCLUDED ON THE HOUSING REGISTER

If you are over 16 years old then you can record your household's housing needs on the housing register. You must complete and sign a housing assessment form, complete any supplementary forms or answer further questions as we require, provide written proof of your identity, current housing and personal circumstances, with other documents to independently verify this information, as may be requested.

You will be asked about the areas of the borough where you would prefer to be offered accommodation. However, you should appreciate that by restricting your areas of choice you will limit your access to vacancies that may arise. Some types of property are only offered to people with a particular need, such as those who are frail or who have a disability, as the property may have been designed or adapted specifically with their needs in mind.

It is an offence under the Housing Act 1996 to obtain accommodation on the basis of false or deliberately misleading information. When housing has been allocated on the basis of misleading information, legal action may be taken to obtain possession of the property.

Ineligible households

An applicant may be ineligible to join the housing register because:

- (i) they are subject to immigration control within the meaning of the Asylum and Immigration Act 1996 (unless the Secretary of State has stated that they should be eligible for housing); or
- (ii) the Council is satisfied that the applicant (or a member of the applicant's household) has been guilty of unacceptable behaviour serious enough to make that person unsuitable to be a tenant.

3 : HOUSING REGISTER : GENERAL INFORMATION

Effective date

The effective date is usually the date that your application is received unless you do not provide all the necessary documentation in order for us to make an assessment within 28 days of receipt of your application. If you are awarded high or medium priority on the grounds of medical or welfare needs, your effective date will be amended to the date that the priority was awarded. If you become homeless and you have been awarded priority because the duty to rehouse you has been accepted, your effective date will be the date that the duty was accepted, or the date that you were placed into temporary accommodation, if this was earlier. If you move to a higher or lower priority band, your effective date will be reassessed.

Annual review

We will write to you to confirm any changes in your circumstances once a year on or around the anniversary of the date you were first registered. If you fail to reply to the letter or provide any additional information we ask for within 28 days of the letter, we will assume that you no longer wish to be on the housing register and we will cancel your application without further notification.

Keeping applications up to date

Applications will be removed from the housing register for the following reasons:

- not responding to the annual review;
- not responding to correspondence from the Council where information is being sought from the applicant;
- the applicant is no longer eligible to join the housing register;
- the applicant no longer wishes to be rehoused; or
- applicants leaving council-provided temporary accommodation for whom no forwarding address has been supplied.

The right to request a review of a decision

Where the Council decides that an applicant is ineligible to join the housing register, we will give the applicant written notification of and reasons for the decision. If you do not agree with the decision you may request a review by writing to us within 28 days of notification.

4 : CBL BANDING AND POINTS SCHEME

All applications are placed into one of four bands, and within each band, relative priority is determined through the points scheme. Points are awarded for housing needs, depending on your circumstances, in accordance with the scheme below:

Overcrowding	Points
For each person lacking a bed space	10

Lacking facilities	Points
<i>(If you are not currently living in traditional housing)</i>	8

If you lack one or more of the following:

- Bath or shower
- Electricity supply
- Internal W.C.
- Piped water supply

Sharing facilities **Points**
(*Except with other members of the same household seeking rehousing*) 4

If you share one or more of the following:

- Bath or shower
- W.C.
- Somewhere to prepare and cook food

Condition of current housing **Points**

- High Priority - a move is essential 40
- Medium Priority - a move would be beneficial 15
- Low Priority – a move is not essential 5

Medical or disability reasons for moving **Points**

- High Priority - a move is essential 40
- Medium Priority - a move would be beneficial 15
- Low Priority – a move would be desirable, but is not essential 5

Social or welfare reasons for moving **Points**

- High Priority - a move is essential 40
- Medium Priority - a move would be beneficial 15
- Low Priority – a move would be desirable, but is not essential 5

Local connection **Points**

Applicants with a local connection to Tonbridge and Malling 5

Council duties **Points**

Duties to displaced residential occupiers following compulsory purchase etc 40

Homelessness **Points**

- Where the Council accepts it has a duty to secure accommodation under Part VII Housing Act 1996 35
- Where you are of no fixed abode or homeless, but the Council does not owe you a duty to secure accommodation 10
- For each month spent in temporary accommodation, up to a maximum of 12 months 1

NB: Points awarded for homelessness cannot be combined with points from other need categories, except for medical, social or welfare priority.

Under occupation

Housing association tenants moving to a smaller home will receive 10 points for each bedroom given up

For further information on the points scheme please refer to the full Housing Allocations Scheme document.

The Council will not usually register applicants who do not receive any points under the allocations scheme on the basis that they do not have a recognised need for social housing and therefore have no realistic chance of being offered accommodation.

5 : CBL BANDING PRIORITIES

All applicants will be placed into one of the following four priority bands. Within each band, individual applicants will also have points awarded for housing needs.

Band A – Urgent

- Overcrowding – applicants requiring additional 3 or more bedrooms
- Under occupation - RSL tenants needing a home with 2 or more bedrooms less than they currently occupy
- Displaced residential occupier where a CPO is to be executed
- Applicants requiring a wheelchair accessible/adapted home

Band B – High

- Overcrowding – applicants requiring additional 2 bedrooms
- Applicants awarded a high priority (40 points) on medical grounds
- Applicants awarded a high priority (40 points) on welfare grounds
- Applicants awarded a high priority (40 points) on property condition grounds
- Applicants urgently requiring move on from supported accommodation who are capable of sustaining an independent tenancy, and have completed a support programme and/or whose licence has expired
- Homeless applicants where the Council has accepted a duty to secure accommodation under part VII Housing Act 1996
- RSL tenants assessed as requiring sheltered accommodation
- RSL tenants occupying a home with significant adaptations that are no longer required

Band C – Medium

- Overcrowding – applicants requiring additional 1 bedroom
- Applicants awarded a medium priority (15 points) on medical grounds
- Applicants awarded a medium priority (15 points) on welfare grounds
- Applicants awarded a medium priority (15 points) on property condition grounds
- Homeless applicants where the Council does not owe a duty to secure accommodation
- Applicants who are NFA or residing in non secure accommodation eg sofa surfing/shed or garage/caravan/car/tent
- Under occupation - RSL tenants needing a home with 1 bedroom less than they currently occupy

Band D – Low

- Applicants awarded a low priority (5 points) on medical grounds
- Applicants awarded a low priority (5 points) on welfare grounds
- Applicants awarded a low priority (5 points) on property condition grounds
- Applicants who are not overcrowded but are sharing facilities with others who are not part of their household
- All other applicants who wish to be rehoused in the borough

Composite Needs

Some applicants will be affected by a combination of different housing needs factors and may fall into more than one band, for example they may have a medium priority on overcrowding grounds (Band C), and a low priority on property

condition grounds (Band D). The banding scheme recognises where housing needs factors combine and gives greater priority to such households as follows:

Composite needs CBL banding table

Band resulting from medical, welfare or property condition	1 or more additional Band A factors	1 or more additional Band B factors	1 Band C factor	2 or more Band C factors	3 or more Band C factors	1 or 2 Band D factors	3 or more Band D factors
Band B	Band A	Band A	Band B	Band A	Band A	Band B	Band B
Band C	Band A	Band B	Band C	Band B	Band B	Band C	Band C
Band D	Band A	Band B	Band C	Band C	Band B	Band D	Band C

Exceptional priority / special applications

Where there are exceptional circumstances that require an applicant to be rehoused urgently an application can be considered for a direct offer outside of the banding and points scheme on a discretionary basis, for example where an applicant is in Band A with high priority on health or welfare grounds, and a direct let will help with the urgency of their situation (for example in cases of terminal illness or where there is an immediate threat of violence). Such cases will be considered on an individual basis by the Council's Director of Health and Housing.

In addition, certain properties will occasionally be excluded from CBL, and allocated by making direct offers to selected applicants, for example where a property is uniquely suitable for a particular applicant due to wheelchair accessibility, disabled adaptations, location or layout.

6 : KENT HOMECHOICE – THE CBL PROCESS

Kent Homechoice is a partnership of Kent District Councils and Housing Associations, set up to provide Choice Based Lettings allowing applicants to take a more active role in choosing where they want to live. Councils and Housing Associations advertise housing vacancies in the borough every two weeks, and applicants can then apply (bid) for any vacancies suitable for their needs. Successful bidders will be shortlisted in priority order according to their band, points level and time waiting. The applicant with the highest priority under the allocation scheme will be offered the property, subject to their circumstances being verified by the Housing Association. Feedback is provided following each advertising round, giving the band and points levels of all successful bidders, which enables applicants to understand both the availability of suitable properties and the likelihood of success when bidding.

Bidding for available properties

Every fortnight, Kent Homechoice advertises all empty council and housing association homes that are available to let. Properties are advertised on the internet and also on a published freesheet. In each fortnightly bidding cycle, applicants may bid for up to three properties that are suitable for their needs, and may refuse any resulting offers of accommodation without penalties.

All homeseekers are given a unique Kent Homechoice PIN number to be used when bidding for properties. Applicants can bid for properties in one of the following ways: on the internet, by telephone, by text message or by coupon, before the closing date of the bidding period. Information on how to bid is available in the user guide given to all applicants, on the internet and at Council offices and there is a procedure where people can register to bid on the behalf of others who may have difficulties e.g. relatives and friends, staff or support workers.

At the end of each bidding cycle, all bids for the available homes are put into priority order according to individual bands and points within each band, which produces a list of eligible applicants for each property. Shortlisted applicants are subject to verification checks by the landlord of the properties applied for, and the highest priority applicant will be offered the property. In the event of two or more applicants sharing the top points score within the priority band, their effective date order will be used to determine priority. The successful bidder will be contacted directly by the landlord housing association and offered an opportunity to view the property. The applicant will normally be expected to accept or refuse an offer of accommodation within 24 hours of the viewing

Refusals of offers

Under Choice Based Lettings, applicants can generally refuse offers of accommodation without penalties. However, where the Council have accepted the duty to rehouse an applicant as homeless, and have made a direct offer, a refusal will usually result in the discharge of the rehousing duty.

When a direct offer is made to a homeless applicant, the offer letter will explain that it is a final offer, and that if it is refused, you will have the right to ask us to review whether it was suitable for your needs. We will not hold the property for you during the review period and it will be immediately re-offered to another applicant. However, you are entitled to both accept the offer and also seek a review as to its suitability, which means that if the decision that the property is suitable is upheld on review, then you can remain in the accommodation offered. If the decision on review is that the property is not suitable, then you will be entitled to a further offer. However, if you have not accepted the offer, and we decide on review that it was suitable, your refusal is likely to constitute a discharge of the Council's homelessness duty, no further offers will be made, and you will be required to secure your own housing and leave any temporary accommodation that may have been provided.

APPENDIX 2: PROPERTY SIZE GUIDELINES

Generally, homes are offered in line with the following guide:

Household size	Type and Size of Home
A Single person- Depending on his/her needs	Bedsit /studio flat, one bedroomed flat, house bungalow or sheltered accommodation
A Couple- Depending on their needs	One bedroomed flat, house, bungalow or sheltered accommodation
Two adults with special needs for separate bedrooms- Depending on their needs	Two bedroomed flat, house, bungalow or sheltered accommodation
A couple or single parent with one child, or expecting a first child*	Two bedroom flat or house
A couple or single parent with two children, or expecting a second child*	Two or three bedroomed flat or house (depending on the sex of the children)
A couple or single parent with three or more children, or expecting a third or subsequent child*	Three or four bedroomed house (depending on the sex of the children and also on availability)

* Proof of pregnancy will be required where an extra bedroom is required for an expected child.

The term couple is deemed to be a heterosexual couple or a same sex couple, whether married, in a civil partnership or cohabiting.

Applicants who have shared access to children but who are not dependent upon them will not automatically be eligible for consideration for an additional bedroom. In deciding where dependent children should be housed an assessment will be made of the housing circumstances of each parent to decide whether there is suitable alternative accommodation available for the child. An additional bedroom will only be available where no other suitable accommodation is available for the child to occupy.

APPENDIX 3 : LETTINGS AREAS

Applicants can select from the lettings areas as detailed on the borough map.



APPENDIX 4 : Number of homes provided by Russet Homes by area

Russet Homes is the largest housing association with properties in the borough. The following table gives details of all homes, including those in sheltered schemes which are predominantly studio or one bed homes, managed by Russet Homes. The table is broken down by bedroom size, as a guide to selecting the most appropriate areas to meet applicant's housing needs.

Lettings area	No of bedrooms					Total number of homes
	0 (Studio)	1	2	3	4	
Addington		4		3		7
Aylesford		27	5	54	1	87
Birling		5		6		11
Borough Green		24	58	114	14	210
Burham	4	29	9	30	5	77
Ditton	17	63	13	99	2	194
Eccles		23	26	43	2	94
East Malling		112	134	410	9	665
East Peckham	21	35	43	55	6	160
Hadlow		63	87	108	1	259
Hildenborough	1	31	40	41	1	114
Ightham		5	2	14		21
Larkfield		109	49	152	6	316
Leybourne		42	18	28		88
Mereworth		16	73	43	3	135
North Tonbridge	20	454	591	566	27	1658
Offham		10		15		25
Otford					1	1
Platt		4		8		12
Plaxtol		3	3	9		15
Ryarsh		16	1	25		42
Shipbourne		7		10		17
Snodland	41	178	80	273	18	590
Stansted		1		5		6
South Tonbridge	16	193	306	444	18	977
Trottiscliffe			2	2		4
Wateringbury		20	7	18		45
West Malling	22	46	39	60	11	178
Wouldham		11	7	2	1	21
West Peckham					2	2
Wrotham	17	70	27	102	2	218
Total	159	1601	1620	2742	127	6249

In addition there are a number of other housing associations who own and develop affordable housing within the borough.