

R E F E R R A L

from
CABINET
HELD ON 4TH DECEMBER 2012

to
COUNCIL
ON 20TH DECEMBER 2012

Public Interest Test

The author of this referral, Julie Hamilton, Senior Democratic Services Officer, has determined that it is considered to be of a non-confidential nature.

MINUTE NO. 102(c) – Review of Choice Based Lettings (Key Decision No. 353)

RESOLVED that:

1. The changes to the Choice Based Lettings Policy, as detailed in Appendix A of the report, be endorsed and referred to full Council for approval and implementation.
2. The further review of the Choice Based Lettings Policy in the next financial year to assess outcomes from the revised policy be noted.

Referred Reports will be submitted in their original form unless the Responsible Officer indicates otherwise.

Copies to: Committee Administrator
 Interim Chief Executive
 Director of Community Services
 Housing Strategy and Renewal Manager

BASSETLAW DISTRICT COUNCIL

CABINET

4th December 2012

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

REVIEW OF CHOICE BASED LETTINGS

Cabinet Member: Housing
Contact: Claire Frost
Ext: 3857

1. Public Interest Test

The author of this report Claire Frost has determined that the report is not confidential.

2. Purpose of the Report

- 2.1 To update Members on the outcome of the review / Consultation of the Choice Based Lettings scheme and to consider the policy amendments resulting from the review.

3. Background and Discussion

- 3.1 The Localism Act 2011 introduces a range of provisions aimed at reforming social housing. Possibly most notable of these are those which change the way that councils can allocate their homes. More recently, the government has introduced new statutory guidance on social housing allocations for local authorities in England, giving local authorities greater flexibility.
- 3.2 A copy of the allocations guidance can be found at the link below.
<http://www.communities.gov.uk/publications/housing/allocationaccommodationguide>
- 3.3 The principle of Choice Based Lettings is to advertise available properties and give applicants requiring accommodation the opportunity to be actively involved in getting a property in their area of choice. The Choice Based Lettings scheme (CBL), called HomeFinder, was approved and went live in Bassetlaw in March 2009.
- 3.4 In June 2011 the Council and A1 Housing commenced a review of the current Choice Based Lettings Policy to align this to the requirements of both the Localism Act and emerging national allocations guidance. The review group consisted of members, A1 and Council Officers and representation from Council tenants.
- 3.5 Members may recall that in January 2012 a report was presented to cabinet on the Select Panel recommendations from the Overview and Scrutiny Committee which reviewed the suggested amendments to the Council's Choice Based Lettings Policy. The report outlined minor changes to the proposed amendments but mainly was in support of the revised policy.

3.6 Consultation evidence

3.6.1 As part of the review we have consulted with:

- Members
- Homeless User Group
- A1/BDC Strategic Group
- Tenant Groups (as tenant representatives)
- External support providers, such as CAB, Framework
- Social Services (Adult and children's services)
- All Registered Social Providers within Bassetlaw
- Neighbouring local authorities

A survey of applicants has also been carried out.

The main issues raised as part of this consultation have been fed into this report; however one main area was for the Council to allow any armed forces personnel to apply for housing on the register with or without a local connection. This is a significant change to the current policy which restricts this to solely local connection.

3.7 Suggested areas of amendment to the Choice Based Lettings Policy

3.7.1 Attached in *Appendix A* is a table outlining all proposed amendments to the current Choice Based Lettings Policy and an outline of all feedback from the consultation exercise, which was in favour of all proposed amendments.

4. Implications

- a) For service users
The proposed changes to the policy will ensure that it is clearer for applicants and that maximum choice is given according to their housing needs and that the policy meets the current legislative requirements.
- b) Strategic & Policy
Through the Localism Act 2011 local authorities have the freedom to provide a service that meets the identified local housing need. The new legislation allows more flexibility for Bassetlaw to provide social housing to those in most housing need.
- c) Financial – Ref: 13/914

There are no financial implications for the Council.
- d) Legal – Ref: 372/12/12

None from this report
- e) Human Resources

None from this report
- f) Community Safety, Equalities, Environmental

The CBL policy has been subject to an Equalities Impact Assessment and the policy changes will also be assessed. It is also important to understand that on agreement of this policy this will affect all applicants on the waiting list. The major impact will be to the owners over 60 – there are approx 1400, and they will move from band D to Band E. The change can be managed within current processes as a data transfer; the issue is potential unrest/complaints from the owners who will be in a worse position for rehousing.

- g) Whether this is a key decision, and if so the reference number.

Key Decision No. 353.

5. Options, Risks and Reasons for Recommendations

Members approve the changes to the policy as detailed in *Appendix A*. The risk to not approving the changes is that A1 Housing will be unable deliver the Choice Based Lettings Homefinder service in line with existing housing demand.

6. Recommendations

6.1 Members approve the changes to the Choice Based Lettings Policy.

6.2 Members note the further review of Choice Based Lettings Policy in the next financial year to assess outcomes from this revised policy.

Background Papers

Table outlining the current CBL policy and proposed changes to the policy.

Location

Appendix A

Suggested areas of amendment to Bassetlaw DC Choice Based Lettings Policy & consultation feedback

Consultation period – 5th October – 2nd November 2012

Summary of proposed changes to CBL Policy

What the Lettings Policy is now	Proposed Change	Comments
2.2 Qualification for Acceptance on to Housing Register	Applicants should provide a signed reference from their last or previous landlord	Not supported
<p>2.7 Applicants are accepted into one of the Housing Register Bands A – D if they have a local connection to the Bassetlaw District Council area. That is if:</p> <ul style="list-style-type: none"> • They live in the area as their principal and main home or • Are in paid employment in the area for at least 16 hours per week or, previously lived in the area for a continuous period of 12 months within the last 5 years at the time of application or • Are currently serving in Her Majesty's Forces and enlisted from the Bassetlaw District Council area or partner living in the Bassetlaw area immediately prior to enlistment. 	<p>2.7 Applicants are accepted into one of the Housing Register Bands A – D if they have a local connection to the Bassetlaw District Council area. That is if:</p> <ul style="list-style-type: none"> • They live in the area as their principal and main home or • Are in paid employment in the area for at least 16 hours per week or, previously lived in the area for a continuous period of 24 months within the last 5 years at the time of application or • Are currently serving in Her Majesty's Forces and enlisted from the Bassetlaw District Council area or have a close family connection in the Bassetlaw District Council area. A close family connection is a spouse or partner, parent or parent in law, son or daughter, grandparent, partner living in the Bassetlaw area immediately prior to enlistment or • Are currently serving in Her Majesty's Forces and wish to reside in the Bassetlaw area. 	Supported
<p>2.9 Property Ownership</p> <p>Applicants under the age of 60 years who own a residential property or have a financial interest in it (whether or not they occupy it as their home) will only be accepted into Housing Register Band E.</p>	<p>2.9 Property Ownership</p> <p>Applicants who own a residential property or have a financial interest in it (whether or not they occupy it as their home) will only be accepted into Housing Register Band E.</p>	Supported with amendment – If after 6 months a senior citizen is unable to sell their property they can ask for

<p>The current policy does not have a hold list</p>	<p>Where a property is going to be allocated to an applicant who owns his or her own home confirmation of sale, intended sale or repossession of the home will be required before we can complete the allocation. Once the offer of a tenancy has been accepted, the property must be occupied as the applicant's only or principal home</p> <p>Section 2.11 Applicants can register and ask to be on hold</p> <p>Applicants on hold who wish to be active will have a three month wait before they can start bidding</p>	<p>the property to be considered under the Council's Private Lettings Scheme</p> <p>Not supported Not necessary to have hold till advised list due to section 4.2 below</p>
<p>3.2 Senior Citizen Designated Accommodation</p> <p>Applicants aged 60 years and over (including couples where one applicant is aged 60 years and over) must register for either General Needs accommodation or Senior Citizen accommodation but not both. Applicants aged 60 years and over may be considered for the Non Senior Citizen Designated accommodation but the same rules of eligibility as those under 60 years of age will apply, for example on ownership of property.</p>	<p>3.2 Change to 'Older Persons' Accommodation</p> <p>Any elderly applicants applying for a house must have a dependant living within the household for 2 years or more to become eligible</p>	<p>Supported</p>
<p>3.8 Amendment of a Housing Application</p> <p>Where a relationship between joint applicants subsequently breaks down each applicant will retain the original housing application date. The second applicant will be required to complete a new housing application form. Any added partner to an application will only have a new housing application backdated to the creation of the application in joint names.</p>	<p>3.8 Amendment of a Housing Application</p> <p>Where there is a dispute between former joint applicants about the custody of children, proof of legal access to the children will be required.</p> <p>For applicants to be considered as a family unit, the applicant must have proof of overnight access of the children for at least 3 nights per week.</p>	<p>Supported with amendment – Proof of residency can include which partner is in receipt of the Child Benefit payments</p>
<p>A3 Statutorily Overcrowded</p> <p>An applicant is prioritised where, following assessment by Bassetlaw</p>	<p>A3 Statutorily Overcrowded</p> <p>An applicant is prioritised where, following</p>	<p>Supported</p>

<p>District Council, the applicant's property is statutorily overcrowded under Part X of the Housing Act 1985.</p>	<p>assessment by Bassetlaw District Council, the applicant's property is statutorily overcrowded under Part X of the Housing Act 1985. This will apply where it is the result of natural growth of the family</p>	
<p>6.2 Exclusion from the Housing Register 6.2.2 Housing Act 1996 Section 160A A1 Housing reserves the right to refuse to register a housing application, cancel an application or re-house an applicant under the Housing Act 1996 Section 160A. This can include but will not be restricted to:</p> <ul style="list-style-type: none"> • Council or other tenants evicted for a breach of their conditions of tenancy (whether by them or a member of their household) • Applicants or a member of their household convicted of a serious criminal offence that would be in substantial breach of the Council's tenancy conditions if they were a Council tenant <p>Examples of unacceptable behaviour will include but will not be restricted to:</p> <ul style="list-style-type: none"> • Malicious damage to or neglect of a property • Using or allowing the use of a property for illegal or immoral purposes • Violence or aggression towards staff or agents of A1 Housing and Bassetlaw District Council 	<p>Section 6.2 - Exclusion from the Housing Register The Council will exclude any applicant with unspent convictions or who is a "known" perpetrator of ASB. Individuals and families who are convicted or "Known" drug dealers, perpetrators of ASB or have police records for such offences will be excluded from the Housing Register</p>	<p>Supported with amendment (wording provided by external legal advice) – Any applicant, or a member of his/her household who have:- Received an anti-social behaviour warning or an acceptable behaviour contract; and/or Have been made subject to an anti-social behaviour order and an anti-social behaviour injunction: and/or Where possession proceedings have been commenced and a possession order whether outright, suspended or demoted has been made. Any applicant, or a member of his/her</p>

		household, who have a Police record for public order incidents or anti-social behaviour will be excluded from the Housing Register
<p>6.2.5 Debts and arrears</p> <p>Debts and arrears owed to Bassetlaw District Council, another Local Authority, an ALMO or a Registered Social Landlord or other Not For Profit organisation in respect of a housing tenancy must normally be cleared before an offer can be made.</p>	<p>6.2.3 Debts and arrears</p> <p>Debts and arrears owed to Bassetlaw District Council, another Local Authority, an ALMO or a Registered Social Landlord or other Not For Profit, organisation, or to a private landlord who is a registered member of East Midlands Landlord Accreditation scheme in respect of a housing tenancy must normally be cleared before an offer can be made.</p>	Supported
<p>Medical Panel 11.5.6 Allocation of Accommodation</p> <p>A1 Housing will maintain a list of properties that have been specifically and substantially adapted for the use of tenants with disabilities. These properties will in the first instance be offered to applicants with medical priority needs (Bands A & B).</p>	<p>Medical Panel 11.5.6 Allocation of Accommodation</p> <p>Properties which have been adapted for the use of tenants with disabilities will in the first instance be offered to applicants with medical priority needs (Bands A or B severe or high medical need).</p> <p>In the absence of applicants with severe or high medical needs the property will be allocated in priority band order</p>	Supported
<p>3.3 Choice of Accommodation Criteria</p> <p>The size and type of property we will normally offer you will depend on the size and type of your household as shown: Couples are eligible for 2 or 3 bedroom Houses</p>	<p>3.3 Choice of Accommodation Criteria</p> <p>The size and type of property we will normally offer you will depend on the size and type of your household as shown: Couples are eligible for 2 bedroom houses</p>	Supported
<p>3.4 Re-advertising of Properties In the absence of a qualifying applicant from Bands A – E properties</p>	<p>3.4 Re-advertising of Properties In the absence of a qualifying applicant from Bands</p>	Supported

<p>will be re-advertised for a second time. For Senior Citizen designated properties. In the absence of Senior Citizen applicants from Bands A – E the property will be allocated to Band A – E applicants in the following order:</p> <ul style="list-style-type: none"> - Applicants aged 50 years and over - Applicants aged 40–49 years - Other suitable applicants. For example an applicant who has been assessed with severe medical needs who may not otherwise qualify. 	<p>A – E properties will be re-advertised for a second time.</p> <p>Applicants will be considered firstly in order of their Band (i.e. Band A, B and C etc) and then the applicant's position within that Band in the following order:</p> <ul style="list-style-type: none"> • Applicants in Band A over 60 • Applicants in Band A over 40 • Applicants in Band B over 60 • Applicants in Band B over 40 • Applicants in Band C over 60 • Applicants in Band C over 40 • Applicants in Band D over 60 • Applicants in Band D over 40 • Applicants in Band E over 60 • Applicants in Band E over 40 	
<p>4.2 Targets</p> <p>Targets for allocation of properties, to Bands A – D, will be reviewed by A1 Housing on a regular basis to ensure they remain fair and equitable. The purpose of targets is to ensure that applicants in these Bands have an opportunity for re-housing whilst giving preference to applicants in housing need in accordance with the requirements of the Housing Act 1996.</p>	<p>4.2 Allocation of properties</p> <p>Properties will be allocated to applicants who have expressed an interest in the property in band order with priority first:</p> <ul style="list-style-type: none"> • BAND A - Applicants with severe / urgent housing needs • BAND B - Applicants with high housing needs • BAND C - Applicants with some housing needs • BAND D - Applicants with low housing need • BAND E – All other Applicants 	Supported
	<p>4.2</p> <p>10% of available properties in each year will be advertised to applicants in the LINK Sub regional scheme. Applicants on Bassetlaw's housing register will be able to bid for properties in the other sub-regional areas. Please see appendix 13.</p>	Supported
<p>C5 Cramped but not statutory overcrowding</p>	<p>C5 Cramped but not statutory overcrowding</p>	Supported

<p>Applicants who qualify for C5 banding can choose whether to be in Band C and bid only for larger properties or to be in Band D and bid for any size property</p> <p>Where an applicant (not necessarily the tenancy holder) has inadequate bedroom space but is not assessed as statutorily overcrowded according to the following criteria. A claim of cramped living conditions will generally only be considered where it is the result of natural growth i.e. children from the relationship including long term foster children and adopted children.</p> <ul style="list-style-type: none"> • A child aged under 1 year of age does not need their own bedroom and can share a bedroom with their parents. • A child aged 1 year and over should have a separate bedroom to their parents • A child aged under 5 years of age can share a bedroom with a child of the opposite sex • A child aged 5 years and over is not expected to share a bedroom with a child of the opposite sex • A child aged 11 years and over is not expected to share with another child. 	<p>Applicants who qualify for C5 banding can choose whether to be in Band C and bid only for larger properties or to be in Band D and bid for any size property</p> <p>Where an applicant (not necessarily the tenancy holder) has inadequate bedroom space but is not assessed as statutorily overcrowded according to the following criteria. A claim of cramped living conditions will generally only be considered where it is the result of natural growth i.e. children from the relationship including long term foster children and adopted children.</p> <p>A child aged under 1 year of age does not need their own bedroom and can share a bedroom with their parents.</p> <p>A child under the age of 16 can share a bedroom if they are the same sex</p> <p>A Child under the age of 10 can share a bedroom regardless of sex.</p>	
<p>The current policy does not have this category</p>	<p>C8 The applicant is serving in Her Majesty's Forces, living in forces accommodation and has a close family connection in Bassetlaw District Council area or was enlisted from the Bassetlaw District Council area</p>	<p>Supported</p>
<p>The current policy does not have this category</p>	<p>D2 Applicants serving in Her Majesty's Forces, who do not have a local connection with the Bassetlaw area but wish to reside in the Bassetlaw District Council area</p>	<p>Supported</p>

What do the changes mean / Consultation responses

People applying to go on the housing register will need to provide a reference from their current or a previous landlord

Hostels Liaison Group

The proposed requirement to provide a 'signed reference' from last/previous landlords may not be practicable, especially for many who are assessed as being vulnerable.

For some the challenges of dealing with mental health or substance misuse issues, fleeing harassment, fleeing domestic violence, relationship breakdown etc can result in a chaotic life style. The recent reductions in support services will mean fewer vulnerable people will have access to support workers who would be able to advocate on their behalf.

Our experience suggests that the quality of Private Landlords varies. There will be many Private Landlords who will have no interest in engaging and co-operating with requests from former tenants.

Some people may not have held a tenancy before such as young people, refugees or migrants who are new to this country.

Is this blanket requirement fair and reasonable? We suggest this issue be given further consideration.

Housing Needs Team

Concern was expressed about the requirement of references from previous landlords. This was due to the fact that some unscrupulous landlords may choose to provide positive references for unsatisfactory tenants in an attempt to "move them on quickly" or provide inaccurate/false negative information where there has been a difficult/turbulent relationship with the tenant. For example it is common practice for landlords to serve notice on tenants who may complain of disrepair at the property as a form of retribution and to avoid carrying out the work.

Clarification is required regarding provision of the reference – does this have to be supplied at the time the housing application is submitted? If so this could delay getting housing applications registered which will impact on homeless applicants, particularly where we need to get a housing application registered as a matter of urgency.

How will we deal with those applicants whose landlords either refuse or are not able to provide a reference? Will any special concessions be made for homeless applicants particularly those who have learning difficulties/mental health problems or who are fleeing violence?

If there are any delays in getting housing applications registered it could result in an increase in homeless presentations from those who try to circumnavigate the system by making a homeless application.

Judy Juno – SS

What will happen is a landlord (probably Private) doesn't want to give one or says something negative?

People who do not live or work in Bassetlaw but have lived in Bassetlaw before must have been resident for 2 years instead of one out of the last 5 years

Any Armed Forces personnel may register on the waiting list

Housing Needs Team

For consistency, we believe the time scales for residency in the Bassetlaw area should match those outlined in the Housing Act 1996 (as amended by the Homelessness Act 2002) which state that in order to have a local connection, a person must have resided in the area for 6 out of the last 12 months or 3 out of the last 5 years.

Applicants over 60 who own or have any financial interest in a property will no longer be eligible for band D

If a property is allocated to an applicant with any financial interest they must provide proof of sale

Hostels Liaison Group

Will this change requiring applicants to wait 3 months before they can bid, add to bureaucracy and cost? This new process will need to be communicated and managed.

Housing Needs Team

Concern was expressed over applicants who have properties repossessed. At present when a property is repossessed, an applicant's housing application is still not made live until the property has been sold and proof of the sale provided. Clarification should be provided as to what constitutes proof of repossession.

Applicants will be unable to bid for 3 months

Housing Needs Team

Applicants on hold. States applicants will not be allowed to bid for 3 months after application has become live. This may be disadvantageous for a small number of homeless applicants who may be/have been on hold however it is unlikely to have much of an impact for general needs applicants if all properties are being offered to Band A first and so on as it is likely the 3 month period will have expired before a suitable property is offered to a general needs band.

Using the term older person instead of senior citizen

Applicants over 60 must have a dependent living with them for 2 years or more to be eligible for a house

Mr T Mumby – 17 Mill House, Worksop.

Doesn't agree with Older Persons prefers Senior Citizen.

A couple who split up must provide proof of dependent children to have the children on their application

Hostels Liaison Group

We request the Council reconsider the workability of 'proof of overnight access for at least 3 nights a week'.

The focus on access arrangement is usually centred on what is best arrangement for the child. Could this requirement place families under pressure and children at risk at a vulnerable period in their lives? Would the impact be discriminatory?

Housing Needs Team

States proof of residence for dependent children must be provided in the cases of couples who split up – what level/form of proof would be required as not all couples have written agreements, Court Orders regarding custody/residency of children?

Priority for statutory overcrowding will not be given if applicant has caused deliberate overcrowding

Housing Needs Team

A3 States priority will not be given for deliberate overcrowding – “deliberate” needs to be more specific – e.g. does this include couples that continue to increase their family knowing their present property is/will become overcrowded?

Applicants with a conviction or who are known to be involved in criminal behaviour will be excluded

Hostels Liaison Group

This section raises significant concerns.

It is customary for Social Housing to be made available to those in priority need. To propose a blanket exclusion from registering on the housing waiting list any who has unspent convictions appears unreasonable and potentially discriminatory. (see table below for detail).

'Know' perpetrators of ASB. Define 'Known' and by whom?

'Know' drug dealers. Define 'Known' and by whom?

Nottinghamshire fund a number of valued support services in Bassetlaw, whose purpose is to offer vulnerable people the opportunity to nurture aspirations by enabling them to achieve more as individuals and Bassetlaw citizens. These individuals are supported and encouraged to take responsibility for the way they live and the area in which they live. These services are committed to enabling people to live as independently as possible throughout their lives. These proposed exclusions potentially cut access to social housing for many who have been supported to 'turn their lives around'.

We request that the Council reconsider this proposal, and check if it contravenes Human Rights Law.

Under the Rehabilitation of Offenders Act, a conviction becomes spent after a period of time. The rehabilitation period varies according to the sentence given, not to the offence committed. For a custodial sentence, the length of time actually served is irrelevant: the rehabilitation period is

determined by the original sentence.

The following sentences become spent after fixed periods from the date of conviction.	Rehabilitation Period	
	Over 18 when convicted	Under 18 when convicted
Sentence		
Prison sentence (including suspended sentences) 6 months to 2.5 years	10 yrs	5 yrs
Prison sentence (including suspended sentences) 6 months or less	7 yrs	3.5 yrs
Fines, probation, compensation, community service, reparation orders, curfew orders	5yrs	2.5 yrs
Absolute discharge	6 mths	6mths
Please note: Custodial sentences of more than two and a half years never become spent. A custodial sentence, also known as a sentence of imprisonment, or detention, is where the offender is detained in custody for a period of time.	Never	Never

Housing Needs Team

Concern was expressed over the term “known”. Clarification is required as to what “known” means – known to whom? Eg Police, Statutory Agencies etc. This could be potentially damaging to many applicants and would prevent many homeless single applicants from registering onto the waiting list.

Concern was also expressed over the term “unspent convictions”. Again clarification is required of what this means as it appears some convictions can be classed as never spent so again this would cause difficulty for some applicants and prevent them from being able to register on the waiting list. It is suggested that some flexibility be applied and each case looked at on its own merits.

Notts Probation

We have concerns that our current working relationship will continue bearing in mind the changes to the CBL policy.

What are your plans regarding the future settlement of difficult offenders – particularly those under MAPPA arrangements and those convicted of sexual offences?

Do you plan to exclude ALL people with unspent criminal offences? If not, could you please specify the scope of your planned exclusions?

Framework

Is there a definition of ‘Known’ in this context? The wording suggests that these are individuals who haven’t actually been convicted of these offences. Secondly, and more disturbing is the potential exclusion of anyone with unspent convictions. Research revealed the following information:

Relevant Rehabilitation Periods i.e. when convictions become spent:

- Sentence of imprisonment of more than two and a half years – **Never**
- Sentence of imprisonment of more than six months but no more than two and a half years - **10 years**
- Youth custody for more than six months but no more than two and a half years - **10 years***
- Corrective training for more than six months but no more than two and a half years - **10 years***
- Dismissal with disgrace from Her Majesty's service - **10 years***
- A sentence of Borstal training - **7 years**
- Prison for six months or less - **7 years***
- Dismissal from Her Majesty's service - **7 years***
- Sentence of imprisonment or detention in YOI or youth custody for six months or less - **7 years***
- Detention in respect of conviction in service disciplinary proceedings - **5 years***
- (Most) fines - **5 years***
- Sentence of young offender detention for over six months but not more than two and a half years - **5 years**
- Probation order or community order (person 18 or older) - **5 years**

- Probation order or community order (person under 18) - **Either 2 ½ years from conviction, or until the order ceases to have effect – whichever is the longer**
- Hospital order under Mental Health Act 1983 - **Either 5 years, or 2 years after order ceases to have effect, whichever is the longer**
- Sentence of young offender detention of not more than six months - **3 years**
- Conditional discharge, binding over, care order, supervision order, reception order - **Either 1 year after making of order, or 1 year after the order ends, whichever is the longer**
- Absolute discharge - **6 months**
- Disqualification - **The period of disqualification**
- Cautions, Warnings and Reprimands - **Spent as soon as they are issued**
- Conditional cautions - **Spent as soon as conditions end.**

**Note: These periods are reduced by half if the offender was under eighteen at the date of conviction.*

The interpretation is that anyone who has been sentenced to more than 30 months in prison will never be able to access housing through A1. This is regardless of how old the offence may be, or any recognition of possible rehabilitation. Other lengthy exclusions would result from shorter prison sentences (7-10 years), and perhaps most disturbingly 5 year exclusion is proposed for anybody who has been fined. Community protection needs to be balanced against the accommodation of offenders. Appropriate housing should be allocated on the basis of risk on a case by case basis and not be subject to blanket exclusion policies.

Code of Guidance on Allocations

The policy appears to run contrary to the Government's Code of Guidance on Allocations namely:

- *There are potential issues relating to equalities legislation challenging the policy (Para 3.20 Code of Guidance);*
- *The Policy does not appear to include an exceptional circumstances exemption where allocation criteria are not applied. It should do;*
- *The proposed policy could exclude groups of people whose members are likely to be accorded reasonable preference for allocation;*

Also what about those applicants who don't qualify under the criteria and a long time elapses in which applicant receives temporary accommodation and support?

Crime and Disorder Act 1998

Bassetlaw District Council has a duty under S.17 of the Crime and Disorder Act 1998 to consider crime and disorder implications by:

Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Rehabilitation of Offenders

A third of prisoners do not have settled accommodation prior to custody and it is estimated that stable accommodation can reduce the likelihood of re-offending by more than a fifth. It also provides the vital building blocks for a range of other support services and gaining employment.

Applicants must have clear rent account if they are a private tenant of registered Private Landlord

Housing Needs Team

States debts to BDC must be cleared – clarification is required as to what is a debt. Does this include Council Tax, HB Overpayments, Rechargeable Repairs etc.

Also should some consideration be given as to how the arrears accrued – should distinction be applied between those who were not physically able to afford to pay due to low income, loss of income etc and those who deliberately chose not to pay eg eviction? Should large debts be treated the same as small debts – should there be a specified amount eg debts over £100, £500 etc?

If we are stating that this rule only applies to accredited private landlords, could this be seen as discriminatory and a 2 tier system? If a tenant's landlord is not accredited, they can accrue as many rent arrears as they like and there will be no penalty however if the landlord is accredited, there will be a penalty. Could this be a disincentive for landlords to become accredited if they believe that some of their "unsatisfactory" tenants will not get rehoused by the Council if they owe rent?

Judy Juno – SS

What about someone with large arrears who has made changes to their lifestyle and has made regular payments for about 6 months – especially those who need to move on from supported housing.

Adapted properties can be allocated to applicants with no medical need if there are no applicants with medical priorities

Housing Needs Team

Medical Panel – concern was expressed over the length of time taken to consider medical needs as it appears medical panels are only held once every 4 – 6 weeks. This can cause considerable delays for homeless applicants with medical needs who require the intervention of the medical panel. The Housing Needs Officers also request that medical information held by them be considered.

Couples will no longer be allocated 3 bedroom houses

No Comments on this

Over 60's accommodation if cannot be let after one advert will be offered to applicants over 40 in Band order not on how old you are

No Comments on this

Instead of advertising properties to a specific band, all properties will be advertised to any band and allocated in order of priority band.

Hostels Liaison Group & Housing Needs

Welcome this proposed change.

This gives opportunities for applicants to bid for properties in the sub regional scheme with Bolsover, Chesterfield and North East Derbyshire Councils

No Comments on this
Changes to what qualifies as 'cramped living' Children under 16 can share if same sex, under 10 can share if opposite sex
No Comments on this
New banding for armed forces applicants with a local connection
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New banding for armed forces applicants with no local connection
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