

# **Cabinet Member for Prosperity**

## **Agenda**

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<b>Date:</b>	<b>Monday, 12th March, 2012</b>
<b>Time:</b>	<b>9.30 am</b>
<b>Venue:</b>	<b>Executive Meeting Room 2 - Town Hall, Macclesfield SK10 1DX</b>

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the meeting. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. **Tenancy Strategy (Pages 1 - 30)**

To consider a report outlining the content of the Cheshire East draft Tenancy Strategy and seeking permission to consult.

5. **Cheshire Homechoice Common Allocations Policy Review** (Pages 31 - 66)

To consider a report which provides an update on the proposed changes to the Cheshire Homechoice Common Allocations Policy.

**THERE ARE NO PART 2 ITEMS**

## CHESHIRE EAST COUNCIL

### Cabinet Member for Prosperity

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**Date of Meeting:** 12<sup>th</sup> March 2012  
**Report of:** Strategic Housing Manager  
**Subject/Title:** Tenancy Strategy  
**Portfolio Holder:** Councillor J Macrae

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#### 1.0 Report Summary

- 1.1 The Localism Act 2011 places a requirement on all local authorities to produce a Tenancy Strategy which outlines our approach to flexible tenancies and enables Registered Providers of social housing to formulate their own tenancy policies. This report outlines the content of the Cheshire East draft Tenancy Strategy and seeks permission to consult.

#### 2.0 Recommendation

- 2.1 To grant permission to proceed with the formal consultation on the draft Tenancy Strategy.

#### 3.0 Reasons for Recommendations

- 3.1 In order to allow stakeholders and members of the public to comment on the draft policy we are proposing a 12 week period of consultation.

#### 4.0 Wards Affected

- 4.1 All wards

#### 5.0 Local Ward Members

- 5.1 All Local Ward Members

#### 6.0 Policy Implications

- 6.1 Carbon reduction - none  
6.2 Health

Housing is fundamental to the wellbeing and prosperity of the Borough. There are direct connections between access to affordable, sustainable housing and health, educational attainment, carbon reduction and care for older people. The policy review aims to ensure that access to limited social housing stock is fair and transparent.

**7.0 Financial Implications (Authorised by the Director of Finance and Business Services)**

7.1 There are no financial implications.

**8.0 Legal Implications (Authorised by the Borough Solicitor)**

8.1 The Localism Act 2011 (sections 150 - 153) places a duty on all Local Authorities to prepare and publish a Tenancy Strategy within 12 months of the provision coming into force. The strategy has to set out the matters to which registered providers of social housing in its district are to have regard to in formulating policies relating to tenancies and should contain the following:

- The kind of tenancies they grant,
- The circumstances in which they will grant a tenancy of a particular kind,
- Where they grant tenancies for a term certain, the lengths of the terms and
- The circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

Before adopting a Tenancy Strategy Local Authorities must:

- Send a copy of the draft strategy, or proposed modification, to every private registered provider of social housing for its district, and
- Give the private registered provider a reasonable opportunity to comment on those proposals.
- Consult such other persons as the Secretary of State may by regulations prescribe.

The authority must also have regard to:

- Its current allocation scheme under section 166A of the Housing Act 1996,
- Its current homelessness strategy under section 1 of the Homelessness Act 2002

**9.0 Risk Management**

9.1 The Tenancy Strategy only outlines the circumstances in which Registered Providers have to take due regard. There is nothing which stipulates that they must adhere to the strategy and therefore when formulating their policies they may decide not to follow the guidance of the Local Authority. We have tried to mitigate against this by working with the three main Registered Providers when producing the strategy to ensure that the content is workable for them.

## **10.0 Background and Options**

- 10.1 The Localism Act 2011 places a duty on all local authorities to produce a Tenancy Strategy which sets out the matters which Registered Providers of social housing should have regard to when formulating their own tenancy policies.
- 10.2 In 2011 Cheshire East Strategic Housing services started a process of consultation with Registered Providers in order to work with them to produce a strategy which would meet the priorities of the authority, whilst ensuring that we did not make it too restrictive and unworkable for Registered Providers.
- 10.3 A workshop took place in November 2011 with both Members of Cheshire East and Board Members of the three main Registered Providers where the issue of flexible tenancies was debated. The comments and opinions influenced the development of the draft strategy.
- 10.4 The ability to offer flexible tenancies was met with a positive response and it was felt that it would enable us to use flexible tenancies as an opportunity to address key issues within the Borough, such as; how to make best use of Cheshire East's limited affordable housing stock, how to tackle under-occupation and how to improve stock turnover.
- 10.5 Contained within the strategy's vision are the issues we would expect a registered provider to consider when determining tenancy terms including:
- Enabling families to grow and develop without the threat of having to uproot their children from schools, which could threaten their educational attainment.
  - Enable those with special needs to establish support networks, access services and have a property adapted if necessary.
  - Give those needing an opportunity to turn their lives around the ability to access settled accommodation for an appropriate period of time.
  - Make the best use of our housing stock, reducing levels of under occupation and overcrowding across the authority.
- 10.6 When developing the strategy consideration was given to the local context, the local housing market, affordability rates, and need and demand and the findings are outlined within the strategy.
- 11.0 Type of tenancies** -The strategy outlines the type of tenancies available to registered providers which includes:

- Full assured social rent
- Full assured affordable rent
- Fixed-term social rent
- Fixed term affordable rent

We have also stated that we believe RP's should grant the most secure form of tenancies which are compatible with the purpose of the accommodation, the needs of the individual households, sustainability of the community and the efficient use of their housing stock and we have recommended that:

- Fixed-term tenancies should normally be offered for a minimum period of five years, including any probationary period.
- In certain circumstances, tenancies exceeding a five year period (for example a lifetime tenancy) may be granted for some tenants where appropriate, in order to provide an additional degree of stability and security. Cheshire East Council recommends that the following circumstances should be given due regard for tenancies exceeding five years: households who have dependent school-aged children attending a local school; those living in adapted properties, and those with a long-term support need.

**12.0 Renewal of tenancies** - outlined within the strategy is the renewal of tenancies and we have stated that we would expect in the majority of cases tenancies to be renewed taking into consideration the current circumstances of the household and the need for a property of the type and size that they presently occupy. It is also stated that in the event that a tenancy is not renewed due to under occupancy then the household would be given priority in line with Cheshire East's allocations policy.

**13.0 Circumstances in which a tenancy would not be granted** -In relation to the circumstances in which a tenancy should not be renewed the strategy states that in the following circumstances registered providers may consider not renewing the tenancy and these include:

1. Property under-occupied (this may not apply to young childless couples or those with families that may expand)
2. Property which is severely overcrowded – as defined in line with the Homechoice Allocations Policy (to prevent low quality housing conditions developing)
3. Suitability of property e.g. (where a property could suit the needs of another potential occupier of greater need- a bungalow for an elderly

couple or an adapted property that is no longer occupied by a person needing those adaptations.

4. The tenant has been a perpetrator of domestic violence, victims of DV who need to move to a more suitable location would be dealt with via tenancy management as will tenants suffering harassment or needing to move under the witness protection programme.
  5. To balance tenant mix in an estate/development- this would need to be linked into any local lettings policies or neighbourhood/estate plans where they are used.
  6. Change in tenant's circumstances- tenant has demonstrably a high enough income to comfortably afford market housing (to purchase) & arguably the social housing they are occupying would be better used by someone in greater need.
  7. The conduct of the tenant throughout the fixed term is deemed to be unacceptable- this could include ASB, rent arrears or property management issues.
- 13.1** The strategy outlines what is expected of RP's should they not renew a tenancy, which includes giving six months notice and providing them with housing advice which will enable them to make informed housing decisions.

**14.0 Access to Information**

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# **Cheshire East Council Draft Strategic Tenancy Policy January 2012**

**Version 2**

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## 1. INTRODUCTION

On the 15<sup>th</sup> November 2011, the Localism Bill received Royal Assent, becoming an Act. The Act introduces a number of social housing reforms, including placing a duty on Local Authorities to produce a Strategic Tenancy Strategy.

Contained within the Act is the introduction of flexible tenancies which enables Registered Providers (RPs) to grant fixed term tenancies for a period of no less than 2 years - The Localism Act will allow RP's to have the ability to determine the type and duration of a tenancy offered to new tenants as well as retaining the option to offer lifetime tenancies.

Cheshire East Council's Strategic Tenancy Strategy sets out the broad objectives, which will assist the Registered Providers to formulate their own Tenancy Management policies. Including:

- What kind of tenancy to offer
- Circumstances in which the landlord will grant a tenancy of a particular kind
- Where a tenancy is for a set term, the length of term
- Circumstances in which the landlord will grant a further tenancy on the ending of the existing tenancy.

It will ultimately be the Registered Providers' decision in relation to the types and duration of tenancies they will offer, but there is an expectation that RPs will take due regard of the Strategic Tenancy Strategy, in order to establish an approach which meets the needs of the local community.

## 2. CHESHIRE EAST'S VISION

Cheshire East Council welcomes the introduction of flexible tenancies. Flexible tenancies represent an opportunity to address key issues within the Borough, such as; how to make best use of Cheshire East's limited affordable housing stock, how to tackle under-occupation and how to improve stock turnover. Cheshire East Council however, places the highest importance on ensuring that the most vulnerable tenants are provided with the level of stability they require, and that flexible tenancies should be implemented in accordance with this position.

When developing our strategy, the vision for Cheshire East, contained within the Sustainable Community Strategy, along with the priorities for action were considered:

*"Cheshire East is a prosperous place where all people can achieve their potential, regardless of where they live. We have beautiful productive countryside, unique towns with individual character and a wealth of history and culture. The people of Cheshire East live active and healthy lives and get involved in making their communities safe and sustainable places to live."* (vision for Cheshire East in 2025)

Priorities for action which were taken into account:

- Nurture strong communities – support the community to support itself
- Support our children and young people - ensuring that all our children and young people make good progress in their learning regardless of where they live

- Ensure a sustainable future - Provide affordable and appropriate housing

In addition consideration has also been taken to the priorities within both the Housing Strategy and Homelessness Strategy.

Cheshire East wants to be able to offer everyone in housing need the opportunity of a stable home, which they can sustain. In order to achieve this, a tenancy has to be for a sufficient length of time to enable residents to integrate and contribute towards a sustainable community. To establish a sustainable community there has to be a mix of occupants with a variety of incomes, those working and those who require support in order to establish some stability and the opportunity to aspire to gain employment.

### **When determining tenancy terms consideration should be given to:**

- Enabling families to grow and develop without the threat of having to uproot their children from schools, which could threaten their educational attainment.
- Enable those with special needs to establish support networks, access services and have a property adapted if necessary.
- Give those needing an opportunity to turn their lives around the ability to access settled accommodation for an appropriate period of time.
- Make the best use of our housing stock, reducing levels of under occupation and overcrowding across the authority.

In creating this Tenancy Strategy, Cheshire East Council has taken account of various issues, including; the local context, the local housing market, affordability rates, and need and demand.

## **3. LOCAL CONTEXT**

Cheshire East has a population of 362,700 making it the 3<sup>rd</sup> largest unitary authority in the North West. Cheshire East has a diverse rural/urban profile. The area is classed as significantly rural, with more than half the population living in rural or rural market town areas. The other eight towns, although urban, have outskirts which contain areas classified as more rural than urban.

Cheshire East has a strong local economy which contributes nearly 7% to regional output. However there are pockets of significant deprivation in Cheshire East. There are 14 Lower Level Super Output Areas<sup>1</sup> in Cheshire East that rank within the 20% most deprived in England. Overall, this equates to 6 percent of the population.

In terms of income, health, crime and employment, people in Crewe and Nantwich have greater difficulties than the other former boroughs. Of the fourteen areas, eleven are within the urban area of Crewe and two within Handforth, part of the former Macclesfield district.

Area	116,638 hectares
Households	163,280 <sup>2</sup>
Population	362,700 <sup>3</sup>
Males	184,500 (50.9%)
Females	178,200 (49.1%)

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<sup>1</sup> Lower Level Super Output Areas explained in Glossary of Terms.

The population profile of Cheshire is slightly older than that of England and Wales as a whole. Total population forecast to increase by approximately 23,000 to around 383,600 by 2027.

Over the next twenty years it is anticipated that the number of births will fall slightly. The Population aged 65 or above will increase by over 50% with the number of residents aged 85 or above anticipated to double.

Demographics	Cheshire East	North West	England
Children (0-15)	18.2%	18.8%	18.7%
Working age (16-64M/59F)	59.3%	61.5%	61.9%
Older people (65M/60F and over)	22.5%	19.7%	19.3%
85+	1.8%	1.5%	1.5%
White British	93.4%	89.4%	83.6%
White Irish/Other	2.9%	2.7%	4.6%
Black and Minority Ethnic	3.6%	7.9%	11.8%

## Housing Market Information

Assessing statistics and information from the Housing Market enables Cheshire East to identify key trends to support recommendations in relation to tenancy type, length and rent levels in the area.

Tenure <sup>7</sup>	Cheshire East	North West	England
Private Sector	88.3% (143,270)	81.3%	82.0%
Housing Association	11.6% (18,776)	13.7%	9.9%
Other Public Sector	0.1% (115)	0.1%	0.3%
LA Stock	0.0% (23)	4.9%	7.9%

The number of housing benefit claimants in Cheshire East is **18,868**.

The percentage of those claimants renting in the social sector is 67% compared to 33% in the private sector.

The three pieces of information outlined above demonstrate that although a high proportion of residents in Cheshire East are in private sector accommodation, the percentage of those tenants whose income comprises of a housing benefit payment is almost twice as low as those residing in the social housing sector. Affordability of the social housing sector for people who are dependent on Welfare Benefits is therefore a key consideration for Cheshire East and is discussed in more detail in Section 5 on Affordability.

## Broad Rental Market Rates (BRMA)

### Monthly BRMA Rates

<b>BRMA</b>	<b>1 bed shared</b>	<b>1 bed self-contained</b>	<b>2 bedrooms</b>	<b>3 bedrooms</b>	<b>4 bedrooms</b>
<b>Dec-11</b>	345.15	425.01	549.99	700.01	995.02
<b>Nov-11</b>	339.99	425.01	549.99	694.98	995.02
<b>Oct-11</b>	339.99	425.01	549.99	694.98	950
<b>Sep-11</b>	339.99	425.01	549.99	694.98	950
<b>Aug-11</b>	335.01	425.01	524.98	694.98	942.99
<b>Jul-11</b>	314.99	425.01	524.98	694.98	950
<b>Apr-10</b>	342.07	423.84	558.48	698.1	1181.74
<b>Apr-09</b>	343.5	450.02	549.99	699.01	1100.02

Tables 1.1 to 1.9 (see appendices) combined with the information around the Broad Rental Market Rates shows that even if Registered Providers were to change some of their properties to the Affordable Rental Model whereby they can charge up to 80% of the market rent, the cost of renting in the private sector would still require some households in receipt of housing benefits to find the shortfall between rent charged and amount received in Housing Benefit.

All of this evidence combined demonstrates support for Registered Providers only introducing the Affordable Rental model on certain properties in particular localities otherwise even more properties becoming unaffordable to people who are dependent on Housing Benefits. This information also supports the position that Cheshire East Council would like Registered Providers to ensure that rents charged for affordable rental properties do not exceed the Local Housing Allowance Rate that is appropriate for the property size. This would avoid the rents for properties in high value areas becoming increasingly unaffordable.

#### **4. HOUSING NEED, DEMAND & SUPPLY**

Cheshire East Council has been operating a common housing register with its three largest social housing providers since April 2010. The register called Cheshire Homechoice holds information related to people who are interested in accessing social housing in the area. Data from the Cheshire Homechoice Housing Register shows that as of January 2011 there were 10,502 applicants on the housing register. The data collected, represented in the tables below indicates that the highest demand is for one and two bedroom properties and the majority of applicants are aged between 25 and 44 years old.

##### **Bedroom requirements**

Households requiring 1 bedroom	4178
Households requiring 2 bedrooms	4017
Households requiring 3 bedrooms	1954
Households requiring 4 bedrooms	325
Household requiring more than 4 bedrooms	28
<b>Total</b>	<b>10502</b>

##### **Age of main applicants**

16-24 years	1651
25-44 years	4533

45-59 years	2107
60 plus years	2211
<b>Total</b>	<b>10502</b>

### Household types

Older people	1803
Single adult	3558
Multi adult no children	869
Lone parent	2325
Multi adult with no children	1947
<b>Total</b>	<b>10502</b>

### Re-lets during 2010/11 by property type

This table shows the breakdown of properties let recorded by all Registered Providers in Cheshire East during 2010/11.

	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>	<b>5+ Beds</b>	<b>Total</b>
<b>Flat/ Maisonette</b>	406	235	7	0	0	648
<b>Bed-sit</b>	7	0	0	0	0	7
<b>House/ Bungalow</b>	74	239	251	15	0	579
<b>Shared Flat/ Maisonette</b>	1	0	0	0	0	1
<b>Shared House/ Bungalow</b>	0	0	0	0	0	0
<b>Other</b>	0	0	0	0	0	0
<b>Total</b>	489	475	258	15	0	1237

Source: Core new lettings summary statistics Apr 10 – Mar 11

The information from the register in relation to household makeup and the demand and supply clearly demonstrates that family type properties are in highest demand yet the turnover of properties relative to that demand is quite low. The evidence in relation to age of applicant and household demonstrates that people seeking to access social housing are mainly families who are potentially looking for their first family home. This supports Cheshire East's position that fixed term tenancies should be considered on family type properties to ensure that the turnover of these properties is at a steady level to meet a fairer balance between demand and supply. However, Cheshire East Council would like to see consideration given by Registered Providers in balancing the need for these properties to be available to others with the need to offer families a stable accommodation base so that families can grow and develop and children and young people can meet educational aspirations.

## Supply and Demand

Based on figures for 2010/11 the table below demonstrates how supply compares to the demand by property size.

	Supply	Demand	% Shortfall
<b>1 bed</b>	489	4178	88%
<b>2 bed</b>	475	4017	88%
<b>3 bed</b>	258	1954	87%
<b>4 bed</b>	15	325	96%
<b>5+ Bed</b>	0	28	100%

This table demonstrates that four and five bedroom properties are in high demand yet the availability is limited therefore Cheshire East Council recommend that consideration is given to this before offering a lifetime tenancy on larger properties.

Based on figures for 2010/11 the table below demonstrates how supply compares to demand by household type and demonstrates the difficulties Cheshire East faces in terms of stock turnover.

	Supply	Demand	% Shortfall
Older people	130	1803	93%
Single person	488	3558	86%
Multi adult	121	869	86%
Household with children	496	4272	88%

Based on figures for 2010/11 the table below demonstrates how supply compares to demand by age of eldest applicant.

	Supply	Demand	% Shortfall
16-24 years	257	1803	93%
25-44 years	643	3558	86%
45-59 years	205	869	86%
60 plus years	129	2325	94%

When offering fixed term tenancies, RP's should have regard to the demand for property by household types to strike a balance to ensure properties can be returned for other households in need at an appropriate rate, whilst offering some stability to households to support the following:

settled communities; opportunities for housing aspirations to be achieved and support to enable stability and security to be achieved.

### **Tenancy Lengths of tenancies terminated in 2010/11**

Information in relation to the tenancies being terminated between April 2010 and March 2011 shows that almost half of the tenancies with the three largest Housing Providers in Cheshire East were ended after 5 years or less. This supports the Local Authority's guidance to offer 5 year fixed term tenancies to households without children.

The table below shows the length of tenancies, held by Wulvern, Plus Dane and Peaks & Plains, that were ended in 2010/11.

0-5 years	45%
6-10 years	21%
11-20 years	20%
21+ years	14%

This table demonstrates the length of all existing tenancies held with Wulvern, Plus Dane and Peaks & Plains.

0-5 years	38%
6-10 years	16%
11-20 years	28%
21+ years	18%

Of the tenancies ended in 2010/11 only 42 were ended as a result of eviction, 34 of these were as a result of excessive rent arrears and just 8 because of anti-social behaviour. The average level of arrears at the point of eviction across the homechoice partnership was £2500. Following this trend CEC would expect a very similar number of non-renewals of fixed term tenancies on the grounds of rent arrears and anti-social behaviour.

On 1 January 2011 there were 412 social housing tenants registered with Cheshire Homechoice who are experiencing overcrowding and 283 who are under occupying their current home. Cheshire East Council would recommend that when Registered Providers are considering not renewing a fixed term tenancy on the grounds of overcrowding or under occupation, they carefully consider the availability of suitable alternative accommodation and also the best use of the space available in a property.

## **5. HOUSING AFFORDABILITY**

It is a priority for Cheshire East that rent levels across the borough remain at an affordable level. The ability for RPs to introduce affordable rents at a maximum of 80 % of the market rent for comparable properties in the area could potentially have an impact on the average rental prices in the area and reduce the number of properties available to people on lower incomes. Cheshire East would like RPs to carefully consider which properties are converted to affordable rent levels as the Local Authority is keen to prevent large disparities in rent levels between different localities. This will also ensure that rents remain affordable for both low income and working households as well for households who depend on welfare benefits.



- The proposed reforms to housing benefit will reduce affordability levels for some households due to the age at which a household will receive the shared room rate for being raised to 35; however, it is difficult to accurately measure the potential impact of these changes.
- For Cheshire East as a whole, 92% of all households have an income sufficient to afford a rent set at 80% of the private sector average.
- These figures suggest that there is some potential for higher (affordable) social housing rents in the future, even for those currently in the social rented sector or seeking access to it.
- Housing benefit contributes significantly to the number of households that are able to afford rents set at 80% of average market rents. In many Local Area Partnerships (LAPs), (with the exception of Knutsford and Wilmslow), over 90% of households with one person under the age of 35 are able to afford rents at 80% of the average private level with the aid of housing benefit. The level of affordability with the aid of benefits increases to around 90% for social rented tenants. (Except in Knutsford, Wilmslow and Poynton.)
- It may be more realistic to limit affordable rents further in high rent/high value areas.
- The reason for rent variations at LAP level could be explained as a result of using the average cost of renting in the private sector in Cheshire East as well as the range of rents around this average. Currently, the 80% private rent threshold is close to £100 per week for the local authority as a whole; however, the range in the LAP areas is from £80-£150. Additionally, there are more areas with threshold rents below the local authority average than above, so a realistic range at current costs might be between £80 and £120 per week.

Additional Information on affordability can be found in the Appendices of this document.

## **6. APPLYING FLEXIBLE TENANCIES**

The information and evidence gathered in earlier chapters has formed the basis of the following recommendations to Registered Providers

In order to achieve the outcomes mentioned earlier in this strategy, which included; how to make best use of Cheshire East's limited affordable housing stock, how to tackle under-occupation and how to improve stock turnover, Cheshire East Council recommends that the following are taken account of in the Housing management policies of RPs;

RPs will have 4 options available to them in relation to which type of tenancy to grant:

- Full assured social rent
- Full assured affordable rent
- Fixed-term social rent
- Fixed term affordable rent

Cheshire East Council believe RPs should grant the most secure form of tenancies which are compatible with the purpose of the accommodation, the needs of the individual households, sustainability of the community and the efficient use of their housing stock. This is especially appropriate for people who are vulnerable by virtue of age, disability or illness, and households with children, as they should be provided with a "reasonable degree of stability". Therefore:

- **Fixed-term tenancies should normally be offered for a minimum period of five years, including any probationary period.**
- **In certain circumstances, tenancies exceeding a five year period (for example a lifetime tenancy) may be granted for some tenants where appropriate, in order to provide an additional degree of stability and security. Cheshire East Council recommends that the following circumstances should be given due regard for tenancies exceeding five years:** households who have dependent school-aged children attending a local school; those living in adapted properties, and those with a long-term support need.

Revised Draft Direction to the Regulator states that people who are existing tenants when s132 of the Act comes into force are to be given a tenancy “with no less security” if they subsequently transfer with the exception of tenants choosing to move to accommodation let on Affordable Rent terms.

Fixed term tenancies are likely to be used more in high demand properties/area where need for particular accommodation exists side by side with significant levels of under occupation.

## **7. RENEWAL OF TENANCIES**

- In the majority of circumstances, **housing providers should seek to renew a tenancy at the end of a fixed-term but should take into account the following in reaching this decision: The current circumstances of the household and the need for a property of the type and size that they presently occupy. This will support the Local Authority’s focus on** addressing issues such as under-occupation, and to making better use of adapted accommodation which is no longer required by a household and for which there is a local need. This decision should be taken in the context of the local housing demand balanced against the supply of the property type in question.
- Households whose tenancies are not renewed on the basis of under-occupation will receive an appropriate priority in alignment with the Cheshire Home Choice Allocations Policy.
- Where the intention is not to renew a tenancy at the end of a fixed-term, **affordable housing provider’s policies should clearly set out how the tenant can register a complaint or appeal against tenancy decisions.**

Cheshire East Council understands that where tenancies are renewed the rent may change as the property would be subject to a new assessment of the market rent.

## **8. CIRCUMSTANCES WHEN A FURTHER TENANCY MAY NOT BE GRANTED**

In the guidance, the TSA’s revision to the tenancy standard consultation document suggested that “Where registered providers choose to offer Affordable Rent they should offer reasonable advice and assistance to those tenants where that tenancy ends and landlords determine that a further tenancy will not be issued to them”

Unless there has been significant change of circumstances following a review, the tenancy should be renewed for a further period; ending of tenancies is likely to be the exception & not the rule.

Cheshire East Council recommends the following are **considered** where a tenancy may not be extended:

1. Property under-occupied (this may not apply to young childless couples or those with families that may expand)
2. Property which is severely overcrowded – as defined in line with the Home Choice Allocations Policy (to prevent low quality housing conditions developing)
3. Suitability of property e.g. (where a property could suit the needs of another potential occupier of greater need- a bungalow for an elderly couple or an adapted property that is no longer occupied by a person needing those adaptations.
4. The tenant has been a perpetrator of domestic violence, victims of DV who need to move to a more suitable location would be dealt with via tenancy management as will tenants suffering harassment or needing to move under the witness protection programme.
5. To balance tenant mix in an estate/development- this would need to be linked into any local lettings policies or neighbourhood/estate plans where they are used.
6. Change in tenant's circumstances- tenant has demonstrably a high enough income to comfortably afford market housing (to purchase) & arguably the social housing they are occupying would be better used by someone in greater need.
7. The conduct of the tenant throughout the fixed term is deemed to be unacceptable- this could include ASB, rent arrears or property management issues.

## **9. REQUIREMENTS FROM REGISTERED PROVIDERS**

Households affected by the termination of a tenancy should be provided with 6 months advance notice that their tenancy will not be renewed and appropriate advice & assistance should be given throughout this period that will assist them to secure alternative accommodation, this should include advice on low-cost home ownership options & other affordable housing tenures, specialist housing & welfare related advice & signposting to appropriate advice services & advice on renting in the private sector including identifying & securing a suitable property. Cheshire East Council will develop a protocol which will be a joint approach between the Local Authority and RPs, about how advice and assistance will be carried out between services.

- Tenants affected by points 1 & 3 above should be offered an alternative property suited to their needs.
- Tenants affected by point 6 above should have an assessment of financial capacity that ensures that it does not act as a disincentive to work.
- The housing provider's policies should set out how the tenant can register a complaint or appeal against tenancy decisions.
- Housing Providers should conduct a thorough review of the tenancy & set realistic timescales in which this will be completed
- Cheshire East Council recommends that Tenancy health checks are completed at intervals throughout the duration of a tenancy.
- If all the above measures are put in place, increases in the levels of homelessness in Cheshire East should be prevented.

## 10. GOVERNANCE

### Monitoring and Reviewing the Tenancy Strategy

It is proposed that Cheshire East Council will continue to utilise the Tenancy Strategy Working Group and feedback via the Strategic Housing Delivery Group.

*We will investigate how we can ensure compliance with the strategy by including a suitable clause within future Section 106 agreements. ?*

## 11. EQUALITY AND DIVERSITY

An initial Equality Impact Assessment (EIA) was carried out in December 2011 to place equality and inclusion at the centre of our thinking and enable us to assess the likely impact of this strategy. It was found that this strategy would not have a detrimental impact on any minority group.

The Tenancy Strategy Working Group will continue to monitor this Equality Impact Assessment at regular intervals, and copies of the EIA can be found on Cheshire East Council's website entitled "Tenancy Strategy Equality Impact Assessment".

## 12. CONSULTATION

Cheshire East Council's Tenancy Strategy was created after a period of consultation lasting a number of months. The consultation included; establishing a Tenancy Strategy Working Group (consisting of RPs and Cheshire East Council Housing Officers), holding a consultation event with Members, which was conducted on 8<sup>th</sup> November 2011.

The consultation on this document with the wider public will commence on XX / XX / XXXX and will terminate on XX / XX / XXXX.

## 13. GLOSSARY OF TERMS

Term	Description
Lower Level Super Output Areas	Super Output Areas (SOAs) are a new national geography for collecting, aggregating and reporting statistics. Lower Level SOAs are made up from groups of Census Output Areas, have an average of 1,500 residents and nest within wards.
TSA	Tenant Services Authority
RPs	Registered Providers
DV	Domestic Violence
ASB	Anti-Social Behaviour

## 14. APPENDICES

The following appendices comprise a number of tables and graphs which provide additional information relating to house prices, rent levels, affordability, and income dispersion across Cheshire East.

Graph 1.7 – House Prices

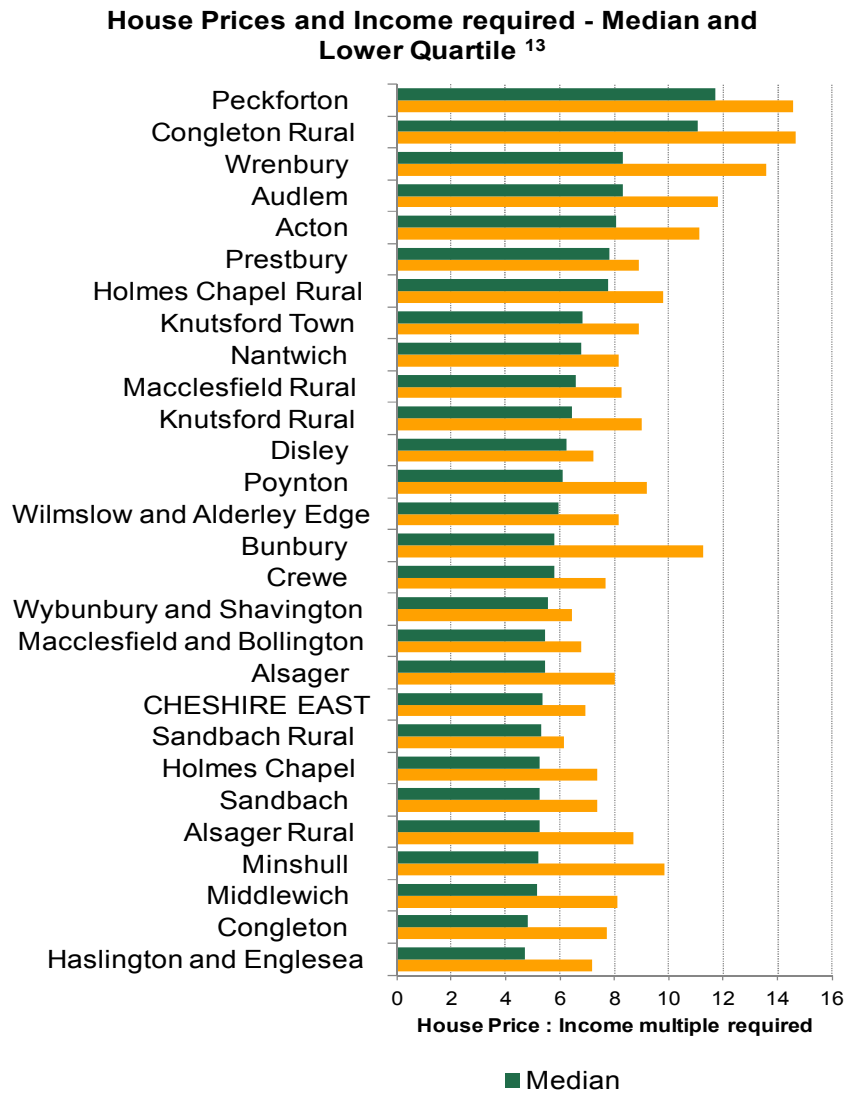


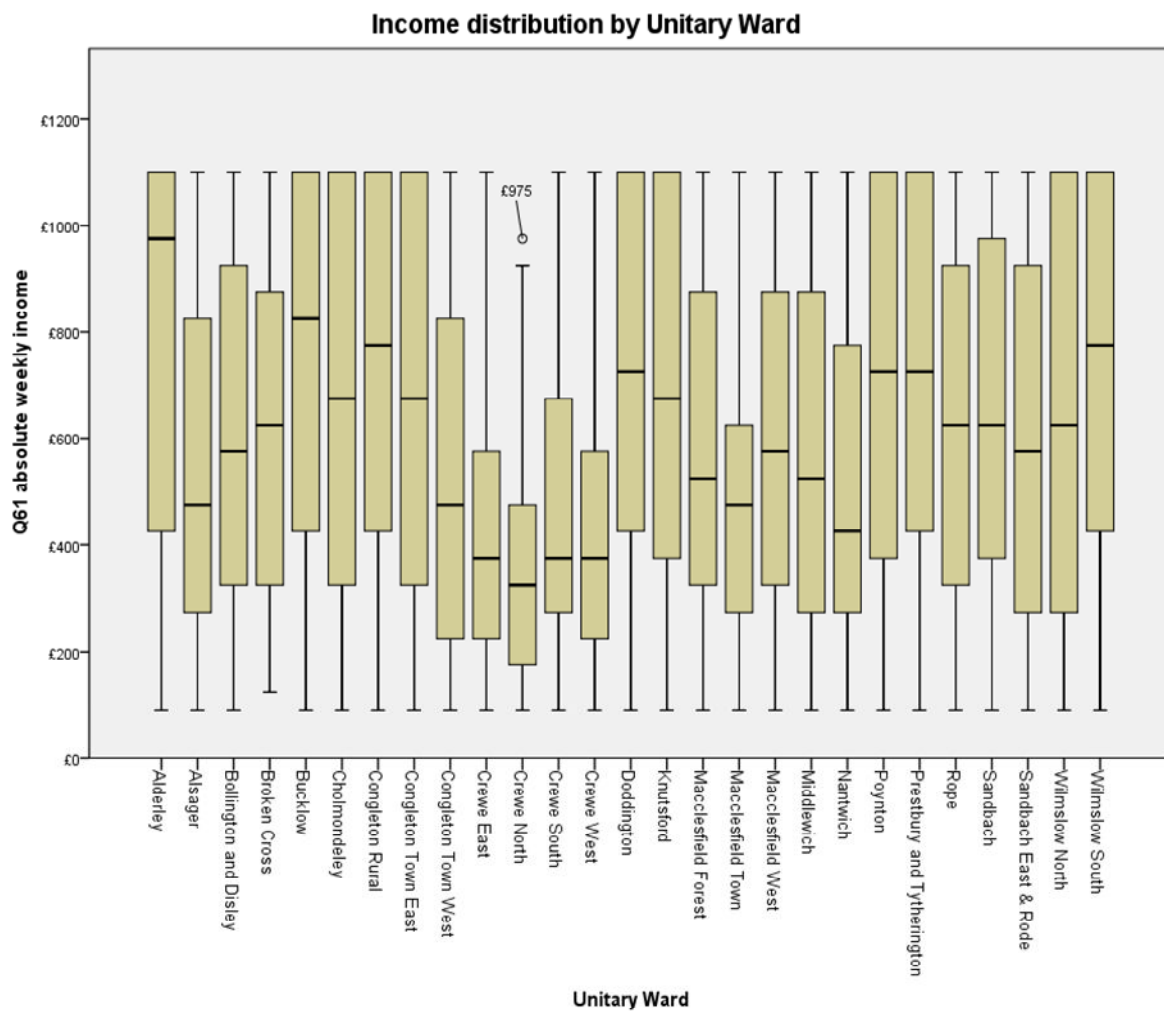
Table 1.1 – Average private rent and affordable rent levels per Ward.

Area name	Area code	Private Rents - Asking - Median			80% of OMR Median		
		1 Bed Weekly Cost	2 Bed Weekly Cost	3 Bed Weekly Cost	1 Bed Weekly Cost	2 Bed Weekly Cost	3 Bed Weekly Cost
Cheshire East (UA)	00EQ	98	126	150	78	101	120
Alderley Ward	00EQMA	132	190	252	106	152	202
Alsager Ward	00EQMB	92	126	126	74	101	101
Bollington and Disley Ward	00EQMC	109	137	173	87	110	138
Broken Cross Ward	00EQMD	98	137	166	78	110	133
Bucklow Ward	00EQME	147	173	229	118	138	183
Cholmondeley Ward	00EQMF	114	126	160	91	101	128
Congleton Rural Ward	00EQMG	97	137	160	78	110	128
Congleton Town East Ward	00EQMH	91	111	137	73	89	110
Congleton Town West Ward	00EQMJ	81	109	150	65	87	120
Crewe East Ward	00EQMK	90	108	124	72	86	99
Crewe North Ward	00EQML	80	103	126	64	82	101
Crewe South Ward	00EQMM	82	103	126	66	82	101
Crewe West Ward	00EQMN		108	126		86	101
Doddington Ward (00EQ)	00EQMP	103	124	159	82	99	127
Knutsford Ward	00EQMQ	121	167	196	97	134	157
Macclesfield Forest Ward	00EQMR	98	121	150	78	97	120
Macclesfield Town Ward	00EQMS	98	115	150	78	92	120
Macclesfield West Ward	00EQMT	91	121	155	73	97	124
Middlewich Ward	00EQMU	91	121	138	73	97	110
Nantwich Ward	00EQMW	114	126	155	91	101	124
Poynton Ward	00EQMX		150	173		120	138
Prestbury and Tytherington Ward	00EQMY	121	132	219	97	106	175
Rope Ward	00EQMZ		121	144		97	115
Sandbach East and Rode Ward	00EQNB	91	120	144	73	96	115
Sandbach Ward	00EQNA	103	121	144	82	97	115
Wilmslow North Ward	00EQNC	98	150	169	78	120	135
Wilmslow South Ward	00EQND	126	167	219	101	134	175

Table 1.2 – Percentage of household incomes spent on rent by ward.

Area name	Average weekly rent Registered Provider (RP)	Average weekly market rent 2 Bed Weekly rent (a)	2 Bed Weekly rent 80% of (a)	Average weekly incomes <sup>1</sup>	% of income on rent
Cheshire East (UA)	70	126	101	575	18%
Alderley Ward	72	190	152	975	16%
Alsager Ward	72	126	101	475	21%
Bollington and Disley Ward	72	137	110	575	19%
Broken Cross Ward	72	137	110	625	18%
Bucklow Ward	72	173	138	825	17%
Cholmondeley Ward	68	126	101	675	15%
Congleton Rural Ward	72	137	110	775	14%
Congleton Town East Ward	72	111	89	675	13%
Congleton Town West Ward	72	109	87	475	18%
Crewe East Ward	68	108	86	375	23%
Crewe North Ward	68	103	82	325	25%
Crewe South Ward	68	103	82	375	22%
Crewe West Ward	68	108	86	375	23%
Doddington Ward	68	124	99	725	14%
Knutsford Ward	72	167	134	675	20%
Macclesfield Forest Ward	72	121	97	525	18%
Macclesfield Town Ward	72	115	92	475	19%
Macclesfield West Ward	72	121	97	575	17%
Middlewich Ward	72	121	97	525	18%
Nantwich Ward	68	126	101	425	24%
Poynton Ward	72	150	120	725	17%
Prestbury and Tytherington Ward	72	132	106	725	15%
Rope Ward	68	121	97	625	16%
Sandbach East and Rode Ward	72	120	96	575	17%
Sandbach Ward	72	121	97	625	16%
Wilmslow North Ward	72	150	120	625	19%
Wilmslow South Ward	72	167	134	775	17%
Note	1 Weekly income of HRP, Housing Needs Survey (SHMA), 2010, Arc4.				
	Figures are derived from £50 weekly income brackets, with the middle figure taken as the absolute figure				

Graph 1.3 – Income distribution by Unitary Ward





## Tables: 1.4, 1.5, 1.6, 1.7 - House Prices

Table 1.4

Area	Lower Quartile	Median		Lower Quartile	Median	Lower Quart	Median	Lower Quartile	Median
Haslington and Englesea	375	675		£19,564	£35,215	£140,000	£166,450	7.2	4.7
Congleton	275	575		£14,347	£29,998	£111,000	£145,000	7.7	4.8
Middlewich	275	525		£14,347	£27,389	£116,500	£141,975	8.1	5.2
Minshull	375	916		£19,564	£47,788	£192,000	£250,000	9.8	5.2
Alsager Rural	275	575		£14,347	£29,998	£125,000	£157,000	8.7	5.2
Sandbach	325	575		£16,955	£29,998	£124,975	£157,250	7.4	5.2
Holmes Chapel	425	725		£22,172	£37,823	£163,500	£198,750	7.4	5.3
Sandbach Rural	475	775		£24,781	£40,432	£152,500	£214,000	6.2	5.3
CHESHIRE EAST	325	575		£16,955	£29,998	£117,500	£160,000	6.9	5.3
Alsager	275	475		£14,347	£24,781	£115,000	£135,000	8.0	5.4
Macclesfield and Bollington	325	525		£16,955	£27,389	£115,000	£150,000	6.8	5.5
Wybunbury and Shavington	425	675		£22,172	£35,215	£142,500	£195,000	6.4	5.5
Crewe	225	375		£11,738	£19,564	£90,000	£113,000	7.7	5.8
Bunbury	375	825		£19,564	£43,040	£220,000	£250,000	11.2	5.8
Wilmslow and Alderley Edge	375	775		£19,564	£40,432	£160,000	£240,000	8.2	5.9
Poynton	375	725		£19,564	£37,823	£180,000	£231,000	9.2	6.1
Disley	375	575		£19,564	£29,998	£141,000	£188,000	7.2	6.3
Knutsford Rural	425	862		£22,172	£44,971	£200,000	£290,500	9.0	6.5
Macclesfield Rural	425	725		£22,172	£37,823	£183,000	£249,972	8.3	6.6
Nantwich	275	425		£14,347	£22,172	£117,000	£150,350	8.2	6.8
Knutsford Town	375	675		£19,564	£35,215	£173,690	£240,000	8.9	6.8
Holmes Chapel Rural	475	825		£24,781	£43,040	£242,500	£334,000	9.8	7.8
Prestbury	625	1100		£32,606	£57,387	£290,000	£450,000	8.9	7.8
Acton	325	625		£16,955	£32,606	£188,500	£262,500	11.1	8.1
Audlem	325	575		£16,955	£29,998	£200,000	£250,000	11.8	8.3
Wrenbury	275	575		£14,347	£29,998	£195,000	£250,000	13.6	8.3
Congleton Rural	425	675		£22,172	£35,215	£325,000	£390,000	14.7	11.1
Peckforton	375	675		£19,564	£35,215	£285,000	£412,500	14.6	11.7
	HHs		MEAN	MEDIAN		Diff		MEAN	Median
Congleton	39870		£39,900	£35,100		£4,800	164890	4.1	4.7
Crewe	35526		£33,600	£29,400		£4,200	123344	3.7	4.2
Knutsford	11216		£45,400	£40,300		£5,100	264350	5.8	6.6
Macclesfield	30254		£39,500	£34,700		£4,800	164478	4.2	4.7
Nantwich	15254		£39,900	£35,100		£4,700	204297	5.1	5.8
Poynton	9910		£48,300	£42,900		£5,300	267196	5.5	6.2
Wilmslow	16209		£45,700	£40,600		£5,200	240022	5.3	5.9
Cheshire East	158239		£39,900	£35,200		£4,800	180426	4.5	5.1
CROSS CHECK AGAINST B11 and B22 in SHMA									

Table 1.5

Median House Price Jan 08 to Jun 09 * Local Area Partnership Crosstabulation										
Count		Local Area Partnership								Total
		N/A	Congleton	Crewe	Knutsford	Macclesfield	Nantwich	Poynton	Wilmslow	
Median House Price Jan 08 to Jun 09	113000.00	0	0	29783	0	0	132	0	0	29915
	135000.00	0	5307	0	0	0	0	0	0	5307
	141975.00	46	5668	0	0	0	0	0	0	5714
	145000.00	0	11356	0	0	0	0	0	0	11356
	150000.00	0	0	0	0	26015	0	0	0	26015
	150350.00	55	0	0	0	0	6603	0	0	6658
	157000.00	0	3437	0	0	0	0	0	0	3437
	157250.00	0	8010	0	0	0	0	0	0	8010
	166450.00	0	0	3618	0	0	0	0	0	3618
	188000.00	27	0	0	0	13	0	1926	0	1966
	195000.00	0	0	2123	0	0	2755	0	0	4878
	198750.00	0	2474	0	0	0	0	0	0	2474
	214000.00	0	1240	0	0	0	0	0	0	1240
	231000.00	0	0	0	0	0	0	6047	0	6047
	240000.00	96	0	0	5755	0	0	0	16071	21922
	249972.00	36	12	0	0	4323	0	3	0	4374
	250000.00	15	34	0	0	0	3944	0	0	3993
	262500.00	0	0	0	0	0	830	0	0	830
	290500.00	29	0	0	5359	15	0	0	7	5410
	334000.00	0	1631	0	0	0	0	0	0	1631
	390000.00	3	792	0	0	0	0	0	0	795
	412500.00	0	0	0	0	0	794	0	0	794
	450000.00	17	0	0	0	17	0	2032	0	2066
Total		324	39961	35524	11114	30383	15058	10008	16078	158450

Table 1.6

Median House Price Jan 08 to Jun 09 * Local Area Partnership Crosstabulation										
Count										
		Local Area Partnership								Total
		N/A	Congleton	Crewe	Knutsford	Macclesfield	Nantwich	Poynton	Wilmslow	
Median House Price Jan 08 to Jun 09	113000.00	0	0	335	0	0	1	0	0	336
	135000.00	0	286	0	0	0	0	0	0	286
	141975.00	3	342	0	0	0	0	0	0	345
	145000.00	0	380	0	0	0	0	0	0	380
	150000.00	0	0	0	0	385	0	0	0	385
	150350.00	3	0	0	0	0	380	0	0	383
	157000.00	0	244	0	0	0	0	0	0	244
	157250.00	0	311	0	0	0	0	0	0	311
	166450.00	0	0	372	0	0	0	0	0	372
	188000.00	2	0	0	0	1	0	254	0	257
	195000.00	0	0	106	0	0	135	0	0	241
	198750.00	0	314	0	0	0	0	0	0	314
	214000.00	0	155	0	0	0	0	0	0	155
	231000.00	0	0	0	0	0	0	270	0	270
	240000.00	3	0	0	358	0	0	0	384	745
	249972.00	8	1	0	0	643	0	1	0	653
	250000.00	2	4	0	0	0	582	0	0	588
	262500.00	0	0	0	0	0	105	0	0	105
	290500.00	5	0	0	697	4	0	0	2	708
	334000.00	0	260	0	0	0	0	0	0	260
	390000.00	1	109	0	0	0	0	0	0	110
	412500.00	0	0	0	0	0	101	0	0	101
	450000.00	1	0	0	0	1	0	245	0	247
Total		28	2406	813	1055	1034	1304	770	386	7796

Table 1.8 – Average household incomes by Ward

	Alderley Ward	Alsager Ward	Bollington and Disley Ward	Broken Cross Ward	Bucklow Ward	Cholmondeley Ward	Congleton Rural Ward	Congleton Town East Ward	Congleton Town West Ward	Crewe East Ward	Crewe North Ward	Crewe South Ward	Crewe West Ward
Income bands £s	Count of												
0-5	46	73	70	56	52	88	52	94	93	193	164	165	142
5-10	162	238	235	184	183	288	177	305	298	606	529	524	646
10-15	332	428	450	344	350	537	348	538	536	1004	874	880	768
15-20	488	546	619	462	480	716	495	672	688	1151	996	1030	873
20-25	591	581	708	516	553	791	582	698	733	1083	940	999	825
25-30	634	560	725	518	576	782	610	655	702	914	808	873	710
30-35	629	507	692	487	562	720	594	579	630	726	596	718	583
35-40	591	441	629	438	525	632	550	494	542	557	530	570	465
40-45	534	374	553	383	474	538	492	411	453	420	419	442	366
45-50	470	311	476	328	418	449	430	337	373	313	529	339	285
50-55	406	256	402	277	363	368	369	274	304	232	258	258	222
55-60	345	208	335	232	310	299	312	221	246	172	203	196	172
60-65	290	169	277	192	263	241	262	177	199	128	159	149	133
65-70	242	136	228	158	221	193	219	141	160	95	125	113	103
70-75	201	109	186	130	185	154	181	113	129	71	99	86	79
75-80	166	88	152	107	154	123	150	90	103	53	78	65	62
80-85	137	70	124	87	128	98	124	72	83	40	61	50	48
85-90	113	56	100	71	106	78	102	57	67	30	49	38	37
90-95	93	45	82	58	88	62	84	46	54	23	39	30	29
95-100	76	36	66	47	73	50	69	36	44	17	31	23	23
100+	357	154	295	218	358	207	328	151	204	61	126	84	86

	Doddington Ward (00EQ)	Knutsford Ward	Macclesfield Forest Ward	Macclesfield Town Ward	Macclesfield West Ward	Middlewich Ward	Nantwich Ward	Poynton Ward	Prestbury and Tytherington Ward	Rope Ward	Sandbach East and Rode	Sandbach Ward	Wilmslow North Ward	Wilmslow South Ward
Income bands £s														
0-5	66	75	107	120	90	72	130	52	26	65	107	66	86	58
5-10	223	245	351	389	290	236	42	179	93	218	340	218	276	197
10-15	436	437	618	684	516	427	718	347	193	415	613	409	496	375
15-20	614	555	766	850	652	549	859	482	289	567	785	550	637	514
20-25	717	591	796	883	683	590	855	559	360	642	832	612	683	588
25-30	749	571	748	825	643	572	772	580	402	648	789	609	661	605
30-35	729	523	663	722	568	523	661	562	417	609	698	564	603	584
35-40	677	462	565	605	481	459	548	518	411	545	392	500	531	538
40-45	608	399	469	493	398	393	446	462	389	471	487	429	457	481
45-50	533	340	383	394	232	331	360	402	359	399	393	360	387	421
50-55	461	296	309	312	259	275	288	344	323	332	314	298	325	363
55-60	393	239	248	244	207	226	229	290	287	273	248	244	271	309
60-65	332	198	197	191	164	185	183	242	251	222	195	199	225	261
65-70	279	164	157	148	130	150	145	201	217	180	153	161	186	219
70-75	234	135	124	115	103	122	116	166	187	145	120	130	153	182
75-80	195	111	98	89	81	98	92	137	160	117	94	104	126	152
80-85	162	91	78	70	64	79	74	112	136	94	74	84	104	126
85-90	134	74	62	54	51	64	59	92	115	76	58	68	85	104
90-95	111	61	49	42	40	52	47	75	97	61	45	54	70	86
95-100	92	50	39	33	32	42	38	61	82	49	36	44	58	71
100+	457	229	157	124	128	182	165	285	437	203	139	191	276	348

Table 1.9 – Affordability of 80% market rents in Cheshire East compared with other areas in the North West.

		Rent capacity (£ per week rounded)																							
Location	Household type	50	75	100	125	150	175	200	225	250	275	300	325	350	375	400	425	450	475	500	525	Assumed average rents			
		Cumulative percentage of households of each type able to afford rent assuming maximum of 25% of gross household income devoted to rent payments																				Social rent	Private rent	80% private rent	
England	All	100.00	92.49	83.03	71.70	60.30	49.81	40.65	32.93	26.53	21.30	17.06	13.64	10.91	8.73	6.99	5.60	4.52	3.65	2.96	2.41	NA	NA	NA	
	Newly forming	100.00	87.40	71.00	58.20	47.60	34.70	22.80	17.40	13.20	8.40	6.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
	On waiting list	100.00	58.26	33.87	20.67	13.09	7.86	4.20	2.60	1.30	0.58	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
	In PRS aged <55	100.20	91.90	78.80	64.80	53.60	41.80	31.30	23.40	17.50	13.50	11.30	9.10	8.00	8.00	5.80	5.10	4.60	3.50	3.30	1.60				
Cheshire West and Chester	All	100.00	93.37	84.87	74.46	63.68	53.53	44.43	36.57	29.93	24.40	19.84	16.10	13.06	10.59	8.60	6.99	5.68	4.63	3.80	3.12	71	138	111	
	Newly forming	100.00	87.40	71.00	58.20	47.60	34.70	22.80	17.40	13.20	8.40	6.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
	Waiting list	100.00	58.26	33.87	20.67	13.09	7.86	4.20	2.60	1.30	0.58	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
	PRS <55	100.20	91.90	78.80	64.80	53.60	41.80	31.30	23.40	17.50	13.50	11.30	9.10	8.00	8.00	5.80	5.10	4.60	3.50	3.30	1.60				
Cheshire East	All	100.00	92.37	82.83	71.50	60.17	49.84	40.85	33.28	27.02	21.89	17.72	14.34	11.61	9.40	7.62	6.20	5.06	4.15	3.42	2.83	73	133	106	
	Newly forming	100.00	84.86	76.20	65.56	52.91	38.89	25.54	19.46	14.46	8.73	6.60	5.14	3.60	3.60	2.73	2.03	2.03	1.49	1.14	1.04				
	Waiting list	100.00	48.68	35.49	24.27	15.00	9.19	4.99	3.14	1.56	0.68	0.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
	PRS <55	100.00	90.10	83.23	71.69	58.41	45.68	33.99	25.17	18.19	13.46	10.87	8.60	6.73	6.73	5.60	4.39	3.49	2.76	2.41	1.83				
Warrington	All	100.00	88.81	75.32	60.61	47.33	36.39	27.79	21.17	16.12	12.29	9.40	7.20	5.51	4.24	3.29	2.57	2.02	1.61	1.30	1.06	72	128	103	
	Newly forming	100.00	86.23	78.22	68.15	55.84	41.86	28.20	21.83	16.49	10.24	7.89	6.24	4.47	4.47	3.44	2.61	2.61	1.95	1.52	1.38				
	Waiting list	100.00	50.32	37.34	26.03	16.43	10.26	5.69	3.63	1.83	0.81	0.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
	PRS <55	100.00	91.15	84.90	74.15	61.46	48.98	37.21	28.12	20.79	15.71	12.90	10.38	8.27	8.27	6.97	5.55	4.45	3.55	3.13	2.40				
Liverpool	All	100.00	90.88	79.65	66.75	54.36	43.49	34.43	27.08	21.23	16.62	13.00	10.17	7.96	6.24	4.90	3.86	3.06	2.44	1.96	1.60	69	130	104	
	Newly forming	100.00	84.57	75.80	65.13	52.52	38.66	25.50	19.53	14.61	8.98	6.87	5.42	3.88	3.88	2.98	2.27	2.27	1.70	1.33	1.22				
	Waiting list	100.00	48.18	34.96	23.81	14.66	8.96	4.87	3.06	1.52	0.67	0.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
	PRS <55	100.00	89.92	82.98	71.41	58.19	45.62	34.11	25.44	18.60	13.94	11.39	9.14	7.26	7.26	6.11	4.87	3.92	3.15	2.78	2.16				
Wirral	All	100.00	90.75	79.40	66.37	53.86	42.90	33.76	26.38	20.54	15.95	12.39	9.61	7.47	5.81	4.54	3.54	2.79	2.21	1.77	1.44	69	129	104	
	Newly forming	100.00	79.23	67.91	55.26	41.77	28.38	16.90	12.13	8.51	4.67	3.34	2.48	1.61	1.61	1.17	0.84	0.84	0.60	0.46	0.42				
	Waiting list	100.00	43.04	29.11	18.32	10.33	5.84	2.92	1.74	0.82	0.34	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
	PRS <55	100.00	85.67	76.21	61.72	46.80	33.97	23.36	16.06	10.74	7.38	5.68	4.26	3.15	3.15	2.56	1.95	1.51	1.17	1.02	0.78				

Table 1.9 continued

Sefton	All	100.00	88.62	74.92	60.06	46.77	35.87	27.36	20.82	15.85	12.08	9.21	7.06	5.42	4.14	3.21	2.50	1.97	1.56	1.25	1.03	69	117	93
	Newly forming	100.00	82.42	72.59	60.99	47.84	33.94	21.30	15.77	11.39	6.55	4.81	3.66	2.46	2.46	1.82	1.32	1.32	0.95	0.72	0.66			
	Waiting list	100.00	46.08	32.54	21.47	12.76	7.54	3.95	2.43	1.17	0.50	0.12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
	PRS <55	100.00	88.21	80.21	67.29	53.13	40.18	28.82	20.58	14.31	10.21	8.04	6.19	4.71	4.71	3.86	2.97	2.32	1.80	1.57	1.19			
Knowsley	All	100.00	90.11	78.01	64.46	51.77	40.94	32.07	25.02	19.47	15.14	11.77	9.17	7.14	5.57	4.37	3.43	2.71	2.16	1.74	1.43	69	126	101
	Newly forming	100.00	82.29	72.40	60.76	47.54	33.60	20.93	15.40	11.05	6.27	4.56	3.44	2.29	2.29	1.67	1.20	1.20	0.86	0.65	0.59			
	Waiting list	100.00	45.98	32.44	21.39	12.69	7.48	3.90	2.38	1.15	0.49	0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
	PRS <55	100.00	88.09	80.02	67.02	52.76	39.73	28.31	20.05	13.82	9.75	7.63	5.82	4.38	4.38	3.57	2.72	2.11	1.63	1.42	1.07			
St Helens	All	100.00	90.35	78.65	65.31	52.67	41.80	32.88	25.77	20.17	15.80	12.39	9.72	7.63	6.01	4.74	3.77	3.02	2.42	1.97	1.64	69	115	92
	Newly forming	100.00	78.92	67.46	54.71	41.24	27.94	16.59	11.90	8.35	4.57	3.25	2.41	1.57	1.57	1.14	0.81	0.81	0.58	0.44	0.40			
	Waiting list	100.00	42.75	28.79	18.01	10.11	5.69	2.84	1.70	0.80	0.33	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
	PRS <55	100.00	85.43	75.82	61.18	46.25	33.48	22.98	15.77	10.53	7.23	5.54	4.16	3.07	3.07	2.49	1.89	1.46	1.13	0.98	0.75			
Halton	All	100.00	91.71	81.41	69.30	57.29	46.50	37.28	29.67	23.51	18.57	14.65	11.54	9.07	7.15	5.65	4.48	3.56	2.86	2.31	1.87	68	124	99
	Newly forming	100.00	81.15	70.72	58.73	45.48	31.84	19.67	14.44	10.36	5.89	4.29	3.25	2.17	2.17	1.60	1.15	1.15	0.83	0.64	0.58			
	Waiting list	100.00	44.76	31.04	20.11	11.72	6.83	3.52	2.15	1.03	0.44	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
	PRS <55	100.00	87.22	78.65	65.16	50.74	37.90	26.85	18.98	13.08	9.24	7.24	5.55	4.19	4.19	3.43	2.63	2.04	1.59	1.39	1.06			
West Lancs	All	100.00	90.44	78.76	65.49	52.90	42.00	33.02	25.80	20.11	15.67	12.20	9.50	7.41	5.79	4.53	3.56	2.82	2.25	1.80	1.47	66	124	99
	Newly forming	100.00	81.66	71.49	59.61	46.31	32.53	20.19	14.88	10.73	6.18	4.56	3.48	2.36	2.36	1.75	1.29	1.29	0.95	0.73	0.67			
	Waiting list	100.00	45.29	31.68	20.65	12.08	7.06	3.64	2.22	1.07	0.45	0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
	PRS <55	100.00	87.62	79.30	65.98	51.58	38.66	27.50	19.55	13.58	9.69	7.66	5.92	4.52	4.52	3.71	2.89	2.27	1.78	1.56	1.22			
Wigan	All	99.90	94.80	76.80	63.10	53.50	43.80	35.60	28.70	23.30	18.90	15.30	12.00	10.40	10.20	6.80	6.00	5.40	4.10	3.70	2.10	61	123	99
	Newly forming	100.00	83.79	74.58	63.48	50.47	36.39	23.28	17.43	12.73	7.45	5.53	4.23	2.87	2.87	2.14	1.56	1.56	1.13	0.87	0.79			
	Waiting list	100.00	47.59	34.23	23.06	13.97	8.40	4.47	2.78	1.36	0.58	0.14	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
	PRS <55	100.00	89.26	81.86	69.64	55.81	42.86	31.21	22.61	15.96	11.54	9.17	7.13	5.45	5.45	4.50	3.49	2.73	2.14	1.87	1.41			



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## CHESHIRE EAST COUNCIL

### Cabinet Member for Prosperity

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<b>Date of Meeting:</b>	12 <sup>th</sup> March 2012
<b>Report of:</b>	Housing Options Manager
<b>Subject/Title:</b>	Cheshire Homechoice Common Allocations Policy Review
<b>Portfolio Holder:</b>	Councillor J Macrae

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#### **1.0 Report Summary**

- 1.1 This report provides an update on the proposed changes to the Cheshire Homechoice Common Allocations Policy.

#### **2.0 Recommendation**

- 2.1 To grant permission to proceed with the formal consultation on the draft reviewed Common Housing Allocation Policy.

#### **3.0 Reasons for Recommendations**

- 3.1 In order to allow stakeholders and members of the public to comment on the proposed changes to the policy, a twelve week period of consultation needs to take place.

#### **4.0 Wards Affected**

- 4.1 All wards

#### **5.0 Local Ward Members**

- 5.1 All Local Ward Members

#### **6.0 Policy Implications**

- 6.1 Carbon reduction - none

- 6.2 Health

Housing is fundamental to the well being and prosperity of the Borough. There are direct connections between access to affordable, sustainable housing and health, educational attainment, carbon reduction and care for older people. The policy review aims to ensure that access to limited social housing stock is fair and transparent.

**7.0 Financial Implications (Authorised by the Director of Finance and Business Services)**

- 7.1 There are no financial implications. No changes are proposed to the current financial arrangements for the Cheshire Homechoice Partnership that delivers the Choice based lettings service.

**8.0 Legal Implications (Authorised by the Borough Solicitor)**

- 8.1 The Borough Solicitor will be included in the consultation to confirm that the proposed changes will be authorised.
- 8.2 Under Part VI of the Housing Act 1996 (as amended by the Localism Act 2011) local authorities are required to have an allocations policy and procedure in place in order to allocate social housing and under Part VII of the Housing Act 1996 (as amended by Homelessness Act 2002) to make provision for homeless households.

**9.0 Risk Management**

- 9.1 The review of the common allocations policy will ensure that improvements are made in line with lessons learnt and updates in legislation to the allocation of social housing across the partnership.
- 9.2 The continuous improvement of the allocations policy is a fundamental part of ensuring the efficient implementation of choice based lettings.

**10.0 Background and Options**

- 10.1 A report was presented to the Environment and Prosperity Scrutiny Committee in June 2011 setting out the scope of the policy review. Cheshire Homechoice had been operating effectively for 12 months. However there were some areas of the allocation policy that needed improving or reviewing in the light of lessons learnt and proposed changes in the Localism Bill.
- 10.2 The review has been conducted alongside the passage of the Localism Bill through the House of Lords through to enactment . Three representatives from the Homechoice Partnership attended a day-long Seminar in London organised by the Housing Quality Network where eminent barristers who specialise in Housing Law gave their recommendations for reviewing allocations policy in line with changes in the Localism Act.
- 10.3 The Homechoice Board have given strategic direction to the review. A working group made up of operational officers from each of the partners was set up and have worked through the policy suggesting amendments for approval by the Board and then drafting the changes to the policy in response to the Boards requirements.

- 10.4 A Housing event was held on 8 November 2011 for Members and Registered Provider Board members. Proposed amendments to the allocations policy were presented in interactive workshops. The feedback report from the workshops can be obtained from the report writer.
- 10.5 The following proposals on what to change and what not to change in the reviewed policy were made either in response to the feedback from Members at the Housing Event or to decisions of the Homechoice Board.
- 10.5.1 In relation to priority It is proposed to change from a star awarded system ranging from 1\* lowest priority to 5\* highest priority to a banding assessment based on housing need ranging from Band E: lowest need to Band A: highest need. The change in terminology will emphasise a change in approach. Housing need will be the determining factor. Those with multiple issues will no longer be assessed on a cumulative basis but on their single most important need in relation to a need for re-housing. All current housing register applications will be reassessed under the new “need” assessment.

The bands are as follows:

### **The Priority Band Assessment System**

#### **Bands**

##### **A**

- Households assessed as statutorily homeless by Cheshire East Council, to whom a full housing duty is owed under the Homeless Legislation.
- Households who are unable to occupy their current accommodation.
- Households who meet the downsizing criteria (determination of the criteria has been set by the Cheshire and Warrington Housing Alliance).

##### **B**

- Households who have been assessed as potentially homeless
- Households who do not have access to a toilet or cooking facilities (“access” can be classed as access to shared or communal facilities)
- Households who are required to leave their home within 28 days as a result of a Prohibition Order served in relation to the premises under the Housing Act 2004 prohibiting use of all or part of the property, a Demolition Order served in relation to the premises under the Housing Act 2004, or a declaration of a

Clearance Area affecting the premises served under the Housing Act 1985.

- Households who are leaving supported accommodation and are ready to move on (confirmed by accommodation provider).
- Households assessed with an urgent housing need
- Care Leavers with additional housing need
- Ex-armed forces personnel with additional housing need

### C

- Households assessed as non statutorily homeless
- Those living in temporary accommodation awaiting a homeless decision.
- Households in supported accommodation (excluding sheltered accommodation), but not confirmed as ready to move on
- Households who are overcrowded – In alignment with Housing Benefit regulation
- Households who under occupy a property – In alignment with Housing Benefit regulations but do not meet downsizing requirements
- Households with a lack of security of tenure
- Households whose housing is impacting on a medical condition
- Households whose housing is impacting on their welfare

### D

- Households who do not meet any of the reasonable preference criteria and/or are otherwise adequately housed

### E

- Households who have no local connection to the sub region of Cheshire East
- Households who have had preference reduced

10.5.2 The policy has been amended throughout to place more of an emphasis on applicants being monitored to ensure they are engaging with support services in order to retain their priority assessment.

#### 10.5.3 **Accessibility of the housing register**

The Localism Act 2011 gives Local Authorities a new and wide discretion to decide who may qualify to apply for social housing in their area. This was explained at the housing event with Members on the 8<sup>th</sup> November. It was explained that the housing register could be used as a central hub for anyone with a housing related issue to register their details and be given advice and information on all options which would be available in Cheshire East to assist in addressing their issue. This hub would include information for rehousing options as well as options for staying in their

current accommodation for example information on access to private rented properties, affordable housing options, supported housing options and other available support services such as handymen services. Generally, Members felt that if the housing register were to be used in this way, then the register could be accessible to all as it would be a gateway to all housing solutions. However, if this service could not be offered, then they would be in favour of restricting certain categories of applicants from registering. There were mixed opinions on who would be restricted from the housing register as a variety of exceptions categories were suggested which demonstrated the difficulty in trying to reach a consensus.

It was also acknowledged that by having an open register with the ability to provide the information on the range of options available would lead to people making informed decisions about their housing situation and responding in a timely and proactive way to address their housing issue. It was felt that closing the register to only a select few households could lead to households only approaching for advice and assistance when they reached crisis point which could be more complex and costly for the Housing service to respond to.

Following these conversations and a commitment from the Cheshire Homechoice project board to introduce a gateway model into Cheshire Homechoice, it is proposed to allow all households with a housing related issue to access the register so that they can access the hub of information. The only exceptions to this would be households who are ineligible to register due to immigration status and those who have had serious rent arrears or have committed serious acts of anti social behaviour.

### **10.5.4 Access to housing in rural parishes**

At the Housing event there was no majority decision on whether to retain the Community Connection criteria or remove this priority whereby those who can demonstrate a connection to a rural area are given priority over someone who may be in greater housing need. All attendees agreed that if the criteria remained then the detail needed to be clearer, and should include connection via current or previous residence; immediate family or permanent employment.

The proposed reviewed section on Community Connection now reads:  
“The partners of Cheshire Homechoice are mindful of the concerns of residents for stability and sustainability within their communities, but also of the need to foster diversity within those communities and facilitate geographical mobility within the Cheshire East Borough.  
In some rural areas we may require applicants to demonstrate a community connection to that particular settlement. In these instances, any applicant currently registered with Cheshire Homechoice may bid, however, the property may be offered to the household in the greatest housing need with a community connection. In the absence of a bid from

any applicant with a community connection, the property will be let to an applicant with no community connection.

In these cases a person will be deemed to have a community connection if they fulfil one or more of the criteria below. If there is more than one applicant with a connection, then they will be considered in the order of priority banding and effective date.

Currently live or have lived or have lived within the boundaries of the Parish or adjoining parish and have done for at least 6 out of the last 12 months or 3 out of the last 5 years.

Have immediate family (sibling, daughter, son, parent, step-parent or adoptive parent) who are currently residing in the parish or adjoining parish and have done for at least 5 years.

Have a permanent contract of employment within the Parish or adjoining parish.

#### **Making best use of a scarce resource**

- 10.5.5 Statistics and evidence gathered since the inception of Cheshire Homechoice demonstrates that family housing is in extremely short supply but is in high demand. The ability to make best use of social housing stock has been highlighted as a key priority for the Cheshire and Warrington Housing Alliance.
- 10.5.6 In order to make the best use of housing stock for families; it is proposed that households who are under occupying and willing to downsize are to be placed in Band A as long as they meet the criteria established as part of the Cheshire and Warrington Housing Alliance Downsizing scheme. The scheme supports vulnerable people both financially and with practical assistance to move into smaller properties which are more suitable for their needs.
- 10.5.7 Households that are overcrowded are given additional priority to assist them in moving to larger accommodation. It is proposed that this is assessed in line with current Housing Benefit parameters that allow an additional bedroom for persons aged 16 or over. More recently the Department of Communities and Local Government has released a guidance document on housing allocation for consultation. In the document, overcrowding is assessed in a bedroom standard that sets the age limit at 21 for sharing a bedroom. Therefore, it is proposed that this be looked at again during the consultation on the review of the Cheshire Homechoice policy. Such an assessment would have the effect of making best use of social housing stock as households with over 16's sharing a bedroom would be encouraged to look for larger accommodation in the private housing sector.

### **Additional Priority groups**

10.5.8 Consideration has been given to the following groups to determine whether the reviewed policy should award them additional priority over the average household in housing need.

- Careleavers. Currently Careleavers are not given a specific priority within the Cheshire homechoice policy. The Leaving Care Act 2000 provides for specific duties to children leaving the care of local authorities. It is the duty of local authorities to give care leavers "assistance of any kind to the extent that his welfare require it". It is clear in law that this includes accommodation and therefore, as corporate parents, the authority's responsibilities for the welfare of care leavers is high. It is therefore proposed to give them additional priority and place them in Band B where they are in housing need.
- Armed forces personnel. There is currently no additional priority awarded to army personnel in the policy which is being reviewed. However, there is a clear message from central Government to give priority to those leaving the armed forces or having left in the previous five years. In the review it is proposed that they would be given additional priority by placing them in Band B. In recognition of the mobile nature of service life it is also proposed that this group be exempt from the criteria on local connection.
- People in work: Examples of other local authorities giving priority to those in work were examined to determine whether this is a category of household who should be awarded additional priority on the housing register. The Royal Borough of Kensington and Chelsea gives priority only to those in work who are moving from temporary or supported accommodation to support their ability to continue to work. Westminster Council have a similar approach. Both award a small amount of priority through additional points, an option not available under the proposed banding system at Cheshire East. Manchester City Council does have a banding system and awards a priority by raising those in work up a band. Upon further discussion with Manchester City Council, it has been discovered that this does not provide value for money for the service due to the work required by staff to gather the evidence needed to be able to award the priority. A lean systems review of the homechoice service has recently been carried out and getting staff to gather this evidence would not be a lean process for the customer or the Local Authority.

Furthermore, due to the current economic climate and high risk of job cuts in all sectors, it was felt that this would be unfair on households struggling to find employment at the current time. The project board have also considered the impact of the welfare reform and the fact that more households will struggle to afford to access the private rented sector and if access to social housing

were to be restricted as well to people who are dependent on welfare benefits then they could potentially be left with no accessible housing options in the area and create homelessness in Cheshire East.

Under the Localism Bill, Registered Providers will have the ability to offer fixed term tenancies to new tenants. At the end of the fixed term, a review of the households circumstances will be carried out to determine whether to continue to offer a social housing tenancy to the household. If a household could afford another type of housing the registered provider could potentially end their tenancy agreement. Households could then have a claim under Section 8 of Human Rights Act if our Allocations Policy gave favourable preference to people in employment but the basis for non-renewal of flexible tenancies by RPs is due a households income level.

Priority to this group has therefore not been included in the reviewed policy.

10.5.8 All the proposals in the policy review will be subject to the outcome of the consultation.

10.6 The draft reviewed Housing Allocation Policy is now ready to progress to the public consultation stage. During this period the Policy will be submitted to to scrutiny Committee for comments and at the conclusion of the consultation the final reviewed Policy will be ready for Cabinet approval.

## **11.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

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Email: Victoria.kell@cheshireeast.gov.uk



# CHESHIRE HOMECHOICE

## Common Allocation Policy

VERSION 2 (01.04)



## Cheshire East Choice Based Lettings Partnership

"Providing housing solutions through choice, to customers across the Partnership".

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## SECTION ONE THE COMMON ALLOCATION POLICY

### Background

In 2007 the Cheshire Sub-Regional Choice Based Lettings Partnership was created with the aim of developing a common allocation policy, a Common Housing Register and a choice based lettings scheme. Due to Local Government Re-organisation this became the Cheshire East Choice Based Lettings Partnership in 2009. The following organisations are members of the partnership:

- Cheshire East Council
- Plus Dane Group
- Peaks & Plains Housing Trust
- Wulvern

The Cheshire East Choice Based Lettings Partnership's scheme is called "Cheshire Homechoice" and went live in 2010 using a system of advertising properties and expressions of interest alongside the Allocations Policy to determine how properties are allocated.

In addition the following organisations advertise a proportion of their available properties in Cheshire East through Cheshire Homechoice

<ul style="list-style-type: none"> <li>• Riverside</li> <li>• Harvest</li> <li>• Muir</li> <li>• Regenda</li> <li>• Contour Homes</li> <li>• Places for People</li> <li>• Adactus</li> </ul>	<ul style="list-style-type: none"> <li>• Equity</li> <li>• Anchor</li> <li>• Arcon</li> <li>• "Jonnie" Johnson</li> <li>• Great Places</li> <li>• Guinness</li> <li>• Northern Counties</li> </ul>
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In 2011 the Partnership began a review of the Common Allocation Policy in light of lessons learnt from the application of the policy and to update it in line with statutory changes being brought in by the Localism Act 2011.

Version 2. is the reviewed policy.

### Our Vision

*"Providing housing solutions through choice, to customers across the Partnership area".*

## **Key Aims and Objectives**

The overall aim of the policy is to ensure that all social and affordable housing is allocated fairly and objectively to those in the greatest housing need, having regard to any legislative requirements and Codes of Guidance issued by the Department for Communities and Local Government. (DCLG)

This policy has been developed with a view to meeting the following principles and key objectives:

- To provide a first class housing service
- To operate an allocations system that offers realistic, informed choice for all.
- To improve mobility within Cheshire East and to encourage balanced and sustainable communities.
- To ensure that every application is dealt with fairly and consistently irrespective of race, disability, gender, sexual orientation, religion and belief, and age.
- To operate a choice based lettings system which is simple, easy to understand, transparent, open and fair.
- To give adequate priority to customers who fall within the “Reasonable Preference” categories.
- To give adequate priority to homeless customers whilst maintaining a balance between the needs of the homeless and other customers in housing need.
- To empower customers by giving them more opportunity to express choice and preferences about where they want to live whilst having regard to the availability of housing resources and the high demand for housing.
- To assist those customers who are vulnerable to access the scheme.

## **Equality and Fairness**

The Partnership will ensure its policies and practices are non-discriminatory and will promote equal opportunity by preventing and eliminating discrimination on the grounds of race, disability, gender, sexual orientation, religion and belief and age. The scheme will be accessible, responsive and sensitive to the diverse needs of individuals. The Partnership’s aim is to create an environment where equality and diversity is at the heart of everything they do.

The impact of the policy will be monitored, to ensure that it promotes equality of opportunity to individuals and minority groups. In order to achieve this, all customers will be asked to provide details of their ethnic origin and any other demographic information when they apply to join the Register.

The Partnership will ensure all potential customers have equality of information about the service and equal opportunity to apply, express an interest for and receive offers of accommodation. We will do this by:

- Advertising the service widely in a variety of accessible media.
- Providing practical assistance to those who may have difficulty in understanding the requirements of the system.

- Providing practical assistance, in the customer's preferred way, where the customer may have difficulty completing the paperwork.
- Providing tailored assistance to those who may have difficulty expressing an interest for properties, including expressing an interest on their behalf, if that is necessary.
- Monitoring the profile of those who are applying and making expressions of interest to ensure that minority and hard to reach groups are actively engaged in the service.

## **SECTION TWO**

### **THE COMMON HOUSING REGISTER**

#### **Introduction**

The Common Housing Register is a single list of all the customers across Cheshire East who have been accepted onto the scheme. It includes new customers and existing social housing tenants wishing to transfer. Customers who apply to join the Register need only apply once to be considered for vacancies across the whole of the partnership area.

#### **Who can apply?**

The register is open to all apart from those who are ineligible due to immigration status or classed as non qualifying due to unacceptable behaviour as defined in the following sections.

Anyone age 16 or over can apply to have their housing need registered, however tenancies are usually only offered to people of 18 years of age and over..

#### **Eligibility**

##### **Ineligible due to Immigration Status**

Persons from abroad who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996 are ineligible for allocations; however some prescribed classes of persons who are subject to immigration control are nonetheless to be eligible for an allocation. Also under s.160A (5) of the Housing Act 1996 certain persons from abroad, who are not subject to immigration control, have to be habitually resident in the Common Travel Area (CTA) (i.e. the UK, the Channel Islands, the Isle of Man and the Republic of Ireland) in order to be eligible.

The following are the main categories of customers to whom a housing authority may allocate accommodation taking account of nationality and immigration status:

- Existing tenants: all existing secure and introductory tenants of a housing authority and assured tenants of accommodation allocated by a registered social landlord;
- British Nationals: British Nationals, who are habitually resident in the CTA;
- EEA Nationals: any person, who is a national of any of the countries in the European Economic Area (EEA), and is habitually resident in the CTA; or is a worker, or has a right to reside in the UK;
- Persons subject to immigration control who have been granted:
  - Refugee status;
  - Exceptional leave to remain provided that there is no condition that they shall not be a charge on public funds; or
  - Indefinite leave to remain provided that they are habitually resident in the CTA and their leave to remain was not granted in the previous 5 years on the basis of a sponsorship given in relation to maintenance and accommodation (or, if so, that their sponsor has (or in the case of more than one sponsor, all of them have) died);

- Persons subject to immigration control who are nationals of a country that has ratified the European Convention on Social and Medical Assistance (ECSMA) or the European Social Charter (ESC) provided that they are habitually resident in the CTA and are lawfully present in the UK.

Anyone arriving from abroad or subject to immigration control who wishes to apply for housing must seek advice from one of the partner organisations. Such customers should provide their passports to confirm immigration status.

### **Nonqualifying persons due to Unacceptable Behaviour**

Under Section 160ZA of the Localism Act 2011, any customer (or a member of their household) who is guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant, will be classed as non qualifying for an allocation. In most circumstances this means anti-social behaviour or significant/persistent rent arrears.

### **Joint Applications**

Joint applications will be accepted, provided both customers are eligible, aged 16 or over and intend to occupy the property together as their only or main home.

### **Multiple Applications**

Multiple applications will not be allowed. If multiple applications do exist, the application which is a most accurate reflection of the customer's circumstances will be kept open. Any other applications will be cancelled.

### **Transfers**

Existing social housing tenants within the partnership, who have been tenants for 12 months or more, can apply to move and will have their priority assessed in the same way as any other customer.

### **Mutual exchanges**

Mutual exchanges are advertised through 'Homeswapper' and will be dealt with outside the policy. A link to this website will be provided on the Cheshire Homechoice homepage or details of the scheme can be sent to customers on request.

### **Applications from Elected Members, Board Members and Employees**

Applications can be accepted from employees, elected members, board members and their close relatives. Customers must disclose any such relationship at the time of application.

### **How to apply**



An application can be made by completing a housing needs assessment and providing the information requested. The registration of an application may be delayed or cancelled if the information requested is not provided.

The purpose of the housing needs assessment is to correctly identify the housing priority for each customer, which is expressed as a priority Band. Once an application has been registered customers will receive a copy of the scheme guide and be notified of:

- The date of registration.
- The Priority Band assessment.
- The Username and Password for the web site.
- Application reference (for expressing an interest in properties).
- The right to appeal against the decision on their Priority Band assessment.

## **Advice, Support and Information**

A scheme guide is made available to all customers and support will be offered to customers needing assistance.

## **Home Visits**

Home visits may be carried out to assess some applications where appropriate.

## **Changes in Circumstances**

Customers who move to a new address or whose circumstances changes after they have been accepted onto the housing register (e.g. someone joining or leaving their household) should immediately contact the partnership to notify them of the change. A new application may be required.

The partnership reserves the right to reconsider the customer's priority Band assessment on the grounds of change of circumstances at any time until an offer of accommodation has been accepted and a tenancy agreement signed.

If the change of circumstances affects the customer's priority Band assessment they will be informed in writing of the outcome of the reassessment.

If a customer's circumstances have changed prior to the allocation of a property and records on Homechoice have not been updated the partners reserve the right to overlook an applicant or to revoke an offer. It is a customer's responsibility to keep Homechoice updated with any circumstances relating to housing.

## **Housing Register Renewal**

Cheshire Homechoice will regularly review information held on the register. Customers must keep their application details up to date and express interest in properties that meet their requirements, on a regular basis. Homechoice will close inactive applications and will inform applicants in writing that their application has been closed. If applicants wish to remain on the register, they must contact Homechoice within 28 days. Providing none of the housing circumstances have changed and the previous assessment remains valid the

application will be re-opened immediately and the previous priority of the application will remain unaffected.

In Bands A & B there will be more regular monitoring and reviews; Cheshire Homechoice will encourage applicants in all Bands to keep their details current and will contact customers regularly to ensure we hold current and relevant information.

## **Closed Applications**

Applications will only be closed in the following circumstances:

- A request has been received from the customer (or their advocate in writing).
- When an applicant has been contacted by a landlord to be considered for a tenancy to prevent further bidding during the decision process.
- The customer has been re housed.
- Notification has been received from an executor or personal representative that the customer is deceased and s/he was the sole customer.
- It is discovered that the customer has given false or misleading information in their application.
- Information is obtained that gives reason to believe that the customer is no longer eligible.
- If the partnership does not receive a response to contact by telephone or written correspondence within 10 working days (2 weeks).

Customers will be informed of the reason/s why their application has been closed and informed of their right to request a review of the decision (see Reviews and Appeals).

If the applicant makes a request to reopen their application within 20 working days (4 weeks) of it being closed it will be reopened where eligible and receive the original assessment of Band and effective date provided no relevant circumstances have changed.

## **Deliberately Withholding Information or Providing False Information**

Legal action could be taken against any customer who provides false information when applying for housing (including a fine of up to £5,000). Under Section 171 of the Housing Act 1996 it is an offence to:

- Deliberately provide false information; or
- Deliberately withhold information that should have been given

Customers, who are found to have made fraudulent applications in this way, will automatically have their application closed as above. Possession proceedings can be instigated if a tenancy was obtained by giving false information and the tenant may be classed as non qualifying for the Housing Register

## **Reviews**

Customers have the right to request a review against decisions made in the allocation process. These include:

- A decision to reduce preference.

- A decision to bypass an application.
- A decision about the priority Band assessment on the housing register.
- A decision on their eligibility to go on the housing register.
- A decision to close an application.

The customer's request for a review of the decision should be made in writing within 20 working days (4 weeks) of the original decision being made with supporting evidence why they require a review of the original decision.

A senior officer from the partnership will carry out reviews. The officer will not have been involved in the original decision. The officer will consider the evidence provided and decide whether to overturn or support the original decision. The customer will be informed in writing of the decision within 20 working days (4 weeks) of receipt of the request for a review. The reply will contain the decision made, the reasons for the decision and the facts taken into account when making the decision.

## **Appeals**

If the customer is still not happy with the decision made, they can request the Cheshire Homechoice Panel (see below), review the evidence provided and review the decision. Customers will need to do this in writing within 20 working days (4 weeks) of the review letter being sent. The Cheshire Homechoice Panel will have 40 working days (8 weeks) in which to review the supporting evidence and respond in writing to the customer of the decision made.

## **Cheshire Homechoice Panel**

The partnership is committed to equality of opportunities and therefore will monitor all processes robustly to ensure that there is open and fair access to social housing and to ensure allocations of accommodation are made to those in the greatest housing need. This will be done through the Cheshire Homechoice Panel. Officers from the partnership will attend the panel on a monthly basis to make decisions on, and monitor the following:

- Appeals on decisions
- Customer satisfaction/complaint levels
- Accessibility for vulnerable groups
- Reduced preference customers
- Ineligible or unqualified customers
- That allocations have been carried out fairly and transparently and in line with this Policy.
- The number of direct management lets and the reasons they were made
- Refusal of offers
- Monitor community connection lettings to ensure that need is being met

## **Cheshire Homechoice Board**

Future developments and alterations to this Common Allocation Policy, or the overall scheme, will be decided by the Cheshire Homechoice board, which consists of senior managers from each of the participating organisations.

## **Making a Complaint**

If a customer wishes to make a complaint they should contact Homechoice who will tell them which partner the complaint should be referred to and advise them of the partner's complaint procedure.

All customers who make a complaint will be treated fairly and objectively. A written reply to any complaint received will be sent out within the timescales set out in each partner organisation's complaints policy. Copies of these can be obtained from the individual partners (see Appendix 1)

If the customer has gone through the complaints procedure and remains dissatisfied, they can write to the Housing Ombudsman (Registered Social Landlord tenants) or the Local Government Ombudsman or apply for a judicial review (social housing tenants and other customers).

## **SECTION THREE ASSESSING HOUSING NEED**

### **Reasonable Preference Groups**

All qualifying applications will be assessed under this policy, to ensure that those in greatest housing need are given preference for an allocation of accommodation. The Partnership gives reasonable preference to customers as set out in s167 (2) of the Housing Act 1996 (as amended) and the Homelessness Act 2002. These are:

- Households who are homeless including customers who are intentionally homeless and those who are not in priority need.
- Households occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- Households who need to move on medical or welfare grounds, including grounds relating to disability
- Households who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others)
- Families with dependant children or households consisting of or including someone who is expecting a child.

In addition, section 167(2) gives local authorities the power to frame their allocation schemes to give additional preference to particular descriptions of customers who fall within the reasonable preference categories and who have particularly urgent housing needs.

To ensure that local priorities are met, the scheme may provide for other factors, other than those set out in section (2) of the Housing Act 1996, in determining which categories of customers are to be given preference for an allocation of accommodation within the scheme, providing they do not dominate the scheme over those listed in the statutory preference categories listed in section 167(2).

### **The Priority Band Assessment System**

#### **Band A**

- Households assessed as statutorily homeless by Cheshire East Council, to whom a full housing duty is owed.
- Households who are unable to occupy their current accommodation.
- Households who meet the downsizing criteria.

#### **Band B**

- Households who have been assessed as potentially homeless
- Households who do not have access to a toilet or cooking facilities (access can be to shared or communal facilities)

- Households who are required to leave their home within 28 days as a result of a Prohibition Order served in relation to the premises under the Housing Act 2004 prohibiting use of all or part of the property, a Demolition Order served in relation to the premises under the Housing Act 2004, or a declaration of a Clearance Area affecting the premises served under the Housing Act 1985.
- Households who are leaving supported accommodation and are ready to move on (confirmed by accommodation provider).
- Households assessed with an urgent housing need
- Care Leavers – with additional housing need
- Ex-armed forces personnel with additional housing need

#### **Band C**

- Households assessed as non statutorily homeless
- Those living in temporary accommodation awaiting a homeless decision.
- Households in supported accommodation (excluding sheltered accommodation), but not confirmed as ready to move on
- Households who are overcrowded – In alignment with Housing Benefit regulation
- Households who under occupy a property – In alignment with Housing Benefit regulations but do not meet downsizing requirements
- Households with a lack of security of tenure
- Households whose housing is impacting on a medical condition
- Households whose housing is impacting on their welfare

#### **Band D**

- Households who do not meet any of the reasonable preference criteria and/or are otherwise adequately housed

#### **Band E**

- Households who have no local connection to the sub region of Cheshire East
- Households who have had preference reduced

### **Housing needs assessment**

Housing need is not cumulative. The housing needs assessment will take account of all household circumstances. This will be a multiple housing needs assessment and the highest priority circumstance will determine the priority Band.

### **Homelessness**

#### **Statutorily Homeless**

Within the Partnership the Local Authority has a legal duty under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) to ensure that homeless Households owed a full housing duty by Cheshire East Council under s.193 (2) are provided with suitable accommodation. Homeless Households to whom the full duty is owed will be placed in Band A.

Households awarded this priority under the scheme should receive an offer of an allocation within a short period of time, as set out on page 25. under Homelessness – Expressions of Interest..

Priority on the grounds of homelessness will only be awarded for a limited period of time as set out on page 25. under Statutorily Homeless Households

Applicants will have received and should ensure that their s184 decision letter from Cheshire East Council is on file with Homechoice.

### **Unable to occupy current accommodation**

Households who cannot physically access their accommodation (long term) or who are in hospital or respite care and have been medically assessed as being unable to return permanently to their current home will be placed in Band A.

Households who are required to leave their homes as a result of an emergency prohibition or demolition order served in relation to the whole of the household's property under the Housing Act 2004 will be placed in Band A.

### **Downsizing**

Households who occupy larger social rented homes belonging to one of the partner landlords who are willing to move to smaller, more manageable accommodation will be considered for downsizing priority. Applicants will need to obtain the support of their landlord before being awarded this priority and the aim is to make their existing home available to other applicants on Homechoice.

Applicants with downsizing priority agreed by a partner landlord will be placed in Band A.

This assessment will not confirm eligibility to any other downsizing schemes held by the partners nor does it guarantee that the Landlord will be able to finance a move.

### **Homeless Prevention/ potentially homeless**

Households who meet all of the following criteria will be placed into Band B:-

- are at risk of becoming homeless within 3 months
- are likely to lose their accommodation through no fault of their own
- meet the priority need criteria as outlined in Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002)
- continually engage with a Cheshire East Housing Options team or Homechoice Team caseworker.

This will assist them in moving into accommodation before they become homeless. Supporting evidence and a full report from Housing Options will be required before being placed in Band B.

Engagement with services and active bidding are required for priority award on potentially homeless grounds and will be reviewed after 20 working days by Cheshire Homechoice. Should engagement or bidding lapse, this priority will be reduced to Band C.

### **Living in unsanitary conditions.**

If the Partnership can confirm that an applicant has no access at all to toilet, washing or cooking facilities the applicant will be placed in Band B.

For the definition of 'no access' the Partnership will consider shared access or access to facilities outside of the home to be access. Running water will be enough for the assessment of washing facilities and a microwave is considered sufficient for cooking.

### **Prohibition or demolition order served within 28 days**

Prohibition Orders or Demolition Orders taking effect within 28 days in relation to the whole of the Household's property will be placed in Band B.

If a clearance area has been declared, Households within this area will be placed in Band B.

Where an applicant feels their property is in a state of disrepair, the Partnership will require a formal assessment from Cheshire East Council's Private Sector Team. If the assessment results in a home improvement notice being served and the landlord fails to meet the requirements of this notice to the satisfaction of the private sector team the applicant will be placed in Band C under welfare.

### **Households in Supported Accommodation**

Applicants from Supporting People funded supported accommodation (excluding sheltered accommodation) in Cheshire East will be placed in Band C.

However, when applicants are confirmed as ready to move on by their supporting service the priority will be increased to Band B. As part of an agreed move on procedure the effective date of the original Band C will be honoured.

### **Urgent Housing Need**

Additional priority may be awarded where an applicant cannot access their washing or bathing facilities safely due to a physical disability and where adaptations cannot be done to the property to facilitate access. Subject to further assessment by the partners and or the Occupational Therapy Team (where appropriate) applicants will be placed in Band B.

Households with a requirement for equipment to manage a disability which cannot be accommodated in their current home will be placed in Band B.

Where there are pending convictions or intensive ongoing investigations that indicate a significant risk of harm to a member of a household and the police or an ASB co-ordinator (or equivalent) are in support of the fact that a move is the only resolution, applicants will be placed in Band B.

Cases meeting all of the following criteria will be placed in Band B:-

- cases referred to Multi-Agency Risk Assessment Conference (MARAC) where there is a risk outside the property, of domestic violence



- where a perpetrator of domestic violence remains a risk to a person/ family that cannot be controlled long term by the police as a matter of public protection
- a move is the only solution.

More serious issues may be considered in line with Homelessness Legislation.

### **Care Leavers**

For the purposes of assessing housing needs priority, a young person will be considered under the care leavers policy if they are leaving care or have left care in the last 5 years.

Young people who are care leavers of a Local Authority under the Children (Leaving Care) Act 2000 and are already adequately housed will be placed in Band D. Where a “care leaver” (as defined above) has any additional housing need they will be placed in Band B. (For example: If an applicant is confirmed as a care leaver and is overcrowded they will be assessed as Band B). The only exception to this is if the care leaver meets any of the assessment criteria in Band A, they will be placed in Band A.

Supporting documentation will be required from the appropriate Local Authority department.

### **Ex-Armed Forces Personnel**

For the purposes of assessing housing needs priority a person will be considered for ex-armed forces personnel priority if they are leaving the armed forces having received their notice of discharge date or have left in the last 5 years, having been medically discharged or served the required minimum level of service, usually at least four years (does not include Discharge As Of Right -DAOR).

Those who will not be in housing need or are already adequately housed will be placed in Band D. Where they have any additional housing need they will be placed in Band B.

### **Non Statutorily Homeless**

All households who have received a section 184 notification of a decision made by Cheshire East Council or any other Local Authority, determining intentional or non priority homelessness will be placed in Band C.

### **Awaiting homeless decision**

A household who has made a homeless application but has not yet received their section 184 decision letter will be placed in Band C. This assessment will be appropriate for applicants living in temporary accommodation provided by the Local Authority or sourced independently by the applicant.

### **Overcrowding**

If a Household is overcrowded in excess of housing benefit bedroom requirement assessment parameters or overcrowded as defined in Part 10 of the Housing Act 1985, they will be placed in Band C. The overcrowding priority does not increase with the number of rooms lacking.

For the purposes of assessing overcrowding/bedroom shortage the following was correct at time of print; however these criteria may change to align with any changes to Housing Benefit.

Household	Bedroom Need
Single person household	Studio/ One bedroom
Couple	One bedroom
Person age 16 or over	One bedroom
Single child from birth	One bedroom
Two children of opposite sex, both under 10 years old	One bedroom
Two children of the same sex, both under 16 years old	One bedroom
Two children of opposite sex, one over 10 years old	Two bedrooms
Two children of opposite sex, one over 16 years old	Two bedrooms

In households where a woman is over 20 weeks pregnant and would be overcrowded when the baby is born the household will be placed in Band C

### **Under Occupation**

The Partnership is keen to assist those home owners and privately renting tenants who may not be able to afford or manage a larger property and would benefit from a move to a more suitable smaller property. In addition this will apply to Social Housing tenants of registered providers within Cheshire East .

Where a household has expressed an interest to move to a smaller property, the application will be placed in Band C.

If an applicant applies for a property of the same size as their current home they may be overlooked by the landlord as this would be considered an abuse of this priority.

### **Insecure Accommodation/ Lacking secure tenure**

Households with a lack of security of tenure will be placed in Band C

For example:

- Households who have been asked to leave by family or friends (we will require formal confirmation of this)
- Households who have been served up to 2 months notice by their landlord

- Households who live in a caravan, mobile home or boat who have been served notice to leave their mooring or plot.
- Those Households who are leaving the armed forces and have received release papers
- Households who are currently in prison with a release date within 2 months.
- Households who are in 'tied' accommodation who have been given notice to leave within 2 months.

Households with a lack of security of tenure who meet the priority need criteria will be referred for a further potentially homeless assessment.

This assessment will not include those applicants who have been served a NOSP (Notice of Seeking Possession) from a social landlord.

### **Housing impact on a medical condition**

Where an applicant's current accommodation is having an adverse affect on a diagnosed medical condition of themselves or a member of the household who will be moving with them applicants will be placed in Band C provided evidence can be gathered to support an applicant's claims.

### **Housing impact on a household's welfare**

Where an applicant's current accommodation is having an impact on the welfare of household members, applicants will be placed in Band C.

Households experiencing anti-social behaviour or neighbour nuisance may be placed in Band C. if the required evidence is produced that it is of a serious enough level as detailed in the procedures.

Households who need to move closer to education, employment or care where the travel from current accommodation is not affordable will be placed in Band C. A full financial assessment will need to be conducted by Cheshire Homechoice in order to establish affordability. This assessment does not override the local connection criteria.

### **Households with children or pregnant women**

Households with children or pregnant women will be placed in Band D unless additional housing need is identified.

### **Reduced Preference**

**Please note:** A reduced preference assessment overrides all other priority assessments.

In certain circumstances, section 167(2A) of the Housing Act (1966) as amended by the Homelessness Act 2002 allows local authorities to take certain other factors into account when determining priorities between applicants. This can result in the applicant being awarded a lower priority than they would otherwise receive according to their housing needs alone.

Reduced preference may apply when the applicant, or member of the household, has demonstrated unacceptable behaviour which was not serious enough to justify a decision to treat the applicant as ineligible, but which can be taken into account in assessing the applicant's level of priority. Examples include:-

- Property related debts
- Current or former rent arrears
- Acts of antisocial behaviour that have caused or are likely to cause serious nuisance to neighbours
- Property damage
- Assaulting, abusing or harassing officers or elected members of the Homechoice partnership
- Households who have no local connection to Cheshire East
- 2 unreasonable refusals of written/verbal offers or wasting the time of partners
- Intentionally worsening housing circumstances with the intent of increasing priority
- Those applicants who wish to remain on the list but have no intention of bidding presently
- Withholding information that should have been provided to the partnership
- Providing false information to the partnership

This list is not exhaustive. More detail in relation to this matter can be found in the Procedures document.

Applicants who are given reduced preference will be placed in Band E of the Housing Register.

The case will be reviewed after a term no less than 6 months upon written request from the applicant. Each case will be considered on its own merits.

### **Local Connection**

Applicants who fulfil any of the following will be considered as having a local connection:

- Currently live, or have lived, within Cheshire East and have done for at least 6 out of the last 12 months or 3 out of the last 5 years.
- Have immediate family (mother, father, brother, sister, son, daughter, adoptive parents) who are currently living in Cheshire East and have done for at least five years or more.
- Have a permanent contract of employment within the partnership area.
- Leaving the armed forces or applying up to 5 years after leaving having been medically discharged or having served the required minimum level of service (does not include Discharge As Of Right, DAOR).
- Other significant reasons

Applicants without a local connection will be placed in Band E.

### **Community Connection**

The partners of Cheshire Homechoice are mindful of the concerns of residents for stability and sustainability within their communities, but also of the need to foster diversity within those communities and facilitate geographical mobility within the Cheshire East Borough.

In some rural areas we may require applicants to demonstrate a community connection to that particular settlement. The partnership will make any such requirement clear in the advertisement for the property. In these instances, any applicant currently registered with Cheshire Homechoice may bid, however, preference will be given to the household in the greatest housing need demonstrating

the community connection. In the absence of a bid from any applicant with a community connection, the property will be let to an applicant with no community connection.

In these cases a person will be deemed to have a community connection if they fulfil one or more of the criteria below. If there is more than one applicant with a connection they will be considered in the order of their priority Banding and effective date.

- Currently live, or have lived, within the boundaries of the parish or adjoining parish and have done for at least 6 out of the last 12 months or 3 out of the last 5 years
- Have immediate family (sibling, son, daughter, parent, step-parent or adoptive parents) who are currently living within the boundaries of the parish or adjoining parish and have done for at least five years
- Have a permanent contract of employment within the parish or adjoining parish

An adjoining parish is defined by another rural parish with an adjoining boundary to the parish in which the vacant property is located. The adjoining parish must also fall within the boundaries of Cheshire East Borough.

Allocations will be conducted considering all reasons in their own merit, not comparing against people who can demonstrate a stronger connection. The connections are not tiered.

All applicants will be required to have evidence of their connection to a parish on file before the close of the bidding cycle in which a property is advertised.

## **SECTION FOUR CHESHIRE HOMECHOICE**

### **Introduction**

Cheshire Homechoice is a Choice Based Lettings scheme that enables customers to express an interest in properties they are eligible for. The successful customer will be decided in line with this policy.

### **Advertising Properties**

The Partnership will advertise all vacant properties as part of the scheme. There will be certain occasions when a property cannot be advertised, for example, where a landlord needs to make a direct management let. The Cheshire Homechoice Panel will monitor these lets on a regular basis.

Adverts will be clearly labelled to show the property features and local neighbourhood information.

Customers will be able to view online, the properties that they are eligible for and are able to express an interest in. There will sometimes be other restrictions on who is eligible for a property. Any such restrictions will be made clear in the advert, for example where a property is only suitable for customers who need adaptations such as a level entry shower. Expressions of interest from customers may only be allowed if they can match the requirements in the advert.

### **Adapted Properties for Customers with Disabilities**

Accessible properties are homes, which have been designed for or significantly adapted to meet the needs of customers with physical or sensory disabilities. Accessible homes will be advertised as part of the scheme to ensure that customers assessed as needing this type of accommodation are given the widest possible choice.

Customers with an assessed need for accessible accommodation will be given priority for accessible accommodation over others in the same priority Band without that need and the property advert will make that clear. The advert will also describe the accessible features together with local neighbourhood information to help customers choose whether to express an interest for that property or not.

In selecting a customer for an accessible property from the short-list of qualifying customers, the full circumstances of each case will be considered when deciding who will be offered the property. In some circumstances priority may be given outside of date order, if the vacancy is particularly suitable for the needs of a customer.

Customers in this category can also express an interest for properties which do not have accessible features. However if they are short listed, during the selection stage, the partner landlord will assess whether it is reasonable and practicable for the property to be adapted. The customer will be considered for the property on the same basis as the other customers who have submitted expressions of interest.

## **Extra Care Housing**

Properties with extra care facilities will be advertised as part of the scheme. The service providers will directly match vacant properties to qualifying customers that meet the eligibility criteria following a detailed assessment of their housing, care and support needs.

## **Affordable Housing Developments**

Affordable housing will also be advertised through the scheme. When new housing developments are built within rural areas a Section 106 agreement may state that customers who are allocated the properties must have a direct local connection to that specific rural area. When this is the case properties are advertised through Cheshire Homechoice will make clear what the eligibility criteria are for the property.

## **Community lettings**

Properties in rural areas may be let under the Cheshire Homechoice policy for meeting local need. Advertisements for these properties will stipulate that those with a community connection will be given preference within the terms of the policy.

## **Local Lettings**

Certain properties may be let in accordance with the Registered Provider landlord's local lettings policy. When properties are advertised through Cheshire Homechoice they will be clearly labelled with the eligibility criteria.

## **Expressions of Interest**

Available properties will be advertised weekly and customers can express an interest for up to 2 properties a week.

Cheshire Homechoice may restrict expressing an interest for certain types of property, to certain types of households, in line with stock management as determined by individual landlords. For example houses may be restricted to families with dependant children.

Expressions of interest can be made via the telephone, email, the website, or a visit to any of the Partnership offices. Advice and support will be provided to customers who need it; to ensure they are able to access and use the scheme.

## **Support for Vulnerable Customers**

Cheshire Homechoice places new demands on customers. It gives people an active role in the lettings process and encourages them to express an interest in empty properties.

Customers will need to:

- Receive information on the housing options available

- Have access to and ability to use the technology necessary to apply to Cheshire Homechoice and express an interest in properties.
- Have the capacity to make decisions on the basis of the information provided

A person may be vulnerable when due to old age, physical, mental or emotional infirmity which impairs the person's ability to provide for his or her basic care, requires support and assistance to enable independent living and safe and active participation in the community.

Broadly speaking vulnerability can mean anyone who cannot be actively involved in the choice based lettings process, for example:

- Older people
- People with learning difficulties
- People with mental health issues
- People fleeing domestic violence
- People with drug or alcohol issues
- People with medical needs

The partnership will ensure vulnerable customers are able to access the scheme. When a vulnerable customer is identified every effort will be made to assist and support them through the process. Some customers will require or request support and assistance with accessing information about available properties, expressing an interest and making a decision about an offered property. In all cases the level and type of support will be decided on an individual basis. However in some cases the Partnership may have to use specialist staff to express an interest on their behalf. A number of measures will be put in place to ensure that vulnerable customers are not disadvantaged for example through:

- Providing appropriate advice and assistance
- Providing information in other formats
- Partnership working with support agencies
- Translating key documents
- Ensuring appropriate support is available for customers using the system

Wherever possible the partnership would like customers, whatever their background or presumed ability, to become active participants in the choice based lettings process. However we recognise in limited circumstances it may be necessary to assist certain vulnerable people outside of the choice based lettings process and to allocate properties to them.

### **Homelessness - Expressions of interest**

Applicants who are awarded priority on the grounds of homelessness or the prevention of homelessness will be closely monitored and reviewed by Cheshire East Housing Options and Homechoice case workers.

### **Statutorily Homeless Households**

Households accepted as homeless by the Cheshire East Housing Options Team and therefore owed a full housing duty under the provisions of the Housing Act 1996 Part 7 (as amended by the Homelessness Act 2002) will be automatically placed into Band A on the Housing Needs Register. They will then be able to express an interest in advertised



properties, for which they are eligible, within the partnership area for a period of 14 days from the date of the Homelessness decision letter.

After the 14 day period has expired, expressions of interest may be made by the Housing Options Team in conjunction with Cheshire Homechoice for a suitable property on the household's behalf. Although the caseworker will take account of the customers' preferences, expressions of interest will not be restricted by those preferences.

If a customer is subsequently offered accommodation either verbally or in writing by the Housing Provider, and refuses it, the Housing Options Team may discharge its temporary and long term duties under the Homelessness legislation. They may also reduce the customer's priority on the Common Housing Register from Band A to Band C.

### **Homeless Prevention /potentially homeless**

Applicants assessed as meeting the criteria for homeless prevention will be placed in Band B. Applicants will remain in Band B for a period of 20 working days (4 weeks); after this period they will be reviewed and if they are not expressing interest on suitable properties their application will be re-assessed and placed in Band C.

### **Short Listing**

Expressions of interest for properties will be placed in the order of priority e.g. Band A highest priority, then Band B, Band C, Band D and finally Band E.

If two or more customers within the same Band have expressed an interest for the same property for which they qualify, the date they entered their current Band will be used to determine the higher priority. If the Band date is the same, the original housing register application registration date will be used to determine priority.

Where properties are targeted at specific customers, they will be given priority for that type of accommodation e.g. accessible accommodation for customers with disabilities or new build properties where certain eligibility rules apply under Section 106 agreements.

If a customer is ranked first for more than one property and provided the eligibility criteria are met, they will be contacted to make a decision about which property they wish to consider and no further offers on additional properties will be made.

### **Viewing Properties and Receiving Offers**

Landlord partners may request additional information to support the allocation process.

A formal offer of accommodation will not be made until the information and/or supporting evidence has been provided and failure to do so may lead to the customer's application being closed.

Customers who unreasonably refuse 2 verbal/written offers within a 12-month period will have their priority reduced to Band E for a period of 6 months. Customers accepted as Statutorily Homeless will be assessed in line with current housing legislation that applies to refusing offers.

If a customer does not agree with their priority being reduced, they can request a review.

### **Feedback on Results**

Lettings results will be made available to the public upon request.

- Lettings results for property type and neighbourhood
- The total number of expressions of interest made for the property
- The successful customer's registration date and/or priority Band.
- Properties described as a management let, where a direct offer was made and the property was not advertised.
- The results of customer satisfaction surveys.

### **Nominations**

Registered Providers (not part of the Partnership) operating within Cheshire East will provide at least 50% of their vacancies (excluding transfers) for nominations via the scheme. The Local Authority (or their partners) will monitor to ensure compliance with the nomination agreements in their area.

### **Future Development of the Scheme**

The Partnership is committed to continually reviewing its practices and procedures associated with this policy, to ensure a consistent and joined up approach in the delivery of a first class choice based lettings service for Cheshire Homechoice.

## Appendix 1

### Contacts

**Cheshire East Council**

Westfields  
Middlewich Road  
Sandbach  
Cheshire  
CW111HZ  
[www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)  
Tel: 0300 123 5031

**Plus Dane Group**

Shepherds Mill  
Worrall Street  
Congleton, Cheshire  
CW12 1DT  
[www.neighbourhoodinvestor.com](http://www.neighbourhoodinvestor.com)  
Tel: 01260 281037

**Wulvern**

Wulvern House  
Electra Way. Crewe  
Cheshire,  
CW1 6GW  
[www.wulvernhousing.org.uk](http://www.wulvernhousing.org.uk)  
Tel: 01270 506200

**Peaks & Plains Housing Trust**

Ropewalks  
Newton Street  
Macclesfield  
Sk11 6QJ  
[www.cppht.com](http://www.cppht.com)  
Tel: 0800 012 1311

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