

Boston Borough Council and East Lindsey District Council



served by One Team

Sub Regional Choice Based Lettings Housing Allocation Scheme

In partnership with:

- Accent Housing Group
- Acis Group Limited
- Advance Housing and Support
- Anchor Hanover Group
- Housing 21
- Lace Housing Association
- Lincolnshire Housing Partnership
- Lincs Rural
- Longhurst Housing Group
- Platform Housing Group
- Sanctuary Housing
- Stonewater

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Legal Context:

The authorities have had regard to the following in formulating the Housing Allocation Scheme:

- The Housing Act 1996. Part VI as amended by Localism Act 2011
- The Homelessness code of guidance 2018
- The Children Act 2004
- The Homelessness Reduction Act
- Equality Act 2010 - Public Sector Equality Duty
- Allocation of accommodation: Guidance for local housing authorities in England
- Providing social housing for local people
- s.225 of the Housing Act 2004
- EU Transition
- Lincolnshire Homelessness and Rough Sleeper Strategies

Statutory Guidance:

- Allocation of Housing (Procedure) Regulations 1997, SI 1997/483
- Allocation of Housing (England) Regulations 2002, SI 2002/3264
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294
- Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, SI 2012/2989
- The Homelessness (Suitability of Accommodation) Order 2012 (as amended by the Homelessness Reduction Act 2017)
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015
- The Homeless (Review Procedure etc.) Regulations 2018

Strategic Alliance, Boston Borough Council and East Lindsey District Council:

In July 2020, Boston Borough Council and East Lindsey District Council formed a Strategic Alliance. Both Councils remain separate entities but share a single workforce, a number of services and systems. Both Councils continue to retain their own identity and remain accountable to their local communities, however, sharing expertise, teams and resources allows us to work more effectively, efficiently improve the delivery of services to local people.

Both Councils have adopted a single Housing Allocations Policy Framework. In delivering this, both Councils will share a case management system. Applicants may wish to apply to join the housing registers for:

- Boston Borough Council and / or
- East Lindsey District Council

Where applicants wish to be considered for both Councils' housing registers, they need only make a single application. However, applicants should be aware that they may be placed into a different priority 'band' for each area depending on their local connection to each area.

Throughout this policy document, Boston Borough Council and East Lindsey District Council are referred to as the 'Councils'.

Local Context:

The Government is of the view that, in deciding who qualifies or does not qualify for social housing, local authorities should ensure that they prioritise applicants who can demonstrate a close association with their local area. Social housing is a scarce resource, and the Government believes that it is appropriate, proportionate and in the public interest to restrict access in this way, to ensure that, as far as possible, sufficient affordable housing is available for those amongst the local population who are on low incomes or otherwise disadvantaged and who would find it particularly difficult to find a home on the open market.

Both Councils have a high level of people wanting to relocate to the district and therefore have to prioritise social housing for local people who are in housing need as well as people who can demonstrate a strong local connection to the districts or whom qualify due to statutory guidance. Many people on the housing register won't receive an offer of accommodation because demand is too high.

All applicants are advised to consider other housing options in order to obtain suitable accommodation rather than solely waiting for an offer of social housing. Demand for social housing is high and the availability of properties is insufficient to quickly provide applicants with an offer of social housing. Further details are in the Housing Options section.

1 INTRODUCTION

- 1.1 This document explains how social housing is allocated in Boston Borough and East Lindsey. Social housing in both areas is managed by registered providers, also known as Housing Associations. The councils do not own or manage any "Council" Housing.
- 1.2 Working in close partnership with providers of social housing, the Councils maintain a Housing Register which provides a Choice Based Letting Scheme (CBL) whereby people can access social housing within Boston Borough and East Lindsey.
- 1.3 Properties owned by private landlords may be advertised from time to time.
- 1.4 The Boston and East Lindsey CBL Scheme enables qualifying applicants to bid for most available social homes for which they are eligible, in the areas of their choice.

Both Councils have adopted a single Housing Allocations Policy Framework. In delivering this, both Councils will share a case management system. Applicants may wish to apply to join the housing registers for Boston Borough Council and / or East Lindsey District Council.

Where applicants wish to be considered for both Councils housing registers, they need only make a single application. However, applicants should be aware that they may be placed into a different priority 'band' for each area depending on their local connection to each area.

- 1.5 By completing an online registration process via the [website](#) applicants who are eligible and qualify for registration and in need of social housing can bid for housing in the location of their choice.
- 1.6 There are also accommodation providers who offer supported short and long term housing to people with particular support needs. However, this type of accommodation isn't usually advertised through the Councils' housing register.

1.7 Advice and assistance about any part of this policy can be obtained from:

East Lindsey Housing Hub: 01507 613135 Housing.Register@e-lindsey.gov.uk	Boston Housing Hub: 01205 314200 Housing.dept@boston.gov.uk
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2 VISION OF THE POLICY – OUR STATEMENT ON CHOICE

2.1 Boston Borough Council (BBC) and East Lindsey District Council (ELDC) are fully committed to enabling applicants to play a more active role in choosing where they live, whilst continuing to house those in the greatest need from the areas or those needing to move to the area. The Policy aims to be as open and transparent as possible and to offer the widest possible choice to people looking for an affordable home.

2.2 The main objectives of the Policy are:-

- To take account of relevant legislation and code of guidance
- To take account of the Lincolnshire Homelessness Strategy, Local Authority Housing Strategies and Tenancy Strategies.
- To provide a fair, open and accountable framework in which everyone has equality of access when seeking an affordable home.
- To welcome applicants seeking independent advice this may include Shelter and/or Citizens Advice Bureaus.
- To ensure that the best use of limited housing resources is made and that balanced and stable communities are maintained.
- To ensure that quality and accessible advice about the Scheme is freely available to everyone, especially to those who may have difficulty in registering to join the Scheme.
- To ensure all applicants are aware of and understand the Scheme and the ways in which they can apply for a home.
- To provide assistance to applicants of the Scheme who are unable, for whatever reason, to participate fully in the Scheme without help, support or advocacy.
- To ensure that good quality information and property details are easily available.
- To provide registration options that are easy to complete for all sections of the community.
- To provide a guide on the Scheme to all applicants giving them information on how to register and how to bid.
- To provide a bidding process that is easy to access for all applicants of the Scheme.
- To prevent homelessness and reduce the use of temporary accommodation through an effective prioritisation system.

3 PARTNERSHIP WORKING

- 3.1 Both Councils and social housing providers who have signed up to this Policy are committed to working together to deliver high quality housing services. The day to day administration of the Housing Register is the responsibility of East Lindsey District Council and Boston Borough Council delivered as a single workforce through a strategic alliance. However, letting homes through the Scheme is the responsibility of the individual housing providers in accordance with their own lettings policies.
- 3.2 The Councils offer an advertising service for social housing providers in order to increase the number of social homes advertised through the scheme. A charge may be made to the Housing provider for each property advertised or for being a member of the Scheme.
- 3.3 Social housing providers generally have to advertise between 50% and 75% of their vacant properties through the scheme. However they encouraged to exceed this percentage.

4 EQUALITY & DIVERSITY

- 4.1 Both Councils are committed to the promotion of equality of opportunity for all existing and potential applicants wishing to access the Scheme. No one will be treated unfairly because of gender, race, colour, ethnic or national origin, religion, disability, marital status, age, sexuality, health or other reason. This list is not intended to be exclusive, but indicative of the intention and commitment to ensuring equality.
- 4.2 Both Councils aim to promote good race relations and equality of opportunity throughout the community. Copies of each organisation's equality policies are available on request.
- 4.3 Some offices are accessible and fitted with loop system for the hard of hearing.
- 4.4 Where required, the Councils will seek to provide wherever possible interpretation and translation facilities, within a reasonable timescale, as well as using alternative or additional methods of communication. The allocations policy is supported by a summary document which is available in a number of different languages.

5 HOUSING OPTIONS

- 5.1 Due to the high demand for social housing some applicants may have to wait a considerable time before appropriate accommodation is made available to them, particularly in areas of high demand for social housing and/or where the applicant has low priority. In some cases, applicants may have little prospect of ever being allocated accommodation. In order to give such applicants a wider choice, both Councils aim to provide information, or signpost applicants to the appropriate agency, about other appropriate housing options which might be available to them. This might include:
 - **Private rented accommodation** - the private rented sector can provide types and sizes of dwellings which may not be readily available within the social rented sector. For those with a lower priority under the CBL scheme, and who may be waiting a considerable time before they are offered accommodation, a vacancy in the private rented sector may offer a quicker housing solution.
 - **Immediately available properties** – some low demand properties may be available directly through the registered providers
 - **Shared ownership schemes** – for those people who cannot afford to buy a home outright on the open market, shared ownership allows the applicant to purchase a share of a property and pay rent on the remainder. See [Help to Buy website](#) for further details.

- **Mutual exchanges & mobility schemes** – possibly a quicker way of moving, rather than applying for a transfer. Tenants find another Housing Association or Council tenant to swap their homes with, providing they have the agreement of their landlord.
- **Home improvement schemes or provision of aids and adaptations** – these may enable applicants to remain in their existing accommodation for longer.

Annexe B provides details of the number of each property type within the Councils areas.

6 SERVICE STANDARDS

6.1 Both Councils will also apply the following service standards within the Allocations Scheme to ensure an excellent service is provided to scheme applicants.

- Use Plain English, and avoid using jargon, in all our correspondence
- Inform you within 14 days of you completing the application process including providing required documentation whether you are eligible to be placed onto the housing register
- Provide you with information about your application and prospects of obtaining social housing
- Produce an annual summary to show properties advertised, number of bids and the priority banding of the successful applicants
- Offer the use of a private interview room, if available, when discussing personal details
- Respect the confidential nature of information provided by or in respect of an applicant
- Provide support for applicants who need assistance. Support can be in the form of one of the following options:
 - Telephone advice and guidance
 - An appointment with a housing team member for assistance in registering to the scheme. This could be face to face, on the telephone or via video call where appropriate

7 HOW TO APPLY

- 7.1 Anyone aged 16 and over has the right to make an application to join the Scheme by completing an online application through the [website](#). Prior to making an application, we recommend you speak to us to find out your prospects of qualifying and obtaining social housing.
- 7.2 Applicants who require assistance to make an application or provide the required supporting evidence can request help from either Council.
- 7.3 Information that is required in support of the application will be detailed through the website portal. Further details about the required information can be found at section 10.
- 7.4 Once the application and required evidence has been submitted, the application will be assessed and a decision provided in writing. If accepted onto the housing register, this will include the band that has been awarded.
- 7.5 Applicants who are suffering from ill health or disabilities which is affected by their current accommodation and applicants suffering from financial hardship could be asked to provide further supporting evidence.
- 7.6 Applicants should be aware of potential scammers and should keep their login details secure and not disclose their password to anyone including the Councils. There is no fee for making an application or bidding for properties. Applicants should contact the Councils if they are asked to provide their login details, asked to make a payment of any other suspicious behaviour.

8 QUALIFICATION CRITERIA

8.1 To be accepted onto the housing register an applicant must be:

- Eligible for housing assistance, and
 - Meet a reasonable preference category; or
 - Have a local connection and be in housing need; or
 - Meet an Exception category, and
 - Not meet a disqualification category

Applicants who cannot provide satisfactory evidence will not qualify to join the housing register.

8.2 Under section 160ZA of the Housing Act 1996 the Secretary of State has determined that certain persons from abroad, who may or may not be subject to immigration controls, are ineligible for an allocation of accommodation. Eligibility for the scheme is based on nationality (including habitual residency) and the Right to Rent and is subject to change.

8.3 Applications from eligible 16/17 year olds will also be considered where they are:

- A single woman aged 16 or 17 who is expecting a child. Proof of pregnancy will be required in all cases.
- A single parent aged 16 or 17 who has a dependent child.
- A couple aged 16 or 17 who are expecting a child, or have a dependent child. In the former case, proof of pregnancy will be required.
- People aged 16 or 17 who are homeless. In such cases a referral will be made to Children's Services to identify appropriate housing and support needs. This process may include other agencies such as Health, Probation, and Youth Offending Teams.
- Leaving care

Some housing providers require 16/17 year olds accepted for housing to have a guarantor and/or sign up for support from the housing provider or their agent where satisfactory support is not in place from statutory agencies.

8.4 **Reasonable preference**

The Councils are required by law to determine the relative priority that housing applicants are awarded. This is particularly important when the demand for social housing is greater than the availability of homes.

8.5 The law, as it applies to local housing authorities, requires that reasonable preference for housing must be given to those in the categories set out in the Housing Act 1996 (as amended). Applicants with reasonable preference must be given a reasonable head-start in terms of accessing housing over those who do not have reasonable preference.

8.6 Reasonable preference does not mean that applicants will have an absolute priority over all other applicants. Applicants who meet a reasonable preference category who cannot demonstrate a strong association to the districts will qualify to join the register however their prospects of receiving an offer of accommodation is very low. This is because the councils' prioritise people in high housing need who have a strong connection to the area.

8.7 The statutory reasonable preference categories in section 166A(3) (a) to (e) of the Housing Act 1996 (as amended) are:

- People who are homeless (within the meaning of Part VII of the Act). This includes non-priority need applicants to whom no duty is owed;
- People who are owed a duty by any local housing authority under section 190(2) (intentionally homeless but in priority need), 193(2) (the full housing duty) or 195(2) (duty to those threatened with homelessness) (or under section 65(2) or 68(2) of the Housing Act 1985) or

who are occupying accommodation secured by any such authority under section 192(3)) (discretion to accommodate non-priority need homeless applicants);

- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- People who need to move on medical or welfare grounds (including grounds relating to disability);
- People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship to themselves or others.

8.8 Further information about each reasonable preference category can be found in Annexe A.

8.9 **No local connection**

Applicants who cannot demonstrate a local connection might qualify to join the housing register if they meet a reasonable preference category, however, their application will not be placed higher than band 3 until they evidence they have a local connection.

8.10 **Local Connection**

Applicants who can evidence a strong local connection to each district as follows will usually qualify to join the housing register. Applicants may be placed into a different band on the housing register for each Council area (Boston and East Lindsey) depending on their local connection to that area.

<u>East Lindsey Local Connection</u>	<u>Boston Local Connection</u>
<ol style="list-style-type: none"> 1. Have permanently resided in East Lindsey for the last 12 months. 2. Has previously resided within East Lindsey for 3 out of the last 5 years 3. Was born and resided in East Lindsey for the first 5 years of their life 4. Applicants have family members who are resident within East Lindsey. Resident family members are defined as parents, adult children or brothers or sisters who have lived in the district continuously for the last five (5) years. 	<ol style="list-style-type: none"> 1. Have permanently resided in Boston Borough for the last 12 months. 2. Has previously resided within Boston Borough for 3 out of the last 5 years 3. Was born and resided in Boston Borough for the first 5 years of their life 4. Applicants have family members who are resident within the Borough of Boston. Resident family members are defined as parents, adult children or brothers or sisters who have lived in the Borough continuously for the last five (5) years.
<p><i>Time spent living on a seasonal caravan site or holiday accommodation won't count as residency in the district. Applications from occupiers of permanent all year round sites which are licenced by ELDC can be considered once they have been resident in East Lindsey for over 12 months as their sole and main residency.</i></p>	<p><i>Time spent living on a seasonal caravan site or holiday accommodation won't count as residency in the district. Applications from occupiers of permanent all year round sites which are licenced by BBC can be considered once they have been resident in Boston Borough for over 12 months as their sole and main residency.</i></p>
<ol style="list-style-type: none"> 5. Has permanent Employment in East Lindsey. <p><i>Temporary and seasonal work is not included. The applicant must also be working a minimum of 16 hours per week.</i></p>	<ol style="list-style-type: none"> 5. Has permanent Employment in Boston Borough. <p><i>Temporary and seasonal work is not included. The applicant must also be working a minimum of 16 hours per week.</i></p>

6. Lincolnshire Care Leavers up to age of 25.	

8.12 Exceptions

Applications will be accepted from people with no connection to the Councils areas who meet one or more of the following.

1. HM Forces

- members of the Armed Forces and former Service personnel, where the application is made within five years of discharge
- bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- separated spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation

2. Domestic abuse.

Victims who have moved to a refuge or temporary supported accommodation to flee Domestic abuse and want to live in the district

It must be considered safe for the victim to reside in the district. Advice will be taken from domestic abuse professionals to ensure the safety and suitability of any properties bid for, to limit the applicants risk of further domestic abuse from the perpetrator.

3. People who are sleeping rough in the district / borough.

The rough sleeper is unable to return to an area where they have a local connection and this has been confirmed by an appropriate professional. The rough sleeper is also actively engaging with appropriate agencies and professionals to access suitable accommodation and support services. Sofa surfing is not considered to be sleeping rough.

4. Other exceptional circumstances will be considered on a case by case basis. Such cases will usually include those where applicants are deemed at serious risk of harm

Applicants will need to state their reasons in writing addressed to the Housing Manager for consideration by a suitably qualified senior officer. Upon receipt a decision would be made and put in writing.

9 PEOPLE WHO DO NOT QUALIFY

- 9.1 Generally, the following groups will not qualify however the Council's Housing Services Manager does have discretion on such matters.

- Applicants who provide false information
- Applicants who are already registered on another BBC/ELDC application
- Applicants who have the means to resolve their own housing circumstances such as purchasing a property that meets their needs
- Applicants who do not meet a reasonable preference category and have no or minimal prospects of receiving an offer of accommodation could be refused unless there are lower demand properties that they may have prospects of being offered
- Applicants with no particular need for social housing
- Applicants who do not have capacity to manage a tenancy
- Applicants who have been convicted of housing or welfare benefit related fraud where that conviction is unspent
- Applicants in serious breach of a condition of their Tenancy Agreement in respect of their current or former accommodation (including temporary accommodation). Examples of a serious breach could include subletting, deliberate damage to property, perpetrator of domestic abuse or anti-social behaviour
- Applicants who owe more than 8 weeks rent at time of application or upon review of their application in respect of the current address or a former property that was occupied within the last 12 months. If an appropriate repayment agreement has been sustained for a minimum period of 12 weeks and the debt remains more than 8 weeks the applicant might then become a qualifying applicant. Existing social tenants with rent arrears who are affected by the under-occupancy charge will not normally be excluded where a move will prevent further arrears building up and they have made a reasonable contribution towards the charge.
- Applicants who are in receipt of Housing Benefit/UC Housing element who have consistently not paid a shortfall in their rent for 8 weeks or more within the last 12 months
- Applicants that have in the 12 months prior to making an application voluntarily surrendered any tenancy that would have been reasonable for them to continue to occupy
- Applicants with no strong connection to the East Lindsey district or Boston Borough who do not meet a reasonable preference category

- 9.2 A person may also be excluded from the scheme as a result of previous unsuitable behaviour or conduct defined as anti-social within the meaning of the anti-social Behaviour Crime and Policing Act 2014, the severity of which makes them unsuitable to hold a tenancy. In assessing this, all relevant factors will be taken into account. This includes but is not limited to, the time that has elapsed since the offences or occurrences of anti-social behaviour occurred, the applicant's health, dependents and the individual circumstances of the applicant at the point of applying when making these decisions.

Behaviour which can be regarded as unacceptable includes conduct that has caused, or is likely to cause, harassment, alarm or distress to any person, conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or conduct capable of causing housing-related nuisance or annoyance to any person. In addition to this behaviour which has either directly or indirectly affected the housing management function of a Registered Provider or Local Authority. This includes as aforementioned, anti-social behaviour, non-payment of rent, obtaining a tenancy by way of making a false statements, acts of neglect of waste leading to damage to the previous property. This list is illustrative and the examples are not intended to be an exhaustive.

A person will only normally be excluded from the Housing Register where such behaviour would likely have or did lead to a Possession Order be it outright or suspended being granted, the tenancy has been demoted, the Court has granted an Injunction to Prevent Nuisance and Annoyance, Criminal Behaviour Order, a Public Spaces Protection Order or other enforceable court order being issued or the Local Authority has enforced a noise abatement notice. Such exclusions may be made regardless of previous tenure.

- 9.3 When reaching a decision to refuse a registration all the relevant factors would be taken into account including any mitigating circumstances. A decision will also be made on the length of time that the application will be excluded stating the reasons why and the actions that can be undertaken to enable an application to be re-considered earlier.
- 9.4 Applicants who have previously been deemed not to qualify may make a fresh application if they consider they should now be treated as qualifying, but it will be for the applicant to show that his or her circumstances have changed.
- 9.5 Applicants who have qualified to join the housing register may become a non-qualifying applicant if their circumstances change.
- 9.6 Acceptance onto the housing register does not mean the applicant will be offered a property. Each Social Housing Provider will assess whether they will offer a property in accordance with their own lettings policy. Applicants who still owe a housing related debt could be declined an offer if they haven't cleared the debt or significantly reduced it and be able to provide appropriate evidence to the Social Housing Provider. Any applicant refused by a Social Housing Provider should be provided with the reason for refusal in writing and be given an opportunity to request a review of the decision.
- 9.7 Some housing providers might directly advertise low demand properties through other means. These will usually be properties that have already been advertised through the Councils' CBL scheme and there were no successful applicants. All housing applicants including those refused onto the Councils' housing registers might be able to apply for these properties by contacting the housing provider direct.

10 PROVIDING INFORMATION

- 10.1 Applicants are required to provide proof of identity such as their National Insurance Number(s), photographic ID in the form of passport, national identify card or photo driving

licence, birth certificate and also a 5 year address history and proof of local connection. This will normally be required before an applicant is allowed to start bidding for properties.

- 10.2 In accepting any registration which includes anyone from abroad, proof of identification, nationality and immigration status will be required. Verification will be sought to safeguard the use and allocation of public funds.
- 10.3 All relevant documentation to verify the details provided will be required from the applicant when they complete their application and can be uploaded through the website portal.
- 10.4 Verification documents might be requested again after bidding for a property to confirm the applicant's circumstance and banding are still accurate.
- 10.5 Applicants are expected to cooperate with the Councils when requesting further information in regard to the assessment of their application. Where information isn't available and the applicant has made reasonable efforts to provide the requested information the applicant will unlikely to be disqualified in regard to section 9.
- 10.6 Where an applicant notifies that they or a member of their household are affected by one or more of the following circumstances, they will be required to provide relevant documentation upon registration.
- Homeless or facing homelessness
 - Medical problems worsened by their current accommodation
 - Are or have served in the Armed Forces
 - Have been involved in ASB or have criminal convictions
 - Moving to provide or receive support
 - Moving for education and/or training
 - Suffering hardship or have a welfare need
 - Current home not fit for habitation
- 10.7 Where there are concerns about a person's suitability as a tenant rising from information given during registration, the Council will make any necessary enquiries, including via the police, to check information given about applications. The declaration Applicants sign on the Registration form gives permission for such enquiries, if necessary.
- 10.8 It is important that the information provided by applicants is accurate to determine the correct priority that the Registration receives. The Housing Act 1996 section 171 states that a person commits an offence if, in connection with the exercise by a local housing authority of their functions under this Part – (a) he knowingly or recklessly makes a statement which is false in a material particular, or (b) he knowingly withholds information which the authority have reasonably required him to give in connection with the exercise of those functions.' The offence is punishable on summary conviction by magistrates by a fine of up to £5000.
- 10.9 Applicants who obtain social housing fraudulently are committing an illegal act and likely to be evicted and fined.

11 BANDING PRIORITIES AND RELATIVE PREFERENCE

- 11.1 A Banding Scheme as set out in 11.7 below has been adopted to prioritise the housing needs of applicants. The Banding Scheme has four bands based on the applicant's current housing circumstances. They have been adopted following guidance issued by the Secretary of State and all eligible registrations are placed into one of these bands.

Registrations are generally prioritised first by band, and secondly by date - see Section 23 for further details.

Depending on their circumstances and local connection to each Council area (Boston and East Lindsey, applicants may be placed into separate bands for each area.

11.2 If an applicant is assessed as having more than one identified needs within a band, consideration is given to raising the application into a higher band. For example:

- An applicant who has been assessed as having three or more Band 4 needs is placed into Band 3
- An applicant who has been assessed as having two or more Band 3 needs is placed into Band 2.

Where the needs are similar, applications are unlikely to move into a higher band. For example a non-priority homeless person would be placed into band 3 but would not be moved into band 2 due to also lacking facilities.

11.3 The scheme may make provision for deciding on the relative priority of people in the reasonable preference (and possible additional preference) groups. In doing so, the following factors may to be taken into account:

- a) The financial resources available to the applicant to meet his or her housing costs;
- b) Any behaviour of a person (or a member of the household) affecting his or her suitability to be a tenant;
- c) Any local connection (as defined under HA 1996 Part 7: see para 13.191) the person has with the authority.

11.4 Additional preference can be awarded to applicants who are considered to be in high housing need. This would usually apply to bands 1 and 2, however, may include other high housing need such as at risk of homelessness. Additional preference can be applied in the following circumstances:

1. Current and former members of the armed forces; who:

- a) Is serving in the regular forces and is suffering from a serious injury, illness (including PTSD) or disability which is attributable (wholly or partly) to the person's service,
- b) Formerly served in the regular forces,
- c) Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- d) Is serving or has served in the reserve forces and is suffering from a serious injury, illness (including PTSD) or disability which is attributable (wholly or partly) to the person's service.

2. Persons who are terminally ill and must move to suitable accommodation

3. Other exceptional circumstances

An award of additional preference would mean the date the application is placed into the assessed band would be backdated by up to 5 years for points 1a, 1c, 1d and 2. Points 1b and 3 would be backdated by 1 year dependent upon the circumstances.

11.5 Housing Priority can be reduced or even taken away in certain situations, for example:

- Circumstances have changed which materially affect the assessment of the application.
- Applicant has deliberately worsened their circumstances

Where priority has been reduced or changed, applicants will always be notified.

11.6 The councils will expect applicants to improve their circumstances where possible to do so through completing various actions which could reduce or remove the need to move home. This could include accessing money management advice, asking the landlord to rectify disrepair or accepting suitable accommodation if eligible and considered appropriate. Applicants who unreasonably do not cooperate could have their banding reduced to band 4.

11.7 Banding Scheme

BAND 1 – Urgent need and have a local connection or meet an exception

1.1	The “Main Housing Duty” has been accepted by the Council – in the case of main housing duty, this banding would only apply to the housing register of the Council that has accepted the homelessness duty (ELDC or BBC) See section 14 – Homelessness
1.2	Both Councils have a Corporate Parenting responsibility to any young person who is aged 16 or over who is either a "looked after child" from Lincolnshire, or is a "care leaver" supported by Lincolnshire County Council, up to the age of 25. Band 1 will apply when they are not intentionally homeless and are accessing services, and have been assessed as capable of independent living, even with the support of a Leaving Care Worker.
1.3	The applicant is currently in hospital and homeless or doesn't have a suitable home to return to upon discharge as assessed by the Councils taking advice from relevant professionals. Applicants could be placed into a lower band if they have deliberately worsened their circumstances. Housing providers will require a copy of any support plans if applicable.
1.4	The applicant will be going into hospital for a major operation and they will not be able to return to their current home.

BAND 2- High Need and have a local connection or meet an exception

2.1	The applicant is homeless or threatened with homelessness within the next 56 days and believed to be in priority need and not intentionally homeless as determined by the Local Authority, in accordance with homelessness legislation prevention and relief duties. (This includes persons of no fixed abode - see section 16)
2.2	The household is assessed as needing at least two or more bedrooms than currently available. This is assessed under the space standards contained within Part 10 of the Housing Act 1985 or assessed using the HHSRS set out in the Housing Act 2004. <ul style="list-style-type: none"> • Children of the same sex and from the same household can share a bedroom until the oldest child reaches the age of 16 • Children of the opposite sex can share a bedroom until the oldest child reaches the age of 10 Households who live with other households are only placed into this band if they have NOT deliberately made the circumstances worse. People who cannot reasonably be classed as being from the same household are NOT counted within this category e.g. short term lodgers
2.3	The applicant or a member of their household has been awarded High Medical Priority. Medical banding is based on how and why your current living conditions are not appropriate to your medical needs
2.4	The property in which the applicant lives is subject to a Direction, Demolition, Compulsory Purchase Order or Category 1 Hazard, with a prohibition order being made. Applicants do NOT qualify for this band if such orders have been made because they have failed to satisfactorily maintain their own property or because the disrepair has been caused by them and had the financial means to prevent the disrepair
2.5	The applicant is a retiring agricultural worker who falls under Rent Agriculture Act 1976 and their home is required for a new employee

2.6	The applicant is a tenant of a registered housing provider living in permanent accommodation within the Councils geographic area and no longer needs the property because of its extensive disabled adaptations
2.7	The applicant or a member of their household needs extensive disabled adaptations and is prepared to move to a property with such adaptations rather than having them done at their current home. Evidence from an OT/or copy of the DFG referral will be required
2.8	The applicant is a tenant of a registered housing provider living in permanent accommodation within the Councils geographic area who is releasing 2 or more bedrooms to move to a smaller property
2.9	The applicant is suffering from harassment or domestic abuse and it is considered that the accommodation is unreasonable to occupy as defined in the homelessness legislation and determined by the Local Authority. Any recommendations made by a MARAC will be taken into consideration, where appropriate. A risk assessment must be conducted in accordance with MARAC for all offers of accommodation in such cases
2.10	The applicant is a victim of domestic abuse and resident in supported accommodation and assessed by the service provider as ready to move into social housing
2.11	Urgent need to move due to violence, harassment, protection issues. Evidence will be required.
2.12	The applicant currently lives in supported accommodation in Lincolnshire (excluding sheltered housing for older people and where floating support is being provided) and is actively engaging and has been assessed as being ready to move into social housing
2.13	The applicant has been verified by the Council or a commissioned partner to be a rough sleeper who is actively engaging and assessed as being ready to move into social housing
2.14	The applicant has two or more housing needs as set out in Band 3

BAND 3- Medium Need including those who meet a Reasonable Preference category who do not have a local connection

3.1	The applicant is homeless or threatened with homelessness within the next 56 days but not believed to be in priority need and not likely to be intentionally homeless as determined by the Local Authority, in accordance with homelessness legislation prevention and relief duties. (This includes persons of no fixed abode - see section 16)
3.2	The applicant is a tenant of a registered housing provider living in permanent accommodation within the Councils geographic area who is releasing 1 bedroom to move to a smaller property
3.3	The applicant or a member of their household has been awarded Medium Medical Priority. Medical banding is based on how and why your current living conditions are not appropriate to your medical needs
3.4	<p>The household is assessed as needing one more bedroom than currently available. This is assessed under the space standards contained within Part 10 of the Housing Act 1985 or assessed using the HHSRS set out in the Housing Act 2004.</p> <ul style="list-style-type: none"> • Children of the same sex and from the same household can share a bedroom until the oldest child reaches the age of 16 • Children of the opposite sex can share a bedroom until the oldest child reaches the age of 10 <p>Households who live with other households are only placed into this band if they have NOT deliberately made the circumstances worse. If they have, they are placed in Band EX/removed from the list.</p> <p>People who cannot reasonably be classed as being from the same household are NOT counted within this category e.g. short term lodgers.</p>

3.5	<p>The applicant's current home is assessed as permanently lacking or the applicant is unable to access basic essential facilities and it is through no fault of their own, such as:</p> <ul style="list-style-type: none"> • an inside toilet • hot and cold running water • bathing facilities • mains services i.e. electrical / water supplies <p>This category excludes caravans/mobile homes unless on a permanent site. It will not be used where any of the above has been caused by the occupier.</p>
3.6	The property in which the applicant lives is subject to a Category 1 Hazard, as per HHSRS legislation (written confirmation required) and the landlord is refusing to rectify the disrepair.
3.7	A household with dependent children unable to live together as a family unit (this is defined as spouse/partner/children) and wishes to live with them
3.8	<p>The applicant is experiencing undue financial hardship which is a direct result of current housing circumstances. To fall into this band the situation must be;</p> <ul style="list-style-type: none"> • one that is not likely to be short lived • one that is not/has not been caused by a deliberate act or omission and, • one that the applicant is unable to have any reasonable control over • The circumstances make their current home unaffordable in terms of rent and utilities where they previously could have afforded it. <p>A full financial assessment will be undertaken as the basis for placing/not placing registrations into this category. The assessment could result in the applicant being assessed as threatened with homelessness and placed into a higher band.</p>
3.9	A household with dependent children lodging and sharing facilities with friends or family who has not deliberately worsened their circumstances by moving from accommodation that was otherwise suitable
3.10	<p>The welfare of the household is being <u>severely</u> affected by the current accommodation or location, this could include:</p> <ul style="list-style-type: none"> • The applicant is <u>currently unemployed</u> and has been offered permanent employment (seasonal work not considered) and <u>must</u> move to be able to carry out the job. • The applicant is <u>currently unemployed</u> and <u>needs</u> to move to access full time education/training that cannot be accessed in their current location. • The applicants <u>needs</u> to move to provide long term care and support. This could include foster carers and those approved to adopt who need to move to a larger property. • The applicant is severely isolated and <u>must</u> move to access vital services. <p>Each case will be assessed on individual circumstances</p>
3.11	Right to Move applicants (see section 12)
3.12	Applicants who meet a Reasonable Preference category but do not have a local connection to the Councils geographic area (as defined in section 8.8)
3.13	The applicant has three or more housing needs as set out within Band 4

BAND 4- Low Need

4.1	The applicant has housing need that would ordinarily place them into a higher band but has been found Intentionally Homeless within the last 12 months and has not had a settled home in that time
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4.2	Applicants who fail to reasonably cooperate with advice provided by the council in respect of preventing or relieving their homelessness or following other advice and actions to reduce the need for them to move home. This includes failing to bid for properties.
4.3	A household without dependent children lodging and sharing facilities with friends or family
4.4	The applicant's relationship with their partner has broken down and they do not have the legal right to live there but they haven't been asked to leave within 56 days
4.5	The applicant or a member of their household has been awarded Low Medical Priority. Medical banding is based on how and why your current living conditions are not appropriate to your medical needs
4.6	The applicant's existing tenancy is insecure or an assured shorthold tenancy
4.7	<p>The households welfare is being affected by the current accommodation or location, this could include:</p> <ul style="list-style-type: none"> • The applicant has been offered employment (including seasonal work) and wishes to move nearer to the job. • The applicant or family member <u>wishes</u> to move to access education/training that cannot be accessed in their current location. • The applicant <u>wishes</u> to move to provide long term care and support. This could those applying to become foster carers or to adopt and need to move to a larger property. • The applicant is isolated and <u>wishes</u> to move to access services. <p>Each case will be assessed on individual circumstances</p>

12 MEDICAL BANDING

- 12.1 Medical banding is awarded to housing applicants or those to be rehoused with them who can demonstrate that their medical condition (physical or psychological) is currently being adversely affected by their housing situation AND that a change to more appropriate housing would benefit them medically.
- 12.2 An assessment of medical need is made by the Councils after receipt of the completed medical assessment form, evidence of disability benefits and list of medication. Supporting evidence and reports from medical professionals will be taken into account if provided but these are not usually necessary and there might be a charge which the Council will not pay. If the assessment places an applicant into a higher band, then the registration will be re-dated to the date of the assessment. If the assessment does not change the band into which the registration falls, the existing effective date and banding remains unchanged.
- 12.3 There are FOUR recommendations that can be returned;
- High Priority – Registration placed into Band 2
 - Medium Priority – Registration placed into Band 3
 - Low Priority – Registration placed into Band 4; or
 - No Medical Priority.
- 12.4 The Assessor determines medical priority based on the current housing circumstances in relation to the illness or disability of the applicant or household member (who is moving with them) as well as considering measures that could be taken to make the current home more suitable. The assessment will take account of the level of risk of the applicant coming to harm as a result of the property not meeting their needs such as from trips and falls.
- 12.5 The Council assessing the application will consider a request for a further medical assessment if it is satisfied that there has been a significant change in the medical circumstances of the applicant or their household.

- 12.6 Applicants who require a specific type of property such as due to a medical need will normally only be allowed to bid for a property of that type. If applicants consider they can manage a different type of property, their medical assessment will be reviewed. For example an applicant who needs a ground floor property due to a disability who wishes to bid for a first floor property would either not be allowed or would have their medical assessment reviewed.
- 12.7 If an applicant disagrees with the medical band that has been awarded they can request a review of this decision in writing stating why they disagree. A further assessment would then be completed by an independent medical professional for which there may be a charge. This could result in the Councils assessment being confirmed or overturned which may result in the medical award being increased or decreased.

13 RIGHT TO MOVE (social tenants)

- 13.1 The Right to Move regulation enables social housing tenants to move to another authority to take up a job or live closer to employment or training.
- Existing social housing tenants living outside of the Councils' geographical areas may apply to join the housing register in cases where they have a need to move to the area to avoid hardship, and
 - The social housing tenant has a need to move to the district because the tenant works or has been offered work in the district and has a genuine intention to take up the offer.
- 13.2 Anyone wishing to apply under this regulation must provide evidence of employment/training in the area and reasons why they would experience hardship if they were not able to move into the district / borough.
- 13.3 The employment should be long-term – at least 12 months, and should be for at least 16 hours per week. The work must be based in the district / borough, not just requiring the applicant to travel to the area occasionally. Voluntary work is not eligible, however apprenticeships are eligible.
- 13.4 Where an applicant has received an offer of a job, there must be genuine intent to take it up.
- 13.5 Applicants must provide evidence to confirm employment. This may include:
- A contract of employment
 - Wage/salary slips
 - Bank statements
 - Proof of working tax credit
 - A formal offer letter
- 13.6 Verification of on-going employment in the area will be sought at the point of making an application active, and at the point of allocation.

14 HOMELESSNESS

- 14.1 In cases where the Council assessing a homeless application has accepted a main housing duty following on from the "prevention" and "relief" duty, applicants will be placed into Band 1 if they have a local connection or meet an exception as per 8.12. Such applicants are required to make bids on the first suitable property that they are eligible for, from the date that they have been accepted as homeless. The Council will also bid on their behalf for properties which the Council consider meet their needs and they are eligible for. If an applicant refuses a successful bid, the homelessness duty to them will be discharged but a right to a review is available. The application band would also be reassessed.

- 14.2 Where statutorily homeless applicants have a housing related debt they could be placed into temporary accommodation under section 193 of the Housing Act 1996, during this time an affordable repayment agreement will be made with them to repay the debt. This will allow applicant(s) to place bids, however it is unlikely that they will be offered a property unless the debt has been cleared or regular payments have been made to reduce the debt over a period of time determined by the relevant housing provider.
- 14.3 Statutorily homeless applicants will also be considered for an offer of accommodation in the private sector. This could result in the homelessness duty being discharged.
- 14.4 Anyone provided with a temporary tenancy pursuant to a homeless application will be required to update their application and continue to bid on suitable properties.

15 CORPORATE PARENTING RESPONSIBILITY

- 15.1 The Councils have a Corporate Parenting responsibility to any young person who is aged 16 or over who is either a "looked after child" from Lincolnshire, or is a "care leaver" supported by Lincolnshire County Council, up to the age of 25. Band 1 will apply when they are not intentionally homeless and are accessing services, and have been assessed as capable of independent living, even with the support of a Leaving Care Worker. Children's Services would need to make this request and provide appropriate evidence to confirm the young person did not become homeless intentionally.

16 ROUGH SLEEPING

- 16.1 Defined as being street homeless and having access to no accommodation at all. People of 'No Fixed Abode', who are for example staying at various locations on an ad hoc basis, are not regarded as rough sleepers.

17 NO FIXED ABODE

- 17.1 Applicants who claim that they are of no fixed abode have to satisfy the Council to which they are applying that they genuinely have no settled accommodation and are living at various locations for very short periods of time.
- 17.2 In confirming cases where applicants claim that they are of no fixed abode, proof may be sought from each address and/or other agencies with which they are registered.

18 HOUSING RELATED DEBTS

- 18.1 Where an applicant(s) has any current/former rent arrears or other housing related debt they might be accepted onto the housing register and placed in the appropriate band. This would allow applicant(s) to place bids, however, housing providers might still refuse to offer a property whilst the debt is still outstanding. Further information is within section 9.

Applicants who have housing related debt are strongly advised to make arrangements to reduce or clear this to improve their prospects of receiving a housing offer. The Councils Housing Teams, Citizens Advice or other support services will be able to offer advice. Applicants may wish to seek support from the services listed on ["Connect to Support Lincolnshire"](#)

19 FINANCIAL CAPACITY

- 19.1 All households applying to the scheme are assessed for their ability to buy their own home, or adapt their own home to meet their assessed needs. Assets that may be taken into consideration when assessing financial capacity may include but are not limited to savings,

shares, bonds, commercial property, residential property, property abroad and money apportioned through the proceeds of a divorce settlement, inheritance or any form of cash windfall. An allocation will not be made where an applicant(s) owns a property that would be reasonable for them to live in or where, if they sold it, they could afford to buy another property in the area.

19.2 In determining the priority an applicant receives within the scheme, the following are some examples of what will be considered:

- Whether the applicant(s) can sell their current home or any other property that they own
- Whether the applicant has rights to a former matrimonial home
- The expected equity after the proposed sale of the property.
- The applicant(s) current financial circumstances and commitments.
- Whether the applicant(s) will be eligible for a mortgage.
- The supply of accommodation suitable for the applicant(s) specific needs on the private market for either sale or rent.
- Whether the applicant(s) housing need can be met in the private market taking into consideration the cost of housing within the district.
- Whether adaptation of the present property is a viable option.
- Whether significant care and support needs would impact on the ability of the applicant to secure and maintain accommodation.
- For applicants from the Armed Forces who receive a lump sum as compensation for injury or disability sustained on active service, this settlement amount will be disregarded for the purposes of financial capacity.

19.3 An allocation will not be made to an applicant who can obtain and afford a mortgage to buy a property which meets their requirements within the area by using their assets and income.

20 HOUSING SUPPORT

20.1 A range of support services are available throughout the area and are there to help vulnerable people live safely and independently within the community.

20.2 Housing providers might request risk assessments, support plans and other relevant information from relevant agencies before making an offer of a property.

20.3 Housing Providers reserve the right to refuse any bids from applicants for accommodation it deems unsuitable and where in its opinion, support plans are not sufficiently detailed to provide support to the applicant to ensure that their tenancy remains sustainable.

21 CARERS

21.1 Applicants with a disability or other need who require an additional bedroom to accommodate a carer are required to provide satisfactory evidence such as an approved and detailed Care Plan. Such evidence may need to be shared with a Housing provider to confirm the need for the additional bedroom.

21.2 This information is required to evidence that an additional bedroom is needed and also to enable a Housing Provider to assess whether the accommodation will be affordable taking account of the under-occupancy rules.

22 RENT (AGRICULTURE) ACT 1976

22.1 The Rent (Agriculture) Act 1976 and the Housing Act 1988 give certain agriculture workers (including retired workers and successors) living in farm cottages, security of tenure. However, under these Acts a farmer may apply to the appropriate Local Authority to have the

protected worker re-housed if they need the cottage for another worker in the interests of efficient agriculture.

22.2 The authority will consider whether the employee occupied the accommodation as part of their employment in agriculture and worked whole time in agriculture for 91 out of the preceding 104 weeks. The authority will also consider whether the landlord is able to provide alternative suitable accommodation.

22.3 The authority will award band 2 if it considers the requirements of the Acts have been met.

23 DATING OF REGISTRATIONS

23.1 The initial registration date of an application will be the date that the applicant registers their application details online. Where the councils housing register system has changed and customers need to re-register, the original application date will be retained.

Once the application and accompanying evidence has been provided, the banding will be assessed and the application placed within a band in date order.

- **new application**, the banding date will be the date that all requested evidence has been provided
- **change in circumstances which results in a higher band assessment:** the banding date will be the date the applicant provides satisfactory evidence of the change in circumstances.
- **change in circumstance which results in the banding remaining the same:** the banding date will not change
- **change in circumstances which result in a lower band assessment:** the banding date will revert to the original application date.
- **Refusal of three offers:** the banding date will be changed to the date of the last refusal and the application might be placed into a lower band (see 26.26). Applicants will be informed in writing and can request a review of this decision.
- **Cancelled applications** – see section 25.

24 CHANGES IN CIRCUMSTANCES

24.1 All changes in Applicant's circumstances must be updated on the applicant's application through the [website](#) or via the Housing Teams. Changes in circumstances that lead to re-banding will be dealt with in accordance with this policy and the Applicant(s) advised accordingly.

24.2 Applications will be regularly reviewed to ensure the applicant wishes to remain on the housing register and their application is still accurate, eligible and qualifying.

25 SUSPENDED AND CANCELLED APPLICATIONS

25.1 Applicants may be temporarily suspended whilst the Council assess the information provided by the applicant and complete further enquiries that may be necessary such as where there has been a change of circumstance or new information has been provided.

25.2 Applications will be suspended if there is a report of possible fraud or false information until enquiries are completed.

25.3 Applications will not be suspended at the request of the applicant due to not wanting to be considered for accommodation at the current time however applicants can generally choose whether to bid or not bid for properties.

25.4 Applications will usually be cancelled in the following circumstances:

- The applicant hasn't provided the requested information to enable their application to be assessed
- The applicant is no longer a qualifying applicant as per section 8 & 9
- The applicant has been rehoused through the housing register
- A request to cancel the application
- There is no reply from the applicant following reasonable efforts made by the Councils to contact the applicant
- Correspondence has been returned as "gone away"
- Notification has been received that the applicant had deceased

25.5 Applicants can request that their application is re-instated however this must be received within 3 months of the date of cancellation in order to retain the original application date and band effective date.

26 SUPPORTING VULNERABLE APPLICANTS

26.1 Some vulnerable applicants may require help to ensure that they have the same opportunity to access the scheme. If an applicant is determined as vulnerable they may be offered support to access the scheme. In order to ensure that vulnerable applicants can express an interest in a property, the 'auto bid' function can be activated on their application. This means that during each bid cycle an applicant's details are matched to suitable available homes and a bid is automatically placed on their behalf through the system.

26.2 Applicants can also ring the Councils' Housing Teams where an advisor will be able to place a bid on their behalf:

- East Lindsey: 01507 613135
- Boston: 01205 314200

26.3 Referrals for auto bid may come from a number of sources, although most would come from the following (however this is not exclusive);

- Request from support worker or Housing Officer
- Self-referral
- From monitoring applicants who have not bid – where the Council identifies applicants who are not making bids for accommodation

27 THE BIDDING PROCESS

27.1 When the applicant(s) has been accepted onto the scheme, they will then be able to bid for up to 3 properties in each cycle, for which they are eligible. There is no fee for making a bid.

27.2 **ADVERTISEMENTS** – Available properties are advertised in the following ways:

- **Website** – applicants are able to view available properties and apply for properties via the customer portal
- **Telephone** – Applicants can telephone the Housing Teams where an advisor will be able to place a bid on their behalf.

27.3 All available properties will normally be advertised any day Monday to Friday and will run for a minimum of four days. Any bids received after the deadline will not usually be considered.

27.4 Occasionally it is necessary to withdraw a property/properties from an advert. Housing Providers reserve the right to withdraw properties without notice. This may be due to the notice on the property being withdrawn or for other reasons of good Housing Management practice.

27.5 **PROPERTY DESCRIPTIONS** – Properties advertised using the above methods will have (where possible) a photograph of the property and a full description. This normally includes:

- Type of property
- Number of bedrooms
- Location of property
- Any adaptations (e.g. disabled facilities etc.)
- Services provided (e.g. caretaker, cleaning)
- Heating type
- EPC rating
- Rent charged/service charges
- Whether it has a garden
- Amenities in the area
- Details if pets are permitted

27.6 Adverts also give information on who will be eligible to bid for the property including household size. For example if the property is a sheltered housing unit also known as independent living the advert may state that only applicants above a certain age or those with assessed support needs will be eligible to apply. Those properties that have local connection criteria will be appropriately detailed to indicate who is eligible to bid.

27.7 **BIDDING FOR A PROPERTY** – Where an applicant meets the bidding criteria they may bid for that property within the deadline given. Applicants may use any of the following methods to make a bid:

Website:	https://www.oneteamlincs.housingjigsaw.co.uk/
Telephone	Boston: 01205 314200 East Lindsey: 01507 613135
Email:	Boston: Housing.dept@boston.gov.uk East Lindsey: Housing.Register@e-lindsey.gov.uk
Auto Bid:	No action required by the applicant

27.8 **DETERMINING PRIORITIES BETWEEN APPLICANTS WITH A SIMILAR LEVEL OF HOUSING NEED** - Where two or more applicants with similar housing needs (i.e. within the same band) bid for a property, the usual policy of offering the property to the applicant who has been in the band the longest might be overridden in certain circumstances such as:

- Local Connection - applicants with a strong connection to the location of the advertised property (i.e. town or village) might be prioritised over applicants without a local connection. A local connection is usually created through living or working in the location of the property or needing to move near to close family such as mum, dad, brother or sister for support.
- Financial means – rent levels for social housing properties can vary significantly even for identical properties which can result in some properties being less affordable. This might require an applicant with less disposable income to be prioritised over an applicant that has greater financial means.
- Adapted properties – the Councils wish to make best use of the limited supply of adapted homes and might prioritise applicants who best meet the property requirements over an applicant who doesn't require all of the adaptations.

- Bedroom requirements – the Councils wish to make best use of larger family properties and might prioritise applicants who require additional bedroom(s) because they have children that live with them permanently over a household that has children whom they do not live with on a permanent basis.

27.9 **ADAPTED PROPERTIES** – adapted properties will be advertised for rent and these will range from fully wheelchair accessible properties to homes with adaptations such as a ramped access, level access showers or stair-lifts. These properties are prioritised for applicants who evidence they need such adaptations.

Generally, disabled people will not be allowed to bid for a property which is not suitable for their needs but rules might be relaxed if the home can be adapted quickly and not leave the applicant at significant risk of coming to harm.

Where an applicant's existing home has undergone adaptations to meet the needs of the applicant or household Member, any subsequent application made to join the Scheme would have its eligibility restricted to other similarly adapted homes unless there has been a material change in their circumstances.

27.10 **PROPERTIES LET OUTSIDE THE SCHEME** - The majority of available properties will be advertised through the [website](#). However, there are circumstances where a property may be let outside of the scheme through a direct letting. Examples of this are, where:

- Properties that have been advertised through the CBL scheme and there hasn't been any bids/suitable applicants
- a Housing Provider has been requested to help the Council in their duty to accommodate statutorily homeless households
- a Housing Provider has to temporarily decant (move) a tenant whilst major works are carried out at their current property
- a property is required for use as supported accommodation by the Council
- a Housing Provider is carrying out major refurbishment works leading to the demolition of property and a tenant has to be housed in alternative accommodation
- High Level Supported accommodation, such as Extra Care Schemes
- a Housing Provider carries out a Management Transfer
- a request from MARAC or MAPPA in regard to a high risk victim or perpetrator
- For reasons of good Housing Management practice.
- Sensitive lets – see section 25.14

Such properties will usually not be advertised through CBL scheme.

27.11 Housing Providers will make appropriate arrangements for the housing of such tenants into suitable accommodation without their requirement to bid for available properties.

27.12 **Extra Care schemes** are not let through Homes Direct and have separate Housing Registers. These properties are let by a Lettings Panel selecting the most suitable applicant from a list. Further information can be obtained from the Housing Teams.

27.13 **VERIFICATION PROCESS** - Applicants who are being considered for a property will be contacted to verify the details of their application and banding are still accurate. It is advisable for applicants to ensure their application is accurate at all times.

27.14 If the applicant's details are not accurate and further information is required, this could result in the applicant being overlooked for a property if they can't quickly provide the required information. If the banding is incorrect, the Council will review the application to ensure the

applicant is eligible to remain on the housing register, review the banding and decide whether the applicants can still be considered for the property concerned.

- 27.15 Applicants might be required to provide a reference from their current or previous landlord. Those with an unsatisfactory written reference where there has been a serious breach of tenancy will not normally be offered accommodation. Each case is considered individually and applicants will be advised of what is required of them in order to be re-considered for an offer at a future point in time.
- 27.16 **OFFERS OF ACCOMMODATION** – At the close of the bidding process a list will be produced in priority and date order, and where required (on certain properties) highlighting applicants with a local connection. The housing provider will contact the first suitable applicant (taking into account sections 20 Housing Support and 30 Managing Risks) to establish that the property being considered is suitable in meeting the households needs. If not, the applicant might be bypassed.
- 27.17 In making this decision, the housing provider will consider a range of factors including family make-up, financial, health, isolation, safeguarding, support needs, previous tenancy and criminal history and their own lettings policy.
- 27.18 Occasionally, a Housing Provider may wish to carry out a “**sensitive let**” which is where they are trying to achieve community cohesion. This could result in applicants being overlooked for a property.
- 27.19 Once an application has been approved, arrangements will usually be made by the Housing Provider for an accompanied viewing to take place followed by a sign-up which includes the applicant(s) signing the relevant tenancy agreement which might be on the same day.
- 27.20 There is a right of appeal against any decision not to make an offer and this should be detailed in each housing provider’s lettings policy
- 27.21 **RENT IN ADVANCE** will be required by most housing providers and it is recommended that applicants save up in the region of £400 prior to being offered a property.
- 27.22 **TENANCY TYPES** - Housing Providers always make formal offers of accommodation in writing to successful bidders. However, to ensure that homes are let as quickly as possible, verbal offers may be made prior to a written offer. The type of tenancy offered may be a Starter, Assured, or an Assured Shorthold fixed term depending on the circumstances of the let. The type of tenancy to be issued will be confirmed at the point of offer. Housing Providers may also operate two different rent levels; either a social rent or an Affordable Rent (where the rent level is set at 80% of the market rent level for the local housing allowance area).
- Housing Providers will operate their own internal Policies around rent levels and type of tenancy offered.
- 27.23 If the property is refused the next suitable applicant on the list will be contacted until the list is exhausted. At that point the property may be re-advertised.
- 27.24 **WITHDRAWING OFFERS** – There may be occasions where housing providers have cause to withdraw an offer on a property. This may be due to information coming to light about an applicant’s circumstances that affect their entitlement either their level of need, priority or other factors including the out-going tenant withdrawing their notice to quit.
- 27.25 **REFUSALS / NON BIDDING** – If an applicant refuses 3 offers, (unless homeless, see section 14), they will be contacted regarding their housing requirements to ensure they understand the system and to offer support and assistance if required.

- 27.26 An applicant who refuses 3 offers for unsatisfactory reasons will be penalised in the form of having the band effective date changed to the date of last refusal.
- 27.27 All applicants in Band 1 and 2 who have not placed a bid during a 6 month period will be monitored to establish if any suitable properties have been advertised during the period. If eligible properties have been advertised the Applicant may be interviewed to establish why they did not bid, and their Registration will be reassessed.
- 27.28 All other applicants who have not placed a bid during a 12 month period will be contacted asking if they still wish to remain on the register. Applicants who fail to respond will be removed from the register.
- 27.29 **FEEDBACK** – An important part of the Scheme is the need to give applicants feedback on allocated properties. This will help applicants make an informed evaluation of their housing options. Feedback information will be provided through the Councils website.

When making a bid, applicants can see their bid position for each property which will give an indication of their prospects of being successful. Some bid positions will change, in particular for properties which are prioritised for people with a strong local connection. Positions could also change following a check if each applicants circumstances because this could result in a change to their band or eligibility for the advertised property.

28 PROPERTY TYPES AND HOUSEHOLD SIZE

- 28.1 The Policy covers the letting of a range of property types throughout the area. These properties range from bed-sitting rooms to five bedroom houses. See Appendix A for a guide to the size and type of accommodation that you may be eligible for.
- 28.2 Housing Providers always endeavour to make the best possible use of their stock in terms of size and suitability when setting the criteria for eligibility. For example, ground floor flats may be reserved for people with a disability. Housing Providers may also relax the criteria for example where a particular location has few properties of a specific type and size.
- 28.3 Each housing provider will have different rules about when they will consider an expected child in calculating the number of bedrooms required. Most will require a copy of the MATB1 maternity certificate which is usually issued after 20 weeks.
- 28.4 Housing Providers can amend the bid criteria of previously advertised properties to widen the eligibility and enable successful bids to be made.
- 28.5 Housing Providers will generally let in accordance with the social size criteria, introduced by the Welfare Reform Act 2012. (Specific details will be shown on the property advert). The rules allow 1 bedroom for
- Every adult couple (married or unmarried)
 - Any other adults aged 16 or over
 - Any 2 children of the same sex aged under 16*
 - Any 2 children aged under 10*
 - Any other child (other than a foster child or child whose main home is elsewhere)*
 - Children who can't share a bedroom because of a disability or medical condition
 - A carer (or team of carers) providing overnight care

One spare bedroom is allowed for

- An approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement

- A newly approved foster carer for up to 52 weeks from the date of approval if no child is placed with them during that time.

Rooms used by students and members of the armed or reserve forces will not be counted as 'spare' if they're away and intend to return home.

- * If an applicant shares the care of a child with the child's other parent, the child will be treated as living with the parent who provides the child's main home. If the child spends equal amounts of time with both parents, they will be treated as living with the parent who claims Child Benefit for them. This may mean that the applicant won't be allowed a bedroom for the child. The Council have the right to use discretion in some cases when considering bedroom need and the applicant will need to provide evidence showing the amount of overnight stay such as court order or letter from the parent with main residency. The housing provider might be lenient if there is low demand for the type of property requested from applicant who meet the property requirements and the applicant would have to meet the affordability criteria.
- * Unborn babies will be considered on receipt of the MATB1 certificate which is normally issued at about 20 weeks.

28.6 Retirement Living (also known as Independent Living Schemes) are usually prioritised for persons over 55 years of age who want the support of a scheme manager who is regularly on site plus an emergency alarm service. Most schemes will have communal facilities such as a lounge and laundry. There will be an additional charge for these services.

28.7 Adapted properties are prioritised for applicants who need the use of adaptations such as a level floor shower due to a disability. Generally disabled applicants will not be allowed to bid for non-adapted properties but exceptions might be made by the housing provider if there are minimal adapted properties within the applicant's area of choice or the property can be adapted within a reasonable timescale. The applicant would need to be able to evidence to the housing provider's satisfaction that they can get the property adapted to meet their needs. Some housing providers will require the applicant to sign a disclaimer and might not allow the applicant to apply for a transfer for a period of time.

28.8 In cases where social housing properties have 'small' bedrooms (i.e. less than 6.5 m²), housing providers might alter the lettings criteria.

28.9 In some circumstances a second living room in a property may be considered for use as a bedroom providing certain criteria are met.

29 LOCAL LETTINGS POLICIES, PLANNING CONDITIONS AND SECTION 106 AGREEMENTS

29.1 Local Lettings Policies are usually introduced to meet a particular local need and have an overall positive effect on estates. For example, if an estate had a high level of anti-social behaviour, applicants who bid for the advertised property would have a criminal check completed to ensure they were suitable for the property.

29.2 To be considered for a property within a Local Lettings scheme, the applicant would have to meet the criteria listed in the advert. Applicants would usually need to have a local connection to the town or village of the advertised property. Suitable applicants for tenancies will be selected from those who bid for the properties and invited for interview with the Housing Provider, the Council or Police. Selection will be based on the interview, employment, current accommodation and history of applicant.

29.3 When new developments are advertised restrictions may have been set on the development by the Planning Department of the Local Authority, these can be planning conditions with

letting restrictions or Section 106 agreements. These are legal agreements between local authorities and developers, which are linked to a planning permission. For example, the Planning Department may restrict a new development in a village by stating that only people with a local connection to that village can be housed in the available properties meaning local connection could take priority over housing need. In cases where restrictions have been placed on a development properties will be advertised appropriately.

- 29.4 Where there are local connection restrictions relating to a property, these will be detailed on the property advert. They will vary depending upon the Housing Provider and Local Authority restrictions. Any applicant can bid, but in the first instance preference will be given to applicants who have a local connection to the town, village or district as stated in the advert. Applicants will be ordered according to the strength of their local connection, followed by Band and then Band Effective Date.

To be considered as having a local connection to an area one of the following must normally apply:

The applicant must:

- Have been born in the town or village and resided there for the stated period of time
- Currently reside in that town, village for a stated period of time.
- Have previously resided in that town, village or district for a continuous stated period.
- Have permanent employment in that town, village or district for a given number of hours per week for a continuous stated period.
- Need to reside in that town, village or district to give/receive support to/from someone who has resided in the district for a stated period of time.

If none of the above apply, the property will usually be let to the applicant who has been registered within the relevant housing need band the longest.

- 29.5 Applicants must provide evidence of their local connection within 5 days of placing a bid where a S106 is applicable. If this information is not provided, the applicant will be bypassed.
- 29.6 When a property has been advertised with a Section 106 agreement, an applicant's shortlist position may change following local connection verification checks.

30 MANAGING RISKS

- 30.1 The primary aim of Housing Providers is to maintain balanced and stable communities which are safe, thriving and attractive places to live. In working towards this vision, housing providers recognise that all people have a right to a home that is more than just somewhere to live. However, there will always be people who are more difficult to integrate into mainstream housing. To manage risks to individuals and communities, a multi-agency approach must be taken. For example, securing accommodation for a high-risk ex-offender will be done in consultation and with the approval of the appropriate agencies. In order to achieve this there may be occasions when the Applicant(s) who has/have the greatest priority within the scheme may not be offered a particular property. In such cases they will be written to by the housing provider explaining the reasons why.
- 30.2 Where an applicant is subject to MAPP (Multi Agency Public Protection Agency), we will liaise with the MAPP panel to ensure an appropriate housing solution to meet the needs of the applicant and the community as a whole. In such cases, the offer of any accommodation following a successful bid, will be directed and approved by relevant statutory agencies. For any case registered with MAPP and Divisional High Risk Meetings, the Councils are the nominated point of contact and will take the lead on working with registered housing providers in the provision of suitable accommodation.

- 30.3 Where an applicant suffering domestic abuse is the subject of a MARAC (Multi Agency Risk Assessment Conference) housing providers will liaise with the appropriate agencies to ensure any accommodation offered is as suitable in terms of location and security. Where it is possible to identify perpetrators of domestic abuse, consideration of the victim will be given when providing them with accommodation as far as is practicable.
- 30.4 An integral part of managing risks is to ensure that appropriate support networks are in place and are regularly monitored and reviewed.
- 30.5 Any successful bid will be deferred if the relevant agencies have not provided a relevant Care Plan/Risk Assessment to manage the risk.

31 CONFIDENTIALITY AND ACCESS TO INFORMATION

- 31.1 The information given during the registration process includes special category data as defined by Article 9 of the General Data Protection Regulation and will be collected, processed and retained by the strategic alliance workforce for the purpose of administering the Choice Based Lettings Scheme. Applicants have the right to request a copy of the information held about them (there is no fee) alongside other rights which help them to control their data. For the purposes of Data Protection Legislation, East Lindsey District Council and Boston Borough Council are the data controllers in common. Application for this information can be made through the Strategic Alliance Data Protection team.
- 31.2 Applicants have the right to request information regarding any decision about the facts of their case which is likely to be, or has been, taken into account in considering their applications to join the Scheme or assess the banding.
- 31.3 Information that you provide is held securely and only shared with housing providers if you have given us permission to do so or we are legally obliged to share and you are being considered for a property.

Personal information held about applicants will not be disclosed to third parties apart unless the Councils are required by law to make such disclosures

- 31.4 In order to maintain confidentiality, Applicants will be asked a number of 'checking' questions when they contact the Councils by telephone before discussing their application. If Applicants wish another person (friend or family member) who is not a joint applicant to enquire about their application on their behalf, permission will be required from the Applicant beforehand.

32 REQUESTING A REVIEW

- 32.1 Every Applicant has the right to request a review of;
- The band into which they have been placed or
 - Any decisions taken in relation to their Registration
 - The outcome of their support needs assessment e.g. sheltered housing, risk assessment
- 32.2 All requests for a review must;
- Be in writing, addressed to the Housing Manager, East Lindsey District Council & Boston Borough Council, Tedder Hall, Manby Park, LOUTH, Lincs LN11 8UP or via email jason.oxby@e-lindsey.gov.uk
 - Be received within 21 days from the date of the decision letter, from the applicant(s) or their representative, clearly stating the grounds on which the review is being sought and providing any supporting evidence. Verbal representation will be allowed in exceptional circumstances.
 - ELDC will review such requests and provide a written response within 56 days of receipt of the request setting out the reasons for the decision.

32.3 The outcome of a review will always be given in writing.

33 COMPLIMENTS AND COMPLAINTS

33.1 Applicants who wish to provide compliments or register a complaint can do so by contacting the relevant Council. Further details can be found on either website.

<https://www.mybostonuk.com/>

<https://www.e-lindsey.gov.uk/>

34 FURTHER REDRESS

34.1 If applicants are still dissatisfied following making a complaint may seek other forms of external redress, such as the Local Government Ombudsman (www.lgo.org.uk) or through a legal process known as Judicial Review. Both of these forms of redress are primarily concerned with ensuring that correct procedure has been followed rather than the actual decision made, although they will consider whether the scheme policy on which a decision was based is lawful.

35 MONITORING

35.1 In order to ensure that the Housing Allocation Scheme is achieving its Vision and Objectives as well as informing on gaps in service provision and availability of accommodation the Councils will produce an annual report taking into account a range of factors such as:

- The number of non-qualifying applicants
- The number of applicants on the register by band
- The number of lettings per band
- The number of allocations to people:
 - with and without a local connection
 - with reasonable preference
 - with an exception
- The number of allocations to each band
- The number of refusals by applicants or landlords
- The number of complaints about the scheme
- Customer satisfaction & performance against service standards

Glossary of Terms

“Applicant(s)”	A person or persons submitting an application for Registration and those accepted onto the housing register which includes both main and joint applicant
“Application”	An application for Registration submitted on a Registration Form
“Banding Scheme”	How applicants are prioritised in the scheme – the banding may be different for applicants wishing to access housing in Boston and East Lindsey due to local connection criteria

“Bid”	The process of applicants saying which property they would like to live in
“CBL”	Choice Based Lettings
“Household”	People who can be reasonably expected to live with you, e.g. children dependent adults, carers
“Housing Related Debt”	Rechargeable repairs, current or former rent arrears, rent assist or homeless prevention payments
“Policy”	The Choice Based Lettings Policy
“Registered Provider”	Also known as Housing Associations or Social Housing
“Registration”	The method of applying for housing
“Registration Form”	The online form which must be completed to apply for housing
“Repayment Agreement”	An agreement made by the applicant to repay any housing related debt
“Scheme”	The Housing Register - also known Choice Based Lettings Scheme
“Service Standards”	The service standards set out at Section 6
“Stakeholders” scheme	Other agencies/organisation with an interest or involvement with the scheme
“Street Homeless”	Sleeping rough on the streets
“The Councils”	Boston Borough Council and East Lindsey District Council – operating as a Strategic Alliance

Annexe A

Further information and conditions in respect of the Reasonable Preference categories:

Homelessness:

Applicants who are homeless or threatened with homelessness will be referred with consent to an area where they do have a local connection if it is safe for them to move there. Applicants who refuse to be referred could be removed from the housing register.

People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions:

This includes households who live in unsatisfactory housing conditions such as where a category 1 hazard notice or prohibition order has been served; or

The property is overcrowded as per the Housing Act 1985 or Housing Act 2004; or

The property is overcrowded as per the Local Housing Allowance size criteria.

Properties that are suffering from disrepair will not be considered under this heading unless the landlord is refusing to rectify the disrepair and a category 1 hazard awareness notice has been served by the local authority.

Under-occupation of social housing comes under this category.

Other unsatisfactory conditions will be considered on a case by case basis.

Applicants who live outside of the borough / district assessing their application will need to provide evidence from their local housing authority to evidence they meet this category.

People who need to move on medical or welfare grounds (including grounds relating to disability):

The current housing conditions must be having an adverse effect on the welfare or medical condition of the applicant or member of the household meaning they “need” to move rather than they “wish” to move

The conditions must be of a long term nature rather than temporary. Reasonable measures to help overcome the issues must have been exhausted or an appropriate person in a professional capacity considers there to be no suitable measures.

Isolation is considered under this category.

Below is not an exhaustive list but provides some examples of why an applicant needs to move:

- Child/Children with special needs and support is needed to enable normal daily living
- Applicant or child suffering from severe illness and support is needed to enable normal daily living
- Team around Child or similar recommendation
- MARAC recommendation

The following are examples of where an application may be refused because support can be provided in current location:

- Have a partner who is able to offer support
- Have close relatives or friends within a 10 mile radius who are able to offer support
- Other sufficient support networks i.e. public or charitable sectors i.e. housing support, social worker, Home-Start can provide the support
- Financial ability to buy in support i.e. personal budgets or sufficient savings
- Social tenant with reasonable prospects of getting a mutual exchange within a 10 mile radius of support networks

People who need to move to the district to avoid hardship to the applicant or others:

People who have an extenuating need to receive care and support. This will only be considered if the extenuating need is to provide or receive on-going and substantial care which can be evidenced and without doing so exceptional hardship would be caused to the applicant or others.

The applicant must demonstrate:

- That they or the person they are moving near to needs to be cared for and are dependent on the person who will provide the care
- The person in need of support has been assessed as eligible for carers allowance and are in receipt of personal independence payments.
- That other satisfactory arrangements cannot be made
- That the arrangement is ongoing rather than short term

The person residing in the Borough or District of the Council assessing the application must have had permanent residence within the district for a minimum of 2 years. Where this isn't the case the application will be placed into band 4 until the local connection criteria has been met

Annexe B

The following charts provide a guide to the type and size of property that applicants can bid for. Where there is a limited number of properties, applicants are advised to consider other housing options such as private rented and shared ownership. This is because a suitable social home might not become available to be advertised for many years and depend is likely to be high.

Exact details will vary per property and will be dependent upon a range of factors including the size of the bedrooms, the sex and age of the children as well as any disabilities within the household. Some properties are designated for certain age groups.

The approximate numbers of properties are shown in brackets. If you need to know details for a specific area, please contact the Housing Teams.

Social rented properties in the East Lindsey area:

Social rented properties in the Boston Borough:

	Single person	Childless Couple	Single OAP	Couple OAP	1 Child Family	2 Child Family	3 Child Family	4 Child Family	5 Child Family	6 Child Family	7 Child Family
Bedsit/Apartment (30)	1		1								
Retirement Living Bedsit/Apartment (74)	1		1								
Retirement Living 1 Bed Flat (367)	1	1	1	1							
Retirement Living 1 Bed Bungalow (296)			1	1							
Retirement Living 2 Bed Bungalow (177)				1							
Retirement Living 2 Bed Flat (45)				1							
1 Bed Flat (199)	1	1	1	1							
1 Bed House (124)	1	1									
1 Bed Bungalow (196)	1	1	1	1							
2 Bed Flat or Maisonette (779)		1		1	1	1					
2 Bed Bungalow (1493)		1		1	1	1					
2 Bed House (1273)					1	1					
3 Bed Flat or Maisonette (57)						1	1	1			
3 Bed House (2127)						1	1	1			
3 Bed Bungalow (21)						1	1	1			
4 Bed House (130)							1	1	1		
4 Bed Bungalow (1)							1	1	1		
5 Bed House (2)									1	1	1

	Single person	Childless Couple	Single OAP	Couple OAP	1 Child Family	2 Child Family	3 Child Family	4 Child Family	5 Child Family	6 Child Family	7 Child Family
Bedsit/Apartment (46)	1		1								
Retirement Living	1		1								

Bedsit/Apartment (177)											
Retirement Living 1 Bed Flat (141)	1	1	1	1							
Retirement Living 1 Bed Bungalow (52)	1	1	1	1							
Retirement Living 2 Bed Bungalow (36)		1		1							
Retirement Living 2 Bed Flat (45)		1		1							
1 Bed Flat (435)	1	1	1	1							
1 Bed House (144)	1	1									
1 Bed Bungalow (512)	1	1	1	1							
2 Bed Flat or Maisonette (506)		1		1	1	1					
2 Bed Bungalow (885)		1		1	1						
2 Bed House (816)					1	1					
3 Bed Flat or Maisonette (35)						1	1	1			
3 Bed House (1692)						1	1	1			
3 Bed Bungalow (2)						1	1	1			
4 Bed House (61)							1	1	1		
4 Bed Bungalow (0)							1	1	1		
5 Bed House (0)									1	1	1
6 bed house (2)										1	1