

# **Allocations and Lettings Policy 2022**

**Summary of proposed changes  
for consultation**

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# 1 Introduction

This document provides a summary of the proposed changes that Newcastle City Council is proposing to make to our **Allocations and Lettings Policy**. This includes changes to our policy on **Successions, assignments and granting of discretionary tenancies to existing occupants**.

The full criteria for priority banding awards can be found in the Allocations and Lettings Policy

This document will help you understand the changes we are proposing and the reasons why. It will also help you respond to our consultation on the proposed changes.

## 2 Proposed changes to policies and procedures

### 2.1 Maximum income

**Current policy:** You cannot apply to join the housing register if you earn over £50,000 a year.

**Proposed change:** Remove the income limit so the amount you earn will not stop you applying to join the housing register.

**Why we are proposing this change:** The current rule does not consider people's circumstances and what their outgoings might be. For example, you may have high living costs or a lot of people who depend on you. Some applicants may have a high income but not be able to afford to rent privately or buy a house. Removing this rule allows everyone the opportunity to apply for housing that they can afford.

### 2.2 Limit on assets

**Current policy:** If you own assets worth over £100,000 you can only join the housing register in special circumstances. Assets include any property you own such as your house, savings and investments.

**Proposed change:** Remove the £100,000 figure and consider people's individual circumstances. Homeowners would only be allowed to join the register in special circumstances such as if they are unable to afford the housing they need.

**Why we are proposing this change:** This rule can stop older people from applying for housing with care or sheltered accommodation even if they are experiencing difficulties living in their own home. The change will allow us to consider individual circumstances.

### 2.3 Council and housing association tenants

**Current policy:** You can apply to join the housing register on the same day you move into a council or housing association home.

**Proposed change:** Council and housing association tenants would need to live in their home for a year before joining the housing register. This won't apply if you are assessed as needing to move, for example if you need to move for medical reasons.

**Why we are proposing this change:** This rule will help save money. On average it costs the council £2,800 every time a tenant moves house. This reduces the amount of money available for improvements to other houses. We think it is reasonable for tenants who don't have a housing need to live in their property for at least a year before they apply to join the housing register.

## 2.4 People facing financial difficulties

**Current policy:** You can't join the housing register if you have a Debt Relief Order or Bankruptcy Order that includes a housing debt to the council. This includes rent arrears and money owed for damage to property.

**Proposed change:** Remove the above rule and allow people to apply to the housing register if they have a Debt Relief Order or Bankruptcy Order that includes a housing debt owed to the council.

**Why we are proposing this change:** You can only get a Bankruptcy Order or Debt Relief Order if you get professional debt advice to help resolve your financial problems. We think it is reasonable to allow people who are getting professional help and taking steps to address their debts to join the housing register.

## 2.5 Refusing a home

**Current policy:** If you refuse a property this will be considered as part of the review of any priority banding that you have and could result in you losing your priority band.

**Proposed change:** In addition to the current policy, if you refuse three suitable homes you will not be able to bid for properties for 12 months.

**Why we are proposing this change:** Council housing is in high demand. Refusing a suitable property costs the council time and money. It could also mean someone else will need to wait longer before they are offered a home. The rule won't apply if the property you refused is not suitable for your needs. For example, if it has steps that you can't climb.

## 2.6 Good Tenant Status

**Current policy:** Council tenants can achieve 'Good Tenant Status' if they maintain their home to a certain standard and don't breach their tenancy agreement. Tenants who achieve this can be awarded Band B: Urgent Priority if they want to move home.

**Proposed change:** Change the policy so tenants who achieve Good Tenant Status who want to move will be awarded Band C: Moderate Need. The award will be for six months, the same as other Band C applicants.

**Why we are proposing this change:** Changing this rule will let us help people who need to move home really quickly. For example, if you need to move for a medical reason or because you are fleeing domestic abuse.

## 2.7 Requesting a review

**Current policy:** If you appeal a decision, the first stage is for the officer who made the decision to look at it again.

**Proposed change:** When we receive an appeal a more senior office will review the original decision.

**Why we are proposing this change:** Removing the first stage will make the review process shorter and quicker for customers who are waiting for the decision. This proposed change is based on customer feedback.

## 2.8 Reduced priority

**Current policy:** A 'local connection' means you live, work or have family in the city. If you don't have a local connection to Newcastle, you will automatically be awarded Band D: General Needs.

**Proposed change:** People who don't have a local connection to Newcastle will have their housing needs assessed. If they qualify for Bands A, B or C they will be awarded a new 'Reduced Priority' band.

**Why we are proposing this change:** We have reviewed our legal duties to people who have a housing need. We must award some level of priority to applicants with specific housing needs even if they don't have a local connection to Newcastle. The 'Reduced Priority' banding will allow us to meet this legal duty and give a people with a local connection higher priority.

## 2.9 Homelessness

**Current policy:** People who are homeless or threatened with homelessness can be awarded one of four bands. The council's Housing Advice Centre assesses these applicants and awards the band.

**Proposed change:** Introduce a new additional Band B: Urgent award and amend the existing Band C: Medium award. People at risk of homelessness would be awarded Band B: Urgent earlier.

**Why we are proposing this change:** These changes will make how we meet our legal obligations, as set out in the Homelessness Reduction Act 2017, clearer and improve the way applicants are re-housed. This will reduce the risk of people in crisis needing to be housed in emergency accommodation.

## **2.10 Successions, assignments and discretionary tenancies**

**Current policy:** Spouses, civil partners, cohabitees and certain family members can inherit a council tenancy in certain circumstances. This is called succession. This applies to children under 16 and people who would not normally be able to join the housing register due to their behaviour. This can lead to complex legal issues.

**Proposed change:** For tenancies that started after 1 April 2012 only spouses, civil partners and cohabitees will have an automatic right to succeed. Other family members can benefit from a 'Discretionary Tenancy' if they meet certain conditions. Succession rights for tenancies that began before 1 April 2012 won't change.

**Why we are proposing this change:** Major legislative changes to succession were introduced in the Localism Act 2011 which need to be considered in our Successions Policy which has not been updated since 2010. The proposed changes will prevent the complex legal issue that can arise if a child under 16 inherits a tenancy. We will also be able to consider the behaviour of family members, in the same way as any other applicant for social housing, before awarding them a tenancy. The majority of family members will still be awarded a tenancy and allowed to remain in their home.

### 3 Proposed changes to Priority Banding Awards

#### 3.1 Priority Band A criteria

Current Band A: Immediate and exceptional need or at risk of harm	Proposed Band A – Critical and immediate need with a local connection	Proposed change
Emergency rehousing is required for medical reasons.	<b>A1.</b> You have a critical medical need and need to move to alternative accommodation.	No change.
You are at risk of immediate and serious harm.	<p><b>A2.</b> You have been assessed as being at risk of immediate and serious harm due to domestic violence or abuse unless rehoused.</p> <p><b>A3.</b> You have been assessed as being at risk of immediate and serious harm due to violence or threats of violence unless rehoused.</p>	Replace existing 'immediate and serious harm' category with two new criteria to make awards clearer.
Approved homeless cases in temporary accommodation where there is an urgent need to free up accommodation.	<p><b>A4.</b> You are homeless, living in temporary accommodation arranged by Newcastle City Council, are owed one of the statutory duties under the homelessness legislation and there is an urgent need to:</p> <ul style="list-style-type: none"> <li>• free up the temporary accommodation, or</li> <li>• move you.</li> </ul>	No change.

Your home is made uninhabitable due to fire, flood or other such emergency.	<b>A5.</b> Your home has been made uninhabitable due to fire, flood or other such emergency.	No Change
	<b>A6.</b> Housing you would enable better us to be made of social housing that is in urgent demand.	<b>New criteria:</b> This award is in addition to the award in Band B and will help us manage properties that are in high demand, for example four bed houses or properties that have been adapted. It will only be used where there is an urgent and immediate demand for property and where there is a suitable applicant on the housing register.

### 3.2 Priority Band B criteria

Current Band B: Urgent need	Proposed Band B – Urgent need with a local connection	Proposed change
You have a severe disability or health ground.	<b>B1.</b> You need to move as your current housing is having a severe impact on your health and wellbeing.	No change
You are experiencing domestic violence or abuse including controlling, coercive or threatening behaviour.	<b>B2.</b> You are experiencing domestic violence or abuse including controlling, coercive or threatening behaviour.	No change
	<b>B3.</b> You are a victim of domestic abuse who is currently being provided with temporary protection in a refuge, or other form of temporary accommodation	<b>New criteria:</b> This will create a specific award for victims of domestic abuse who are ready to move on from refuges.



	and you need to move to suitable settled accommodation.	
You are experiencing harassment amounting to violence or threats of violence.	<b>B4.</b> You are experiencing harassment amounting to violence or threats of violence.	No change
You are homeless and the council has a legal duty to house you.	<b>B5.</b> You are homeless and owed the main housing duty under s.193(2) of the Housing Act 1996.	No change
	<b>B6.</b> You are threatened with homelessness and are owed a duty by Newcastle City Council under s.195(2) of the Housing Act 1996 (the 'prevention duty') AND the Council has established that you are unable to remain in your current accommodation.	<b>New criteria:</b> This award aims to reduce the risk of people being made homeless and having to be housed in emergency accommodation.
You are occupying housing that is unsatisfactory because it is insanitary or statutorily overcrowded.	<b>B7.</b> You are occupying housing that is considered to be insanitary. <b>B8.</b> You are occupying accommodation that is overcrowded in accordance with legislation. <b>B9.</b> You are living in unsatisfactory housing conditions.	Replace 'unsatisfactory housing' criteria with three new categories to make awards clearer.
	<b>B10.</b> You are residing in supported accommodation and have secured employment and need to move as continuing to reside in supported	<b>New criteria:</b> If you live in supported housing your rent includes the cost of the support provided. It is usually higher than other rents. If you get a job your benefits

	accommodation will cause you serious financial hardship.	can reduce or stop making it difficult to pay your rent.  This award will reduce the risk of eviction for people living in supporting housing who get a job.
You have welfare needs because you require significant ongoing care and support.	<b>B11.</b> You need to move to provide or receive some care and support.	No change
	<b>B12.</b> You are a young person (age 18 – 25 years) who has an urgent need to move and is being supported by the Young People’s Support and Progression Team.	<b>New criteria:</b> This award will help young people to move more quickly when there is an urgent need.
You are a foster carer who may or may not have a child living with you at the moment but need to move to be able/continue to foster or you have child protection issues which necessitate an urgent need for housing i.e. failure to find a housing solution would result in the child being cared for by the council (your case will need to be supported by Social Services).	<b>B13.</b> You need to move in order to support Newcastle City Council’s Corporate Parenting responsibilities.	Amended to include additional people who support the Council in their Corporate Parenting Responsibilities to children. For example adopters, Connected carers and people who provide Support Lodgings for young people.
Your household is forced to live apart.	<b>B14.</b> Your household is forced to live apart.	<b>Band change:</b> The priority of this award will increase from Band C to Band B. Reuniting households sooner will reduce negative impact on families.

<p>You are a serving or former member of the armed forces or reserve forces who has an urgent need to move because of a serious injury, medical condition or disability as a result of your service.</p> <p>You are a serving or former member of the armed forces or reserve forces who has an urgent need to move.</p> <p>You are a bereaved spouse or civil partner of a member of the armed forces leaving family accommodation following the death of your spouse or civil partner.</p>	<p><b>B15.</b> You need to be re-housed following your discharge from the Armed Forces or a relationship breakdown with a serving member of the Armed Forces.</p>	<p><b>New criteria:</b> This award replaces three previous categories. It will help members of the armed forces and their families who need a new home when they are discharged, after a bereavement or if a relationship breaks down.</p> <p>This award will work alongside the new 'Additional preferences and the Armed Forces' section of the policy. Applicants will still receive the same level of priority but it will be easier to understand.</p>
<p>Housing you would enable better use to be made of social housing.</p>	<p><b>B16.</b> Housing you would enable better use to be made of social housing.</p>	<p>No change</p>
<p>Your home is subject to major building work or will be demolished as part of a regeneration scheme.</p>	<p><b>B17.</b> Your home is within the Newcastle City area – it is part of a regeneration scheme and is to be demolished or is subject to major building work.</p>	<p>No change</p>
<p>You would suffer hardship if you could not move to a particular area.</p>		<p>Criteria deleted. People who qualify for this award will be awarded Band C.</p>

### 3.3 Priority Band C criteria

<b>Current Band C: Medium need</b>	<b>Proposed Band C – Moderate need with a local connection</b>	<b>Proposed change</b>
You have a disability or health condition, and your current home is having some impact on this.	<b>C1.</b> Your current home is having some impact on an existing medical condition or disability.	No change
<p>You have been accepted as homeless but are not priority under the legislation.</p> <p>You have been accepted by the council as homeless and priority, but you have been found to be intentionally homeless.</p>	<b>C2.</b> You are homeless or threatened with homelessness, excluding those given greater priority under bands A4, B5 and B6 above.	<b>New criteria:</b> Replace two current categories for homelessness with one new award that will help us to meet our legal requirements.
You are overcrowded.	<b>C3.</b> You are overcrowded.	No change
You are a young person leaving care.	<b>C4.</b> You are a young person who is being supported by YHN's Young People's Support and Progression Team and are ready to move into your own accommodation.	Criteria amended to include all young people who are working with YHN's Young People's Support and Progression Team.
You need to move on from supported accommodation to help maintain a pathway to independence.	<b>C5.</b> You are residing in supported accommodation and are ready to move into your own accommodation.	No change
You have a welfare need because you provide or receive some care and support.	<b>C6.</b> You need to provide or receive some care and support.	No change
You need to move for employment, education or training reasons.	<b>C7.</b> You need to move for employment, employment related training or education reasons.	No change

<p>You are suffering financial hardship and cannot meet the cost of providing your home.</p>	<p><b>C8.</b> You are suffering financial hardship and are at risk of becoming homeless.</p>	<p>No change</p>
<p>You need to move due to a relationship breakdown.</p>	<p><b>C9.</b> You need to move due to a relationship breakdown.</p>	<p>No change</p>
<p>You share facilities with another household.</p>	<p><b>C10.</b> You need to move as you share facilities with people who are not members of your household.</p> <p>You need to move as you share facilities, such as a kitchen or bathroom, with people who are not members of your household and you either:</p> <ul style="list-style-type: none"> <li>• have dependent children residing with you or are pregnant.</li> <li>• have regular access to your children.</li> </ul> <p>You will need to provide evidence of any access that you have to your children.</p>	<p>It is proposed that this award is amended and only awarded to people when sharing is not a suitable housing option.</p>
<p>You are a council tenant who has good tenant status.</p>	<p><b>C11.</b> You are a Newcastle City Council tenant who has received Good Tenant Status.</p>	<p>The award for Good Tenant Status will change from Band B: Urgent to Band C: Moderate. For more information see section 2.6</p>
<p>You live in housing that is linked to your job and you have retired or been made redundant, and your property is required for the new employee.</p>	<p><b>C12.</b> You need to leave your current housing which is tied to your employment.</p>	<p>No change</p>

You lack basic facilities, or your home is in serious disrepair.		Deleted as criteria included in Band B7 and B9.

### **3.4 Band D: Reduced priority**

This proposed Band would be in addition to the current four bands. People will be awarded this band if they are assessed as meeting the requirements for Bands A, B or C but have a reduced priority as they don't have a local connection to Newcastle. You can find more information on this proposal in section 2.8.

### **3.5 General housing need**

This band will replace current Band D. People who do not qualify for Bands A to D will be awarded this band.