



Housing Allocation Policy

**A guide to the banding
scheme**

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Section 1 Introduction

We receive a lot of applications each year from people wanting re-housing in the West Lancashire area. Because it is not possible to house all of them, we must have a way of deciding who to allocate properties to.

To help us make that decision, we use a banding system.

Section 2 Questions we are often asked

What is the banding scheme and how does it work?

We use a banding system instead of awarding points. There are four bands, A, B, C and D. Each is made up of a set of conditions. If your circumstances meet at least one of a band's conditions, that is the band we will put your application in.

The scheme is designed to be as fair as possible and to make sure we take into account all your circumstances. The information you provide on your application form will help us assess your housing need and decide which band to put your application into.

What happens if I meet more than one condition in the same band?

If your circumstances meet more than one of the conditions in the same band, your application will stay in that band.

The exception to this is if you meet two or more of the conditions for band B. If this happens, we will consider you to have multiple housing need and we will put your application in band A.

What happens if I meet the conditions in more than one band?

If your circumstances meet the condition for more than one band, we will put your application in the highest of these bands.

For example, if your circumstances meet the conditions in band C and band D we will put your application in band C.

How will I know what position I will be in on the register?

We sort the register in band order, band A is the highest and band D is the lowest. We then sort the bands in date order using the date we put people in each band.

The register is a guide to how long you will wait to be housed and your position on the list can change.

What happens if my circumstances change before you offer me a home?

You must tell us of any changes in your circumstances. We will then assess your application bearing in mind the changes and review the band we have placed you in.

If your circumstances become worse through no fault of your own and you now meet the conditions of a higher band, we will put your application in that band. Your position within the band will depend on the date the band was awarded.

If your new circumstances mean you would qualify to go in a higher band, but you have deliberately worsened your housing conditions in order to get into a higher band, your application will stay in its original band.

You could be prosecuted if you give false or misleading details on your application. If we give you a tenancy but then find out you gave false information, we will take action to make you leave your home.

Section 3 What are the conditions for each band?

Band A

- You are unintentionally homeless and in priority need because you are moving to escape violence or harassment
- You do not wish to present as homeless but are in urgent need of a move due to being a victim of violence or harassment
- Your current home is severely overcrowded
- You need to move because of an urgent medical condition
- Your current home is unsafe for living in
- You are the victim of anti-social behaviour
- You have been left in occupation of a West Lancashire Borough Council tenancy
- You are under occupying a West Lancashire Borough Council tenancy
- You have multiple needs

Band B

- You are unintentionally homeless and in priority need for reasons other than moving to escape violence
- Your current home is overcrowded
- You are living in unsatisfactory housing conditions
- You need to move because of a medical condition
- You need to move closer to your family to give or receive support
- You need to move for hardship, employment or financial reasons
- You are a young person leaving care
- You are being assisted through homeless prevention

Band C

- You are currently staying with family or friends
- You are living in a mobile home on a non-residential site
- You are privately renting and have a tenancy of 12-months or less
- You have been assessed as intentionally homeless
- You have been assessed as homeless without a priority need
- You were originally awarded band A or B but have refused three properties
- You were originally awarded band A or B but you have stated you are not ready to move
- You have been assessed as homeless and refused an offer of accommodation

Band D

- You would qualify for a higher band but have the financial resources to solve your own housing need
- You own a mobile home on a residential site
- You want accommodation but don't have a housing need
- You are a secure council or housing association tenant with no other housing need
- You are privately renting and have a tenancy of longer than 12-months
- You have had reduced priority awarded to your application
- You gave up a secure property within the 12-months before your application without a good reason for doing so

These details are explained in more detail in section four.

Section 4 What the conditions mean

Band A

You are unintentionally homeless and in priority need because you are moving to escape violence or harassment

This includes the following:

- Victims of violence
- Victims of racial harassment amounting to violence or threats of violence
- Victims of sexual harassment amounting to violence or threats of violence
- Witnesses or victims of crime who would be at risk of intimidation amounting to violence or threats of violence
- West Lancashire Borough Council tenants who would be at risk due to any of the above unless moved

Before band A can be awarded, a homeless officer must have assessed your application and accepted you as being unintentionally homeless and in priority need due to violence.

You do not wish to present as homeless but are in urgent need of a move due to being a victim of violence or harassment

This includes racial harassment, sexual harassment, witness intimidation as well as violence or threats of violence.

Applicants should provide as much supporting information as possible in support of their case.

This level of priority can only be awarded by the Service Manager (Voids & Allocations).

Your current home is severely overcrowded

If you need an extra two or more bedrooms because of the size of your family, we may put you in band A. The new Bedroom Standard will be used to work out how many bedrooms you need.

The following table shows how we work out how many bedrooms you need.

Married or cohabiting couples (including same sex couples)	One bedroom
Adults aged 21 years or more	A bedroom each
A pair of same sex children aged between 10 & 20 years	One bedroom
A pair of children where both are aged under 10 regardless of sex	One bedroom
Any unpaired person aged 10-20 years will be paired if possible with a child under 10 of the same sex. Where this is not possible separate bedrooms will be allocated.	

You need to move because of an urgent medical condition

If your current home is unsuitable for you or a member of your household because of a medical condition, there is a significant risk of physical or mental injury if you are not re-housed and you are asking to move to a more suitable property type, your application may be placed in band A.

You will need to ask a health professional such as your GP, health visitor or consultant to provide proof of the condition and why your current home presents a risk to you. Once this has been received, a housing options advisor will visit your home to assess it.

The housing options advisor will not assess your medical condition as they are not medically qualified.

The housing options advisor will write a report about your property, for example, whether it has stairs and how steep they are and so on. This report will be taken along with the proof of your medical condition to the Council's medical panel. The panel will decide which band to put your application in.

Your current home is unsafe for living in

Your application may be put in band A if the Council's Private Sector Housing Team has assessed your home as unfit and it is subject to a closing order, demolition order, clearance order or compulsory purchase order.

Band A can also be awarded to West Lancashire Borough Council tenants who need to be moved due to major repairs or improvements being required.

If the repair issues are resolved before you are re-housed, your application will be reviewed to see if the band A award is still appropriate. If not, the banding will be changed to the most appropriate band based on your circumstances.

You are the victim of anti-social behaviour

If you are the victim of anti-social behaviour you may be awarded band A priority.

If you rent your home from West Lancashire Borough Council, you will be expected to report the problems to the Estate Management Team and a report will be required from the Multi-Agency Problem Solving Team stating that all procedures have been exhausted and a move is recommended for your safety.

If you are the tenant of another Council or housing association, your landlord will be required to confirm in writing what action they have taken to resolve the problems and why they are unable to offer alternative accommodation.

If you are a private tenant or a home-owner, you must provide evidence of the anti-social behaviour. This can be Police reports, crime reference numbers or letters from victim support.

You have been left in occupation of a West Lancashire Borough Council tenancy

If you have been living with a West Lancashire Borough Council tenant and they have died or permanently moved into residential care, we may put your application in band A.

You must have lived at the address as your main home for at least 12-months prior to the tenants death or move into residential care and be unable to succeed to the tenancy.

You are under occupying a West Lancashire Borough Council tenancy

If you rent your home from West Lancashire Borough Council and you have more bedrooms than you need, we may put your application in band A. You must also be asking to move to a smaller property. If you were originally allocated a property larger than your needs, you may not be awarded this priority unless there is a demand for the size and type of accommodation you are living in.

You have multiple needs

If you meet two or more of the conditions for band B, your application will be placed in band A as you will have multiple need.

Band B

You are unintentionally homeless and in priority need for reasons other than moving to escape violence

If you are unintentionally homeless, you will be in priority need if you:

- are pregnant;
- have dependent children;
- are vulnerable due to old age, mental illness or a physical disability;
- are homeless because of an emergency such as fire or flood;
- are under 21 and have previously been in care;
- are over 21 and vulnerable because you have been in care;
- are vulnerable because you were a member of the armed forces;
- are vulnerable because you have been in prison.

Before we can put you in this band, a homeless officer must have assessed your application and accepted you as being unintentionally homeless and in priority need.

Your current home is overcrowded

If the size of your household means that you need an extra bedroom, we may place you in band B.

Before we can accept that your home is overcrowded, a housing options advisor will visit you to assess the size of your home.

If you live outside the West Lancashire area, we may need to see proof of the size of your home and proof that the people you list on your application are permanently living with you.

The government's bedroom standard will be used to work out how many bedrooms you need. The table on page 6 explains how this works.

You are living in unsatisfactory housing conditions

If one or more of the following applies to you, you may be awarded band B:

- Your home does not have a suitable kitchen, bathroom or toilet;
- You share a kitchen, bathroom or toilet with other unrelated households;
- You do not have a hot or cold water supply;
- You have children under 14 and your home has significant or excessive damp;
- Your landlord has been served with a repair notice by the Council's Private Sector Housing Team.

If the condition of the property improves before you are re-housed, your application will be re-assessed and placed in the most appropriate band based on your circumstances.

You need to move because of a medical condition

We may put you in band B if you or a member of your family has a serious medical condition which makes your current home unsuitable. You will be asked to provide proof of your condition from a health professional such as your GP, health visitor or consultant.

Once this has been received, a housing options advisor will visit your home to assess it. The housing options advisor will write a report about your property, for example, whether it has stairs and how steep they are and so on. This report will be taken along with the proof of your medical condition to the Council's medical panel. The panel will decide which band to put your application in.

You need to move closer to your family to give or receive support

If you need to move closer to family or friends to give or receive support because of a medical condition, we may put you in band B.

You will need to provide proof of the medical condition and letters from the family members or friends you are asking to move nearer to. These letters should say how they will be giving or receiving the support.

You will also need to be moving into West Lancashire from another area or if you already live in West Lancashire, not be living at least three miles away from the person who will be giving or receiving the care.

You need to move for hardship, employment or financial reasons

Hardship

You must be able to show that you need to move to an area to avoid hardship for example access to medical treatment or services which are not available unless you moved to that area.

Employment

You must be able to show that you cannot take up or retain employment or training unless you moved to the area requested. A letter from your employer or training establishment would be accepted as proof.

Financial

If you can no longer afford your home because of an unexpected change in your circumstances, a financial assessment will be carried out. You will be asked to provide proof of all your income and outgoings (rent, gas, electricity and so on). Personal debt including personal loans and catalogue repayments are not included.

If you knew that you would struggle to afford your home before you moved in or you have taken on too much personal debt, we will not accept you as being in financial need.

You are a young person leaving care

If you are currently in the care of social services and you will soon be old enough to leave care, we may put you in band B. We will work with you and social services before you leave your current home so we can work out the most suitable type of accommodation for you. This should be done as part of your pathway plan.

If you leave the care of social services without being asked to, we can consider you to be intentionally homeless. This is because you have left accommodation that was available to you.

You can also be awarded band B priority if you are leaving the West Lancashire Crisis Centre after a period of supported living.

You are being assisted through homeless prevention

If you are likely to become homeless and being assisted in trying to prevent this from happening by the Homelessness Advice & Prevention team, we may put your application in band B.

This level of priority can only be awarded by a homeless officer.

Band C

You are currently staying with family or friends

If you do not own or rent your own home and you live with family or friends, we may put your application in band C.

You are living in a mobile home on a non-residential site

If you live in a mobile home on a non-residential site, we may place you in band C. We will take into account how long you have lived there and whether you had secure accommodation before you moved.

You are privately renting and have a tenancy of 12-months or less

If you are privately renting and have an assured shorthold tenancy of 12-months or less, you may be placed in band C unless you gave up secure accommodation to move into private rented accommodation.

You have been assessed as intentionally homeless

If a homeless officer has assessed you as being intentionally homeless we may put your application in band C.

You have been assessed as homeless without a priority need

If a homeless officer has assessed you as being homeless but not in priority need, we may put you in band C.

You were originally awarded band A or B but have refused three properties

If your application was originally awarded band A or B priority but you have refused three suitable offers of accommodation, we may place your application in band C.

You were originally awarded band A or B but you have stated you are not ready to move

If your application was originally awarded band A or B but you have stated you are not ready to move but wish to remain on the housing register, we may put your application in band C.

You have been assessed as homeless and refused an offer of accommodation

If a homeless officer has assessed you as being unintentionally homeless and in priority need and you have refused an offer of accommodation, we may place your application in band C.

Band D

You would qualify for a higher band but have the financial resources to solve your own housing need

If you would normally qualify for a higher band but have the financial resources to solve your own housing need by purchasing a more suitable home, renting in the private sector or having your home adapted for your needs, your application will be placed in band D.

You own a mobile home on a residential site

If you live on a residential site and have no other housing need, your application will be placed in band D.

You want accommodation but don't have a housing need

If you wish to apply for accommodation but do not meet any of the conditions in bands A to C, your application will be placed in band D.

You are a secure council or housing association tenant with no other housing need

If you are a Council or housing association tenant and do not meet any of the conditions in bands A to C, your application will be placed in band D.

You are privately renting and have a tenancy of longer than 12-months

If you are privately renting and have an assured shorthold tenancy of more than 12-months, your application will be placed in band D unless you meet the conditions of a higher band.

You have had reduced priority awarded to your application

If your application would normally be placed in band A, B or C but you have been assessed as being unsuitable to be a tenant, your application will be placed in band D. This includes people who have rent arrears or recharges over £100.

You gave up a secure property within the 12-months before your application without a good reason for doing so

If you gave up a secure property within the 12-months before your application without good reason for doing so, your application will be placed in band D.

Section 5 Appeals

Do I have the right of appeal?

Yes. You have the right to appeal against any decision we make regarding your housing application. You can appeal against not being accepted onto the register, the band we have put you in and so on.

How do I appeal?

If you want to appeal against a decision we have made about your application, you must **write** to the Service Manager (Voids & Allocations) within 21 days of receiving the decision.

Your letter should explain why you think our decision is unfair and against Council policy and you should include any evidence you have to support your appeal.

Within 10 working days, the Service Manager (Voids & Allocations) will reply to your letter to confirm it has been received. You will then have 20 working days to send us any more supporting information.

If you do not want to provide anymore supporting information, you can write to the Service Manager (Voids & Allocations) and ask for the review to start immediately.

A final decision will be issued within 8 weeks from the date the request for appeal is received.

Can I appeal if I am unhappy with the decision on appeal?

There is no further right of appeal if you are unhappy with the decision. Any further appeal would be to the courts using a procedure called Judicial Review. If you wish to apply for Judicial Review, you will need the help of a solicitor or specialist housing advice service.

Section 6 Useful addresses

West Lancashire Borough Council Customer Contact Point (Ormskirk)

52 Derby Street
Ormskirk
West Lancashire
L39 2DF

West Lancashire Borough Council Customer Contact Point (Skelmersdale)

Unit 142 First Floor The Concourse
Skelmersdale
WN8 6LJ

Section 7 Contact us

Housing Options Team

Housing application enquiries

Voids & Allocations Team

Letting Council properties across the district

Homelessness Advice & Prevention Team

Enquiries relating to homelessness, homeless prevention and landlord and tenant issues (private sector).

For telephone enquiries, please contact Customer Services and ask for the relevant team.

Telephone: 01695 577 177