

## Appendix TKP1.4

---

Council's FOI response 7 August 2025

If the applicant refuses a suitable offer of accommodation, their emergency priority will be withdrawn. Their application will be assessed in accordance with the normal procedure and they will be entitled to free choice. Applicants who were awarded emergency priority on medical grounds will have their priority reduced to an urgent level.

### **Statutorily homeless households**

In accordance with its powers and its duties to homeless applicants, under Part VII of the Housing Act 1996, the Council is able to provide accommodation in its own stock or that of a Registered Housing Provider in a number of situations. These include:

- **Section 195(2)** - The power to provide accommodation to prevent homelessness where a household is considered to be threatened with homelessness within 56 days.
- **Section 189B(2)** - During the period that the Council owes the applicant a relief duty, the power to provide accommodation to relieve an applicant's homelessness
- **Section 193(2)** - Following expiry of the relief duty, the duty to provide accommodation where an applicant is considered to be unintentionally homeless and in priority need, This is usually referred to as the 'main housing duty'.

Such arrangements are outside the scope of the Allocation Scheme and properties provided on this basis are usually only available for a maximum term of 2 years.

In line with good practice, the Council wishes to give homeless applicants as much choice as possible about where they live. However, if applicants were able to remain in this temporary accommodation until their ideal property was available this would lead to problems with the supply of temporary accommodation for other homeless people.

Households that have been placed in temporary accommodation by the Council will therefore be allowed to freely choose their preferred landlord, property type and area for a period of 6 months only. If the applicant has not made a successful bid during this period, they may then be made a suitable offer by the Council of a vacant property anywhere within the District.

## **10. Allocation Procedure**

All vacancies that are available to the Council in the circumstances described in Section 3.1 earlier will be allocated from the Housing Register in accordance with the procedures in this section.

### **10.1 Standard Selection Process**

- Details of vacant properties available for allocation will be advertised weekly on the Home Choice website.
- Applicants on the Housing Register are invited to express an interest in, or bid for, the properties advertised. The Council may make bids at an applicant's request or, for households with restricted choice, where it considers it appropriate to do so.
- Each bidding round will commence on Friday at midnight and close on Wednesday at one minute to midnight in every week of the year. Exceptions may be made for Bank Holidays.
- Following the close of the bidding round, the eligible bids for each property will be prioritised in band and date order and a shortlist of applicants to be considered for the offer of the tenancy will be created.

- Properties will be offered to qualifying applicants in band order, starting with Band A. If there are no households in Band A that match against the vacant property, then the process of allocation will move on to Band B and so on in order through the bands.
- The property will be offered first to the eligible applicant with the highest priority, and if refused, to the applicant with the next highest priority and so on until the offer is accepted.
- If more than one household within a band matches against the property, priority will be determined in date order from the date of registration on the list, with the earliest application having the highest priority.
- If an applicant moves up a band or a property size category their effective application date will be the mid-point between their date of application and the date that they moved into that band. This date will be referred to as the priority date; for example, an applicant who was registered in Band C for one year and now qualifies for Band B, will have a priority date of six months before the date that they were eligible for Band B. The earliest priority date that an applicant can qualify for will not be more than one year before they became eligible for the higher band or property size category. This ensures that applicants gaining a higher level of priority do not automatically overtake all applicants who have had that higher level of priority for longer. Where an applicant subsequently moves up a band or a property size category again their new priority date will be the mid-point between their previous priority date and the date that they moved into that band.
- If an applicant moves down a band or a property size category their effective application date will be the date that applied when they were previously in that band or any earlier date when they were in a higher band.
- Eligibility for different sized properties is determined according to the Council's matching criteria shown in Section 10.6 later.
- Not all applicants are eligible for certain types of properties. Specific eligibility criteria that apply to these properties are shown in Section 10.5.

## 10.2 Affordability Assessment

Recent welfare reforms have had a significant effect on the ability of some non-working households, particularly larger households, to afford reasonable rents in the private sector and, to a lesser extent, housing association properties let at affordable rents.

Key amongst these reforms has been the reduction in the overall benefit cap, outside London, for non-working households, to £20,000 a year.

Where a household's total benefit income (including their Housing Benefit or housing element of Universal Credit) exceeds the total cap, the actual benefits they receive will be reduced to the level of the cap. Where a household is in receipt of Housing Benefit or the housing element of UC, this is the first benefit that will be reduced.

In order for an applicant to be allocated a particular property, the Council will need to be satisfied that the specific rent for the property is affordable for the individual household. The household's ability to pay the rent from their available income will be assessed. In determining available income, consideration will be given to any benefits that the household is in receipt of, including their entitlement to Housing Benefit or the housing element of UC. For any income to be taken into account, the applicant must be able to demonstrate that this income will be received on an ongoing basis.

Determinations of affordability will, primarily, be based on an assessment of the household's eligibility for Housing Benefit, under existing regulations.

A household that is not eligible for Housing Benefit or the housing element of UC will need to have an income that (in accordance with the benefit regulations) is sufficient so that they would not be eligible for Housing Benefit even if the full rent for the property were eligible for Housing Benefit.



Where an applicant is unable to meet the rent for the property without assistance from Housing Benefit, the property will not be considered affordable where the shortfall between the rent due for the property and the rent that the applicant is eligible to receive Housing Benefit for exceeds £5 per week. In order to be allocated the property, the household will need to demonstrate that their ability to meet the rent is sustainable for the foreseeable future.

### **10.3 Exceptions to the standard selection process**

**10.3.1** In certain circumstances it may not be appropriate to offer a property to the applicant with the highest priority. Examples of such situations are where:

- The applicant does not yet have sufficient support to live independently.
- The applicant is not suited to, or is not eligible for, the vacant property (see 10.5 below under sheltered housing, age-restricted housing, supported housing and key worker housing).
- Allocation is likely to result in serious estate management difficulties.
- A mix of applicants is needed to establish a balanced community e.g. - supported housing where a mix of people with different levels of support needs is required.
- The vacancy is subject to a local allocation policy (see Section 10.7).
- The applicant has pets and the property is not suitable for certain pets or pets are not permitted.
- On further investigation, the applicant is found to be ineligible for an allocation of accommodation under Section 4.1 or 4.2 of this scheme.
- On further investigation, the applicant is found to be liable for reduced preference in accordance with Sections 6.1 – 6.4 of this scheme.
- The applicant has been awarded medical or welfare priority for the allocation of particular type/ types of accommodation and the property is not one of these. Furthermore, the applicant would not otherwise have sufficient priority to be allocated the property.
- The applicant has failed to respond to in a timely manner to reasonable attempts by the Council to contact them regarding verification of their application as described in section 8.5 of this scheme
- To do so would conflict with the Council's objectives to make the best use of its stock and to address housing need. For example, where an applicant is at the top of the list for more than one property, the Council may consider it appropriate to offer the property which best enable it to meet these objectives, taking into account the needs of other households. This provision particularly applies to applicants with restricted choice.

Allocations made under one of the above exceptions must be approved by the Housing Allocations Manager and the reasons recorded.

**10.3.2** Nominations to Housing Association vacancies will generally be made in accordance with the same criteria as that used for the selection of tenants for the Council's own dwellings. However, on some occasions the Housing Association may themselves have eligibility criteria that they wish the Council to take into account when selecting a suitable applicant for a vacancy or have grounds why they consider a particular nomination to be unsuitable. Where the Council considers that these criteria or grounds are reasonable, it will take them into account in deciding whether an applicant is eligible for nomination to the specific vacancy. Furthermore, in this regard, a nomination previously made by the Council may be withdrawn where the Council is satisfied that there are reasonable grounds for doing so. An applicant who is unhappy with a decision made on this basis has the right to request a review of the Council's decision.

**10.3.3** On rare occasions, the Council may decide to remove properties from Choice Based Lettings and make a direct allocation in the following circumstances:

- A sensitive allocation is necessary or a local allocation policy is in operation.
- A property is purpose built or significantly adapted for a person with a disability.
- A RSL has requested a direct nomination to a property at their discretion.

The procedure for allocating such properties is described in section 10.4 below

#### **10.4 Direct Allocation Process**

- When a property becomes available the Council will use a computer application to generate a specific list of eligible applicants from the Council's Housing Register. This list will only include applicants who need that landlord, size, type and area of property.
- Applicants with free choice will only appear on the list if they have chosen to consider properties with this landlord of this type and in this area.
- Applicants with restricted choice will appear on the list if they have chosen to consider properties with this landlord of this type and in this area, or if the Council considers the type of property and area to be suitable for the applicant's needs.

#### **10.5 Eligibility for Certain Vacancies**

##### **Houses**

Priority for houses will be given to households with at least one dependent child under 16 years of age. Therefore, an applicant without a dependent child will not be offered the tenancy of a house if there are other applicants for the property, within the same priority band, with a dependent child.

##### **Ground floor flats**

Priority for ground floor flats will be given to applicants who have been awarded priority for, or otherwise require, this type of property on medical grounds, unless there is no suitable applicant with medical need.

##### **Adapted Properties**

Priority for adapted properties will be given to applicants who have been awarded priority for, or otherwise assessed as requiring, this type of property on medical grounds, unless there is no suitable applicant with this medical need.

Priority for adapted houses will be given to households with at least one dependent child under 16 years of age. Therefore, an applicant without a dependent child will not be offered the tenancy of an adapted house if there are other applicants for the property, with a medical need for this type of property, in the same priority band, with a dependent child.

##### **Sheltered housing**

Applicants for sheltered housing must normally be aged 65 or over, unless a younger applicant has proven support needs, which could genuinely be met by the sheltered housing service. Before an applicant is offered sheltered housing, an assessment will also be undertaken to determine the applicant's suitability for sheltered housing and whether they are likely to benefit from the support available.



## **Age-Restricted Housing**

Some properties are designated for people aged 60 and over, or 40 and over. Allocations of these properties will only be made to people who meet the age criteria.

## **Supported Housing**

Before an allocation of a supported housing unit is made, consideration will be given to each applicant's housing need, their need for support and their suitability for the particular vacancy. Allocations will then be made in accordance with an agreed priority order, in discussion with the supported housing provider and relevant agencies, as appropriate.

## **Key Worker Housing**

Some units of accommodation are designated as key worker housing. Usually funding for these units is provided on the basis that they are allocated only to key workers. Allocations to key worker housing will be made in priority order but only to applicants who meet the definition in paragraph 7.6 or any amended definition that is required by Government regulations or may be approved at the time by the Chairman of the Housing Committee.

### **10.6 Property size eligibility**

The number of bedrooms an applicant can be considered for is decided by looking at the size and structure of the household. The size of property that a typical household will normally be allocated is shown below:

<b>Single applicant</b>	-	<b>bedsit or 1 bedroom property</b>
<b>Couple</b>	-	<b>1 bedroom property</b>
<b>Household with 1 child</b>	-	<b>2 bedroom property</b>
<b>Household with 2 children</b>	-	<b>2 or 3 bedroom property</b>
<b>Household with 3 children</b>	-	<b>3 bedroom property</b>
<b>Household with 4 children</b>	-	<b>3 or 4 bedroom property</b>
<b>Household with 5+ children</b>	-	<b>4 bedroom property</b>

A child is a son or daughter of the applicant or their partner, of any age, or any other household member under 18 years of age that is dependent on them.

Children will not usually be expected to share a bedroom where they are of opposite sex and at least one of them is over 10 years old.

Any other adult members of a household (with the exception of partners and same sex siblings) will also be regarded as needing their own bedroom.

Any person wishing to be included as part of an applicant's household must satisfy the Council that they are a permanent member of the applicant's household and show that it is reasonable to expect them to reside with the applicant on a continuing basis. In the case of children where residence is shared between parents, it would not normally be considered reasonable for a child who has a suitable home with one parent to be taken into account when considering the housing needs of the other under this scheme.

Because of the shortage of larger properties, applicants who are eligible for 4 bedroom properties may also be offered large 3 bedroom properties on occasions.

In exceptional circumstances, the Council will consider allocating properties of alternative sizes to applicants. Such decisions will be only be authorised by the Housing Needs Manager, usually following advice from the Council's Medical Adviser or support from other statutory agencies.

## **10.7 Local allocation policies**

On new estates there is often a need to ensure that there is a mixed and balanced community. This is difficult to achieve if all the allocations are made to people in high need. The possibility of adopting a local lettings plan/policy for initial lettings on new estates will therefore be considered during the development of new housing schemes of 10 properties or more.

Rural exception sites require affordable dwellings to meet the needs identified within the rural area in question. There may also be other rural sites, where it is considered preferable to allocate to meet the needs of the rural community. Local letting policies negate the need for complex cascade arrangements within planning agreements. A planning agreement would just need to reference that dwellings should be let in accordance with the local letting policy. The possibility of adopting a local lettings plan/policy for initial lettings will therefore be considered during the development of all new rural housing schemes regardless of size.

The above are examples of situations where it is likely that local letting policies will be adopted. However, there may also be other situations where it is considered appropriate to adopt a local allocations plan /policy for new housing schemes of 10 properties or less

The Head of Housing would be required to agree any proposed policy following discussion with the Chairman of the Housing Committee, prior to allocation of the units.

## **10.8 Right to Move**

In March 2015, the Government issued regulations and published statutory guidance regarding increasing mobility for social tenants to enable them to meet their aspirations, and to support them into work. The stated aim was to ensure that tenants are not prevented from taking up an employment opportunity because they cannot find a suitable place to live. This policy is referred to as the Right to Move.

The Council does not require an applicant to have a local connection with its District in order to qualify for the Housing Register. Social housing tenants living outside the District, wishing to move on this basis, are therefore eligible to join the Housing Register unless they are, otherwise, ineligible.

The Council has made provision for giving reasonable preference (priority) to applicants that qualify under the Right to Move, within the category of hardship reasonable preference, on welfare grounds, at section 7.2e of this Policy. The number of applications that are made on this basis will be monitored annually to ensure that such applicants are receiving appropriate priority for the allocation of properties in the District.

At this time the Council has not set a quota of properties that it expects to allocate each year to transferring tenants who need to move into the District for work related reasons. This is because the Council is not, yet, aware of any such need, having not received any legitimate applications on this basis. Nevertheless, the number of such applications that are received and are considered eligible for priority will be monitored and the need for a quota reviewed annually.



## 11. Performance monitoring and amendments

### 11.1 Monitoring of the Allocation Scheme

This scheme will be reviewed annually to determine if the policy is meeting the aims and objectives that are set out in section 2, and to consider whether these need amending.

### 11.2 Monitoring of allocations

The Housing Needs Manager is responsible for ensuring that allocations are made in accordance with the agreed policy. He/she will make random checks to confirm that allocations are being made appropriately and will take immediate corrective action should this be found not to be the case.

### 11.3 Ethnic monitoring

The breakdown of allocations according to ethnic origin will be monitored annually.

### 11.4 Local Performance Indicators

The success of this allocation scheme will be judged against the following indicators:

- The time taken to re-house applicants in 'Band A – additional preference' and 'Band B - high preference'.
- The proportion of black and ethnic minority applicants housed in relation to the proportion of such groups within the population.
- The average re-let time for vacancies.
- The number of tenants housed each year who were under-occupying family homes.

Performance against each of the above indicators will be assessed annually as part of the review of this policy.

### 11.5 Minor changes to the Allocation Scheme

The Head of Housing is authorised to make minor changes to this allocations policy. However, these changes should not significantly affect large numbers of applicants. The reasons for making any changes must also be documented and available to the public. Significant changes to the policy are to be approved by the Housing Committee.

## 12. Rights to Information and Reviews

### 12.1 Right to Information

Every applicant has the following rights regarding the provision of information:

- The right to request general information that will enable them to assess how their application will be treated including whether they are likely to be eligible for reasonable preference.
- The right to request general information that will enable them to assess whether housing appropriate to their needs is likely to be made available and if so how long it is likely to be before such accommodation becomes available.

- The right to be informed of any decision about the facts of their case which is likely to be taken into account in considering whether to allocate housing to them.
- The right to be informed of any decision that they are unsuitable to be a tenant which is likely to be taken into account in considering whether to allocate housing to them.

## 12.2 Rights to a Review

All applicants have a right to ask for a review in the following circumstances:

- Where they have been refused entry to the Housing Register (due to their immigration status or because they are in one of the non-qualifying classes).
- Where their application has been cancelled.
- Where their application has been given reduced preference in accordance with Section 6 of this Scheme.
- Where having been advised of the facts of their case which are likely to be, or have been taken into account, in considering whether to allocate housing, they wish to dispute the decision that the Council has made in relation to these facts, or they disagree with the facts themselves.

A request for a review may be submitted in person by an applicant or by an authorised representative acting on their behalf.

A senior officer who was not involved in making the original decision will carry out these reviews. The following procedure applies:

- A request for a review must be made in writing to the Council within 21 days from the day on which the applicant is notified of the authority's decision and the reasons for it. The Council has discretion to extend the time limit if it considers this would be reasonable
- An applicant may provide any additional information that they think the Council should take into account when reviewing its decision. This must be in writing and provided within 14 days from the date the Council notifies the applicant that it is carrying out a review. The applicant will be advised of the outcome of the review and of the reasons for it within eight weeks unless the applicant has agreed to an extension of time.
- There is no right to request a further review.

Reviews of decisions made under Part VII of the Housing Act 1996 (Homelessness) are outside the scope of this Policy.

## 12.3 Data Protection

Information regarding a person's application for housing will not be disclosed to any third party or member of the public without the applicant's express consent unless the Council is required to do so legally. By signing the housing application form an applicant gives consent for Tandridge District Council to make relevant enquiries with regard to their housing need and their potential ability to manage a future tenancy. The declaration also gives express consent to share such information with partner RSLs or other social housing providers when nominating applicants to be tenants of their properties.

## 12.4 Access to Personal Information

In accordance with the Data Protection Act 1998, the Community Services Department believes that people have a right to see what information is kept about them on written records. As far as possible we



will make this available, subject to certain restrictions. If you wish to view your records, please contact the Council's Data Protection Officer:

The Data Protection Officer  
Tandridge District Council  
Council Offices  
8 Station Road East  
Oxted  
Surrey  
RH8 0BT

[dpo@tandridge.gov.uk](mailto:dpo@tandridge.gov.uk)

## 13. Equal Opportunities

The Council aims to:

- Ensure that all members of the community have fair and equal access to the Council's services.
- Ensure that no service user, employer or job applicant is treated less favourably on the grounds of disability, age, gender, marital status, sexual orientation, race, faith, colour, nationality or ethnic origin.
- Ensure that no service user, employer or job applicant is disadvantaged by conditions, requirements or practices which cannot be shown to be just and fair.
- Work towards providing a model of good equal opportunities practices for other organisations within the District and encourage a commitment to equal opportunities in the community at large.
- Value and support diversity throughout the local community and the Council's workforce.
- Establish effective consultative mechanisms to ensure that the needs of the Tandridge community are adequately represented.
- Pursue the Local Government Equality Standard.
- Integrate equality principles into the Council's policies and strategies.
- Promote a culture of fairness and respect to all employees.

In addition, Housing Services will ensure that equal opportunities operate in practice, in particular by:

- Taking steps to identify any unfair discrimination, including monitoring equal opportunities at each stage of the allocation process.
- Taking positive action to improve performance in relation to equal opportunities; ensuring that tenants are aware of their right under equal opportunities legislation to lodge complaints of discrimination in the County Court.
- Allocating properties sensitively, particularly when racial harassment may be an issue. Where a property is offered to a black or minority applicant, they will be advised of any previous history of harassment and, if they decide to accept the offer, offered appropriate support.

The Council subscribes to a language translation service. This service will be used to ensure that the process of applying for housing and the main details within this policy are available to those from different ethnic backgrounds.

In providing its housing service, the Council also has regard to the Commission for Racial Equality Code of Practice in Rented Housing.

## 14. Officers Involved in the Allocation Process

A number of different council officers are involved at various stages of the allocation process. Details of these officers and the decisions that they are responsible for are shown below. Whenever an officer is named, the decision can be taken by a more senior officer in their management line:

### **Housing Needs Case Officer**

- Registering applications for housing.
- Initial assessment of Priority under the Allocation Scheme.
- Notifying applicants of their registration date and level of priority.
- Advising applicants when their application is due for re-registration.
- Cancelling applicants who do not re-register their applications.

### **Housing Allocations Officer**

- Decisions regarding eligibility for the Register.
- Decisions to reduce or suspend applications in accordance with the Allocation Scheme.
- Verification of an applicant's level of priority.
- Decisions to award priority or urgent priority on medical grounds.
- Identification of applications to be considered for additional priority on medical / welfare grounds.
- Offers of accommodation to applicants in accordance with the Allocation Scheme.

### **Housing Allocations Manager**

- Recommendation for the award of additional priority on welfare grounds.
- Approval of additional priority on medical grounds (following recommendation by the Council's Medical Adviser).
- Approval of additional priority on the grounds of threatened homelessness.

### **Housing Needs Manager**

- Reviews of decisions on eligibility, suitability of accommodation, etc.
- Approval of exceptions to the standard selection process.

### **Head of Housing**

- Award of additional priority on welfare grounds.
- Minor amendments to the Allocation Scheme.



## Appendix A: Priority Scheme Summary

Each application will be placed within one of the following bands:

### **Band A – Additional Preference**

Low income households with a local connection with Tandridge that are:

- Emergency cases

Low income households with a local connection with Tandridge that are:

- Council or RSL tenants under-occupying family properties and requiring one-bedroom properties,
- No longer in need of supported housing,
- Reciprocals,
- Long-serving key workers whose property is needed to house another such person.

### **Band B – High Preference**

Low income households with a local connection with Tandridge that are :

- Homeless / threatened with homelessness and in priority need,
- Overcrowded households,
- High medical or welfare cases,
- Families with children sharing facilities where the applicant has no legal rights to occupy the property or apply for an occupation order,
- In accommodation that lacks facilities or is in severe disrepair.
- Council or RSL tenants under-occupying family properties and requiring two-bedroom properties.

### **Band C – Moderate Preference**

Low income households with a local connection with Tandridge that are-

- homeless but not in priority need,
- medical or welfare cases,
- private tenants with limited security of tenure,
- sharing facilities,
- sharing / lacking living room,
- key workers,
- families with young children living above the ground floor,
- in accommodation that is in disrepair.

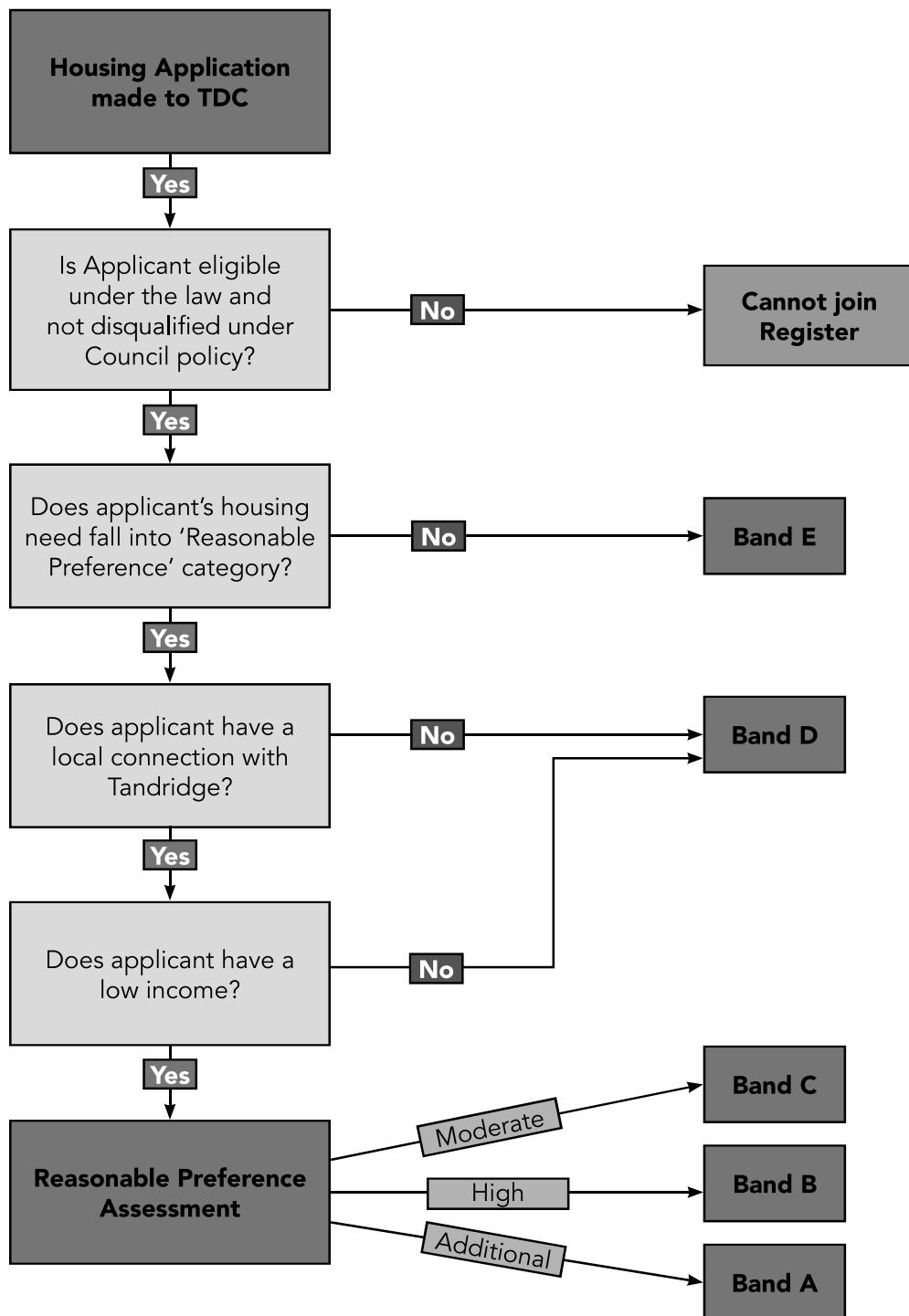
### **Band D – Low Preference**

- Households in housing need but with higher income,
- Households in housing need but with no local connection.

### **Band E – No Preference**

- Households in low housing need.

## Appendix B: Allocations Scheme Assessment Flowchart





**Tandridge District Council  
8 Station Road East  
Oxted  
Surrey RH8 0BT**

**[www.tandridge.gov.uk](http://www.tandridge.gov.uk)**

**[customerservices@tandridge.gov.uk](mailto:customerservices@tandridge.gov.uk)**

**01883 722000**