

The Portsmouth Allocation Scheme – Affordable Homes for local People

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THE PORTSMOUTH ALLOCATION SCHEME - AFFORDABLE HOMES FOR LOCAL PEOPLE

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1. Introduction

- 1.1. Portsmouth City Council aims to provide affordable housing for rent for local residents in housing need, and to create sustainable, balanced communities.
- 1.2. There is a huge demand for affordable rented homes in Portsmouth. The purpose of the allocation scheme is to define a consistent framework, which can be used to allocate the limited number of vacancies that are available.
- 1.3. The guiding principle is to make sure that homes are allocated fairly and efficiently; taking into account applicants' individual needs and expressed preferences.
- 1.4. In reality, the scheme is a waiting list and not an immediate housing solution, and as a general rule the council aims to avoid registering applications from households who stand very little or no chance of being rehoused.
- 1.5. Acceptance onto the waiting list is not a guarantee that an offer of accommodation will be made.
- 1.6. The scheme applies to lettings of Portsmouth City Council housing and to lettings of homes owned by housing associations, now known as private registered providers¹ (PRPs), in Portsmouth for which the council has nomination rights. In practice, this means most PRP homes. It does not include exchanges arranged between existing council and PRP tenants.
- 1.7. The scheme is based on five key principles. These are:
 - 1.7.1. To give priority to local residents with the greatest housing need
 - 1.7.2. To make the best use of all the available social housing stock
 - 1.7.3. To enable applicants to make informed choices about their options
 - 1.7.4. To process applications fairly and confidentially, taking appropriate steps to avoid discriminating on grounds of age; being or becoming a transsexual person; being married or in a civil relationship; being pregnant or on maternity leave; disability; race including colour, nationality, ethnic or national origin; religion, belief or lack of religion/belief; sex; or sexual orientation
 - 1.7.5. To ensure that we adhere to the Equality Act 2010 and the Human Rights Act 1998.

2. Legal Requirements

- 2.1. The 1996 Housing Act, Part 6, as amended by the Localism Act 2011 requires all housing authorities to have an allocation scheme for determining priorities and for defining the procedures to be followed in allocating social housing and they must allocate in accordance with that scheme.
- 2.2. In framing their allocation scheme, housing authorities must ensure that priority for social housing goes to those in the greatest need. This includes homeless people, those who need to move on welfare, hardship or medical grounds, or people living in unsatisfactory housing.

¹ Private Registered Providers were formerly known as housing associations

- 2.3 The scheme must also give additional preference to serving or former members of the Armed Forces who have an urgent housing need in line with legislation and the Local Armed Forces Covenant
- 2.4 Amendments within The Localism Act 2011 enable housing authorities to determine which applicants do or do not qualify for social housing, to reflect local circumstances.
- 2.5 Any qualification criteria must include members of the Armed Forces or former personnel within five years of discharge.
- 2.6 The Right to Move regulations requires that local connection criteria does not prevent social housing tenants from moving into an area to take up work or apprenticeship opportunities.
- 2.7 This Allocation Scheme complies with the requirements of the Act and Statutory Instrument 2015/967, and takes into account the Allocation of accommodation: guidance for local housing authorities in England, issued by the Communities and Local Government Department in June 2012 and March 2015, the Portsmouth Preventing Homelessness Strategy, the Portsmouth Rough Sleeping Strategy and the Portsmouth Tenancy Strategy.

3. Eligibility & Qualification

- 3.1. Anyone wishing to join the allocation scheme must be eligible for social housing and meet the qualification criteria.

3.2. Ineligible applicants

- 3.2.1. Certain categories of people are legally excluded from being offered social housing. These relate to persons who have restricted rights to reside in the United Kingdom or have no access to public funding.
- 3.2.2. It is not practical to define precisely all the circumstances in which the restrictions apply. Anyone unsure of their status should seek detailed advice from Housing Options.

3.3. Qualification criteria

- 3.3.1. To qualify to join the scheme applicants must:
- 3.3.2. Have an identified housing need **AND**, be over 18 years old
- 3.3.3. **AND** have a local connection to Portsmouth (see definition below)
OR
- 3.3.4. Be a current Council tenant or a PRP tenant living in the city, **OR**.
- 3.3.5. Be a person whom the council has accepted a duty under section 189B, 193 or 195 of the Housing Act 1996 (as amended), **OR**.
- 3.3.6. Be a member of the Armed Forces or former Service personnel within 5 years of discharge, **OR**.
- 3.3.7. Be a bereaved spouse or civil partner of a member of the Armed Forces leaving Services family accommodation following the death of their spouse or partner, **OR**.

3.3.8. Be a serving or former member of the Reserve Forces needing to move because of a serious injury or disability sustained as a result of their service, **OR.**

3.3.9. Be a household in exceptional circumstances agreed by the Priority Rehousing Panel OR

3.3.10. Be a current Council or PRP tenant needing to move to be nearer work², or in order to take up an offer of work, and failure to move would cause hardship³, and a move cannot be achieved by an exchange.

3.4. The definition of a local connection is:

3.4.1. Anyone resident within the boundaries of Portsmouth.⁴

3.4.2. Ex-Portsmouth residents, who have previously lived in the city for five continuous years or more of their adult life.

3.4.3. Close family members⁵ of either Portsmouth residents who have lived in the city for five years or more, or a member of the armed forces resident in the city, who wish to move to the area to give or receive support.

3.4.4. Anyone with permanent full time employment in Portsmouth.

3.4.5. Anyone resident in the Havant Borough Council areas (PO7 - PO9 postcodes). Havant residents will only be eligible to be considered for council owned properties in the Havant area i.e. the Leigh Park, Crookhorn, or Wecock Farm estates.

3.4.6. Anyone fleeing violence who does not meet the local connection criteria will be considered under the homeless legislation.

3.5. Some categories of qualifying applicants will be excluded from being allocated social housing for the following reasons:

3.5.1. Anyone who is living in adequate accommodation and does not have a housing need.

3.5.2. Anyone who owns their own home, except in exceptional circumstances. For example, elderly owner occupiers, who cannot stay in their own home and need to move to sheltered accommodation.

3.5.3. Anyone who has a legal or financial interest in a property that can be sold to resolve their housing need.

3.5.4. Anyone who has sufficient income or savings,⁶ that would be reasonable for them to use to meet their housing need.

² Work cannot be short-term or marginal in nature.

³ Each case will be considered on an individual basis as to the degree of hardship that would result from failure to move.

⁴ PO1 - PO6 postcodes & a few roads in PO7.

⁵ A close family member is defined as mother, father, son, daughter, brother or sister (or equivalent close step relatives).

⁶ Each case would be considered on an individual basis but the guidelines would be an income of £30,000 or more for a single person/couple, £40,000 for a household with 1 child, £50,000 for a household with 2/3 children or £60,000 for a household with 4 or more children, or savings sufficient to fund a sustainable housing solution.

- 3.5.5. Anyone who is guilty of unacceptable behaviour⁷ in previous accommodation or of having given false information in order to obtain social housing..
- 3.5.6. Anyone who does not have the skills to manage and sustain a tenancy without a high level of support⁸. (see 7, Applications from people with care and support needs)
- 3.5.7. Anyone who is a tenant of a property of which the condition is not kept to a satisfactory standard, and they are in breach of their tenancy agreement, which would constitute sufficient grounds for eviction, and there are no extenuating circumstances.
- 3.6. Anyone who has 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 person to show that his or her circumstances have changed.

4. Making an application

- 4.1. Requests to be considered for social housing should be made to Housing Options in the Civic Offices. Requests may be made in person, by telephone, in writing or by email.
- 4.2. There is no application form to complete.
- 4.3. Anyone who is identified or who identifies themselves as having a special need will be assisted appropriately. Types of help may include:
 - 4.3.1. Interpretation
 - 4.3.2. Translation
 - 4.3.3. Lip speaking assistance
 - 4.3.4. Loop system
 - 4.3.5. Advocacy service
- 4.4. A housing options approach is used as a means to managing the housing waiting list, and all applicants are offered a full housing options interview.
- 4.5. All discussions will be confidential and the purpose will be to fully understand the applicant's housing need, including their financial circumstances, to explore and offer support in accessing the housing solution which best meets their needs, and to manage expectations about accessing social housing.
- 4.6. All applicants will be advised on the likelihood of being offered social housing and the waiting times where possible. (See 10.3 Choice and Preference)
- 4.7. All applicants will be expected to provide proof of identification and their financial situation, including income and savings. A refusal to provide

⁷ Unacceptable behaviour is defined as behaviour that, if the person were a secure tenant, would constitute sufficient grounds for eviction. Any exclusion will be reconsidered if the person's behaviour or circumstances change substantially.

⁸ Each case would be considered based on the identified support need, how it impacts on the individual's ability to manage and sustain a tenancy, and the individual's willingness to engage with the appropriate support.

relevant proofs will result in the application being declined. Support will be provided for applicants having difficulties in providing this information.

5. How applications are assessed

- 5.1. All applications will be assessed using the criteria for the banding scheme (see appendix 1)
- 5.2. All assessments are completed by a Housing Options Officer, including those where there is a need to move on medical grounds.
- 5.3. The assessment will be based on the suitability of the applicant's current accommodation and their specific needs. It will reflect additional information provided by or on the applicant's behalf.
- 5.4. To fully understand a person's circumstances it may be necessary to carry out a home visit or to make further enquiries or gather information from a third party or professional to clarify the situation.
- 5.5. It is expected that permission is given by applicants to share or obtain information, relevant to their housing assessment. If permission is refused it will not be possible to fully complete the assessment and will impact on any priority awarded within the banding scheme.
- 5.6. Part of the housing assessment will be to identify any care and support needs that may impact on managing a future tenancy, and to consider the most appropriate housing solutions to meet these needs. (See section 7 applications from applicants with care and support needs)
- 5.7. Anyone who has deliberately worsened their housing circumstances in order to increase their priority within the Allocation Scheme will only be given a low priority with no additional priority based on residency. For example, this may apply where an applicant gives up settled accommodation to move into a less settled or overcrowded accommodation. In these circumstances applicants can reapply after 12 months.
- 5.8. All applications will be reassessed if there is a change of address or substantial change in circumstances. An application may be cancelled where an applicant does not inform Portsmouth City Council of such changes.

6. The Banding Scheme

- 6.1. Once an applicant's or household's housing need has been fully assessed they will be placed in one of the four bands, within the Banding Scheme, in date order. (See appendix 1)
- 6.2. Additional priority within each band is given to current Portsmouth residents, who have been living in the city for five successive years or more, and Portsmouth City Council tenants and PRP tenants within the city.
- 6.3. Additional priority is also given, to former or serving members of the armed forces, applicants owed a duty under section 189B, 193 or 195 of the Housing Act 1996 (as amended), and vulnerable applicants who are ready to

move on to independent living having been given priority by a supported housing panel.

- 6.4. Most housing situations are reflected within the definitions stated in each band but in some circumstances a decision is needed as to the degree of priority given i.e. high, medium or low.
- 6.5. These circumstances are assessed as follows:

6.6. Needing to move for medical reasons

- 6.6.1 The degree of priority given is based on how current accommodation is impacting on any health or care & support issues.
- 6.6.2 Any information available from health or social care professionals is taken into consideration, and there is access to health professionals, to give advice on complicated assessments.
- 6.6.3 Exceptional priority is given where current housing is causing a life-threatening situation
- 6.6.4 High priority is given where current housing seriously impacts on a severe or progressive illness and a move is essential to prevent a serious risk to health.
- 6.6.5 Medium priority is given where the current housing has a significant impact on health, seriously affecting functional abilities and activities of daily living.
- 6.6.6 Low priority is given where current housing has some moderate or variable impact on health.

6.7. Wheelchair users needing to move into an accessible property

These assessments involve an occupational therapist, who will initially explore the possibility of whether the current property could be adapted to meet the individual's needs. If this is not possible a recommendation for housing is made.

- 6.7.1. Exceptional priority is given where a wheelchair user is living in a property which is not adapted to meet their needs and is causing a life-threatening situation.
- 6.7.2. High priority is given when the current property is unsuitable for a wheelchair user and the individual cannot access basic facilities independently, or where there are high care needs that could be better met in a more suitable property.
- 6.7.3. Medium priority is given when there is an identified need to move but the current property is not unsuitable for a wheelchair user.
- 6.7.4. Low priority is given to applicants who are currently adequately housed but living with their parents, who have been assessed by the Council's occupational therapist (OT) as having a need to move to an accessible property and no suitable properties are available in the private sector which meet their needs.

6.8. Needing to move because of overcrowding

The following criteria are used to assess overcrowding:

- 6.8.1. Any adult sharing a bedroom or bedsit with someone who is not included in their application.
 - 6.8.2. Two adults of opposite sex not living together as partners sharing a bedroom
 - 6.8.3. Three or more people of any age sharing a bedroom
 - 6.8.4. Two children of the opposite sex, where at least one child is 10 or over, sharing a bedroom
 - 6.8.5. Anyone sleeping in a room that is not a bedroom, or could not reasonably be used as a bedroom.
 - 6.8.6. Two persons of different generations (at least 15 years age difference is taken as a generation) and at least one person is 16 or over.
 - 6.8.7. Two persons of any age sharing a bedroom under 10.2 square metres
- Please Note: Two children under the age of 10 sharing a bedroom, regardless of sex, are not considered to be overcrowded.**

7. Applications from people with care & support needs

- 7.1. Applications for social housing will only be considered from individuals, who have the skills to manage a tenancy, and can either live independently or with low level tenancy support, and are prepared to engage with this support.
- 7.2. Anyone unable to manage a tenancy or identified as having a higher level housing related support need⁹ can be considered for a supported housing pathway.¹⁰
- 7.3. Several specialist supported housing pathways have been established to provide a more co-ordinated approach to housing for people with care and support needs.
- 7.4. Access to supported housing is by referral to the appropriate pathway via housing options, social care or probation.
- 7.5. The pathways cover:
 - 7.5.1. Vulnerable families (access via housing options)
 - 7.5.2. People with mental health issues (access via social care)
 - 7.5.3. Single homeless people, including those with substance misuse issues (access via housing options)
 - 7.5.4. People with learning disabilities (access via social care)
 - 7.5.5. Young people i.e.16 - 25 year olds (access via housing options)
 - 7.5.6. Community safety (access via probation services)
- 7.6. Each pathway sets the criteria and agrees acceptance onto their individual waiting lists.

⁹ Housing related support can assist with budgeting; managing debts; finding somewhere to live and setting up home; gaining access to other support and community services; health and wellbeing; domestic, life or social skills; and accessing employment and training.

¹⁰ Supported housing is not allocated via the normal housing waiting list.

- 7.7. Supported housing providers will assist individuals, when ready to live independently, to access various appropriate move-on solutions i.e. private renting, lodgings, social housing, move-on schemes, or returning to the family home.
- 7.8. A quota of social housing tenancies¹¹ are made available each year to support providers in accessing move-on accommodation. (See appendix 2)
- 7.9. Separate arrangements have been agreed with Children Services to prioritise the needs of looked after children (including reunification) and young people leaving care, subject to a pre-agreed quota of nominations, referred by the Head of Looked After Children Services.

8. Applications from people who are homeless

- 8.1 The Homelessness Reduction Act 2017 places a duty on local authorities to intervene at earlier stages to prevent homelessness in their area. It also requires housing authorities to provide services to all those affected, not just those who have a priority need under the primary legislation - that is, Part 7 of the Housing Act 1996.
 - 8.1.1 There is an enhanced prevention duty, meaning the council is required to work with people to prevent homelessness at an earlier stage, AND
 - 8.1.2 There is a duty for those who are already homeless for the council to support households, for 56 days, to relieve their homelessness by helping them to secure accommodation.
 - 8.1.3 If homelessness is not prevented or relieved, a main housing duty is owed to households who are eligible, have a priority need, and are not homeless intentionally.
- 8.2 The Housing Act 1996, Part 7, as amended by the Homeless Act 2002 provides the statutory guidelines for assessing whether a housing authority has a main housing duty to homeless households.
 - 8.2.1 Where a main housing duty is owed, this authority will discharge its duty by either:
 - 8.2.2 An offer of a private sector tenancy, or
 - 8.2.3 An offer of a tenancy via the allocation scheme, or
 - 8.2.4 An offer of temporary accommodation until a settled home is available
 - 8.2.5 There will be no choice as to tenure type offered; it will be purely subject to availability, suitability and affordability.
 - 8.3 Preference for specific areas will be taken into consideration, where possible, but cannot be guaranteed. (see 10, Choice & Preference)
 - 8.4 Homeless people whom the housing authority has no statutory duties to house are provided for within the banding scheme.

¹¹ The number of social housing tenancies made available is based on: previous demand for move-on accommodation, the demand generally for social housing, and the availability of alternative housing solutions in the area.

- 8.5 Rough sleepers within the city are initially supported to access emergency hostel bed spaces, where their needs are assessed and support is available. For full details of the offer for rough sleepers see the Portsmouth Rough Sleeping Strategy.

9. Applications with exceptional circumstances

- 9.1. It is not possible for the banding scheme to adequately reflect every possible combination of housing needs.
- 9.2. Applications with exceptional circumstances, which are not met within the banding scheme, are considered by a Priority Housing Panel.
- 9.3. The panel will be drawn from senior managers from within the Housing Service.
- 9.4. The panel will decide the appropriate degree of priority to be given to cases referred to it.

10. Choice and Preference

- 10.1. During the initial housing options interview applicants will be assisted in making an informed choice of which housing option would best meet their housing needs.
- 10.2. An informed choice is made when the consequences of any preferences is fully understood.
- 10.3. Applicants who qualify to join the waiting list will be advised on the likelihood of being offered social housing, and approximate waiting times¹², where possible, for their preferred type of property and areas, to help them make the best choices in achieving the right housing outcome.
- 10.4. Applicants can be registered for their preferred property type and any local area where social housing is available.
- 10.5. In some circumstances, a person's choice of area and property type will impact on the priority awarded. If the priority is based on an urgent need to move and there is clearly going to be a lengthy wait for their preferred choice, exceptional or high priority will not be awarded unless a more realistic outcome is considered.
- 10.6. Choice will be restricted for applicants where there is a homeless duty because of the limited time available to find a suitable home.

11. Confidentiality and access to information

- 11.1. The council will take reasonable steps to verify information provided by applicants in support of their application.
- 11.2. The council will retain information provided by applicants securely and confidentially in compliance with the General Data Protection Regulations.

¹² Waiting times vary for different property types and areas, and will only be a guide, based on the banding, time on list, and the number of properties offered within each band in the previous 12 months.

More information on how personal data is used is available on Portsmouth City Council's website www.portsmouth.gov.uk.

- 11.3. Applicants may request a copy of information held by the council on their application. This may not include information provided by a third party.
- 11.4. The council will share relevant information with its housing partners prior to an offer of a tenancy. This will include financial information and details of any tenancy related support needs.

12. Offences related to information given or withheld by applicants

- 12.1. It is an offence for anyone to give false information, or withhold information the housing authority has reasonably requested, in connection with the allocation of social housing.
- 12.2. Anyone found to have given false information to obtain priority for social housing will be excluded from the waiting list (see 3.3.5 Eligibility and Qualification)
- 12.3. S.146 of the 1996 Housing Act gives a housing authority the power to seek possession of a tenancy granted as a result of a false statement by the tenant, or a person acting at the tenant's instigation.

13. Allocation of vacant properties

- 13.1. The definition of an allocation is when a person is selected to be:
 - 13.1.1. offered a Portsmouth city council tenancy;
 - 13.1.2. or nominated to be a tenant of a property held by a Private Registered Provider
 - 13.1.3. It does not include leasehold properties held by the council or a Private Registered Provider, used to house the homeless or any other privately owned accommodation that tenants might be referred to.
- 13.2. Properties available for letting within the scheme will be offered to the applicant with the highest priority for each specific property. This means looking first at applicants in the Exceptional Band, then the High Band, and so on. Priority between applicants in the same band will be determined firstly by the additional residency/priority criterion, in date order, and secondly by the length of time applicants have been within that band.
- 13.3. The only exceptions to this are:
 - 13.3.1. where a property has level access and is suitable for adaptations to meet the needs of someone waiting for accessible housing;
 - 13.3.2. or where a property is in a block or area where there has been a management problem and certain consideration needs to be given to the suitability of the next tenant. Any decision not to offer a property in this circumstance is rare and must be reasonable and accountable and in the best interest of all persons it impacts on.

- 13.3.3. or where a property is designated for a specific category of applicant. (see 15. Properties designated for specific categories of applicants).
- 13.4. Applicants can only be selected for property types that they have included in their application and if they meet any specific criteria. Applicants will be asked to indicate their preference for the type of property they wish to be considered for in terms of location, property types, floor levels and type of landlord. (Council or PRP)
- 13.5. The number of bedrooms a household can be considered for will be determined according to the following criteria:
- One bedroom for every adult couple
 - One bedroom for any other adult aged 16 or over
 - One bedroom for any two children of the same sex under 16
 - One bedroom for any 2 children regardless of sex under 10
 - One bedroom for any other child
- 13.6. There may be circumstances where an additional bedroom is required i.e. for a carer or when downsizing; these situations will be considered based on evidenced need and affordability.

14. Types of Tenancies

- 14.1. There is a duty on every local housing authority to publish a tenancy strategy which reflects the demand on social housing within the local area, and which all registered providers of social housing should have regard to in framing their tenancy policies.
- 14.2. The current Portsmouth Tenancy Strategy promotes a ‘tenancy for life’ but not necessarily a ‘property for life’. This means that tenants under occupying a property may be expected to give up family sized accommodation, but with the guarantee of being offered another property more suitable for their needs.
- 14.3. The tenancy strategy¹³ gives details of the kinds of tenancies that are used by social housing providers in Portsmouth.
- 14.4. All social housing providers should have their own tenancy policy which details the type of tenancies being used.
- 14.5. Applicants will be advised during the offer process, the type of tenancy being offered.

15. Properties designated for specific categories of applicants

- 15.1. Some types of properties are designated for specific categories of applicants. These are:
- 15.1.1. Sheltered housing schemes, for the elderly with specific support needs.

¹³ A copy of the Tenancy Strategy is available on the Portsmouth city council website.

- 15.1.2. Extra care schemes for the elderly who have been assessed by Portsmouth Adult Social Care as needing a minimum of 4 hours personal care per week
- 15.1.3. Homes that have been purpose built, adapted or are considered accessible by people with mobility needs. These properties will be let in consultation with a specialist occupational therapist.
- 15.1.4. Houses, which will normally only be allocated to families with a child under the age of 16.
- 15.1.5. PRP over 50's blocks¹⁴, over 55's blocks and over 60's blocks which are reserved for mature or elderly tenants only.
- 15.1.6. Some Registered Provider's properties which are designated for working people only
- 15.1.7. Ground floor flats, where priority is given to applicants in the high or medium bands, who have been assessed as having a need to move to ground floor accommodation only on medical grounds.
- 15.2. Households with Pets - Many flats and maisonettes have restrictions on the ownership of dogs, cats and other pets. This will affect the rehousing for applicants who have pets they wish to keep¹⁵

16. New Developments and Special letting arrangements

- 16.1. Special lettings arrangements may be applied for new developments or where a large number of homes are being let in one location, for example, following a major refurbishment.
- 16.2. Any special lettings arrangements will follow the general principles of the allocations scheme, but may incorporate variations in order to create a more balanced community.
- 16.3. Details of any special lettings arrangements will be published on the council website prior to the properties being allocated.
- 16.4. Special lettings arrangements will only apply to first lettings. Any subsequent vacancies will be let subject to the normal allocation scheme conditions.

17. The offer process

- 17.1. Applicants who have been selected for an offer of Portsmouth City Council accommodation will be contacted and invited to view the property, at which they will have the opportunity to discuss any specific repairs that they feel are required.
- 17.2. If the property is accepted an appointment is arranged to sign the tenancy agreement and to discuss any support and assistance that the applicant may require in managing their new tenancy
- 17.3. When applicants are selected for an offer of a Private Registered Provider's property, their details will be sent to the PRP, who will contact them direct, to

¹⁴ Subject to demand, consideration will be given to increase the number of designated blocks for the over 50s, to replace previously designated 'quiet blocks'.

¹⁵ Please see the Pets policy for more information

confirm acceptance of the nomination and make arrangements to view the property and sign the tenancy agreement.

- 17.4. Where an offer of a tenancy is made to joint applicants, at least one of the persons must be a qualifying person and all of them must be eligible.
- 17.5. The council will share financial information and details of any tenancy related support needs with its housing partners prior to an offer of a tenancy, in compliance with the General Data Protection Regulations..

18. Refusing an offer

- 18.1. The intention is to make the right offer of accommodation, the first time, so applicants are encouraged to only register for property types and areas that they wish to live in.
- 18.2. Anyone wishing to refuse an offer will be expected to give details explaining their reasons.
- 18.3. If, as a result of more than one successive refusal, it is considered that all offers met their recorded preference, were suitable for their needs, there has been no change of circumstances, and there are no extenuating circumstances, their application may be cancelled.
- 18.4. Applicants will be advised in writing if a further refusal will result in their application being cancelled.
- 18.5. Anyone removed from the waiting list for refusing properties will not be able to reapply for 12 months, unless there has been a substantial change in circumstances.
- 18.6. Homeless applicants, where a duty is owed under section 189B, 193 or 195 of the Housing Act 1996 (as amended), will be advised that a refusal of suitable housing will result in the council ending its duty. This will result in the termination of temporary accommodation where this is being provided.

19. Circumstances in which allocations may be deferred or withheld

- 19.1. There are some circumstances in which offers of housing may be deferred or withheld, irrespective of an applicant's priority under the scheme. They are:
 - 19.1.1. Applicants who have rent arrears owing to a current or previous landlord, and do not have a suitable arrangement in place which they are adhering to in order to address the arrears.¹⁶
 - 19.1.2. Applicants who are in significant breach of their tenancy conditions or have failed to maintain their existing home to a satisfactory standard, unless there are extenuating circumstances.

¹⁶ Each case will be considered on an individual basis in liaison with the relevant landlord, and will depend on the level of arrears, the reasons for the arrears, the steps being taken to clear the arrears, the housing need, and any personal related circumstances. Any social housing tenant on a suspended possession order will not be offered a property without their current landlord's agreement.

- 19.1.3. Applicants, or members of their household, who are known to the council's Anti-Social Behaviour Unit as perpetrators of anti-social behaviour may be restricted from receiving offers of accommodation through the scheme. Such restrictions may apply to specific accommodation or in general. Applicants will be notified as and when restrictions are being applied.
- 19.1.4. Rehousing of some applicants with an offending background may be subject to Multi Agency Public Protection Agreements (MAPPA). In such circumstances the allocation of housing will be based on appropriate risk assessment with the relevant agencies concerned.

20. Review of decisions

- 20.1. All applicants have the right to ask for a review of decision made regarding their application. This includes decisions in relation to:
 - 20.1.1. Ineligibility, or exclusions from the scheme
 - 20.1.2. Qualification for the scheme
 - 20.1.3. The housing needs assessment
 - 20.1.4. The council's statutory duty to the homeless
 - 20.1.5. Removal from the waiting list
 - 20.1.6. When an allocation is deferred or withheld
 - 20.1.7. The priority housing panel
- 20.2. A request for a review of a decision must be made within 21 days. Late requests will only be considered in extenuating circumstances.
- 20.3. Reviews will be conducted by the Review Officer, based in housing options, or a senior officer who was not involved in the original decision. The applicant will be notified of the decision in writing. This will also outline an applicant's legal rights and the time scale for any further action.

21. Review of the Allocation Scheme

- 21.1. The allocation scheme will be reviewed annually. Where appropriate, recommendations will be made to the Cabinet Member for Housing to authorise changes to the scheme.

22. How to contact Housing Options

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| Email | housing.options@portsmouthcc.gov.uk |
| Telephone | 023 9283 4989 |
| In writing | Housing Options, Civic Offices, Guildhall Square, PO1 2AX |

Appendices

- (1) The Banding Scheme in full
- (2) Quota of properties for vulnerable applicants suitable for independent living