

Homes4Wiltshire

Proposed changes to Allocation Policy: consultation responses

Organisation & or name	Responses	Proposed Response	Response provided to consultee
General points			
Aster Group Lyn Dowsett	A request was made for a brief summary of what the Pause pilot programme was about in regard to 4.9.4 of the policy	Pause works with women who have experienced – or are at risk of – repeated pregnancies that result in children needing to be removed from their care. The programme gives women the chance to pause and take control over their lives, breaking a destructive cycle that causes both them and their children deep trauma, as well as costing the taxpayer hundreds of millions of pounds. JMW had previously confirmed this to all providers	Yes
GreenSquare Jane Gilbert	Requests made that – We include reference to the relevant parts of the Immigration Act 2014 for the Right to Rent	JMW confirmed this would be fine.	Yes
GreenSquare Jane Gilbert	Various suggestions made that – <ul style="list-style-type: none"> • Simpler language be used to aid understanding avoid turning laypeople off • In various places (eg 4.7.1, 4.7.2), the impact of the changes to the welfare benefit system need to be more clearly set out • In various places (eg 4.9 and 9.4.1), simplifying sentence structures to aid understanding 	In some cases, suggested changes accepted, in others not (for clarity's sake eg the use of the term classes of people). 4.7.2, 4.9 and 9.4.1 to be re-drafted. JMW also drafting Accessible version for ultimate publication.	Yes
GreenSquare Jane Gilbert	Considers that the treatment of those who refuse two offers in a 12 month period is too harsh (4.12.1) and suggests suspending for 6 months and reviewing banding at re-admission to the register so it is possible that they can still bid but do not have the same priority	Under consideration. Could be complicated to administer if we review banding in addition to re-admitting after 6 months	

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Banding structure overall			
GreenSquare Jane Gilbert	Importantly, given that there are so few people currently in Band 2, why not merge band 1 and 2 as this would make the administration from your perspective much easier?	Whilst we appreciate the sentiment, this would run against the concept of differentiating between emergency and urgent cases, which the revisions to Bands 1 and 2 are intended to achieve.	Pending
Deliberately Worsening circumstances / Sharing a home			
Aster Group Lyn Dowsett	In regard to 4.17.1 Deliberately worsening circumstances - appears to contradict 'sharing a home for mutual support? Needs some clarity? How will this be determined?	Not a contradiction as 4.5 relates to lodgers and non relatives rather than friends and 6.1 specifically to people sharing rather than the commercial relationship implied by lodgers. To be clarified in document at 4.5 and 6.1	Pending
GreenSquare Jane Gilbert	Partial contradiction between 4.5 and 6.1 in relation to non related household members and who these can be	As above	Pending
Selwood Housing	Joint applicants who are not related or in a relationship will be able to join the list in, order to meet housing costs. This is a welcome innovation and should support our share housing pilot and of course is designed to alleviate the effects of welfare reform.	Agreed	Pending
Anti Social Behaviour			
GreenSquare Jane Gilbert	Suggests that 4.8.1 be expanded to include the same categories of behaviour as 4.8 In 9.5.1, need to include - Where there are existing residents with particular vulnerabilities.	Agreed Not agreed. This concept is ill-defined. However, can amend wording here.	Pending

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Selwood Housing Kerri Hargreaves (personal)	<p>12 months is not sufficient to demonstrate a change in behaviour or ability to sustain a tenancy. Most RP lettings policies rely on 24 months. Each case considered individually.</p> <p>Behaviour considered ASB should include criminal behaviour which would cause harassment, alarm or distress in a <u>residential area</u>.</p> <p>ASB and criminal behaviour should extend to any residential area the perpetrator has caused when they visited not just where they live.</p>	<p>Wiltshire Council believes that 12 months is enough time to monitor improved behaviour, to ensure a commitment to change and that support is in place to achieve that. However it is appreciated that some providers may wish to state 24 months but for someone in extreme housing need this seems a very long time.</p> <p>We have to provide evidence that the applicant has been in a breach of his or her tenancy. As a housing provider would not take action against a tenant who has caused harassment or criminal behaviour say in another town, we would also not be able to apply an exclusion as it would be subjected to a challenge.</p> <p>One of our bullets in this section includes:- any threats of and/or actual violence to people or damage to property or any activity potentially threatening the community will be considered unacceptable behaviour.</p>	Pending
Local Lettings plans & Allocations of New Build properties			
Selwood Housing Kerri Hargreaves (personal)	<p>Needs to make clear that Local Letting Plans may include a proportion of lettings for applicants who are economically active</p> <p>Minimum household occupancy may be applied to manage densities</p>	<p>A local lettings plan needs to be considered on an individual basis and when allocating new build we would not normally wish to advertise to those economically active as we would rather assess who is allocated as the development proceeds to ensure a balanced community is created. Those economically active may bid without the restriction being in place. This would be the same with minimum occupancy unless it is being advertised in line with the house bedroom size so 2 3 person house as second bedroom is only large enough for 1 child.</p>	Pending

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Selwood Housing	It appears that the council may have relaxed its strict criteria on local lettings plans on first lets for new builds, although these will need to be jointly agreed. This may help us to balance out communities better.	Agreed	Pending
Aster Group Lyn Dowsett	All existing customers who are applying for transfer rarely get considered for new build stock as a result of LA 100% noms rights as part of the S.106 agreements. As LA no longer contributing a great deal financially to these schemes we would like to request a similar arrangement to that in Swindon Council region and allocate 1/3 rd to Band 1, 1/3 rd transfers and 1/3 rd other applicants.	This would need to be considered outside of the Allocation Policy as this would be a revision of the nomination agreement linked to the development of new homes. Referred to Strategic Housing team	Pending
Greensquare Jane Gilbert	9.5.1 Need to include. Where there are existing residents with particular vulnerabilities.	The council finds this too vague and would use a more specific working. It wishes to ensure sustainable communities and agreements can be made for limited timeframes in particular cases and will revise accordingly.	Pending

Banding

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Selwood Housing Kerri Hargreaves (personal)	<p>Band 1 Applicants should be ready to move at the point of bidding</p> <p>This is particularly important for applicants with complex needs and should be in the form of an up to date needs assessment and support plan and if appropriate risk assessment.</p> <p>This clarifies the expectation on Social Care when they are wanting their customers to be considered by RP's for independent living from care homes or hospital.</p> <p>Band 2 and 3</p> <p>The policy needs to make it clear for the category of housing need 'medical or welfare' that a move to alternative accommodation will improve the condition and that the current housing is a significant factor in the current problem.</p>	<p>Noted and agreed. This will be requested when appropriate</p> <p>Noted and wording has been amended accordingly</p>	Pending
Aster Group Lyn Dowsett	Could selected properties suitable for OMR bidders include Difficult to let property?	Yes, difficult to let properties can be advertised for those in the OMR group.	Yes
Melksham TC	Strongly agree that applicants with an urgent medical need be placed in Band 2 and those with an emergency medical need be placed in Band 1.	This has been agreed and will be recommended to Cabinet for approval	Pending
Homeless Veterans Task Group	BAND 2 to include Injured, sick or disabled serving or former Armed Forces personnel, in accordance with the legislation (section 166A(3) of the 1996 Act)	Agreed and will be recommended to Cabinet	Pending
Melksham TC	Strongly agree that injured current or former service personnel and their families who cannot meet their own housing need ought to be prioritised in Band 2.	As above	Pending

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Greensquare Jane Gilbert	Move on applicants should be considered the same way as care leavers and given the same priority. Importantly, given that there are so few people currently in Band 2, then why not merge band 1 and 2 as this would make the administration from your perspective much easier.	We have made recommendations to amend Band 2 which will increase the volume of applicant's in this band. Band 1 should be for those in the highest need for accommodation and therefore those who require move on will remain in Band 2.	Pending
Greensquare Jane Gilbert	In case of emergency medical or welfare need, suggests that the category Cannot be met in the current accommodation to include reference not only to a threat to life but a life changing injury or condition	Agreed	Pending
Melksham TC	Strongly agree that care leavers' housing applications ought to be prioritised for re-housing in Band 2.	Agreed	Pending
Housing Debt / Rent Arrears / Financial Resource Limit			
Selwood Housing – Kerri Hargreaves (personal)	The policy should quantify what 'cleared the majority of the debt' is as a guide e.g. 70% or maintained repayment plan to be eligible to join the register.	Agreed and the recommendation to Cabinet will clarify this point	Pending
Selwood Housing	The policy allows people with arrears that have been accrued as a result of the spare room subsidy to register. We would prefer it if the policy was amended to say "and is contributing to their shortfall".	This has been agreed and will be recommended to Cabinet for approval	Pending
Selwood Housing	All those considered to have adequate financial resources will not be allowed onto the register unless they have an extra care need. This further restricts the list and the council has not yet set out what the threshold is. Please can you advise?	This is an operational rather than a policy matter because the approach is determined by housing market conditions at any given time	Yes
GreenSquare Jane Gilbert	Would like more information about the application of the Financial Resource Limit	As above	Yes

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Broad Chalke CLT	<p>Item 9.4.1 of the Council's Allocation Plan i.e. "The Council or its partners may decide to let properties on a slightly different basis from normal in the interests of building strong and sustainable communities". Housing Needs Surveys in rural communities invariably reveal people living in private rented accommodation and striving to meet unaffordable rents in order to be housed locally. By 'unaffordable' we mean 'in excess of 35% of their gross income'. Occasionally, such people are deemed to have no housing need by their local Council and are therefore ineligible to apply for affordable homes, even though they meet the local connection criteria for an exception site scheme. Community Land Trusts such as Broad Chalke have encountered this issue before, notably in Christow, a village on Dartmoor in the Teignbridge District. In order to manage its Housing Register, Teignbridge had removed the lowest band, thus preventing anyone in private rented accommodation from gaining access to an affordable home. Christow CLT – supported by specialist advisers the Wessex CLT Project - worked with Teignbridge to develop a Pilot Allocations Plan whereby people in such 'economic need' for housing would be passported onto the Housing Register. We would suggest that the Council might consider three options for a Rural Pilot in Broad Chalke, being the most advanced CLT-led project in the county:</p> <p>1. A pilot approach along the lines of that developed for Christow CLT in Teignbridge, Devon. Like Wiltshire, Teignbridge had removed the lower category of its Housing Register.</p> <p>2. A 50:50 approach to nominations so that, if Option 1. is not possible, at least 50% of lettings could be drawn from an independent register kept by the CLT and its</p>	<p>The council will review its thresholds for housing need on the grounds of the proposed returns to parishes to care for (and support, if no care is required) relatives who have care or support needs. This is consistent with present practice, but will require the applicants concerned to have relatives in these parishes.</p> <p>NB Housing applicants with work in a particular parish have a connection anyway; however, if work is peripatetic, and the applicant is home based, travelling to perform work in other parishes, s/he can choose a single parish where work is performed and that will be a parish connection</p>	

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Under 21s			
Selwood Housing	We are pleased to see that the council will still allow this group to register but makes it clear that provider's policies may prevent them from renting a home given the changes to benefit rules. This passes the risk (although small) of a public law challenge to the provider rather than the council. Similar provisions are made for the under 35s		
Local connection to a Town, Parish or Village			
Homeless Veterans Task Group	<p>To recommend the local connection criteria exclusion group 4.13.3</p> <p>A person who has left the Armed Forces, or (Removal of the 5 year restriction)</p> <p>A separated or divorced spouse who is being asked to leave services family accommodation in the Wiltshire area</p>	Amendment agreed and will be recommended for approval at Cabinet	

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Mike Ash, Bishopstone Parish Council	<p>It seems to me that the revised policy will make it less likely that vacant homes will be allocated to anybody with a local connection and, as a result, makes it less likely that communities will be prepared to welcome affordable housing development.</p> <p>Leaving aside all the special cases, like retired service personnel etc, the main criterion remains having a local connection. However, as I understand it that is now defined at either already living in the parish (under a bush?) or working in the parish. What has been deleted is the close family connection qualification - i.e. having grand-parents, parents, adult children or brothers and sisters who live or have lived in the parish. So your family may have lived in the village for centuries but that will give you no priority. You may be a carer for elderly relatives but that will give you no priority. It seems to me that this makes it much more likely that priority will be given to people from outside the parish (because there will be fewer in it who will qualify), which, in turn will make communities far less willing to accept new affordable housing development.</p>		

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Seend Parish Council	<p>Seend Parish are unclear on the reason for the change in regard to the exclusion of close family members as a reason for obtaining a local connection and we would like clarification on why this has been proposed.</p> <p>In Seend Parish we endorse family values and the support that members of their extended family living close by can give to our residents. We feel that these family links enhance community cohesion for the benefit of the parish as well as the families concerned. In writing the neighbourhood plan we would like to include recognition of the importance of family values and family support. The removal of this criterion from the Housing Allocations Policy is of concern as these criteria, if approved, would have to be adhered to in future housing policies in Seend's Neighbourhood plan.</p>		

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Selwood Housing	<p>We are particularly concerned with the removal of the family connection criteria. This means the only way to claim local connection is if you already currently live or work in the area. This further restricts the list, prevents children from moving home or parents from moving close to their offspring. This measure may have a significant impact on the numbers on the register and is of concern.</p> <p>The measure will seriously penalise rural development. The family connection and the ability of families to return to villages is a key reason why villages are supportive of development. Without the family link the local connection to villages will become meaningless. Most families can't live in them due to the lack of existing affordable homes and villages aren't exactly sources of major employment. This proposal is at best ill thought out.</p> <p>The policy attempts to address the recruitment issues suffered by key services that can't recruit to lower paid jobs. Those with contracts or offers of jobs that are over 12 months can apply. However this may not address the problems faced by people on zero hours contracts and I understand a number of key services offer this kind of contract.</p>		
Melksham TC	<p>Strongly disagree that applicants themselves need to have lived in the Wiltshire Council area for more than 2 years should the government change the rules, on grounds that sometimes people have a need to move.</p> <p>Strongly disagree that family connections to Wiltshire Council's area ought no longer count, on grounds that family is important to "settlement".</p>	<p>The requirement in regard to a connection to the Wiltshire Council area 2 year residency is currently in place and is not being amended or replaced. It is a statutory requirement to have the 2 year rule which the government are considering extending.</p>	

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Melksham without PC	We are concerned over the removal of the clause in point 4.13.2, the criteria that allowed a connection with the Wiltshire Council area through family, as this would prevent those attending higher education facilities from returning, especially as there is no university in Wiltshire.		
Richard Kitson	I am particularly concerned that the proposed changes to the local criteria are a retrograde step and should be reconsidered. The proposed removal of the “close family” reference in Q3 will, for example, limit the opportunity for people who are forced to move away because of high housing capital or rental costs to return and in effect penalises those who seek to try to improve their circumstances albeit on a short term basis. In addition removing this criteria tends to work against the principle, that I thought the Council had endorsed, of building sustainable communities able to contribute to the rural economy, provide support and positively contribute to village life. Finally rewriting the criteria will not change the underlying need, merely hide this fact from the official figures		
Cricklade Town Council	One important change that will affect residents of Cricklade was the local connection policy for relatives which allows applicants from anywhere in the country to join the Wiltshire Housing Allocations scheme if they have a close family member who has lived in the Wiltshire schemes area for 5 + years, this will be deleted. This change will be implemented alongside a requirement that a local connection is established by permanently residing in the Wiltshire Area for two years, which would replace the current requirement.	The requirement in regard to a connection to the Wiltshire Council area in regard to the 2 year residency is currently in place and is not being amended or replaced.	

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Greensquare Jane Gilbert	Include consideration for a person who grew up in the parish, town or city and was forced to move away within the past 5 years because affordable housing was not previously available in that area. This will help allocations to new housing developments in rural areas previously unable to afford accommodation in that locality.	This would be very difficult to administer and evidence this additional criteria therefore we would not be looking to implement this suggestion	
Mary Jarvis Broughton Gifford Parish Council	Broughton Gifford Parish Council wish to protest at the removal of the requirement to have a local family connection. This is just one of the criteria, but we feel as a Council, it is most important, especially in villages where housing is mostly out of the reach of offspring from families, due to high prices. If they lose their local right, then traditional communities in villages will disappear and with them the history and identity of a place. They will become just dormitory places to sleep for work. Some commuters clearly do not wish to be involved in village life.		

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Move On			
GreenSquare Jane Gilbert	Thinks Move On applicants should be considered the same way as care leavers and given the same priority.		
Appendices			
GreenSquare Jane Gilbert	Appendix 4. Provider refusals: where an applicant is under 18 years of age and has failed to provide an appropriate guarantor, this be amended to say guarantor and trustee	Agreed	
GreenSquare Jane Gilbert	Request to reference provider grounds from its lettings policy eg an applicant owes a debt to the housing provider, an applicant was previously evicted by the housing provider and a housing provider identifies that a household member has been involved in illegal acts or ASB within the past 2 years.	Partly agreed. Amend to include the wording "... evidence their reason for refusing an applicant for a property under its <i>adopted lettings policy</i> "	