

COUNCIL

26 JUNE 2019



18 June 2019

Unless a majority of the Council resolve to extend the meeting before 10.00 pm it will automatically end at 10.00 pm in accordance with Council Procedure Rule 17.2.

To all Members of the Council,

You are hereby summoned to attend a meeting of the **MID SUSSEX DISTRICT COUNCIL** to be held in the **COUNCIL CHAMBER** at these offices on **WEDNESDAY, 26TH JUNE, 2019 at 7.00 pm** to transact the following business:

Yours sincerely,

KATHRYN HALL
Chief Executive

Pages

- | | | |
|----|---|----------------|
| 1. | Opening Prayer | |
| 2. | To receive questions from members of the public pursuant to Council Procedure Rule 9. | |
| 3. | To confirm Minutes of the meetings held on 27 March 2019 and 22 May 2019. | 7 - 20 |
| 4. | To receive declarations of Interest from Members in respect of any matter on the Agenda | |
| 5. | To consider any items that the Chairman of the Council agrees to take as urgent business. | |
| 6. | Chairman's Announcements. | |
| 7. | Review of the Housing Allocations Scheme. | 21 - 84 |
| 8. | Representatives on Outside Bodies. | 85 - 90 |
| 9. | Member Development Working Group. | 91 - 98 |

Working together for a better Mid Sussex

10. Recommendations from the Cabinet Meeting of 3 June 2019.

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11. To receive the Leader's Report.

12. Report of Cabinet Members, including questions pursuant to Council Procedure Rule 10.1.

13. Motions on Notice.

A. HAYWARDS HEATH COLLEGE

Proposed by: Cllr Jonathan Ash-Edwards
Seconded by: Cllr Jim Knight

That Full Council:

- Expresses its support for the substantial work undertaken by MSDC in partnership with WSCC, the LEP and the Government, with the support of Rt. Hon Sir Nicholas Soames MP, to deliver the opening of sixth form provision at the Harlands Road site in Haywards Heath.
- Welcomes the appointment of the Chichester College Group to run the new Haywards Heath College.
- Fully supports the bid to be made by Chichester College Group to the LEP for £1m of capital funding to match fund contributions made by CCG and Government towards the fit out of the building, and urges the LEP to consider this bid positively.

B. ENVIRONMENT AND CLIMATE CHANGE

Proposed by: Cllr Andrew Lea
Seconded by: Cllr John Belsey

That Full Council notes and supports the declaration by Parliament on 1 May 2019 of an environment and climate change emergency and the intention of Parliament of 12 June 2019 to legislate for net-zero greenhouse gas emissions by 2050. Mid Sussex District Council recognises the responsibility that it has to protect our own environment and tackle climate change.

Therefore, Full Council:

- Commits to continue to actively seek ways to protect the environment and help to tackle climate change.
- Reaffirms its support for its Sustainability Strategy, progress against which is monitored by the relevant Scrutiny Committee.
- Agrees to re-establish the Sustainability & Climate Change Panel with 8 Members, to provide advice to the Cabinet Member for Environment & Service Delivery on these issues.

- Requests that the Cabinet Member and Officers investigate the feasibility and implications of introducing food waste collection in Mid Sussex and report to the relevant Scrutiny Committee.
- Expresses support for the West Sussex Climate Pledge which has been launched by West Sussex County Council.

Full Council also notes, supports, and will build on the significant actions MSDC has already taken:

- Reducing residual waste and increasing recycling, including the trial of kerbside collection of textiles and small electrical equipment and expanding garden waste collection.
- Installing energy efficiency measures at MSDC's offices, including the installation of PV panels.
- Working to reduce the use of single use plastics.
- Signing up over 50 cafes, restaurants and businesses to the national Refill scheme to make free water available and reduce single-use plastics.
- Installation of electric vehicle charging points in MSDC car parks, with up to 26 further points approved by Cabinet in April 2019.
- Provision for electric vehicle charging points in the Northern Arc development.
- Securing Green Flag awards at Beech Hurst Gardens and St John's Park, with an application made for a Green Flag award at East Court & Ashplats Wood.
- Investment in 2019-20 to improve facilities for residents in key parks.
- Negotiating the transfer from Homes England of at least 75 hectares of parks and open spaces to the Council to manage.
- Progressing plans for cycle routes between Haywards Heath, Burgess Hill and Hassocks whilst looking to support cycle initiatives across Mid Sussex
- Adopting District Plan policies on pollution, biodiversity, sustainable design and renewable energy
- Supporting residents with energy efficiency and affordable warmth projects.
- Working with partners to improve air quality at key traffic spots such as the Stonepound Crossroads and London Road, East Grinstead.

C. BURGESS HILL GROWTH PROGRAMME

Proposed by: Cllr Judy Llewellyn-Burke
 Seconded by: Cllr Emma Coe-Gunnell White

That Full Council notes that:

- The Burgess Hill Growth Programme is one of the largest strategic growth programmes in southern England and is being planned holistically to

combine homes, infrastructure, community facilities, green spaces, full fibre connectivity and new employment locations.

- The Council has secured over £61m of public investment into highways, sustainable transport, full fibre connectivity and other infrastructure to support the growth of Burgess Hill.
- The Council has negotiated the transfer of at least 75 hectares of parks and open space and land and funding for the Centre for Community Sports from Homes England.
- New River Retail is seeking to regenerate The Martlets Shopping Centre to create a modern, 21st century town centre including a mix of retail, restaurant, leisure and residential uses as well as a modern replacement library.

Therefore, and without prejudice to the Council's position as planning authority, Full Council:

- Reaffirms its full support for the Burgess Hill Growth Programme.
- Welcomes the investment Homes England has made in the Northern Arc and supports the District Plan policies that underpin it.
- Welcomes New River Retail's continued commitment to Burgess Hill and its support for the regeneration of the town centre.

14. Questions from Members pursuant to Council Procedure Rule 10.2.

To: **Members of Council:** Councillors C Trumble (Chairman), M Belsey (Vice-Chair), G Allen, J Ash-Edwards, R Bates, J Belsey, A Bennett, L Bennett, A Boutrup, P Bradbury, P Brown, H Brunson, P Budgen, R Cartwright, P Chapman, R Clarke, E Coe-Gunnell White, P Coote, M Cornish, R Cromie, J Dabell, R de Mierre, B Dempsey, S Ellis, R Eggleston, A Eves, L Gibbs, I Gibson, S Hatton, J Henwood, S Hicks, S Hillier, T Hussain, R Jackson, J Knight, C Laband, Andrew Lea, Anthea Lea, J Llewellyn-Burke, A MacNaughton, G Marsh, J Mockford, A Peacock, C Phillips, M Pulfer, R Salisbury, S Smith, A Sparasci, L Stockwell, D Sweatman, N Walker, R Webb, N Webster and R Whittaker

**Minutes of a meeting of Council
held on Wednesday, 27th March, 2019
from 7.00 pm - 8.43 pm**

Present: B Forbes (Chairman)
C Trumble (Vice-Chair)

J Ash-Edwards	S Ellis	E Matthews
A Barrett-Miles	C Fussell	P Moore
E Belsey	S Hansford	H Muddin
J Belsey	G Heard	K Page
M Belsey	C Holden	G Rawlinson
L Bennett	A Jones	P Reed
M Binks	J Knight	R Salisbury
P Bradbury	J Landriani	L Stockwell
H Brunsdon	Andrew Lea	D Sweatman
C Catharine	Anthea Lea	M Thomas-Atkin
R Cherry	J Llewellyn-Burke	N Walker
R Clarke	A MacNaughton	G Wall
P Coote	G Marples	N Webster
R de Mierre	G Marsh	P Wyan

Absent: Councillors A Boutrup, T Dorey, D Dorking, S Hatton, C Hersey, M Hersey, N Mockford, A Watts Williams, R Whittaker and J Wilkinson

1. OPENING PRAYER

The opening prayer was read by the Vice-Chairman.

2. TO RECEIVE QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE 9.

None.

3. TO CONFIRM MINUTES OF THE MEETING HELD ON 27 FEBRUARY 2019.

The minutes of the meeting of Council held on 27 February 2019 were agreed as a correct record and signed by the Chairman.

4. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

Councillor Andrew Lea, Councillor Bradbury, Councillor Bennett, Councillor Barrett-Miles, Councillor Heidi Brunsdon and Councillor Jones declared a personal interest in any items related to West Sussex County Council as they are Councillors for that Authority.

5. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN OF THE COUNCIL AGREES TO TAKE AS URGENT BUSINESS.

None.

6. CHAIRMAN'S ANNOUNCEMENTS.

The Chairman noted that this was the last Council meeting of the current administration and his last as Chairman. For those Members who would not be standing again, he wished them well. He announced that it had been an honour and privilege to serve as Chairman of the Council for the past 2 years and he thanked the Democratic Services team for their support.

The Leader of the Council gave a vote of thanks from all Members, and presented the Chairman with gifts, noting that he had served as Chairman at the highest order in a proper and robust manner.

7. STATEMENT OF COMMUNITY INVOLVEMENT (SCI).

The Solicitor to the Council drew Members attention to the tabled amendments to the Statement of Community Involvement (SCI).

Councillor Walker moved this item subject to the revisions tabled, noting that it had twice been considered by the Scrutiny Committee for Community, Housing and Planning twice and subjected to public consultation. Councillor MacNaughton seconded the item.

With reference to the Council's Duty to Cooperate, a Member sought assurance that proper consultation was carried out with Crawley Borough Council. It was confirmed that consultation did take place and also extended to the Member of Parliament for the area and the Local Ward Member.

The Chairman took Members to the recommendation contained in the report, which was agreed unanimously.

RESOLVED

Council agreed to:

- (i) Adopt the proposed revised Statement of Community Involvement (SCI) in accordance with legislation, and delegates responsibility to the Divisional Leader for Planning and Economy to ensure that the adopted SCI is placed on the website, and stakeholders are notified accordingly.

8. MSDC PAY POLICY STATEMENT 2019/20.

Councillor Thomas-Atkin moved this item, highlighting that the Statement includes a scale for apprenticeships. She confirmed that the Council's apprenticeship programme was well established, with more roles created in the past year. Councillor Ash-Edwards seconded the item.

The Chairman took Members to the recommendation contained in the report, which was agreed unanimously.

RESOLVED

Council agreed the Pay Policy at Appendix A, to comply with the requirements of the Localism Act.

9. TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2019/20 - 2021/22.

Councillor John Belsey moved the item as Chairman of the Audit Committee, drawing Members attention to key indicators contained in section 2 of the Treasury Management Statement. He noted that the Audit Committee scrutinised the reports both at the mid-year point and at year end including reviewing rates of interest, and all aspects of investments. As such he confirmed that the Council is in sound financial health with a significant investment portfolio and low debt. Councillor Llewellyn-Burke seconded the item.

The Chairman took Members to the recommendations contained in the report, which were agreed unanimously.

RESOLVED

Council agreed:

- (ii) the proposed Treasury Management Strategy Statement (TMSS) for 2019/20 and the following two years, including the additions to specified investments listed above;
- (iii) the Annual Investment Strategy (AIS) and the Minimum Revenue Provision Statement (MRP) as contained in Sections 4 and 2.3 respectively of the report;
- (iv) the Prudential Indicators contained within this report.

10. CAPITAL STRATEGY 2019/20.

Councillor John Belsey moved the item as Chairman of the Audit Committee noting that this is the first year the Council has produced a Capital Strategy. He highlighted that the Corporate Plan has in the past included a Strategy designed to guide such investment but this good practice has now been formalised through a revision to the CIPFA Prudential Code. The Capital Strategy therefore fulfils the requirements of this Code.

Councillor Llewellyn-Burke seconded the item and thanked Members of the Audit Committee for its scrutiny.

The Chairman took Members to the recommendation contained in the report, which was agreed unanimously.

RESOLVED

Council approved the Capital Strategy 2019/20.

11. APPOINTMENT OF INDEPENDENT PERSONS FOR THE INDEPENDENT REMUNERATION PANEL FROM 1 JULY 2019.

Councillor Webster moved the item, noting that the interview panel were impressed by the calibre of the applications. This was seconded by Councillor Llewellyn-Burke.

The Chairman took Members to the recommendation contained in the report, which was agreed unanimously.

RESOLVED

Council agreed to appoint Neil Gershon, Jane Henry and Jane Rothwell to the Independent Remuneration Panel for terms of 4 years from 1 July 2019, following the recommendations of the Appointments Panel.

12. STANDARDS COMMITTEE ANNUAL REPORT 2018.

Councillor Bradbury moved the item as Chairman of the Standards Committee. He thanked the committee (which includes District, Town and Independent Members) and noted that the committee has worked robustly over the past year. Councillor Jones seconded the item, noting that the committee continues to promote high standards.

The Chairman took Members to the recommendation contained in the report, which was agreed unanimously.

RESOLVED

Council noted the report.

13. MEMBER DEVELOPMENT WORKING GROUP ACHIEVEMENTS 2017-18.

Councillor Ellis moved the item as Chairman of the Working Group and thanked Members and Officers who worked together to understand the training needs of Members. She noted the development of the Learning Pool as an on-line training facility, and thanked Officers for redesigning the 'Becoming a Councillor' information. She also encouraged new and returning Members to support the progress made in reducing the amount of papers produced, by opting for the on-line options available. Councillor Binks seconded the report.

The Chairman took Members to the recommendation to note the report, which was agreed unanimously.

RESOLVED

Council noted the report.

14. TO RECEIVE THE LEADER'S REPORT.

In his final report of the current administration, the Leader noted that even as elections approach, the Council continues to be forward focused, taking forward key projects, with a strong message to tell in terms of achievements and determination to deliver on the behalf of residents. He also thanked the Member Development Working Group for the progress made, and looks forward to it continuing.

He noted that work is continuing at a strategic level with his recent attendance at the Coast to Capital Board meeting, the Transport for South East Forum and Board meeting, his chairing of the recent meeting of the Greater Brighton Economic Board (GBEB) and the Joint Committee of the LEP. As GBEB Chair he also attended and opened the Coastal West Sussex business event and will be co-hosting the 'IMEX' Futureproofing the City Region event at the Amex Stadium.

He has also attended the opening of two projects which have come about as part of this strategic work; the opening of the Adur Tidal Walls at Shoreham and the Hub in Burgess Hill which all play a part in securing growth in the District and region. He noted that investment from Government is the only way to make a real difference to residents and the Council has established itself as a key player at the heart of strategic bodies.

In conclusion the Leader also noted the progress made over the past year on the project to bring the 6th Form College site back into use for residents of Mid Sussex and that the Council is committed to bringing it forward as soon as possible with the continued support of the Rt. Hon. Sir Nicholas Soames MP. He also noted the impending visit to the Council by Margot James MP, the Minister for Digital, Culture, Media and Sport.

15. REPORT OF CABINET MEMBERS, INCLUDING QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.1

Report of the Deputy Leader and Cabinet Member for Economic Growth

The Deputy Leader noted the District has a strong, resilient and vibrant economy and that over the past year the Council has taken steps to continue to unlock further potential. The Economic Development Strategy sets out work that the Council will do over the coming years and a strong start has been made in delivering on these commitments. The recent Open4Business event was also well received by all those attending.

He noted that the Council continues to make progress on acquisition and disposal projects. Bold decisions have been made in its strategy to acquire assets to both generate income and invest money in the District to support town centres and the economy. He thanked Officers who have supported his portfolio and thanked Members for their engagement throughout.

Report of the Cabinet Member for Finance and Performance

The Cabinet Member noted that work is beginning on establishing a simple and effective Council Tax Support Scheme. She also noted that the Council's performance figures for December 2018 to February 2019 will shortly be presented to the relevant Scrutiny Committee and Cabinet and reflect the best performance to date.

Report of the Cabinet Member for Customer Services

The Cabinet Member thanked the Leader and commented that it has been a privilege to hold the Portfolio for Customer Service. She commended the Officers ability to adapt to the ever changing requirements of residents and the high standards that are maintained. This can be evidenced by the Council's Customer Services Awards where the vast majority of the recipients of these awards were proposed by

customers and highlight the range of excellent work staff have done to ensure they meet and exceed customer expectations.

The Cabinet Member reflected on key achievements over the past year, in particular the launch of the new Mid Sussex District Council website and the re-branding of Mid Sussex Matters, both of which provide vital tools in passing information to residents.

Other achievements include the Annual Canvas which saw outstanding levels of returns with a significant increase of residents wishing to complete on-line, generating savings for the Council in terms of postage and staff time. The Elections team have supported towns and villages in their Neighbourhood plans on previous polling days, and are now working with the Communications team on the Voter ID pilot for local elections on 2 May. The Legal Team have also achieved the Lexcel quality standard meaning it has now been held for the last 10 years.

In conclusion the Cabinet Member noted that Councillors have also witnessed changes over the past term, including the roll out of Office 365, the access of training via the Learning Pool and meeting papers now being accessible through the Mod.Gov app. She thanked the Member Services team and the Member Development Working Group for their work in these areas.

Report of the Cabinet Member for Service Delivery

The Cabinet Member announced that as part of the Council work with West Sussex County Council to stop abuse of the Blue Badge system, a successful prosecution has recently occurred and the Blue Badge abuser has been fined £7500 for his transgressions. He noted and agreed with a Members frustration that the decision had been taken by Brighton City Council not to name the person involved.

He drew Members attention to a recent 'Swishing' event which promoted the reuse of textiles and thanked Councillor Ellis for organising such a well-attended event. Councillor Ellis added her thanks to those involved including Officers, Girl Guides, volunteers and local businesses.

He noted that judges will be visiting the Green Flag application site in East Grinstead on 15 April and an itinerary will be circulated to those interested in attending. He also confirmed the conclusion of all poolside work at the Triangle Leisure Centre, and noted the proposed enhancements identified at the Dolphin Leisure Centre, including a new cafe and softplay and new training and treatments rooms. Further details will be provided in a report to Cabinet in April.

With regards to the introduction of alternative means of paying for parking, he confirmed that this has been well received, and after a 12 month period cashless payments should reflect 17.5% of all transactions. In February there was also a 5% increase in car park transactions across the whole district.

The Cabinet Member drew Member's attention to the 85 hectares of green space identified in the outline planning applications for the Northern Arc, noting that part of the green space will be an extension of Bedelands Nature Reserve.

The Cabinet Member in response to a question confirmed that the intention is that the Bedelands extension will eventually be handed over to the management of the Friends of Bedelands Nature Reserve.

He concluded by thanking all Members who are standing down at the end of this administration as over his 16 years at the Council they have all made a difference to the residents of Mid Sussex. He extended particular thanks to Councillors Chris and Margaret Hersey and Councillor Marples.

Report of the Cabinet Member for Community

The Cabinet Member confirmed that Sussex Police have agreed a further 200 posts as part of budget proposals for 2019 making a total overall increase of 400 Officers on the ground along with very substantial efficiency improvements. The Police and Crime Commissioner has also announced that the Police Command and Control Centre is to receive further IT and staff investment. The Cabinet Member had recently visited the CCTV suite in Lewes and following local elections a visit will be arranged for Members to view the impressive equipment in use.

He reiterated the Council's continued community focussed interventions to reduce instances of anti-social behaviour by using powers to encourage positive changes in behaviour before it escalates to criminality.

He urged Members to read the Annual Equalities Report which details many initiatives undertaken by the Council to enhance life in Mid Sussex with special focus on the most vulnerable residents and seldom heard members of the community.

He also noted the financial assistance provided by the Cabinet Grants Panel where in February alone, £110,000, was provided to 16 local charities and community projects. In the prior year a sum of £128,316 was awarded in Community and Economic Development Grants and the Facilities Grants accounted for £2,467,862 of investment into local communities. Over £1.3m has also been committed to home adaptations to over 130 homes in the District.

The Cabinet Member drew Member's attention to the Wellbalanced programme in which residents at risk of trips and falls participate in classes to reduce this danger. He confirmed that from August 2015 to January 2019, 464 people had been enrolled in the programme which translates to a potential saving of over £1,206,000 in terms acute care costs as well as the human cost of a nasty fall.

He confirmed that there has been considerable investment in 18-25 year olds who are 'Not in education, employment or training' with 30 people each year being counselled and supported in order to find employment. He also acknowledged that the Mid Sussex Partnership led by the Leader is held up as an exemplar of partnership working.

Other achievements noted included the bronze award status awarded as part of the Council's participation in the Armed Forces Covenant and the Tommy silhouette displayed outside the main reception to mark the 100th anniversary of the end of World War 1. He also noted the work carried out to improve the Taxi and Private Hire services to residents including safeguarding training, the standardisation of taxi livery and vehicle age limit, as well as a strong stance taken by the Council when a driver doesn't meet standards.

He concluded by thanking all Members and Officers for their support and thanked the Leader for his leadership and strategic focus.

Report of the Cabinet Member for Housing and Planning

The Cabinet Member reflected on achievements made by the Portfolio for Housing and Planning, in particular the adoption of the District Plan in March 2018 after a supreme effort by staff and Members tasked with going through it in detail as each new stage in the process was reached. He noted there was now a strong team working on the Plan and maintaining the 5 year housing land supply and as the District Plan is a living document, work is ongoing towards the plan review which starts in 2021 with submission in 2023.

He noted that the Housing department has expanded and risen to the challenge of addressing the changes in government legislation. The temporary accommodation project is also proceeding well with four families already housed in properties provided by the Council, providing a better service to those who have already had to go through a traumatic time. He also noted that Officers continue to work to try and prevent families becoming homeless and have a range of schemes to support families in need.

In conclusion the Cabinet Member thanked all staff and Members for a rewarding term as a positive difference has been made, and there is a sound base on which to move forward.

16. QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 10.2

None.

At the conclusion of the official agenda, the Chairman invited the Leader to speak regarding a personal announcement. The Leader confirmed that it was his intention to stand down as Leader of the Council and to not stand as Councillor at the elections on 2 May 2019. In a speech to all Members he reflected on the significant achievement of the Council during the last three administrations and he thanked all Members and Officers for their support. The Deputy Leader responded, thanking him for his excellent leadership, good spirit and friendship. This was expressed further in speeches by Councillor Jones, Councillor Walker, the Chairman and Councillor Knight who spoke as Mayor of Haywards Heath, thanking him on behalf of Haywards Heath Town Councillors.

The meeting finished at 8.43 pm

Chairman

**Minutes of a meeting of Annual Council
held on Wednesday, 22nd May, 2019
from 7.00 - 7.16 pm**

Present:

G Allen	R Cromie	Anthea Lea
J Ash-Edwards	J Dabell	J Llewellyn-Burke
R Bates	R de Mierre	A MacNaughton
J Belsey	B Dempsey	G Marsh
M Belsey	R Eggleston	J Mockford
A Bennett	S Ellis	A Peacock
L Bennett	A Eves	M Pulfer
A Boutrup	L Gibbs	R Salisbury
P Bradbury	I Gibson	S Smith
P Brown	S Hatton	A Sparasci
H Brunsdon	J Henwood	L Stockwell
P Budgen	S Hicks	C Trumble
R Cartwright	S Hillier	D Sweatman
P Chapman	T Hussain	N Walker
R Clarke	R Jackson	R Webb
E Coe Gunnell White	J Knight	N Webster
P Coote	C Laband	
M Cornish	Andrew Lea	

Absent: Councillor C Phillips

Councillor Bruce Forbes in the Chair

1 OPENING PRAYER.

The Chairman read the opening prayer.

2 TO ELECT THE CHAIRMAN OF THE COUNCIL.

Councillor Ash-Edwards nominated Councillor Trumble for Chairman of the Council. This was seconded by Councillor Llewellyn-Burke. As there were no other nominations, this was agreed unanimously.

Councillor Ash-Edwards and Councillor Trumble thanked the outgoing Chairman for his service to the Council over the past 2 years.

RESOLVED

That Councillor Trumble be elected Chairman of the Council for the 2019/20 Council year.

3 TO APPOINT THE VICE-CHAIRMAN OF THE COUNCIL.

Councillor Trumble nominated Councillor Margaret Belsey for Vice-Chairman of the Council. This was seconded by Councillor Marsh. As there were no other nominations, this was agreed unanimously.

RESOLVED

That Councillor Margaret Belsey be appointed Vice-Chairman of the Council for the 2019/20 Council year.

4 TO RECEIVE THE REPORT OF THE RETURNING OFFICER AS TO THE PERSONS ELECTED TO SERVE AS DISTRICT COUNCILLORS FOR THE DISTRICT OF MID SUSSEX ON 2 MAY 2019.

The Returning Officer reported as to the persons elected as District Councillors for the District of Mid Sussex on 2nd May 2019.

RESOLVED

That the report be received.

5 CHAIRMAN'S ANNOUNCEMENTS.

The Chairman welcomed all new Members and returning Members and thanked them for electing him as Chairman. He noted that his focus will be on ensuring that the business of Council is carried out effectively and efficiently and to ensure that all Councillors have the opportunity to hold the Cabinet to account, in the interests of the community. He noted that conventions are in place to ensure that this is possible. He also reminded Members of the dress code for Council meetings, which requires gentlemen to wear collars and jackets, though he wished to relax the convention that gentleman must wear a tie. He also asked that Members refrain from wearing political badges in the Chamber.

The Chairman invited all Members to join him for refreshments after this meeting, and confirmed that his nominated charity will be announced at the next Council meeting in June.

6 TO ELECT THE LEADER OF THE COUNCIL FOR A FOUR YEAR TERM.

Councillor Marsh nominated Councillor Ash-Edwards as Leader of the Council. This was seconded by Councillor Bradbury. There were no other nominations.

RESOLVED

That Councillor Ash-Edwards be elected Leader of the Council for four years.

7 TO AGREE THE NUMBER OF MEMBERS TO BE APPOINTED TO THE CABINET BY THE LEADER AND TO NOTE THOSE MEMBERS APPOINTED AND ELECT A DEPUTY LEADER OF THE COUNCIL FOR FOUR YEARS FROM THE APPOINTED CABINET.

The Leader thanked the Council for the confidence placed in him. He noted that whilst the recent election delivered a different composition for the Council, the way forward remained clear. He congratulated both re-elected and new Members and acknowledged that it is a privilege to serve the community and district. He confirmed that his role is to deliver the manifesto commitments made to the residents of Mid Sussex and as one of youngest Leaders in the Country, who has grown up in the District he is committed to working hard on behalf of residents.

In order to reflect the challenges anticipated over the next year, the Leader named Councillor Llewellyn-Burke as Deputy Leader and the five Cabinet Members. He announced that details of portfolio responsibilities would be shared after this meeting.

Deputy Leader of the Council – Councillor Llewellyn-Burke
Cabinet Member for Community – Councillor Webster
Cabinet Member for Customer Services – Councillor de Mierre
Cabinet Member for Economic Growth – Councillor Hillier
Cabinet Member for Environment & Service Delivery – Councillor John Belsey
Cabinet Member for Housing & Planning – Councillor MacNaughton

RESOLVED

That Councillor Llewellyn-Burke be appointed as the Deputy Leader and that the Cabinet appointments for 2019/20 be noted.

8 TO RECEIVE THE REPORT OF THE MONITORING OFFICER: POLITICAL BALANCE: SECTION 15 LOCAL GOVERNMENT AND HOUSING ACT 1989; THE LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS) REGULATIONS 1990

Council received the report of the Monitoring Officer, setting out the political balance of the Council for the 2019/20 year and the recommended allocation of seats to committees. It was noted that the political leaders have had the opportunity to review the details in advance.

RESOLVED

That the report be received and agreed.

For the year 2019/20:

- i. The three Scrutiny Committees each comprise of 15 members, consisting of 9 Conservative, 4 Liberal Democrat, 1 from the Green and Burgess Hill Independent Group and 1 from the Independent Councillors;
- ii. Two Planning Committees each comprise 12 members, consisting of 8 Conservative on each of the 2 committees, 3 Liberal Democrat on each of the 2 committees, 1 from the Independent Councillors for the Planning Committee and 1 from the Green and Burgess Hill Independent Group for the District Planning Committee;
- iii. The Licensing Committee comprises 15 members, consisting of 10 Conservative, 3 Liberal Democrat, 1 from the Green and Burgess Hill Independent Group and 1 from the Independent Councillors;

- iv. The Standards Committee comprises 6 Council members consisting of 4 Conservative (other than the Leader), 1 Liberal Democrat and 1 from the Green and Burgess Hill Independent Group and 4 representatives of town/parish councils.
- v. The Audit Committee comprises 7 members consisting of 4 Conservative, 1 Liberal Democrat, 1 from the Green and Burgess Hill Independent Group and 1 from the Independent Councillors.

9 TO RECEIVE AND NOTE THE NOMINATIONS TO THE FOLLOWING COMMITTEES FOR 2019/20. (TO BE TABLED)

The Chairman introduced the report and referred Members to the tabled nominations to committees.

As there were no questions, the Chairman took Members to the recommendations in the report which were agreed unanimously.

RESOLVED

That the appointment of Members to Committees as set out below be noted:

Audit Committee (7 Members)

Anne Boutrup	Chris Phillips
Matthew Cornish	Mike Pulfer
Rachel Cromie	Lin Stockwell
Simon Hicks	

Licensing Committee (15 Members)

Graham Allen	Anthea Lea
Peter Chapman	Clive Laband
Rachel Cromie	Gary Marsh
Lee Gibbs	Samantha Smith
Ian Gibson	Neville Walker
Janice Henwood	Roger Webb
John Dabell	Norman Webster
Jim Knight	

Licensing Sub Committee A (5 Members)

Graham Allen	Anthea Lea
Janice Henwood	Gary Marsh
Jim Knight	

Scrutiny Committee for Housing and Planning and Economic Growth (15 Members)

Richard Bates	Sue Hatton
Margaret Belsey	Simon Hicks

Paul Budgen	Clive Laband
Paul Brown	Julie Mockford
Rod Clarke	Adam Peacock
Emma Coe-Gunnell White	Neville Walker
Rachel Cromie	Roger Webb
Robert Eggleston	

***Scrutiny Committee for Community, Customer Services and Service Delivery
(15 Members)***

Liz Bennett	Anthea Lea
Anne Boutrup	Gary Marsh
Peter Chapman	Julie Mockford
Benedict Dempsey	Mike Pulfer
Sandy Ellis	Samantha Smith
Ian Gibson	Alex Sparasci
Janice Henwood	Dick Sweatman
Tofojjul Hussain	

Scrutiny Committee for Leader, Finance and Performance (15 Members)

Graham Allen	Jim Knight
Alison Bennett	Andrew Lea
Heidi Brunsdon	Chris Phillips
Roger Cartwright	Mike Pulfer
Phillip Coote	Lin Stockwell
Rachel Cromie	Colin Trumble
Anne Eves	Rex Whittaker
Rodney Jackson	

District Planning Committee (12 Members)

Richard Bates	Adam Peacock
Peter Chapman	Robert Salisbury
Emma Coe-Gunnell White	Dick Sweatman
Sue Hatton	Neville Walker
Rodney Jackson	Roger Webb
Clive Laband	Rex Whittaker

Planning Committee (12 Members)

Graham Allen	Robert Eggleston
Paul Budgen	Andrew MacNaughton
Roger Cartwright	Gary Marsh
Emma Coe-Gunnell White	Mike Pulfer
Phillip Coote	Dick Sweatman
John Dabell	Neville Walker

Standards Committee (6 MSDC Members)

Alison Bennett	Heidi Brunsdon
Liz Bennett	Rod Clarke
Pete Bradbury	Anne Eves

10 PROGRAMME OF MEETINGS 2019/20.

The Chairman introduced the report and referred Members to the tabled nominations to committees.

The Solicitor to the Council introduced the report. In response to a query on the date of the Licensing Committee in February 2020, he confirmed that the correct date will be confirmed following the meeting and an updated programme circulated.

As there were no further questions, the Chairman took Members to the recommendation which was agreed unanimously.

RESOLVED

That the Revised Programme of Meetings for 2019/20 (with the February amendment) be approved.

The meeting finished at 7.16 pm

Chairman

REVIEW OF THE HOUSING ALLOCATION SCHEME

REPORT OF: Judy Holmes, Assistant Chief Executive
Contact Officer: Emma Shuttleworth, Business Unit Leader, Housing Services
Email: Emma.Shuttleworth@midsussex.gov.uk Tel: 01444 477431
Wards Affected: All
Key Decision: No
Report to: Council
26 June 2019

Purpose of Report

1. Following its endorsement by the Scrutiny Committee for Community, Housing and Planning at its meeting on 6 March 2019, to seek Council's approval of a revised Housing Allocation Scheme.

Summary

2. At its meeting on the 31st January 2018, Council agreed the current Housing Allocation Scheme. Following implementation of the scheme in April 2018 it has been necessary to recommend revisions to the scheme to ensure it meets current legislative requirements and best practice.

3. This report sets out the areas of the scheme that require revision

- Changes to Applicants who do not qualify to be on the housing register
- Homeless Main Duty Applicants – special rules
- Homeless Relief Duty Applicants
- Direct Allocations
- Allocation of Extra Care vacancies

These are highlighted in yellow in the Allocation Scheme at Appendix 1.

4. In addition, a number of minor textual amendments have been made to some paragraphs to clarify, but not change, the meaning. These are made to provide clarity and ensure consistency with any legislative changes and are highlighted in grey in the Allocation Scheme at Appendix 1.
5. A summary of the proposed revisions can be found at Appendix 2.
6. We have consulted with key partners and organisations and their feedback is reflected in the minor amendments to the proposed revised Allocation Scheme which has been approved by the Cabinet Member for Housing in accordance with the agreement of the Scrutiny Committee.

Recommendation

- 7. Council is recommended to approve the revised Housing Allocation Scheme at Appendix 1 to take effect from the 1st of August 2019.**

Background

8. Local authorities may allocate affordable homes only in accordance with their adopted Housing Allocation Scheme, (Section 169 Housing Act 1996)

9. A review of the Scheme provides an opportunity to make amendments, the need for which have come to light during the last 12 months of operation.
10. The draft revised Allocation Scheme can be found at Appendix 1. Proposed changes to the Scheme are highlighted in that document and are explained in this report.
11. Should the Scheme be approved by Council on 26th June 2019, the new scheme will come into effect from the 1st of August 2019. This is because the Council relies on Clarion to run the Council Housing Register and they have indicated that a lead time will be required to enable the changes to be implemented.

Changes to applicants who do not qualify to be on the housing register (paragraph 11 / page 9)

Clarion Tenants

12. As a result of a decision taken by Clarion to manage all transfers for their tenants, Clarion tenants are currently disqualified from the Council's housing register.
13. Up until 2014, following the Council's Large Scale Voluntary Transfer of its housing stock in 1990 to Mid Sussex Housing Association, now Clarion Housing the Council had enjoyed 100% nominations to vacancies in Clarion's stock. However, in 2014 Clarion took the decision to revert to the legal position which allows only 75% of their vacancies or relets to applicants on the housing register. Since then Clarion have changed their position and will now only use their 25% nomination rights in exceptional circumstances. As a consequence they have requested that the Council amend the Allocation Policy to enable their tenants to join the Council's housing register.
14. It is therefore proposed that Clarion tenants should no longer be disqualified from joining the Council's housing register.

Provision of false information (Paragraph 11.7 page 13 & 12.11 page 15)

15. Currently, applicants who are found to have given false information or have withheld relevant information in connection with their application for housing are disqualified from joining the Council's housing register. The time period for disqualifications is currently unspecified. It is proposed to add a time limit of 24 months for disqualification in order to provide clarity. 4 applicants were disqualified in 2018 for this reason and 1 in 2017.

Homeless applicants where the Council has a duty to ensure they have accommodation available to them special rules (paragraph 44 / page 43 & paragraph 34.2 / page 33). Amendment proposed to reflect the requirements of the Homelessness Reduction Act 2017.

16. The Scheme currently places those to whom a housing duty under s.193 of the Housing Act 1996 is owed in band C, i.e. households with a statutory duty to whom we provide temporary accommodation.
17. It is proposed to give these applicants priority over some other applicants in this band. All applicants from Armed Forces personnel receive the highest priority within

band C. This proposed change will place applicants to whom a duty under s.193 of the Housing Act 1996 is owed as the next highest priority. This is intended to improve these applicants' opportunities to make a successful bid to enable them to move out of temporary accommodation as soon as possible. This will also enable the Council to make more efficient use of temporary housing. Currently around 45 applicants a year could benefit from this amendment.

Homeless Applicants owed the Relief Duty requiring the Council to take reasonable steps to relieve the applicants homelessness (paragraph 15(3)(b) page 18 & 24.1 (a) page 26

18. This is a new duty introduced by the Homelessness Reduction Act 2017 and this group are owed a reasonable preference in relation to the Housing Register. It is therefore proposed to place those applicants who are also in priority need or are likely to be in priority need in Band C whilst the Relief Duty is owed. This is intended to improve these applicants' opportunities to make a successful bid to enable them to move out of temporary accommodation as soon as possible. This will potentially result in savings on temporary accommodation costs and will also enable the Council to make more efficient use of temporary housing. Currently around 118 applicants a year could benefit from this amendment.

Suitable offers of accommodation to those owed a relief duty or s.193 duty

19. Applicants owed a relief duty under the Homelessness Reduction Act 2017 and those owed a housing duty under s.193 of the Housing Act 1996 will not have a 12 weeks free bidding period. If such applicants receive an offer of accommodation but refuse the offer and the authority are satisfied that the offer is suitable, this will end the duties under the legislation and no further housing duty will be owed. This change will remove the ability for such applicants to refuse suitable offers and remain in temporary accommodation provided by the Council unnecessarily. There are currently 118 applicants who would be affected by this amendment.

Direct Allocations – (paragraph 50 / page 46)

20. The Scheme currently allows Direct Allocations of homes to be made in prescribed circumstances. It is proposed to expand this to allow provision, in exceptional cases, for some homes to be allocated through Direct Allocation with the agreement of the housing association and the Council's Housing Needs Team Manager.
21. This change will allow those who are in exceptional housing need and require a particular type of property which rarely becomes available to be made a direct let. For example a homeless applicant in unsuitable temporary accommodation provided by the Council who needs adapted accommodation.
22. This change will benefit approximately 2 -3 applicants a year.

Extra Care Housing Allocations (paragraph 49.3.5 / page 46)

23. Extra Care Housing Schemes vacancies are currently allocated via a Multi -Agency Panel. A new approach is to be piloted which will enable direct lettings via WSCC Extra Care Co-Ordinator in partnership with the Extra Care Housing providers. This

follows best practice and successful pilots elsewhere in the county.

Other Matters

Statutory Guidance issued in November 2018 – Improving Access to Social Housing for Victims of Domestic Abuse in Refuges or Other types of Temporary Accommodation

24. The Secretary of State strongly encourages all Local Authorities to exempt from their residency requirements those who are living in a refuge or other form of safe temporary accommodation in their district having escaped domestic abuse in another local authority area. The updated statutory Homelessness Code of Guidance advises Local Authorities to extend the same level of support to those at risk of domestic abuse who have to leave their home in the area they have lived, from other areas as they do to their own residents.
25. Consideration has been given to whether there is a need to amend the current Scheme to reflect the above guidance. After careful consideration, it is felt that the current Scheme meets the guidance and therefore there is no requirement to amend the scheme.

Policy Context

26. A sound housing allocation scheme contributes to meeting the Council's aim to deliver opportunity and quality of life for all. Having a fair and transparent scheme that helps prevent homelessness and promotes choice is also an integral part of the Council's Housing and Homelessness Strategies.

Other Options Considered

27. Any options considered are set out in the report.

Financial Implications

28. None save for the potential to reduce the Council's spend on temporary accommodation through the additional priority awarded to applicants to whom a housing duty under s.193 of the Housing Act 1996 is owed.

Risk Management Implications

29. There is always a risk that when changes are made to allocation schemes some unintended consequences arise. Any such impacts will be identified through the regular quarterly review of the Allocation Scheme, and options to address any such issues would be brought before this Committee.

Equality and Customer Service Implications

30. Changes to the Housing Allocation Scheme have been the subject to an equality impact assessment. None of the proposals contained in this report will reduce the priority for social housing that is currently given to any protected group.
31. The implementation of the allocation scheme is regularly monitored, and this will enable the Council to keep the impact of all of these changes under review.

Other Material Implications

32. None

Background Papers

33. MSDC Housing Allocation Scheme.

Appendices

Appendix 1. Amended Housing Allocation Scheme with highlights

Appendix 2 Summary of proposed changes to the Housing Allocation Scheme

Appendix 3. Equality Impact Assessment

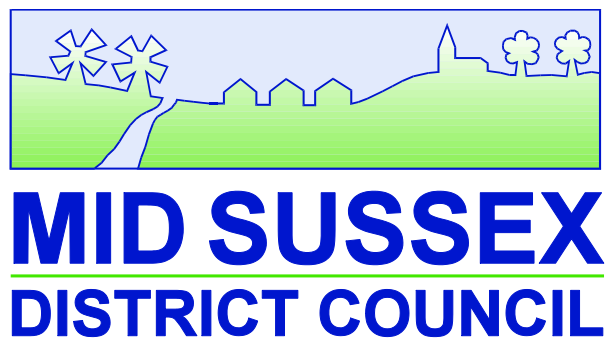
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MID SUSSEX DISTRICT COUNCIL

HOUSING ALLOCATION

SCHEME

Choice-Based Lettings with effect from xxx2019



MID SUSSEX DISTRICT COUNCIL
HOUSING ALLOCATION SCHEME
(Choice-Based Lettings with Sussex Homemove)

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Introduction and overview

1. INTRODUCTION

1.1 Since the transfer of its rented homes in 1990 to a housing association now known as Clarion Housing, the District Council no longer owns or manages any social housing available for long term renting. It does, however, have extensive formal and informal nomination rights for homes owned by housing associations and other affordable housing providers which enable it to put forward prospective tenants for social housing owned by those landlords and this Housing Allocation Scheme applies to those nominations.

1.2 Part VI of the 1996 Housing Act (as amended by the Homelessness Act 2002 and the Localism Act 2011) requires that the Council has, and publishes, an Allocation Scheme which sets out how it decides who to put forward as a prospective tenant of a housing association. The Scheme must show how the Council awards priority to particular descriptions of applicants and the procedure that is followed in allocating housing. In revising the Allocation Scheme, the council has taken into account:

- 1996 Housing Act (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017)
- Localism Act 2011
- Regulations and guidance issued by government relating to allocations.

This Housing Allocation Scheme, which has been approved by elected Members, is intended to meet these legal obligations and has been framed with due regard to the Council's published Housing Strategy, Homelessness Strategy and Tenancy Strategy.

1.3 In Mid Sussex, applying through the Mid Sussex Common Housing Register is the usual route to social housing for most people, including, current tenants of social landlords living either inside or outside Mid Sussex, who wish to move to a home in the district owned by their own landlord or a different social landlord.

1.4 The Allocation Scheme sets out who does and does not qualify to go on the housing register; how priority is given to Applicants with differing housing circumstances; and the procedures that are to be followed when applicants are selected to be allocated accommodation by the Council.

1.5 Effective Date

This Housing Allocation Scheme will take effect in respect of all allocations of housing on or after **insert date here** and qualifying criteria set out at **11** below will be applied to new and existing Applicants from this date.

1.6 Qualifying/Eligibility criteria

The Council will only arrange housing for an Applicant if they are 'eligible' and 'qualify' for social housing and their name appears on the Mid Sussex Common Housing Register.

- The rules which govern who is 'not eligible' for housing are set out in Part VI of the Housing Act 1996 and details of this are given at **10** below.
- The rules covering who does not 'qualify' for social housing are set out at **11** below.
- Applicants may cease to be eligible or to qualify if they cease to meet the relevant criteria set out at **10** or **11** and may then be removed from the housing register.
- Applicants may also cease to qualify if they fail to bid for a home in a period of 12 months (see **11.3** below)

1.7 Priority Bands

An Applicant's priority for housing is assessed by assessing the housing needs of their household and comparing them against the needs of other Applicants. By law the Council must give reasonable preference to certain categories of Applicant who are on its housing register, and these categories are set out at **7** below. The law allows the Council to give different priority to Applicants falling within these categories and details of how it does this are set out in the Scheme.

Applicants are placed in one of four broad Bands of housing need according to their circumstances. **With some exceptions,** applicants are ranked in date order within each Band by the date they registered or moved into a higher Band. However, in some circumstances where an Applicant has been allowed to join the register, despite not satisfying the local connection criteria, they may be afforded reduced priority than those who do have a local connection.

1.8 Choice-Based Lettings through Sussex Homemove (www.homemove.org.uk)

Since April 2010 the Council has adopted a Choice-Based Lettings Scheme which is operated through a countywide partnership called Sussex Homemove.

An Applicant's permission to share their personal information with all Sussex Homemove partner organisations is a condition of being accepted on the Council's housing register as set out at **12.12** (Data Protection) below.

Vacant homes in Mid Sussex are advertised in a regular electronic magazine on the internet at www.homemove.org.uk. Applicants who are registered on the Mid Sussex Common Housing Register may actively 'bid' for (express an interest in) any home that matches their need. With certain exceptions, the successful 'bidder' will be the highest placed suitable applicant in the highest Priority Band.

1.9 The Council's policy on offering choice and preference to housing applicants is set out at **6** below.

1.10 'Affordable Rented homes', 'Social Rented Homes' and 'Flexible Tenancies'

Since April 2011 housing associations have been allowed to offer some homes for rent at 'Affordable Rents' set at a maximum of 80% of market rents in the private sector. These rents are higher than the 'Social Rents' that other social housing is let at. All advertisements of homes will indicate which type of rent applies and will also detail the actual rent payable so that this is clear to any Applicant who bids.

The way Applicants are selected, and the way bids from Applicants are prioritised, is the same whether the rent is set as an 'Affordable Rent' or at a 'Social Rent'.

Housing associations are now also allowed to offer homes for rent on Flexible Tenancies for a minimum fixed term of 5 years on an assured shorthold tenancy rather than on a permanent assured tenancy, as they have normally done previously.

Most fixed term tenancies will be renewed when they come to an end, but this cannot be guaranteed. At the end of a fixed term tenancy the tenancy and the individual tenant's circumstances will be reviewed by the housing association landlord. At that stage the tenancy may be renewed for a further fixed term or in some circumstances may be ended.

It is possible that a tenancy might not be renewed if the tenant has not complied with their tenancy agreement (e.g. they have rent arrears), or they no longer need the accommodation because their income is now high enough for them to afford to buy or rent privately. A tenant could also be asked to move at the end of their fixed term to a different affordable home if the home they occupy is more suitable for someone else e.g. because

some of their family have moved away and they no longer need so many bedrooms. The housing association landlord will be able to advise the tenant about its own particular policies on renewing tenancies.

1.11 Direct Allocation of some homes

Some homes (e.g. most supported housing) are allocated direct to Applicants and are not advertised through choice-based lettings. Details of rules associated with the Direct Allocation of these homes are set out at **49-50** below.

1.12 In summary, the Allocation Scheme explains:

- Who is excluded from joining the housing register (see **9-11**)
- How to apply, register and renew an application (see **12-13**)
- The Priority Bands and categories of need within them (see **14-17**)
- Assessment of housing need and banding (see **18-27**)
- How Transfer requests are managed (see **28**)
- How we advertise homes to let (see **29-30**)
- How to bid (see **31-35**)
- How we prioritise bids (see **36-47**)
- The letting process (see **48**)
- Direct allocation of some homes (see **49-50**)
- Other housing options available to applicants (see **51**)

2. THE MID SUSSEX COMMON HOUSING REGISTER

2.1 The Mid Sussex Common Housing Register is a partnership between Mid Sussex District Council and housing associations who provide homes in the district. It is a list of people (and their details) who want to apply for social housing in Mid Sussex.

2.2 The purpose of the Common Housing Register is to make it easier for Applicants to be considered for housing by the Council and all the housing associations in the partnership, without them having to complete a separate form for each one.

2.3 The current housing associations who are our Common Housing Register partners are as follows:

Accent Housing	Raglan Housing Association
Clarion Housing (subject to member approval)	Raven Housing Trust
East Grinstead Housing Society	Saxon Weald Housing Association
Eldon Housing Association	Shaftesbury Housing Association
English Rural Housing Association	Southdown Housing Association
Hanover Housing Association	Southern Housing Group
Hastoe Housing Association	Stonewater
Home Group	Sussex Housing & Care
Hyde	Sussex Oakleaf Housing Association
London & Quadrant Housing Trust	The Guinness Trust
Moat Housing Group	The Little Black Bag Housing Association
Peabody Housing Association	Franklands Village HA (associate member)

2.4 The Council's Common Housing Register is administered under contract by the Homemove Team at Clarion Housing. Staff in the Homemove Team process all applications from Applicants and assess which Band they should be placed in according to their housing need as set out in this Allocation Scheme.

All applications and enquiries about the Common Housing Register should be made to the following address:

**The Homemove Team
Clarion Housing
Upton House
7 Perrymount Road
Haywards Heath
RH16 3TN**

Tel: 0300 100 0303

Email: mid.sussexhomemove@clarionhg.com

3. WHO CAN APPLY TO JOIN THE COMMON HOUSING REGISTER

3.1 **Any Applicant aged 16 or above** may apply to join the register, although some may not be eligible or qualify to join (see **9-11** below).

An Applicant under the age of 18 will not usually be allocated accommodation. Exceptions may include:

- an Applicant who has been accepted for housing by the Council because they were homeless
- an Applicant who has been in the Care of Social Services or otherwise considered to be vulnerable and will be receiving on-going support

A guarantor may be required by some Registered Social Landlords when letting to an Applicant who is under 18.

3.2 **Existing social housing tenants currently living within Mid Sussex who wish to apply for a transfer** may also join the register (see **28** below).

Details of how transfers are dealt with are set out at **28** below.

3.3 **Who can be included on the application?**

- Anyone who is part of the Applicant's household and residing with the Applicant
- Anyone who normally resides with the Applicant or who it would be reasonable to expect to live with the Applicant **on a permanent basis.**
- Children can normally only be included if they normally live with the Applicant and the Applicant can demonstrate that they have responsibility for them (see **18.3** below)

4. AN APPLICANT'S RIGHT TO REQUEST GENERAL INFORMATION

4.1 An Applicant has the right to request general information that will enable them to assess:-

- How their application is likely to be treated under the Allocation Scheme and, in particular, whether they are likely to fall within the reasonable preference categories;
- Whether accommodation 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.

4.2 We aim to make available comprehensive information on the whereabouts of social housing stock in the District, broken down by town and village and size of accommodation, together with details of how often vacancies have occurred. Up-to-date information, when available, will be made available on the Council's website www.midsussex.gov.uk/homemove.

- 4.3 We also aim to publish anonymised information on housing register Applicants and those who are selected for housing to strengthen public confidence in the fairness of our Allocation Scheme.
- 4.4 The law prohibits us from divulging to other members of the public that a particular individual is an Applicant without their consent. All information about individual Applicants is kept strictly confidential.
- 4.5 All enquiries and requests for general information should be made to the Homemove Team at Clarion Housing.

5. NOTIFICATION OF DECISIONS AND THE RIGHT TO APPEAL

- 5.1 An Applicant has the right, on request, to be informed of any decision made by the Homemove team concerning his/her application for housing.
- 5.2 An Applicant who is unhappy with any decision made on their case should first raise the matter with the Homemove Team who will informally review their decision.
- 5.3 An Applicant who is still unhappy with a decision has the right to request a formal review and to be notified in writing of the review decision and the grounds for it.
- 5.4 A request for a formal review must be made within 21 days of the Applicant being notified of the decision (or the outcome of an informal review as described at **5.2** above). Any request must be in writing and should indicate why the Applicant believes the decision is wrong.
- 5.5 The review request should be made to the **Housing Needs Team Manager, Mid Sussex District Council, Oaklands, Oaklands Road, Haywards Heath RH16 1SS**. The Housing Needs Team Manager or their deputy will undertake the review and will notify the Applicant of the decision within eight weeks of the request being made or such longer period as may be agreed in writing.
- 5.6 An Applicant who is considering requesting a review may find it helpful to consult a Citizens Advice Bureau, Shelter, or perhaps a solicitor on how best to do this.
- 5.7 Where the Housing Needs Team Manager or their deputy was a party to the decision being challenged, the review will be undertaken by the Business Unit Leader for Housing Services.
- 5.8 If an Applicant considers that the review decision is wrong, the Applicant may wish to get advice from a solicitor or other adviser as to what options are available to them.

6. OUR POLICY ON OFFERING CHOICE AND PREFERENCE TO HOUSING APPLICANTS

- 6.1 The Council is committed to giving people greater choice in where they live. Our aim is to take account of people's views about where they wish to live and who they wish to have as a landlord. We wish to balance the real housing needs of people who apply for housing with the need for sustainable communities where people want to live. We believe that people who have a part to play in the decision about where they live are more likely to contribute to their community and to encourage others to do the same.

- 6.2 To assist Applicants to make informed choices about their future housing we will provide them with accurate and relevant information about the stock of social housing in the district together with details of the number of lettings in previous years to enable them to assess the likelihood of them successfully obtaining housing of the type and in the area they wish to live.
- 6.3 We are committed to a system of Choice-Based Lettings in which applicants are encouraged to actively search for a home. Vacant housing association homes are advertised on the internet **via the Homemove Scheme**. Applicants are able to express an interest, or 'bid', for suitable homes they like.
- 6.4 Applicants are placed in one of four broad Priority Bands of housing need according to their housing circumstances. With certain exceptions, the successful Applicant will be the person who bids who has the highest housing need and who has been registered with that need the longest.
- 6.5 **Refusing an offer of accommodation**
With certain exceptions we will not normally penalise Applicants who, having successfully bid for a home, subsequently refuse an offer of accommodation.

7. THE CATEGORIES OF APPLICANT TO WHOM WE MUST GIVE REASONABLE PREFERENCE

- 7.1 The law says we must give reasonable preference to certain categories of people on our register when we decide who to offer accommodation to. The Allocation Scheme therefore takes account of these categories and does so by placing people in an appropriate Priority Band, although the priority given to each category is not necessarily equal.
- 7.2 **The categories of people the law says we must give reasonable preference to are as follows:-**
- (a) People who are homeless (within the meaning of Part VII of the Housing Act 1996 **(as amended)** and the Homelessness Reduction Act 2017);
 - (b) People who are owed a duty by any housing authority under the following sections of the Housing Act 1996:-
 - s.190(2) (intentionally homeless and in priority need);
 - s.192(3) (non-priority need homeless who are occupying accommodation arranged by the Council);
 - s.193(2) (unintentionally homeless and in priority need);
 - s.195(2) (threatened with homelessness intentionally and in priority need);
 - (c) People occupying unsanitary or overcrowded housing or otherwise living in unsuitable housing conditions;
 - (d) People who need to move on medical or welfare grounds, including any grounds relating to a disability;
 - (e) People who need to move where failure to meet that need would cause hardship (to themselves or to others).

8. EQUALITY AND DIVERSITY

- 8.1 Mid Sussex District Council is committed to the principle of equal opportunity and accessibility in relation to affordable housing and full regard to the Equality Act 2010 has been given when drafting this Allocation Scheme. We seek to ensure that all housing Applicants are treated fairly and that no one receives less favourable treatment on the grounds of age, disability, gender, religion, race, ethnic or national origin, sex, sexual

orientation, gender reassignment or any other factor that might cause disadvantage that cannot be justified.

- 8.2 Mid Sussex District Council is committed to helping anyone who needs assistance in accessing affordable housing in the District. The Homemove Team will work closely with all agencies to assist customers wherever possible. As part of the Homemove Partnership's commitment to equalities, an Equality Impact Assessment has been undertaken which includes the basis of this Allocation Scheme. Additionally, the Council has undertaken its own Equality Impact Assessment on any changes to its Allocation Scheme as and when they are introduced.
- 8.3 In order to ensure that all applicants are treated fairly, equality monitoring information is requested on the housing application form. Additionally, equality monitoring of the allocation of accommodation is undertaken.

Who is excluded from joining the register

9. OVERVIEW

- 9.1 Although anyone aged 16 or above may apply to join the Common Housing Register, the law does not allow the Council to allocate accommodation to people unless they are 'eligible for an allocation of accommodation' and such people will not be allowed to join the register (see **10** below).
- 9.2 In addition, the law allows the Council to disqualify other categories of people from joining or remaining on the register. For a description of who does not 'qualify' see **11** below.
- 9.3 Applicants may cease to be eligible or qualify if they cease to meet the relevant criteria set out at **10** or **11** and may then be removed from the housing register. Applicants may also cease to qualify if they fail to bid for a home in a period of 12 months (see **11.3** below)
- 9.4 Any Applicant who is excluded from the register will be notified in writing by the Homemove Team of the decision, the grounds upon which it was based and of their right to request a review of that decision. Details of the procedure for requesting a review of such a decision are set out at **5** above.
- 9.5 The Homemove Team will also notify the Council's Housing Needs Team Manager of any Applicant found not to 'qualify' because of unacceptable behaviour under **11.6** in writing and with full reasons.

10. APPLICANTS WHO ARE 'NOT ELIGIBLE' FOR SOCIAL HOUSING

- 10.1 Eligibility for social housing depends on the applicant's nationality, immigration status and whether they have recently lived abroad. A person is ineligible and may not be allocated accommodation under Part VI of the Housing Act 1996 who is subject to immigration control unless that person falls within an exemption specified by the Secretary of State.
- The law does not allow the Council to allocate a joint tenancy to two or more people if any one of them is considered not to be eligible.

11. APPLICANTS WHO DO NOT QUALIFY TO BE ON THE HOUSING REGISTER

- 11.1 The Housing Act 1996 (as amended by the Localism Act 2011) allows the Council to decide that some categories of Applicant do not qualify to join the housing register. The Council has decided that the following categories of Applicant do not qualify to join the housing register:
- a) Applicants without a Local Connection to Mid Sussex (see **11.2**)
 - b) Applicants who have been registered for at least 12 months who have not 'bid' on a home in the preceding 12 months (see **11.3**)
 - c) Applicants whose annual household gross income exceeds £60,000 (see **11.4**)
 - d) Applicants who own accommodation; have a legal interest in homeownership; or have the financial resources to own accommodation (see **11.5**)
 - e) Applicants whose unacceptable behaviour is serious enough to make them unsuitable to be a tenant. (see **11.6**)
 - f) Applicants who are found to have given false information or have withheld relevant information in connection with their application for housing (see **11.7**).

11.2 Applicants without a Local Connection to Mid Sussex do not qualify to be on the housing register

Applicants who do not have a Local Connection with Mid Sussex do not qualify to join the housing register unless they are exempted as set out at **11.2.1** or **11.2.2** or **11.2.3** or **11.2.4** or **11.2.5** below.

To establish a 'Local Connection' with Mid Sussex an Applicant or joint Applicant must (with certain exceptions as set out below) meet at least one of the following criteria:-

The Applicant or joint Applicant has a Local Connection if s/he

- a) resides in the District as their only or principal home and has done so **continuously** for the previous 2 years; or
- b) has resided in the District as their only or principal home for a period of at least 3 years in aggregate out of the previous 5 years; or
- c) is in paid employment in the District (working 16 hours or more a week) and has been **continuously** for the previous 2 years; or
- d) has close relatives who reside in the District as their only or principal home and have done so for at least the previous 5 years, or the previous 2 years if the Applicant is aged 65 or over. Close relatives will normally only cover parents, adult children or brothers or sisters, including corresponding step relationships. Grandparents, grandchildren, aunts or uncles and non-adult children will normally be included only where the Council considers that it is necessary for the Applicant to be accommodated within the District in order to provide or receive significant and essential medical or social support to/from the relative.
- e) is a care leaver who is owed a continuing duty under s.23C of the Children Act 1989 by West Sussex County Council; or is owed that duty by another authority but has resided in Mid Sussex for at least two years, some or all of which falls before they turned 16.

If an Applicant ceases to meet the Local Connection criteria they will cease to qualify.

11.2.1 Armed Forces Personnel – exemption from Local Connection qualifying criteria

Armed Forces Personnel do not need to meet the Local Connection criteria set out at **11.2** above to qualify if they are an Applicant who

- a) is serving in the regular forces or who has served in the regular forces within the previous 5 years; or
- b) has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner who has served in the regular forces and whose death was attributable to their service; or
- c) is serving or has served in the reserve forces and who is suffering from serious injury, illness or disability which is attributable to their service.

For this purpose "the regular forces" and "the reserve forces" have meanings given in section 374 of the Armed Forces Act 2006(b).

Additional priority is given to bids from Armed Forces Personnel - see 43
(Armed Forces Personnel – additional priority, special rules).

11.2.2 Right to Move – exemption from Local Connection qualifying criteria

Existing social tenants of accommodation in England who wish to exercise their Right to Move to a social tenancy in Mid Sussex for employment reasons do not have to meet the Local Connection criteria set out at **11.2** above to qualify if they are an Applicant who

- a) is already either a secure or introductory tenant of a local authority or an assured tenant of a private registered provider; and
- b) needs to move to a particular locality in the district, where failure to meet that need would cause hardship (to themselves or others); and
- c) needs to move because they work, or have been offered work, in Mid Sussex. In the case of an offer of work the Council must be satisfied that the Applicant has a genuine intention of taking up the offer of work. A need to move which is associated with work, or the offer of work, which is a short-term or marginal in nature, ancillary to work in another district, or voluntary work will not qualify for exemption under this paragraph.

Applicants exempted under this paragraph will be placed in Band C, category (i) but will be given less priority than other Applicants in Band C who do have a local Connection with Mid Sussex or are exempted from requiring one under paragraphs **11.2.1**, See **27** below (The Right to Move)

Right to Move quota – Allocation to those Applicants who qualify for exemption under this paragraph is limited to a maximum of 1% of properties allocated each year, amounting to 3 or 4 properties per year. The Council considers this to be reasonable, taking into account the particularly high demand that exists from other Applicants who do have a Local Connection with Mid Sussex and the small number of requests that are likely to be made under the Right to Move. This quota will be reviewed in the light of changing circumstances.

11.2.3 Homeless Acceptances – exemption from Local Connection qualifying criteria

An applicant to whom Mid Sussex District Council has accepted the main housing duty (under s.193 of the Housing Act 1996) which is continuing and the Council has not referred the duty to another council, do not need to meet the Local Connection criteria set out at **11.2** above.

11.2.4 Applicants over 55 applying for Sheltered/Extra Care Schemes only – exemption from Local Connection qualifying criteria

Such applicants do not need to satisfy the Local Connection qualifying criteria set out at **11.2** above but can only bid on and be considered for Sheltered and Extra Care Schemes. Applicants exempted under this paragraph will be placed in Band D and will be given less priority than other Applicants who do have a local Connection with Mid Sussex.

Extra care vacancies will be prioritised to applicants who are eligible for a WSCC care package. If there are no applicants who meet this criteria then applicants who are self-funding or are funded by other local authorities will also be prioritised according to their care and housing need.

11.2.5 Other exemptions from Local Connection qualifying criteria

Other Applicants who cannot meet the Local Connection criteria set out at **11.2** above may be allowed to qualify, in exceptional circumstances only, at the discretion of the Council's Housing Needs Team Manager or their deputy. In such cases the Applicant should request a formal review of a decision by the Homemove Team that they do not qualify, as set out at **5** above.

To be exempted from the Local Connection criteria under this paragraph the Housing Needs Team Manager or their deputy will normally need to be satisfied that the Applicant's circumstances are exceptional and that there is a particular need for the Applicant to live in Mid Sussex to meet their housing need and a particular reason why that housing need can only be met in social housing rather than in the private rented sector.

11.3 Applicants who have been registered for at least 12 months who have not 'bid' on a home in the preceding 12 months do not qualify to be on the housing register

Applicants who have been registered for at least 12 months but have not bid on a home within the preceding 12 months cease to qualify to be on the Council's register and may be removed.

It is considered that Applicants who are not regularly bidding for homes are unlikely to be in sufficient housing need to qualify.

The Homemove Team will, at its discretion, make exceptions to this where it considers that there is a reasonable explanation for the Applicant's inactivity. Sensitivity will be applied, for example, where the Applicant is identified as being particularly vulnerable or in need of a specific type of property which does not commonly become available to let.

Applicants who are disqualified due to their inactivity may make a fresh application by completing a fresh application form. However, their earlier Priority Date will not be retained.

11.4 Applicants whose annual household gross income exceeds £60,000 do not qualify to be on the housing register

Applicants whose annual combined household gross income exceeds £60,000 do not qualify.

11.5 Applicants who own accommodation, have a legal interest in homeownership, or have the financial resources to own accommodation do not qualify to be on the housing register

(a) Homeownership or legal interest in homeownership - Applicants who own or part own accommodation or who have a legal interest in home ownership (for example through marriage or civil partnership in accommodation owned by their spouse or civil partner) do not qualify.

However, if as a result of a divorce settlement a Court has ordered that the Applicant may not reside in the former matrimonial or civil partnership home in which they still have a legal interest for a period which is likely to exceed 5 years, then the Applicant will be treated as if they do not own or part own accommodation.

(b) Financial resources - Applicants who are considered to have sufficient financial resources to buy suitable accommodation in Mid Sussex also do not qualify. Sufficient financial resources means sufficient capital to buy; or sufficient income to raise a mortgage to buy; or a combination of both. It is considered that normally a mortgage can be obtained amounting to 3 times a single annual income or 2½ times joint annual incomes in addition to a suitably sized deposit. 'Sufficient capital' includes any assets or investments even if they are not immediately available to the Applicant, such as any residential or non-residential property that they own or part own anywhere in the world. Valuation evidence of any capital or assets will be required. However, any lump sum received by a member of the Armed Forces as compensation for an injury or disability on active service is disregarded.

11.5.1 Exemption from disqualification for some Applicants who are substantially disabled or over pension age

Applicants who do not qualify under the criteria set out above at **11.5** may be considered as an exception by the Homemove Team if:

- they own or part own accommodation or have a legal interest in accommodation; and
- they are over state pension age or have a substantial disability; and
- their current home is not suitable for their specific needs; and
- they have insufficient financial resources to buy accommodation that meets their particular housing needs in the private market in Mid Sussex

This exemption is intended to cover situations where a person owns their own home but is no longer able to manage in it due to their advancing years or due to developing a substantial disability that makes living in their home impracticable. Where selling up would not provide sufficient funds to purchase a more suitable alternative in Mid Sussex, such people can find themselves in a difficult position. This paragraph allows such cases to be considered on their individual merits.

11.5.2 Other exemptions from disqualification

Other Applicants who do not qualify under the criteria set out above at **11.5** may be allowed to qualify, in exceptional circumstances only, at the discretion of the Council's Housing Needs Team Manager or their deputy. In such cases the Applicant should request a formal review of a decision by the Homemove Team that they do not qualify, as set out at **5** above.

11.6 Applicants whose unacceptable behaviour is serious enough to make them unsuitable to be a tenant who do not qualify to be on the housing register

Where the Council is satisfied that the Applicant (or a member of their household) is guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant of the Council the Applicant does not qualify.

The Homemove Team will notify the Council's Housing Needs Team Manager of any Applicant found not to qualify because of unacceptable behaviour in writing and with full reasons.

The only behaviour which can be regarded as unacceptable for these purposes is behaviour by the Applicant or by a member of their household that would – if the Applicant had been a Council tenant at the time – have entitled the Council to a possession order under s.84 of the Housing Act 1985 in relation to any of the grounds (other than Ground 8) in Part I of Schedule 2 to that Act. These are fault grounds and include behaviour such as conduct likely to cause nuisance or annoyance, and use of the home for immoral or illegal purposes.

There is no need for the Applicant to have actually been a Council tenant when the unacceptable behaviour occurred. The test is whether the behaviour would have entitled the Council to a possession order if, whether actually or notionally, the Applicant had been a secure tenant.

If an Applicant, who has in the past been deemed by the Council not to qualify, considers their unacceptable behaviour should no longer be held against them as a result of changed circumstances, they can make a fresh application. It will be for the Applicant to show that their circumstances or behaviour have changed.

11.7 Applicants who are found to have given false information or have withheld relevant information in connection with their application for housing do not qualify to be on the housing register

Where an Applicant **or a member of their household** is found to have given false information or withheld relevant information in connection with their application for housing they will not qualify, and if already registered will be removed from the Council's housing register as set out at **12.11** (Providing false information) below.

How to apply, register and renew an application

12. HOW TO APPLY

- 12.1 Application to register on the Mid Sussex Common Housing Register must be made by completing an **online** application form at www.midsussex.gov.uk/homemove.
- 12.2 If an Applicant cannot access the internet, or needs any help completing the form, they should contact The Homemove Team, who are based at Clarion Housing Housing, for assistance. **In exceptional circumstances**, a paper form can be obtained from the Homemove Team.
- 12.3 All correspondence in connection with a housing application should be **uploaded with your application via the customer portal**, or sent to the **Homemove Team, Clarion Housing, Upton House, 7 Perrymount Road, Haywards Heath, RH16 3TN** or emailed to mid.sussexhomemove@clarionhg.com
- 12.4 Applications will not be registered until all information has been received by the Homemove Team that they consider is necessary to assess an application.
- 12.5 When an application is registered, notification will be sent to the Applicant confirming the registration date and which Band they have been placed in, along with the right to request a Review of the decision. Information regarding your Housing Register application can also be accessed via the customer portal at **insert address when have it**
- 12.6 **Medical circumstances**
If the Applicant or a member of their household has a 'Medical Need' to be rehoused, i.e. has any significant medical issue that is directly affected by the Applicant's current housing circumstances and would be relieved by rehousing, then the Medical Circumstances section of the form should be completed. Applicants may supply letters of support from their GP, Consultant etc. if they wish. For more information about how 'Medical Need' is assessed, see **19** below.
- 12.7 **Needing to move for care and support reasons**
Where the Applicant or a member of their household has a need to move for care and support reasons, the Housing Support section of the form should be completed. This should also be completed where the Applicant needs to move in order to give care and support to another person. For more information on needing to move for care and support reasons see **21** below.
- 12.8 **Need for Supported Housing**
Those Applicants who may need supported housing or who have special housing needs should indicate this where requested to on the application form. The information on the form will be used to assess the Applicant's need so they can be allocated appropriate housing and or support.
- 12.9 **Notifying changes of circumstances**
The applicant is responsible for notifying the Homemove Team of any relevant changes in their circumstances which will affect the assessment of their housing application. **This can be done via the customer portal, or if this is not possible by post or e mail.** Examples of this are:- changes of address; changes in the household such as the birth of a baby or the

departure of a household member; the development of a relevant medical condition; or threatened homelessness. This list is not exhaustive, and if the Applicant is in any doubt about whether a change is relevant they should contact the Homemove Team to discuss the matter.

12.10 **Help if you become homeless or threatened with homelessness**

If Applicants become homeless or threatened with homelessness they should contact the Council and make an appointment to see the Housing Needs Team at the earliest opportunity to discuss their housing options. The Housing Needs Team will assess whether the Council has legal responsibilities towards an Applicant and advise and assist as appropriate.

12.11 **Providing False information**

A person may commit a criminal offence if;

- he/she knowingly or recklessly makes a statement which is false in a material particular, or
- he/she knowingly withholds information which the authority has reasonably required him/her to give in connection with their application for housing.
- He/she allows a third party to provide false information on their behalf.

A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding 5 on the standard scale (currently £5,000).

If it is found that false information has been given or relevant information withheld, the application will not be registered or, if already registered, the Applicant may be removed from the Housing Register (as they will not qualify to be on the Council's housing register (see 11.7 above)) and will not be able to reapply for a period of 24 months. Decisions to remove the person from the register will be made based on the seriousness of the false information given and an assessment of why the information was withheld.

Any tenancy granted on the basis of information subsequently found to be false or because material information has been withheld, may be terminated and legal action taken by the landlord to recover possession of the home.

12.12 **General Data Protection Regulations 2018**

We will ensure your information is stored lawfully and we are fair and transparent in the way it is processed. We will only collect data that is specific, explicit and legitimate for the purpose of your housing register application and data will be kept up to date and not held unnecessarily or without appropriate security measures in place. Your information will only be shared with other organisations or individuals in order to legitimately progress your housing register application, for the prevention of fraud or with your explicit consent.

An Applicant's permission to share their personal information is a condition of being accepted on to the Council's housing register.

12.13 **Privacy Notice**

We have a duty to protect the public funds we administer.

The Council may share your personal data, provided for housing application purposes; internally to provide statutory services or other functions the Council is empowered to exercise. We may pass the information to other agencies or organisations, as allowed by law. We may check information you have provided, or information about you that someone else has provided, with other information held by us.

We may also get information about you from certain third parties, or give information to:

- prevent or detect crime or fraud
- protect public funds

- make sure the information is correct

These third parties include government departments, local authorities and private sector companies, including companies that assist us in fraud detection and prevention, such as Credit Reference Agencies. We may also obtain information about you from social media. We will not give information about you to anyone else, or use information about you for other purposes, unless the law allows us to.

Any use of personal data will be in full accordance with the Data Protection Act 1998.

13. THE REGISTRATION AND ASSESSMENT PROCESS

- 13.1 Once a completed application form is received, the Homemove Team will make an assessment of the Applicant's housing needs based on the information provided and other documentation made available to them.
- 13.2 A decision will be made on whether the Applicant is 'eligible' and 'qualifies' to join the register set out at **10** and **11** above. If it is considered that an Applicant is not 'eligible' or does not 'qualify', the Homemove Team will notify the applicant of this decision and the grounds for it, along with the right to request a Review of the decision.
- 13.3 Where relevant, medical priority is assessed by the Homemove Team based on the information supplied by the Applicant using the medical criteria set out at **19** below.
- 13.4 Once their housing need has been assessed, the Applicant will be placed into one of the four Priority Bands as set out at **14 and 15** below and will be given a Priority Date which will be the date they applied to go on the Register or entered a Band. Applicants will also be assessed for the appropriate size of home they can bid for using the bedroom entitlement criteria set out at **18** below.
- 13.5 Sussex Homemove will write to the Applicant to inform them of their successful registration giving them the following information:
- Their Priority Date and reference number
 - Their Priority Band
 - The type and size of home they can bid for
 - Their Mobility Group (physical disability level) if applicable
 - Their right to request a Review if they are not happy with their assessment.

13.6 Renewals of Application

All Applicants must periodically complete a re-registration form to stay on the Common Housing Register.

If the Applicant fails to re-register when requested, the Homemove Team will check their contact details and if the Applicant appears to be a vulnerable person and/or has a high priority need, they will be contacted by phone, visited or referred to the relevant support service for help.

If there is no contact and the Applicant fails to re-register, the application will be deregistered.

It is important that the Homemove Team is notified of any relevant change in the circumstances of the Applicant or of their household which could affect the assessment of their housing application.

Changes should be notified to the Homemove Team by the Applicant as soon as they occur and not left until the application is renewed. Failure to do so may result in the Applicant being removed from the Common Housing Register.

The Priority Bands

14. OVERVIEW

- 14.1 When Applicants are registered on the Common Housing Register, their application will be assessed and they will be placed in one of four Priority Bands according to their category of need as set out at **15** below and given a Priority Date which is the date they applied to go on the register or entered the Band.
- 14.2 When bids are considered for advertised homes, priority will normally be given to eligible bids from Applicants in the highest Priority Band. Within a Band, a bid from the Applicant with the earliest Priority Date will normally be considered first. However, there are some important exceptions to how bids are prioritised which are described at **36-46** below.

15. THE PRIORITY BANDS

15.1 BAND A – emergency or urgent priority

To be placed in this Priority Band the Applicant must fall within one or more of the following categories:

- (a) The Applicant has a High Medical Priority to be rehoused (see **19** below)
- (b) The Applicant is a Transfer Applicant who is under-occupying their home (see **28.2(a)** below)
- (c) The Applicant is a Transfer Applicant who is occupying a significantly adapted home they no longer need but which could be used by someone else who needs the adaptations (see **28.2(c)** below)
- (d) The Applicant is a Transfer Applicant who needs to move urgently because there is a serious personal risk if they remain (to be approved by the Discretionary Priority Panel)
- (e) The Applicant is in exceptional need of housing that warrants placement in Band A (to be approved by the Discretionary Priority Panel)
- (f) The Applicant has needs that, when considered together, are so high that they should be placed in Band A (to be approved by the Discretionary Priority Panel)
- (g) The Applicant is a Transfer Applicant who is a successor (or a non-statutory successor who has been approved by their landlord) wishing to move to smaller or more suitable accommodation. (See **28.2(d)** below)

15.2 BAND B – high priority

To be placed in this Priority Band the Applicant must fall within one or more of the following categories:

- (a) The Applicant has been assessed as lacking two or more bedrooms (see **18** below)
- (b) The Applicant is a Transfer Tenant who needs to move urgently because of serious harassment or threat of violence that is likely to be carried out (to be approved by the Discretionary Priority Panel)
- (c) The Applicant has a Medium Medical Priority to be rehoused (see **19** below)
- (d) The Applicant has been selected by a Supported Housing Panel for a tenancy in general needs housing with specialist floating support (see **22** below)
- (e) The Applicant is ready to move on from supported housing in Mid Sussex; or is homeless and is owed a full duty under the homelessness legislation by Mid Sussex District Council; and their priority has been increased at the discretion of the Council's Housing Needs Team Manager or their deputy (see **23.5**; or **24.5** below).

15.3 **BAND C – medium priority**

To be placed in this Priority Band the Applicant must fall within one or more of the following categories:

- (a) The Applicant is homeless and is owed a full housing duty under the homelessness legislation by Mid Sussex District Council (see **24** below).
- (b) The Applicant is owed the s.189B Relief Duty under the homelessness legislation by Mid Sussex District Council and has been accepted as being in priority need or is considered likely to be in priority need. (see **24** below).
- (c) The Applicant is ready to move on from supported housing in Mid Sussex (to be confirmed in writing by a manager from the supported housing provider); or is ready to move into the community from a mental health hospital and would otherwise be homeless (to be confirmed in writing by the Acute-Setting Worker based at the hospital) (see **23** below)
- (d) The Applicant has a home but Mid Sussex District Council has a statutory duty to rehouse them (e.g. Compulsory Purchase Order; Rent (Agriculture) Act duty) (see **25** below)
- (e) The Applicant has been assessed as lacking one bedroom (see **18** below)
- (f) The Applicant has a Low Medical Priority to be rehoused (see **19** below)
- (g) The Applicant resides in unsanitary or unsatisfactory housing conditions (excluding overcrowding) that cannot be addressed by Environmental Health action such as lacking either a kitchen, bath/shower room, or inside WC
- (h) The Applicant needs to move for care and support reasons where failure to meet that need would cause hardship (see **21** below) (to be approved by the Discretionary Priority Panel).
- (i) The Applicant has exercised their Right to Move and has been exempted from the requirement to meet the Local Connection requirement as set out at **11.2.2** and **27**.

15.4 **BAND D – low priority**

To be placed in this Priority Band the Applicant must fall within one or more of the following categories:

- (a) The Applicant has a housing need that is not identified in Band A, B or C
- (b) The Applicant has deliberately worsened their circumstances or become homeless intentionally (see **26** below)
- (c) The Applicant is owed a full housing duty under the homelessness legislation by another local authority (see **24.2** below).
- (d) The Applicant does not have a Local Connection but is over 55 and applying for sheltered and or Extra Care accommodation only as set out at **11.2.4**. Such Applicants will be accorded reduced preference than those who do have a Local Connection. (See **11.2.4** above).

16. **REASSESSING NEED AND CHANGING BAND**

16.1 **Re-assessing need because of changes in circumstances**

The Homemove Team reviews all applications periodically. If an Applicant's circumstances change, they may be moved up or down a Band depending on their need and if this happens the Applicant will be informed in writing of their move to a new Band and their new Priority Date.

It is important that the Homemove Team is notified of any relevant change in the circumstances of the Applicant or of their household which could affect the assessment of their housing application.

Changes should be notified to the Homemove Team by the Applicant as soon as they occur and not left until the application is reviewed. Failure to do so may result in the Applicant being removed from the Common Housing Register.

When an Applicant notifies of a change that is likely to entitle them to a move to a higher Band, they will not be moved to the higher Band until any evidence or documentation requested by the Homemove Team is received.

When an Applicant notifies of a change that is likely to mean they will be moved to a lower Band, they will be moved to the lower Band immediately whilst their case is considered. In the event that it is decided that the Applicant is entitled to remain in the higher Band they will be returned to that Band.

16.2 Moving up a Band

If an Applicant moves up a Band after they are re-assessed because of a change in their circumstances, they will be given a new Priority Date which will be the date that the Homemove Team was notified in writing of the Applicant's change in circumstances.

If an Applicant has moved up a Band as a result of a formal Review/Appeal under **5** above, they will be given a new Priority Date of the date they requested a Review, or an earlier date if considered appropriate by the Housing Needs Team Manager or their deputy.

If an Applicant has moved up a Band as a result of a duty being accepted by Mid Sussex District Council under the homelessness legislation, they will be given a new Priority Date of the date the duty was accepted.

If an Applicant moves up a Band as a result of being ready to move on from supported housing, they will retain the Priority Date they had when they were in Band D (see 23.2 below).

16.3 Moving down a Band

If an Applicant moves down a Band, then the Priority Date they had in the higher Band will be retained or their Priority Date will revert to an earlier date that they had if they had been in the lower Band previously.

17. THE DISCRETIONARY PRIORITY PANEL

17.1 The Discretionary Priority Panel will include, as a minimum, the following officers:

- The Homemove Manager or their deputy
- The Council's Housing Needs Team Manager or their deputy.

17.2 An Applicant may be awarded Discretionary Priority by the Discretionary Priority Panel to recognise cases of exceptional need under the following Band categories:

Band A

Category (d) The Applicant needs to move urgently from a Mid Sussex tenancy with a housing association because there is a serious personal risk if they remain

Category (e) The Applicant is in exceptional need of housing that warrants placement in Band A.

This could include:

- an Applicant in need of housing as a Permanent Decant because their current home is being demolished or redeveloped (but see **28.6**)
- an Applicant who is in need of urgent housing under Witness Mobility arrangements with the Police

Category (f) The Applicant has needs that, when considered together, are so high that they should be placed in Band A

Band B

Category (b) The Applicant needs to move urgently from a Mid Sussex tenancy with a housing association because of harassment or threat of violence

Band C

Category (h) The Applicant needs to move for care and support reasons (see 21 below)

- 17.3 In all cases a formal report will be prepared either by the Applicant's current social landlord if they are an existing social tenant, or the Homemove Team or the Council's Housing Needs Team if they are not, and submitted to the Discretionary Priority Panel.
- 17.4 An Applicant who is awarded Discretionary priority will be subject to a 12 week time limit for bidding as detailed at 34 below.
- 17.5 The Discretionary Priority Panel may remove any priority it has awarded if the Applicant's circumstances change or the Panel considers that priority is no longer justified.
- 17.6 If the Discretionary Priority Panel is split and unable to reach a majority decision, the case will be referred for a decision to the Housing Needs Team Manager or the Business Unit Leader for Housing Services.

Assessment of housing need and banding

18. BEDROOM ENTITLEMENT

- 18.1 Applicants will be assessed for overcrowding in their current home, and the size of home they may bid for, according to the standards set out below which are based on the Local Housing Allowance (LHA) bedroom entitlement rules. Letting at more generous levels of occupation may mean that the tenant becomes subject to the Removal of the Spare Room Subsidy and may receive a reduced level of Housing Benefit/housing element of Universal Credit that may not fully cover their rent.

Applicants will be considered to be lacking a bedroom for each bedroom their current accommodation falls short of this standard.

Applicants will be entitled to be placed in

- Band C if they lack 1 bedroom; or
- Band B if they lack 2 or more bedrooms.

18.2 The bedroom entitlement calculation

The number of bedrooms needed by a household is calculated as follows:

- 1 bedroom for every adult couple
- 1 bedroom for any other person aged 16 or over
- 1 bedroom for any two children under 16 of the same sex
- 1 bedroom for any two children aged under 10, regardless of sex
- 1 bedroom for any additional child under 16

Subject to a maximum of 4 bedrooms in total.

For these purposes

- a room under 50 square feet in floor area does not count as a bedroom
- a second reception room will generally be considered to be available as a bedroom
- kitchens and bathrooms are ignored
- Applicants occupying a studio flat are considered to have access to a bedroom.

18.3 Joint custody of children

Where an Applicant has joint custody/residence of a child, as part of a formal or informal arrangement, that child will not normally be counted as part of the Applicant's household where the child already has the use of a bedroom with another parent/guardian.

18.4 Expected baby

Reference to a child includes a baby who is expected within 12 weeks. For the purposes of calculating bedroom entitlement until the baby is born, it will be assumed that the expected baby can share a bedroom with an existing child who is under 16, regardless of the expected sex of the baby.

18.5 Additional bedroom because of a medical need

The Homemove Team may, at its discretion, consider that an Applicant needs an additional bedroom over and above the calculation set out above where there is a medical requirement for a household member to sleep in a room alone or where an additional room for medical equipment or an overnight carer is required.

However, Applicants should be aware that an additional bedroom may exceed the bedroom entitlement criteria for Local Housing Allowance (LHA), and may not be fully covered by housing benefit/housing element of Universal Credit as it could be subject to the Removal of the Spare Room Subsidy.

18.6 **Additional bedroom for approved foster carers or adopters**

The Homemove Team may consider that an Applicant needs an additional bedroom over and above the calculation set out above where the Applicant has been approved by West Sussex County Council to enter into an adoption, fostering, or special guardianship arrangement.

However, Applicants should be aware that an additional bedroom may exceed the bedroom entitlement criteria for Local Housing Allowance (LHA), and may not be fully covered by housing benefit as it could be subject to the Removal of the Spare Room Subsidy, even after a child has been placed with them.

18.7 **Transfer Applicants who are under-occupying accommodation**

Transfer Applicants who are under-occupying their current accommodation and have been placed in Band A (see **28.2(a)**) are entitled to bid for suitably sized homes according to the rules set out above, with the exception of those entitled to bid for sheltered/retirement housing who may bid for 2 bedroom vacancies in such housing as and when these occasionally become available.

18.8 **Example calculations**

Example 1

John and Mary have a girl and a boy aged 7 and 9.

They need a bedroom for themselves and one for their children to share.

This makes 2 bedrooms in total.

Example 2

Krishnan and Meera have a girl of 16, a boy of 14 and a girl of 12.

They need a bedroom for themselves, one for each of their children.

This makes 4 bedrooms in total.

Example 3

Peter and Cathy have three boys aged 11, 8 and 6. Peter's mother also lives with them.

They need a bedroom for themselves, one for their 11 year old, one for the 8 and 6 year olds to share and one for Peter's mother.

This makes 4 bedrooms in total.

Example 4

Lindsey has 2 boys aged 18 and 16, two girls aged 14 and 12, and a boy of 10.

Lindsey needs a bedroom for herself, one each for her boys aged 18 and 16, one for the girls aged 14 and 12 to share and another bedroom for her youngest boy aged 10.

This makes a total of 5 bedrooms which is above the maximum of 4 allowed. Lindsey is therefore entitled to 4 bedrooms.

19. **MEDICAL NEED FOR REHOUSING**

- 19.1 The procedure for establishing the priority given to an Applicant with Medical Need for rehousing is set out below.

Low Medical Priority entitles an Applicant to be placed in Band C

Medium Medical Priority entitles an Applicant to be placed in Band B

High Medical Priority entitles an Applicant to be placed in Band A

- 19.2 The medical aspects of a housing application will be assessed by the Homemove Team, with regard to appropriate professional advice as necessary. An Applicant may be visited in order to complete the medical assessment. Any Applicant who completes the Medical Circumstances section of the housing application form is asked to authorise contact with their GP or other medical practitioner if necessary in order to verify or obtain further information about their medical condition.
- 19.3 Medical Priority will only be awarded where the Applicant or a member of their household has a significant medical need to be rehoused, i.e. has a significant medical condition that is directly affected by their current housing circumstances and which is likely to be relieved by rehousing. Medical Priority will not be awarded just because the Applicant or a member of their household has a significant medical condition. The property in which they are currently living must be exacerbating the medical condition.
- 19.4 **Medical Priority** is awarded as follows to reflect the urgency of rehousing:-
- a) **No Medical Priority** will be awarded where an Applicant, or a member of their household, has a medical condition where it is considered by the Homemove Team that rehousing would not improve their health or ability to cope with the condition.
 - b) **Low Medical Priority** (Band C) will be awarded where an Applicant, or member of their household, has a significant medical condition which is likely to be improved by rehousing. This would also apply where it is considered that the ability to cope with the medical condition is likely to be improved by rehousing even where it is unlikely that the condition itself may be improved.
 - c) **Medium Medical Priority** (Band B) will be awarded where the Applicant's current housing has a significant detrimental effect on their, or a member of their household's, medical condition and that their health is likely to seriously deteriorate unless early rehousing takes place.
 - d) **High Medical Priority** (Band A) will be awarded where an Applicant, or a member of their household, has an emergency medical condition requiring immediate rehousing. Medical conditions justifying High Medical Priority would include severe/acute disability which may render the Applicant housebound or technically homeless where it is considered unreasonable for them to remain where they are.

20. MOBILITY NEEDS OF THE APPLICANT OR A MEMBER OF THEIR HOUSEHOLD

- 20.1 All Applicants who have a substantial or permanent physical disability affecting their mobility will be placed in one of the following Mobility Groups that reflects their level of mobility or that of a member of their household. Applicants will then be able to bid for homes that have been labelled as suitable for the Mobility Group they have been placed in, although they may bid for, and be nominated for, any suitable home of their choice.
- For the avoidance of doubt, if an Applicant bids for a property which is advertised as suitable for Applicants with a lesser mobility need than theirs, then they should not be automatically barred from the shortlist of bidders. Instead, they will be contacted to discuss whether the property might be suitable for them in view of their particular needs.
- Mobility Group 1** -Full-time wheelchair user
Mobility Group 2 -Uses a wheelchair some of the time
Mobility Group 3 -Has limited mobility but can manage three steps or less.
- 20.2 The Homemove Team will have regard to advice from the Applicant's Occupational Therapist, where available, or any other relevant medical evidence that confirms the household's mobility issues when making an assessment of which Mobility Group should apply.

For details of how bids are prioritised for homes that are advertised as being suitable for Applicants in Mobility Groups, see **41** below.

21. NEEDING TO MOVE FOR CARE & SUPPORT REASONS

- 21.1 Applicants who need rehousing for 'Care & Support reasons' where failure to meet that need would cause hardship (to themselves or others) are placed in Band C, category (**h**), unless a higher Band applies, subject to approval by the Discretionary Priority Panel (see **17** above).
- 21.2 The welfare, care and support needs of an Applicant will be assessed by the Homemove Team with the help of and in liaison with social services and other relevant agencies as appropriate.
- 21.3 'Care & Support reasons' for rehousing would apply to an Applicant whose household includes someone who has an established need for care and support in order for them to manage in their own home within the community and it is shown that they require rehousing to suitable and settled accommodation in order that these needs can be met and support services arranged and provided.
- 21.4 'Care & Support reasons' might also apply to a care leaver or other vulnerable person who needs a secure base from which they can build a stable life. This would include a person with a disability that renders them less able than others to find their own accommodation and who is ready to live independently from their parent or carer.
- 21.5 'Care & Support reasons' for rehousing may include the need of an Applicant to move to a different locality to give care and support to another person. The need for such a move will be assessed on the basis of the recipient's need.

22. VULNERABLE APPLICANTS PRIORITISED FOR GENERAL NEEDS TENANCIES WITH SUPPORT (VAPs)

- 22.1 Particularly vulnerable Applicants who have been selected for specialised floating support in self-contained general needs housing will be placed in Band B category (**d**). The specialised package of support must be in place or a commitment that it will be in place will be needed before priority will be awarded.
- 22.2 Referrals under this scheme will be considered by a multi-agency Panel who will select appropriate Applicants using the scheme criteria which have been agreed with the Council.
- 22.3 A maximum of 10 such Applicants will be accepted onto this scheme in any one year, subject to the requisite support being available.
- 22.4 Applicants will be selected on the basis of a combination of their housing need, their need for the specific support provided by the scheme and the likelihood of a successful outcome in terms of independent living after the support is eventually withdrawn. Such Applicants could, for example, be particularly vulnerable Applicants who are considered to be ready for move on from supported housing (see **23** below).
- 22.5 An Applicant's housing related debt should not affect their selection for this support. The rules at **37** below do not apply in these cases. However, the housing provider to whom the debt is owed may reserve the right to refuse the applicant tenancy until the debt is cleared.

- 22.6 Once selected under these arrangements, the Applicant will be subject to a 12 week time limit for bidding as detailed at **34** below. An Applicant who fails to bid successfully within this time limit may be subject to Direct/Auto Bidding on their behalf, and also the rules on refusing an offer resulting from a Direct/Auto Bid, as set out at **35** below.
- 22.7 **Local Connection to Mid Sussex** – Only Applicants on the Mid Sussex Housing Register may be considered by the Panel. As with all Applicants, in order to qualify, they must meet the Local Connection criteria that are set out at **11.2** above.
- 22.8 This arrangement applies to the following categories of vulnerable people who are thought likely to require support for a minimum period of 12 months and are eligible for support funded by the WSCC Housing Related Support Programme or other funding stream.
These categories may include Applicants with enduring mental health issues; Applicants with alcohol and substance misuse issues where the Applicant has undergone successful rehabilitation; Applicants with significant learning disabilities; and some young people with long-term support needs, e.g. some care leavers.
- 23. APPLICANTS IN SUPPORTED HOUSING WHO ARE READY TO MOVE ON**
- 23.1 An Applicant who is living in supported housing, and is not ready to live independently, will be placed in Band D.
- 23.2 Where it is confirmed to the Homemove Team in writing by the manager of the supported housing provider that the Applicant is ready to live independently and move on to general needs housing, the Applicant will be placed in Band C, category (c) whatever other housing need they may have. Applicants to whom this applies will retain the Priority Date they had when they were in Band D in order to reflect the time they spent in supported housing.
- 23.3 An Applicant will not be placed in this category if they are being required to leave supported housing because of a breach of tenancy conditions.
- 23.4 An Applicant who is placed in Band C, category (c), will be subject to a 12 week time limit for bidding as set out at **34** below. An Applicant who fails to bid successfully within this time limit may be subject to Direct/Auto Bidding, and the rules on refusing an offer resulting from a Direct/Auto Bid, as set out at **35** below.
- 23.5 **Review of Applicant's Priority** - the Housing Needs Team Manager, or their deputy in their absence, may increase an Applicant's priority by authorising a move into Band B category (e) where they consider that this is appropriate. A decision will be made on a case-by-case basis taking into account the Applicant's particular circumstances; the suitability of their current accommodation and urgency for a move; and the prospects of them moving out of supported housing without an increase in priority.
Any Applicant whose priority is increased in this way will be subject to Direct/Auto Bidding as set out at **35** below.
- 23.6 **Applicants who are residing in a mental health hospital and would otherwise be homeless**
An Applicant who is residing in a mental health hospital and would otherwise be homeless will be treated as if they were an Applicant living in supported housing. When an Applicant to whom this applies is ready to move into the community from a mental health hospital, this will be confirmed to the Homemove Team, in writing, by the Acute-Setting Worker based at the hospital.

This is intended to avoid mental health patients being discharged from hospital into a homeless situation where the hospital is prepared to delay discharge in the interest of sustaining the patient's well-being.

24. APPLICANTS WHO HAVE BEEN ACCEPTED AS HOMELESS

24.1 An Applicant who is homeless and is owed a full housing duty under the homelessness legislation by Mid Sussex District Council will be placed in Band C, category (a), whatever other housing need they may have.

24.1(a) An Applicant who is owed the s.189B Relief Duty under the homelessness legislation by Mid Sussex District Council will be placed in Band C, category (b).

24.2 **An Applicant who is owed a full homelessness duty by another local authority**, and therefore is already being considered for further social housing by that authority, will be placed in Band D category (c) regardless of their current housing circumstances, unless they have been disqualified from joining the housing register as set out at 11 above.

24.3 Applicants who make a homelessness application to the Council will remain in the Band they were in before they applied as homeless unless 15(3)(b) applies whilst their application is considered. Applicants who apply to join the register after they have applied as homeless will be placed in Band D unless 15(3)(b) applies whilst their homelessness application is considered, unless they have been disqualified from joining the housing register as set out at 11 above.

24.4 An Applicant who is placed in Band C, category (a) or (b), will be subject to Direct/Auto Bidding, and the rules on refusing an offer resulting from a Direct/Auto Bid, as set out at 35 below.

24.5 **Review of Applicant's Priority** - the Housing Needs Team Manager, or their deputy in their absence, may increase an Applicant's priority by authorising a move into Band B category (e) where they consider that this is appropriate. A decision will be made on a case-by-case basis taking into account the Applicant's particular circumstances; the suitability of their current accommodation and urgency for a move; and the prospects of them moving out of temporary accommodation without an increase in priority. Any Applicant whose priority is increased in this way will be subject to Direct/Auto Bidding as set out at 35 below.

24.6 **Transitional arrangements** - Applicants to whom the Council accepted a full homelessness duty before 01 May 2014 and who were placed in Band A will remain in that Band but will otherwise be subject to the same rules as other homeless Applicants as set out in this Allocation Scheme.

25. RENT (AGRICULTURE) ACT 1976 CASES

25.1 The Rent (Agriculture) Act 1976 requires the Council to use its best endeavours to provide accommodation for displaced agricultural workers who meet the criteria of that Act and to whom the Council have accepted a duty to rehouse. Applicants to whom this applies will be placed in Band C category (d) and will be subject to a 12 week time limit for bidding as detailed at 34 below.

26. DELIBERATE WORSENING OF CIRCUMSTANCES AND BECOMING HOMELESS INTENTIONALLY

26.1 The Council considers that Applicants who have deliberately worsened their housing circumstances or have become homeless intentionally should not receive immediate priority over other Applicants as a result of their worsened circumstances.

26.2 An Applicant who is considered to have deliberately worsened their circumstances, or is found by the Council to have become intentionally homeless within the meaning of the homelessness legislation, will therefore be placed in Band D (the lowest Band) for a period of 12 months from the date of the decision that this paragraph should apply to them, whatever other housing need they may have. Examples of deliberately worsened circumstances include:

- Applicants who have allowed family members or others to move into their property, who previously had suitable accommodation or the financial means to secure their own accommodation, and this has resulted in the property being overcrowded.
- Applicants who have moved from previously suitable or more suitable accommodation which was reasonable for them to continue to occupy, to less suitable accommodation.
- Homeowners who have transferred their property to another family member within the last 5 years from the date they make their application to the Register.
- Homeowners who have sold a property within the last 5 years and who no longer have the capital available to make provision to meet their housing needs. Consideration will be made on what capital has been used for during this period.
- Applicants who have given up affordable and suitable private rented accommodation which they are able to maintain, to move in with other relatives or friends, creating a situation of overcrowding.
- Requesting or colluding with a landlord or family member to issue them with a Notice to Quit.

These are examples only. There will be other circumstances considered to decide whether an applicant has deliberately worsened their circumstances. All such cases will be assessed on their own particular circumstances.

26.3 After 12 months, the Applicant's housing need will be re-assessed and they will be placed in the Band that applies to their new circumstances at that time.

26.4 If within the 12 month period the Applicant is subsequently accepted as homeless by the Council, they will be placed in Band C as set out at **24** above.

27. THE RIGHT TO MOVE

27.1 Applicants who have exercised their Right to Move and who are exempted from the requirement to meet the Council's Local Connection qualifying criteria, as set out at **11.2.2** above, will be placed in Band C, category (i).

27.2 However, such Applicants will be given less priority than other Applicants in Band C who do have a local Connection with Mid Sussex or are otherwise exempted from requiring one under paragraphs **11.2.1** or **11.2.3**.

27.3 **Right to Move quota** – Allocation to these Applicants is limited to a maximum of 1% of properties allocated each year, amounting to 3 or 4 properties per year. The Council considers this to be reasonable, taking into account the particularly high demand that exists from other Applicants who do have a Local Connection with Mid Sussex.

How Transfer requests are managed

28. TRANSFER APPLICANTS

28.1 Definition of a Transfer Applicant

Any reference to Transfer Applicants in this Allocation Scheme refers only to Mid Sussex tenants of housing associations that are partners of the Mid Sussex Common Housing Register listed at **2.3** above (or others that become partners subsequent to the publication of this Allocation Scheme) who wish to transfer to another tenancy in Mid Sussex with the same or a different social landlord.

- Other social tenants, not fitting this definition, are considered in the same way as all other Housing Applicants.
- Homeless Applicants residing in temporary accommodation arranged by the Council are not considered as Transfer Applicants.

Transfer Applicants may join the Housing Register and will be considered for an allocation of accommodation through the Choice-Based Lettings process in the same way as any other Applicant, subject to the following:

28.2 Banding decisions affecting Transfer Applicants

(a) Transfer Applicants under-occupying accommodation

In the interests of freeing up family-sized accommodation for those in need, it is appropriate that existing social tenants who wish to move to smaller accommodation are given the priority to do so.

Transfer Applicants who have exclusive occupation of bedrooms in excess of the standard set out at **18** (Bedroom Entitlement) and express a wish to move to smaller accommodation will be placed in Band A, category **(b)**.

Such Applicants will be entitled to bid for suitably sized homes according to the rules set out at **18** (Bedroom Entitlement) with the exception of those entitled to bid for sheltered/retirement housing who may bid for 2 bedroom vacancies in such housing as and when these occasionally become available.

A Transfer Applicant who is required to move because their fixed term tenancy has been brought to an end by their landlord because they are under-occupying their home will also be placed Band A, category **(b)**.

(b) Transfer Applicants under-occupying accommodation who move into the private rented sector

In the interests of freeing up family-sized accommodation for those in need, it is considered appropriate that existing social tenants who choose to move to smaller accommodation in the private rented sector to avoid the Removal of the spare Room Subsidy are protected.

Transfer Applicants who have been placed in Band A under the provisions detailed in **28.2(a)** above and who choose to give up their social housing tenancy to move into the private rented sector to avoid the Removal of the Spare Room Subsidy will remain in Band A for a period of up to 3 years or until such time as they move back into social housing, whichever is sooner.

(c) Transfer Applicants occupying a significantly adapted home

In the interests of freeing up significantly adapted homes that are no longer needed but which could be used by someone else who needs the adaptations, Transfer Applicants in this position and wishing to move will be placed in Band A, category **(c)**.

A Transfer Applicant who is required to move because their fixed term tenancy has been brought to an end by their landlord because they are occupying a significantly adapted home which they no longer need will also be placed Band A, category **(c)**.

This clause will also apply to Transfer Applicants occupying a unit of Extra Care accommodation that they no longer need, perhaps because their partner has died.

(d) Transfer Applicants who are successors

A Transfer Applicant who is a successor (or a non-statutory successor who has been approved by their landlord) wishing to move to smaller or more suitable accommodation will be placed in Band A, category **(g)**.

(e) Transfer Applicants facing serious personal risk

A Transfer Applicant who needs to move urgently because there is a serious personal risk if they remain will be placed in Band A, category **(d)**, subject to approval by the Discretionary Priority Panel.

(f) Transfer Applicants facing harassment

A Transfer Applicant who needs to move urgently because of harassment or threat of violence will be placed in Band B, category **(b)**, subject to approval by the Discretionary Priority Panel.

28.3 Priority given to bids from Transfer Applicants

In order to make better use of the housing stock priority is given to bids from Transfer Applicants in certain circumstances. These are detailed in 'How we Prioritise Bids' section of this scheme at **36** below.

Additionally, some priority is given to bids from Transfer Applicants for the following accommodation:

- Ground floor accommodation (or lift-access accommodation in blocks of flats) or other homes advertised as being suitable for Mobility Groups 2 or 3 (see **41.2** below)
- 2 Bedroom 4 Person houses (see **42.1** below)
- 3 Bedroom 6+ Person houses and 4 or more bedroom houses (see **42.2** below)

28.4 Transfer Applicants who are subject to possession action by their landlord

Bids for homes will not be considered from any Transfer Applicant who is subject to possession action by their landlord, including those subject to a Notice Seeking Possession, unless their landlord expressly advises the Homemove Team, in writing, that they are happy for their tenant to move with arrears.

28.5 Temporary Decants

A temporary decant into a suitable property may be arranged by a housing association landlord through Direct Allocation (see **49**) so that major works can be carried out before a tenant can return to their home. A Temporary Decant may be converted to a Permanent Decant where repairs to a tenant's home become so extensive, and the decant time so long, that it considered unreasonable to expect the tenant to return to their original home.

28.6 Permanent Decants

A permanent decant into a suitable property may be arranged by a housing association landlord through Direct Allocation (see **49**) where a tenant's home is to be demolished or redeveloped.

Alternatively, with Discretionary Priority Panel approval, the Applicant may be placed in Band A Category **(e)** to allow them to bid for a home of their choice as set out at **17** above.

28.7 Management Transfers

All Transfers required in cases of exceptional need, e.g. where special medical, social, or unusual circumstances arise, may only take place through the normal Choice-Based Lettings process and must be considered within the provisions of this Allocation Scheme. In such cases, consideration may be given as to whether the Applicant should be

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considered for an award of 'Discretionary Priority' by the Discretionary Priority Panel in order for the Applicant to be placed in a higher Band (see **17** above).

How homes are advertised for bidding

29. HOW WE ADVERTISE HOMES TO LET

29.1 Housing association homes to let in Mid Sussex are advertised through the Sussex Homemove Partnership via its website at www.homemove.org.uk. Available properties are advertised online for eligible applicants to bid on, the frequency and cycle dates are published online. Successful applicants will be contacted as soon as possible by the landlord.

29.2 Only Applicants who are registered on the Mid Sussex Common Housing Register can bid for Mid Sussex Homes, unless the Homemove Team decides to make hard-to-let homes available for other applicants from within the Sussex Homemove Partnership.

29.3 Labelling of homes in adverts

(a) Each home that is advertised in the magazine is accompanied by a photograph and a brief description as well as symbols for an at-a-glance guide to the details and who can bid for it.

This will also include:

- whether the home is to be let at a Social Rent or an Affordable Rent
- whether the home is subject to a Local Lettings Scheme
- whether the home is within a rural exception site and subject to strict Local Connection criteria
- whether the home is a first letting within a new development and subject to strict Local Connection criteria
- whether the home is subject to a sensitive letting

(b) **Homes suitable for disabled people** - All homes that are suitable for disabled people will be advertised for bidding from Applicants in any Band and will be labelled with a mobility classification as set out below.

Mobility Group 1 - Suitable for full-time wheelchair user

Mobility Group 2 - Suitable for those who use a wheelchair some of the time

Mobility Group 3 - Suitable for those who have limited mobility but can manage three steps.

For details of how bids are prioritised for homes that are advertised as being suitable for Applicants in Mobility Groups see **41** below.

(c) **Older persons accommodation or sheltered homes** – All homes that have been designed to provide facilities which are intended specifically for use by an older person will be advertised for bidding from Applicants in any Band. However such homes will only be allocated to older people and will be labelled as such when advertised.

(d) **Local Lettings Schemes** - Some homes will be advertised as being subject to a Local Lettings Scheme agreed with Mid Sussex District Council, to ensure that communities are as balanced as possible.

In such cases this will be clearly indicated in the advert.

Further details about Local Lettings Schemes can be seen at **30** below.

30. LOCAL LETTINGS SCHEMES

30.1 Achieving Balanced Communities

The Council may, where appropriate, in consultation with the relevant housing association, adopt a Local Lettings Scheme whereby individual homes, blocks, streets, estates or neighbourhoods may be allocated according to different criteria to those normally used.

Some Local Lettings Schemes limit who can be considered as a tenant, e.g. they may limit allocation on the basis of Local Connection to the town or village where the home is situated. Others may allow for a 'sensitive letting' so as to exclude Applicants with a history of antisocial behaviour.

Some Local Letting Schemes may include a requirement that a percentage of lettings should go to Applicants who are in paid employment or making a positive contribution to the District.

Such a scheme might be adopted in order to achieve a balanced community on a new estate for example or to assist in rectifying problems on an existing estate where there are management difficulties or the homes have become difficult to let.

Any such Local Letting Scheme will endeavour to ensure that the twin aims of firstly meeting housing need and secondly maintaining sustainable communities within the social housing stock are achieved.

Such schemes will be agreed to operate for a strictly one off letting or for a limited period of time after which the scheme will be reviewed by the Homemove Manager and the Council's Housing Needs Team Manager or their deputy. By exception some schemes may be subject to a local lettings scheme from first lettings onwards due to particular characteristics of the scheme.

30.2 Any home that is subject to a Local Lettings Scheme will be identified when advertised in the Mid Sussex Homemove Magazine along with details of restrictions on who may be considered when allocating the home.

30.3 Schemes subject to a Planning Agreement

Where the accommodation is subject to a planning agreement or other restriction, whether legally enforceable or not, only Applicants who can meet the terms of that agreement or restriction will be allocated that accommodation. This can be the case for housing in some rural locations, called Rural Exception sites, which are intended for occupation by local people. Such homes will be labelled when advertised.

30.4 Essential or Key Workers

The law allows the Council to allocate accommodation to people of a particular description, whether or not they fall within the reasonable preference categories. Occasionally, specific funding is made available for schemes to develop low cost home ownership and affordable rented housing for keyworkers such as teachers, nurses and police officers. These homes will be made available only to Applicants who meet the qualifying criteria. Such homes will be labelled when advertised.

30.5 Sensitive lettings

Some homes will be advertised as being 'subject to sensitive letting' to assist in rectifying problems on an estate where there are management difficulties or the homes have become difficult to let. Whilst any Applicant may bid for homes that are 'subject to a sensitive letting', the Homemove Team will consider bids from those with a history of anti-social behaviour on a case-by-case basis as to whether the Applicant is suitable to be allocated the home they have bid for. For full details of how such bids are considered see **38** below.

How to bid

31. THE BIDDING PROCESS

- 31.1 Full details of how to bid are set out in the Scheme User Guide which is available on the www.homemove.org.uk website. Contact the Homemove Team if you require more information.
- 31.2 All bids for a home are checked against the criteria that have been set for the home, e.g. the size of the home, or any age restrictions that might apply. Bids that do not meet the set criteria will be excluded from consideration. The Homemove Team will provide advice and support to Applicants who regularly bid for homes where they do not meet the correct criteria.
- 31.3 Applicants who have been registered for at least 12 months but have not bid on a home within the preceding 12 months will cease to qualify to be on the Council's register and may be removed (see **11.3**).

32. THE SIZE OF HOME APPLICANTS CAN BID FOR

- 32.1 Applicants may only bid for the size of home that is considered to be suitable for their household. Applicants will be advised of the size they can bid for when they register.
- 32.2 **Bedroom entitlement calculation**
The calculation and rules used to decide the size of home an Applicant may bid for are the same as those used to assess how many bedrooms an Applicant is lacking in their current home.

The bedroom entitlement calculation and rules can be found at **18** above.

33. FEEDBACK ON LET HOMES

- 33.1 All homes that have been advertised that have been let will be listed on the Homemove website showing the number of bidders for each home and the Priority Band and Priority Date of the successful Applicant.

34. TIME LIMITS FOR BIDDING

- 34.1 With certain exceptions (see below) we will not normally penalise Applicants who, having successfully bid for a home, subsequently refuse an offer of accommodation.

- 34.2 Where an Applicant has been placed in either:
Band C (a) because they are owed the full homeless duty under the homelessness legislation by Mid Sussex District Council or:
Band C (b) because they are owed the s.189B Relief Duty under the homelessness legislation by Mid Sussex District Council and has been accepted as being in priority need or is considered likely to be in priority need or:
Band B (e) because they are owed the full housing duty under the homelessness legislation by Mid Sussex District Council and their priority has been increased at the discretion of the Council's Housing Needs Team Manager or their deputy

Such applicants are not entitled to any time in which to freely bid. They will be required to accept the first suitable offer of accommodation, regardless of whether the offer resulted from a bid they made or a direct/auto bid. The refusal of any such offer will be subject to the rules set out at **35.2** below including those made as a result of a bid they made.

- 34.2 There is a **12 week time limit** for free bidding for the following categories of Applicants within Bands A, B and C. Within the 12 week time limit for free bidding Applicants who successfully bid for a home may reject an offer of a tenancy without any penalty.

Band A

- Category (d) The Applicant is a Transfer Applicant who needs to move urgently because there is a serious personal risk if they remain (to be approved by the Discretionary Priority Panel (see **17**))
- Category (e) The Applicant is in exceptional need of housing that warrants placement in Band A (to be approved by the Discretionary Priority Panel (see **17**))
- Category (f) The Applicant has needs that, when considered together, are so high that they should be placed in Band A (to be approved by the Discretionary Priority Panel (see **17**))

Band B

- Category (b) The Applicant is a Transfer Tenant who needs to move urgently because of harassment or threat of violence (to be approved by the Discretionary Priority Panel (see **17**))
- Category (d) The Applicant has been selected by a Supported Housing Panel for tenancy in general needs housing with specialist floating support (see **22**)

Band C

- Category (c) The Applicant is ready to move on from supported housing in Mid Sussex (see **23**)
- Category (d) The Applicant has a home but Mid Sussex District Council has a statutory duty to rehouse them (e.g. under a Compulsory Purchase Order; or Rent (Agriculture) Act duty) (see **25**)
- Category (h) The Applicant needs to move for care and support reasons where failure to meet that need would cause hardship; e.g. to give support to, or receive support from, a family member (see **21**) (to be approved by the Discretionary Priority Panel (see **17**)).

- 34.3 **The 12 week time limit starts from:**

- the date the Applicant is ready to move on from care or supported housing; or
- the date the Applicant was chosen by a Multi-Agency Panel; or
- the date of the Discretionary Priority Panel decision, as applicable.

- 34.4 The 12 week time limit may be extended at the discretion of the Homemove Manager.

- 34.5 **Failure to bid within time limit**

If an Applicant does not bid successfully within the time limit then the Applicant loses their right to bid for the home of their choice and any bids they make may be removed or disqualified.

After the 12 week time limit has expired, the Homemove Team and the Council's Housing Needs Team may make Direct or Auto Bids (see **35** below) on their behalf until a bid is successful and a reasonable offer is made to the Applicant, having reasonable regard to the areas of choice that the Applicant has indicated.

Any bid made by the Applicant after the time limit expires, which is not removed or disqualified, will be treated as if it was a Direct or Auto Bid that was made on their behalf, and the refusal of any offer resulting from this bid will be subject to the rules set out at **35.2** below.

35. BIDS RELATING TO HOMELESS APPLICANTS OWED THE FULL HOUSING DUTY OR THE S.189B RELIEF DUTY AND DIRECT and AUTO BIDDING ON BEHALF OF APPLICANTS

35.1 In certain cases, the Homemove Team and/or the Council's Housing Needs Team may make Direct or Auto Bids on behalf of Applicants as follows:

- (a) **Where the Applicant is homeless and is owed a full housing duty or the s.189B Relief duty under the homelessness legislation by Mid Sussex District Council (see 24)** - the Homemove Team and or the Housing Needs Team may, having reasonable regard to the areas of choice that the Applicant has indicated place Direct and or Auto bids.
- (b) **After the expiry of a time limit for bidding** – where an Applicant who is subject to a time limit for bidding (see 34 above) fails to successfully bid within the specified time limit that applies to them, Direct or Auto Bids may be made on their behalf having reasonable regard to the areas of choice that the Applicant has indicated.
- (c) **Where the Applicant's priority has been increased at the discretion of the Council's Housing Needs Team Manager** – where the Applicant is ready to move on from supported housing in Mid Sussex; or is homeless and is owed a full duty under the homelessness legislation by Mid Sussex District Council; and their priority has been increased at the discretion of the Council's Housing Needs Team Manager or their deputy (see 23.5; or 24.5 above), Direct or Auto Bids may be made on their behalf having reasonable regard to the areas of choice that the Applicant has indicated.
- (d) **Where the Applicant is a MAPPA case** - Applicants who pose a potential risk to the public as assessed by the Multi-Agency Public Protection Assessment Panel (MAPPA) will be restricted from bidding and will not be allowed to choose their home. Instead, Direct or Auto Bids may be made for suitable homes on their behalf until a reasonable offer is made and accepted by the Applicant.

35.2 Refusal of a Final offer resulting from either a bid placed by the Applicant or a Direct or Auto Bid made on behalf of an Applicant

(a) Homeless Applicants

A Homeless Applicant who is owed a housing duty by the Council under s.193, s.195 (2), or s.189B of the Housing Act 1996 who refuses a Final Offer of a home resulting from a bid they have placed themselves, a Direct or Auto Bid on their behalf, which is considered to be suitable by the Council, will result in the ending of that housing duty and an ending of the provision of any temporary accommodation that has been arranged for the Applicant.

Whether or not a Homeless Applicant accepts an offer, they have the statutory right to request a review of the suitability of the accommodation they have been offered. Any offer of a home will not be kept open while the Applicant's case is considered but may be let to another Applicant who has bid. Homeless Applicants are therefore encouraged to accept the offer that has been made to them, even if they intend to request a statutory review of its suitability.

(b) Other Applicants who the Council has a statutory duty to re-house

An Applicant owed a statutory duty to re-house other than a duty under the homelessness legislation (e.g. under a Compulsory Purchase Order; or Rent (Agriculture) Act duty) who refuses a reasonable offer of a home resulting from a Direct or Auto Bid on their behalf will result in the ending of that housing duty.

(c) Applicants who are ready to move on from supported housing in Mid Sussex

An Applicant who is ready to move on from supported housing in Mid Sussex who refuses a reasonable offer of a home resulting from a Direct or Auto Bid on their behalf will lose their priority in Band C (or Band B) and be re-banded to according to their

current housing circumstances. An Applicant who refuses a reasonable offer may request a review of the suitability of the home they have been offered. However, any offer will not be kept open while the Applicant's case is considered but may be let to another Applicant.

(d) Applicants in a Band A, B or C category requiring approval by the Discretionary Priority Panel

An Applicant who is in one of the Band A, B or C categories that requires approval by the Discretionary Priority Panel who refuses a reasonable offer of a home resulting from a Direct or Auto Bid on their behalf will have their case referred back to the Discretionary Priority Panel who will consider whether the refusal was reasonable and whether the award of Discretionary Priority should remain or be removed. However, any offer will not be kept open while the Applicant's case is considered but may be let to another Applicant.

(e) Applicants selected by a Multi-Agency Panel for a tenancy in general needs housing with specialist floating support (see 22)

An applicant who has been selected by a Multi-Agency Panel for a tenancy in general needs housing with specialist floating support who refuses a reasonable offer of a home resulting from a Direct or Auto Bid on their behalf will have their case referred back to the Panel who will consider whether the refusal was reasonable and whether their selection for support should remain. However, any offer will not be kept open while the Applicant's case is considered but may be let to another Applicant. Where the Panel decides that the Applicant should no longer be selected, they will lose their priority in Band B and be re-banded according to their current housing circumstances.

How we prioritise bids

36. HOW BIDS ARE PRIORITISED

36.1 All bids that meet the criteria for each home are placed in priority order on a shortlist. With certain exceptions, priority is normally decided first by Priority Band and then by Priority Date within the Band. Exceptions to this are detailed under the headings below and under the further headings at **37–46** below.

36.2 **Where an Applicant's bids are first on the shortlist for more than one home**

When an Applicant is first in priority order on more than one home, the Homemove Team will use its best endeavours to contact the Applicant to allow them to choose which of these homes they should be nominated for.

36.3 **Tied bids**

Every bid will be assigned a random number when a bid is made and this number will be used to resolve a tie. The highest random number gets priority.

36.4 **If there are no successful bids on a home**

If there are no bids that meet the criteria for a home, the Homemove Manager will decide whether the home should be re-advertised or re-advertised as available for bidding from applicants in the Homemove partnership who are not registered on the Mid Sussex Common Housing Register.

36.5 **Transfer Applicants who are subject to possession action by their landlord**

Bids for homes will not be considered from any Transfer Applicant who is subject to possession action by their landlord, including those subject to a Notice Seeking Possession, unless their landlord expressly advises the Homemove Team, in writing, that they are happy for their tenant to move with arrears due solely to the Removal of the Spare Room Subsidy.

36.6 **Homes advertised as being 'subject to a sensitive letting'**

Bids from Applicants with a history of anti-social behaviour may be given less priority than bids from other Applicants for homes that are advertised as 'subject to a sensitive letting'. For full details see **38** below.

36.7 **Homes advertised as being 'subject to a local lettings scheme'**

Bids from Applicants for homes advertised as being 'subject to a local lettings scheme' will be prioritised according to specific criteria specified in the agreed scheme as detailed at **30** above.

37. HOUSING RELATED DEBT OR RENT ARREARS AFFECTING PRIORITY – special rules

37.1 Bids for homes will not normally be considered from a Transfer Applicant who is subject to possession action by their landlord, including those subject to a Notice Seeking Possession. See **28.4** above.

37.2 The Council considers that priority should be given to those applicants who do not owe money to a council or housing association in connection with housing.

- 37.3 Less priority will therefore be given to bids from an Applicant who has any housing related debt or rent arrears (whether legally recoverable or not) with the Council, another local authority, or a housing association, unless
- they are being considered for supported housing which is allocated by a Multi-Agency Panel under **49.3** below; or
 - they are being considered for specialised floating support in self-contained general needs housing which is allocated by a Multi-Agency Panel under **22** above; or
 - they have a debt but have kept to regular payments and the creditor expressly advises the Homemove Team, in writing, that they are happy for them to be housed with the debt; or
 - they are a Transfer Applicant and their landlord expressly advises the Homemove Team, in writing, that they are happy for their tenant to move with arrears; or
 - the Arrears Panel has decided, as an exceptional case, that priority should be given to the Applicant as if they did not have a debt, as described below at **37.9**.
- 37.4 Bids from an Applicant in housing need in Band A, Band B, or Band C to whom this applies will be given less priority than bids from other Applicants in any of these Bands until the debt or arrears have been cleared in full.
- This means, for example, that a bid from an Applicant in Band A with a debt could be given less priority than a bid from an Applicant in Band B or Band C who does not have a debt.
- 37.5 Bids from Applicants in Band D to whom this applies will be given less priority than bids from other Applicants in Band D until the debt or arrears have been cleared in full.
- 37.6 For the avoidance of doubt, a bid from an Applicant in Band D will not be given a higher priority than a bid from an Applicant in housing need in Band A, B or C who has a housing related debt or arrears.
- 37.7 Although an Applicant with a housing related debt may be nominated for an allocation of housing, the housing association to whom the debt is owed or indeed any other housing provider may reserve the right to refuse the Applicant a tenancy until the debt is cleared.
- 37.8 Any Applicant affected by a decision that they are to be given less priority than other Applicants because of a housing related debt will be notified in writing, with reasons, by the Homemove Team.
- 37.9 **The Arrears Panel**
- The Discretionary Priority Panel of officers described at **17.1** above may, as an Arrears Panel, consider cases where an Applicant would otherwise be allocated accommodation but for a debt. In exceptional cases, the Panel may consider that there is no reasonable prospect of the Applicant repaying such a debt, perhaps because it is considered that they are unlikely or unable to gain employment because of mental illness, learning or physical disability, or are considered to be unable to adequately manage their affairs. In such cases, the Panel may decide that priority is to be given to the Applicant as if they did not have such a debt. However many housing associations may refuse nominations from applicants with a poor history of rent payments or debt in line with their individual lettings policies.
- 38. ANTI-SOCIAL BEHAVIOUR AFFECTING PRIORITY – special rules**
- 38.1 Some Applicants are excluded from joining the register because they do not qualify as a result of unacceptable behaviour see **11.6** above (Applicants who not qualify to be on the housing register).

- 38.2 However, even where it is decided that an Applicant does qualify, any history of anti-social behaviour of the Applicant (or member of their household) which affects their suitability to be a tenant may still be taken into account when allocating a home that is 'subject to a sensitive letting' under a Local Lettings Scheme as described at **30.5** above.
- 38.3 Any Applicant affected by a decision that their history of anti-social behaviour may be taken into account when allocating a home that is 'subject to a sensitive letting' will be notified in writing, with reasons, by the Homemove Team.
- 38.4 Any home that is 'subject to a sensitive letting' will be identified as such when it is advertised.
- 38.5 Whilst any Applicant may bid for homes that are 'subject to a sensitive letting', the Homemove Team will consider bids from those with a history of anti-social behaviour on a case-by-case basis as to whether the Applicant is suitable to be allocated the home they have bid for.
- 38.6 The Council reserves the right to take full account of the needs of the local community as well as the Applicant's when deciding to make a nomination for an allocation of accommodation for the Applicant. In very exceptional cases this right may extend to not nominating an applicant for an allocation of a particular home even where the home has not been advertised as being 'subject to a sensitive letting'. In such cases the Homemove Team will seek the authority of the Council's Housing Needs Team Manager.

39. FIRST LETTINGS OF A NEW HOUSING DEVELOPMENT – special rules

- 39.1 The Council is concerned that new developments of general needs housing in the towns and villages of Mid Sussex should enable those local people in housing need who wish to do so to remain in their local community so as to contribute to the sustainability of that community. Special rules designed to ensure this happens are set out below, although important exemptions to these rules are set out at **39.8** and **39.9**.

For the avoidance of doubt, the expression 'new developments of general needs housing' includes new developments of units for affordable home ownership where the Applicant may part own their home and new developments of units of affordable rented housing unless the property is precluded from the Council's prioritisation of local people because of Homes England's policies and procedures in relation to Help to Buy units.

39.2 How Priority is given to local people

When allocating the first letting of a home within a new development of general needs housing in the towns and villages of Mid Sussex, priority will be given to bids from Applicants who have a Local Connection with the town or village where the new development is located, as defined at **39.6** below. In the case of a rural exception site, the local connection criteria that apply to the individual exception site will be used instead.

For the avoidance of doubt, with the exceptions set out **39.4**, **39.8** and **39.9** below, bids from suitable Applicants who have a Local Connection with the new development will be given priority over other bids. In practice, this means that the prioritising rules set out at **36 – 44** will first be applied to bids from a tranche of Applicants who have a Local Connection with the new development before these are applied to bids from other Applicants.

- 39.3 If the successful Applicant is a Transfer Tenant who currently occupies a home in the town or village where the new development is situated, the home they vacate will be treated as if it was a first letting of a home within a new development and bids for their home will be prioritised accordingly. For the avoidance of doubt in the case of rural exception sites, the home vacated will be allocated in accordance with the local connection criteria that apply to the individual exception site.

39.4 **New homes advertised as suitable for Mobility Group 1 (full-time wheelchair users)**

The Council is concerned that new homes that have been developed for full-time wheelchair users are given to applicants who need them, wherever this is possible.

Therefore, where a new home is advertised as suitable for Mobility Group 1 (full-time wheelchair users), priority will be given to bids according to the special rules set out at **41.1** below.

In other words, priority for these homes is determined by need rather than local connection. However, subject to those special rules, priority will be given to bids from suitable local Applicants who have a specific mobility need for these homes and who have the relevant Local Connection with the new development.

39.5 **New homes advertised as suitable for Mobility Groups 2 and 3**

When a new home is advertised as suitable for Mobility Group 2 or 3, priority will be given to bids from Applicants with a Local Connection to the town or village according to the special rules for prioritising bids for first lettings of new developments, whether or not the Applicant has mobility need.

However, bids from local people with mobility needs will be prioritised above those without mobility needs according to the special rules set out at **41.2** below.

39.6 **Local Connection with a town or village**

To establish a Local Connection with a town or village an Applicant or joint Applicant must meet one of the following criteria:

The Applicant or joint Applicant

- a) resides in the town or village as their only or principal home and has done so for the previous 2 years; or
- b) has resided in the town or village as their only or principal home for a period of at least 3 years in aggregate out of the preceding 5 years; or
- c) is in paid employment in the town or village (working 16 hours or more a week) and has been for the previous 2 years; or
- d) has close relatives who reside in the town or village as their only or principal home and have done so for at least the previous 5 years, or the previous 2 years if the Applicant is aged 65 or over. Close relatives will normally only cover parents, adult children or brothers or sisters, including corresponding step relationships. Grandparents, grandchildren, aunts or uncles and non-adult children will normally be included only where the Council considers that it is necessary for the applicant to be accommodated within the town or village in order to provide or receive medical or social support to/from the relative.

39.7 **Where no suitable Applicant bids with a Local Connection with the town or village**

- In the event that no suitable Applicant has bid for a home in a town using the above Local Connection criteria, then bids from other Applicants on the register will be considered in the same way as if they had a Local Connection with the town in which the new housing development is situated.
- In the event that no suitable Applicant has bid for a home in a village using the above Local Connection criteria, then bids from Applicants with a Local Connection to the parish in which the village is located will be considered in the same way as if they had a Local Connection with the village.
- In the further event that no suitable Applicant has bid for a home in a village who has a Local Connection with the parish in which the village is located, then bids from Applicants with a Local Connection to a neighbouring parish will be considered in the same way as if they had a Local Connection with the village.

- In the further event that no suitable Applicant has bid for a home in a village who has a Local Connection with a neighbouring parish, then bids from other Applicants on the register will be considered in the same way as if they had a Local Connection with the village in which the new housing development is situated.

39.8 Exemption for larger new developments

Larger new developments are intended to meet the housing needs of the whole District and are therefore exempt from the special rules set out above.

The exemption applies to new developments containing 250 homes or more in total. The total number of homes includes all private market and affordable homes in the whole development, whether or not the development comes forward in phases.

39.9 Other exemptions

The criteria set out above for the allocation of new general needs housing developments specifically excludes the allocation of new developments where there is a social or support service provided in conjunction with the accommodation or where the accommodation has been designed to provide facilities which are intended specifically for use by older people.

40. HOMES IN AREAS OF OUTSTANDING NATURAL BEAUTY (AONB) OR THE SOUTH DOWNS NATIONAL PARK (SDNP) – special rules

40.1 The Council recognises that new developments within AONB or the SDNP that have been brought forward through Neighbourhood Plans are exceptional and intended to meet local housing need. To this end priority will be given to Applicants with a Local Connection to the village or parish where the homes are located, as set out below.

40.2 In the case of all first lettings of such developments, priority will be given to Applicants who have a Local Connection with the village or parish according to the rules set out above at **39** that cover First Lettings of a New Housing Development.

40.3 In the case of all subsequent lettings of a designated 50% of the homes in the development, priority will be given to applicants with a Local Connection with the village or parish as if they were first lettings of such developments. The rules set out above at **39** that cover First Lettings of a New Housing Development will therefore apply to all subsequent lettings of a designated 50% of the homes in such developments.

40.4 A development has been brought forward through a Neighbourhood Plan when a Neighbourhood Plan has been submitted to the Council in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. For the avoidance of doubt, the special rules set out above would also apply where a development has been brought forward in this way but planning permission for that development has been granted in advance of the adoption of the Neighbourhood Plan.

41. ACCESSIBLE HOUSING – special rules

41.1 Homes advertised as suitable for Mobility Group 1 (full-time wheelchair users)

- Priority will be given to bids from Applicants in Mobility Group 1 (full-time wheelchair users) who are in Bands A, B, or C.
- If no suitable Applicant is available, then priority will be given to bids from Applicants in Mobility Group 2 (part-time wheelchair users) who are in Bands A, B, or C who have a progressive degenerative condition that is likely in time to make them full-time wheelchair users or who have a substantial disability and are likely to be reliant on a wheelchair for the foreseeable future.

- If no suitable Applicant is available, then priority will be given to bids from Applicants in Mobility Group 1 (full-time wheelchair users) who are in Band D.
- If no suitable Applicant is available, then priority will be given to bids from Applicants in Mobility Group 2 (part-time wheelchair users) who are in Band D and who have a progressive degenerative condition that is likely in time to make them full-time wheelchair users or have a substantial disability and are likely to be reliant on a wheelchair for the foreseeable future.
- If no suitable Applicant is available, then bids from other Applicants will be given priority according to **41.2** below (Ground floor accommodation (or lift-access accommodation in blocks of flats)).

41.2 **Ground floor accommodation (or lift-access accommodation in blocks of flats) or any home advertised as suitable for Mobility Groups 2 or 3.**

See **29.3(b)** for description of Mobility Groups.

If the home is advertised as suitable for full-time wheelchair users (Mobility Group 1), then **41.1** above applies.

If the home is not advertised as suitable for Mobility Group 1, or it has been but there are no suitable bids from applicants meeting the criteria at **41.1**, then bids for any ground floor accommodation (or lift-access accommodation in blocks of flats) will be prioritised as follows:

- Priority will be given to bids from Applicants in Band A or B who are in any Mobility Group
- If no suitable Applicant is available, then priority will be given to bids from Transfer Applicants in Band C who are in Mobility Groups 1 or 2
- If no suitable Applicant is available, then priority will be given to bids from other Applicants in Band C who are in Mobility Groups 1 or 2
- If no suitable Applicant is available, then bids from other Applicants will be prioritised in the normal way, prioritising first by Band and then by Priority Date within the Band, giving bids from Armed Forces Personnel priority over bids from other Applicants in their Band (see **43** below).

42. **LARGE FAMILY HOUSES – special rules**

42.1 **2 bedroom 4 person houses**

So that best use is made of these larger 2 bedroom homes, whilst also giving priority to urgent housing need, Applicants bidding for these will be prioritised as follows:

- Priority will be given to bids from any Applicant in Band A with 2 children
- If no suitable Applicant is available, then priority will be given to bids from Transfer Applicants in Band B or C with 2 children
- If no suitable Transfer Applicant is available, then priority will be given to bids from other Applicants in Band B or C with 2 children
- If no suitable Applicant with 2 children is available, then bids from Applicants in Bands A, B or C with only one child will be considered, following the order of priority set out above
- If no suitable Applicant from Bands A, B or C is available, then bids from Applicants in Band D with 2 children will be considered.
- If no suitable Applicant is available, then the home will be re-advertised.

42.2 **3 Bedroom 6+ Person houses and 4 bedroom houses**

So that best use is made of these larger 3 and 4 bedroom homes, whilst also giving priority to urgent housing need, Applicants bidding for these will be prioritised as follows:

- Priority will be given to bids from Transfer Applicants in Band A or B or C with 4 or more children or with fewer children but a 4 bedroom need
- If no suitable Applicant is available, then priority will be given to bids from other Applicants in Band A or B or C who have 4 or more children or have fewer children but a 4 bedroom need
- If no suitable Applicant is available, then bids from Applicants in Band A or B or C who have 3 children or have fewer children but a 3 bedroom need will be considered
- If no suitable Applicant from Bands A, B or C is available, then bids from Applicants in Band D with 4 or more children or with fewer children but a 4 bedroom need will be considered.
- If no suitable Applicant is available, then the home will be re-advertised.

43. **ARMED FORCES PERSONNEL – additional priority, special rules**

43.1 Bids from Armed Forces Personnel will be given priority over bids from other Applicants in their Band when they bid on a suitable home if they are an Applicant who

- a) is serving in the regular forces and is suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
- b) formerly served in the regular forces
- c) has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner who has served in the regular forces and whose death was wholly or partly attributable to their service; or
- d) is serving or has served in the reserve forces and is suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.

For this purpose “the regular forces” and “the reserve forces” have meanings given in section 374 of the Armed Forces Act 2006(a).

43.2 However, the additional priority given to bids from Armed Forces Personnel will not take precedence over the special rules set out above at:

- **39** (First lettings of a new housing development)
- **40** (Homes in areas of outstanding natural beauty or the South Downs National Park)
- **41** (Accessible housing)
- **42** (Large family houses)

44 . HOMELESS HOUSEHOLDS OWED THE MAIN HOUSING DUTY – special rules

44.1 Bids from Homeless Applicants who are owed the main housing duty by the Council under s.193 of the Housing Act 1996 (Band C (a)) will be given priority over bids from other Applicants in their Band.

44.2 However, the additional priority given to bids from Homeless Households owed the main duty by the Council will not take precedence over the special rules set out above at:

- **39** (First lettings of a new housing development)
- **40** (Homes in areas of outstanding natural beauty or the South Downs National Park)
- **41** (Accessible housing)
- **42** (Large family houses)

- **43 (Armed Forces Personnel)**

45. THE RIGHT TO MOVE – special rules

- 45.1 Applicants who have exercised their Right to Move and who are exempted from the requirement to meet the Council’s Local Connection qualifying criteria, as set out at **11.2.2** and have been placed in Band C, category (i) will be given less priority than other Applicants in Band C who do have a local Connection with Mid Sussex or are otherwise exempted from requiring one under paragraphs **11.2.1** or **11.2.3**.
- 45.2 **Right to Move quota** – Allocation to these Applicants is limited to a maximum of 1% of properties allocated each year, amounting to 3 or 4 properties per year. The Council considers this to be reasonable, taking into account the particularly high demand that exists from other Applicants who do have a Local Connection with Mid Sussex.

46. APPLICANTS ALLOWED TO JOIN THE HOUSING REGISTER DESPITE NOT SATISFYING THE LOCAL CONNECTION CRITERIA – special rules

Where Applicants over 55 have been allowed to join the HR to bid for sheltered and or Extra Care schemes but do not have a LC, they will be given less priority than those Applicants who do have a local connection. (see **11.2.4** above).

47. Changes to advertising, shortlisting, selection and offers

The Council is in the process of implementing a new IT system to underpin the assessment and allocation of social housing. This policy may be updated without the need to refer changes to committee to reflect changes that are made with the new IT system in how properties are advertised, shortlisted or offered to applicants and to reflect any enhancements that may be available that increases customer choice, such as automated bidding, mobile apps or any enhancements that reduce property void times such as daily or continuous bidding so long as it does not make changes to eligibility, qualifying persons, local connection or exemptions agreed in the policy.

The letting process

48. THE LETTING PROCESS

- 48.1 The prioritised list of Applicants who bid for a home will be nominated to the housing association landlord so that the home can be let.
- 48.2 After close of bidding, and to minimise delays, the housing association landlord may arrange multiple viewings for no more than the 3 highest bidding Applicants per home. The first Applicants to view the home are normally contacted within 5 working days of close of bidding. If contact cannot be made with an Applicant within 5 days, then another Applicant may be contacted.
- 48.3 Applicants will be required to bring proof of identity e.g. driving licence or passport to the viewing.
- 48.4 To ensure homes are let quickly and so minimise any loss of rent and homes being left empty unnecessarily, Applicants must be available and ready to sign for and take up an offer of accommodation they have bid for and viewed. If the successful Applicant has not signed for the tenancy within 3 days of viewing and verbally accepting the offer of the home, then the housing association is entitled to offer the home to the next Applicant.
- 48.5 If the Applicant at the top of the prioritised list refuses the home, the next Applicant will be offered it, and so on down the list of bidders.
- 48.6 In exceptional cases the housing association may refuse to accept the nomination of an Applicant who appears on the prioritised list if to do so would conflict with its own Lettings Policy. In such cases, the housing association will have to give reasons for its refusal to the Homemove Team who will consider the refusal in consultation with the Housing Needs Team Manager at Mid Sussex District Council.
- 48.7 For General Needs housing, the housing association lettings team will:
- usually arrange accompanied viewings, advising of any non-essential work to be completed after the tenancy start date, giving a target date for the completion of these
 - offer the Applicant the option to accept and invite to sign for the tenancy or agree to a decision within a reasonable time. Some flexibility is needed when vulnerable Applicants are involved who may need to consult with support staff or their Occupational Therapist before making a decision.
 - on refusal by the Applicant, note the reasons for refusal, and offer the home to the next Applicant
 - on failure of the Applicant to provide adequate proof of identity at the viewing, give the Applicant further time to provide this at the Letting Officer's discretion
 - notify the Homemove Team immediately the accommodation has been accepted and the name of the successful Applicant.

Direct allocation of some homes

49. DIRECT ALLOCATION OF SOME HOMES

49.1 Some homes will not be advertised and will not be available for bidding by Applicants. These homes will be allocated by Direct Allocation by the Homemove Team in liaison with the housing support provider; West Sussex County Council; or the Council's Housing Needs Team as appropriate. Direct Allocation will apply as follows below:

49.2 Supported housing

Most supported special needs housing (except sheltered housing) will be allocated through Direct Allocation and will not be advertised.

However, we allow Applicants who have been selected for specialised floating support in self-contained general needs housing to bid for a home of their choice (see **22** above).

49.3 Supported housing is allocated by a Multi-Agency Panel

49.3.1 Referrals of Applicants considered to be appropriate for specific supported housing schemes will be considered by a Multi-Agency Panel who will select the appropriate Applicant using scheme criteria which have been agreed with the Council.

49.3.2 All Applicants who are referred to supported housing vacancies that are subject to Council nomination rights will be prioritised on the basis of a combination of housing need and need for the specific support provided by the scheme in question.

49.3.3 An Applicant's housing related debt should not affect their selection for supported housing or the support that such Applicants may need. The rules at **37** above do not apply in the allocation of supported housing. However, the housing provider to whom the debt is owed may reserve the right to refuse the applicant a tenancy until the debt is cleared.

49.3.4 **Local Connection to Mid Sussex** – Only Applicants on the Mid Sussex Housing Register may be considered by the Multi Agency Panel. As with all Applicants, in order to qualify they must meet the Local Connection criteria that are set out at **11.2** above.

49.3.5 Extra Care Housing Schemes vacancies are currently allocated by a Multi Agency Panel. A new approach is to be piloted which will enable direct lettings via a process where an Extra Care Co-Ordinator employed by WSCC will enable the Allocation of Extra Care vacancies in partnership with the Extra Care Housing providers to best meet the housing and care needs of frail older people.

49.4 Temporary accommodation

Short term tenancies for homeless households in designated (or temporarily designated) temporary accommodation will be allocated through Direct Allocation.

49.5 Temporary and Permanent Decants of housing association tenants

Some homes may be allocated through Direct Allocation in order to affect Temporary and Permanent Decants of an existing tenant whose home is undergoing extensive repair or is to be demolished or redeveloped. See **28.5** and **28.6** above.

50. Exceptional circumstances

50.1 In exceptional cases, with the agreement of the housing association and the Council's Housing Need Team Manager, some homes may be allocated through Direct Allocation. Example of exceptional circumstances include a homeless applicant in temporary accommodation provided by the Council who needs adapted accommodation.

Other housing options available to applicants

51. ALTERNATIVES TO SOCIAL RENTED HOUSING

51.1 As in many areas in the South East of England there is a shortage of social rented housing in Mid Sussex compared to the demand for such accommodation. Applicants may wish to consider other housing options including the following:

51.2 Renting Privately

Renting privately is a good option to consider and offers several advantages over waiting a long time for social housing. Help with housing costs is available in the form of either Housing Benefit or Universal Credit. Tenants may be entitled to receive Housing Benefit or the housing cost element of Universal Credit even if they are in paid employment. Help and advice on renting privately and financial help with deposits and rent in advance is available from the Council's Housing Needs Team or from the housing pages of the Council's website www.midsussex.gov.uk/housing.

51.3 Affordable Home Ownership Schemes

Applicants wishing to be considered for schemes designed to help people into home ownership should register with the Government's "Help to Buy Agent" (currently Bedfordshire Pilgrim Housing Association) for Low Cost Homeownership Schemes.

Priority will be given to Applicants with a Local Connection with Mid Sussex as defined at 11.2 above (unless the property is exempt from the Council's local connection criteria in accordance with the rules and procedures issued by Homes England in relation to Right to Buy units). Priority will then be given to Applicants who are existing social housing tenants in Mid Sussex, because this frees up affordable homes for other people, and Applicants who are armed forces personnel. Next priority is given to Applicants who are first-time buyers. Exceptions to this may be where funding has been provided to meet the housing needs of specific categories of people, such as key workers.

Priority for new developments of such schemes will be given to Applicants with a Local Connection to the town or village and then parish where the new development is situated, (unless the property is exempt from the Council's local connection criteria in accordance with the rules and procedures issued by Homes England in relation to Help to Buy units) as set out in detail at 39 above.

51.4 Build to Rent Schemes

Built to Rent (BTR) is a distinct product within the private rented sector that may also include affordable housing in the form of Affordable Private Rent. The affordable units will be managed by a BTR landlord and not necessarily by a housing association. BTR schemes in Mid Sussex will have Affordable Private Rents that are capped at the maximum amount of Local Housing Allowance applicable for the size of the relevant dwelling. Tenants will be offered tenancy agreements of at least 3 years, providing security and stability to those who need or want it.

Applicants on the Common Housing Register may be contacted by the Homemove Team to advise them of forthcoming BTR properties that they may be considered eligible for. The application process is under development but the principles of this Allocation Scheme will generally apply, including those applicants to whom (35.2) is applicable and where the council considers that the offer of accommodation is suitable to fully discharge the full housing duty by a 'private rented sector offer' (s193 (7AA)-(7AC) Housing Act 1996 as amended by s.148 (5)-(7) Localism Act 2011).

51.5 **Mutual Exchanges**

Existing social tenants of any social landlord who wish to swap homes with another social tenant may wish to consider a Mutual Exchange. To do this, they should register on one or more of the home swap schemes available on the internet. However, both tenants must have the agreement of their landlords to carry out a Mutual Exchange.

Social tenants living in a Rural Exception Site Scheme may only carry out a Mutual Exchange with another tenant who meets the local connection criteria for the Scheme.

MID SUSSEX DISTRICT COUNCIL

Housing Allocation Scheme Review

Summary of Proposed Amendments

Following consultation with housing providers and other partner organisations and Member approval, we are proposing to introduce a revised Housing Allocation Scheme to cover Council nominations to affordable housing providers. Subject to Council approval the revised Housing Allocation Scheme is to take effect from as soon as operationally possible after 26th June 2019. The proposed amendments, some of which will significantly affect a large number of existing housing applicants, are set out below. These are highlighted in yellow in the Allocation Scheme at Appendix 1. In addition there are a number of minor textual amendments to some paragraphs to clarify, but not change the meaning and ensure consistency with legislative changes, and these are highlighted in grey.

Proposed amendment	No of applicants affected	Reason for change/aim of proposal
1. In future, Clarion tenants living in Mid Sussex will be eligible to join the Council's Housing Register. (paragraph 11)	441 Clarion tenants currently registered on Clarion's HomeChoice register within Mid Sussex.	To ensure that fair access to all social housing in Mid Sussex is maintained for all those who are in housing need.
2. Bids from homeless applicants where the Council has a duty to ensure they have accommodation available to them under s.193 of the Housing Act 1996, (subject to some exceptions) will be given priority over bids from other Applicants in their Band. (paragraph 44)	Currently around 45 a year	This will provide such applicants with more opportunity to make a successful bid and to enable them to move on from temporary accommodation more quickly which will allow the Council to make more effective use of temporary accommodation.
3. Homeless applicants owed the main housing duty by MSDC under s.193 of the Housing Act 1996, will no longer be entitled to 12 weeks free bidding. They will be required to accept the first suitable offer. (paragraph 34)	Currently around 45 a year	Currently such applicants are allowed to refuse offers made as a result of successful bids in the first 12 weeks from the main housing duty being accepted under s.193 of the Housing Act. This is the case, even if the offer is suitable. This does not support the Council's duty under the Homelessness Reduction Act which provides that the s.193 duty comes to an end where a suitable offer is refused. In addition, this change will increase the opportunity of such applicants moving out of temporary accommodation as soon as possible.

APPENDIX 2

<p>4. It is proposed to add a time limit of 24 months for disqualification from joining the housing register for giving false information or withholding relevant information. (Paragraph 12.11)</p>	<p>4 in 2018 1 in 2017</p>	<p>Currently the time limit for disqualification is unspecified. In order to provide clarity it was initially proposed to provide a time limit of 5 years.</p> <p>Following consultation and reconsideration we are proposing to change the penalty for false information as follows: If it is found that false information has been given or relevant information withheld, the application will not be registered or, if already registered, the Applicant may be removed from the Housing Register and will not be able to reapply for a period of 24 months. Decisions to remove the person from the register will be made based on the seriousness of the false information given and an assessment of why the information was withheld.</p> <p>The reason for reducing the initial proposed change from 5 years to 24 months is that it is felt that 5 years is too punitive and 24 months is a reasonable period to deter applicants from providing false information in order to obtain an advantage on the Housing Register.</p>
<p>5. Extra Care Housing Schemes vacancies are currently allocated by a Multi-Agency Panel. A new approach is to be piloted. This will allow direct lettings via a process where an Extra Care Co-Ordinator employed by WSCC will enable the Allocation of Extra Care vacancies in partnership with the Extra Care Housing providers to best meet the housing and care needs of frail older people. (paragraph 11.2.4)</p>	<p>Approximately 16 a year</p>	<p>The Extra Care Panel does not support timely and efficient allocations. The model to be piloted operates successfully in the south of the county and meets the needs of frail older people in housing need more effectively and efficiently.</p>
<p>6. Allow in exceptional cases, with the agreement of the housing association and the Council's Housing Needs Team Manager, some homes to be allocated through Direct Allocation (paragraph 50)</p>	<p>Approximately 2 – 3 a year</p>	<p>This will allow those who are in exceptional housing need and require a particular type of property which rarely becomes available to be made a direct allocation. For example, a homeless applicant in unsuitable temporary accommodation provided by the Council who needs adapted accommodation.</p>
<p>Additional proposed amendments - following consultation agreed by Cabinet Member</p>	<p>No of applicants affected</p>	<p>Reason for change/aim of proposal</p>

APPENDIX 2

<p>7. Applicants owed the Relief Duty under s.189B of the Housing Act 1996 (as amended by the Homelessness Reduction Act 2017) and in priority need or likely to be in priority need, will be placed in Band C whilst the Relief Duty is owed. Banding will be reviewed at the end of the Relief Duty. Paragraph 15((3)(b)</p>	<p>Approximately 118 a year</p>	<p>In order to comply with new duties under the Homelessness Reduction Act 2017 it is proposed to place applicants who are owed the Relief Duty and who are in priority need or are likely to be in priority need in Band C whilst the Relief Duty is owed. The Council is advised that this proposed amendment reflects the reasonable preference owed to these applicants under the aforementioned legislation. It will also reduce the potential for those who would be owed the main duty from being in temporary accommodation for longer than necessary. (Paragraph 15 (3)(b)</p>
<p>8. At paragraph 26.2 have added examples of deliberately worsened circumstances</p>	<p>N/A</p>	<p>Provides examples for applicants and the Homemove team of when this clause may be applied.</p>
<p>9. At paragraph 30.1 Local Lettings Schemes – minor amendment requested by Raven Housing Association.</p>	<p>N/A</p>	<p>Raven Housing Association queried as some Local Lettings Schemes are for the lifetime of the scheme not just for 1st lettings.</p>
<p>10. Homeless applicants owed the relief duty by MSDC under s.189B of the Housing Act 1996, will not be entitled to 12 weeks free bidding. They will be required to accept the first suitable offer. (paragraphs 34 & 35.1(a))</p>	<p>Approximately 118 a year</p>	<p>Following the implementation of the Homelessness Reduction Act 2017 the Council has been advised that applicants who are owed the Relief Duty by the Council should not be entitled to 12 weeks free bidding. They will be required to accept the first suitable offer of accommodation. This change is in compliance with the Council's duties under the Act which provides that the Council's duty comes to an end where a suitable offer is refused. (Paragraph 34 &35.1 (a))</p>

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MID SUSSEX DISTRICT COUNCIL Equality Impact Assessment

Title of Policy/Service/Contract: Revisions to the Council's Housing Allocation Scheme

Division: Assistant Chief Executive

Lead Officer: Emma Shuttleworth, Business Unit Leader Housing Services

Date Assessment completed: 14th June 2019

1. SCOPING

1.1 Aims of the service:

The Council's Housing Allocation Scheme seeks to provide a fair and transparent way of allocating affordable housing to those in housing need who are on the Mid Sussex Common Housing Register through a process of Choice-Based Lettings.

A revised Housing Allocation Scheme was adopted with effect from 1st April 2018. Changes to the scheme are designed to address issues that have come up over the last 12 months. The changes are also made in order to comply with the requirements of the Homelessness Reduction Act, other national guidance and case law.

The main changes are as follows:

1. In future, Clarion tenants living in Mid Sussex, will be eligible to join the Council's Housing Register. This is intended to ensure that fair access to all social housing in Mid Sussex is maintained for all those who are in housing need.
2. Bids from homeless applicants where the Council has a duty to ensure they have accommodation available to them under s.193 of the Housing Act 1996, (subject to some exceptions) will be given priority over bids from other Applicants in their Band. This will provide such applicants with more opportunity to make a successful bid and to enable them to move on from temporary accommodation more quickly which will allow the Council to make more effective use of temporary accommodation.
3. Homeless applicants owed the main housing duty by MSDC under s.193 of the Housing Act 1996, will no longer be entitled to 12 weeks free bidding. They will be required to accept the first suitable offer. This will increase the opportunity of such applicants moving out of temporary accommodation as soon as possible.
4. Homeless applicants owed a Relief Duty under the Homelessness Reduction Act will not be entitled to 12 weeks free bidding. They will be required to accept the first suitable offer. This will increase the opportunity of such applicants moving out of temporary accommodation as soon as possible.
5. It is proposed to add a time limit of 24 months for disqualification from joining the housing register for giving false information or withholding relevant information. This will provide greater clarity as the current time limit for disqualification is unspecified.
6. Extra Care Housing Schemes vacancies are currently allocated by a Multi-Agency Panel. A new approach is to be piloted. This will allow direct lettings via a process where an Extra Care Co-Ordinator employed by West Sussex County Council will enable the allocation of Extra Care vacancies in partnership with the Extra Care Housing providers to best meet the housing and care needs of frail older people.
7. Allow in exceptional cases, with the agreement of the housing association and the Council's Housing Needs Team Manager, some homes to be allocated through Direct Allocation. This will allow those who are in exceptional housing need and require a particular type of property which rarely becomes available to be made a direct allocation.

APPENDIX 3

The revised scheme was considered by the Scrutiny Committee for Community, Housing and Planning on 6th March and Full Council on 26th June 2019.

1.2 Who the service affects and the main customers (internal or external)

The people affected by the proposed changes are those in housing need who are currently on the Council's Housing Register, those who may seek to join it in the future and those on Clarion's HomeChoice Register. People affected are likely to be on low to modest incomes and disproportionately will be people who are vulnerable and have housing related support needs and will include homeless households.

Revisions to the schemes will have implications for Registered Providers that rely on the Council to provide nominations to their vacant tenancies and for organisations that provide supported housing, or who provide housing related support and/or housing advice to vulnerable people in housing need. Revisions will also affect those who are on Clarion's Housing Register.

1.3 What equality information is available, including any evidence from engagement and analysis of use of services?

The Register contains information about each applicant's ethnicity, gender, age, income, need for adapted accommodation and whether they have a support need. We are able to analyse bidding patterns by age and other vulnerability and to identify those who will be affected by the proposed changes to the scheme.

1.4 What does the information tell us about the equality issues associated with the service and implications for the protected groups?

An analysis has previously been undertaken of lettings in relation to the characteristics of those on the Register. This shows that lettings in relations to ethnicity are broadly consistent with the composition of those on the Register. Detailed information including factors such as disability and age are included in section 2.3.

1.5 Are contractors or partnerships used to deliver the service?

The Council is a member of the Sussex Homemove Scheme, which is a partnership of authorities in East and West Sussex that operates Choice-Based Letting. Administration of the Common Housing Register is contracted to Clarion and provided by their Homemove Team. The changes to the allocation scheme do not have any direct procurement implications.

2. ASSESSMENT OF IMPACT: ANALYSIS AND ACTION PLANNING

2.1 Current measures taken by the service to address issues of the protected groups

In assessing issues associated with the protected groups, people on the Housing Register are likely to be on low incomes and may be vulnerable. Around 20.7% of those on the Register, (1437 in total at February 2019), approximately 298 people are flagged as being vulnerable. The 298 vulnerable applicants broken down by vulnerability type are as follows:

- 31.8% mental health problems
- 21.8% older people
- 31.8% physical disabilities
- 10.4% learning difficulties
- 10% domestic violence
- 3% drug or alcohol problems

- 3.3% ex-offenders

The protected groups and other characteristics most affected by the proposed changes are:

- Disability
- Age

Current measures to provide for these groups include:

- Assisted bidding, where bids for properties are made on behalf of vulnerable applicants by the Clarion Homemove Team and Council Housing Needs Team.
- The existing allocation scheme and Choice-Based lettings process is designed to match suitably designed and adapted properties with people with mobility problems.
- Supported housing is allocated by multi-agency panels to ensure that vulnerable people are supported in finding accommodation that is right for them.

For the following remaining protected groups, no specific issues have been identified from the proposed changes to the Allocation Scheme:

- Ethnicity
- Low income or skill level
- Living in rural areas.
- The needs of faith groups and faith issues
- The needs of men and women
- The needs of gay men, lesbians, bisexual and heterosexual people
- The needs of transgender people
- Issues arising from pregnancy and maternity
- Issues arising from marriage and civil partnership.

2.2 Consultation on the proposed changes

The proposed changes to the allocation scheme were subject to consultation with the Council's Registered Provider partners of the Common Housing Register. Also with supported housing providers and those organisations which provide advice to those in housing need. Following the consultation minor amendments were made to the scheme. These were approved by the Cabinet Portfolio Holder for Housing and Planning.

2.3 Issues arising from the proposed changes to the Allocation Scheme and how they are to be addressed

The proposed changes that may have a differential impact on the protected groups are those relating to:

- Amendment 5: new arrangements for the allocation of Extra Care vacancies.
- Amendment 6: Direct allocations of some types of property.

Amendment 5 :new arrangements for the allocation of extra care vacancies

Extra Care Housing Schemes vacancies are currently allocated by a Multi-Agency Panel. The new approach to be piloted allows for direct lettings via an Extra Care Co-Ordinator employed by West Sussex County Council working in partnership Extra Care Housing providers. This will support more timely and efficient allocations of the vacant Extra Care properties and better meet the needs of frail older people in housing need.

APPENDIX 3

This will be advantageous under the protected groups of age and disability and is expected to affect approximately 16 housing allocations to frail older people per year.

Amendment 6: Direct allocations of some types of property

This proposal will allow Direct Allocation to those who are in exceptional housing need and require a particular type of property which rarely becomes available. An example of those who will benefit from this proposal is a homeless applicant in unsuitable temporary accommodation provided by the Council who needs adapted accommodation.

This is expected to affect 2 to 3 applicants per year and in the example provided would be advantageous to the protected group of disability.

2.4 Action Plan

The Action Plan below is intended to demonstrate how the issues identified in this assessment are being addressed:

Action	Lead Officer	Timescale
Further review of the operation of the revised allocation scheme following a year of operation.	Emma Shuttleworth	April 2020

Date: 14.6.19



Emma Shuttleworth Business Unit Leader for housing Services

Date: 14.6.19

Judy Holmes



Assistant Chief Executive

REPRESENTATIVES ON OUTSIDE BODIES

REPORT OF: Tom Clark, Head of Regulatory Services and Monitoring Officer
Contact Officer: Alexander Austin, Democratic Services Officer
Email: alexander.austin@midsussex.gov.uk Tel: 01444 477062
Wards Affected: All
Key Decision: No
Report to: Council
26 June 2019

Purpose of Report

1. To set out the Council's nominations for representatives to outside bodies for 2019/20.

Recommendations

2. **Council is recommended to approve the nominations to outside bodies listed in paragraph 4 of this report.**
-

Background

3. There are a number of organisations where the Council is represented by Members and to which appointments are made annually. All Members have previously been asked to advise their Group Leader of those organisations for which they wish to be nominated.
4. Following the annual review of the Council's appointments to Outside Bodies, this report seeks approval to appoint Members to vacancies. Nominations are listed below:

Organisation	Nominated Member(s)
Action in Rural Sussex	John Belsey
Adastra Hall Management Committee	Samantha Smith
Clarion Housing Regional Scrutiny Board in Mid Sussex	Andrew MacNaughton, Portfolio Holder
Age UK East Grinstead & District	Dick Sweatman
Age UK West Sussex	Phillip Coote
Friends of Ashenground and Bolnore Woods Steering Committee	Anne Boutrup

Armed Forces Community Covenant Champion	Linda Stockwell
Beech Hurst Steering Group	Ruth de Mierre Sandy Ellis
Bolnore Village Community Partnership	Anne Boutrup
Burgess Hill Business Parks Association	Stephen Hillier, Portfolio Holder
Coast to Capital Joint Committee	Jonathan Ash-Edwards, Leader
Court of the University of Sussex	Colin Trumble, Chairman
Crawley Down Community Centre Association	Roger Webb
District Councils' Network	Jonathan Ash-Edwards, Leader
East Grinstead Business Association	Stephen Hillier, Portfolio Holder
Gatwick Airport Consultative Committee	Stephen Hillier
	Nominated Substitute – Jim Knight
Greater Brighton Economic Board	Jonathan Ash-Edwards, Leader
	Nominated Substitute – Judy Llewellyn-Burke
Greater Brighton Economic Board – Call In Panel	Jim Knight, Chair of Scrutiny Committee for Leader, Finance and Performance.

Friends of Burgess Hill Green Circle Network	Samantha Smith Emma Coe-Gunnell White
Haywards Heath Business Association	Stephen Hillier, Portfolio Holder
The High Weald Joint Advisory Committee	Pete Bradbury
Mid Sussex Voluntary Action	Rachel Cromie
Jack and Jill Society for the Preservation of Jill Mill	Samantha Smith
James Bradford Almshouses, Haywards Heath – Board of Trustees	Ruth de Mierre
LGA General Assembly	Jonathan Ash-Edwards, Leader
Local Strategic Partnerships	Jonathan Ash-Edwards, Leader
Mid Sussex Cycle Forum	Andrew Lea
North and South West Sussex Relate – Executive Committee	Heidi Brunsdon
Sussex Police and Crime Panel	Norman Webster, Portfolio Holder
	Nominated Substitute – John Belsey
Scrase Valley Local Nature Reserve Steering Group	Stephen Hillier

Sheddingdean Community Association	Emma Coe Gunnell-White
Sidney West Centre – Board of Trustees	Emma Coe Gunnell-White Samantha Smith
South Downs National Park Authority	Gary Marsh
South of England Agricultural Society	Andrew MacNaughton
South East England Councils	Jonathan Ash-Edwards, Leader
St Francis Social and Sports Club Community Interest Company	Mike Pulfer
St Peter and St James Hospice	Mike Pulfer
Turners Hill Parish Council Ark Executive Committee	Phillip Coote
West Sussex Branch of the Local Government Association/ Joint Leaders' Group	Jonathan Ash-Edwards, Leader
West Sussex County Council Forum for Accessible Transport	Norman Webster
WSCC Health and Adult Social Care Select Committee	Adam Peacock
West Sussex Health and Wellbeing Board	Norman Webster, Portfolio Holder
West Sussex Joint Scrutiny Steering Group	Jim Knight

Policy Context

5. This report contributes towards the Council's corporate priorities of Sustainable Economic Growth and Strong and Resilient Communities, as set out in the Council's Corporate Plan.

Financial and Risk Management Implications

6. None.

Equality and Customer Service Implications

7. None.

Other Material Implications

8. None.

Background Papers

9. None.

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MEMBER DEVELOPMENT WORKING GROUP

REPORT OF: SOLICITOR TO THE COUNCIL
Contact Officer: Terry Stanley, Business Unit Leader – Democratic Services
Email: Terry.Stanley@midsussex.gov.uk Tel: 01444 477415
Wards Affected: All
Key Decision: No
Report to: Council
26 June 2019

Purpose of Report

1. To ask the Council to agree to the establishment of a Member Development Working Group to serve in each municipal year of the current council (2019 – 2023).

Summary

2. The Council commits itself to Member training and development through:
 - the identification of Members' individual training needs;
 - the delivery of a Member Development and Training Programme that ensures that Members can fulfil their responsibilities. The programme will be informed by the aims and objectives of the Council, and will be updated annually;
 - Personal Development Plans being devised by each Member to meet their identified training and development needs and for Members to take personal responsibility to fulfil these;
 - making adequate resources available (both internal and external) to meet Members' training and development requirements within a structured programme;
 - ensuring that all Members have the opportunity to benefit from the learning and development opportunities in accordance with the Council's Equality and Diversity Scheme; and
3. Political balance will apply to the Member Development Working Group. The members of the Working Group will act as Member Development Champions.
4. The Council will nominate an officer to be the single point of contact for training and development, who will work closely with the Member Development Working Group and the Management Team therefore ensuring all parts of the organisation have a stake in the Programme.
5. The Member Development Working Group will have responsibility for developing and approving the training and development programme, for planning future learning and development requirements, and for induction of new Members.
6. Meetings will occur at least quarterly and staff from the Member Services team will support the Working Group to ensure that they are fully resourced for the task.
7. **Recommendations**
 - 4.1 **That Council approve the establishment of the Member Development Working Group**
 - 4.2 **That Council approve the Member Development Strategy attached as appendix A**

Background Papers

Appendix A – Member Development Strategy

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MEMBER DEVELOPMENT STRATEGY

INTRODUCTION

1. Mid Sussex District Council is committed to the learning, training and development of all its Members. This is demonstrated by the delivery of an annual programme of Member Development events and the ongoing work of the Member Development Working Group.

PURPOSE OF THIS STRATEGY

2. The purpose of this Strategy is to set out Mid Sussex District Council's approach to helping Members develop their skills and knowledge so Members:
 - can effectively represent the Council and its priorities;
 - act as advocates on behalf of the community and give strong community leadership; and
 - are proactively involved in policy development and in the delivery and scrutiny of its services and those of its partners.
3. For the Council to achieve its purpose and priorities, as outlined in its Corporate Plan, it is important for the Council to offer its Members development opportunities for them to be able to respond to the changing needs of the community and other external factors such as Government legislation.
4. The Council is committed to developing a learning organisation and a culture of continuous improvement, which means that Members and employees can adapt to improve service delivery, and to meet current and future challenges. This matches the approach that is embraced and embedded with staff.

SCOPE

5. This strategy applies to all Members. It also applies to co-opted Members of the Standards Committee who will be included in role specific development opportunities to enable them to fulfil their role.

CORPORATE COMMITMENT

6. The Council commits itself to Member training and development through:
 - the identification of Members' individual training needs;
 - the delivery of a Member Development and Training Programme that ensures that Members can fulfil their responsibilities. The programme will be informed by the aims and objectives of the Council, and will be updated annually;
 - Personal Development Plans being devised by each Member to meet their identified training and development needs and for Members to take personal responsibility to fulfil these;
 - making adequate resources available (both internal and external) to meet Members' training and development requirements within a structured programme;
 - ensuring that all Members have the opportunity to benefit from the learning and development opportunities in accordance with the Council's Equality and Diversity Scheme; and

- expressing its willingness to subject its programme to external scrutiny to check its effectiveness and to share information and good practice with other Councils and agencies.
7. Political balance will apply to the Member Development Working Group. The members of the Working Group will act as Member Development Champions. The District Council will nominate an officer to be the single point of contact for training and development, who will work closely with the Member Development Working Group and the Management Team therefore ensuring all parts of the organisation have a stake in the Programme.
 8. The Member Development Working Group will have responsibility for developing and approving the training and development programme, for planning future learning and development requirements, and for induction of new Members. Staff from the Member Services team will support the Working Group to ensure that they are fully resourced for the task.

IDENTIFICATION OF MEMBERS' TRAINING AND DEVELOPMENT NEEDS

9. Some training and development will be relevant to all Members and the requirement can arise from a number of sources, including:
 - new legislation or obligations placed on the Council;
 - major policy changes or new initiatives by the Council;
 - opportunities to learn from best practice elsewhere;
 - requests from Members for knowledge-based training to provide them with a more detailed knowledge base on particular services; and
 - identified skills based training (e.g. overview and scrutiny skills).
10. There will be other training that will be relevant to some Members but not others. This could be because of the different roles of Members or because of the different knowledge and experience levels of Members in a particular area.
11. To identify individual Members' training and development needs, they will be offered the chance to complete a Personal Development Plan. These will be reviewed every two years for those Members that had been re-elected and annually for newly elected Councillors during their first two years in office, thereby providing more intensive support for new Members whilst they grow into their roles. The Personal Development Plan will also be used to identify Members' knowledge, skills and experience so that the Council may consider the most effective exercise of that expertise.
12. As far as possible, training will take account of Members' current and prospective future roles and responsibilities so that they are prepared for current challenges as well as those they may face in the future, such as training for new Committee Chairmen.

MEETING MEMBERS' TRAINING AND DEVELOPMENT NEEDS

13. The Council will endeavour to meet Members' training and development needs in the way that is most appropriate for them. An annual training programme and budget will be agreed at the beginning of each Municipal Year.
14. Some Members, for example those sitting on planning or licensing committees will need essential knowledge based training on an annual basis, therefore all Members sitting on these committees will be required to attend any training identified as 'Essential'. Where a training session has been deemed to be essential, where possible this will be provided

on more than one occasion, to make it easier for all Members to attend. If any Member, for whom the training is mandatory, is unable to attend, they will be expected to make other arrangements to be briefed on the training content. The Member Development Working Group will monitor attendance and if a Member repeatedly does not attend mandatory training, then they may be required to relinquish their position on the relevant committee. This will be a matter for Group Leaders.

15. Other Members may require development on a more tailored basis dependent on roles and changes that affect the Council, e.g. new requirements placed on overview and scrutiny councillors.
16. Development may be through externally or internally provided training in a variety of formats, offered at different times, providing access to training materials or a distance-learning package provided on-line. All training will be tailored to meet the needs of the Council with the engagement of the relevant Heads of Service. Copies of any training materials circulated at these training events will be emailed to Members on request, and a hard copy will be available in the training folder in the Members' Room; all Members will be advised of their availability.
17. Members will have equality of opportunity to undertake training and development, equality of access to all training initiatives and equitable sharing of available resources. The programme of Member development activities will acknowledge Members' commitments and take account of the following factors:
 - the Council's Committee calendar;
 - Member availability due to their working patterns;
 - providing multiple events where possible;
 - held in venues with easy access; and
 - providing sufficient notice of forthcoming events to increase the likelihood of Members being able to attend.
18. Therefore the scheduling of Member development activities will, where possible, provide the greatest opportunity for all of the Council's Members to receive the development they need.
19. Individual Members who have attended an external training event or conference will be encouraged to write a short report on the experience. These will be published in the Member Information Service (MIS) and copies will be made available in the training folder in the Members' Room.
20. Members will be provided with appropriate ICT support to enable them to carry out their role effectively.
21. Where appropriate, Members will be provided with the ability to use on-line learning packages.
22. Wherever appropriate, joint development activities with other local authorities and partner organisations will be undertaken, particularly where they are regarded as best practice. In design of all training programmes consideration will also be given to use of shared Member/officer development activities.

INDUCTION PROGRAMME

23. A comprehensive induction programme will be provided for all Members following the District Council elections and to those Members elected at by-elections. This programme will be developed and monitored by the Member Development Working Group and will encompass the following (some training will be a core requirement for all Members and some will be relevant to specific Members depending on their roles and/or existing skills):
- knowledge based learning i.e. the role of a Councillor, code of conduct, planning or licensing knowledge;
 - skills based learning i.e. IT skills;
 - community issues (including community leadership and planning, equalities, public consultation, dealing with complaints);
 - regulatory functions; and
 - scrutiny process and specific skills required for that function.
24. An officer will be offered as a contact point to assist newly elected Members until they are familiar with the way in which the Council operates. Political groups may also allocate Member mentors for newly elected Councillors.

RESOURCES TO SUPPORT ELECTED MEMBER LEARNING AND DEVELOPMENT

25. Member Development is resourced from the allocated Member Development budget. This budget will be prioritised to cover needs linked to the Member Development Programme, and corporate learning and development needs.
26. Member entitlements to travel and subsistence for attendance at learning and development events is stated in the Members' Scheme of Allowances set out in Part 6 of the Constitution.
27. The Senior Member Services Officer will administer the Member Development budget.

EVALUATION

28. The Council is committed to obtaining feedback on the effectiveness of training and development undertaken and will use the results in planning future programmes. The Member Development Working Group will evaluate the contribution it makes to meeting the Council's aims and objectives and to supporting and developing individual Members.

REPORTING ON PROGRESS

29. All Members will be kept informed of Member training progress and evaluation through the minutes of the Member Development Working Group. Where issues relating to Member Development arise, reports may also be sent to the Scrutiny Committee for Leader, Finance and Performance. Minutes of meetings of the Member Development Working Group will be published in MIS.

SHARING GOOD PRACTICE

30. The Council is committed to sharing with other Authorities good practice in Member Development by the Council and is very willing to learn from good practice developed by others.

REVIEW

31. The Strategy will be reviewed annually.

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RECOMMENDATIONS FROM THE CABINET MEETING OF 3 JUNE 2019

FINANCIAL OUTTURN 2018/19

Background

1. Cabinet reviewed the outturn position for the 2018/19 revenue and capital budgets.

Summary

2. Following closedown, the year-end position for 2018/19 now shows a net underspend of £799,000 before allowing for transfers to Reserves outlined within the Cabinet report and those previously actioned of £340,000.
3. The majority of this relates to over performance on income. In the last quarter of the year, most of this extra income relates to increased rents for Corporate Estates as well as additional income for Revenues Enforcement, Car Park Charges, Licencing, Recycling Credits, Legal, Land Charges and Outdoor Facilities. Savings on some expenditure budgets (£118,000) across the Council, in particular, staff salaries, consultants and pension payments gives us a further opportunity to earmark the 2018/19 underspend as detailed in paragraph 26 of the Cabinet report. If approved, this fully utilises the net underspend for the year.
4. Interest income during the year, totalling £367,472, was £102,472 greater than the original estimate of £265,000. This is mainly due to the higher interest rates that have been achieved on short term investments together with an increase in the number of short term investments, following a reduction in the funds required for proposed capital spending during the year. Of the total interest received for the year, £7,345 has been utilised (refer to paragraph 27 of the Cabinet report) leaving a balance of £360,127 to transfer to General Reserve.
5. Dividend income from investments in the Local Authorities Property Fund generated £257,369 in year, which exceeded the 2018/19 projection by £17,369. This overachievement of dividend income received will be transferred to General Reserve.
6. The capital outturn position shows a £8,004,000 increase in approved spending against the revised budget but this includes projects that came forward during the year totalling £8,972,000 which were unbudgeted at the time. An analysis of this is shown in Table 2 of the Cabinet report. The total net expenditure on the Specific Items financed from Specific Reserve and the General Reserve for 2018/19 is set out in Appendix C of the Cabinet report.

Recommendations

That Council Approve

- (i) **that grant income as set out in paragraph 13 to 18 and 20 to 25 of the Cabinet report be transferred to Specific Reserves;**
- (ii) **that grant income as set out in paragraph 19 of the Cabinet report be transferred to General Reserve;**
- (iii) **that balance of interest totalling £360,127 as set out in paragraph 27 of the Cabinet report is transferred to the General Reserve;**

- (iv) that Dividend income totalling £17,369 as set out in paragraph 30 of the Cabinet report is transferred to the General Reserve;**
- (v) that the 2019/20 capital programme be increased by £966,000 as a result of slippage of some 2018/19 capital projects as detailed in Table 2 of the Cabinet report;**
- (vi) that £14,823 be transferred to the Car Parking Strategy Specific Reserve as detailed in Appendix C note 32 of the Cabinet report;**
- (vii) that £3,177 be transferred to Burgess Hill Growth Specific Reserve as detailed in Appendix C note 17 of the Cabinet report;**
- (viii) that the revenue underspending in 2018/19, totalling £459,000, be transferred to Specific Reserves as set out in Table 1 of the Cabinet report.**