



APPENDIX C - COUNCIL OF THE ISLES OF SCILLY

HOUSING ALLOCATIONS POLICY (DRAFT)

1 WHO CAN JOIN THE REGISTER?

You can join the Housing Register if you are a qualifying person

QUALIFYING PERSONS ARE THOSE THAT ARE:

1. 1. Aged over 18, or

Aged 16 – 18 and supported by Social Services, or a Parent, or a married couple or a child in need as defined by the Children Act 1989.

Anyone aged between 16 and 18 will require a guarantor if an offer of accommodation is made.
- ~~2. Persons who currently reside on the Isles of Scilly and have been resident on the Islands for 2.5 out of the previous 3 years.~~
3. **Anyone with an evidencable local connection via;**
 - **residency - where the applicant has been resident on the islands for 2.5 out of the last 3 years immediately prior to applying to join the housing register**
 - OR**
 - **employment in the islands – where the applicant or member of their household is currently employed in the islands and is required to reside within the islands in order to fulfil said employment**
4. Members of the Armed Forces who lived on the Islands for a minimum of 2.5 years of the 3 years immediately before their marriage.
5. Spouses of the Armed Forces who lived on the Island for 2.5 years out of the 3 years immediately before their marriage.
- ~~6. Students temporarily absent from the islands for the sole purpose of taking a full-time recognised course of education not available on the Islands are deemed to be resident on the islands during their temporary absence provided such absence does not exceed 4 years and the student was ordinarily resident on the islands for the qualifying time of~~

~~2.5 out of the previous years immediately prior to commencement of the educational course.~~

7. **Students temporarily absent from the islands for the sole purpose of taking a recognised course of education not available on the Islands are deemed to be resident on the islands during their temporary absence provided the student was ordinarily resident on the islands for the qualifying time of 2.5 out of the previous years immediately prior to commencement of the educational course and for up to 24 months after completion of said course, providing it can be evidenced that this is required to gain necessary experience linked to their chosen field of education before returning to the islands.**

NON QUALIFYING PERSONS ARE:

1. Persons subject to immigration controls under the Asylum and Immigration Act 1996.
2. Persons from abroad not habitually resident in the UK, the Republic of Ireland, the Channel Islands or the Isle of Man.
3. Anyone evicted from any Council house or Housing Association Tenancy for anti-social behaviour.

~~4. Persons with current rent arrears in excess of £50.00.~~

~~5. Any persons with a proven history of violence or abuse against either Council Members or employees.~~

~~6. Any persons convicted of damage to or misuse of Council Property.~~

7. **Persons with current rent arrears in excess of double their current monthly rent.**

Where rent arrears do exist, evidence of re-payment plan must be in place and not defaulted on for a minimum of 6 months. Exceptional circumstances will be considered providing suitable evidence is provided.

8. Former owner occupiers who have disposed of their residential properties on the islands other than through demonstrable need.

~~9. All property owners and any persons with an interest in a residential property i.e. joint ownership other than where there is a demonstrable need e.g. high medical priority and negative or low equity.~~

10. **All property owners and/or any persons with an interest in a residential property on the Isles of Scilly (i.e joint ownership) other than where there**

is a demonstrable need (for example, high medical priority and negative or low equity).

11. Any single persons or couple application with a household income of £65,000 pa or higher and/or savings over £50,000.
12. Any joint application for family accommodation (those requiring two or more bedrooms) with a household income of £75,000 pa or higher and/or savings over £65,000.
13. Any person giving incomplete or false information in support of their application.
14. Persons removed from the register within the previous 12 months.

2 HOW DO I JOIN THE HOUSING REGISTER?

You should read this document and obtain an application form from the Housing Department, Council of the Isles of Scilly.

Application forms can be obtained from;

Either of the Council's front desks (Carn Gawrval Sports Hall or St Mary's Library)

Via email to housing@scilly.gov.uk

Online at www.counciloftheislesofscilly.gov.uk

If you need help in completing the form please make an appointment with the Housing team via the email above, calling 01720 424440 or at one of our weekly drop in sessions at St Mary's Library every Wednesday 10am – 12pm, the team will be pleased to help.

Your completed form should be returned to the Housing Department, Council of the Isles of Scilly

IF YOUR CIRCUMSTANCES CHANGE you must notify the Housing Department as soon as possible.

Please make sure that all information given in support of your application is up to date and correct. **It is your responsibility** to ensure that up to date information is held by the Council.

3 DO I HAVE TO RENEW MY APPLICATION?

Yes. You need to renew your application each year.

The Council will send you a renewal form to complete every April, followed by a further three reminders over a 2-month period following.

Failure to return the renewal form within 7 days of the final reminder notification will result in your application being cancelled except in exceptional circumstances.

4 REMOVAL FROM THE REGISTER

You may be removed from the Register if:-

1. You or your partner become a non qualifying person as stated in categories 1 to 10 of Section 1 – Who can join the Register.
2. You refuse one offer of suitable accommodation.
3. You fail to return a renewal form within 1 calendar month of the final reminder letter.
4. You are found to have provided false information

5 HOW ARE COUNCIL PROPERTIES LET?

Properties are let in accordance with the point scheme which awards points for housing need. Those in the greatest housing need receive the greater number of points and are housed as suitable accommodation becomes available.

Before any formal offer of accommodation is made a Capital and Income means test will be carried out based on your eligibility for a mortgage in accordance with bank and building society provisions. No formal offer of accommodation will be made to anyone falling outside the Capital and Income limits.

People with enough capital and/or income to buy a suitable home will not be eligible to be considered for rented housing by the Council or any of the Housing Associations. Your ability to buy a suitable home will initially be calculated from information requested on the application form. Applicants who are assessed as being able to afford a home on the open market will be advised about how the assessment was carried out and given advice, where possible, on alternative housing options.

Your ability to buy a home may change if house prices rise. Therefore, it is important to stay on the Housing Register even if you fail the financial means test.

When applicants have the same number of points the Council will consider the following criteria:-

- Suitability of property
- Evidenced cases of Domestic Violence or Abuse
- Financial need
- Date of joining the Housing Register

The length of time you wait before being made an offer will depend on:-

- Your points
- The type of housing you need

6 CAN I CHOOSE THE AREA IN WHICH I WISH TO LIVE?

Accommodation availability on the Islands is extremely scarce, if you wish to limit the areas where you will accept accommodation; this will reduce the number of properties available to be offered to you and may either increase your time on the Housing Register or result in your removal from the Register (see Section 4).

7 WHAT TYPE AND SIZE OF PROPERTY WILL I BE OFFERED?

This will depend on family size any other relevant factors for example a family with one child will usually be offered a one bedroom property. Properties designed for the elderly or disabled will only be offered

to disabled applicants or those that are over 60 as appropriate unless there are exceptional circumstances eg high medical priorities.

8 WHAT INFORMATION WILL I BE GIVEN ABOUT MY APPLICATION?

Once your application has been processed we will notify you in writing of the following:-

1. That your application has been registered, alternatively if you are not eligible for registration on the Housing Register we will notify you as to why.
2. Which Housing Association you are eligible to be rehoused with.
3. How many points you have awarded in each category of need and your total number of points. Your level of points may be revised at a later date if a further assessment is required e.g. for medical or welfare reasons or disrepair. You will be notified of any changes in your point's priority resulting from further assessment.
4. The type of property you will be considered for.
5. Who you can contact to discuss your application.
6. If you are not eligible to be considered for housing, the reasons for this and your right to request a review of this decision.

9 HOW WILL YOU MAKE ME AN OFFER OF ACCOMMODATION?

You will receive a forward offer of accommodation in writing with details of the property and how you should respond. This will usually be followed by a formal offer when the property is ready for letting. Please note that we have to make sure properties do not stand empty for long periods of time, this means that you may not be given long between receiving your formal offer and the tenancy starting, normally three working days.

If you refuse an offer your application will be removed from the housing Register (see Section 4) and unable to rejoin for a period of 12 months. A suitable offer consists of a property appropriate in size for your family.

10 ARE ALL APPLICATIONS TREATED IN THE SAME WAY?

Apart from a few exceptional cases as defined in Section 159(5) of the Housing Act 1996, the only way to be allocated council tenancies is through the Housing Register. All applicants on the Housing Register receive a number of points in line with the lettings policy.

Council and Housing Association tenants who apply for transfer to other Council accommodation are included on the Housing register but treated separately from Housing Applicants. Transfer applicants receive points in the same objective way.

Please note that if you are in the Armed Forces you will not receive an offer of accommodation until you have been formally discharged.

If you are a tenant in tied accommodation you will not receive an offer until you have received formal notification that your accommodation is no longer available.

11 TRANSFER POLICY

Secure Council and Assured Housing Association tenants can apply to be placed on the Transfer List on completion of the first year of their tenancy.

Applicants will be awarded They will be allocated points in accordance with the Allocations Points System.

12 WHAT ABOUT HOMELESS PEOPLE?

Most join the Housing Register and will not receive an offer of secure accommodation until their turn is reached in line with the lettings policy.

If you are homeless or threatened with homelessness, please contact the Housing Officer without delay for advice and assistance. Dependent on your circumstances you may qualify for temporary accommodation.

By virtue of “the Homelessness (Isles of Scilly) Order 1997, (Statutory Instrument No.797), “A person is not eligible for assistance by the Council if they have not been resident in the district of the Council for a period of two years and six months during the period of three years immediately prior to their application.”

Please note: If the Council establishes that it has a duty to you as a homeless person that duty is to arrange temporary accommodation for two years only. A review of your case will be carried out towards the end of the two year period to assess if the duty still exists. You may be allocated permanent accommodation before the end of the two year period dependent on your points total.

13 HOW CAN I CHALLENGE THE COUNCIL’S DECISION?

If you are refused entry on to the Housing Register or removed from the Housing Register, you will be advised in writing. You will then be given the opportunity to request a review of the decision within 21 days and the Council will endeavor to conclude the review within 8 weeks. Advice on the right to review and the procedure to be followed will be issued if you request a review. Advice on reviews is also available on request from the Housing Officer. Please note that the lettings policy cannot cover every housing situation, how the policy is interpreted in exceptional circumstances will be at the discretion of the Housing Committee.

14 WHAT ELSE CAN I DO IF I FEEL MY APPLICATION HAS NOT BEEN TREATED PROPERLY?

If you feel your application has not been treated properly, the Council have a complaints procedure set up to deal with complaints about all its services including Housing. Written details are available on request.

The Local Government Ombudsman may also be able to help, however, you should give the Housing Officer the opportunity to respond before writing to the Local Ombudsman.

Local Independent Advice agencies may also be able to help you. Addresses are available from local council offices.

15 CAN I SEE THE INFORMATION HELD ON MY HOUSING APPLICATION?

Yes, the Housing Act 1996 gives you the right to see your own entry on the Housing Register and receive a copy of it free of charge.

The Data protection Act 1984 gives you the right to see any information about you that is contained on our computer but prevents the Council from releasing any information about any other person.

The Access to Personal Files Act 1987 gives you the right to see any personal information held about you. Please note there may be times when it is necessary to disclose information in your application to other people such as doctors, social workers, housing organizations, rural support agencies. This will be done on a need to know basis where it is sensible and where it will help the letting process.

16 ARE THERE OTHER HOUSING OPTIONS?

Yes there are other housing options depending on your needs and circumstances:-

1. Registered Social Landlords such as Housing Associations also have accommodation on the Islands available for letting. If you apply to go on a registered social landlord's waiting list it will not affect your position on the Council's register. However, the Council works closely with registered social landlords and has the right to nominate a proportion of applicants on the Housing Register to them for rehousing.
2. Private renting may also be an option which we can advise you on. A list of useful contacts is available from the Housing Department on request. Before entering into a private tenancy check out your housing benefit entitlement.

17 MORE QUESTIONS

If you have any more questions please do not hesitate to contact the Housing Department on 01720 424440 or via housing@scilly.gov.uk

HOUSING ASSOCIATIONS

1. Live West
Kenwyn St
Truro
Cornwall
TR1 3BA
Tel: 0300 123 8080
2. Cornwall Rural Housing Association
19 Callywith Gate
Launceston Road
BODMIN
Tel: 01208 892000
3. Hanover Housing Association
(Sheltered housing for the active elderly)
Cornbrash Park
Bumpers Way
Chippenham
Wiltshire

SN14 6RA
Tel: 01249 707000