

# Executive Decision Report

<b>Decision maker(s) at each authority and date of Cabinet meeting, Cabinet Member meeting or (in the case of individual Cabinet Member decisions) the earliest date the decision will be taken</b>	<p>Leadership Team – 6 February 2018</p> <p>(Cllr Kim Taylor-Smith, Deputy Leader and Lead Member for Grenfell Recovery, Housing and Property)</p> <p>Forward Plan reference: 05128/17/H/A</p>	 <p>THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA</p>
<b>Report title (decision subject)</b>	<b>Wider Grenfell Rehousing Policy</b>	
<b>Reporting officer</b>	Maxine Holdsworth, Director of Housing Needs and Supply	
<b>Key decision</b>	Yes	
<b>Access to information classification</b>	Public	

## **1. EXECUTIVE SUMMARY**

- 1.1 The Wider Grenfell Rehousing Policy explains how the Council will prioritise tenants of the Barandon Walk, Hurstway Walk, Testerton Walk (the Walkways), Bramley House and Treadgold House for rehousing in long-term accommodation where they feel unable to remain in their current home. It sets out the Council's priorities and procedures to be followed in allocating housing accommodation to this community.
- 1.3 The policy has been developed following public consultation and adopted pursuant to paragraph 1.11 of the Council's Housing Allocation Scheme, February 2017 revision. It represents an amendment to the Council's Allocation Scheme, permitted under paragraph 1 of the Scheme and effected by the Director of Housing Needs and Supply in consultation with the Deputy Leader and Lead Member for Grenfell.
- 1.4 The Director of Housing Needs and Supply has the delegated authority in exceptional circumstances to amend or waive this policy.
- 1.5 The council is in direct discussions with the small number of leaseholders who are in hotels from the Walkways, Treadgold House and Bramley House. Leaseholders from the Lancaster West estate are involved in the ongoing discussions with residents about improving Lancaster West estate for the future.
- 1.6 The Wider Grenfell Rehousing Policy is provided at Appendix 1.

## **2. RECOMMENDATIONS**

- 2.1 It is recommended that the Wider Grenfell Rehousing Policy is implemented for the following reasons.
  - To ensure that Council tenants of Walkways, Treadgold House and Bramley House who do not feel able to return to or continue to reside in their homes are prioritised for rehousing to alternative social housing that is suited to their needs.
  - To ensure that tenants of the Walkways, Treadgold House and Bramley House who wish to be rehoused will have choice with regard to an alternative home, and that their individual needs will be taken into account.

## **3. BACKGROUND**

- 3.1 Following the Grenfell Tower tragedy of 14 June 2017, the Council implemented the Grenfell Rehousing Policy in order to meet the Government's commitment to rehouse all former residents of Grenfell Tower and Grenfell Walk within twelve months. In view of the manifest housing needs of residents who lost their homes, the Council recognised the absolute imperative of awarding the highest priority to this community in order to secure to long term rehousing.

- 3.2** The Council recognises that the tragedy deeply affected an entire community and especially residents who live in close proximity to the Tower. Listening to and supporting the residents of North Kensington, it is clear that residents of Barandon Walk, Hurstway Walk and Testerton Walks (the Walkways), Treadgold House and Bramley House, and their families, were particularly affected.
- 3.3** The Wider Grenfell Rehousing Policy forms part of the Council's commitment to the residents of the Lancaster West Estate following the fire at Grenfell Tower, to help the community heal and to rebuild their lives. The policy sits alongside the Council's commitment to invest in the community, to refurbish residents' homes and environment, and to work with the community to ensure it remains desirable and revitalised place to live, albeit with one with such sad memories of those lives lost in the fire.
- 3.4** Residents of the Walkways, Treadgold House and Bramley House were offered emergency accommodation, and subsequently self-contained temporary housing, following the tragedy. While a number of residents and their families have felt able to return home, many do not yet feel able to take this step and some will never be able to do so. The majority of residents did return to their homes once they were allowed to do so in the days following the tragedy; however, some of these residents may also feel that it is necessary to move to another home in order to try to rebuild their lives and those of their families.
- 3.5** The purpose of the Wider Grenfell Rehousing Policy is to prioritise tenants who do not feel able to return to, or remain in, their home in the Walkways, Treadgold House or Bramley House for rehousing to an alternative home within social housing.

#### **4. PROPOSAL AND ISSUES**

- 4.1** This section identifies the main proposals within the Wider Grenfell Rehousing Policy. The development of these proposals in response to the public consultation on the draft 'Walkways Rehousing Policy' is examined in section 5 below.

*Who qualifies for rehousing under the Wider Grenfell Rehousing Policy?*

- 4.2** Priority under this policy, known as 'Wider Grenfell Priority', will be awarded to tenants who were living at the Walkways or in Bramley House or Treadgold House as their main home prior to the tragedy and who fall within one of the following groups:
- Council introductory or secure tenants; or
  - Tenants of temporary accommodation secured by the Council pursuant to the main housing duty under Part 7 of the Housing Act 1996 (s.193). These are households who approached the Council when made homeless, towards whom

the Council accepted a full rehousing duty, and who were residing in temporary accommodation in the Walkways, Treadgold House or Bramley House at the time of the tragedy.

- 4.3** The council is in direct discussions with the small number of leaseholders who are in hotels from the Walkways, Treadgold House and Bramley House. Leaseholders from the Lancaster West estate are involved in the ongoing discussions with residents about improving Lancaster West estate for the future.
- 4.4** Residents who held a private sector tenancy in these premises, lodgers, and family members of tenants or leaseholders who wish to live independently will receive rehousing advice and assistance from the Council outside of the Policy. This assistance may include advice and financial assistance to secure an affordable property in the private rented sector.

#### *Priority for rehousing*

- 4.5** Tenants who qualify (see 4.2) for Wider Grenfell Priority will be awarded 900 points on the Housing Register. These points are intended to recognise the need some households have to move because of the traumatic effect of the tragedy on their household. This is a high priority status equal to the “supporting health and independence” priority status.

- 4.6** Wider Grenfell Priority may be combined with either or both of the following priority categories provided in the main Allocation Scheme.

- i. Supporting health and independence (900 points): section 4.6 of the Scheme

Where a tenant applies on health grounds (their own or a member of their household), ordinarily it will have to be demonstrated that the condition pre-existed the tragedy and that rehousing to another property will play a critical role in addressing those health problems. Nevertheless, the Council will consider the circumstances of tenants who are experiencing substantial mental or physical health problems following the tragedy where the granting of supporting health and independence in addition to Wider Grenfell Priority might be warranted.

- ii. Overcrowding priority (200 points): section 4.10 of the Scheme.

Tenants will be awarded overcrowding priority if they are lacking two or more bedrooms in their current home according to the Council’s definition of bedroom need (see section 4.2 of the Wider Grenfell Rehousing Policy).

- 4.7** Therefore, within the Wider Grenfell Rehousing Policy, a higher priority will be awarded to tenants with a greater need for rehousing.

- 4.8** Where two or more tenants with the same priority (level of points) express an interest in the same property, the property will first be offered to the tenant with the greatest length of residency. The start date for this length of residency is known as the 'priority date'.
- 4.9** Priority will only be granted to applicants residing in self-contained temporary accommodation provided by the Council, or residing at home in the Walkways, Bramley House or Treadgold House. Ordinarily, priority will not be awarded to residents residing in hotel accommodation or serviced apartments though the Council will review this on a case-by-case basis; for example, if it has not been possible to offer a tenant self-contained accommodation where s/he does not feel able to return home.

*Rehousing to a suitable alternative property*

- 4.10** Tenants will be offered properties of the same bedroom size as their home in the Walkways, Treadgold House and Bramley House. If the household is overcrowded, they will be offered a larger property that meets the needs of the household. Under occupiers who wish to downsize will be given the opportunity to do so.
- 4.11** The Council will undertake a comprehensive assessment of a household's needs prior to registering the tenant on the Council's Housing Register. This assessment will include property size, type, location, affordability, and any requirement for an accessible and / or adapted property to address mobility problems. Further, the Council will engage with the tenant to agree a 'personal rehousing plan' which will record the tenant's housing needs, requirements and preferences balanced against the Council's ability to meet them.

*The rehousing process – choice based letting, assisted choice, two suitable offers of accommodation and the right to appeal*

- 4.12** Once registered on the Housing Register, tenants will express interest in properties advertised on the Council's choice-based letting system, Home Connections. Unlike former residents of Grenfell Tower and Grenfell Walk, a separate portal on Home Connections will not be created for Walkways, Treadgold House and Bramley House tenants.
- 4.13** Tenants who are not able or do not have immediate access to be able to express an interest or may simply otherwise be missing out on making suitable expressions will be offered assisted choice, through which the Council will express an interest in a property on the tenant's behalf in accordance with the personal rehousing plan.
- 4.14** Tenants will have the right to receive two suitable offers of accommodation. The offer will be triggered by a successful expression of interest or a suitable match made under assisted choice.

- 4.15** If the Council is satisfied that a tenant has refused a suitable offer without good reason (having regard to the personal housing plan), it will notify the tenant of its decision. The tenant will have the right to request a review of that decision. If the request for a review is upheld, the decision will be reversed and the offer will not count as one of the tenant's two offers.
- 4.16** If a tenant is deemed to have unreasonably refused two suitable offers and reviews of those offers have been unsuccessful, the Council will notify the tenant that it intends to amend a tenant's priority date to the date of the last suitable offer. A tenant's original priority date is the start date of their residency in the Walkways, Treadgold House or Bramley House (see paragraph 4.8).
- 4.17** The tenant will have the right to further appeal to an independent adjudication stage to ensure that the final decision is taken by an independent person not employed by the Council. If the independent adjudicator upholds the Council's decision, the tenant will retain their points award, but their priority date will be amended to the date of the last suitable offer.

#### *Rent and tenure*

- 4.18** Tenants rehoused to a Council property will be granted a lifetime tenancy, and will pay the applicable rent and service charges for that property (ie their previous rent and service charges will not be protected).
- 4.19** Where tenants are rehoused to a housing association property, the new landlord's tenancy, rent and service charges policies will apply.

## **5. CONSULTATION**

- 5.1** The Council conducted a public consultation on the proposed 'Walkways Rehousing Policy' between 23 November and 5 January 2018. Stakeholders were able to have their say via an online and paper survey, making submissions by letter or email, and through a number of meetings which were independently hosted and facilitated by the Office for Public Management (OPM).
- 5.2** A total of 85 responses were received to the online and paper survey. In addition to this, 12 submissions were received from organisations and individuals via email, letters and meetings, including a response from the Notting Dale ward Councillors. Four events were held which were attended by a total of 20 people. The Grenfell Recovery Scrutiny Committee provided feedback on the draft Walkways Rehousing Policy on 20 November 2017 and 18 January 2018.
- 5.3** The Consultation Report: Analysis from stakeholder consultation, presented by the Council's Community Engagement Team is provided at Appendix 2. This report encloses the independent report on the consultation events, written by OPM. These reports provide detail on the feedback to the consultation, and explain the promotion,

scope and methodology of the consultation process. The Council has published the reports and all feedback to the consultation.

- 5.4** Although there was some agreement with the policy, and this was the most common theme of comments made in response to the survey, there were a number of areas of common concern raised through the consultation. Some of the key themes are summarised below.

*Exclusion of other areas of Lancaster West Estate, most notably Treadgold House and Bramley House*

- 5.5** Some respondents stressed that many residents would find it difficult to remain on the estate, and this was not limited to the residents of the Walkways. This theme was also emphasised by Notting Dale ward councillors and local advice agencies who closely engage with and assist residents.
- 5.6** The Council recognises that tenants in close proximity to the Tower but who do not reside in the Walkways share similar experiences to their neighbours. Therefore, the rehousing policy is extended so that it also applies to tenants of Treadgold House and Bramley House. Tenants who do not reside in the Walkways, Treadgold House or Bramley House, will be assessed with particular regard to their experiences as a result of the tragedy, and assisted on a case by case basis under the council's main allocation policy and housing duties.

*Wider impact on the Housing Register*

- 5.7** Although it was generally recognised that Walkways residents had been seriously affected by the Grenfell Tower tragedy, some residents were concerned about the impact on those already on the Housing Register, particularly as the policy does not set out plans to procure additional properties. Responses were received from a number of tenants, currently in unsuitable or temporary accommodation, who have been on the Housing Register for some time. Prioritising Walkways residents is perceived by some as having a detrimental impact on their rehousing prospects. The impact of the proposed policy on existing applicants to the Housing Register was also referenced in responses provided by local advice agencies; however, they placed far greater emphasis on the Council's need to respond to the rehousing needs of residents of the Walkways, Treadgold House and Bramley House.
- 5.8** The Council recognises the need to provide an effective response to the rehousing needs of residents of the Walkways, Treadgold House and Bramley House, reflected in the recommended amendments to the original draft Walkways Rehousing Policy. However, the council will monitor the impact of the final policy on the rehousing prospects of existing applicants to the Housing Register. The Council will keep this issue under review, particular in the context of the equalities impact upon existing applicants.

*The draft policy was not sufficiently generous to Walkways residents or those with additional needs*

- 5.9** The draft Walkways Rehousing Policy suggested that Walkways residents would be awarded 900 points, and that no cumulative points would be awarded. Some respondents disagreed that this should be the case, and that this would disadvantage residents who need to move for a combination of reasons including ill-health.
- 5.10** The Council recognises that tenants will present with differing housing needs in addition to feeling unable to remain in their current home; in effect that some households may have a more urgent need for rehousing. Therefore, it is recommended that tenants awarded Wider Grenfell Priority may also be awarded supporting health and independent priority and / or overcrowding priority where applicable.

*Policy does not apply to leaseholders, private renters or others*

- 5.11** Some respondents were concerned that the policy only made provision for Council tenants. Respondents queried what support would be made available to leaseholders and private renters. Some concern was also expressed that the policy would not meet the needs of adult dependents, subtenants or lodgers.
- 5.12** The council is in direct discussions with the small number of leaseholders from the Walkways, Treadgold House and Bramley House. Leaseholders from the Lancaster West estate are involved in the ongoing discussions with residents about improving Lancaster West estate for the future.
- 5.13** The Council feels that it is appropriate to award a Wider Grenfell Priority only to tenants (and statutory homeless households placed by the Council in temporary accommodation prior to the tragedy). In doing so, the Council will ensure that residents with a social housing tenancy, or towards whom the Council has a legal duty to rehouse, will retain their status as social housing tenants. Private sector tenants, lodgers, and household members who would like to be rehoused separately do not currently possess the status of social housing tenant, and they will be offered tailored advice and assistance by the Council to meet their housing need (for example, in the private sector).

*The implications of refusing of two reasonable offers*

- 5.14** The draft policy suggested that priority will be reduced if the tenant refused two reasonable offers. Some respondents felt that this was not enough, particularly as many residents are highly traumatised and should not be pressured into making decisions especially where properties have not been properly described. Much hinged on the definition of 'reasonable' and how this would be applied. The reduction

from 900 to 100 points following the refusal of two offers was viewed by some as too great.

- 5.15** The Council recognised that tenants need to be provided with appropriate information about a property before making significant choices regarding their rehousing. It is committed not only to fully assessing a household's needs and agreeing a personal rehousing plan with tenants, but also providing comprehensive information about properties advertised on the choice-based lettings system so that tenants can make informed decisions.
- 5.16** Further, the Council recognised that reducing a tenant's priority from 900 (plus) points to 100 in the event of refusing two suitable offers of accommodation was too punitive and could neither be in the interests of the tenant or the Council (as it might result in tenants living away from home residing in temporary accommodation for a much longer period of time). Therefore and instead of reducing a tenant's points, in the event that a tenant is deemed to have unreasonably refused two suitable offers and reviews of those offers have been unsuccessful (see below) it is recommended that the Council will notify the tenant that it intends to amend a tenant's priority date to the date of the last suitable offer.
- 5.17** Nevertheless and in balance with the above commitments, the Council feels it is vital to reach an understanding with tenants with regard to realistic expectations about rehousing, to draw a distinction between its rehousing commitments to former residents of Grenfell Tower and Grenfell Walk and the wider community, and to ensure that other residents on the Housing Register are given opportunities to be rehoused.
- 5.18** It is recommended, therefore, that the Council retains the stance of making two suitable offers of accommodation to tenants awarded Wider Grenfell Priority. However, the Council will ensure that tenants are fully informed about their rehousing choices and opportunities, that they will have the right to review a decision that a property has been refused without good reason, and that the tenant should have the right to appeal to independent adjudication. The Council wishes to work with tenants to ensure, as far as possible, they express an interest in and do not decline suitable offers of accommodation.

*Residents should have to vacate hotels before being awarded priority*

- 5.19** This issue featured particularly as a concern in submissions received from organisations and individuals. Respondents stated would be preferable for residents to be able to remain in hotels until they are ready to move or until permanent accommodation is available.
- 5.20** The Council is concerned that many tenants may hope to remain in hotel accommodation until accepting an offer of social housing. To award points whilst a household is in a hotel gives a misleading impression that it may be possible to be rehoused quickly directly from a hotel to a new social tenancy. As the council lets

around 450 properties per year, the majority of which are one bedroomed, it is unlikely many households would be able to move from hotel into a new social housing tenancy immediately.

- 5.21** Therefore, it is recommended that the Council retains the stance that Wider Grenfell Priority is not awarded to tenants residing in emergency accommodation. Consideration will be given to those tenants who do not feel able to return home but have not yet been offered self-contained temporary housing and therefore have not been given the opportunity to move out of emergency accommodation.

*Differing tenancy terms and conditions following rehousing*

- 5.22** Whilst some welcomed the proposal for 'like for like' tenure, others criticised the differences in security of tenure between Council and non-Council properties. Some felt that the security of tenure for non-Council tenants is lower and that is unfair. Some went on to comment that secure tenants lack freedom of choice, as they can only maintain their secure tenancy if they remain in Council properties. Tenants need more information in order to make an informed choice.
- 5.23** The Council recognises that tenants require more information in order to make informed choices: this is vital. However, the Council is not in a position legally or financially to guarantee that rehoused tenants will enjoy the same tenancy rights and responsibilities (and rent and services charges) they held in their previous home. This differs from the Government's pledges to former residents of Grenfell Tower and Grenfell Walk that the Council is committed to honouring.
- 5.24** It is recommended that tenants rehoused to a Council property will be granted a lifetime secure tenancy, subject to the commencement of Part 4 of the Housing and Planning Act 2016 (implementing Schedule 7 amendments to secure tenancies) and associated regulations. It is recommended that tenants rehoused to a Council property will pay the rent and services charges applicable to that property.
- 5.25** While the Council can request that a registered provider (housing association) offers a lifetime tenancy to a former tenant of the Walkways, Treadgold House and Bramley House, it cannot insist that it does so. The majority of registered providers with properties in Kensington and Chelsea no longer offer lifetime tenancies as the norm. Therefore, tenants rehoused to a registered provider property will be subject to the new landlord's tenancy, rent and service charges policies.
- 5.26** A possible consequence of the differing approaches to tenure adopted by the Council and registered providers, with respect to Wider Grenfell rehousing, is that tenants may wish to be rehoused only to a Council property. Doing so may restrict their opportunities for rehousing, given that the majority of social housing that becomes vacant in any year tends to belong to a housing association.

## **6. LEGAL IMPLICATIONS**

- 6.1** This report sets out how the Council will prioritise tenants of the Barandon Walk, Hurstway Walk, Testerton Walk (the Walkways), Bramley House and Treadgold House for rehousing in long-term accommodation where they feel unable to remain in their current home. The Council is required by Section 166A of the Housing Act 1996 to have an allocation scheme for determining priorities and procedure for the allocation of housing accommodation in the borough.
- 6.2** The Council's allocation scheme was revised in February 2017 and it is considered that paragraph 1.11 allows the Council to adopt the proposed policy. In addition, paragraph 1 states that The Director of Housing in consultation with the Cabinet Member for Housing, Property and Regeneration may make amendments to the scheme if required.
- 6.3** The policy is considered to be justifiable and lawful. The Council has a broad discretion to allocate accommodation in such a manner as it considers appropriate and case law has established that the allocation of housing is a matter of political sensitivity, judgment and local expertise and knowledge.

## **7. EQUALITIES IMPLICATIONS**

- 7.1** In adopting this policy, the Council will have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2** The Council will complete an Equalities Impact Assessment with regard to the Policy, continue to monitor its effect on the above needs, and in particular will review this policy after it has been in force for a period of at least 6 months. Further reviews will be carried out as necessary and appropriate.

## **8. FINANCIAL AND RESOURCES IMPLICATIONS**

- 8.1** Since this report concerns rehousing tenants who have existing properties, provided those properties are relet to others on the Council's Housing Register in a timely manner, the Council should incur no additional costs relating to temporary accommodations for those already on the Housing Register. Whilst the report envisages the assessment and registering of all Walkways, Bramley and Treadgold tenants who are seeking rehousing, there will be no additional cost for this work provided it is undertaken by existing staff.



**Royal Borough of Kensington and Chelsea**

**Wider Grenfell Rehousing Policy**

**Barandon Walk, Hurstway Walk, Testerton Walk**

**Bramley House, Treadgold House**

## **1. Introduction**

This special dispensation rehousing policy has been adopted pursuant to paragraph 1.11 of the Council's Housing Allocation Scheme, February 2017 revision and should be read in conjunction with the Allocation Scheme.

The Grenfell Tower fire that occurred on 14 June 2017 was a humanitarian disaster on an unprecedented scale within the borough. The loss of life and harrowing events of the tragedy as well as its aftermath have devastated an entire community. The Council recognises that the tragedy deeply affected an entire community and especially residents who live in close proximity to the Tower. Listening to and supporting the residents of North Kensington, the Council also recognises that residents and families of Barandon, Hurstway and Testerton Walks (the Walkways), Bramley House and Treadgold House were particularly affected.

This rehousing policy forms part of the Council's commitment to the residents of the Wider Grenfell area following the tragedy at Grenfell Tower, to help the community heal and to rebuild their lives.

The policy sits alongside the Council's commitment to invest in the community, to refurbish residents' homes and environment, and to work with the community to ensure it remains desirable and revitalised place to live, albeit with one with such tragic memories of those who lost their lives.

The policy explains how the Council will prioritise tenants of the Walkways, Bramley House and Treadgold House for rehousing in long-term accommodation where they feel unable to remain in their current home. It sets out the Council's priorities and procedures to be followed in allocating housing accommodation to this group.

The Director of Housing has the delegated authority in exceptional circumstances to amend or waive this policy.

## **2. Who qualifies for Wider Grenfell Priority?**

Priority under this policy, known as 'Wider Grenfell Priority', will be awarded to tenants who were living at the Walkways or in Bramley House or Treadgold House as their main home prior to the fire and who fall within one of the following groups:

- Council introductory or secure tenants; or
- Tenants of temporary accommodation secured by the Council pursuant to the main housing duty under Part 7 of the Housing Act 1996 (s.193).

The Council recognises that residing in hotels is not a suitable arrangement on an ongoing basis. The Council also recognises that long term rehousing will take some time even with the special priority awarded under this policy. Alternative, self-contained temporary accommodation will be offered to Walkways, Bramley House and Treadgold House residents to enable them to move out of hotels.

Wider Grenfell Priority cannot be awarded while applicants remain in hotel accommodation. It will only be granted to applicants residing in self-contained temporary accommodation provided by the Council, or residing at home in the Walkways, Bramley House or Treadgold House, unless the council has not been able to offer suitable temporary accommodation.

The council will support private tenants and lodgers with advice and assistance to find an alternative private rented tenancy.

## **3. Points and priority**

Tenants who qualify for Wider Grenfell Priority will be awarded 900 points on the Housing Register.

This is a high priority status equal to the “supporting health and independence” priority status.

The award of Wider Grenfell Priority may be combined with either or both of the following priority categories provided in the Housing Allocation Scheme, February 2017 revision, where applicable.

- iii. Supporting health and independence (900 points): section 4.6 of the Scheme

Where a tenant applies on health grounds (their own or a member of their household), ordinarily it will have to be demonstrated that the condition pre-existed the tragedy and that rehousing to another property will play a critical role in addressing those health problems. Nevertheless, the Council will consider the circumstances of tenants who are experiencing substantial mental or physical health problems following the tragedy where the granting of supporting health and independence in addition to Wider Grenfell Priority might be warranted.

- iv. Overcrowding priority (200 points): section 4.10 of the Scheme.

Tenants will be awarded overcrowding priority if they are lacking two or more bedrooms in their current home according to the Council's definition of bedroom need (see section 4.2 of the Wider Grenfell Rehousing Policy).

Therefore, within the Wider Grenfell Rehousing Policy, a higher priority will be awarded to tenants with a greater need for rehousing.

Where two or more tenants with the same priority for rehousing have expressed an interest in the same vacant property, the property will be offered first to the tenant with the greatest length of residence in the Walkways. The start date for this length of residency is known as the 'priority date'.

No time restriction will be placed on making an application for Wider Grenfell Priority.

#### **4. Household needs**

##### **4.1 Needs assessments**

All households will be assisted to complete an accurate housing needs assessment and agree a personal rehousing plan which will be kept up to date. Officers will also assist households to update any changes in circumstances which affect the accommodation they require.

Applicants will be asked to provide Equality and Diversity information. The Council asks households to assist in this process in order to help to deliver the Council's commitment to equality of opportunity when applying this policy.

##### **4.2 Bed size recommendations**

The size of property each applicant with Wider Grenfell Priority and their household requires will be assessed as set out below:

We will offer properties of the same bedroom size as the one where the household was living, or if the household is overcrowded, they will be offered a larger property that meets the needs of their household on the following basis:

## Bedroom calculation

	One person	Couple	Two adults not living as a couple	One adult or a couple plus					
				One child or other adult	Two children of the same sex aged 20 or under	Two children of opposite sexes aged 9 or under	Two children of opposite sexes, one or both aged 10 or over	Three children	Four or more children
Studio	X	X							
One bed		X							
Two bed			X	X	X	X			
Three bed							X	X	X
Four or more bedrooms									X

## 5. The Allocations process

### 5.1 Expressions of interest in advertised properties

As soon as a tenant is on the Council's Housing Register, they can start to express interest in vacant properties that meet their specified needs, as agreed in the needs assessment and personal rehousing plan.

Tenants will use the Council's online Choice Based Letting (CBL) scheme, Home Connections, to express an interest in properties.

### 5.2 Assisted choice

Tenants awarded Wider Grenfell Priority who are not able or do not have immediate access to be able to express an interest or may simply otherwise be missing out on making suitable expressions will be offered assisted choice. The Council will engage closely with tenants to

ensure the assessment of their needs is up to date, accurate and agreed in writing. We will discuss their housing preferences and identify and remove barriers to finding suitable homes.

### **5.3 Converting temporary accommodation into long-term accommodation**

Sometimes it will be possible to convert temporary accommodation owned and managed by a social landlord into long-term social housing, where the household wishes to remain living in that property. If this is possible, the accommodation may be allocated to the tenant with Wider Grenfell Priority currently occupying it.

### **5.4 Entitlement to two reasonable offers**

A tenant awarded Wider Grenfell Priority will have the right to receive two suitable offers from the Housing Register. The offer will be triggered by a successful expression of interest or a suitable match made under assisted choice.

### **5.5 Reduction of priority, right to review and independent adjudication**

In the event that the Council is satisfied that a tenant has refused a suitable offer unreasonably, it will notify the tenant of its decision. The tenant will have the right to request a review of that decision. The review will be carried out by a senior officer not involved in the offer process. If the request for a review is upheld, the decision will be reversed and the offer will not count as one of the tenant's two offers.

Only after two offers have been unreasonably refused and unsuccessful reviews of those decisions will the Council notify the tenant that it intends to amend a tenant's priority date to the date of the last suitable offer.

However, the Council will establish an independent adjudication stage to ensure that the final decision is taken by an independent person not employed by the Council.

If the independent adjudicator upholds the Council's decision, the tenant will retain their points award, but their priority date will be amended to the date of the last suitable offer.

## **6. Tenancy terms and conditions**

### **6.1 Tenure**

Homes advertised and offered on the Housing Register will be from both the Council and registered providers (housing associations).

The Council will let properties to tenants rehoused with Wider Grenfell Priority on lifetime secure tenancies, subject to the commencement of Part 4 of the Housing and Planning Act 2016 (implementing Schedule 7 amendments to secure tenancies) and associated regulations.

For registered providers, all tenancies will be let on Assured Tenancies under the Housing Act 1988.

Where the tenant is rehoused by a registered provider property, the new landlord's tenancy terms will apply. However, the Council will request the registered provider to grant a tenancy of at least the same length as that held by the tenant previously.

## **6.2 Rent and service charges**

Tenants rehoused to a property owned by the Council will pay the rent and the service charges applicable to the new property.

Where tenants are rehoused to a property owned by a registered provider, the new landlord's rent and service charges policies will apply.

## **7. Allocation of vacant properties in the Walkways, Treadgold House and Bramley House**

Where vacant Council properties arise in the Walkways, Treadgold House and Bramley House, it is the Council's intention that they will first be made available to Lancaster West Estate residents who are registered for rehousing on the Housing Register.

The Council will set out this procedure in a separate local lettings plan.

## **8. Equality and diversity**

In adopting this policy, the Council has had due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Council will continue to monitor the effect of this policy on the above needs and in particular will review this policy after it has been in force for a period of at least three months. Further reviews will be carried out as necessary and appropriate.

The Council will continually monitor, review and improve the delivery of this policy with the aim of ensuring that it meets the community's needs in the best way that it possibly can.