

CYNGOR SIR *POWYS* COUNTY COUNCIL

Housing Services

Gypsy and Traveller Allocation Procedure

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Part 1 Assessment

- 1.1 On contacting the Housing Service, applicants should be advised how to access the Gypsy and Travellers Allocation Policy and given guidance on why it should be considered when making contact with Powys County Council to apply for a plot.
- 1.2 An application form is not completed - all information is gathered at the interview, usually over the telephone, and is recorded onto a Person Record form. This form must be verified and signed by each applicant at point of offer together with the requisite proof of ID as detailed in the ID verification leaflet.

Where proof of identity is not available from the applicant, the Housing Management and Options Officer should attempt to obtain some form of identity from other family members who will be residing on the site. All attempts should be made to secure some form of identity. This can be in the form of passports, driving licence, birth certificates or utility bills or receipts from previous sites. Where 'photo id' is not available, a letter and a photograph should be signed by a professional associate (for example, a teacher) to verify the identity of the individual (as with Passport applications).

It must be made clear to the applicants at registration stage which ID will be required if they are to be allocated a property to allow them time to obtain the necessary documents.

Failure to provide the required documents may result in the offer being withdrawn.

- 1.3 An initial interview will be conducted and if there is an indication that the applicant may be eligible for the Gypsy and Traveller Allocation Scheme, the case will be referred to a caseworker who will take ownership of the case and pull in the necessary resources to ensure all options are considered.
- 1.4 Further guidance can be found below:

[Managing Gypsy and Traveller Sites in Wales](#)

[Mobile Homes \(Wales\) Act 2013](#)

[The Housing \(Wales\) Act 2014](#)

[The Welsh Government's Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness](#)

Part 2 Unacceptable behaviour

- 2.1 Any past or current behaviour which may have a bearing on an applicant's tenancy, should be disclosed at the interview and will be taken into account when considering their housing options.

Applicants, or members of their household, who have been guilty of unacceptable behaviour serious enough to render them unsuitable to be a tenant will be deemed "not ready to move" and not accepted onto the waiting list.

- 2.2 Each application will be considered on its merits and the applicant's personal circumstances (and those of the applicant's household) will be taken into account, including any health and medical needs, dependents and any other factors relevant to the application. Previous unacceptable behaviour may not justify a decision to treat the applicant as not ready to move where the applicant can show that the behaviour has improved. As a guideline only, where the unacceptable behaviour relates to rent arrears, for single persons a possession order would be granted if there were arrears of approx. £1000 and for families £2000.

Applicants deemed ineligible for housing will be provided with advice and guidance regarding their housing options when they contact the service.

- 2.3 Applicants deemed ineligible for housing will be notified of the decision and grounds of this in writing. They will also be informed of their right to request a review.

Part 3 Criteria

3.1 Housing Need

The Managing Gypsy and Traveller Sites in Wales Guidance (at paragraph 4.19) refers to additional assessment criteria which you may wish to consider when assessing housing need:

- Those currently occupying overcrowded or unsanitary conditions on existing sites.
- Those with a recognised cultural aversion to conventional housing.
- Those seeking to move to support elderly and disabled relatives living on site.

Proof of circumstance and supporting evidence may be required.

This might include:

- Medical Circumstances
 - Proof of pregnancy (letter from GP or Anti-natal file) stating EDD (Expected date of Delivery)
 - Letter from GP or Specialist concerning any serious health problems and details of any treatment received
 - Disabled Badge
- Proof of Homelessness
 - Possession order
 - Bailiff's warrant
 - Notice requiring / Seeking Possession i.e. Section 21 and Section 8
 - Letter from employer terminating employment (if accommodation is provided with job) accompanied by employment contract
 - Letter from relative/friend, asking applicant to leave (this letter should be signed, addressed and dated, providing a phone number and, ordinarily, giving at least 28 days' notice to vacate the premises)
 - Letter from solicitor/police/other organization referring to the Housing Needs Section
 - Divorce papers (including property settlement and/custody matters)

3.2 Ready to Move

Only those ready to move will be accepted onto the scheme. Ready to move takes into consideration aspects such as:

- Affordability
- Budgeting
- Ability to pay bills
- Behaviour
- Tenancy management skills

Affordability will be discussed as it will be very important to establish an applicant's ability to cover all costs; eligibility for welfare benefits will also be considered.

Aspects to be considered include the following:

- Being able to afford moving expenses
 - Moving/Removal expenses if necessary
 - Essential furniture required for the new home
 - One weeks site charges paid in full plus site charges paid in advance (may be necessary, even if in receipt of housing benefit)
 - Any rental overlaps

- Being able to manage a tenancy
 - Budgeting
 - Applying for benefits/grants
 - Paying bills
 - Ability to compare prices for utilities, mobiles etc

- Being packed and boxed up within a week or two

3.3 We will endeavour to carry out an affordability check with each applicant, prior to the offer of a plot. One week's site charge at the commencement of a tenancy will be expected for each letting and the importance of this must be stressed to the applicant at registration stage to enable them to budget accordingly. Where the affordability check has revealed it would not be appropriate to charge the tenant a site charge in advance, an alternative agreement may be made.

For applicants who are current tenants of social landlords a report may be requested from their current landlord in respect of the conduct of the tenancy to assess whether they are ready to move.

For those who are not ready to move yet but who may be anxious about the future, the necessary advice and options will be provided to ensure peace of mind.

Part 4 Banding

4.1 Priority will be given to applicants who fall into the following bands. Within each band priority is given to those on the list the longest. In the event of the application date being the same, priority will be given to the application with the lowest application number. If the application is re-banded in a higher band, the date of re-banding will become the new application date.

Proof of circumstance and supporting evidence may be required.

1. Emergency Band

With emergency cases, each will be considered individually and on its own merit. . Examples of situations that may constitute an emergency are:

- Management moves
- Where the applicant, or member of the applicants' family, may suffer harm if they are not re-housed.
- Witness protection

2. Family Connection Band

Priority is next given to those who have a housing need and are ready to move, as defined above, but who also have a family connection to a household on an existing plot on the site they wish to be housed.

As per s.113 of the Housing Act 1985, a family member is defined as the applicant's parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.

In addition, the Council may consider other types of family relations where appropriate.

A relationship by marriage is treated as a relationship by blood. A relationship of the half blood is treated as a relationship of the whole blood. The stepchild of a person is treated as his or her child. An illegitimate child is treated as the legitimate child of his mother and reputed father.

Evidence of family connection may include

- Birth/Marriage/Death Certificates
- School records
- Sworn statements/affidavits from other relatives or friends etc. detailing how long they have known the people in question and where they know them from

3. Local Connection Band

Priority is next given to those who have a housing need and are ready to move, as defined above, but who also have a local connection to the area / town / village of their choice. An applicant may have a connection with more than one community.

Local Connection is when a person or persons:

- have lived in, been principally employed in, volunteered in or studied in the Community (defined as the Community Council area) for a period of at least 12 months at the time of application OR
- have previously lived in the Community for a period of at least 3 years and wish to live there; OR
- have a firm offer of employment in the Community, and who would otherwise be unable to take the offer because of the lack of affordable housing; OR
- have a firm offer of employment in the local Community or be currently employed in the local Community; OR

- wish to provide full time care to a resident/or need to receive full time care from a resident in the local Community who would otherwise be unable to because the lack of affordable housing; OR
- have close relatives who have lived in the area for the last 5 years continuously, from the date of application and both the person and the locally residing relative indicate a wish for them to be near them. Close relatives are usually defined as parents or children, however, consideration may also be given to other family members in certain circumstances; OR
- satisfy any of the above criteria, in relation to an adjoining rural community if the supply of affordable housing is insufficient.

The definitions of terms e.g. “local” correspond to those contained in the current planning policies of the Council.

Note the time constraints referenced above will not apply to current or previous Armed Forces personnel. This is in line with the Powys Armed Forces Covenant.

4. Housing Need Band

Priority is then given to those who have a housing need and are ready to move, as identified above, but have no family or local connection to the area of their choice.

If the applicant subsequently qualifies for family or local connection, it is the responsibility of the individual to notify Powys County Council of their change in circumstance so that their application can be re-banded.

Part 5 Formal Offers

- 5.1 Applicants may receive two offers of accommodation; however refusal of the second offer will result in the application being reviewed. If no reasonable explanation is given for the refusal, the application will be removed from the Scheme.

Applicants removed from the Scheme can reapply but their housing need will be re-assessed and, if eligible, they will be accepted onto the Scheme as at that date.

- 5.2 Formal offers will usually be made by telephone, (if no response, followed up by a text message) or email and applicants will be given 48 hours to respond. If no response is received to this offer within 48 hours it will count as an

unreasonable refusal. A review letter (or preferred contact) will be sent to the applicant giving them 7 days to make contact. If there is still no response the applicant will be removed from the Scheme.