

**Housing and Communities Overview and Scrutiny Panel – 21  
January 2026**

**Draft Revised Allocations Policy**

|                   |   |
|-------------------|---|
| Purpose           | For Review  |
| Classification    | Public  |
| Executive Summary | <p>The draft Allocations Policy has been updated and refreshed to ensure it remains current and relevant, rather than undergoing a full, comprehensive revision.</p> <p>The current Allocations Policy adopted in 2020 represented a significant change in policy, radically overhauling the previous approach to priority for housing.</p> <p>The Allocation Policy is a significant policy document for the council in terms of its effects on communities living or working in the New Forest which impacts all council wards.</p> <p>Therefore, any changes to this policy including revisions should be regarded as a key decision for both Cabinet and Council, both legally, and perhaps more importantly in meeting local housing needs in a transparent, fair, and equitable manner.</p> <p>The Housing Act 1996 sets out the legal framework for how local authorities must allocate social housing. Under this legislation:</p> <ul style="list-style-type: none"><li>• Local authorities <u>must</u> have an allocation scheme that sets out how they prioritise applicants and make decisions about who gets social housing.</li><li>• The scheme <u>must</u> give “reasonable preference” to certain categories of people, such as those who are homeless, living in overcrowded or unsanitary conditions, or who need to move on medical or welfare grounds.</li></ul> |

|                               |   |
|-------------------------------|---|
|                               | <p>NFDC operates a Choice Based Lettings system to allocate social housing in the district to both its own council housing stock, and that of all social housing providers including housing associations.</p> <p>This revised draft policy is an updated version of the current Allocations Policy, setting out NFDC's continuing approach to allocating all social housing across the district through our current Choice Based Lettings system, whilst implementing the required actions and changes in approach once a new revised policy is adopted by the council.</p> <p>The report presents to the first draft of a revised Housing Allocation Policy, supporting documents, plans for consultation, and an Equality Impact Assessment for its consideration. The draft represents changes made to improve the effectiveness of decision making, and uses learning from the last few years, as opposed to another significant overhaul.</p> |
| <b>Recommendation(s)</b>      | <p><b>It is recommended that the Housing and Communities Overview and Scrutiny Panel supports the:</b></p> <ol style="list-style-type: none"> <li><b>1. revision to our current Housing Allocation Policy 2020 as outlined in this report.</b></li> <li><b>2. pathway for progress of the draft policy through Cabinet and Council ahead of statutory consultation.</b></li> <li><b>3. provision that any future changes to the policy, which are not major, can be delegated for approval by the Strategic Director Housing &amp; Communities in consultation with the Cabinet Member for Housing and Homelessness.</b></li> </ol>   |
| Reasons for recommendation(s) | <p>The current Allocations Policy no longer fully aligns with prevailing legislation or national guidance and it is considered good practice to review the policy against housing need in the</p>   |

district. It is therefore necessary to review and update the existing policy to ensure it remains legally compliant and fit for purpose. That is in meeting the continuing needs of those households who cannot accommodate themselves in the local housing market, or require a specific home due to their household vulnerabilities.

The revised draft policy aligns with the Council's proposed Homelessness and Rough Sleeping Strategy 2026 – 2031, aiming to maximise the use of our council housing in meeting the needs of homelessness households, whilst also nominating applicants to our housing association partners, both legally and in keeping with the aim of meeting overall housing needs in the district.

It ensures compliance with legal frameworks and aims to provide a fair and transparent allocation process to both applicants and providers.

In addition, the revised draft policy reflects the significant housing need in the district, of which the Council has a statutory duty to prioritise taking account of our operating environment and changes including:

- To tackle the increase in, and type of, homelessness presentations
- To tackle the relatively high number of applicant households in temporary accommodation
- To focus on supporting those in most need by providing a more bespoke and managed service
- To support a more effective housing options service for all applicants, better aligned with the services provided by the homelessness teams.

|                       |   |
|-----------------------|---|
|                       | <ul style="list-style-type: none"> <li>• To strengthen the Council’s approach to prevention and homelessness legislative requirements by target resources where they are most needed.</li> <li>• To make best use of our nomination rights to “affordable” housing accommodation in the district</li> <li>• To provide an open and honest alternative pathway for those without a housing need.</li> </ul> <p>Due to the changing landscape of allocations guidance supported by secondary legislation, statutory guidance and case law being introduced or made, delegated powers to change the policy have been requested for the Strategic Director Housing &amp; Communities in consultation with the Cabinet Member, to assist the policy to remain up to date.</p> <p>Any major changes to the policy will be taken through the full decision-making process.</p> |
| Ward(s)               | All   |
| Portfolio Holder(s)   | Councillor Steve Davies   |
| Strategic Director(s) | Peter Matthew   |
| Officer Contact       | <p>Christopher Pope<br/> Service Manager<br/> Housing Options and Tenancy Accounts<br/> 023 8028 5511<br/> Chris.pope@nfdc.gov.uk</p>   |

## **Introduction and background**

1. The Council’s current Allocations Policy was adopted in 2020 and outlines how the council assesses applications, prioritises housing need, and allocates social housing across the district.
2. This policy has been reviewed to take into account legislative changes since the previous Allocations Policy update in 2020 in particular the Domestic Abuse Act 2021, GDPR 2021, Armed Forces amendments (2024), Domestic Abuse & Care Leavers Regulations (2025). Other updates include local connection exemptions (care

leavers, domestic abuse victims, Armed Forces); clarified habitual residence test; detailed financial assessment criteria, expanded direct offer scenarios, and added Extra Care housing allocation principles. The revision also includes revised case review rights, updated suspension/removal rules; and clarified exceptional circumstances. These updates have been included in the revised draft policy which aligns with the latest Statutory Code of Guidance and adopts sector best practice standards to promote fairness and transparency in the allocations process – See Appendix 1.

3. There is no statutory requirement to review an Allocations policy within a fixed time frame, though most councils adopt a review cycle of three to five years, with interim updates when significant legislative changes occur, and NFDC have adopted a similar approach.
4. The revised new draft policy sets out the framework for assessing housing needs and allocating social housing in compliance with statutory requirements.
5. In addition, the revised policy introduces operational improvements designed to streamline processes, enhance applicant experience, and support consistent decision-making across housing services.
6. The new proposed policy continues to operate a choice-based lettings scheme, giving applicants as much choice as possible whilst prioritising those in greatest need.
7. In the revision of the existing policy consideration has been given to:
  - housing data on supply, demand, and the current housing register.
  - legal advice.

The intention is to build in feedback and results from the substantial consultation and engagement sessions planned, alongside further data analysis around waiting times, areas, and specific cohorts etc.

8. The current Allocations Policy uses a four-band system to prioritise applicants:

Band 1 – Emergency need for housing

- Urgent health or wellbeing needs.
- Risk of violence or serious harassment.
- Emergency disrepair or unsafe housing.
- Exceptional management moves.

## Band 2 – Serious need for housing

- Accepted as owed the Full Housing Duty where private sector discharge is not possible.
- Severe overcrowding (lacking 2+ bedrooms).
- Under-occupation by 2+ bedrooms.
- High health or wellbeing needs.
- Ready to move on from supported housing.

## Band 3 – Need for Housing

- Overcrowded (lacking 1 bedroom).
- Medium health or wellbeing needs.
- Homeless applicants owed Prevention or Relief Duty.
- Under-occupation by 1 bedroom.
- Key workers or Right to Move applicants.

## Band 4 – Lower need for housing

- Lower health or wellbeing needs.
- Sharing or lacking essential facilities.
- Living in supported accommodation but not ready to move on.
- Assured shorthold tenants without financial means to buy.

9. Banding directly determines who gets priority for available properties. Properties are allocated first by band, then by band start date. Higher bands (1 and 2) usually result in shorter times on the housing register because they represent urgent or serious housing needs.
10. Special circumstances are considered such as rural parish connections, sensitive lets, preference to paid/voluntary employment, adapted properties, Extra Care and age restricted schemes which may result in overriding normal banding to meet specific needs.
11. If circumstances change (e.g. health worsens or homelessness occurs), applicants may move to a higher band, improving their chances of allocation.
12. This draft policy ensures compliance with duties under Part VI and Part VII of the Housing Act 1996, including:
  - Prevention duty – helping households threatened with homelessness within 56 days.
  - Relief duty – assisting households who are already homeless.

- Full Housing duty – securing accommodation for those who are homeless, eligible, in priority need, and not intentionally homeless.
13. The updated draft revised policy does not propose to remove or change these bandings. It is possible to increase the priority given to homeless applicants, but there is a balance to strike in not creating a perverse incentive to become homeless to gain social housing before making every attempt to prevent homelessness or move on from temporary accommodation. There is also consideration of other households on the register, and given the balanced percentage of applicants moving on from each band it is not proposed to change this, but officers keep this under review.
  14. The review of the Homelessness Strategy did not show any evidence to support a more acute priority approach to rehousing homeless applicants.
  15. As of 1<sup>st</sup> December 2025, there were 1,776 live applicants on the Housing Register, these are split as detailed below:  
  
Band 1 – 45  
  
Band 2 – 406 (191 have a full homeless duty)  
  
Band 3 – 592 (89 have a homeless prevention or relief duty accepted)  
  
Band 4 - 733
  16. Over the last 12 months 379 properties were let, of which 17% were to applicants from band 1, 58% band 2, 18% band 3 and 7% band 4.
  17. During the same period the percentage of applicants in each banding on the register were band 1 1%, band 2 21%, band 3 35% and band 4 43%
  18. The draft Allocations Policy is designed not only to meet housing need but to create and enable sustainable communities. It does this by prioritising local connection by helping people remain close to family, employment, and support networks and promoting social mix and cohesion. The policy also allows for a % of lettings to households who contribute to their local communities and who are employed.
  19. It will align with the council's new Homelessness and Rough Sleeping Strategy, particularly in preventing and reducing homelessness by giving appropriate priority to affected households, providing a clear housing pathway for households moving out of temporary

accommodation, reducing costs and reliance on B&Bs or unsuitable temporary housing.

20. This will continue to support a needs led system supporting a transparent and more equitable allocation system that the public can understand and trust, and should minimise the risk of perceived or bias, or unfairness in how the councils nominates those for allocation of social housing.

### **Corporate plan priorities**

21. The draft Allocations Policy contributes to achieving the ambitions of the Council's Corporate Plan 2024-28 including: -

**Priority 1:** - Helping people in the greatest need and creating balanced, resilient, and healthy communities who feel safe and supported with easy access to services.

**Priority 2:** Empowering our residents to live healthy, connected and fulfilling lives.

### **Consultation**

22. The Portfolio Holder for Housing and Homelessness supports the draft Allocations Policy and proposed changes and has been fully consulted. The revised draft allocations policy has also been through informal consultation with council staff including the legal department, with overall feedback being positive and in support of the revised policy and agreement for the need to update.
23. However, this is a first draft policy, and it is recognised that given its significance comprehensive consultation with those directly affected by any new policy changes including applicants, Elected Members, Town and Parish Councils and other stakeholders, Registered Providers (of social housing), 3rd sector organisations, staff across interlinked council operations and the general public.
24. All these groups need to be considered in the consultation programme prior to adopting a new Allocations Policy.
25. Formal consultation will take place to seek views from all relevant stakeholders on the proposed revisions to the Allocations Policy. This will ensure transparency and compliance with statutory requirements, gather feedback from the afore mentioned groups.
26. Consultation methods will include:
  - A letter to all applicants

- Drop-in sessions at our community hubs, community days and coffee and catch-up sessions.
  - Face to face and virtual focus groups with residents, current applicants, registered providers, and stakeholders.
  - Online surveys.
27. Feedback will be grouped by key themes such as eligibility, banding, and rural connection and analysed to identify any areas requiring amendment.
28. A comprehensive consultation report will then be presented to EMT and the Portfolio Holder. Following this, the policy will be updated in line with the findings and submitted for formal Council approval through the governance structure including revisions and amendments as required.

### **Financial and resource implications**

29. The draft Allocations Policy will be delivered within existing budget and supported by annual contributions from Registered Social Landlords towards the cost of operating Homesearch, the Choice Base Lettings system that serves at the public interface for the Policy.

### **Legal implications**

30. Local authorities are legally required to maintain an allocations policy that complies with Part VI of the Housing Act 1996. The policy must give reasonable preference to certain groups and reflect current legislative requirements.
31. Failure to implement or update the policy correctly could result in non-compliance, legal challenges, judicial reviews, and reputational risks for the council.
32. All current applicants will need be informed of the changes, and how it affects them, six months before the implementation of the proposed new policy, to satisfy Section 168(3) of the Housing Act 1996.
33. The main legislative changes taken into consideration in the revision of our existing allocations policy include:
- Domestic Abuse Act 2021
  - Equality Act 2010

- The Allocation of Housing (Qualification Criteria for Victims of Domestic Abuse and Care Leavers) (England) Regulations 2025.
- The Allocation of Housing (Qualification Criteria for Armed Forces) (England) (Amendment) Regulations 2024

34. Further guidance taken into consideration:

- The Allocation of Accommodation: Guidance for Local housing Authorities in England (2025, MHCLG) known as “the Code”.

### **Risk assessment**

35. The council is required to have full regard to its Public Sector Equality Duty, and there is the possibility of challenge via costly Judicial Review, if the policy is perceived to discriminate against any cohort with protected characteristics.
36. Local authorities must also have regard to statutory guidance and failure to review and update the Allocation Policy could be considered a breach of statutory duty.
37. The delivery of this revised policy mitigates legal and financial risk to the council, as well as aiming to reduce risks in legal challenges and complaints through increased scrutiny from oversight bodies including MHCLG and Local Government and Social Care Ombudsman (LGSCO).
38. Given the limited nature of the changes, and no matter how well managed and communicated the implementation is, there is likely to be a continuation in requests from applicants to review their banding category generating complaints and the potential need for additional staff resources in the future. As it stands, any increase in demand will be managed within existing processes, resources, and with legal guidance.

### **Environmental / Climate and nature implications**

39. Whilst the report has no direct implications, it will align with local climate action plans, biodiversity strategies, and net-zero goals. Work with environmental agencies, health services, and housing providers to ensure joined-up responses.

### **Equalities implications**

40. The Council can determine which classes of people qualify, or do not qualify, to join the housing register following the Localism Act 2011 providing they are eligible for public funds. The proposed changes to

the Allocations Policy are within the council's powers providing it does not directly or indirectly discriminate against any cohort of people with protected characteristics.

41. The draft Allocations Policy includes key components to ensure compliance with the Equality Act 2010 and the Public Sector Equality Duty, diverse needs are considered including protected characteristics, language barriers, and additional support needs to access social housing.
42. The EIA demonstrates that the only impacts are expected to be positive or neutral to those households with protected characteristics. Refer to Appendix 2 for the Equality Impact Assessment.
43. In the interests of transparency, a tracked changes version of the current policy with recommended amendments is attached at Appendix 3.

### **Crime and disorder implications**

44. There are no crime and disorder implications arising directly from this report.

### **Data protection / Information governance / ICT implications**

45. The collection, retention and deletion of data is governed by GDPR and associated guidance. All data will be collected and maintained in line with the required legislation.

### **New Forest National Park / Cranborne Chase National Landscape implications**

46. The draft revised Allocations Policy ensures fair and transparent allocating of social housing across the district including the allocation of properties within the National Park and rural parish connection which positively contributes to housing neighbourhoods.

### **Conclusion**

47. The draft Allocations Policy provides a fair, transparent, and legally compliant framework for allocating social housing within the district. It reflects current legislation, statutory guidance, and best practice, while introducing operational improvements to ensure efficient use of scarce housing resources.
48. The draft Allocations Policy prioritises those in greatest need through a structured banding system, supports homelessness duties, and promotes sustainable communities. Regular reviews and monitoring will ensure the policy remains responsive to legislative changes and local housing needs.

49. The draft Allocations Policy will support the Homeless and Rough Sleeping Strategy.
50. The council is committed to meeting its obligations under the Housing Act 1996 and ensuring that the policy remains complaint, fair and transparent.
51. Future public consultation will seek a wide variety of valued feedback from current applicants, the Tenant Involved Group of New Forest District Council tenants, a selection of previous applicants who are accommodated, housing associations and key statutory and voluntary stakeholders.
52. The revised draft Allocations Policy allows for any future changes to the policy, which are not major, can be delegated for approval by the Strategic Director Housing & Communities in consultation with the Cabinet Member for Housing and Homelessness ensuring swift and efficient updates.

**Appendices:**

**Background Papers:**

Appendix 1 – Draft revised Allocations Policy.  
Appendix 2 – Equality Impact Assessment  
Appendix 3 – Tracked Changes Version of the Current Allocations Policy

None