I am writing in response to your Information request:

**FOI66069**

(1) Has the council exercised the power given by Housing Act 1996 section 160ZA(7) to designate some classes of persons as not eligible for its housing allocation scheme.

**Response:** Yes

(2) If so, what are those classes.

**Response:** Eligibility

**Local Connection**

Only those people who have a local connection with the Royal Borough of Windsor and Maidenhead will be admitted to the register.

- Those people who are resident in the Borough and have been continuously resident in the Borough for 2 years immediately prior to application

- Those people who are in full time permanent employment (physical place of employment) and have been employed within the Borough for 2 years immediately prior to application. Self Employed persons may not use the address where their business is Housing Registered for local connection purposes unless they can demonstrate that they physically work at that address on a full time basis and have done so for a 2 year period prior to the date of application.

Those who cannot apply for housing in the Royal Borough of Windsor and Maidenhead are as follows:

- Persons who are disqualified under the Housing Act 1996 S.160A (these include people from abroad who are ineligible for an allocation of housing).

- People who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996, unless he or she is of a class prescribed by regulations made by the Secretary of State or is already a Secure or Introductory tenant or an Assured tenant of housing accommodation allocated to him by a local housing authority.

- People who are excluded from entitlement to Housing Benefit by section 115 of the Immigration and Asylum Act 1999 (c.33) (exclusion from benefits).
- Other classes of persons from abroad who are ineligible for an allocation of accommodation, as may be prescribed by the Secretary of State.

- Applicants who are not deemed to be habitually resident in the CTA (Common Travel Area) or EEA (European Economic Area)

- Persons who have been sponsored, or have sponsored another person, to enter this Country within 5 years of the date of application and where the sponsor is still alive.

- Persons who are adequately housed and have no housing need.

- Existing tenants of any Local Authority or Housing Registered Social Provider.

- Persons who have been placed in accommodation in the Borough by another Local Authority.

- Applicants who are owners/owner occupiers of property. Applicants who have owned a property in the last five years will need to provide proof of equity from the sale of the property before being considered from their new address. If equity plus current income shows no financial hardship, then the applicant will be advised to purchase or rent accommodation. In order that priority is given to those without a home or adequate facilities, owner occupiers will be advised to repurchase by trading down. If their property requires improvement, they will be referred to the Environmental Health Team/Unit for assistance with an Improvement Grant.

- Person/s who have held a tenancy with a Registered Housing provider, within the previous five years from date of application, and have given up that tenancy or have been evicted from that tenancy.

- Former tenants who have purchased a Council/Housing Association property through the “Right To Buy”/“Right to Acquire” provision (jointly or otherwise), or moved through a Cash Incentive Scheme.

- Persons who have a history of rent arrears at any accommodation within the previous five years from date of application.

- Persons who have been granted a deposit loan to secure accommodation in the private sector and have not maintained payments will not be nominated for a property until the loan has been repaid and as such will not be eligible to join the Housing Register.
• Persons who are admitted to Hospital and the Royal Borough of Windsor and Maidenhead was not their last address for 2 years prior to that stay/admission.

• Persons who have no local connection to this Authority. (see 5.1)

• Persons who have been guilty of anti-social behaviour who have either had a Possession Order sought, or where the Authority believes that the behaviour would lead to a Possession Order being granted if that person or their household were a tenant, and that behaviour has taken place anytime in the 5 years prior to application.

• Persons who have physically assaulted a member of staff.

• Persons who knowingly give false or misleading information, or withhold information which has been reasonably requested.

(3) Since adopting those classes, how many applicants have been notified that they do not qualify. Response: Application forms (sent back)

(4) What was the number of applicants on the waiting list before those classes were adopted. Response: 2,300

(5) What is the current number on the waiting list. Response: 1,760

If you are unhappy with the information we have provided in response to your request please write to:

Information Management Team Manager
Royal Borough of Windsor & Maidenhead
Town Hall, St Ives Road
Maidenhead
SL6 1RF

or send an e-mail to martin.tubbs@rbwm.gov.uk

We are proud to be one of the leading authorities in England for consistently responding to information requests within the 20 working days set down by statute. Information about our performance and summaries of requests received can be found on our website:

http://www.rbwm.gov.uk/web/foi_information_requests.htm

We are keen to hear about your experience with the Information Management Team here at the Royal Borough of Windsor & Maidenhead and look forward to receiving any comments you have about the way your information request was processed.

Please send any feedback to the Information Management Team Manager either by e-mail martin.tubbs@rbwm.gov.uk or in writing to the address above.
Yours sincerely

Ben Savage
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