



Draft Local Lettings Plan for Large Panel System (LPS) blocks

9th October 2025.

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1. INTRODUCTION

1.1 This Local Lettings Plan is made pursuant to the provisions of s.166A(6) Housing Act 1996 (as amended) and/or s.21 Housing Act 1985 and sets out the principles and procedures adopted by the Council for the allocation of housing to secure council tenants who will be affected by the housing regeneration schemes as defined in Section 2.1 (**Table 1**)

1.2 The Local Lettings Plan (LLP) also takes account of the following legislation:

- Homelessness Act 2002
- Housing Act 1985
- Housing Act 1996
- Housing Act 2004
- Housing and Regeneration Act 2008
- Human Rights Act 1998
- Land Compensation Act 1973
- Planning and Compulsory Purchase Act 2004
- Town and Country Planning Act 1990
- Housing and Planning Act 2016, Pt 4 Ch.6

1.3 The Local Lettings Plan has the following objectives:

- Ensure the delivery of the development proceeds on time by facilitating the moves of affected secure tenants from the estates into alternative suitable homes within the timescales for regeneration.
- Fairly manage the rehousing and payment compensation process
- Use the development opportunity to improve housing conditions in the city.

1.4 The Local Lettings Plan forms part of the Council's overall Allocation Policy 2025 pursuant to s.166A(1) (6) Housing Act 1996.

1.5 Brighton & Hove City Council's Housing Allocation Policy 2025 states: -

A local lettings plan (LLP) is an agreement between the social landlord and local tenants and residents that restricts lettings in the area to certain households. This is done to tackle a specific issue or problem that has been identified locally at either block, street, estate, neighbourhood or city level, or to achieve a sustainable community on a new development.

1.6 The LLP will be subject to consultation with council tenants, applicants on the housing register, residents in the affected areas, and registered providers of

housing in accordance with s.166A(13) Housing Act 1996 and s.105 Housing Act 1985, for a period of 12 weeks.

- 1.7 Following the formal consultation process and feedback, a final draft of the LLP will go to the council's Cabinet for agreement in March 2026. Once the LLP has been agreed, the Council will formally adopt it, and this will override the current eligibility criteria for the area it applies to. This will take into account the impact of overall lettings in the area and the impacts on the wider allocation of housing across the city.
- 1.8 Any property subject to a Local Lettings Plan will be clearly labelled (LLP) within the advertisements on the Choice-based letting scheme.

2. DEFINITIONS AND ELIGIBILITY

- 2.1 The Local Lettings Plan (LLP) applies to the permanent rehousing of all secure and introductory council tenants who are affected by the regeneration schemes in respect of the following properties:

Table One – Regeneration Scheme sites

Site	Total number of properties*
St James's House, High Street, Brighton BN2 1QY	123
Dudeney Lodge, Upper Hollingdean Road, BN1 7GT	87
Nettleton Court, Upper Hollingdean Road, BN1 7GS	87
Falcon Court, Swanborough Place, BN2 5QB	54
Heron Court, Swanborough Place, BN2 5QA	48
Kestrel Court Swanborough Place, BN2 5PZ	57
Kingfisher Court, Albourne Close BN2 5FX	45
Swallow Court, Albourne Close BN2 5FW	57

*Please note that these figures include all properties in the blocks regardless of tenure.

- 2.2 The prioritisation of housing allocation within the Local Lettings Plan only applies to secure council tenants residing in the LPS blocks. Eligibility for social housing will continue to be within the Allocations Policy 2025 for any other affected residents within these blocks.

Rehousing options and support to move for Temporary Accommodation and private sector tenants living in the 8 blocks is outlined in the draft Rehousing Policy.

There is a separate offer for Leaseholders.

DURATION

- 2.3 The Local Lettings Plan will cease to apply upon the completion and initial letting of homes of the regeneration schemes. The council's main Housing Allocation Policy will continue to apply throughout and thereafter to all council tenants.

COUNCIL TENANTS

- 2.4 For the purposes of the Local Lettings Plan, council tenants are secure and introductory tenants who rent a home from the council.

HOUSEHOLD MEMBERS

- 2.5 All household members who are reasonably expected to reside with the tenant will be considered as part of the eligible tenant's household. This includes:
- Tenant who is an eligible and qualifying person.
 - Tenant's husband, wife, civil partner or someone with whom they cohabit.
 - All dependent children under the age of 18 who live with the tenant as their main and principal home, children of the applicant, husband, wife civil partner who are currently living with the applicant or could reasonably be expected to live within the household as their main and principal home.
 - This can apply to households that are split households who are not able to live together because they do not have accommodation.
 - Normally other people who can be included on the housing application must be members of the applicant's immediate family, as defined by s133 of the Housing Act 1985, who usually reside with them and have done so for a period of at least six months prior to the application. Any other person or persons will only be

accepted as part of the applicant's household in circumstances in which it is reasonable for the person to reside with the applicant.

- A carer where the tenant or member of their household who has been assessed as needing overnight care and they currently live as part of the household as their main and principal home, or there is an identified person not currently living with the person and there is a risk that the applicant may have to go into residential care if the carer is not living with the applicant.

2.6 The council will consider any exceptions not covered by the criteria above on a case-by-case basis. Approval will be given by the Director of Housing People Services.

2.7 The following household members will be excluded from being rehoused:

- Unauthorised occupants including friends, lodgers and sub-tenants living with the tenant;
- Children of the tenant whose main, principal home is elsewhere;
- Any other person the Council deems ineligible.

2.8 If the composition of any household changes or is expected to change (i.e. pregnancy) the main tenant is required to inform the Council as soon as reasonably possible. Evidence will be required to support any change to a household's composition.

2.9 The council reserves the right to refuse the addition of a household member or members if it considers, in its absolute discretion the evidence submitted is considered insufficient.

3. RE-HOUSING OPTIONS FOR SECURE COUNCIL TENANTS

EXCEPTIONS

3.1 The Council will rehouse any secure council tenant being displaced from their home because of the LPS Housing Regeneration Programme, with the following exceptions:

3.2 The Council will not rehouse any tenant against whom an outright possession order has been made by a Court for breach of their tenancy conditions for example, due to rent arrears or anti-social behaviour;

- 3.3 The Council will not rehouse any tenant against whom a suspended possession order has been made if the terms of suspension of the Order have been breached and/or if any breaches are not remedied;
- 3.4 The Council will not rehouse any introductory tenant who fails to satisfactorily complete the introductory period and where a Notice has been served under s.128 Housing Act 1996 (save where the Notice is suspended on statutory review);
- 3.5 Tenants who have rent arrears will not be eligible to move into a new-build property in the redeveloped site, unless they have maintained payments of current rent plus their agreed arrears repayment plan for a continuous period of six months.
- 3.6 Tenants have a right of appeal to the Reviews Officer against a decision not to rehouse.

REHOUSING OPTIONS FOR SECURE COUNCIL TENANTS

- 3.7 The rehousing options available to eligible secure council tenants are set out below:

OPTION 1 – MOVE TO AN EXISTING COUNCIL PROPERTY ELSEWHERE IN THE CITY

- a. Council tenants who wish to move to an existing council property elsewhere in the city will be given the opportunity to do so, through the Choice-based lettings system or direct let
- b. Tenants will be entitled to 2 direct offers of alternative suitable accommodation.

OPTION 2 – MOVE TO AN EXISTING HOUSING ASSOCIATION PROPERTY ELSEWHERE IN THE CITY

- a. Council tenants who wish to move to a property owned and managed by a Housing Association elsewhere in the city will be given the opportunity to do so, through the choice-based lettings system
- b. Council tenants moving to a Housing association or other housing provider will not be offered “like for like” accommodation.
- c. Tenants who choose this option will be supported by the Rehousing Officer to ensure they understand the differences between the Council and Housing Association tenancies and can afford the rent.

OPTION 3 – MOVE TO A SENIORS’ HOUSING OR EXTRA-CARE SCHEME PROPERTY ELSEWHERE IN THE CITY (SUBJECT TO ELIGIBILITY FOR THE PARTICULAR SCHEME)

- a. Council tenants who are eligible and wish to move to a property in either a Seniors’ housing or an Extra Care housing scheme elsewhere in the city will be given the opportunity to do so.
- b. Rehousing officers will provide residents with support including arranging visits to schemes before the viewing and moving process.
- c. Tenants who meet the following criteria will be eligible for offers in a seniors’ housing scheme:
 - Aged 55 years or over
 - Single or joint applicants with no children living as part of their household; and
 - In need of the Seniors’ intensive housing management support provided by the scheme.
- d. Extra Care housing is for people who require high level support and care needs due to Frailty, Ill-health or restricted mobility. Tenants will be nominated for consideration by a Multi-agency Panel for Extra Care Accommodation.
- e. Additional Charges applicable in Senior Housing/Extra Care Schemes
In addition to the rent and services charges, there is an additional seniors’ housing service charge payable for the intensive housing management support in the council owned seniors’ housing and extra care housing schemes within the city. This charge is coverable by Housing Benefit or Universal Credit for those who are eligible for these benefits, otherwise it will need to be self-funded. Some schemes also have a weekly heating charge that is not covered by Universal Credit or Housing benefit.
- f. There is no right to buy in senior housing/extra care schemes.
- g. Tenants will be entitled to two direct offers of alternative accommodation.

OPTION 4 - PURCHASE OF AN AFFORDABLE HOME ELSEWHERE THROUGH A LOW-COST HOME OWNERSHIP SCHEME

- a. A number of affordable homes are being built in the city under Shared Ownership schemes and tenants who are working and have savings can be supported to purchase such properties, as well as properties on the open market.
- b. Advice is available for tenants to consider if this is an affordable and viable option based on individual financial circumstances.

OPTION 5 – RENT A PROPERTY ELSEWHERE WITH A PRIVATE LANDLORD

- a. The Council can help tenants to move to a property in the private rented sector. This may be a good option for a tenant who would like to move near a support network in another area or outside of the city.
- b. The Council can provide assistance by liaising on affordable private rented accommodation with landlords as well as offering financial assistance towards the required deposit and first month's rent through the Council's 'Find Your Own' scheme.

OPTION 6 – SOCIAL HOUSING OUTSIDE OF BRIGHTON AND HOVE:

The council helps people who are looking to relocate to other parts of the country where there is some available social rented housing - if you are interested in relocating go to <https://homefinderuk.org/>. The Homefinder service does not guarantee a move.

RIGHT TO RETURN TO A NEW PROPERTY IN THE NEW DEVELOPMENT ONCE COMPLETED

- 3.8 The Council will build new council housing across the named regeneration sites in the city as part of the Housing Regeneration Programme. Priority for the new build homes will be given to those secure tenants who have had to move because of the regeneration programme.
- 3.9 Whilst there is no legal requirement for the Council to give secure tenants the option to return to the redeveloped site, we are committed to helping those that wish to remain in the area or return to the renewal estate to do so, wherever possible.
- 3.10 Tenants who express an interest in moving back to one of the new homes within the redevelopment area once the properties are built will be given the opportunity to do so.
- 3.11 This will form part of the LLP when the new homes are let. They will be offered a secure tenancy elsewhere until the new build property is ready.
- 3.12 This option will apply to tenants who have initially:
 - moved to a council or housing association property elsewhere within the city
 - moved to a senior housing property elsewhere within the city

- 3.13 Tenants who have rent arrears will not be eligible to move into a new-build property in the redeveloped estate unless they have maintained payments of current rent plus their agreed arrears repayment plan for a continuous period of six months.
- 3.14 It is important to note that there will be different rent rates in the regenerated schemes. Whilst we anticipate a percentage being let at “social” rent levels, the remainder will be let at the “affordable” rent level. The rent for each property will be clear in the advert.

4. ALLOCATION & ELIGIBILITY PRINCIPLES AND PROCEDURES

HOUSING ASSESSMENT/APPLICATION

- 4.1 Rehousing Officers will carry out a one to one meeting with affected secure Council tenants to help with completing the Homemove application and relevant rehousing assessment forms to establish the needs and preferences of the household, including whether or not they would like to register an interest to return to a new build property in the redeveloped area when they are become available.
- 4.2 As part of this process, the following information will be gathered:
- Housing composition (verifying who lives at the home and that all household members are eligible for rehousing)
 - Rehousing option preference – general needs, senior’s housing or extra care; or residential care if appropriate
 - Bedroom size requirement
 - Location of property preferences (area preference in the city or out of area)
 - Preference to be near to friends, family, current neighbours (as a group move) or support services
 - Any medical, health, mobility, social or risk factors that should be considered
 - Current location of children’s schools and workplace
 - Equalities information for monitoring purposes
- 4.3 The tenant will be notified of the outcome of the application following assessment of their eligibility and needs. This notification will:
- Confirm the Band that the tenant has been placed in

- Confirm the size (and if applicable, the type of property the tenant is eligible for eg Seniors/Extra Care, mobility rated property)
 - Confirm the tenant's effective (priority) date
 - Include a reminder about informing the Council of any change in the household's circumstances
 - Provide details of the appeal process
- 4.4 The tenant will be awarded Priority Band B (Council Management Transfer) in line with the Council's Housing Allocations Policy, based on the requirement for them to move for regeneration purposes. The effective (priority) date is currently subject to consultation and will be confirmed in the final draft of the LLP going to Council's Cabinet in March 2026.
- 4.5 This will enable Secure tenants, without an existing Housing Register application, the opportunity to find a new home through the Council's Choice Based Letting scheme Homemove.
- 4.6 Where the tenant is already on the housing register, their Homemove application will be updated with the relevant housing priority band and effective date.
- 4.7 Assisted bidding will be provided for those households who are unable to carry out the online bidding process themselves.

THE BIDDING PROCESS

- 4.8 Applicants will be issued with a bidding number. Eligible applicants can make bids for properties advertised, by telephone bidding or by bidding online via the website. Applicants can also nominate a proxy bidder and in exceptional circumstances request that the council bid on their behalf (assisted bidding). Bidding happens on the website <https://www.homemove.brighton-hove.gov.uk>.
- 4.9 Applicants with support and/or accessibility needs those/who have difficulty with written English will be supported to bid.
- 4.10 Applicants who urgently need to move but have not placed any bids on suitable eligible properties may receive a direct bid or a direct offer.
- 4.11 All bids for a property are checked against the eligibility rules, for example any age restrictions or size of property. Ineligible bids are excluded from consideration. We will provide advice and support to applicants who regularly bid for properties they are not eligible for.
- 4.12 Properties are advertised on a fortnightly bidding cycle.

- 4.13 Applicants can bid for up to a maximum of three properties they are eligible for in each bidding cycle. All 3 bids do not have to be placed at the same time. No bids can be placed on any available property after a bidding deadline.
- 4.14 Shortlists will be created within three working days for both BHCC and housing associations properties.
- Homemove are not responsible for the letting process - this is carried out by the relevant landlord.
- 4.15 Successful applicants will be contacted as soon as possible by the landlord.
- 4.16 The shortlist sent to the landlord will include at least three applicant households that are eligible for the property in accordance with the scheme.

These will be:

- 1st Priority
- 2nd Priority
- 3rd Priority

If an applicant is the 1st priority applicant in any shortlist, then they will still be able to place bids on other properties. However, while the applicant is waiting to view the property they will not be considered for any other properties until the result of the offer is known. If the property is unsuitable then the applicant will be able to resume bidding. If the property is refused and deemed suitable the application will remain suspended until the result of the review is known.

- 4.17 If none of the shortlisted applicants accept the property, this will then be offered to the next eligible applicant and this will continue until the end of the shortlist. If no applicants accept the property this will then be re-advertised.

TIMESCALES FOR BIDDING

- 4.18 Households will be given a period of time to bid on suitable properties. This will need to reflect the regeneration plan and timescale for emptying that building. The length of time is currently subject to formal consultation and will be confirmed in the final draft plan going to the Council 's Cabinet in March 2026.
- 4.19 If they have not been successful in this time, the Council will place bids on behalf of the applicant to ensure a suitable offer is made within the timescale for the decant of the block.

DIRECT OFFERS OF ACCOMMODATION

- 4.20 Not all council properties becoming available for letting will be offered through choice-based lettings. The council reserves the right to make a direct offer of a property at any time to an applicant in exceptional circumstances, or where doing so would meet the council's strategic aims.

IDENTIFYING AND MAKING A DIRECT OFFER OF ACCOMMODATION

- 4.21 Tenants identified for a direct offer will be entitled to a maximum of two direct offers of suitable accommodation.
- 4.22 The Council will check whether a vacant property is suitable for a secure tenant on the LPS regeneration rehousing waiting list.
- 4.23 Once a suitable property has been identified, the Council will contact the tenant to give the details of the property that is being offered and arrange for the tenant to view the property. This will be followed by a formal offer letter.
- 4.24 The tenant will be asked to view the property and if accepted, then an appointment will be made to sign the tenancy agreement. If they do not consider the property is suitable for themselves or their household, they will be asked to complete a form setting out their reasons for refusing the offer. If a tenant fails to view the property then this will be deemed a refusal of the offer.
- 4.25 A tenant can ask for a review of the suitability of the accommodation offered regardless of whether they accept the offer or not, by a Reviews Officer. The reasons will be considered as part of the review, and a decision will be made as to whether the offer was reasonable or not.
- 4.26 If the offer is considered unreasonable, the offer will not count against the tenant. This means that they will still be entitled to two further offers.
- 4.27 If the offer is considered reasonable, it will count as the first offer. This means that the tenant will be left with one more offer to be made.
- 4.28 Should the tenant refuse both direct offers of suitable accommodation; the Council may start early possession proceedings in order to obtain vacant possession of the property in time for demolition.
- 4.29 Taking into account the long timescale of the programme and waiting times for rehousing, the Council will check the detail of the needs assessment at the point of making an offer to ensure that there has been no change of circumstances and the offer is suitable.

- 4.30 The Council will liaise with other council services and agencies such as the Occupational Therapy Service, Health and Adult Social Care, Children's Services, GP to ensure the tenant's health and support needs are addressed.

ESTIMATED WAITING TIME FOR AN OFFER OF ACCOMMODATION

- 4.31 The timescales of when a tenant may be offered alternative accommodation will depend on:
- The available supply of accommodation that is suitable to meet their housing needs
 - The redevelopment priority of the estate that the tenant is living in.
- 4.32 Offers of accommodation will be prioritised based on the following criteria:
- A tenant from a priority redevelopment site will be matched to a vacant property
 - The housing needs and vulnerabilities of each tenant matched will then be assessed to determine which tenant has priority for the match
 - If there is more than one tenant from the priority site whose needs are suitable for the vacant property, the offer will be made to the tenant who has been a council tenant the longest (based on the tenancy start date)
 - If there is no suitable tenant from the first priority site, the Council will use this criteria to continue to identify a tenant from the second priority sites and so on until the property is let.

BEDROOM SIZE

- 4.33 Suitable alternative accommodation refers to "*accommodation which provides the tenant with equivalent security of tenure and is similar regarding rent, size, situation etc*". as required under Schedule 2, Part III of the Housing Act 1988 and meets the tenants' needs.
- 4.34 Therefore, under this LLP, secure tenants will be offered a "like for like" property in terms of number of bedrooms if moving within the Council's housing stock.
- 4.35 Where a tenant is overcrowded in their current property and has an assessed need on the Council's Housing Register, a larger property than they currently occupy may be offered.
- 4.36 The table below sets out the Council's bedroom standards:

TABLE 2 - BEDROOM STANDARDS

Size	Minimum People	Maximum People	Example types of household
Studio	1	1	Single person
One bed	1	2	Single person or childless couple
Two bed	2	4	One to two child family or single person with live in carer
Two bed Senior/sheltered	2	3	A single person/couple with live in carer
Three bed	3	6+ depending on size	Two or more children (different sex over the age of 10)
Four bed	4	8+ depending on size	Five or more children

TENANTS NEEDING LARGER HOMES

- 4.37 For households who require more than four bedrooms, and the housing cannot meet the bedroom need, the council will work with them to consider alternative housing options on a case-by-case basis. For example, the family might wish to consider separate housing for adult children. Such housing situations will be approved by the Housing People Services Director where appropriate.

GROUP MOVES

- 4.38 Where it is possible and there is available supply, the Council will seek to facilitate group moves where two or more eligible households wish to be rehoused near each other, if this is requested. This is to ensure existing communities and support networks can be kept intact so far as reasonably practicable. Tenants will be asked as part of their rehousing application if they wish to express this preference.

DOWNSIZING

- 4.39 If a tenant chooses to move into a smaller property that meets their housing needs as part of the regeneration programme, they may be entitled to a downsizing payment (Transfer Incentive) for each number of bedrooms they give up once the property has been returned to BHCC.

The current rates for the BHCC Transfer Incentive Scheme are:

£1500 if you give up one bedroom

£2000 if you give up two bedrooms

£5000 if you give up three bedrooms

£6000 if you give up four bedrooms

£1500 if you give up a wheelchair adapted property (even in if you keep the same number of bedrooms)

TENANCIES

4.40 Council tenants moving under the regeneration programme into alternative council accommodation will retain the same tenancy rights as they currently have. This means that secure tenants will be offered a secure tenancy.

4.41 Tenants who move into a Housing Association property (registered housing provider accommodation):

Tenants will be granted an assured tenancy in accordance with the policy of that landlord (i.e. periodic or fixed term tenancy).

Rehousing Officers will be able to provide more information on differences between Council and Housing Association tenancies.

4.42 In split household scenarios, secure tenancy provisions will remain with the primary tenant and any split household rehoused into a council property will be offered an introductory tenancy or the equivalent which may be offered by registered housing providers.

4.43 The same principles will apply to those tenants opting to return to a new build home in the redeveloped area once completed and ready for occupation.

4.44 All Council tenancies will be granted in accordance with current legislation in operation at the time the tenancy is offered and in line with the Council's Tenancy Agreement.

RENTS

4.45 Calculation formulas for rent levels for council properties are set by the government and will differ depending on a several variables including size, valuation, council tax banding, and in the case of new builds and buy back properties, development costs. There are three levels of rents within our HRA council housing stock- Social rent, Living rent and Affordable rent.

4.46 In addition to rents, there will be service charges payable which will differ depending on the facilities within a block.

- 4.47 Rents go up annually in April each year. We always write to tenants beforehand to let them know the new rates. If you are claiming benefits, then you must let the DWP or housing benefit know that your rent and/or service charge has increased so that you get the right amount of housing cost benefits paid.
- 4.48 The rent for a property will always be included in the advert.
- 4.49 Housing Association properties charge a higher level of rent – always check the amount in the advert.

5. NOTICES OF PROCEEDINGS FOR POSSESSION AND COURT POSSESSION ORDERS

- 5.1 The procedure for issuing formal Notice of Seeking Possession and Court Orders for Possession, in order to ensure that legal and vacant possession of the site can be provided to the council's development partner, will be conducted on a block by block basis, with Notices and Court claims for possession being served on all secure tenants within a block at the same time.
- 5.2 The Council confirms therefore that no Order for Possession on these grounds will be enforced by the Council until such time as two offers have been made to Council tenants under this Local Lettings Plan, and any period of Review has expired.

6. REVIEWS AND APPEALS

- 6.1 Applicants have the right to information about the decisions which are taken in respect of their rehousing application or suitability of the accommodation that has been offered. Applicants also have rights to review or appeal against rehousing decisions.
- 6.2 Applicants who are unhappy with a rehousing decision should in the first instance contact their Rehousing Officer who will be able to explain or clarify the situation, and whether there is a Right of Review as set out in the Allocations Policy
- 6.3 Allocation and eligibility decisions under this Policy have a direct right of appeal
- 6.4 Applicants intending to make an appeal may want to take independent legal or specialist housing advice, for example the Citizens Advice Bureau or other advisory agency. Rehousing Officers will be able to provide guidance on how to access the services of independent advice agencies.

- 6.5 The formal appeal will be carried out on paper without an oral hearing and a decision issued within 28 days.