



# Housing Act 1996

## 1996 CHAPTER 52

### PART VI

#### ALLOCATION OF HOUSING ACCOMMODATION

##### *The allocation scheme*

#### **167 Allocation in accordance with allocation scheme.**

- (1) Every local housing authority shall have a scheme (their “allocation scheme”) for determining priorities, and as to the procedure to be followed, in allocating housing accommodation.

For this purpose “procedure” includes all aspects of the allocation process, including the persons or descriptions of persons by whom decisions are to be taken.

- (2) As regards priorities, the scheme shall be framed so as to secure that reasonable preference is given to—
- (a) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions,
  - (b) people occupying housing accommodation which is temporary or occupied on insecure terms,
  - (c) families with dependent children,
  - (d) households consisting of or including someone who is expecting a child,
  - (e) households consisting of or including someone with a particular need for settled accommodation on medical or welfare grounds, and
  - (f) households whose social or economic circumstances are such that they have difficulty in securing settled accommodation.

The scheme shall also be framed so as to secure that additional preference is given to households within paragraph (e) consisting of someone with a particular need for settled accommodation on medical or welfare grounds who cannot reasonably be expected to find settled accommodation for themselves in the foreseeable future.

*Status: Point in time view as at 01/04/1997.*

*Changes to legislation: Housing Act 1996, Cross Heading: The allocation scheme is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (3) The Secretary of State may by regulations—
  - (a) specify further descriptions of people to whom preference is to be given as mentioned in subsection (2), or
  - (b) amend or repeal any part of subsection (2).
- (4) The Secretary of State may by regulations specify factors which a local housing authority shall not take into account in allocating housing accommodation.
- (5) As regards the procedure to be followed, the scheme shall be framed in accordance with such principles as the Secretary of State may prescribe by regulations.
- (6) Subject to the above provisions, and to any regulations made under them, the authority may decide on what principles the scheme is to be framed.
- (7) Before adopting an allocation scheme, or making an alteration to their scheme reflecting a major change of policy, a local housing authority shall—
  - (a) send a copy of the draft scheme, or proposed alteration, to every registered social landlord with which they have nomination arrangements (see section 159(4)), and
  - (b) afford those persons a reasonable opportunity to comment on the proposals.
- (8) A local housing authority shall not allocate housing accommodation except in accordance with their allocation scheme.

#### Commencement Information

- II** [S. 167](#) wholly in force 1.4.1997; s. 167 not in force at Royal Assent, see [s. 232\(1\)-\(3\)](#); [s. 167\(3\)-\(5\)](#) in force at 1.10.1996 by [S.I. 1996/2402](#), [art. 3](#) (with transitional provisions and savings in the [Sch.](#)); [s. 167](#) in force for certain purposes at 23.10.1996 by [S.I. 1996/2658](#), [art. 2](#) and in force at 1.4.1997 to the extent it is not already in force by [S.I. 1996/2959](#), [art. 3](#)

### 168 Information about allocation scheme.

- (1) A local housing authority shall publish a summary of their allocation scheme and provide a copy of the summary free of charge to any member of the public who asks for one.
- (2) The authority shall make the scheme available for inspection at their principal office and shall provide a copy of the scheme, on payment of a reasonable fee, to any member of the public who asks for one.
- (3) When the authority make an alteration to their scheme reflecting a major change of policy, they shall within a reasonable period of time notify everyone on their housing register, explaining in general terms the effect of the change.

**Status:**

Point in time view as at 01/04/1997.

**Changes to legislation:**

Housing Act 1996, Cross Heading: The allocation scheme is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.