

Arundel Community Land Trust Local Lettings Social Rent Allocation Policy

Introduction

1.1 It is the intention of the signatories to this Social Rent Allocation Policy (the Policy) that the Affordable homes acquired by Arundel Community Land Trust (Arundel CLT) are allocated and occupied in accordance with the Policy. The Policy has been prepared and agreed by the signatories to ensure that the objects of the Arundel CLT are met, and the Arundel Neighbourhood Plan is delivered, by the occupation of the Affordable homes being in conformity with the Policy at all times.

1.2 The Policy relates to the development off Ford Road, Arundel which will provide 20 homes for Social Rents acquired by Arundel CLT in partnership with [Aster], a Registered Provider of Affordable Housing.

1.3 A separate Policy applies to the seven Shared Ownership homes acquired by [Aster].

1.4 It is not the intention to have any other Social Rented Units on this development. In the event this arises, the principles of the Policy should be adapted to apply to those homes as well.

1.5 The Policy forms Appendix 7 of the Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 relating to Land at Ford Road, Arundel Planning ref: AB/135/20/OUT and should be read in conjunction with Appendix 6 ACLT Nomination Agreement.

1.6 The signatories to the Scheme are:

- (i) Arundel CLT
- (ii) [Aster]
- (iii) Arun District Council

1.7 The Arundel CLT will review the Policy annually and agree with Arun District Council and [Aster] of any changes required to ensure the Social Rented Units continue to meet local housing needs.

Definitions

For the purposes of the Policy the following definitions shall apply:

Adjacent Parishes	The civil parishes of Burpham; Houghton; Lyminster & Crossbush; Madehurst; Poling; South Stoke; and, Warningcamp
Advertisement Period	New rental properties will be advertised through the Choice Based Letting Scheme at least 8 weeks prior to practical completion. Relets will be advertised within 10 working days of the notice of termination of tenancy being received.
Applicant	A person who has applied for an Arundel CLT rented home.

Family Member	A person who is the spouse, civil partner, partner, mother, father, sister, brother, daughter, son, grandparent or grandchild over 18. Partner – means spouse, civil partner or a partner who has resided with a resident of the parishes without being legally married to that person for a period of at least 10 years.
Financial Criteria	As specified in Section 3 of this Policy.
Gross Household Income	The total gross income before taxes received within a 12-month period by all members of a household above age 15. It includes, but is not limited to, wage, salary, self-employment earnings, Social Security pension and other retirement income, investment income; welfare payments; and income from other sources.
Housing Need	In need of suitable permanent housing and unable to afford to pay market rents or the open market price for reasonably suitable permanent housing for outright sale or a minimum 25% of a shared ownership property within Arundel.
Local Connection	As specified in Section 3 of this Policy.
Local Housing Allowance	An allowance which is assessed from time to time as being the maximum amount of housing benefit which can be awarded in respect of a relevant property relevant to the housing area in which the property is situate.
Qualifying Criteria	The Financial Criteria and the Local Connection criteria as set out in Sections 3 and Section 4 of this Policy.
Register	The list of Applicants for Social Rented Units on the development off Ford Road to which this Policy relates.
Registered Provider	A Registered Provider of Social Housing as defined in section 80(2) of the Housing and Regeneration Act 2008.
Shared Ownership / Shared Equity	Homes that enable the Applicant to own a financial stake in the property aimed at those on incomes below £80,000.
Social Rent	low cost rent which is no higher than the rent set by the Regulator of Social Housing and which is set having regard to the Government's policy on rents for social housing from April 2020 as varied from time to time and which is calculated taking into account average rent, relative property values, relative earnings for the locality and the size of the properties or such other form of low cost social housing rent which replaces social rent for local communities if applicable
Social Rented Units	means the 20 affordable housing homes being constructed in the development off Ford Road Arundel to be provided at Social Rents and in respect of which this Policy relates
ACLT Social Rent Nominations Agreement	The Agreement which forms Appendix 6 of the s106.
Nominations Procedure	The nomination procedure which forms Annex 1 in the ACLT Social Rent Nominations Agreement
Working	Working in employment or self-employment for at least 24 hours per week.

The Policy

- 2.1 All Applicants wishing to be considered for one of the Social Rented Units should fill out the complete the Arun District Council e-form which will indicate their eligibility for an Arundel CLT property. To be included on the Register Applicants will need to satisfy the Qualifying Criteria..
- 2.2 The e-form will be as approved between the parties to this Policy The information uploaded by an Applicant when filling out the e-form will be assessed to establish whether or not the Applicant meets the Qualifying Criteria and if they do, the Applicant

will be included on the Register.

- 2.3 Arun District Council will hold the information of those who the e-form assesses as satisfying the Qualifying Criteria for Social Rented units.

Financial Criteria

- 3.1 To qualify for the Social Rented Units, the Applicant(s) must be unable to afford to rent privately or purchase a property on the open market within Arundel and the Applicants' Gross Household Income is below:

£26,000 for 1 bed*

£33,000 for 2 bed*

£40,000 for 3 bed*

* Calculated as no less than four times Local Housing Allowance levels as at October 2020 and subject to annual review on 1 April each year

- 3.2 The Applicant has savings of no more than £25,000.

Local Connection

4.1 Priority 1 Local connection with Arundel through residency or work

- (a) Applicant currently lives in the Civil Parish of Arundel and has done so throughout the previous 5 years; or
- (b) Applicant works in the Civil Parish of Arundel or work is primarily carried out in the parish, having done so for a continuous period of at least 2 years, or
- (c) Applicant has lived the Civil Parish of Arundel for a period of 5 years in the past 10 years;

4.2 Priority 2 Other local connection with Arundel

Applicant has a strong local connection with Arundel such as

- (a) Applicant has a Family Member living in the Civil Parish of Arundel, who has done so for a continuous period of at least 5 years
- (b) at least 5 years of their upbringing took place in the Civil Parish of Arundel
- (c) an eligible household member is at school in the Civil Parish of Arundel and has been so for a continuous period of at least 18 months

4.3 Priority 3 Local connection with defined adjacent parish through residency or work

- (a) Applicant currently lives in one of the Adjacent Parishes and has done so throughout the previous 5 years; or
- (b) Applicant works in one of the Adjacent Parishes or their work is primarily carried out in one of these parishes, having done so for a continuous period of at least 2 years
- (c) Applicant has lived in one of the Adjacent Parishes for a period of 5 years in the past 10 years

4.4 Priority 4 Other local connection with Adjacent Parish

Applicant has strong local connection with one of the Adjacent Parishes such as

(a) Applicant has a Family Member living in an Adjacent Parishes, who has done so for a continuous period of at least 5 years.

(b) at least 5 years of their upbringing took place in an Adjacent Parishes

4.5 Priority 5 Arun DC standard criteria (see also Appendix 1 to this Policy).

(i) Applicant currently lives in the Arun District Council area and have done so throughout the previous 5 years; or

(ii) Applicant has lived in the District for a period of 5 years' time in the past 10 years; or

(iii) Applicant has a strong local connection to the Arun District:

- Applicant works in the Arun District and have done so for a continuous period of at least 2 years
- At least 5 years of their upbringing took place in the Arun District

(iv) Armed Forces and former service personnel who do not qualify under Priority 1, 2, 3 or

a) members of the Armed Forces and former Service personnel, where the application is made within five years of discharge

b) bereaved (or divorced or separated) spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of (or divorce or separation from) their spouse or partner

c) serving or former members of the Reserve Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service

Application of Qualifying Criteria for Social Rented Homes

5.1 To be considered for a vacancy, Applicants need to be registered on the Register.

5.2 Applicants shall be required to demonstrate to the reasonable satisfaction of the Arundel Communit Land Trust' nominee - [Aster] - that, they satisfy the Housing Need criteria, the Financial Criteria, the Local Connection criteria and any other information relevant to assess their eligibility and priority within this Scheme

5.3 Homes will be allocated on a cascade basis. Offers will be made to **Priority 1** Applicants first, followed by **Priority 2** then **Priority 3**, then **Priority 4**, then **Priority 5**.

5.4 Where there are two or more Applicants who can demonstrate that they are in Housing Need, within the same Priority, the deciding factor will be their assessed level of Housing Need in relation to the banding conditions of the prevailing Arun District Council's Allocations Scheme, (Shown in **Appendix One**) with the highest level of need taking priority.

5.5 If the assessed level of Housing Need is equal, the property will be allocated to the Applicant who has been on the Register longest. There shall be no aggregation of separate periods and only an unbroken single period of registration shall be taken into account.

Supplemental

- 6.1 For the avoidance of doubt, no person shall be permitted to occupy, use or let a Social Rented Unit as a second home, or as short let holiday accommodation.
- 6.2 Nothing in this Policy shall prevent the occupier of a Social Rented Unit from permitting any person to occupy a room in that dwelling as a guest, or as a lodger.

Advertising Vacancies

- 7.1 When the Social Rented Units on the development first become available, Arundel CLT will hold at least one public meeting before the expected completion date of the properties to provide information and advice, and advertise through all Arundel Town Council usual channels e.g., local Notice Boards and Arundel Town Council website.
- 7.2 Arundel CLT and [Aster] will work with Arun District Council to obtain nominations from the Register in accordance with **Priorities 1, 2, 3,4** and 5 as set out above.
- 7.3 When notified of vacancies the Arundel CLT will use local communications to ensure as many local people as possible know about the vacancy and how to apply. The vacancies will also be advertised through the Choice Based lettings system operated by Arun District Council.

The Offer Process

- 8.1 [Aster] will be responsible for lettings on behalf of Arundel CLT.
- 8.2 Where an Applicant meets the Qualifying Criteria, under-occupation may be allowed in exceptional circumstances where there is significant justification to do so e.g. occasional respite care / joint child custody arrangements, provided that the relevant implications (if any) for receipt of state benefits are first discussed by the letting agent with the Applicant.
- 8.3 Before making an offer of a tenancy– and with the consent of the Applicant – [Aster] will check to ensure that there are no questions about whether the Applicant meets the Qualifying Criteria, and that the Applicant can sustain the tenancy.

Lettings Information

- 9.1 [Aster] agrees to provide Arundel CLT and Arun District Council with the details of all successful Applicants on 1 April annually, including information to monitor the application of the financial and local connection criteria so this effectiveness of this Policy can be reviewed.

Disputes Procedure

- 10.1 Arundel CLT and [Aster] to undertake to use their reasonable endeavours to resolve any issues, complaints or disputes in respect of the operation of the Policy or any other matter pertaining to the Policy amicably, through discussion and co-operation.
- 10.2 Arundel CLT agree that any complaints or matter of dispute from an Applicant or third party regarding the performance or non-performance of obligations under this Policy or any other matter pertaining to this Policy should usually be addressed or referred to [Aster]. [Aster] will liaise as necessary with Arundel CLT.

Legal Succession

11. Where a signatory to this Scheme changes its name or legal identity but otherwise retains the same function and purpose through succession, all duties and obligations under this Scheme will automatically transfer to the successor. Save in the case of succession, no signatory may transfer or assign its interest in this Scheme without the prior written agreement of Arundel CLT.

Variation

12. The Scheme and its provisions shall only be capable of amendment by a document in writing executed by Arundel CLT.

Arundel CLT
 Chair
 Date:

[Aster]
 Authorised Signatory
 Date:

Arun District Council
 Authorised Signatory
 Date :

Appendix One ARUN DISTRICT COUNCIL'S ALLOCATION SCHEME

Band A

Band code	Criteria	Definition	Bidding requirement
A1	Medical A	The current housing conditions are having a serious or debilitating impact on a member of the household who has an emergency or life-threatening condition and it is essential to rectify the situation	The Council will override the choice based lettings process to make a reasonable direct allocation of suitable alternative accommodation. If this allocation is refused, the priority of the case will be reviewed and may be urgently down-banded or removed from the Register.
A2	Under-occupying 1+ bedroom	Applicants living in Council or Registered accommodation within the Arun District who are under-occupying one or more bedrooms.	No required timescale for bidding.
A3	Disabled adaptations	Applicants releasing an adapted property or to make best use of adapted stock where the tenant does not require adaptations.	No required timescale for bidding.
A4	Successors	Statutory and non-statutory successors living in Arun District Council properties, where the Council has agreed to rehouse an Applicant to more suitable	Applicants required to bid within 12 weeks of being placed in Band A. However, the Council may override the choice based lettings process to make a reasonable direct allocation of suitable

		accommodation than that currently alternative accommodation occupied by the Applicant, as authorized by the Housing Services Manager.
A5	Fixed term tenants	Applicants who have a fixed term tenancy with Arun District Council, where the fixed term is within 6 months of being instructed to due to expire, and the current property is not the right size for the household or contains disabled adaptations which are no longer required.
A6	Decant	Arun District Council transfer works and the tenant cannot remain in the property.
A7	Overcrowding Notice or Prohibition Order	An Overcrowding Notice or Prohibition Order has been served by the Council's Private Sector Housing Section as a result of overcrowding; or disrepair; and include an offer of suitable accommodation in the private rented household; or it would be impossible to remain in the property whilst remedial works are carried out.
A8	Emergency priority	Severe Housing Need for exceptional circumstances, in crisis situations which warrant emergency priority as agreed by the Housing Services Manager. This excludes homeless Applicants to whom the Council has a duty under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002).
A9	Additional priority for ex Armed Forces personnel, where assessed need falls within Band B	The following categories will be awarded one Band higher priority than their assessed need: -former members of the Regular Forces; -serving members of the Regular Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service; -bereaved spouses and civil partners of members of the Regular Forces leaving Services Family Accommodation following the death of their spouse or partner; -serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service

Band B

Band code	Criteria	Definition	Bidding requirement
B1	Medical B	The current housing conditions are having a significant adverse effect on the medical condition or learning difficulties or care needs of a member of the household; <u>and</u> there is evidence that the condition	Where an Applicant fails to bid successfully within 3 months, the priority of the case will be reviewed, which may result in down-banding or the removal of the application. However, the Council may override the

will be significantly worsened over choice based lettings process to make a period of time in the current reasonable direct allocation of suitable accommodation; and there is alternative accommodation. evidence that this will be rectified or significantly improved by alternative suitable accommodation.

The medical condition, learning difficulty, or care need; and the significant adverse effect of the current accommodation; and an explanation of how this will be rectified or significantly improved in alternative suitable accommodation, must all be confirmed by a healthcare professional.

- B2 Homeless Homeless households owed the For homeless Applicants making their (making own main (unintentional) duty by Arun own housing arrangements while arrangements) District Council, and making their bidding for permanent accommodation: own temporary arrangements. no required timescale for bidding. Main unintentional duty is defined as in Section 193 Part 7 of the The Council may make a reasonable Housing Act 1996 (as amended by direct allocation of suitable alternative the Homelessness Act 2002 and accommodation. the Homelessness Reduction Act 2017).

This may include an offer of suitable accommodation in the private rented sector, which will discharge the

Priority B2 includes homeless Council's main unintentional duty.

Applicants owed the main (unintentional) duty by Arun District Council, who qualify for a 'reasonable preference' as per the Housing Act 1996, Part 6 and the Homelessness Reduction Act 2017, and to whom the local connection criteria of the allocations policy do not apply.

- B3 Homeless Homeless households owed the For homeless Applicants placed in (owed the main (unintentional) duty by Arun emergency or temporary main duty) District Council, and placed in accommodation: the Council will make emergency or temporary a reasonable direct allocation of suitable accommodation. Main alternative accommodation. unintentional duty is defined as in

Section 193 Part 7 of the Housing This may include an offer of suitable Act 1996 (as amended by the accommodation in the private rented Homelessness Act 2002 and the sector, which will discharge the Homelessness Reduction Act Council's main unintentional duty. 2017).

Priority B3 includes homeless Applicants owed the main (unintentional) duty by Arun District Council, who qualify for a 'reasonable preference' as per the Housing Act 1996, Part 6 and the Homelessness Reduction Act 2017, and to whom the local connection criteria of the allocations policy do not apply.

- B4 Returning For homeless Applicants making their homeless after Previously homeless households own housing arrangements while accommodated accommodated in the private bidding for permanent accommodation: in the private rented sector (which discharged no required timescale for bidding. rented sector Arun District Council's main unintentional duty) who have For homeless Applicants placed in become unintentionally homeless emergency or temporary again within 2 years. Main accommodation: the Council will make unintentional duty is defined as in a reasonable direct allocation of suitable Section 193 Part 7 of the Housing alternative accommodation.

Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017). This may include an offer of suitable accommodation in the private rented sector, which will discharge the Council's main unintentional duty.

In these cases, the local connection criteria of the allocations policy do not apply.

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| B5 | Lacking rooms | Applicants with dependent children lacking 1 bedroom <u>and</u> lacking kitchen or bathroom; or sharing kitchen or bathroom with non-family members (as defined by S.113 Housing Act 1985); or lacking 2 bedrooms. This excludes households in interim or temporary accommodation provided by Arun District Council | No required timescale for bidding |
| B6 | Fostering or adoption | To enable fostering or adoption where an assessed need and an agreement has been reached between Social Services and the Housing Services Manager to provide permanent accommodation prior to any placement taking place | No required timescale for bidding |
| B7 | Returning from institution | Applicants who were previously tenants of Arun District Council, who are returning from institutions, when a housing commitment was made in order to secure the relinquishment of the Council tenancy on entering the institution | No required timescale for bidding. However, the Council may override the choice based lettings bidding process to make a reasonable direct allocation of suitable alternative accommodation. |
| B8 | From care supported housing | Applicants moving on from care or supported housing, as authorised by the Housing Services Manager | No required timescale for bidding |
| B9 | Additional priority for ex Armed Forces personnel, where assessed need falls within Band C | The following categories will be higher priority than their assessed need:
-former members of the Regular Forces;
-serving members of the Regular Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service;
-bereaved spouses and civil partners of members of the Regular Forces leaving Family Accommodation following the death of their spouse or partner;
-serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service | No required timescale for bidding. |

Band C

Band code	Criteria	Definition	Bidding requirement
C1	Medical C	The current housing conditions have a negative impact on the medical condition or learning	Where an Applicant fails to bid successfully within 3 months, the priority of the case will be reviewed,

difficulties of a member of the household; and either the condition, or the person's ability to cope with it, is likely to be improved by alternative suitable accommodation.

Priority C1 includes Applicants who qualify for a 'reasonable preference' on medical or welfare grounds, as per the Housing Act 1996, Part 6 and the Homelessness Reduction Act 2017, and to whom the local connection criteria of the allocation policy do not apply.

C2 Threatened Applicants who are defined as No required timescale for bidding.
with threatened with homelessness or
homelessness homeless under Part 7 of the The Council may make a reasonable
or homeless Housing Act 1996 (as amended by direct allocation of suitable alternative
(Prevention & the Homelessness Act 2002 and accommodation.
Relief stages) the Homelessness Reduction Act
2017), prior to the main This may include an offer of suitable
(unintentional) homelessness duty accommodation in the private rented
being determined. sector, which will discharge the
Council's main unintentional duty.

Priority C2 includes homeless Applicants who qualify for a 'reasonable preference' as per the Housing Act 1996, Part 6 and the Homelessness Reduction Act 2017, and to whom the local connection criteria of the allocations policy do not apply.

C3 Lacking 1 Households lacking one bedroom. No required timescale for bidding.
bedroom

C4 Sharing Applicants with dependent No required timescale for bidding.
kitchen/bathro children living with, and sharing a
m with family kitchen or bathroom with, family
members members (as defined by S.113
Housing Act 1985) who are not
part of the immediate household
and not part of the housing
application .This excludes
households in interim or
temporary accommodation
provided by Arun District Council.

C5 Management Applicants living in Arun District No required timescale for bidding.
transfer Council accommodation requiring However, the Council may override the
a transfer to properties of the same choice based lettings bidding process to
size & type for significant reasons, make a reasonable direct allocation of
as agreed by the Housing Services suitable alternative accommodation.
Manager. Where such direct allocations are
refused, the Council will review the
priority of the case and consider
removal of the priority and removal
from the Register.

C6 Give or receive Applicants who need to move to a No required timescale for bidding.
support; or to particular area within Arun to give
take up support, which cannot be met by The Council may make a reasonable
employment others; or to receive support or direct allocation of suitable alternative
specialised medical treatment, accommodation.
which is not available in the
current location; and where failure This may include an offer of suitable
to meet that need would cause accommodation in the private rented
hardship; and where the distance sector, which will discharge the
from the Applicant's current Council's main unintentional duty.
location is significantly impacting
on the ability to deliver or receive
that support. The Housing Need
within Arun to be confirmed by a

healthcare professional or other statutory agency.

Existing social housing tenants who need to move into Arun, or to a particular area within Arun, for permanent employment and who cannot fulfil their contract of employment in their current accommodation after making reasonable adjustments.

Before applying to the Arun housing register, Applicants must make reasonable adjustments in order to remain in their current accommodation when taking up new employment. These may include arranging transport to work or organizing the care of dependents. Band C6 will only apply when the employment cannot be fulfilled, even after making such adjustments.

Applicants will need to provide proof of their current social tenancy, their employment start date and work location and to demonstrate why reasonable adjustments are not possible.

Priority C6 includes Applicants who: i) qualify for a 'reasonable preference', as per the Housing Act 1996, Part 6 and the Homelessness Reduction Act 2017; or ii) need to move for employment reasons, as per the Qualification Criteria for Right to Move Regulations 2015; and iii) to whom the local connection criteria of the allocation policy do not apply.

C7 Sheltered Applicants for sheltered housing No required timescale for bidding where there is no higher Housing Need.

C8 Insanitary or overcrowded housing Applicants living in insanitary or overcrowded housing. No required timescale for bidding.

The Council may make a reasonable direct allocation of suitable alternative accommodation.

For C8 priority, 'insanitary housing' will contain Category 1 hazards as assessed under the Housing Health & Safety Rating System (HHSRS), as confirmed by the Council's Private Sector Housing team or the Neighbourhood Council's main unintentional duty. This may include an offer of suitable accommodation in the private rented sector, which will discharge the Housing team; and where there is

no planned remedial improvement works or enforcement action. The priority of C8 cases will be reviewed regularly and Applicants may be removed from the housing register if

the insanitary conditions or overcrowding have been resolved.

'Overcrowded housing' is defined by the statutory standard set out in the Housing Act 1985, sections 324 to 326, as confirmed by the Council's Private Sector Housing team or the Neighbourhood

Housing team; and where there is no planned remedy or enforcement action to resolve the overcrowding.

Priority C8 includes Applicants who qualify for a 'reasonable preference' on the grounds of insanitary or overcrowded housing, as per the Housing Act 1996, Part 6 and the Homelessness Reduction Act 2017, and to whom the local connection criteria of the allocation policy do not apply.