

## **WICKHAM COMMUNITY LAND TRUST:**

### **HOUSING ALLOCATION POLICY**

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**Reviewed:** 28<sup>th</sup> May, 2013

**Review due:** May 2014

### **Wickham Community Land Trust's affordable homes – Introduction and Local Context**

Wickham Community Land Trust (WCLT) is a not for profit company limited by guarantee [and a registered charity]. Its purpose is the provision of housing to relieve financial hardship. The area of operation is the parish of Wickham and surrounding areas in the Local Government Administrative Area of Winchester City Council (referred to as the "Area"). WCLT is not a housing association. Our aim is to provide affordable housing to people who need to live in the Parish or to work in the Area.

Property prices in the Wickham area are beyond the means of many people unless they have existing capital to invest or sufficiently high incomes. This is putting a significant number of households in a situation of housing need which they cannot alleviate through their own efforts. This is evidenced by the Wickham Parish Appraisal (2001)<sup>1</sup>, The Housing Needs Report of April 2007<sup>2</sup> and more recently the Housing Survey of 2008/9<sup>3</sup> and this situation is longstanding and is clearly area specific.

WCLT aims to help address this need by providing housing at a price that can be afforded more nearly from household income alone. In so doing WCLT wishes to make it possible for those with employment or employment opportunities in the Area to live close to their place of work and for those with local family connections and responsibilities to live close by.

The homes which WCLT wishes to provide will be made available on a rental or shared ownership basis thereby providing housing appropriate to the financial circumstances of the applicant. Once an applicant's financial circumstances have been assessed WCLT will apply secondary selection criteria to prioritise applicants in order of suitability. These are likely to be more suitable for people who, though they are unable to relieve their housing need themselves, are in work and can afford the outgoings that this scheme requires.

Applications will be encouraged from those registered with the zone agent (Homes in Hants)<sup>4</sup> and those on the Council's housing register who have indicated that their areas of choice include Wickham.

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<sup>1</sup> Wickham Parish Appraisal 2001, Section 3: see Analysis: Housing

<sup>2</sup> Housing Needs Survey, 2007, See Appendix 3b

<sup>3</sup> Housing Needs Survey, See Appendix 3a

<sup>4</sup> Homes in Hants Swaythling is the government appointed Zone Agent for Hampshire and IOW HomeBuy Schemes.

This policy sets out in the following pages how WCLT will decide to whom available properties will be offered.

## **2. WCLT's HOUSING NEEDS CRITERIA**

Homes are available under either rental or shared ownership. In compiling a list of nominees who need accommodation in the Parish, WCLT shall apply the following criteria:

### **1 Conditions precedent**, i.e. criteria which must be met in all cases:

- 1.1 Housing Need: inability of such applicant to afford suitable accommodation on the open market whether for rental or purchase within the Parish

WCLT will consider the applicant's financial circumstances, including their disposable income and savings, and how that measures against average income levels in the area, and whether the applicant can afford other accommodation or find other accommodation at an affordable price or rent.

Only those will be considered

- whose household income and capital are insufficient to buy or rent the home they need in the Area on the open market; and
- who are unable to relieve that housing need themselves.

1.2 Ability to afford WCLT home

WCLT will require proof of household income, capital and other financial commitments so that the outgoings to which an applicant would be committed are affordable.

1.3 Requirement of the applicant for accommodation of the type available

Homes must be suited to the applicant's and family's needs in terms of size of property available.

## **2 Local Connection**

Without prejudice to the generality of the foregoing regarding "need" and financial circumstances, consideration will be given to the following, **with preference given to applicants who are able to establish and prove a strong local connection with the Parish.**

An applicant shall be taken to have a strong local connection if he or she satisfies one or more of the following:

- 2.1 He or she is ordinarily resident in the Parish at the date of the allocation

- 2.2 He or she was previously ordinarily resident in the Parish prior to the date of allocation and has family who ordinarily reside there (See notes 3 and 4, page 4.)
- 2.3 He or she has a demonstrable need to reside in the Parish by reason of
- a) current employment in the Area
  - b) taking up permanent employment in the Area
- Re Area, see Note 1, page 4  
Re Employment, see Note 2, page 4
- 2.4 He or she has a demonstrable need to reside in the Parish either to support or to be supported by another member of his/her family who ordinarily resides in the Parish at the date of allocation (See note 3, page 4)
- 2.5 He or she will be an asset to the community in the Parish in their support of voluntary organizations which operate in the Area.<sup>5</sup>

### **3 Current Accommodation**

Account will be taken of

- The suitability/unsuitability of the current accommodation;
- State of repair of current accommodation.

### **4 Length of Wait**

Those who have applied to be considered and who have been waiting longest will receive higher priority if satisfaction of all other factors is equal.

#### Under-occupation

WCLT shall have the discretion if necessary to permit applicants to under-occupy a WCLT home by one bedroom to ensure community sustainability and occupation by persons with a strong local connection.

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<sup>5</sup> ‘Voluntary organizations’ means independent organizations which are established for purposes that add value to the community as a whole, or to a significant section of the community, and which are not permitted by their constitution to make a profit for private distribution. Voluntary organizations do not include local government or other statutory authorities. Charity Commission: “Affordable Home Ownership – Charitable Status and Tax” refers.

**Notes:**

**1. Area**

*The civil parish of Wickham and any adjoining rural civil parishes, namely Shedfield, Soberton & Newtown, Boarhunt, Swanmore, Bishop's Waltham or Curdridge. See also Note 4 a – e below.*

**2. Employment**

*Priority will be given to Key Workers by virtue of their employment in the public or voluntary sectors or in a relevant employment<sup>1</sup> in the Area in such manner or capacity as to advance education, relieve sickness, promote public health, relieve charitable need, protect human life or property, promote the sound administration of the law or advance other purposes for the general benefit of the community, including in particular (but without prejudice to the generality of the foregoing) the maintenance for the benefit of the community of its infrastructure, including supplies of gas, water, electricity and food, of transport and other means of communication, of telecommunication information and information technology services, and of emergency services.<sup>2</sup>*

*Those without employment or an offer of employment who can show they have good prospects of securing a job will be considered.*

**3. Family**

*A person shall be taken to be a member of another's family if he or she is the spouse, civil partner, mother, father, sister, brother, daughter, son, grandparent or grandchild of that other person or if he or she ordinarily resides with that other person without being legally married to or in a civil partnership with that person. Family also includes adopted and step relatives/half blood.*

**4. Local Connection** will be taken in the following order of priority:

- a) *Applicants who meet or have met the strong local connection criteria set out above for at least 3 years to the Parish of Wickham;*
- b) *Applicants who meet or have met the strong local connection criteria set out above for at least 1 year to the Parish of Wickham;*
- c) *Applicants who meet and have met the strong local connection criteria set out above for at least 3 years to the Parishes of Shedfield, Soberton and Newton, Boarhunt, Swanmore, Bishop's Waltham or Curdridge;*
- d) *Applicants who meet and have met the strong local connection criteria set out above for at least 1 year to the Parishes of Shedfield, Soberton and Newton, Boarhunt, Swanmore, Bishop's Waltham or Curdridge;*
- e) *Anyone with a strong local connection with any Rural Village in the Local Government Administrative Area of Winchester without a time criterion.*
- f) *Anyone with a strong local connection with the Local Government Administrative Area of Winchester without a time criterion.*

<sup>1</sup> 'relevant employment' means employment by an employer which though not in the public or voluntary sector, is engaged in the provision of services equivalent to those referred to in 2) above.

<sup>2</sup> Charity Commission: "Affordable Home Ownership – Charitable Status and Tax"

## **ADVERTISEMENT OF PROPERTIES**

- 1 Two months prior to the expected completion of any new WCLT scheme the Trust will advise the Parish Council, Ward Councillors of Winchester City Council, Winchester City Council's Head of Housing and the Zone Agent, Homes in Hants, that WCLT will be seeking nominations.
- 2 At all other times WCLT will advise Winchester City Council and the Zone Agent (Homes in Hants) of the availability of WCLT properties so that Winchester City Council can advise the Trust of any potentially suitable applicants on the Housing Register and the Zone Agent can advise regarding those on their list. In such event the Local Authority and Zone Agent will be permitted to contact such applicants and advise them that they may be eligible to apply to WCLT. See also 'Occupancy Cascade Process' paras 4 & 5 below
- 3 Intermediate rent properties will be advertised, stipulating the details of the eligibility criteria and advising interested eligible persons to apply to WCLT.
- 4 Shared ownership properties will be advertised, stipulating the details of the eligibility criteria and advising interested eligible persons to apply to WCLT.
- 5 Properties will be advertised on WCLT's website, Parish Magazines, Parish Council and other suitable locations where appropriate.
- 6 Applicants will be considered against WCLT's criteria as set out on pages 2 - 3. Applicants will also be advised to that they should complete the relevant Local Authority housing application form and/or Zone Agent's application form.

## **ADVERTISEMENT OF SELECTION CRITERIA**

WCLT clearly sets out on its website, in the Allocations Policy and in the Guidance Notes for completing an Application form, the criteria used in the selection process and, where necessary, will provide support to potential applicants in understanding these.

## **APPLICATION PROCESS**

Application forms for both rental properties and shared ownership properties are available from:

The Secretary,  
WCLT,  
P.O. Box No 652  
Fareham,  
PO14 9LB.

Telephone: 01329 834335.

or can be downloaded from WCLT's website: [www.wickhamclt.org.uk](http://www.wickhamclt.org.uk)

All applications should be submitted in paper form to the Secretary of WCLT at the above address.

Individual trustees are prepared to provide help to applicants should they have difficulty with the application process.

### **Declarations**

All applicants for properties will need to provide a signed declaration that the information they have provided is correct. WCLT reserves the right to discontinue an application or seek possession of a property where false/inaccurate information has been provided deliberately.

### **REGISTRATION**

When a completed application form is received WCLT will register the date of its receipt and write to the applicant confirming

- a) receipt of their application
- b) the size of dwelling for which they have applied.

The Housing Sub-Committee (see below) will conduct an assessment of eligibility (Criterion 1) and decide whether further information and/or an interview is required.

### **DECIDING PRIORITY**

WCLT will maintain a list of applicants. When a home becomes available contact will be made with all those who satisfy all points in Criterion 1. Those who wish to be considered will be asked to update their details and offered the opportunity to visit the property. Those who remain interested in the property will then be asked to advise WCLT within 5 days of their visit or at most 10 days of being offered the opportunity to visit.

Taking account of Criteria 2 - 4 WCLT will then decide upon the applicant who in WCLT's sole discretion:

- A. meets Criterion 1 in all points
- B. justifies receiving greatest priority under Criteria 2 - 4.

For example, a high priority under criterion 2 would be seen as more important than criterion 4 but if there were equal weight under Criterion 2, Criterion 4 could then become the deciding factor.

However, WCLT reserves the right to assess the weight of circumstances under each of all the criteria from 2 - 4 and to recognize particular individual circumstances.

These properties are subject to a Planning Obligation under s106 of the Town and Country Planning Act 1990. As these rural housing schemes must take into account the future needs of the village as well as current need, under-occupation may be allowed.

Decisions on applications are made by three members of WCLT's Board of Directors acting as a Housing Sub Committee. They may require an interview with the applicant to confirm that the criteria set out in this policy have been met.

If an applicant refuses a property it will be offered to the next applicant on the waiting list.

The timescales of the process will be governed by those in the Occupancy Cascade Process below.

### **Fair Process**

WCLT is committed to providing equality of opportunity to all who apply for housing through the Trust. Allocations will be made on the basis of financial hardship and no one will be discriminated against on grounds of gender, ethnic origin, religion, sexual orientation or any other factor that is strictly prohibited by law.

### **OCCUPANCY CASCADE PROCESS**

No WCLT dwelling shall be occupied either on first occupation or any other subsequent occupation unless it is allocated to a household which meets WCLT's Criteria set out above, subject to the provisions of clause 3 in the 'Rental Properties' section below and clause 3 in the 'Shared Ownership Properties' section below.

### **Rental Properties**

1. The terms and conditions set out above and in WCLT's Tenancy Standard document will apply to all first time and subsequent occupants so that WCLT can ensure that the homes are occupied on similar terms by properly qualified beneficiary households.
2. When a vacancy arises, the Affordable Home will be advertised through WCLT, on the Zone Agent's (Homes in Hants) website and locally to seek a tenant who meets WCLT's Housing Needs Criteria cited on page 2 above. See also 'Advertisement of Properties' page 5 above.
3. If after four months of advertising there is no qualifying applicant meeting WCLT's Housing Needs Criteria the Affordable Home may be allocated to an applicant in Housing Need but without local connection.

### **Shared Ownership Properties**

1. When a lessee wishes to sell their share of equity in an Affordable Home, or for reasons of default is obliged to sell their share, they should notify WCLT and WCLT may elect to purchase the percentage share the lessee owns at the time, subject to an up to date independent valuation.
2. In the event that WCLT in its sole discretion chooses not to purchase the lessee can sell to a person nominated by the Trust. The Affordable Home should be advertised through WCLT, on the Zone Agent's (Homes in Hants) website and locally to seek a buyer who meets WCLT's Housing Needs Criteria cited on page 2 above. See also 'Advertisement of Properties' page 5 above.
3. If after three months of advertising no nominated buyer has exchanged contracts to buy the Affordable Home in accordance with WCLT's Housing Needs Criteria the Affordable Home may be sold to any willing purchaser.

The said period of three months shall be extended by a maximum of six weeks from the date a buyer's solicitor has received a contract pack, provided the pack was issued within the said three month period.

### **POST ALLOCATION**

1. When the property is let or shared ownership agreed, WCLT will publicize the number of applicants and notify the Local Authority of the criteria which have been met in the process.
2. When notifying applicants of WCLT's selection decisions, especially where those decisions have been used for excluding actual and potential tenants from consideration for allocations, WCLT will set out the reasons for their decision.

### **APPEALS PROCESS**

If an applicant feels that the decision made about their application is unfair, they may submit an appeal, in writing, to WCLT's secretary. This appeal must be made within 7 days of the decision, providing reasons.

A panel of at least two WCLT Board Members will then hear the appeal within 15 working days. Members of the Appeals Panel will not have been involved in the earlier decision-making process. The decision of the Appeals Panel will be binding on all parties.

Notification of the panel's decision will be provided within twenty-one days of the appeal being heard.

### **REVIEW**

This policy will be reviewed annually by WCLT and updated where necessary to ensure that it continues to meet the needs of those in housing need in an efficient, fair and transparent way.