

**FAREHAM**  
BOROUGH COUNCIL

**Affordable Housing Agreement for  
Registered Providers  
2013**

This Agreement is between:  
[Registered Provider] (the RP)  
and  
Fareham Borough Council (the Council)

## INTRODUCTION & OVERVIEW

Fareham Borough Council has a long history of working in partnership with local Registered Providers to meet local housing need and prevent homelessness from occurring. The continued success of these relationships is essential to the delivery of the Council's Corporate Strategy objective to maintain a balanced housing market by providing 500 new affordable homes by 2017.

In addition to the Corporate Strategy the Council's Housing Strategy aims to:

- Help provide additional affordable housing across within the Borough to work towards a balanced housing market.
- Reduce the level of homelessness and adopt measures to prevent it.
- Support vulnerable people to access and maintain housing for their needs.
- Improve the standard of housing across all sectors.
- Ensure that development and management of housing contributes to a good quality environment and sustainable communities.

The aims can only be achieved by working closely with our local Registered Providers, who have a key role to play in developing new housing, sustaining tenancies, reducing evictions, and preventing homelessness from occurring.

The Council seeks to ensure that all housing providers working in Fareham offer a consistent, high quality service to their tenants and that the affordable housing available is allocated in a fair and consistent way where local housing needs are prioritised.

This document is a statement of intent which sets out the mutually agreed objectives and policies for the provision, management, and allocation of affordable housing within the Borough. It requires the signature of an officer with appropriate authority within the organisations to commit to, and ensure implementation of the objectives and policies included within.

This agreement shall be reviewed by the Council on a periodic basis to ensure that it remains up to date and takes into account contemporary standards of good practice.

## HOUSING DEVELOPMENT AND SUPPLY

**Fareham Borough Council and [Registered Provider] jointly agree to adhere to the following conditions with respect to the development and supply of new affordable housing:**

**Both parties agree to:**

- 1.1. Work together to secure and maximise financial and other resources to enable the provision of good quality affordable housing to meet local housing needs in accordance with the targets set out in the Council's Housing Strategy.
- 1.2. Develop and maintain a range of housing provision and tenures in Fareham to agreed standards. For the purposes of this agreement 'agreed standards' encapsulates the requirements set out by Homes and Communities Agency, all other national requirements, and the Council's local planning policies.
- 1.3. Meet regularly (6 monthly) through Liaison Meetings with all partners to ensure that development programme coordination is achieved and that information is shared on housing related strategies, policies, and good practice.
- 1.4. Hold quarterly liaison meetings on an individual basis to discuss development programmes, individual schemes, and potential opportunities for future development.

**Fareham Borough Council agrees to:**

- 2.1. Monitor and report upon identified local housing needs and ensure that these are prioritised wherever possible.
- 2.2. Develop and maintain housing related strategies and policies that will meet identified local housing needs.
- 2.3. Keep Registered Providers updated and informed of any proposed changes to such documents and to consult with them prior to any amendments being adopted.
- 2.4. Be proactive in identifying sites with future housing development potential through measures such as the Strategic Housing Land Assessment (SHLAA) and reviewing Council owned land.
- 2.5. Champion Registered Provider led development with both public and private land owners when potential development opportunities arise.
- 2.6. Help shape local and regional policies that affect the development of affordable housing - such as the Local Development Framework (LDF) and Core Strategy.
- 2.7. Seek to identify and share information on public and private sector resources available to deliver affordable housing, including any Council funding.

- 2.8. Ensure that the planning and development processes maximise the potential to develop affordable housing in Fareham through the appropriate use of national, regional, sub-regional, and local planning policies.
- 2.9. Facilitate the development of new affordable housing by negotiating with private developers for the provision of free serviced land on new residential developments.
- 2.10. Maintain a record of all development of affordable housing taking place in the Borough and maintain a record of known sites with the potential for residential development.
- 2.11. Work closely with our Planning Officers at an early stage on any proposed scheme to maximise opportunities to develop affordable housing and ensure that proposed units are suitable in terms of size, design and location.
- 2.12. Continue to develop its housing enabling role through discussions with Registered Providers, central government agencies, financial institutions, and developers to ensure that identified housing needs are understood by all agencies and taken into account in private sector developments.

**[Registered Provider] agrees to:**

- 3.1. Work in accordance with the objectives of the Council's Housing Strategies and associated Policies.
- 3.2. Develop good quality affordable housing in accordance with the HCA's agreed standards.
- 3.3. Keep the Council's Senior Housing Officer (Enabling) informed of all housing development, proposals to develop, and acquisitions of land taking place within the borough.
- 3.4. Seek to make use of a diversity of funding models including mixed tenure development to maximise the number of affordable homes which can be built and help to create balanced communities.
- 3.5. Aim to work collaboratively with other local Registered Providers to avoid potentially harmful competition for sites that could push up the costs of providing affordable housing in the area.
- 3.6. Where capital and revenue resources permit, develop Supported Housing in partnership with relevant agencies, for identified housing need.
- 3.7. To have regard to the Council's Tenancy Strategy in developing their own tenancy policies and in their use of flexible tenancies.
- 3.8. Ensure rent levels are set at an affordable level. The Council believes that to be considered 'affordable' rent levels should not exceed either 80% of the market rental figure or the relevant local housing allowance threshold for the area in which the accommodation is situated (whichever is lower). For reference a table listing the

LHA thresholds as of 2013/14 is set out below. Rates are reviewed on an annual basis. The Government has advised that LHA rates will increase by 1% in 2014/15 and 2015/16. Registered Providers should seek agreement on a case by case basis for any affordable housing development where rent levels are expected to exceed LHA thresholds.

Weekly Local Housing Allowance (LHA) thresholds 2013/14 by Post Code area					
	Shared room	1 bed	2 bed	3 bed	4 bed
PO	£67.96	£115.38	£141.51	£170.99	£235.85
SO	£64.62	£115.38	£153.30	£182.31	£230.77

- 3.9. Provide the Council nomination rights for first lettings for 100% of social rented & affordable rented units and at least 75% of nominations to relets that subsequently arise.
- 3.10. Utilize the HCA's identified Zone Agent for the sale and resale of all intermediate properties and to only adopt alternative means for identifying occupants on a case by case basis with the Council's prior consent.

## HOUSING MANAGEMENT & MAINTENANCE

**Fareham Borough Council and [Registered Provider] jointly agree to adhere to the following conditions with respect to the management and maintenance of affordable rented housing:**

**Both parties agree to:**

- 4.1. Meet regularly (6 monthly) through Liaison Meetings with all partners to ensure that coordination is achieved and that information on housing strategies and policies are shared.
- 4.2. Ensure that all sections of the community have an equal opportunity to housing irrespective of race, colour, ethnic origin, religion, gender, sexual orientation or disability.

**The Council agrees to:**

- 5.1. Provide a holistic approach to housing options advice and homelessness prevention to ensure that anyone in housing need can access practical and helpful advice on how to improve their situation.
- 5.2. Make referrals as appropriate to local money advice services and floating support services to help people remain in their homes.
- 5.3. Maintain, update, and monitor the Council's Housing Waiting List and LetSelect scheme in accordance with Nominations and Allocations agreement.
- 5.4. Assess applications to the Housing Waiting List to ensure that those given priority can maintain a tenancy, will be responsible tenants, and are made aware of their rental obligations when being nominated to a property.
- 5.5. Help tenants to downsize by ensuring that they have sufficient priority on the Housing Waiting List to reflect their circumstances.
- 5.6. Provide a point of contact for Registered Providers to advise of potential evictions and tenancy problems. This contact should be the Senior Housing Officer (Options).

**[Registered Provider] agrees to:**

- 6.1. Respond quickly and pro-actively on any issues raised by Councillors on behalf of their tenants living in the Borough.
- 6.2. Be committed in providing a good standard of customer service and be able to respond to the needs of their customers in a timely and professional manner including out of normal office opening times.

- 6.3. Ensure that all properties are safe to occupy and maintained to a high standard including communal areas and external spaces.
- 6.4. Not require either a deposit or rent in advance for units of affordable rented or social rented accommodation without the prior consent of the Council's Housing Options Manager.
- 6.5. Provide local estate management or suitable alternatives by agreement with the Council. Local estate management is defined as having an area office within 20 miles of the Borough. Where non local management is causing issues relating to service delivery other options may need to be considered to maintain an acceptable standard of housing management.
- 6.6. Actively encourage tenant involvement in the Registered Provider's governance and decision making processes.
- 6.7. Endeavour to keep rent levels consistent with good management and maintenance and which are affordable to those on low incomes.
- 6.8. Provide the Council's Housing Options Manager with current rent policies and other housing management documents and notify the Council as/when these are revised.
- 6.9. Not dispose of any units of accommodation (with the exception of properties sold under the Right to Buy or Right to Acquire) without notifying the Council's Senior Housing Officer (Enabling).
- 6.10. Not amend the designation of any units of affordable housing (with the exception of conversions from social to affordable rent) without the prior consent of the Council and only then in accordance with prior agreements relating to the unit in question (i.e. S.106 agreements / planning conditions).
- 6.11. Have established procedures that identify potentially vulnerable tenants and to take all reasonable steps to ensure that they can successfully maintain their tenancies.
- 6.12. Meet the full costs of installing any disability related adaptations required by existing tenants (or someone in their household) up to £2500, and for any Disabled Facilities Grants above that amount to contribute the first £2,500 of the cost of the works.
- 6.13. Work with tenants who fall into rent arrears to help them address their debt and enable them to remain in their property where possible. When tenants do fall into arrears, make referrals to the Council's Housing Options Team and other relevant agencies that may be able to assist with debt management, income maximisation and advice.
- 6.14. Manage complaints and neighbour disputes efficiently and liaise with the Council as appropriate to enable a coordinated response when required.
- 6.15. Deal effectively with anti-social behaviour and have robust procedures in place to respond to both perpetrators and victims. When necessary, work with the Council

and the Police by attending local Anti-Social Behaviour Panels to provide a coordinated response to incidents of anti-social behaviour.

- 6.16. When necessary and appropriate carry out management moves within its own stock in consultation with the Council's Senior Housing Officer (Initiatives).
- 6.17. Only pursue eviction as a last resort and when all practical efforts to help the tenant to sustain their tenancy have failed.
- 6.18. Notify the Council as/when a tenant's case is referred to Court to seek a warrant to obtain possession of the property they are occupying.
- 6.19. Upon request and with the tenant's authority provide a copy of the witness statement to be sent to court to assist the Housing Options Team with making enquiries and referrals to the relevant support agencies.



## HOUSING NOMINATIONS & ALLOCATIONS

**Fareham Borough Council and [Registered Provider] jointly agree to adhere to the following conditions with respect to the nomination and allocation of social and affordable rented housing:**

### **Nomination Rights:**

- 7.1. In accordance with Section 170 of the Housing Act 1996 Registered Providers have a duty to co-operate with the Council to offer accommodation to people with priority under the Council's Allocations Policy and to help discharge the duties owed to households who are homeless.
- 7.2. Fareham Borough Council aims to suitably house as many applicants from the Housing Waiting List as possible and will therefore ensure any nomination rights it has to Registered Provider properties are fully utilised.
- 7.2. The Council will look to negotiate the highest possible nomination rights on all social rented and affordable rented housing units in the borough. For first lettings of new social rented and affordable rented units the Council requires 100% nominations. For re-lets on these new developments the Council will expect at least 75% nominations.

### **Definition of Void Dwellings subject to Nomination Rights:**

- 8.1. When a Registered Provider owned property becomes vacant it will be subject to nomination rights as set out in 7.2. unless:
  - The void is created by a tenant's death and is subject to rights of succession.
  - The void is created through a tenant's move to another landlord where a reciprocal arrangement exists.
  - The void is created in a property that is not let on either a social rented basis or on an affordable rented basis.

### **The Council agrees to:**

- 9.1. Set an Allocations Policy designed to help address local housing need and respond to the needs of new applicants as well as existing tenants seeking to transfer to alternative accommodation.
- 9.2. Hold a Waiting List of all applicants (including tenants) that have applied to the Council to be rehoused and who meet the eligibility criteria.
- 9.3. Assess and prioritise all applicants in accordance with the published Allocations Policy.
- 9.4. Process applications within 10 working days and ensure that the Housing Waiting List is managed effectively.

- 9.5 Review each applicant on an annual basis to ensure that applications remain up to date.
- 9.6 Operate a choice based lettings system of allocation known as LetSelect, through which all void properties referred to the Council will be advertised and nominated to.
- 9.7 Advertise all properties for a minimum period of one week starting at midnight on Tuesday and ending 12 noon the following Tuesday (exceptions may occur over public holidays or if unforeseen problems arise with the website).
- 9.8 Verify the details of successful applicants and nominate to the Registered Provider within 5 working days of the date the advert closed. Where nomination requests have been made for a new build development where there are multiple vacancies at one scheme the Council may require a time extension to complete the nomination process and notify the Registered Provider of the successful applicants. An extension of this sort shall be agreed on a case by case basis prior to the properties being advertised.
- 9.9 Ensure that successful applicants are made aware of the rent levels and associated charges of the property they have applied for, so they can ensure this will be affordable to them before the nomination is made.
- 9.10 Provide details of each successful applicant to the Registered Provider via a nomination form, ensuring full details are supplied including any support needs and identified risks.
- 9.11 Identify an alternative applicant if a property is refused. In such circumstances the Council will decide whether a) the next applicant who expressed an interest in the property can be nominated, or b) whether the property needs to be re-advertised. If 'a)' is the chosen method, the Council will have 5 working days of being notified of the refusal to make another nomination. If b) is the chosen method the property will be advertised in the next advertising cycle with the associated time arrangements as set out previously.
- 9.12 Display the results of successful nominations on the LetSelect website within 5 working days of being notified of a tenancy start date.
- 9.13 Publish annually an up to date list of all stock held by the Council by area and property type, and the number of Council and Registered Provider owned properties let in the previous year by area and property type.
- 9.14 Publish on a regular basis a summary of the results of successful nomination in a newsletter to applicants.
- 9.15 Make available to the Registered Provider on an annual basis in May, monitoring data relating to the previous year comprising of the following:
  - Properties advertised by size, type and location.
  - Number of bids received against each property, by bid method.

- The number of applicants in each band broken down by: housing type sought, locality they wish to live in, and ethnicity.
- Number of properties advertised giving preference to 'positive contributors' by property size, type, and area.
- Number of properties allocated to transferring applicants broken down by property type, and numbers downsizing.

**[Registered Provider] agrees to:**

- 10.1. Notify the Council when a property is due to become vacant by submitting a nomination request form to notify the Council's Allocations Officer. This will provide details of the property and a suitable photo should also be supplied so that it can be advertised. Registered Providers should complete this task as early as possible to minimise any undue delay in the void process.
- 10.2. Provide a nomination request form for new build schemes and photograph of the development (artist's impression or site plan) at least 8 weeks before the scheme is due to complete.
- 10.3. Submit all nomination request forms and photographs to the Council by 12 noon on a Tuesday in order to be included in that week's advertising cycle.
- 10.4. Contact the successful applicant within 5 working days of receiving a nomination to arrange a viewing.
- 10.5. Notify the Council via the agreed nomination reply form of the tenancy start date within 5 working days of tenancy commencement.
- 10.6. Notify the Council immediately when a property is refused. The Registered Provider should also direct the applicant to contact the Council to discuss their reasons for refusal directly as this may affect their application moving forward.
- 10.7. Provide details on an annual basis to the Senior Housing Officer (Initiatives) of all vacancies that have occurred and confirmation of how these were subsequently occupied.
- 10.8. Provide details on an annual basis to the Senior Housing Officer (Initiatives) of all rented and intermediate housing stock to enable the Council to maintain an accurate record of the affordable housing stock in the borough.
- 10.9. Pay the Council on an annual basis a fee to cover the cost of administering the Housing Waiting List and managing the nominations process. The fee is calculated based on the total number of affordable rented units the Registered Provider has in the Borough and for 2013/14 equated to circa £11.40 per unit. The combined contribution from registered providers covers 50% of the total cost of this service and the remaining 50% is paid for through Council funds.
- 10.10. Enter into a separate specific agreement with respect to the management of temporary accommodation in the instance where the Registered Provider agrees to provide this form of accommodation.

SIGNED:

ON BEHALF OF FAREHAM BOROUGH COUNCIL

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NAME:

POSITION:

ON BEHALF OF [REGISTERED PROVIDER]

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NAME:

POSITION: