

Part 2

Arundel Community Land Trust Shared Ownership Allocation Policy

Introduction

- 1.1 The Policy has been prepared and agreed by the signatories to ensure that the objects of the Arundel Community Land Trust 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 the seven Shared Ownership homes acquired by Aster 3 Limited.
- 1.3 A separate Policy covers the 20 Social Rent homes.
- 1.4 It is not the intention to have any other Affordable homes 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 replaces the Shared Ownership Nomination Agreement which formed Appendix 8 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.
- 1.6 The signatories to the Policy are:
- (i) Arundel Community Land Trust
 - (ii) Aster 3 Limited (Aster)
- 1.7 The Arundel Community Land Trust will review the Policy annually and agree with **d** Aster 3 Limited of any changes required to ensure the Affordable homes 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.
Advertising Periods	The periods relating to the cascade for the local priority categories to be applied as set out in clauses 5.3 and 5.4 of this policy this Policy.
Applicant	A person who has applied for a Shared Ownership 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 within existing Government policy for Shared Ownership.
Local Connection Criteria	As specified in Section 3 of this Policy.
Qualifying Criteria	The Local Connection Criteria and the Financial Criteria and Qualifying will be construed accordingly
Register	The list of applicants for Shared Ownership homes 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 (or otherwise amended by Government policy).
Working	Working in employment or self-employment for at least 24 hours per week.

The Policy

- 2.1 All applicants should complete the Arun District Council e-form which will indicate their eligibility for an Aster Shared Ownership Unit.
- 2.2 The e-form will be as approved between the parties to this Policy and Arun District Council.
- 2.3 E-forms will be passed to Aster to maintain the Register and process suitable applicants in line with this Policy.

Local Connection

- 3.1 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 in the Civil Parish of Arundel for a period of 5 years in the past 10 years;

- 3.2 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

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

- (a) Applicant currently lives in one of the adjacent Civil Parishes of 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 Adjacent 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

3.4 Priority 4 Other local connection with defined adjacent Parish

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

- (a) they have a Family Member living in one of these 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 one of these parishes.

3.5 Priority 5 Arun DC standard criteria

- (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 4
 - 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 Shared Ownership Homes

- 5.1 Aster homes for sale on a Shared Ownership basis will be marketed locally as first priority, followed by wider advertising if sales cannot be achieved.
- 5.2 Shared Ownership homes will be marketed in line with local market values – including the rental element.
- 5.3 Marketing of the Shared Ownership homes should commence approximately 3-months ahead of practical completion and handover of the properties from the Developer to Aster
- 5.4 The allocation of the Shared Ownership homes will be on a cascade basis and must follow the timescales as specified:
 - (i) For the first 2-months from the date of the initial advertising, the Shared Ownership homes can only be offered to applicants meeting Priority 1
 - (ii) After 2-months from the date of initial advertising, the Shared Ownership homes can then be offered to applicants meeting Priorities 1 & 2
 - (iii) After 3-months from the date of initial advertising, the Shared Ownership homes can then be offered to applicants meeting Priorities 1-4
 - (iv) After 4-months from the date of initial advertising, the Shared Ownership homes can then be offered to applicants meeting Priorities 1-5
 - (v) In the event of there being unsold Shared Ownership homes and, after 6-months from the date of initial advertising, can then be offered to any applicant that does not meet any of the Priorities from 1-5 but who does meet the required Financial affordability criteria
- 5.5 Where there are too many applicants meeting Priority 1, date order of e-form registration will be used to determine which applicant should be allocated a Shared Ownership home. Similar consideration will be taken into account if offers are made to Priorities 1&2 and so on.
- 5.6 Aster will utilise all the usual channels for the marketing of the Shared Ownership homes whilst ensuring that it is clear that a local prioritisation procedure is in place.
- 5.7 Applicants shall be required to demonstrate to the reasonable satisfaction of the Arundel Community Land Trust's nominee - Aster3- that, the Qualifying criteria and any other information relevant to assess their eligibility and priority within this Policy.

Sales

- 6.1 No estate or interest in any Shared Ownership home (other than a tenancy, a mortgage or a charge) shall be disposed of without securing that:
- (a) Aster 3 are notified in writing seven days prior to advertising or marketing the Shared Ownership Dwelling for disposal
 - (b) all sales particulars produced in respect of the Shared Ownership Dwelling state that the restrictions on occupancy and tenure will be effective to bind all future owners and occupiers.
 - (c) Aster 3 are given first option to buy back the property where the seller owns 100%.
- 6.2 Aster 3 will notify resales promptly to Arundel Community Land Trust.
- 6.3 When notified of resales Arundel Community Land Trust will use local communications to ensure as many local people as possible know about the vacancy and how to apply.
- 6.4 The resale of any Shared Ownership home should follow the allocation procedure as set out at clauses 5.4 and 5.5 of this allocations policy and, in the absence of the Arun District Council e-form registration process, should look to allocate on a “first come, first served” basis

Supplemental

- 7.1 For the avoidance of doubt, no person shall be permitted to occupy, use or let an Affordable Home as a second home, or as short let holiday accommodation.
- 7.2 Nothing in this Policy shall prevent the occupier of an Affordable home from permitting any person to occupy a room in that dwelling as a guest, or as a lodger.

Information

- 8.1 Aster 3 agrees to provide Arundel Community Land Trust and Arun District Council with the details of all successful Applicants annually upon request including information about Priority Status. To include information about staircasing up and down.

Disputes Procedure

- 9.1 Arundel Community Land Trust and Aster 3 to undertake to use their reasonable endeavours to resolve any issues, complaints or disputes in respect of the operation of the Scheme or any other matter pertaining to the Scheme amicably, through discussion and co-operation.
- 9.2 Arundel Community Land Trust agree that any complaints or matter of dispute from an applicant or third party regarding the performance or non-performance of obligations under this Allocations Scheme or any other matter pertaining to this Allocations Scheme should usually be addressed or referred to Aster. Aster will liaise as necessary with Arundel Community Land Trust.

Legal Succession

10. Where a signatory to this Policy 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 Policy without the prior written agreement of Arundel Community Land Trust.

Variation

11. The Policy and its provisions shall only be capable of amendment by a document in writing executed by Arundel Community Land Trust.

Arundel Community Land Trust

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Director

Date:

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Director

Date:

Aster 3 Limited

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Authorised Signatory

Date: