

**Committee:** Housing Board  
**Date:** 27 September 2022  
**Title:** Allocations Policy Rural Exception Sites – Options Discussion Paper  
**Author:** Judith Snares – Housing Strategy and Operations Manager

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### Summary

1. Officers were requested to look at that part of the Allocations Policy that refers to the allocation of Rural Exceptions Sites and whether the policy needs to be amended following a Parish Council's recent concerns over who had priority for properties on a scheme in their Parish.

### Recommendation

2. To endorse one of the five Options appended to this report relating to the Allocations Policy (Rural Exceptions Sites) for wider public consultation. Following consultation, the Allocations Policy (Rural Exception Sites) will be brought before the Housing Board to approve and recommend to Cabinet – if a policy change is decided upon.

### Financial Implications

3. N/A

### Impact

- 4.

Communication/Consultation	Members, tenants, all partner agencies and public consultation via the website
Community Safety	N/A
Equalities	Equality impact assessment to be completed on any changes to policy
Health and Safety	N/A

Human Rights/Legal Implications	N/A
Sustainability	N/A
Ward-specific impacts	All wards
Workforce/Workplace	Housing, Planning,

## Situation

5. Included with this report are 4 examples of how the Allocation Policy could be altered in relation to Rural Exception Sites to allow for more opportunities for people from the Parish in which the scheme is being built to be successful in being allocated a property.
6. The consequences of these changes would be to give a greater prominence to the use of under occupation when allocating properties, which although may be desirable in keeping local people in the parish may exclude a household in greater housing need from a neighbouring village from being allocated a property.
7. The options provided give members the opportunity to discuss how the policy could be changed or if they are satisfied that the current policy best meets housing need.
8. When considering the options below Members need to consider that where people will be relying on benefits to help towards their rent the spare room subsidy (bedroom tax) will apply. This means that tenants would be subject to a 14% reduction in their housing costs benefits if under-occupying by one bedroom. This could make sustaining their tenancy more difficult. It also need to be remembered that just because someone is not on benefits when they take up a tenancy their circumstances may change to a position where they do need to claim benefits.
9. Any agreed amendment to the policy will need to be consulted on and then brought back to Housing Board to recommend to Cabinet.

## OPTION 1

### Rural Housing – Exception site – CURRENT POLICY

When vacancies arise in properties that have been built in rural localities (rural exception sites) and a planning obligation specifies a local connection requirement, this takes precedence over the local connection eligibility in 5.2. This means that households wishing to apply for housing on an exception site who fulfil the local connection requirement set out in a planning obligation, but not the eligibility criteria

in 5.2, will be eligible to join the housing register but **only** for this specific development site.

The local connection criteria for rural exception sites will be as follows and in the following order of priority

1. Persons who have been permanently resident in the specified parish for at least two years
2. Persons who are no longer resident in the specified parish but who have been resident for at least three years during the past five years
3. Persons who meet either of the following criteria
  - i. in permanent employment in the specified parish for a minimum of 2 years and working at least 24 hours per week
  - ii. having close relatives (i.e. parents, grandparents, children, brother or sister) living in the specified parish or parishes who have lived there for at least five years
4. If there are no persons meeting the criteria in 1 to 3 then the cascade above will be applied to any neighbouring parishes identified in relevant clauses in the planning agreement
5. In the event that it is still not possible to allocate a property to applicants who meet criteria 1 to 4 above then the property may be allocated to applicants who meet the local connection requirements who will under-occupy the property, providing that the under-occupancy created does not exceed one bedroom
6. In the event that it is still not possible to allocate a property to applicants who meet criteria 1 to 5 above then the property may be allocated to applicants who meet the Uttlesford eligibility criteria set out in Section 5.2.1
7. In the exceptional event that the council is unable to nominate any persons from its Housing Register who comply with 1 to 6 above, the Registered Provider would offer tenancies to Eligible Persons, the definition of which would be consistent with both the council's local connection criteria and the occupancy requirements. The priority when offering tenancies to Eligible Persons would mirror the council's policies on Allocation of Properties.

## OPTION 2

### Rural Housing – Exception site – FULL UNDEROCCUPATION

When vacancies arise in properties that have been built in rural localities (rural exception sites) and a planning obligation specifies a local connection requirement, this takes precedence over the local connection eligibility in 5.2. This means that households wishing to apply for housing on an exception site who fulfil the local connection requirement set out in a planning obligation, but not the eligibility criteria in 5.2, will be eligible to join the housing register but **only** for this specific development site.

The local connection criteria for rural exception sites will be as follows and in the following order of priority

1. Persons who have been permanently resident in the specified parish for at least two years
2. Persons who are no longer resident in the specified parish but who have been resident for at least three years during the past five years
3. Persons who meet either of the following criteria
  - i. in permanent employment in the specified parish for a minimum of 2 years and working at least 24 hours per week
  - ii. having close relatives (i.e. parents, grandparents, children, brother or sister) living in the specified parish or parishes who have lived there for at least five years
4. *In the event that there are no persons meeting criteria 1 to 3 above then the property may be allocated to applicants who meet the local connection requirements in 1 to 3 who will under-occupy the property, providing that the under-occupancy created does not exceed one bedroom.*
5. If there are no persons meeting the criteria in 1 to 4 then the cascade above will be applied to any neighbouring parishes identified in relevant clauses in the planning agreement

6. In the event that it is still not possible to allocate a property to applicants who meet criteria 1 to 5 above then the property may be allocated to applicants who meet the Uttlesford eligibility criteria set out in Section 5.2.1
7. In the exceptional event that the council is unable to nominate any persons from its Housing Register who comply with 1 to 6 above, the Registered Provider would offer tenancies to Eligible Persons, the definition of which would be consistent with both the council's local connection criteria and the occupancy requirements. The priority when offering tenancies to Eligible Persons would mirror the council's policies on Allocation of Properties.

### OPTION 3

#### **Rural Housing – Exception site FULL UNDEROCCUPATION EXCEPT SINGLE PERSON HOUSEHOLDS**

When vacancies arise in properties that have been built in rural localities (rural exception sites) and a planning obligation specifies a local connection requirement, this takes precedence over the local connection eligibility in 5.2. This means that households wishing to apply for housing on an exception site who fulfil the local connection requirement set out in a planning obligation, but not the eligibility criteria in 5.2, will be eligible to join the housing register but **only** for this specific development site.

The local connection criteria for rural exception sites will be as follows and in the following order of priority

1. Persons who have been permanently resident in the specified parish for at least two years
2. Persons who are no longer resident in the specified parish but who have been resident for at least three years during the past five years
3. Persons who meet either of the following criteria
  - i. in permanent employment in the specified parish for a minimum of 2 years and working at least 24 hours per week
  - ii. having close relatives (i.e. parents, grandparents, children, brother or sister) living in the specified parish or parishes who have lived there for at least five years
4. *In the event that there are no persons meeting criteria 1 to 3 above then the property may be allocated to applicants who meet the local connection*

*requirements in 1 to 3 who will under-occupy the property, providing that the under-occupancy created does not exceed one bedroom. This will not apply to single person households who will only be eligible for 1 bedroom properties*

5. If there are no persons meeting the criteria in 1 to 4 then the cascade above will be applied to any neighbouring parishes identified in relevant clauses in the planning agreement
6. In the event that it is still not possible to allocate a property to applicants who meet criteria 1 to 5 above then the property may be allocated to applicants who meet the Uttlesford eligibility criteria set out in Section 5.2.1
7. In the exceptional event that the council is unable to nominate any persons from its Housing Register who comply with 1 to 6 above, the Registered Provider would offer tenancies to Eligible Persons, the definition of which would be consistent with both the council's local connection criteria and the occupancy requirements. The priority when offering tenancies to Eligible Persons would mirror the council's policies on Allocation of Properties.

#### **OPTION 4**

#### **Rural Housing – Exception site UNDEROCCUPATION 3/4 BED HOUSES ONLY NO TIME LIMIT**

When vacancies arise in properties that have been built in rural localities (rural exception sites) and a planning obligation specifies a local connection requirement, this takes precedence over the local connection eligibility in 5.2. This means that households wishing to apply for housing on an exception site who fulfil the local connection requirement set out in a planning obligation, but not the eligibility criteria in 5.2, will be eligible to join the housing register but **only** for this specific development site.

The local connection criteria for rural exception sites will be as follows and in the following order of priority

1. Persons who have been permanently resident in the specified parish for at least two years
2. Persons who are no longer resident in the specified parish but who have been resident for at least three years during the past five years
3. Persons who meet either of the following criteria
  - i. in permanent employment in the specified parish for a minimum of 2 years and working at least 24 hours per week

- ii. having close relatives (i.e. parents, grandparents, children, brother or sister) living in the specified parish or parishes who have lived there for at least five years
4. *In the event that there are no persons meeting criteria 1 to 3 above then the property may be allocated to applicants who meet the local connection requirements in 1 to 3 who will under-occupy the property. This will only apply to 3 or 4 bedroom houses where for a 3 bedroom house there are at least 2 children within the household or for a 4 bedroom house there are at least 3 children within the household*
  5. If there are no persons meeting the criteria in 1 to 4 then the cascade above will be applied to any neighbouring parishes identified in relevant clauses in the planning agreement
  6. In the event that it is still not possible to allocate a property to applicants who meet criteria 1 to 5 above then the property may be allocated to applicants who meet the Uttlesford eligibility criteria set out in Section 5.2.1
  7. In the exceptional event that the council is unable to nominate any persons from its Housing Register who comply with 1 to 6 above, the Registered Provider would offer tenancies to Eligible Persons, the definition of which would be consistent with both the council's local connection criteria and the occupancy requirements. The priority when offering tenancies to Eligible Persons would mirror the council's policies on Allocation of Properties.

## OPTION 5

### **Rural Housing – Exception site UNDEROCCUPATION 3/4 BED HOUSES ONLY WITH TIME LIMIT**

When vacancies arise in properties that have been built in rural localities (rural exception sites) and a planning obligation specifies a local connection requirement, this takes precedence over the local connection eligibility in 5.2. This means that households wishing to apply for housing on an exception site who fulfil the local connection requirement set out in a planning obligation, but not the eligibility criteria in 5.2, will be eligible to join the housing register but **only** for this specific development site.

The local connection criteria for rural exception sites will be as follows and in the following order of priority

1. Persons who have been permanently resident in the specified parish for at least two years

2. Persons who are no longer resident in the specified parish but who have been resident for at least three years during the past five years
3. Persons who meet either of the following criteria
  - i. in permanent employment in the specified parish for a minimum of 2 years and working at least 24 hours per week
  - ii. having close relatives (i.e. parents, grandparents, children, brother or sister) living in the specified parish or parishes who have lived there for at least five years
4. *In the event that there are no persons meeting criteria 1 to 3 above then the property may be allocated to applicants who meet the local connection requirements in 1 to 3 who will under-occupy the property. This will only apply to 3 or 4 bedroom houses where the underoccupancy will only be within 3 years of meeting normal occupancy rules as set out in Appendix 1 of the Allocations policy.*
5. If there are no persons meeting the criteria in 1 to 4 then the cascade above will be applied to any neighbouring parishes identified in relevant clauses in the planning agreement
6. In the event that it is still not possible to allocate a property to applicants who meet criteria 1 to 5 above then the property may be allocated to applicants who meet the Uttlesford eligibility criteria set out in Section 5.2.1
7. In the exceptional event that the council is unable to nominate any persons from its Housing Register who comply with 1 to 6 above, the Registered Provider would offer tenancies to Eligible Persons, the definition of which would be consistent with both the council's local connection criteria and the occupancy requirements. The priority when offering tenancies to Eligible Persons would mirror the council's policies on Allocation of Properties.