

HomesWest Joint Working Agreement

Updated December 2022

HomesWest was established in 2015 to deliver new affordable homes across the West of England and it continues to fulfil this role on an ongoing basis. A review of HomesWest carried out in 2021 found that the partnership is delivering through effective joint working and has been successful against its objectives.

Partners will work at the West of England level to support increased delivery, engage in regional debate, support housing and planning policy development and develop best practice. Partners will also work at a Unitary Authority level, to meet local affordable housing priorities.

HomesWest has a series of broad delivery standards to ensure excellence in delivery of new homes, allocations and on-going housing management but these are not intended to replicate the regulatory role of Homes England or the Regulator of Social Housing. HomesWest recognises the unique housing pressures experienced in each of the 4 Unitary Authorities, joint strategic working, the local policy frameworks that secure and allocate affordable housing in each Authority area, as well as the role of the West of England Combined Authority.

This Agreement establishes the joint commitment of the Registered Providers and the West of England Unitary Authorities to increase the delivery of good quality, affordable homes across the area.

HomesWest Partners agree to work together to:

- Increase the supply of good quality, sustainable, affordable homes in the West of England
- Explore new and innovative routes to the delivery and funding of affordable homes
- Maximise the benefits of delivering affordable housing to support wider corporate and organisational priorities
- Engage in initiatives at both strategic and local levels to support housing-related policy development and affordable housing delivery
- Target the use of funding to meet priority housing needs
- Share best practice and seek excellence in strategic partnership working

HomesWest Partners will:

DEVELOPMENT

- Adhere to the commitments, statements and responses made in their HomesWest submission or as agreed subsequently with the Unitary Authorities
- Assist the Unitary Authorities in their commitment to joint strategic working across the West of England
- Provide monthly/quarterly updates on development progress, specifically start on site and completion dates, as required by each UA. Specific information (e.g. project plan, breakdown of scheme development costs) will be required at certain agreed

stages throughout the development process for each scheme (e.g. at approval stages)

- Unless otherwise agreed with the UA, to ring-fence and recycle UA capital grant, s106 funding or developer discount arising from the sale of equity in shared ownership homes or other disposals, for the provision of new affordable housing within the relevant UA area
- Liaise with the Enabling Team of the relevant UA for all queries on affordable housing matters on proposed s106 opportunities
- Work within the terms of any s106 agreement and abide by the nil subsidy approach to s106 development on all sites unless, after a viability problem has been identified, express support for the use of any public funding is given by the relevant UA and this is stated in the individual S106 agreement
- Work with relevant UA(s) to meet local priorities
- Assist UAs in meeting equalities objectives
- Comply with UA guidance on LA Subsidy Claims and Approvals
- Sign up to relevant UA Funding Agreement on a scheme-by-scheme basis to meet State Aid requirements

Allocations and Management

- Sign up to Choice Based Lettings Agreement and /or Partnership and follow the policies and procedures of each UA
- Local connection criteria within S106 agreements may be applied in relation to specific schemes and must be adhered to
- Develop scheme specific local lettings policies where necessary, by agreement with the UA
- Comply with the Regulator of Social Housing regulatory framework for housing management and alert the UAs to any regulatory failings or concerns over standards along with copies of any proposals to rectify failings
- Sign up to each UA's homelessness prevention protocol
- Work to support cross-boundary allocations if and when required by the Unitary Authorities.

The West of England Unitary Authority Partners will

- Use enabling fees to support the work of the Unitary Authorities to enable the delivery of affordable housing
- Negotiate affordable housing provision on eligible S106 sites in accordance with quality, affordability and design standards to deliver planning policy
- Advertise and promote the benefits of using HomesWest for affordable housing delivery to developers, house builders, Elected Members and other stakeholders
- Support HomesWest RP Partners in funding bids to the Homes England and other funding providers
- Provide front line enabling support and advice service to HomesWest RP partners through planning and development processes*
- Seek to resolve issues raised by HomesWest RP Partners on specific sites and planning agreements such as Deed of Variations, waivers and viability considerations*
- Commission affordable housing schemes with HomesWest partners
- Advise on specific regeneration schemes and proposals for the remodelling of affordable housing to meet current and future needs

- Support local communities to deliver affordable housing schemes in rural areas
- Engage with HomesWest RP Partners on policy and strategy development to promote the work of HomesWest and affordable housing delivery
- Commission research on affordable housing delivery issues to support strategy and policy development.

* Please note, enabling work is outside of but supports the formal planning framework. These undertakings do not suggest any form of SLA or priority planning for affordable housing within the planning framework unless individual arrangements are in place at a UA level or through PPA.

Enabling fees

An Enabling Fee will be incurred on each affordable housing unit delivered. The fee is levied for the provision of services which enable the delivery of affordable housing and which may assist with funding financial, legal, social, economic and environmental services required to secure and maximise affordable housing delivery. Enabling fees may also be used to secure any other additional services directly relating to affordable housing provision. Fees will become payable under the following terms:

- The fee applies to all affordable housing units
- The fee of £570 per unit will apply from 1 April 2023 per unit (increased annually by RPI)
- The fee is paid by the HomesWest RP Partner to the relevant UA on entering a build contract or at start on site or at start of phase in the case of outline applications with phased delivery by the developer, or otherwise as invoiced by the UA to the HomesWest RP Partner, re-chargeable directly or indirectly to the organisation retaining ownership of the affordable housing unit
- The fee is a non-qualifying cost in respect of any bid for public subsidy.
- The fees cannot be paid from Registered Providers reserves which have been accumulated via Social Housing Grant (SHG), funded schemes such as Recycled Capital Grant Fund (RCGF), Ring fenced LA Grant.
- The fee will be paid at the rate for the year of start on site for the development or phase of development, or the date of building contract for that development or phase of development, whichever is the latter.

Homes England Regulatory Judgements and other performance measures

All registered providers invited to join HomesWest have been asked to certify a V1 and G1 Regulatory Judgement at application stage. Registered Providers seeking to join HomesWest who do not have a V1G1 rating may be accepted into the Partnership as long as they can satisfactorily demonstrate they are rectifying any issues raised by the RJ and can provide a clear timescale to regain a V1G1 status or demonstrate how retaining a V2 rating forms part of their Business Plan, supporting increased levels of development and innovation.

If the HomesWest RP Partner experiences any adverse consumer ratings during the term of HomesWest these will be notified to the UAs along with proposals for improving ratings.

If the HomesWest RP Partner loses its V1G1 RJ rating:

- As long as Homes England are still prepared to honour the capital funding relationship the HomesWest RP Partner will remain an active member of HomesWest.
- If Homes England withdraws funding or demands the HomesWest RP Partner withdraws from a development programme, membership of HomesWest will be suspended until a development role, approved by Homes England, is re-established.

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DECLARATION Nothing in this Agreement shall create, or be deemed to create, a partnership (under the meaning given in the Partnership Act 1890), or the relationship of principal & agent between the parties to this Agreement. Except as expressly authorised in this Agreement, no party to the Agreement has any authority to act, make representations or bind or contract on behalf of any of the other parties to this Agreement