



ADUR DISTRICT COUNCIL

Cabinet Member for Adur Homes and
Customer Services
06 February 2023
Decision Ref No: A/CSE/008/22-23

Decision to be taken on or after
14 February 2023

Key Decision [Yes/No]

Ward(s) Affected:

Hyde Housing Nomination Rights

Report by the Director for Communities

Executive Summary

1. Purpose

- 1.1 Further to a Report dated 11 July 2019, Members previously authorised a release of grant funding from the Council to Hyde Housing in consideration of Nomination Rights to the Council in perpetuity. A copy of that report is attached in the background papers below. The Council and Hyde Housing have agreed the terms of a Nominations Agreement for provision of affordable housing on land at Riverbank Business Centre and 12-18 Old Shoreham Road, Shoreham By Sea (The Ropetackle North Site) to provide; 14 social rented units and 12 shared ownership or Intermediate Units.
- 1.2 These units are now built and Council nominated occupiers have already moved in.
- 1.3 Hyde Housing has granted the Council 100% nomination rights in the units. This has taken some time to agree with Hyde hence the delay in requesting authority to enter into the Nominations Agreement. The nomination rights are expressed in the agreement to be in perpetuity.
- 1.4 On execution of the agreement and in consideration of the nomination rights the Council will release under a grant funding agreement the sum of £720,000.00 to Hyde Housing.

2. Recommendations

2.1. To delegate authority to the Director for the Communities to:-

- a) Enter into the Nominations Agreement;
- b) Execute the Grant Funding Agreement to release the sum of £720,000 and
- c) Enter into a Data Sharing Agreement with Hyde Housing

3. Context

3.1 As set out in the Purpose above, the payment will enable nomination rights to the Council in perpetuity in consideration for a release of £720,000 to Hyde Housing in exchange for these nomination rights. This payment is from the Affordable Housing Fund and has been set aside for the purposes which it is to be paid.

4. Issues for consideration

4.1 There are no other issues for consideration.

5. Engagement and Communication

5.1 Once the financial payment has been made, we can issue a press release to state that we have use of these dwellings in perpetuity and publish the completion of the activity in the media.

6. Financial Implications

6.1 The Council has a budget of £2,789,800 for grants to Registered Social Landlords. The payment is allocated within the approved budget.

7. Legal Implications

7.1 Under Section 111 of the Local Government Act 1972, the Council has the power to do anything that is calculated to facilitate, or which is conducive or incidental to, the discharge of any of their functions.

- 7.2 Section 1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation
- 7.3 Section 8 of the Housing Act 1985 continues to place a duty on every local housing authority to consider housing conditions in their district and the needs of the district with respect to the provision of further housing accommodation.
- 7.4 Section 1 of the Local Government (Contracts) Act 1997 confers power on the Council to enter into a contract for the provision of making available assets or services for the purposes of, or in connection with, the discharge of the function by the Council.

Background Papers

- [Final version of the Nomination Agreement](#)
- [Report for the release of the Affordable Housing Budget dated 11 July 2019](#)

Officer Contact Details:-

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Sustainability & Risk Assessment

1. Economic

No issues identified. Matter considered to be low risk.

2. Social

2.1 Social Value

The provision of affordable rent would be a significant benefit to the local community helping to address existing and future housing needs.

2.2 Equality Issues

No issues identified. Matter considered to be low risk.

2.3 Community Safety Issues (Section 17)

No issues identified. Matter considered to be low risk.

2.4 Human Rights Issues

No issues identified. Matter considered to be low risk.

3. Environmental

No issues identified. Matter considered to be low risk.

4. Governance

No issues identified. Matter considered to be low risk.