

LOCAL AUTHORITIES IN HAMPSHIRE WITH DPA DESIGNATION

	East Hants	Basingstoke & Deane	Eastleigh	Winchester City Council	Hart District Council
Have you had any recent requests to support DPA waivers? And if so, how many?	Yes, 2 approved by HCA last month	Yes, 3 we have supported 3 waivers recently	No	Yes, we have supported 3 waivers recently	Over the past 5 years we have agreed 3 waivers, (2 in Hartley Wintney and 1 in Odiham), but only for larger settlements where there is a likelihood of more developments with affordable housing.
Do you have a policy regarding DPA Waivers, and if so, what is the mechanism to consider these?	Yes - Housing policy approved by Cabinet. Delegated authority given to Head of Service (Housing) and Portfolio Holder.	No policy – Cabinet report required each time to seek decision.	No policy - Cabinet have given delegated authority to Head of Housing Services	No policy - each scheme considered on its merit. Require a Portfolio Holder Decision Notice.	No policy – Cabinet has delegated decision to Portfolio Holder for Housing and Portfolio Holder for Planning.
Where there is no policy, do you differentiate in any way between sizes and types of rural settlements, or scales of development?	N/A	Each application considered on a site by site basis.	Reviewed on a case by case basis.	Will consider a waiver on larger sites (around 12 affordable homes upwards) in larger villages (over 3000) where there is likely to be further development of schemes and therefore if shared ownership homes are lost to the affordable sector, further homes will remain or become available.	Each application and circumstances considered on a site by site basis following discussion with the Portfolio Holders but generally, if it's a small settlement we are less likely to agree to a waiver than if it's a larger settlement.

				All the recent waivers have been in one of the 8 larger settlements of the District that have a target to provide either 250 or 500 new homes during the Local Plan period	
If you have refused any requests, what were the consequences? (Did the RP successfully sell the units).	As a matter of course, we will support our RP's requests for waivers, including on rural exception sites, leaving it to their discretion on whether they feel it is necessary. RP's will take a different approach, Hastoe for example, will not seek waivers where others would. The local Ward Cllr and Parish Council are both consulted as part of our approval process. RP's are required to complete a detailed application, plus submit SO leases.	N/A	N/A	I'm aware of one refusal but the scheme is still on site (it is a small scheme of 8 units in a small village)	We have refused requests for some smaller areas and there haven't been any problems selling units. However, we have found that the DPA restriction only applies to the units that are funded using public funds or subsidies and also bizarrely we have been advised that they only apply to houses and not flats. (There's some reference to properties that are horizontally divided and not vertically divided). RP's have found their way around this by not using public funds and subsidies on the shared ownership units so the DPA doesn't apply.

<p>As a general rule, does your LPA seek to include clauses in 'threshold' S106 agreements that highlight DPA restrictions for shared-ownership?</p>	<p>No mention of this in our s106's.</p>	<p>No mention of this in our s106's</p>	<p>N/A</p>	<p>Yes. We include a clause which restricts the RP to using the HCA lease for DPAs – restricting the leaseholder to acquire no more than 80% or if allowed to acquire more requiring the RP to buy back the unit</p>	<p>We have a clause that we include in the S106 as a standard if the site is within a DPA area. To avoid complexities later if there is a waiver granted we have added a final sentence to say that if a waiver is granted in the future then that clause doesn't apply and also that the restriction only applies to units funded with public subsidy.</p>
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