



Northumberland County Council

AFFORDABLE HOUSING S106 DEVELOPER FUND APPLICATION FORM

All questions on the form must be answered (if not applicable, please state this on the form).

Please refer to the guidance notes at the end of this form to help you fill in the application form.

Section 1: ABOUT YOUR ORGANISATION

1.1 Organisation/Group Name:

Address:

Charity Registration Number:
(if applicable)

Companies House Number:
(if applicable)

Postcode:

Registered Provider Number:
(if applicable)

Telephone number:

E-mail address:

1.2 What is the status of your organisation? [Tick all that apply]

Registered Provider ☐ Registered Charity ☐ Voluntary Organisation ☐
Community Group ☐ Tenants Association ☐ Other [Please specify] ☐

1.3 When was the organisation established/founded?

1.4 Which areas of Northumberland does your organisation operate in?

1.5 Does your organisation have a constitution?

Yes ☐ [Please enclose a signed and dated copy.]

No ☐ [Please contact us before submitting your application - see contact details at end of application form.]

1.6 If your organisation is not regulated by the Regulator of Social Housing, please outline your organisation's governance?

[It will help your application if you list key personnel and their relevant skills (eg. finance, construction, housing management, etc.), and whether your organisation is regulated or inspected by any other body.]

1.7 Please summarise the aims and objectives of your organisation, and your track record of delivering affordable and community-led housing with grant funding support?

[Information about your organisation, who uses the services you provide, examples of previous similar projects.]

1.8 Principal Contact Person for this Project:

Mr/Mrs/Miss/Ms/Other:

Name:

Job Title / Position in the Organisation:

Address: [for correspondence only]

Postcode:

Telephone number:

E-mail address:

Section 2: ABOUT YOUR PROJECT

PLEASE PROVIDE A BUSINESS PLAN FOR THE PROJECT

[This will include long-term plans/objectives for the project.]

2.1 What is the address for the project?

[The site name and location address will help us identify the proposed project's location.]

Postcode:

2.2 What are the key objectives and desired outcomes for what the development project would deliver? Please state whether the project involves new build/conversion, and the proposed numbers of homes of different types, sizes/bedrooms and tenures:

[Additional supporting information such as plans, drawings, consultations, should be added if available. Before and after photographs/drawings can help the Panel to visualise your proposed project.]

2.3 Is there a link to any other projects, initiatives or regeneration scheme?

No ☐ Yes ☐ (please state below)

2.4 How will the project reflect national and local Northumberland County Council policy and objectives? [Planning Policy, Housing Policy, Housing Strategy, etc.]

2.5a Has a local Housing Needs Survey/Assessment been completed?

Yes ☐ (please provide a copy)

No ☐ (please answer Question 2.5b below)

2.5b If the answer above is No, how has the housing need for the area been identified?

[Please summarise and attach any details of consultations or surveys completed.]

2.6 How will the project address the identified housing need?

2.7a Does your organisation own the land? Yes ☐
No ☐ (please answer Question 2.6b below)

2.7b Does the project/initiative require the purchase of land/property?

Yes ☐ (please complete the table below)

No ☐

[Please note if owner/leaseholder consent has been sought/granted and whether the appropriate planning procedures have been undertaken – please provide any relevant planning application references. If the organisation does not own the land, evidence of long lease is needed (usually 25+ years).]

| Property/Land Name | Name of Owner | Owner Permission (Sought/Granted) | Planning Permission (Sought/Granted) |
|--------------------|---------------|-----------------------------------|--------------------------------------|
| | | | |
| | | | |
| | | | |

2.8 Please provide the land Title Number(s): _____

Freehold ☐

Leasehold ☐

Lease Agreed ☐

Date of Lease _____

Number of Years _____

Under Discussion ☐

Other ☐ [Please specify]

2.9 Please state if you are aware of any potential issues with the site that may impact on the successful delivery of the project, and summarise how you intend to mitigate them (eg. title issues, covenants, access or infrastructure services connections issues, planning or heritage-related issues, etc.)?

| Issue / Risk | Mitigation Measures |
|--------------|---------------------|
| | |
| | |
| | |
| | |
| | |

2.10 Who will manage the delivery of the project?

The Applicant ☐

Other ☐ (please provide details below of who will manage delivery, with contact details of the person and company delivering the project)

2.11 Please summarise the key project delivery milestones (eg. approximate dates of anticipated permissions, land acquisition, start on site, practical completion, financial completion, etc.).

2.12 Who/How will the project be managed after completion?

[Please explain how your group intends to manage and maintain the project, and how you expect to meet running costs after completion.]

2.13 Under what housing allocations policy are the completed affordable homes proposed to be advertised?

[If your organisation does not have an allocations policy you may wish to advertise and allocate the homes using the Council's Homefinder and Common Allocations Policy.]

Section 3: PROJECT COSTS AND S106 FUNDING REQUESTED

3.1a What is the expected **total** cost for the project?

[Please state whether the cost includes or excludes VAT, and provide your organisation's VAT status in Section 4.]

£ _____ (excluding VAT)

£ _____ (including VAT)

3.1b Please summarise the key elements of the quotations and costs breakdown:

[Please attach a detailed breakdown of all costs, including at least three quotes (or otherwise a copy of the tender and indicate when you expect to tender for and receive formal quotations), project and post-project cash flow positions, viability appraisal and cash flow forecasts (including income and costs). Please also advise whether advance payments will be necessary to prime the scheme and how payments influence with the cashflows.]

PLEASE BE AWARE THAT NCC FINANCIAL/PROCUREMENT REGULATIONS APPLY

3.2 Please summarise and provide evidence of any other organisation's financial contribution towards the project:

[Please ensure that all known/expected 'match-funding' contributions to the project costs are added to the table below (ie. funding breakdown for the rest of the project costs excluding the Affordable Housing S106 Developer Fund grant being sought), together with the status of each contribution. Please provide documented proof of any contributions (eg. e-mail from bank, bank statement of own funds, other written/signed confirmation from someone of appropriate authority that funds have been allocated/ringfenced for the project).]

| Contributor Name | Secured/ Unsecured | Date Secured or Decision Date | Amount (£) |
|---------------------|-----------------------|----------------------------------|------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| TOTAL CONTRIBUTIONS | | | £ |

3.3 How much are you requesting from the Affordable Housing S106 Housing Developer Fund?

[This will normally be the difference between 3.1a and the total at 3.2 above.]

£ _____

3.4 Do you require the S106 funding amount to be paid in instalments?

[Please state your preference and provide an indicative programme for when any staged grant tranche payments would need to be claimed/received, eg. land acquisition, start on site, any intermediate works payments, completion.]

Section 4: ABOUT YOUR ORGANISATION'S ACCOUNTS

4.1 Please summarise your organisation's most recent audited accounts at submission of application:

Specify Account Year Ending: _____/_____/_____

| | | | |
|----------------------|---|---------------------------------------|---|
| Total Gross Income | £ | Total Expenditure | £ |
| Profit/Loss for Year | £ | Savings (Reserves, cash, investments) | £ |

4.2 Please provide your organisation's VAT number and status:

Section 5: SUBSIDY CONTROL (formerly State Aid)

State Aid law enabled public bodies to provide support to social/affordable housing and care through what was termed the 'SGEI Decision' (SGEI being Services of General Economic Interest). Since 1 January 2021, State Aid law no longer applies in Great Britain. It has been replaced by a [UK Subsidy Control system](#). A subsidy is any advantage granted by public authorities through state resources on a selective basis to any organisations that could potentially distort competition and trade in the European Union (EU) and Northern Ireland. This includes grant funding. Under the Trade and Co-operation Agreement with the EU (TCA), a 'subsidy' is broadly similar to what was previously referred to as 'State Aid'.

You are responsible for taking independent professional advice to ensure that your project and activities are compliant with the UK Subsidy Control and you are able to receive this grant.

5.1 Will your grant application fall within your Subsidies for Services of Public Economic Interest (SPEIs) allowance?

[Applicants can receive an allowance up to a maximum level of subsidy exempt from compliance with the above principles. This allowance is the equivalent of 750,000 Special Drawing Rights, to a single 'economic actor' over any period of three fiscal years and includes any subsidy previously received as 'de minimis' aid, 'de minimis' aid for SGEI, Subsidies for Services of Public Economic Interest (SPEIs) Allowance or as Small Amounts of Financial Assistance under Article 3 of the Trade and Co-operation Agreement (TCA) from any subsidy awarding body. As at 10 June 2021 this was the equivalent of £764,004.]

Yes ☐ (please answer Question 5.2 below)

No ☐ (please answer Question 5.3 below)

5.2 If you plan to use SPEI Allowance: What other EU or public sector support has the applicant received in the three years to date?

[Please give details (dates, name of scheme, project and provider) of all grants and funded assistance that your organisation (and any linked organisations) have received in the last three years where the funding/awarding body has advised that the grant approved was given as 'de minimis' aid for SGEI, Subsidies for Services of Public Economic Interest (SPEIs) Allowance or as Small Amounts of Financial Assistance under Article 3 of the Trade and Co-operation Agreement (TCA).]

DECLARATION OF PREVIOUS AID / SUBSIDIES AWARD

This form requests a 3-year rolling total from the date of award
(eg. if the new grant offer is October 2020 then all previous grants from October 2017 must be included)

| Date Awarded | Source of Aid / Subsidy | Details of the Project | Amount (£ / €) (please state £ or Euros) |
|--------------|-------------------------|------------------------|--|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| TOTAL | | | £ |

5.3 If you are not going to use the SPEI Allowance, please set out how your proposal is compliant with the UK Subsidy Control regime using either the separate Subsidy Control Form provided or providing an equivalent from your own legal advisers.

[Your assessment should cover both your receipt of the funding from the Affordable Housing S106 Housing Developer Fund and (where applicable) any subsequent transfer of that funding between your organisation and third parties.]

Section 6: DECLARATION

How will the Council use your personal / organisation's information?

Your information will be stored and processed in accordance with the current data protection legislation. Northumberland County Council is the data controller for personal data you give to us or we hold about you. For more information visit our Web site at <https://www.northumberland.gov.uk/About/Contact/Information.aspx#privacynotices>.

We are subject to the Freedom of Information Act 2000 and other obligations under law which require us to act transparently and which grant certain rights of access to the public to information held by us. This means that, whilst we will respect the sensitivity of the information you provide, there may be legal requirements which oblige us to disclose this information.

We will use the information you provide to administer, process and assess your application for funding and to administer any funding if your application is successful. We may publish details about this application on our website or the UK Government Subsidy Database (this may include all or some of the project and applicant details).

Information may be shared with other persons or organisations helping us with the assessment and monitoring of applications. Information you provide may also be shared with government departments, agencies and third parties appointed in connection with the administration of these funds. Your information may also be shared with other government departments and agencies for the purpose of fraud prevention. The application and evaluation of grant funding is also subject to audit and reviews by internal auditors who may need to access the information you submit in your application.

If you supply personal information relating to third parties (eg. delivery partners) as part of your application, you must ensure that you inform those third parties about how you use this information and inform them that this information will be passed to and processed by us as set out in this policy.

We will not hold your information for longer than is necessary. We will hold the majority of your information for 10 years after the project's final claim unless we have a legitimate reason to hold this for longer, for instance in defending any legal proceedings brought by any person or body in relation to your application or any funding we have provided, or as required by law or any relevant code of practice.

If any information that we hold about you is, or becomes, inaccurate or incomplete, please tell us and we will correct it.

Declaration:

The person signing this application form on behalf of your organisation must be authorised to do so.

- I/We confirm that to be best of my/our knowledge the information provided is correct.
- I/We agree to provide any additional information which the Council may require.
- I/We agree to Northumberland County Council auditors having the right to inspect relevant documents.
- I/We acknowledge that there is no right of an appeal should a refusal decision be issued, but can make a new application with any necessary adjustments at any time.
- I/We agree to acknowledge the award from the Housing Developer Fund (as appropriate).
- I/We agree that any award approved will be used solely for the purpose set out in this application.
- I/We agree to monitoring (visit and/or form completion) to verify eligible spend and adherence to equality and diversity legislation.
- I/We agree that Northumberland County Council may use the project/activity to promote the Affordable Housing S106 Developer Fund scheme.
- I/We agree to repay or refund the award in whole if we fail to complete the project or any of the terms and conditions are breached.

Signed: _____ Print Name: _____

On behalf of (Organisation Name): _____

Position within Organisation: _____ Date: _____

Section 7: CHECKLIST AND SUBMITTING YOUR APPLICATION

Please ensure you have provided/included the following:

1. **A signed and dated copy of the Constitution of your organisation** (if applicable).
2. **Evidence of your organisation's quality mark** (if applicable).
3. **Evidence of your organisation's development plan** (if applicable).
4. **A Business Plan for the project.**
5. **Plans and drawings of the proposed development project, site photographs, before and after photographs/drawings, and records of any publicity and consultation carried out** (if applicable).
6. **Evidence of any relevant local housing needs surveys/assessments.**
7. **Evidence of land/property ownership, lease period and permission from the property landlord** (if applicable).
8. **Evidence of any grants of planning permissions, building regulations, listed building certificates** (if applicable).
9. **Evidence of three written quotes for all of the goods/works/activity involved** (or a copy of any tender documentation if quotations not yet available).
10. **Written confirmation of any other 'match-funding' financial contributions towards the project.**
11. **An audited copy of your organisation's accounts relating to the most recent financial year** - include a balance sheet and an income and expenditure account (if applicable).
12. **Subsidy Control compliance form or equivalent from your legal advisers** (if applicable).

Please return your completed application form to:

**Housing Enabling Team
Northumberland County Council
County Hall
Morpeth
NE61 2EF**

E-mail: Housing.Proposals@northumberland.gov.uk

Affordable Housing S106 Developer Fund Application Form Guidance Notes

These guidance notes help to guide the applicant through the process of correctly completing the application form to apply for Affordable Housing S106 Developer Funding for their particular project/development. They complement the notes on the application form itself for what is required for each stage of the application.

Please be aware that each application for the Affordable Housing S106 Developer Fund is different so different projects cannot be compared with one another. Each application will be assessed with the same criteria for consistency to ensure a fair process.

Section 1: About Your Organisation

This section is about your organisation's background, aims and objectives, and what areas within Northumberland are covered by your services. It is important that all of these questions are answered to enable the Decision Panel to ensure that the funding you are applying for is in line with your organisational objectives. (QUESTIONS 1.1-1.7)

The principal contact will be someone who is representing the organisation and will be the main contact for the Council. If more than one is required, please add another second principle contact. (QUESTION 1.8)

Section 2: About Your Project

This section is specifically about the project/development for which you require the funding.

The project address should either be the postal address that the building currently holds or a description of where the land/site is within the settlement. (QUESTION 2.1)

The key objectives are very important and providing as much information in regard to what the organisation wants to achieve through the scheme needs to be described in detail in this section. For your application to be assessed you are required to provide the key objectives, supported by plans/ drawings, a project plan, images of site and existing building(s) (inside and outside), images/architect impressions of the end project (if possible), and proof of identified housing need (Housing Needs Survey/Assessment). If the application is for adapting a home to meet the needs of a certain group of people, then please provide detailed information about the adaptations and evidence of why your organisation cannot provide these home enhancements directly. (QUESTION 2.2)

When applying for funding it is important to be aware of any other projects in your area to ensure that you are not seeking to unreasonably/unnecessarily duplicate the same objectives. If you are aware of any other potentially similar organisations, projects or regeneration schemes in the surrounding area, please provide information regarding these activities. (QUESTION 2.3)

This section is to ensure that your development/project complies with national and Council policy on delivering affordable housing. The project must comply with the NPPF definitions of affordable housing and also the most up-to-date Local Plan and any relevant Neighbourhood Plan. It is also important that the project contributes to meeting the objectives of the latest Housing Strategy, Adult Social Care strategies and policies and any other policy relevant to your particular project/development. Potentially desirable outcomes such as meeting Decent Homes Standard or standards of accessibility/adaptability and energy efficiency should be noted as enhancing/improving the likelihood of being granted funding. It is beneficial if reference is given to the policies and/or strategies that relate to your project to help ensure that the Decision Panel is fully aware of your goals/objectives. (QUESTION 2.4)

When the Council's Affordable Housing S106 Developer Fund Panel is assessing applications, affordable housing need in the area is a key element for decision making. Providing a housing needs survey/assessment will assist in the decision-making process. (QUESTIONS 2.5a, 2.5b)

It is recognised that not all applications will be for new build development. In regard to adaptations/improvements to properties to assist the creation of for example wheelchair accessible units, evidence will need to be provided to prove that there is a need and how the project will address that particular need. (QUESTIONS 2.5b, 2.6)

A project sometimes requires the purchase/lease of land which requires time to agree a deal. The Affordable Housing S106 Developer Fund can be applied for and approved with a requirement that the purchase/lease of the land is subject to agreement. However, if the land purchase/lease does not materialise the Affordable Housing S106 Developer Fund grant must be paid back in full. (QUESTIONS 2.7, 2.8, 2.9)

If you do not plan to manage the delivery of the project it is important to make the Decision Panel aware of who will be, by providing the company/person and address of who will be responsible for the delivery of the

project. Once the project is complete, who will be managing the new project? If it is NOT the applicant, then who will it be (eg. local Registered Provider, private company)? (QUESTIONS 2.10, 2.11, 2.12)

Affordable homes are provided to people who cannot meet their needs in the open market. If your organisation does not have an allocations policy you may wish to advertise and allocate the homes using the Council's Homefinder and Common Allocations Policy. Alternatively, it is possible to have a specific allocations policy, eg. targeted at people who live in or have a connection to specific local areas. All affordable homes created through the Affordable Housing S106 Developer Fund must remain affordable in perpetuity, otherwise the grant funding will need to be paid back in full (on freeholds, with consideration given to leasehold assets). (QUESTION 2.13)

Section 3: Project Costs and S106 Funding Requested

This section is about the costs of the project and the required funding sought to enable your project to progress. The Council will not fund the whole costs of your project, and the S106 funding must go towards capital spending on the asset outcome of the actual delivery of affordable homes, whether new build or refurbishment/conversion (ie. it cannot be used towards the costs of architect fees, planning and building regulations fees, land purchase/assembly, contingency, etc.).

When setting out the total costs for the project please provide a breakdown in stages, and when you would like the Affordable Housing S106 grant funding to be given if you require a phased approach to payments. It is also beneficial that you provide cash flow position, forecast and also highlight key elements. If quotations are not yet available, these will need to be provided in advance of grant payment. The Council may request further information if needed to inform our internal viability assessment of the application. (QUESTION 3.1a, 3.1b)

Also required is any other organisation's contribution for the project and whether or not it has been secured. If the amount applied for would make the project have a surplus, then the Council have the right to reduce the amount awarded to ensure that only the cost of the project is met. No contingency money will be provided through the Affordable Housing S106 Developer Fund. (QUESTION 3.2)

The amount you are recommended to apply for is the shortfall between the total cost of the project (Question 2.14a) and the fund already obtained (Question 3.2). If the amount is greater than this shortfall then a detailed explanation will be required. If the extra funding is not justified to be acceptable, the Decision Panel may reduce the Affordable Housing S106 Developer Fund amount to match the shortfall in funds. (QUESTION 3.3)

If your application is successful, grant will normally be paid in tranches to help meet financial demands at key stages. Note that if any payments are sought in advance then the Council will require evidence to be provided to reconcile expenditure (ie. invoices and payments made) before subsequent grant payment instalments are made. The Council will normally withhold payment of the final 10% proportion of the grant award until the project works are complete and satisfactory evidence of expenditure has been confirmed upon a project closure site visit. (QUESTION 3.4)

Section 4: About Your Organisation's Accounts

This section requires the organisation to produce detailed accounts of its Total Gross Income, Year Profit/Loss, Savings (reserves, cash, investments) and total expenditure. (QUESTION 4.1)

Please note that if your organisation has significant savings/reserves, the Council may seek clarification as to why your organisation cannot make use of those savings/reserves to finance your proposed project and why you need the additional S106 developer funding to enable delivery (this can be detailed at Question 3.1b).

Section 5: Subsidy Control

This section requires information in relation to Subsidy Control (formerly State Aid).

Section 6: Declaration

The Declaration must be signed and dated by an authorised person on behalf of the organisation bidding for the Affordable Housing S106 Developer Fund monies.

Section 7: Checklist

This section simply sets out a reminder checklist to help ensure that you have provided/included the necessary information in support of your application. It also provides the Council's contact details for returning your completed proforma.