



ALLOCATIONS POLICY

Definitions and Interpretations

- “ADCLT” – means the Above Derwent Community Land Trust Limited.
- “Affordable Housing” – means part ownership or fully rental housing at a cost low enough for those with a Housing Need to afford.
- “Allocation” – means the deciding of the allocation of Individual Homes to Applicants.
- “Allocation Committee” – means a sub-committee of The Board.
- Allocation Criteria – The criteria set out in this document by which the Allocation Committee shall decide on an Applicants qualification for potential Allocation.
- “Applicant” – means a person or persons applying to ADCLT for an Individual Home and who will be named on any subsequent sale or rental agreement.
- “Family” - means a spouse, partner, mother, father, sister, brother, daughter, son, grandparent or grandchild of the applicant or any other person who ordinarily resides with the applicant.
- “Geographical Area” – means The Parish or the Wider Local Area.
- “Housing Need” – means a situation where an Applicant does not have available to them and could not acquire or rent a home suitable to their needs at normal market prices or rents prevailing in the locality of The Development.
- “Individual Home” – means an individual housing unit within The Development.
- “LDNP” and “LDNPA” – means the Lake District National Park and the Lake District National Park Authority.
- “Local Connection” – means those who live, have lived, are employed within, need to care for persons, or be cared for by persons in The Parish or the Wider Local Area.
- “Second Home” means any dwelling owned or permanently rented by the Applicant which will continue to be so owned/rented after successful conclusion of an application under this policy.
- “S106 Agreement” – means an agreement between the LDNPA and ADCLT specific to The Development.
- “Qualifying Applicants” – means Applicants who have been determined by the Allocation Committee as satisfying the Allocation Criteria.
- “The Board” – means the Board of Directors of ADCLT.
- “The Development” - means any development undertaken by ADCLT.
- “The Parish” – means the Civil Parish of Above Derwent, Cumbria.

ABOVE DERWENT COMMUNITY LAND TRUST

www.abovederwentclt.org.uk

- “Wider Local Area” – means the civil parishes of Bassenthwaite, Bewaldeth and Snittlegarth, Blindbothel, Blindrake (area within the LDNP), Borrowdale, Buttermere and Brackenthwaite, Caldbeck, Embleton, Ireby and Uldale (area within the LDNP), Keswick, Lorton, Loweswater (area within LDNP), Mungrisdale, St Johns, Castlerigg and Wythburn, Setmurphy, Threlkeld, Underskiddaw, and Wythop.

Above Derwent Community Land Trust

ADCLT is a Community Land Trust registered with the Financial Services Authority as a Community Benefit Society (No 7519) and with HRMC as a Charitable Company for tax purposes. The main purpose of ADCLT is to provide Affordable Housing to people with a Housing Need and with a Local Connection to The Parish.

This policy

This policy sets out the processes, conditions and requirements under which applications for housing made to ADCLT in respect of any Development are considered and managed.

ADCLT retain the right to add, delete or amend any provision of this policy, or to replace this policy in its entirety, as it shall at any time determine.

Implementation of this policy

ADCLT shall have the sole power to allocate Individual Homes but in doing so shall act in accordance with both this policy and the S106 Agreement.

Allocation shall be decided by the Allocation Committee. Membership of the Allocation Committee shall be determined by The Board. Any member of The Board who has a material personal or business connection to an Applicant, or are themselves an Applicant, shall not be a member of the Allocation Committee nor will have any involvement with appointments to the Allocation Committee.

Personal and financial information shall be managed in accordance with the Data Protection Act 2018 and with the ADCLT Data Protection Policy.

Notwithstanding that an Applicant would have been successful based on the criteria, the Allocation Committee may refuse to allocate an Individual Home on reasonable grounds. Without prejudice to the generality of this provision, Allocation shall not be made to an Applicant with a record of rent or mortgage arrears, or of anti-social behaviour.

ABOVE DERWENT COMMUNITY LAND TRUST

www.abovederwentclt.org.uk

Allocation criteria

ADCLT will check that each applicant meets the criteria as specified in the conditions of Lake District National Park planning (S106) agreement dated 16th April 2019. Failure to meet the criteria, in the view of the ADCLT, will result in the application being rejected.

ADCLT may offer two main tenures, the type for each Individual Home and Allocation to be decided by ADCLT at their absolute discretion: -

- Shared ownership – limited ownership (starting at 50% of Open Market Value rising at ADCLT's discretion to 80%). Rent will be charged on the equity remaining with ADCLT.
- Assured Tenancy (Rental)

Applications for housing on The Development shall be considered in accordance with the criteria set out below.

Mandatory Requirements

All Applicants MUST be able to demonstrate that they fulfil at least ONE criterion in Section 1 and ALL criteria in Section 2.

Section 1 – Local Connection

The Applicant must demonstrate that they:

1. Are a current resident of the Geographical Area and have been so continuously for the past 3 years; or
2. Have been in continuous paid employment within the Geographical Area for at least the last 9 months and for a minimum of 16 hours per week (employment does not include voluntary work, or those who travel between parishes to carry out their work, e.g. driving instructors or care workers); or
3. Are a former resident of the Geographical Area who is returning to the Geographical Area within 12 months of completing full-time post-secondary education or skills training; or from hospital or residential care; or
4. Need to live in the Geographical Area to provide substantial care to a relative who lives in the Geographical Area.

Section 2 - Housing Needs

The Applicant must demonstrate that:

1. They meet the definition of Housing Need, being unable to afford to rent or buy in The Parish; and

ABOVE DERWENT COMMUNITY LAND TRUST

www.abovederwentclt.org.uk

2. In the case of rental or shared ownership Individual Homes:
 - a. In the case of Individual Homes being available for rent that their income and/or capital assets are such that they can meet rental, council tax, utility costs, service and management fees without accruing rental arrears; or
 - b. In the case of Individual Homes being available for shared ownership, in addition to satisfying 2a. above (in respect of the rental portion), that their income and/or capital assets are such that they can meet the capital requirements to buy and service any mortgage; and
3. An Individual Home is both of sufficient size as to meet their needs and not so large that its capacity is in excess of their needs.
4. They will not maintain a Second Home, in any location, in addition to the Individual Home being applied for.

Allocation Process

Geographical Prioritisation

Applications will be considered first from those Applicants who can demonstrate a Local Connection (Section 1 above) to The Parish. Only after Allocations have been made to all Qualifying Applicants demonstrating such a Local Connection to The Parish will Applications be considered by Applicants demonstrating a Local Connection only to the Wider Local Area.

For Applicants meeting the requirements of Section 2, and within the Geographical Area under consideration for Section 1, Allocation will be considered taking the following into account: -

Where the Applicant:

1. Is a current resident of the Geographical Area and has been so continuously for the past 3 years: priority will be given to Applicants with the longest residency as a proportion of their lives;
2. Has been in continuous paid employment within the Geographical Area for at least the last 9 months and for a minimum of 16 hours per week: priority will be given to Applicants with a longer period of continuous employment, and to the greater numbers of hours worked per week;
3. Is a former resident of the Geographical Area who is returning to the Geographical Area within 12 months of completing full-time post-secondary education or skills training; or from hospital or residential care: priority will be given to Applicants with longer residency as a proportion of their lives;
4. Needs to live in the Geographical Area to provide substantial care to a relative who lives in the Geographical Area;
5. Have children in the Family who attend school or nursery within the Geographical Area;

ABOVE DERWENT COMMUNITY LAND TRUST

www.abovederwentclt.org.uk

6. Have established links with the Geographical Area by reason of birth and/or family residency;
7. Actively contribute to the community within the Geographical Area (other than through employment).

All Applications shall be made in writing to the Secretary of ADCLT, secretaryadclt@btinternet.com, using an Application Form created for the purpose of each Development and made available in printed form from the Secretary or via download from the website www.abovederwentclt.org.

Any material change in the information provided by an Applicant shall be notified to the Secretary as soon as reasonably practicable and in any event prior to the scheduled date of consideration by the Allocation Committee. If following an Allocation of an Individual Home an Applicant is found to have provided incorrect or misleading information or to have not divulged any pertinent fact the Allocation may be revoked.

The Allocation Committee may request an Applicant to provide supplemental information at any time. Information may be requested from third parties: Applicants will be asked for consent before any such approach is made.

An Applicant shall not be entitled to meet with the Allocation Committee unless such meeting is required by the Allocation Committee.

Allocation decisions will be made to Applicant in writing.

A positive Allocation notification may be subject to further successful actions (e.g. confirmation of mortgage, legal agreements, acceptance of certification by LDNPA, etc) and does not guarantee a final outcome.

Decisions of the Allocation Committee are final and there is no right of appeal.

Applicants may request reasons for a decision not to Allocate an Individual Home and ADCLT will make best endeavours to comply. ADCLT will not comment on successful Applicants.