

# Lyvennet Community Trust



## Housing Allocation Policy

The Lyvennet Community Trust (LCT) is a Community Land Trust established as a Company Limited by Guarantee (Registered 20 August 2009, Reg. No. 06996964) and Charity (No. 1139327) to provide low cost rental housing for the relief of financial hardship primarily in the Parishes of Crosby Ravensworth and Kings Meaburn, an area known as the 'Lyvennet Valley'.

Should LCT develop properties outside the initial focus area: the Lyvennet Valley, then this allocation policy will be adapted to suit the revised location.

### Background

Property prices in the Lyvennet Valley are beyond the means of most local people unless they have existing capital to invest or incomes well above the average for the area. LCT's aim is to provide housing at a price that can be afforded. In particular it wishes to make it possible for those with established local connections, employment or employment opportunities in the area to live close to their place of work so that job vacancies can be filled, a community with a true representation of all ages which can function effectively, and local people be given an opportunity to remain in the area should they wish to do so. In addition LCT aims to provide the opportunity for families to live in the area allowing access to their wider family network allowing support with child care and care for relatives with additional needs.

LCT homes will appear little different from those on the open market: except they are more affordable. This policy describes how LCT will allocate its homes as the new build properties are completed and subsequently when properties become available from time to time when the original residents move. The policy will apply to rented homes in perpetuity.

### Definitions

#### **Lyvennet Area**

*The Parishes of Crosby Ravensworth or Kings Meaburn*

#### **Family**

*A person shall be taken to be a member of another's family if he or she is the spouse, civil partner, mother, father, sister, brother, daughter, son, grandparent or grandchild of that other person or if he or she ordinarily resides with that other person without being legally married to that person.*

### Application of this Allocation Policy

LCT has engaged Eden Housing Association (EHA) to manage all aspects of the rental properties including;

- Landlord Services – lettings, financial administration, rent setting, terminations, maintenance of housing files and enforcement
- Management Services – housing support and reactive, cyclical and planned maintenance

EHA will manage all tenant personal and financial information in compliance with Data Protection legislation and this will not be shared with Directors of LCT (except LCT's Housing Sub-committee).

Prospective tenants are strongly advised to take their own financial advice from individuals / organisations registered with the Financial Conduct Authority.

## **LCT – Housing Needs Criteria**

Whenever homes are available for rental, in considering applicants the following criteria will apply and all "TIME" criteria will be applied as at the date when the application is determined, not the date of the application or registration of interest form

The first **FOUR criteria** (1, 2, 3 & 4) must all be met in all cases, i.e. conditions precedent.

### **1. Inability to afford open market purchase or rental**

EHA on behalf of LCT will consider the applicant's financial circumstances, including their disposable income, assets, savings, and how that measures against average income levels in the area, and whether this would enable applicants to access open market rented homes.

Only those will be considered -

- whose household income and capital may make it difficult for them to buy or rent the home they need in the Lyvennet Area on the open market; and
- whose household income and capital thereafter make it difficult for them to meet normal household running costs, including rates, services and maintenance;
- who are unable to relieve that housing need themselves.

Individuals who already own a home will not be considered unless they can prove they are homeless according to local authority criteria

### **2. Ability to afford an LCT home**

EHA on behalf of LCT will require proof of household income, capital and other financial commitments to ensure that the outgoings to which an applicant would be committed are affordable.

### **3. Suitability**

Homes must be suited to the applicant's and family's needs in terms of size of property available. Wherever possible homes will be allocated with room to grow so that families can develop and retain roots in the community.

### **4. Local Connection to satisfy s.106 Agreement imposed by Planning Authority**

For the purpose of these criteria applicants must have a **Local Connection** meaning that one or more of the applicants, at the time of the determination of their application have –

- a. Lived or worked in the Area for an aggregate (but not necessarily continuous period) of not less than three years provided that such period is either continuing at or ended not more than two months prior to the date of determination of their application; or
- b. Have established links with the Area by reason of birth and/or long-term immediate **Family** connections; or
- c. Have an essential need through old age, illness or disability of themselves or of a **Family** member who satisfies a) or b) above, to live near such relative or relatives.

For the purpose of these criteria, "Area" means

- i) the parishes of Crosby Ravensworth and Kings Meaburn
- ii) If no suitable tenant is identified within three months of the rental property becoming available then the definition of "Area" shall be extended to the administrative district of Eden District Council
- iii) If no suitable tenant is identified a further three month period the definition of "Area" shall be extended to include the whole of the administrative county of Cumbria County Council.

The next **FIVE criteria** (5, 6, 7, 8 and 9) will be used to further determine priority between one applicant and another.

The individual criteria are scored with the individual applicants scoring the most points being considered first.

## **5 Employment**

Existing full time or part-time employment (minimum of 16 hour per week) or an offer of employment in the Lyvennet Area. **(4 points)**

Those employed in the Lyvennet Area for a minimum of 3 years immediately prior to retirement **(4 points)**

Those who can demonstrate that they are self-employed in the Lyvennet Area and will continue to be self-employed operating from a base in the Lyvennet Area **(4 points)**

## **6 Residence**

This includes those already living in the Lyvennet Area, those who have left the community or have strong family links.

Residence will be taken in the following order of priority:

- a) Ordinarily resident in the civil Parish of Crosby Ravensworth or Kings Meaburn for at least 3 years; **(15 points)**
- b) Resident in an adjoining rural civil Parish for at least 3 years; **(12 points)**

- c) Resident in the civil Parish of Crosby Ravensworth or Kings Meaburn in excess of 6 months but less than 3 years; **(10 points)**
- d) Resident in an adjoining rural civil Parish in excess of 6 months but less than 3 years. **(8 points)**
- e) Resident within the Eden District Council area for at least 3 years **(4 points)**
- f) Resident within the county of Cumbria area for at least 3 years **(1 point)**

**7 Contribution to the community (4 points)**

Individuals who can demonstrate that they actively contribute to the community as an active committee member or regular volunteer of -

- a local charity, or community cause
- groups associated with young people; e.g. Brownies, Scouts, Young Farmers etc
- Local committees: Parish Council, village hall, show committee etc.
- Voluntary support organisations for community residents; organizing clubs, events etc.

**8 Statutory Homelessness as assessed by Eden District Council (6 points)**

**9 Current Accommodation ; (2 points)**

Account will be taken of -

- The unsuitability of the current accommodation
- Poor state of repair of current accommodation
- Need to move for medical or social reasons
- Overcrowding of current accommodation

In the case of two or more applicants scoring the same number of points the **last criterion (10)** below will be used.

**10 Length of Wait**

Those who have registered to be considered and who have been waiting longest will receive higher priority if satisfaction of all other factors is equal.

**Advertisement of properties**

As soon as a vacancy is known to be occurring, EHA will

- a. Check the current situation of individuals already registered as applicants for a tenancy
- b. Advise Crosby Ravensworth Parish Council and Eden District Council of projected housing availability.
- c. Advertise availability through the local community newsletter “the Lyvennet Link” or such other newsletter as may be available (if any) in the event that the Link ceases publication and via LCT’s website; [www.lyvennetcommunitytrust.org](http://www.lyvennetcommunitytrust.org) and via the local newspaper “the Herald”, or such alternative publication as may be appropriate inviting

applications or expressions of interest within two weeks from the date of publication

### **Registration of interest and Housing Application process**

Applicants can register an interest in LCT housing at any time by completing a Housing Application Form available from;

Eden Housing Association  
Blain House  
Bridge Lane  
Penrith CA11 8QU  
01768 861400 or [enquiry@edenha.org.uk](mailto:enquiry@edenha.org.uk)

When a completed application form is received EHA will confirm receipt with the applicant, detailing:

- a) their registration and application date
- b) assessment of eligibility and whether further information and/or an interview is required;
- c) the size of dwelling for which they are registered.

EHA will carry out a review of current Housing Applications every 12 months and will confirm applicants continued interest and whether there have been any major changes to the information provided on their original Application form.

### **Deciding Priority**

Eden HA will maintain a list of applicants in order of the date of registration. When a home becomes available contact will be made with all registered applicants, seeking clarification of continued interest. Where a registered applicant has previously completed a Housing Application Form they will be asked to update their information.

EHA will report to the LCT Housing Sub Committee, advising the names and current address of applicants and which (if any) of the applicants respectively -

- A. meet criteria 1 – 4
- B. receives points under criteria 5 – 9
- C. In the case of multiple applicants achieving the same number of points from criteria 5-9, which of the applicants have been registered with EHA for LCT accommodation for the longest time.

### **LCT Overview**

Before any decision is made or formalised EHA will report the outcomes of all applications to a panel made up of three members of the LCT's Executive acting as a Housing Sub Committee. This Committee will oversee the allocation of tenancies with EHA and will have access to the the list of applications made and the points awarded based upon applicants circumstances.

### **Tenancy Offer**

Successful applicants will be given the opportunity to visit the property. They will then have 24hrs to advise EHA that they wish to proceed with rental.

If an applicant refuses a property it will be offered to the next highest scoring applicant who satisfies criteria 1-4.

### **Equal Opportunities**

In line with the LCT Equal Opportunities Policies no person or group of persons applying for accommodation will be treated less favorably than any other person because of their race, colour, ethnic or national origin, age, gender, religion, sexual orientation, physical disability or marital status or any other factor that is strictly prohibited by law.

### **Occupancy Cascade process**

1. No LCT dwelling shall be occupied either on first occupation or any other subsequent occupation unless it is allocated to a household which meets LCT's Allocation Policy criteria set out above.
2. LCT reserves the right to amend occupancy criteria to ensure that no property remains empty for more than 2 months.

### **Appeals Process**

If an applicant feels that the decision made about their application is unfair, they may submit an appeal, in writing, to Eden HA. This appeal must be made within 5 working days of the decision, providing reasons.

A panel of at least two LCT Directors will then hear the appeal within 15 working days. Members of the Appeals Panel will not have been involved in the earlier decisionmaking process.

Notification of the panel's decision will be provided within 5 working days of the appeal being heard.

Applicants have the right to make a final appeal to the Housing Ombudsman.

### **REVIEW**

This policy will be reviewed periodically by LCT and updated where necessary to ensure that it continues to meet the needs of those in housing need in an efficient, fair and transparent way.

Signed D Graham

Chair – Lyvennet Community Trust

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