



Lyvennet Community Trust

Public Benefit Statement

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The Articles of Association adopted by the Trustees of the Lyvennet Community Trust Ltd (LCT) on 26th September 2010 includes under Section 4 “The Objects” as follows:

The objects of the Charity shall be to carry on on a not for profit basis for the benefit of the community primarily in the area of the Lyvennet Valley incorporating the parishes of Crosby Ravensworth and King’s Meaburn (the “area of benefit”):

- ***the provision of Social Housing and associated amenities for those in need by reason of financial hardship; and***
- ***such other charitable purposes as may be from time to time determined subject to the prior written consent of the Charity Commission***

Relationship of activities to charitable objects

The activities in which the LCT (hereinafter referred to as the ‘Trust’) will engage will include:

- Building residential homes
- Funding the building of the properties so that, once completed, the accommodation can be made available at affordable rates;
- Designing the properties to ensure that ongoing running costs for tenants are minimised and affordable;
- Managing the ongoing movement of residents into and out of the properties as circumstances change in such a manner as to ensure that the residents qualify to occupy them by virtue of their means and circumstances and to maintain the affordable nature of the accommodation;
- Managing and maintaining the homes, and retaining ownership of them, so that they remain a long term benefit to eligible beneficiaries;

These activities are in direct relationship to the Trust’s objects.

Relationship of benefits to charitable objects

The following benefits are identified as outcomes of the work of the Trust:

- The provision and availability of housing stock as affordable homes;
- The provision and availability of quality, low maintenance and running cost affordable homes
- A reduction in the number of families living in overcrowded conditions by virtue of inability of young adults to find alternative affordable homes;
- A reduction in the list of people seeking affordable housing in the Area;

- An increased availability of local accommodation for workers serving the Area;
- A reduction in distances between home and workplace for people working in the Area;
- The ability for individuals to live close to family allowing both childcare and older adult support.
- The retention of assets for the public benefit, providing asset lock in the long term and thereby enabling the provision of affordable housing both now and to future generations in the Area.

Those identifiable benefits set out above are all related to the organisation's object of "for those in need by reason of financial hardship".

Balance of benefits v detriment or harm

The trustees will consider the balance of the benefits as against any detrimental effects their work might have. In all cases the views of the community will be sought before proceeding with any development.

Benefit to the public or a section of the public

Successful applicants will come from different backgrounds, age groups etc. (see the Trust Equal Opportunities Policy) but they will all share a common disadvantage: a housing need which they cannot relieve themselves because they lack sufficient financial resources.

Beneficiaries must be appropriate to the aims and the opportunity to benefit should not be unreasonably restricted.

Trustees consider that their implementation of the Trust Allocation Policy will ensure

- a) that the beneficiaries of the Trust's work will be appropriate to its aims;
- b) that the allocation process will not impose unreasonable restriction on the selection of beneficiaries. Through the information sought from applicants the Trust will primarily take account
 - Inability to afford open market outright purchase or private rental
 - Ability to afford a Trust home
 - Suitability – matching the available housing to the individuals needs
 - Current accommodation
 - Employment in the area
 - Family needs and local connections

c) that, by applying fair process according to the Trust's Allocation Policy, trustees will ensure there will be no restrictions based on personal characteristics, such as gender, race, ethnic origin, etc..

Restriction of access to facilities

The design of the properties includes features meeting 'Lifetime Homes Standards' (Communities and Local Government, February 2008) and will thereby provide ease of access.

Geographical restrictions

The pool of applicants for a Trust home will derive from the local area and/or have a need to live in the Lyvennet Valley. The activities of the Trust will initially be centred on Crosby Ravensworth. The trustees have discussed the area of intended benefit and consider this reasonable. The area of benefit has also been agreed with the local authority with whom an s106 Agreement will be entered into for the first development.

When assessing applicants the Trust will continue to monitor local income levels, housing need and the cost of accommodation in the Area. It will also have regard to Guidance issued by the Charity Commission and HM Revenue and Customs to help Trustees decide whether an applicant is a suitable beneficiary.

Restrictions based on trustees' discretion

The trustees are aware that there will be occasions on which, during the allocation process, they may be called upon to exercise their discretion. They will do so only within the Trust's stated objects, its Allocation Policy and in a manner which can be said to be reasonable.

People in poverty must not be excluded

The trustees recognise that 'poverty' means people who are financially disadvantaged and this term is used in our documentation in the context of the Trust's aims, i.e. in the area of the country in which the Trust operates 'poverty' is relative. Applicants will qualify on the basis that they are in financial hardship because they cannot afford from all their resources either the purchase or the market rental of accommodation that would provide a modest and decent standard of living.

Promoting mixed development

In order to be responsive to housing need the Trust housing is a mixture of 2 / 3 bedroom rental properties. This will make for flexibility of provision, provide the best mix and enable those most in need according to the Trust's criteria to afford appropriate accommodation.

Private gain

Trustees have put policies and measures in place to ensure that the amount of private benefit is reasonable in the circumstances.

The trustees will monitor any private benefits that accrue to its beneficiaries as a result of the Trust's work to ensure that the private benefits do not affect the public character of the Trust.

Should the financial circumstances of a beneficiary change for the better, trustees assume that the joint guidance issued by the Charity Commission and Housing Corporation for Charitable Registered Social Landlords (2009) would be deemed to apply here. At the time of a beneficiary's application the Trust will apply due diligence to seek a true and fair picture of their financial circumstances. However, once the qualifying household is occupying a property it would not be appropriate for the Trust to means-test them with a view to terminating their tenancy or lease should their income improve. However, the Trust will remind beneficiaries that the Trust's charitable support can only be offered in law because their circumstances at the time of first occupancy were such as to show a housing need because of financial circumstances. The beneficiary will be asked to inform the Trust if his or her circumstances improve substantially.

Duty to Report

Trustees confirm that they are aware of the Charity Commission publication, 'Charities and Public Benefit' (2008) and of their responsibility to report on their charity's public benefit in their trustees Annual Report.

The interests of the charity come first

Trustees accord great importance to the standards of trustee conduct and have therefore drawn up a number of other relevant documents in addition to the Articles of Association and these include: Code of Conduct, Conflicts of Interest Policy and Register, Trustee Role Description.

The trustees recognise that in running a charity there is an unspoken covenant with society: i.e. that the Trust's work will bring public benefit and in turn the Trust should remain worthy of the trust and confidence vested in it by the public by virtue of its being a charity.