

WICKHAM COMMUNITY LAND TRUST

A Case Study of Community Housing



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WICKHAM COMMUNITY LAND TRUST (WCLT):

A CASE STUDY OF COMMUNITY HOUSING

Introduction

This is the history of setting up a specific type of Community Land Trust: one which is something of a 'hard core' Community Land Trust in that from the outset trustees wanted to keep control of the Trust's work and nominations to homes rather than hand day to day management to a housing association.

Another defining feature is that the CLT "took the Queen's shilling" by actively seeking and accepting a grant from the Homes & Communities Agency (HCA) and, in return, signing up for the conditions attached to being a small "Non-profit Private Registered Provider of Social Housing".

In addition the CLT went down the route of registering as a Charity.

Origins of Wickham Community Land Trust

The origins lay in an informal audit of community needs conducted by the local church in Wickham under the auspices of the Portsmouth Diocese's Kairos Initiative 2004. One of its key findings was demand for local housing for local people. Parents reported that their adult children were unable to afford the rapidly increasing market rents in the area and it was very difficult for them to qualify for social housing as many such properties had been sold. As a result a working party was convened in 2005/6 to look into what possibilities there might be for trying to cater for some of this demand. Here local knowledge of residents in the area was crucial because identifying those with appropriate skills to join the working party was essential.

The working group

2005-2006

Individuals in the area with skills in business, accountancy, law and administration were invited to pool their knowledge with those with experience in social housing and regeneration, and of council work at parish and local authority level. When this group began to meet Wickham Affordable Housing Group was born.

At this time the Community Land Trust movement was just beginning to gain momentum, thanks largely to the work of Bob Paterson based at Community Finance Solutions at the University of Salford. The concept was introduced to the working group as an alternative to the more common approach of identifying a site for a Housing Association to develop.

What type of community housing organisation?

*Steps Forward
Informal audit of community needs*

Formation of working group

Community Land Trust movement begins to gain momentum

The group visited Stonesfield Community Trust in Oxfordshire to see the concept for themselves and this convinced them that the idea of community housing could work. Such an approach would address local concerns expressed in the Kairos Survey that allocations to Housing Association homes in Wickham did not always go to local people.

Their work then consisted of research into local housing need, deliberations on potential governance structures, researching sources of funding, taking advice from bodies such as Hampshire Alliance for Rural Affordable Housing (HARAH), the Wessex Reinvestment Trust and Portsmouth Diocese, and from Bob Paterson of Community Finance Solutions, and completing application forms, addressing local bodies and attending meetings.

The upshot of this work was four-fold:

- Grants of seed funding from Portsmouth Diocese/Bishops Waltham Deanery in 2006 & 2007 under the Kairos programme¹
- Resolution of the Working Group that a Community Land Trust (CLT) should be formed
- Resolution that the vehicle for this should be a Company Limited by Guarantee with charitable objectives
- The newly formed CLT, with support from Portsmouth Diocese, should seek to develop on Glebe land owned by the Diocese.

With these decisions made, the group was keen to move ahead. They engaged the services of solicitors to form the company, entered negotiations with the Local Authority regarding the Land Trust developing on the Glebe site, sent representatives to CLT seminars, attended as guests a HARAH Learning Event and tried, and failed, to open a bank account. The Diocese initially banked the group's funds on their behalf until such time as the CLT was legally constituted and could open its own bank accounts.

2007

An indication that the local authority was now willing to take the CLT project seriously was their suggestion that WCLT should work with the Rural Housing Enabler to undertake a Housing Needs Survey: the working

Financial Footnotes

Key: *Estimated or potential costs (in italics)*
 Actual

¹ Two Kairos grants in 2006 and 2007 totalled £14,303

*Inspiration of
Stonesfield CLT*

Hurdle
*Overcoming
scepticism when
talking of money
and land*

Steps forward
*Receipt of seed
funding, 2006 &
2007;
Decisions to form a
Community Land
Trust;
form a Company
Limited by
Guarantee and
identification of site*

Hurdles
*Lack of awareness
of Community Land
Trusts;
Reluctance of high
street banks to let
group open a bank
account*

Steps forward
*1st Housing Needs
Survey*

group volunteers provided the leg work and HARA undertook the analysis which established the need for the provision of 25 – 30 homes.

Hand delivery of survey forms, encouraging families to pass them on to family members who had had to leave the village and undertaking 31 face to face interviews with those who said they were in housing need provided a higher response rate (23%) than would normally have been expected and more detailed information as to who could afford intermediate (80% of market rate housing) compared with social housing and shared ownership.

At much the same time the Local Authority undertook a survey for a suitable rural exception site for local housing in Wickham. This resulted in the Authority's decision not to go ahead on WCLT's chosen site on Glebe land. There was some local opposition to the proposal and no local consensus to go forward with the site could be reached.

However, the working group's articles in the local Parish Magazine had drawn the attention of a landowner who had long had an interest in affordable housing and whose land the local authority's site survey did favour and, in the final weeks of 2007, he made an informal offer to sell farmland for community housing.

2008

Once discussions started in earnest with the landowner various points became clear and marked the way ahead:

- the new Community Land Trust (WCLT) could not develop alone but, on the grounds of viability, would have to share the site with the local housing association
- The CLT would need to register with the new Homes & Communities Agency (HCA) in order to make its homes affordable
- The CLT, at the request of the landowner, should take the lead in the project should a housing association become involved;
- The new site was identified, adjacent to the Community Centre and alongside a new doctors' surgery for which the landowner was also providing the land.

Progress and process to realising the CLT's first project

By early 2008 the project had impetus. There were talks with Winchester's Planning and Strategic Development Departments and in May with Winchester's nominated housing association for rural exception sites, Hyde Housing, which culminated in site meetings in which the possible number of units was discussed.

Site suitability survey

Hurdle
WCLT's chosen site is turned down

Steps Forward
Informal offer of building land by local landowner

Identification of a 'way ahead' on a new site

Talks get under way with local authority and nominated housing association

With the support of Community Finance Solutions, the group put together a bid for pre-development monies from the CLT Facilitation Fund provided by Venturesome (a branch of the Charities Aid Foundation). This was based on estimated costs to achieving planning consent.²

The ongoing support of the developing national CLT network was very important to the group over this period. The annual conferences were very much focussed on “how to do it” and brought group members into contact with other nascent CLTs and with lenders and solicitors who understood what the group was trying to achieve.

‘At home’ the group finalised its Memorandum and Articles, started work on the all-important business plan, estimated costings³ as well as initial strategy and governance documents, including Financial Control, Reserves and Allocations Policies and an Exit Strategy as a fall-back position should things not work out [Appendices 1 – 4]. At the same time the trust began to develop publicity material.⁴

Half-way through 2008 Wickham Community Land Trust (WCLT/the Trust) was incorporated as a Company Limited by Guarantee and the majority of those on the original working group opted to become directors/trustees. The only exceptions to this were the retirement of a former parish councillor and the sad and premature death of a local authority councillor. The group had always had a majority of its members living or working in the village (approx. two thirds) and at this time took the decision to have nominated places on the CLT Board for the Anglican Diocese of Portsmouth, the Parochial Church Council, the Parish Council and Winchester City Council.

Patterns of working had emerged from the exploratory group phase and carried on after incorporation. Two directors took on the bulk of the work. Firstly, the appointed chairman, though still working, took on the task of driving the project forward and secondly, a director, who had already retired, shouldered company secretary responsibilities (without being formally registered as such), and took on day to day liaison work, research and paper work. Financial management was undertaken by another director, who later needed to step down through pressure of work but WCLT was very fortunate in the enthusiasm and interest of a husband and wife team, both accountants, who stepped forward in 2009 as the financial management team. Further expertise was added to the board by the recruitment of a chartered surveyor with experience in

Bid for pre-development monies

Importance of attending CLT seminars

Work towards incorporation

Initial governance documents and publicity material

WCLT/the Trust is incorporated, June 2008

WCLT Board

Patterns of working in the Trust

Expertise on the Board

² Estimated costs in April 2008 to point of obtaining planning = £33,000

April 2008: Bid for pre-development grant = £33,000

³ October 2008: Estimated Capital costs for 8 rental properties = £1,036,412

⁴ Cost of publicity material, 2008 = £320

housing development. All directors gave their time and commitment to the regular monthly meetings and to attending meetings with third parties when their input was required. The sense of purpose of all was tangible and all gave their time free of charge.

The local Planning Department focussed on seeking a combined site for community housing with the new doctors' surgery alongside, and adjacent to, the existing Community Centre. This involved one shared access for all three sites. The Planning Department also wanted the applications for planning consent for both the doctors' surgery and the housing to run parallel. At much the same time there were constructive talks with the development wing of Hyde Housing, Hyde Martlet, and outline agreement was reached on a mixed development of 16 - 20 homes, allocated between the CLT and the housing association.

Speed of progress picked up with site meetings, negotiations with potential primary lenders, soundings with the Homes & Communities Agency (HCA) on the prospects of grant and pursuit of charity status. These explorations helped put flesh on the Business Plan with, amongst other things, a draft Financial Model and a Project Plan [both to be available as separate documents], Conflicts of Interest Policy, and a Disposals Model document [Appendices 5-6] which sets out draft proposals for assured tenancies and shared ownership in the CLT's homes.

Over the turn of the year 2008/2009, in order to update the findings of the earlier Housing Needs Survey in 2007 and establish the level of demand for CLT homes to the satisfaction of both the Local Authority and WCLT, a second Housing Needs Survey was carried out. The Local Authority advised that, to allow for fluctuations in demand, registered interest would need to be four times the number of properties available. With over 30 firm responses, this was confirmation that the WCLT's target figure of 8 properties was appropriate.

This exercise confirmed the need for the Trust to handle personal data correctly and to demonstrate it could operate its own application process fairly and in line with Local Authority and HCA requirements. A by-product was WCLT's development of Data Protection and Equal Opportunities Policies [Appendices 7 & 8].

It was central to the Trust's aims that it would manage its own application and allocations processes for its properties. Understandably the Local Authority wished to control allocations using existing mechanisms for housing association and Council lettings, so negotiations on this matter were crucial. Both the Local Authority and HCA would need to be satisfied that WCLT would make its decisions based on housing need,

Combined site of doctors' surgery and housing

Hurdles

Complexity of negotiations over shared access and synchronising the applications for planning consent

Steps Forward *Negotiations*

Development of a Business Plan

Development of more policies

A second Housing Needs Survey confirms need and guides target figure for WCLT homes

More policies written

WCLT establishes its own application process

ability to afford and local connection. Negotiations with the Local Authority proved positive and essential wording for the qualifying criteria was agreed and built into an Allocations Policy which was acceptable to both parties. The Local Authority's and HARAH's guidance was invaluable in helping the Trust draw up its own application form and reporting procedures were agreed so that after any allocation WCLT could confirm that both their procedures and practice satisfied both the Authority's requirements and any grant conditions. Reporting procedures were later built into a Service Level Agreement with Radian, zone agent for shared ownership sales and intermediate housing lettings and the Allocations Policy [Appendix 3] was eventually incorporated into the Section 106 Supplemental Agreement for a Rural Exception site.

2009

To enable the Trust to maintain its focus on its objectives and, to strengthen its application for charity status, a Monitoring and Review Policy [Appendix 9] was drawn up and, on the practical front, the trust also succeeded at last in opening its own bank accounts.

The year 2009 began with an informal loan offer of 66% of development costs and by May WCLT had the necessary Valuation Reports on the site. Another boost to WCLT's fortunes came when the pre-development loan from the CLT Facilitation Fund was confirmed.^{5 6}

By June 2009 delays began to creep in. The Parish Council called for a review of developments north of the village; negotiations, sometimes tricky, started in earnest over access across Wickham Community Centre land, and achieving charity status was proving a hard nut to crack.

WCLT's decision to go for charitable status despite the difficulties was to make it clear that members of the Trust were not "in it for themselves" and no-one would profit or gain personally any financial benefit from their involvement. Housing development is often controversial and charitable status was an important factor in gaining local and stakeholder trust. Such status also brought tax and gift aid opportunities.

Allocations Policy agreed;

*Reporting procedures established;
Service Level Agreement with Zone Agent;*

Allocations Policy as an annex to S106 Supplemental Agreement

*Further policy development
Bank accounts are opened;*

Site valuation

Pre-development loan from CLT Fund

Hurdles 2009
*Tricky negotiations;
Difficulties achieving charity status*

Steps forward
Why seek Charity Status?

⁵ CLT Facilitation Fund confirmed facility of £30,000, with 25% fee payable on completion

⁶ By August 2009 the group estimated the following costs:

- Architects' fees £ 17,709
- Survey fees £ 6,000
- Planning fee £ 2,680
- Land cost £200,000

In December 2009 WCLT changed solicitors.⁷

The delay in securing charitable status hinged firstly on the need for the Trust to prove no-one would derive undue personal benefit from our work and secondly on the Commission's reluctance to allow the CLT wider aims than simply housing, (e.g. the creation of affordable work spaces, the preservation of buildings or sites of historic or architectural importance) especially as the Trust had no active or thoroughly worked-up plans for non-housing projects. The decision was made to simplify WCLT's objectives to what they still are now:

1. "The provision of social housing and housing to relieve financial hardship; and
2. To promote such other charitable purposes as may from time to time be determined subject to the prior written consent of the Charity Commission."

2010

Behind the scenes progress continued and, in spring 2010, WCLT achieved Charity Status. The Trust had also identified a pro-active local broker who worked with charities and voluntary organisations and who understood WCLT aims and through his good offices the Trust obtained Insurance for Public Liability, Directors' and Officers' Liability and Property Owner's cover. By April the Surgery site had submitted their application for planning permission. In June of the same year the planning application for housing was registered and a month later there was a draft primary loan agreement from Triodos Bank for WCLT to consider.

In order to address the anticipated gap⁸ between likely financial requirements and available funding, WCLT had launched in July Wickham Community Development Fund as a Community Benefit Society to raise finance within the community.⁹ Soon afterwards, in September 2010, WCLT pre-qualified as a Homes & Communities Authority (HCA) Investment Partner and the draft Section 106 was under negotiation and, as part of this momentum, South Coast Money Line (now Parity Trust) expressed a willingness to come in as secondary lender.¹⁰

⁷ Legal costs before changing solicitors amounted to £1,866 and covered

- Incorporation as a registered company
- Initial work seeking charity registration
- Initial negotiations on land purchase

⁸ Likely gap between available funding and financial requirements was £130,000

⁹ Target figure for IPS/Bencom was £200,000

¹⁰ In 2010 potential financial backing looked as follows:

- HCA Grant of £40,000 per unit
- Venturesome unconfirmed loan of £200,000 facility for land purchase
- Triodos Bank draft loan agreement for 66% of development costs
- Parity Trust (then South Coast Moneyline) loan of £75,000 as secondary lender

Change of legal advisers

WCLT's charitable objectives

Charity Status achieved

Planning application goes in;

Draft loan agreement

Community Fundraising

Pre-qualification with HCA;

Potential investment partners

However, matters beyond WCLT's control started to come into play at this time. It was proving difficult to establish firm costings for the building project. Lenders understandably wanted to work on the basis of known costs as did the Trust but projected build costs kept fluctuating over a wide range and other outside elements contributed to the growing uncertainties. The first of these was the high cost of sewerage work and surface water drainage and what seemed like foot-dragging on the part of the service provider in deciding how to proceed and at what cost. Secondly, there was the unsettled matter of the contribution levels the Local Authority would require as conditions for the grant of planning permission. These delays impacted heavily on WCLT's Project Plan.

It was against this backdrop that WCLT negotiated an extension of the deadline, set for the end of December 2010, which the landowner had specified for the purchase of the land in order to provide impetus to move the project forward. A right to extend this termination date to 31st March 2011 was agreed along with an option clause for Hyde to take over the purchase and to lead the housing project should that become necessary.

Although planning permission was expected towards the end of the year, momentum was being lost and converged with one more problem. By September 2010 it was becoming clear that the launch of Wickham Community Development Fund was not the success that was needed. The share launch had attracted £35,000 of applications but this was well short of the published target and in December the launch was closed and all application monies were returned. It is difficult to know the reasons for this. There was a relatively short period to attract finance, although it was extended. The launch was over the summer months which may have worked against it, or the target was too ambitious both for this area and for a local affordable housing project.

By December 2010 planning approval, though recommended, had not come through and it was becoming clear that the outside uncertainties, when combined with fluctuating build costs¹¹ (threatening to come in £30k higher than our conservative projections), were putting in doubt the viability of WCLT's project. The Trust's financial model, though still workable, was not strong enough to proceed in light of the projected deadline for both surgery and housing projects to be on site in February 2011. The future of the doctors' surgery was intertwined with the success of the housing development and they either succeeded or fell together. To ensure progress on both fronts WCLT invoked its Exit Strategy and the option clause with the landowner to withdraw and hand

Hurdles

Lack of firm costings

Cost of sewerage work

Contribution levels not settled

Step forward

Negotiation of extension of purchase deadline and option clause

Hurdles

Community funding initiative fails

Delay in planning consent

Fluctuating build costs combined with outside uncertainties

Interdependence of housing and doctors' surgery projects

WCLT invokes its Exit Strategy

¹¹ Estimated build costs December 2010 revised to £1,116,000 including £40k contingency

the lead in the purchase and development of the housing site to Hyde Martlet in the hope that it could buy back in later.

One corollary of this decision was that, as the housing project moved forward, WCLT could not get as involved as it would have wished in the development process.

2011

It may sound counter-intuitive but the WCLT remained relatively upbeat at this stage! The Board was clear that this was a setback to its project but it was not dead in the water. The reasons which had brought the Land Trust into existence were still there and now WCLT was hugely supported in their faith by the fact its existing funders, its development partners, the local authority and the HCA were keen to see the Trust succeed as a 'beacon project'.

Planning consent was granted in January 2011 and the team at Hyde was determined to keep WCLT involved. By now the Trust was well used to risk assessing the project [Risk Appraisal, Appendix 10] and, with WCLT's financial model revised on the basis of better known unit prices¹², the Trust's Board voted in May to buy back in once the development was completed.

Meanwhile Board energies were spent on seeking to confirm grant and loan monies, finalising with the Local Authority WCLT's own Application Form and Guidance [available as separate documents] for those seeking a WCLT home, negotiating the revised Section 106 agreement and pressing ahead with registering as a Registered Provider. Amongst other things this meant thinking through how the Trust would meet the Homes & Communities Agency's (HCA) standards not only in respect of its policies but the appropriate format for tenancies, the application of service charges and shared ownership leases, the last being significant because the village of Wickham has Protected Area Status in HCA terms.

Just when directors felt the project was picking up momentum again the wider economic and banking issues of the time now impinged on WCLT. In December 2011, just as WCLT was ready to finalise on the primary loan, the lender informed the Trust that they would now only lend on shared ownership homes and, on top of that, the interest rate on the loan would be revised upwards. This would impact heavily on the trust's aims and financial model and was followed shortly afterwards by the coup de grâce, the European head office of the bank put an end to UK lending for the time-being. With the conclusion of the project so nearly within reach, it was now all systems 'go' to replace these loan monies.

Steps Forward
Invaluable support enables WCLT to continue as a "beacon project"

Risk Assessment & WCLT Board votes to buy back in

WCLT's own Application Form; Negotiating a Supplemental Agreement to S106; Seeking registration as a Registered Provider of Social Housing

Hurdles
Wider economic and banking issues impinge

Primary lender withdraws

¹² In 2012 this priced settled in the region of £807,840 + grant

Support 'out there' was again crucial to the success of the WCLT project. To protect our grant allocation under the 2008-2011 Funding Programme the HCA agreed to pay the relevant grant to Hyde Housing in the first instance so that it could be set against WCLT's purchase at a later date.

2012

Following this supportive step, early in 2012, positive negotiations with Charity Bank, the Charities' Aid Foundation and Parity Trust enabled WCLT to bring together a significant combination of long term and bridging loans, making the project look largely feasible once more. Finally private donations from the community¹³ and patient loans¹⁴ from the supportive Local Authority and Hyde Housing made the financial model truly viable.

Meanwhile our Registration as a Registered Provider of Social and Affordable Housing with the HCA came through in February 2012. Other registrations followed with the Housing Ombudsman and the Information Commissioner's Officer (for Data Protection).

At this stage WCLT needed a second survey¹⁵ for the purposes of our current combination of lenders. This would also guide the Trust as to how to pitch its rents and shared -ownership prices.

At the request of Charity Bank, WCLT engaged the pro bono services of a local, retired and very experienced businessman to undertake a Section 124 exercise (ref Charities Act 2011) to look into the reasonableness of the grant and loans, the ability of WCLT to service the loans, and its level of applications for homes. WCLT received his Letter of Advice in June.

As fifteen different agreements hurtled between the various parties and went through many drafts, deadlines slipped but WCLT held its nerve and was finally rewarded with the successful purchase of its 8 freehold properties in August 2012.^{16 17 18}

In parallel with these developments, WCLT had advertised its eight homes and was in receipt of over twenty application forms in the first tranche,

*Steps forward
Support enables the
securing of grant
Other lenders and private
donors step forward*

A second survey

*Section 124 Letter of
Advice*

Completion!

*WCLT advertises its
homes and first residents
are nominated*

¹³ Community donations amount to £17,750

¹⁴ Patient loans:

- Winchester City Council: 25 year loan of £50,000
- Hyde Housing: 25 year loan of £30,288

¹⁵ Cost of 2nd Survey: £180.00

¹⁶ Final combination of grant, primary and bridging monies:

- HCA Grant: £370,000
- Parity Trust: three loans i) £75,000 for 25 years ii) £107,600 for 13 years iii) bridging loan £103,000
- Charity Bank: two loans i) £135,440 for 25 years ii) bridging loan £100,000
- Venturesome: bridging loan of £205,000

¹⁷ Legal costs for purchase: £10,931 (Comment: probably undercharged on hours spent)

¹⁸ Final Purchase Price £788,128 excluding HCA grant, or £1,158,128 including HCA grant paid directly to Hyde on behalf of WCLT

with more to follow. Some of these applicants had had to be very patient but were among the first to be interviewed in the selection process and were ready and waiting to move into WCLT homes.

Financial Information pertaining to period 2008 – 2012

Footnotes to each page set out various pieces of financial information plus the annual expenditures of the working group and subsequent Land Trust between 2008 and 2012.¹⁹

Wickham Community Land Trust: Progress as Landlord

The process of moving tenants into WCLT homes took place over the few months following purchase in August 2012 but it was not all plain sailing! The sale of the shared ownership properties took longer.

Applicants keen on buying found the mortgage scene challenging and some withdrew: mortgage companies interested in shared ownership mortgages which met the HCA's requirements for rural exception sites in a Protected Area (i.e. with restricted stair-casing) were few and far between (Halifax, Leeds and Nationwide); the deposits required were, at 20%, double what was required for an open market purchase. Outside factors came into play again because complications were added by the fact that the Land Registry took from August until December 2012 to register WCLT's title to the properties (due to unrelated issues outside WCLT's control) and this delayed the progress of the first purchases.

WCLT's efforts now focussed on achieving these sales and community input helped again. A supportive local estate agent agreed to advertise for nothing, if WCLT dealt with all enquiries. It worked wonders and all shared ownership sales went through by July 2013²⁰, enabling WCLT to pay off all bridging loans and repay the entire pre-development loan from Venturesome within its first year of operation.

In preparation for becoming a landlord, WCLT appointed a Managing Agent to deal with its rental tenancies once the selection process was complete, mainly to collect rents and service charges but also to handle inspections and handovers involved between tenancies. The Trust concluded that access to an out of hour's repairs service and to a range of local trades people would also make this a worthwhile investment.

Hurdles

Limited availability of mortgages and high level of deposits required for shared ownership homes

Land Registry delay

Steps forward

Supportive local Estate Agent advertises shared ownership homes

WCLT pays off bridging and pre-development loan in Year 1

WCLT appoints a Managing Agent

¹⁹ Annual Expenditure 2008-2012

- Costs incurred to 31.3.2008 = £614
- Net expenditure by working group to 31.3.2009 = £3,9212
- Net expenditure to 31.3.2010 = £10,792
- Net expenditure to 31.3.2011 = £10,205
- Net expenditure to 31.3.2012 = £6,435

²⁰ Legal costs associated with sale of four shared ownership properties: £1,896, averaging £474 each property

WCLT continues to handle all aspects of the allocations and sets both its rents and service charges.

Protracted defects prevented WCLT benefitting from some of these arrangements in the first few years because WCLT had to keep involved hands on as it strove to resolve significant issues in the properties. Although the properties had supposedly been 'snagged' before residents moved in, the Ventilation and Heat Recovery systems (MVHRs) proved particularly troublesome. Months of seeking satisfactory solutions culminated in WCLT employing advisory engineers²¹ and cross agency meetings. WCLT's dogged approach finally bore results in the final quarter of 2014/15 – three years on – with all the MVHR units being replaced and the installation of them corrected in all the Trust's properties as part of the remedial defects process.

WCLT Directors/Trustees manage relations with the four shared ownership properties, including the rental element of the lease and any home issues. This has included a major flood where thankfully close liaison with the residents, the insurance broker and the loss adjustor meant disruption for the residents was reduced and there was minimal cost to the Trust. This proved the importance of appropriate insurance cover and led to WCLT improving cover for similar incidents in the tenanted properties.

Five Years On

2017

WCLT now operates in quieter waters! The Board has seen a few changes in directors but is essentially the same with some welcome new blood. The level of work required from directors has fallen considerably with meetings four times a year.

As with most of its short history, it is often outside things over which the Trust has no control which can create work. A couple of government white papers/bills threatened CLTs which were Registered Providers with having to reduce their rents by 1% a year for four years, along with housing associations, and with conceding the Right to Buy. The former would have impinged considerably on our financial model had the National CLT Network not won concessions for our sector. The Right to Buy, if imposed on Community Land Trusts, would have been unacceptable to a local charity determined to provide homes for local people in perpetuity. Again a vigorous cross-party campaign led to a rethink and WCLT played an active role in local and national campaigning.

Meanwhile, the financial health of WCLT is good and continues to operate soundly as a 'going concern'. It operates with a considerable degree of prudence and this has paid off: performance has closely followed WCLT's

Hurdles
Significant defects

Steps forward
*Defects finally resolved
– 3 years after
completion*

*WCLT's direct
management of shared
ownership homes*

New board members

Hurdles
Outside factors!

Steps Forward
Successful campaigning

*Good Consolidation
WCLT's financial health*

²¹ Cost of professional advice from engineers: £1,080

original financial model and indeed, performed better, thereby enabling the Trust's surpluses to build.

To date, none of the Shared Owners has increased their share or moved on and none of the tenants has moved on from our two-bed family homes for rent. Any changes have been confined to the one-bed flats where there have been four re-lets. One of these was largely due to initial damp problems caused by the faulty MVHRs and two were as a result of separated partners whom we had housed to be close to their children but now had formed new relationships and were able to move on.

None of the tenants or shared owners has had rent arrears to date and all the void periods have been short, factors have been a significant help in maintaining our good financial performance.

With a total capacity for 25 in its 8 homes, WCLT has been able to house on average at any one time 21-23 persons, children and adults.

Feedback from the Trust's residents remains positive. Here are some quotes from 2017:

"Without the Community Land Trust we wouldn't have been able to afford living in Wickham, close to family and friends"

"I really feel like the WCLT looks after us, they have helped us out of a crisis and continue to offer support as the years go by."

"Wickham Community Land Trust has made our transition into being first-time home buyers very easy... and the support that they have given throughout with any problems in the properties has been excellent. As with any new venture there have been teething issues but these have been dealt with with alacrity and understanding throughout."

On-going working relations with Funders

As a condition of loan in 2012 Charity Bank required that WCLT open a deposit account with them as security, carrying a balance of £8,000. Since then WCLT's performance has been such that Charity Bank has lifted this requirement. WCLT however has chosen to retain this account for its own purposes.

The Local Authority's representative on the Board from 2014 unfortunately had to step down in 2016 due to ill health. Her outgoing comments to Local Authority officers were:

"I believe the Land Trust to be very well managed and sound in its finances so would suggest that no rep at each meeting would be necessary"

Feedback from WCLT residents 2017

One loan condition lifted

Good working relationship with Local Authority

The Local Authority has this year invited WCLT to work with them in relation to the Community Housing Fund. So far this has involved a number of meetings with the Authority and other community groups, giving advice and using WCLT's work as an exemplar.

The future of WCLT

The history of this CLT will continue! At present it wishes to obtain 8 – 10 further properties to address current housing need in this community. The ups and downs of its first project have not deterred board members from pursuing a second project and it plans to take forward the lessons of the past five years into the future.

Community Land Trusts are now much more widely accepted and understood. Many of the challenges which WCLT faced were because WCLT was pioneering a concept of which its members, and those they were talking to, had no prior experience. We hope that this case study provides some useful pointers for new CLTs and in the following section list some key lessons.

KEY LESSONS

1. Taking advantage of the current political climate

WCLT was fortunate in its timing. The Community Land Trust movement was gaining ground and receiving sufficient recognition for the legal definition of the CLT to be contained within the Housing and Regeneration Act of 2008. Central government, with its "Big Society"/Localism agenda, wanted to see communities taking charge of their own affairs. This thinking did influence the institutions with which WCLT was dealing.

Five years on there is still a 'supportive' climate for community housing. This enabled successful lobbying for recent exceptions to be made for Community Land Trusts (**Hurdles: Outside Factors!** page 12). This concept and the need for community-led housing projects still exists in principle and could provide the essential backdrop to future projects/CLTs.

2. Axiomatic working partnership with local authority

In 2005 these ideas of localism were still largely just that, ideas, of which understandably local authorities generally had little practical experience. For Winchester City Council and the associated body, HARA, it meant facing up to working with a small, "one-off" organisation, with no track record, run by volunteers and, by virtue of being local, working from the 'bottom up': a pretty alien concept.

Fortunately for WCLT the local authority and HARA accepted the

The need to forge new working partnerships between large organisations and small "one-off" ones

need to break with traditional working practice and go with new ways of working, often informally, with WCLT. While it was the CLT which put the idea of a locally managed housing trust on the local authority's agenda, and kept it there, and brought forth the offer of land, it was the experience and knowledge of those in the local authority and in HARA in particular who invested in helping WCLT navigate various institutional complexities and enabled the project to get off the ground. Their contributions to the first Housing Needs Survey and advice on Allocation and Application procedures were crucial. Furthermore their involvement helped broker the working relationship with the housing association and completed the circle of communication between the HCA, Hyde and WCLT.

WCLT's resulting body of work on structure and policies can now underpin and ease future working processes between a small, independent organisation and a larger more institutional one. Points 4– 8 in this section indicate some of the thinking which WCLT sees as needing to be in place.

3. The Give and Take in working with a Housing Association on the design and build

The number of homes envisaged for the WCLT led the Trust to decide it would not be economically feasible for it to develop and build on its own: it would need a housing association as partner to get an economy of scale. This meant that WCLT had to compromise on some of the ideas with which it had originally toyed in regard to build methods. This compromise enabled WCLT to meet its aim of providing affordable homes for local families in need and HARA's and WCC's aim to provide more social housing in rural areas.

Although WCLT had a good degree of expertise on its board, those members were still in full time employment and would not be able to devote the time to be heavily involved on the development side. It was to WCLT's advantage that Hyde Martlet could help take the project forward through the work of its project agent, negotiating with the Local Authority over contributions levels, with the water board over the sewage installation and treating with the developers to arrive finally at an agreed price. Once WCLT had invoked its Exit Strategy the Board had to take a back seat in these areas until it was able to buy the finished homes.

Once Hyde Martlet had taken the lead role, the working relationship remained close and positive and they gave WCLT the choice of which properties it wished to buy. This openness carried over into the relationship with the developers who, with the building site on

Establishing CLT structures and policies can smooth the way ahead in working with established bodies

Mixed blessing

The need for a development partner makes compromises inevitable

Strengths

The size and weight of housing association enables it to take a project forward

the Trust's doorstep, provided board members with hard hats so that they could visit the site. However, until it was time to purchase the finished properties, they were 'guests' on the site and any input was necessarily minimal, e.g. decisions on kitchen finishes and flooring.

As part of their service to WCLT, Hyde Martlet undertook to do the 'snagging' on behalf of the Land Trust. This could have been a factor which contributed to slow resolution of the remedial defects because it meant WCLT raised issues after the build quality had been accepted.

When WCLT invoked its Exit Strategy, it forewent the ability to purchase the entire site and to sell twelve of the 20 individual freehold plots to Hyde on completion of build. Hyde Martlet now bought the whole site, and the roles were reversed, with WCLT buying 8 individual freeholds. Up until that time, WCLT had had plans and grants for the landscaping of the entire site and intentions to keep the ongoing maintenance in the hands of local contractors. WCLT is acutely aware it cannot control the ongoing maintenance of the site.

Whereas the relationship between WCLT and Hyde's development wing, Hyde Martlet, proved really positive, based on mutual trust and good personal relations, this has not carried over into the post-purchase/shared site phase. Since completion of the development care for the site now falls within the remit of Hyde Housing's large housing management and central services with whom WCLT strives to maintain working relationships.

4. Having a prudent Financial Model

Developing a thorough financial model has stood the Trust in good stead. The plan embodies a conservative, prudent approach and the scope of the plan runs for 40 years. Its very thoroughness and general tenor has given confidence to 'would-be' investors and has given the Trust a financial framework to follow over the last five years and, by the look of it, for the next 35!

5. Developing a body of sound policies

The research into and the development of the Trust's policies has been a steady process. As various requirements and expectations of the Trust emerged draft policies became a way for the Board to consider and debate what was appropriate in their case, the responsibilities it faced and how it would deal with them and any other implications for the Trust.

Mixed blessing

The matter of snagging and defects

Weakness

Through invoking the Exit Strategy WCLT lost control of landscaping and maintenance of the site as a whole

Strength

Good working relationship based on trust

Weakness

Dealing with a large, impersonal organisation

Importance of a sound Financial Model

Body of sound policies

Such policies, once developed, become essential guidelines in practice. For example, with a Complaints Policy and Procedure already in place, when the first complaint came in there were immediate guidelines for trustees to follow.

This body of work, like the financial model, stood the Trust in good stead when seeking funding and support but it is also valuable now. By scheduling into meetings a process of regular reviews of policies, the Trust is reminded to check on current legislation and to make sure its practice up to date.

The body of policies also created a useful framework from which to create the handbook for residents.

6. Working to professional standards

The CLT might be run by volunteers but Board members have striven to bring professional standards to bear in their work. Part of this has meant establishing good working relationships with those whom the Trust houses, with whom the Trust works, from whom it borrows, receives pro bono advice and whom it employs.

Working to professional standards

7. Risk Management

Review of the current financial position of the Trust and assessment of risk feature on every board agenda: appraisal of risk needs to be an essential part of any project.

Regular Risk Appraisal

8. Working Group/Board skills

The personnel involved need to combine being rooted in the local community with a range of practical skills – particularly if, as in WCLT’s case, the CLT is directly registered with the HCA, negotiating with lenders and landowners etc. The commitment of the Chair and Secretary to drive the project forward, combined with the contributions from those with financial, development, IT and housing knowledge was crucial to achieving the end result despite the very real problems faced in the process.

Skills Mix

9. Section 124 Letter of Advice: this was a useful exercise. Having an outsider with no pre-conceptions, coming into our organisation and looking at it dispassionately threw a new light on things: a valuable sort of ‘due diligence’.

Due diligence

Wickham Community Land Trust,
September 2017



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**WICKHAM COMMUNITY LAND TRUST:
A CASE STUDY OF COMMUNITY HOUSING**

APPENDICES

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Please note that Appendices may not be current versions at the time of reading: they are regularly revised/reviewed by the Board. Those included were current in summer 2017 or, as for the Exit Strategy current in 2012, though the clauses quoted therein from WCLT’s Memorandum & Articles still apply.

WCLT has a wider range of policies beyond those reflected in this case study.

WICKHAM COMMUNITY LAND TRUST

FINANCIAL CONTROLS POLICY

Date: 17.11.2009

Revised: 22 May, 2015

Reviewed: May 2017

Next Review: May 2018

1. Introduction

Wickham Community Land Trust (WCLT) will ensure that financial records are kept so that the trust can

- a) meet its legal and other obligations, e.g. Charities Act 1992, HM Revenue & Customs, HCA Framework of Regulation and common law;
- b) be in proper financial control;
- c) meet its contractual obligations and the requirements of funders.

2. Records of Accounts

The trust will maintain proper books of accounts which will include:

- a) Purchase and Sales Ledgers and other ledgers analysing all the transactions in the trust's bank accounts;
- b) A petty cash book if cash payments are being made;
- c) Inland Revenue deduction records at such time as staff are employed and Schedule D numbers for freelance workers;
- d) Management accounts on a three monthly basis.

3. Financial Year

- a) The Financial Year will end on 31st March each year
- b) Accounts will be drawn up after each financial year, within the statutory period prescribed by Companies House, and presented to the next Annual General Meeting;
- c) Within two months of the end of the preceding financial year the trustees will approve a budget of income and expenditure for the following financial year;
- d) A report comparing actual income and expenditure with the budget will be presented to the trustees every three months;
- e) The AGM will appoint an appropriately qualified auditor/examiner to audit/examine the accounts prior to presentation to the next AGM.

4. Banking

- a) Bank accounts will be held in the name of Wickham Community Land Trust. The following accounts will be maintained:
 - Current Account
 - Savings Account
 - Client Accounts as required
- b) There will be four signatories approved by trustees. The bank mandate (list of bank signatories) will always be approved and minuted by the trustees, as will all changes to it.

- c) The Trust will require bank statements every month.
- d) These will be reconciled with the ledgers at least every three months and the Finance Director will spot check that this reconciliation has been done at least twice a year, signing accordingly.
- e) Transfers between accounts to be reported at the next meeting of trustees.
- f) The Trust will not use any other bank or financial institution or use the overdraft facilities of loan without the agreement of the trustees.

5. Receipts

All monies received will be recorded promptly in the ledgers and banked without delay. This will include sundry receipts such as payments for photocopying etc. which will be backed up by filed documentation.

6. Payments

The aim is to ensure that all expenditure is related to the business of the Trust and properly authorised.

- a) A nominated director will be responsible for holding the cheque book (unused and partly used cheque books) which should be kept securely.
- b) Blank cheques will never be signed.
- c) The relevant payee's name will always be inserted on the cheque prior to signature and the cheque stub will always be properly completed.
- d) All cheques will be supported with appropriate documentation. (See 7 below)

7. Payment documentation

- a) Every payment out of the Trust's accounts will be evidenced by an invoice as appropriate. That invoice will be retained and filed. The cheque signatory should ensure that it is referenced with:
 - Cheque number
 - Date cheque drawn
 - Amount of cheque
 - Names of cheque signatories
- b) The only exceptions to cheques not being supported by an appropriate invoice would be for such items as advanced bookings, deposits, VAT etc. Here a cheque requisition will be used and a photocopy of the cheque kept.
- c) Wages and Salaries. There will be a clear trail to show the authority and reason for every such payment, e.g. a cheque requisition asking for payment to employee, HMRC etc.. All employees will be paid within the PAYE, National Insurance regulations.
- d) All staff appointments/departures will be authorised by the trustees, minuting dates and salary level. Similarly all changes in hours and variable payments such as overtime, etc. will be authorised by the trustees.
- e) Expenditure and Expenses
 - i) Trustees and other authorised persons may incur expenses that are incurred in the legitimate pursuit of the Trust's business.
 - ii) Permission to commit expenditure must be sought prior to its commitment as per the guidelines below.
 - a) Expenditure of less than £100 needs the prior approval of one of the following: the Secretary, Treasurer, Chairman or Vice Chairman. In exceptional circumstances the decision of the Chairman/Deputy Chairman and Secretary would be acceptable.

- b) Expenditure over £100 needs prior approval by any two of the Secretary, Treasurer, Chairman or Vice Chairman.
- c) Cheque payments over £2,500 need the prior approval of three of the following: the Secretary, the Finance Director, and Chairman or Vice Chairman. Such approval sent by e-mail will be acceptable.
- iii) In respect of ii) above, an exception is provided for in the case of Emergency Repairs whereby the managing agent be allowed a limit of £200 to spend on breakdowns which in their judgement qualify as genuine emergencies
- iv) Expenses will be reimbursable upon production of valid receipts together with a written justification of the expense. Expenses will be evidenced as follows:
 - Fares by tickets
 - Other expenses by valid receipts
 - Car mileage based on local authority scales
- v) No cheque signatory signs for the payment of expenses to themselves.

8. Cheque signatures and cash

- a) Each cheque requires two signatures
- b) A cheque must not be signed by the person to whom it is payable.
- c) Bank/credit/debit cards will not be used (and should be destroyed if issued).

9. Other undertakings

- a) WCLT does not accept liability for any financial commitment unless properly authorised.
- b) Any orders placed or undertakings given, the financial consequences of which are, prima facie, likely to exceed in total £5,000, must have been or be authorised and minuted by the trustees.
- c) Final acceptance of estimates and tenders will need to be approved by the trustees and minuted.
- d) All fundraising and grant applications undertaken on behalf of WCLT will be done in the name of the Trust with the prior approval of the trustees or, in time constrained situations, the approval of the Chairman/Vice Chairman who will provide full details at the next trustees' meeting.

10. Other rules

- a) When relevant the Trust will set up and maintain an asset register stating the date of purchase, cost, serial numbers and normal location. This is to include computer equipment, software and data.
- b) The Trust will maintain a property record of items of significant value, with an appropriate record of their use.

11. Areas of responsibility

- a) Day to day cash and cheque transactions, ledger entries will be dealt with by the Secretary or Administrator, liaising as appropriate with the Finance Director.
- b) HMRC, HCA (re finance), VAT returns etc. will be the responsibility of the Finance Director.



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WICKHAM COMMUNITY LAND TRUST

RESERVES POLICY

Approved: 18th August 2008

Revised: November 2016

Next Review: November 2017

Directors and Trustees of Wickham Community Land Trust are one and the same: they are 'directors' by virtue of the organisation being a company and 'trustees' as a result of the company's charitable objects. For the purposes of this document the term 'trustee' will be used.

1. Objects of Charity

- i. The provision of social housing and housing to relieve financial hardship; and
- ii. To promote such other charitable purposes as may from time to time be determined subject to the prior written consent of the Charity Commission.

2. Stated Reserves Policy²²

The trustees will hold financial reserves in line with the guidance issued by the Charity Commission to safeguard the Charity's ability to continue to undertake its charitable activities.

The trustees intend that the Charity will hold reserves to the equivalent of at least 6 months of normal operating costs. This level of reserves has been determined in order to:

- a) ensure continuity in meeting the needs of beneficiaries and the Charity's financial obligations;
- b) ensure the Charity can bridge cash flow problems in periods of changeover when beneficiaries leave or move into properties or rental income drops at such times;
- c) maintain and develop its charitable activities.
- d) The trustees will review this policy annually and will keep the level of reserves under review to ensure they are at the appropriate level.

²² The document has been developed with reference to Charity Commission CC19 Building Resilience and Annex: A simple approach to developing a reserves policy



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WICKHAM COMMUNITY LAND TRUST:

HOUSING ALLOCATION POLICY

Approved: 13.12.2010

Revised : February 2017

Review due: July 2017

Wickham Community Land Trust's affordable homes – Introduction and Local Context

Wickham Community Land Trust (WCLT) is a not for profit company limited by guarantee [and a registered charity]. Its purpose is the provision of housing to relieve financial hardship. The area of operation is the parish of Wickham and surrounding areas in the Local Government Administrative Area of Winchester City Council (referred to as the "Area"). WCLT is not a housing association. Our aim is to provide affordable housing to people who need to live in the Parish or to work in the Area.

Property prices in the Wickham area are beyond the means of many people unless they have existing capital to invest or sufficiently high incomes. This is putting a significant number of households in a situation of housing need which they cannot alleviate through their own efforts. This is evidenced by the Wickham Parish Appraisal (2001)²³, The Housing Needs Report of April 2007²⁴ and more recently the Housing Survey of 2008/9²⁵ and this situation is longstanding and is clearly area specific.

WCLT aims to help address this need by providing housing at a price that can be afforded more nearly from household income alone. In so doing WCLT wishes to make it possible for those with employment or employment opportunities in the Area to live close to their place of work and for those with local family connections and responsibilities to live close by.

The homes which WCLT wishes to provide will be made available on a rental or shared ownership basis thereby providing housing appropriate to the financial circumstances of the applicant. Once an applicant's financial circumstances have been assessed WCLT will apply secondary selection criteria to prioritise applicants in order of suitability. These are likely to be more suitable for people who, though they are unable to relieve their housing need themselves, are in work and can afford the outgoings that this scheme requires.

Applications will be encouraged from those registered with the zone agent (Homes in Hants)²⁶ and those on the Council's housing register who have indicated that their areas of choice include Wickham.

This policy²⁷ sets out in the following pages how WCLT will decide to whom available properties will be offered.

²³ Wickham Parish Appraisal 2001, Section 3: see Analysis: Housing

²⁴ Housing Needs Survey, 2007, See Appendix 3b

²⁵ Housing Needs Survey, See Appendix 3a

²⁶ Homes in Hants Swaythling is the government appointed Zone Agent for Hampshire and IOW HomeBuy Schemes.

²⁷ This policy has been drawn up with the support and approval of Winchester City Council

2. WCLT's HOUSING NEEDS CRITERIA

Homes are available under either rental or shared ownership. In compiling a list of nominees who need accommodation in the Parish, WCLT shall apply the following criteria:

1 **Conditions precedent**, i.e. criteria which must be met in all cases:

- 1.1 Housing Need: inability of such applicant to afford suitable accommodation on the open market whether for rental or purchase within the Parish

WCLT will consider the applicant's financial circumstances, including their disposable income and savings, and how that measures against average income levels in the area, and whether the applicant can afford other accommodation or find other accommodation at an affordable price or rent.

Only those will be considered

- whose household income and capital are insufficient to buy or rent the home they need in the Area on the open market; and
- who are unable to relieve that housing need themselves.

- 1.2 Ability to afford WCLT home

WCLT will require proof of household income, capital and other financial commitments so that the outgoings to which an applicant would be committed are affordable.

- 1.3 Requirement of the applicant for accommodation of the type available

Homes must be suited to the applicant's and family's needs in terms of size of property available.

2 **Local Connection**

Without prejudice to the generality of the foregoing regarding "need" and financial circumstances, consideration will be given to the following, **with preference given to applicants who are able to establish and prove a strong local connection with the Parish.**

An applicant shall be taken to have a strong local connection if he or she satisfies one or more of the following:

- 2.1 He or she is ordinarily resident in the Parish at the date of the allocation
- 2.2 He or she was previously ordinarily resident in the Parish prior to the date of allocation and has family who ordinarily reside there (See notes 3 and 4, page 4.)
- 2.3 He or she has a demonstrable need to reside in the Parish by reason of
- a) current employment in the Area
 - b) taking up permanent employment in the Area
- Re Area, see Note 1;
Re Employment, see Note 2
- 2.4 He or she has a demonstrable need to reside in the Parish either to support or to be supported by another member of his/her family who ordinarily resides in the Parish at the date of allocation (See note 3)

2.5 He or she will be an asset to the community in the Parish in their support of voluntary organizations which operate in the Area.²⁸

3 Current Accommodation

Account will be taken of

- The suitability/unsuitability of the current accommodation;
- State of repair of current accommodation.

4 Length of Wait

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

Under-occupation WCLT shall have the discretion if necessary to permit applicants to under-occupy a WCLT home by one bedroom to ensure community sustainability and occupation by persons with a strong local connection.

²⁸ 'Voluntary organizations' means independent organisations which are established for purposes that add value to the community as a whole, or to a significant section of the community, and which are not permitted by their constitution to make a profit for private distribution. Voluntary organisations do not include local government or other statutory authorities. Charity Commission: "Affordable Home Ownership – Charitable Status and Tax" refers.

Notes:**1. Area**

The civil parish of Wickham and any adjoining rural civil parishes, namely Shedfield, Soberton & Newtown, Boarhunt, Swanmore, Bishop's Waltham or Curdridge. See also Note 4 a – e below.

2. Employment

Priority will be given to Key Workers by virtue of their employment in the public or voluntary sectors or in a relevant employment¹ in the Area in such manner or capacity as to advance education, relieve sickness, promote public health, relieve charitable need, protect human life or property, promote the sound administration of the law or advance other purposes for the general benefit of the community, including in particular (but without prejudice to the generality of the foregoing) the maintenance for the benefit of the community of its infrastructure, including supplies of gas, water, electricity and food, of transport and other means of communication, of telecommunication information and information technology services, and of emergency services.²

Those without employment or an offer of employment who can show they have good prospects of securing a job will be considered.

3. 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 or in a civil partnership with that person. Family also includes adopted and step relatives/half blood.

4. Local Connection will be taken in the following order of priority:

- a) *Applicants who meet or have met the strong local connection criteria set out above for at least 3 years to the Parish of Wickham;*
- b) *Applicants who meet or have met the strong local connection criteria set out above for at least 1 year to the Parish of Wickham;*
- c) *Applicants who meet and have met the strong local connection criteria set out above for at least 3 years to the Parishes of Shedfield, Soberton and Newton, Boarhunt, Swanmore, Bishop's Waltham or Curdridge;*
- d) *Applicants who meet and have met the strong local connection criteria set out above for at least 1 year to the Parishes of Shedfield, Soberton and Newton, Boarhunt, Swanmore, Bishop's Waltham or Curdridge;*
- e) *Anyone with a strong local connection with any Rural Village in the Local Government Administrative Area of Winchester without a time criterion.*
- f) *Anyone with a strong local connection with the Local Government Administrative Area of Winchester without a time criterion.*

¹. 'relevant employment' means employment by an employer which though not in the public or voluntary sector, is engaged in the provision of services equivalent to those referred to in 2) above.

². Charity Commission: "Affordable Home Ownership – Charitable Status and Tax"

ADVERTISEMENT OF PROPERTIES

- 1 Two months prior to the expected completion of any new WCLT scheme the Trust will advise the Parish Council, Ward Councillors of Winchester City Council, Winchester City Council's Head of Housing and the Zone Agent, Homes in Hants, that WCLT will be seeking nominations.
- 2 At all other times WCLT will advise Winchester City Council and the Zone Agent (Homes in Hants) of the availability of WCLT properties so that Winchester City Council can advise the Trust of any potentially suitable applicants on the Housing Register and the Zone Agent can advise regarding those on their list. In such event the Local Authority and Zone Agent will be permitted to contact such applicants and advise them that they may be eligible to apply to WCLT. See also 'Occupancy Cascade Process' paras 4 & 5 below
- 3 Intermediate rent properties will be advertised, stipulating the details of the eligibility criteria and advising interested eligible persons to apply to WCLT.
- 4 Shared ownership properties will be advertised, stipulating the details of the eligibility criteria and advising interested eligible persons to apply to WCLT.
- 5 Properties will be advertised on WCLT's website, Parish Magazines, Parish Council and other suitable locations where appropriate.
- 6 Applicants will be considered against WCLT's criteria as set out on pages 2 - 3. Applicants will also be advised to that they should complete the relevant Local Authority housing application form and/or Zone Agent's application form.

ADVERTISEMENT OF SELECTION CRITERIA

WCLT clearly sets out on its website, in the Allocations Policy and in the Guidance Notes for completing an Application form, the criteria used in the selection process and, where necessary, will provide support to potential applicants in understanding these.

APPLICATION PROCESS

Application forms for both rental properties and shared ownership properties are available from:

WCLT,
P.O. Box No 739
Fareham,
PO14 9RH. Telephone: 01329 834335.

or can be downloaded from WCLT's website: www.wickhamclt.org.uk

All applications should be submitted in paper form to the Secretary of WCLT at the above address.

Individual trustees are prepared to provide help to applicants should they have difficulty with the application process.

Declarations

All applicants for properties will need to provide a signed declaration that the information they have provided is correct. WCLT reserves the right to discontinue an application or seek possession of a property where false/inaccurate information has been provided deliberately.

REGISTRATION

When a completed application form is received WCLT will register the date of its receipt and write to the applicant confirming

- a) receipt of their application
- b) the size of dwelling for which they have applied.

The Housing Sub-Committee (see below) will conduct an assessment of eligibility (Criterion 1) and decide whether further information and/or an interview is required.

DECIDING PRIORITY

WCLT will maintain a list of applicants. When a home becomes available contact will be made with all those who satisfy all points in Criterion 1. Those who wish to be considered will be asked to update their details and offered the opportunity to visit the property. Those who remain interested in the property will then be asked to advise WCLT within 5 days of their visit or at most 10 days of being offered the opportunity to visit.

Taking account of Criteria 2 - 4 WCLT will then decide upon the applicant who in WCLT's sole discretion:

- A. meets Criterion 1 in all points
- B. justifies receiving greatest priority under Criteria 2 - 4.

For example, a high priority under criterion 2 would be seen as more important than criterion 4 but if there were equal weight under Criterion 2, Criterion 4 could then become the deciding factor.

However, WCLT reserves the right to assess the weight of circumstances under each of all the criteria from 2 - 4 and to recognize particular individual circumstances.

These properties are subject to a Planning Obligation under s106 of the Town and Country Planning Act 1990. As these rural housing schemes must take into account the future needs of the village as well as current need, under-occupation may be allowed.

Decisions on applications are made by three members of WCLT's Board of Directors acting as a Housing Sub Committee. They may require an interview with the applicant to confirm that the criteria set out in this policy have been met.

If an applicant refuses a property it will be offered to the next applicant on the waiting list.

The timescales of the process will be governed by those in the Occupancy Cascade Process below.

Fair Process

WCLT is committed to providing equality of opportunity to all who apply for housing through the Trust. Allocations will be made on the basis of financial hardship and no one will be discriminated against on grounds of gender, ethnic origin, religion, sexual orientation or any other factor that is strictly prohibited by law.

OCCUPANCY CASCADE PROCESS

No WCLT dwelling shall be occupied either on first occupation or any other subsequent occupation unless it is allocated to a household which meets WCLT's Criteria set out above, subject to the provisions of clause 3 in the 'Rental Properties' section below and clause 3 in the 'Shared Ownership Properties' section below.

Rental Properties

1. The terms and conditions set out above and in WCLT's Tenancy Standard document will apply to all first time and subsequent occupants so that WCLT can ensure that the homes are occupied on similar terms by properly qualified beneficiary households.
2. When a vacancy arises, the Affordable Home will be advertised through WCLT, on the Zone Agent's (Homes in Hants) website and locally to seek a tenant who meets WCLT's Housing Needs Criteria cited on page 2 above. See also 'Advertisement of Properties' above.
3. If after four months of advertising there is no qualifying applicant meeting WCLT's Housing Needs Criteria the Affordable Home may be allocated to an applicant in Housing Need but without local connection.

Shared Ownership Properties

1. When a lessee wishes to sell their share of equity in an Affordable Home, or for reasons of default is obliged to sell their share, they should notify WCLT and WCLT may elect to purchase the percentage share the lessee owns at the time, subject to an up to date independent valuation.
2. In the event that WCLT in its sole discretion chooses not to purchase the lessee can sell to a person nominated by the Trust. The Affordable Home should be advertised through WCLT, on the Zone Agent's (Homes in Hants) website and locally to seek a buyer who meets WCLT's Housing Needs Criteria cited on page 2 above. See also 'Advertisement of Properties' page 5 above.
3. If after three months of advertising no nominated buyer has exchanged contracts to buy the Affordable Home in accordance with WCLT's Housing Needs Criteria the Affordable Home may be sold to any willing purchaser. The said period of three months shall be extended by a maximum of six weeks from the date a buyer's solicitor has received a contract pack, provided the pack was issued within the said three month period.

POST ALLOCATION

1. When the property is let or shared ownership agreed, WCLT will publicize the number of applicants and notify the Local Authority of the criteria which have been met in the process.

2. When notifying applicants of WCLT's selection decisions, especially where those decisions have been used for excluding actual and potential tenants from consideration for allocations, WCLT will set out the reasons for their decision.

APPEALS PROCESS

If an applicant feels that the decision made about their application is unfair, they may submit an appeal, in writing, to WCLT's secretary. This appeal must be made within 7 days of the decision, providing reasons.

A panel of at least two WCLT Board Members will then hear the appeal within 15 working days. Members of the Appeals Panel will not have been involved in the earlier decision-making process. The decision of the Appeals Panel will be binding on all parties.

Notification of the panel's decision will be provided within twenty-one days of the appeal being heard.

REVIEW

This policy will be reviewed annually by WCLT 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.



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WICKHAM COMMUNITY LAND TRUST:

EXIT STRATEGY

Approved: 8th December 2008

Review: December 2012

1. If Wickham Community Land Trust is dissolved, members will be guided by the Trust's Memorandum, viz

Paras 7 to 8.3 of the Memorandum

7. Every member promises, if the Charity is dissolved while he or she is a member or within twelve months after he or she ceases to be a member, to contribute such sum (not exceeding £10) as may be demanded of him or her towards the payment of the debts and liabilities of the Charity incurred before he or she ceases to be a member, and of the costs, charges and expenses of winding up, and the adjustment of the rights of the contributories among themselves.
 - 8.1 The members of the Charity may at any time before, and in expectation of, its dissolution resolve that any net assets of the Charity after all its debts and liabilities have been paid, or provision has been made for them, shall on or before the dissolution of the Charity be applied or transferred in any of the following ways:
 - a) directly for the Objects; or
 - b) by transfer to any charity or charities for purposes similar to the Objects; or
 - c) to any charity for use for particular purposes that fall within the Objects;
 - 8.2 Subject to any such resolution of the members of the Charity, the Directors of the Charity may at any time before and in expectation of its dissolution resolve that any net assets of the Charity after all its debts and liabilities have been paid, or provision made for them, shall on dissolution of the Charity be applied or transferred:
 - a) directly for the Objects; or
 - b) by transfer to any charity or charities for purposes similar to the Objects; or
 - c) to any charity or charities for use for particular purposes that fall within the Objects.
 - 8.3 In no circumstances shall the net assets of the Charity be paid to or distributed among the members of the Charity (except to a member that is itself a charity) and if no such resolution is passed by the members or the Directors the net assets of the Charity shall be applied for charitable purposes as directed by the court or the Commission.
2. In the event that Wickham Community Land Trust needs to withdraw from a specific project any disposal of assets will accord with paras 8.1 – 8.3 above.



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WICKHAM COMMUNITY LAND TRUST

CONFLICTS OF INTEREST: POLICY AND PROCEDURES

Approved: 20th July, 2009

Revised: 27 July 2015

Review: July 2019

This policy²⁹ document should be read in conjunction with the Memorandum and Articles of Wickham Community Land Trust. Directors and Trustees of Wickham Community Land Trust are one and the same: they are 'directors' by virtue of the organization being a company and 'trustees' as a result of the company's charitable objects. For the purposes of this document the term 'trustee' will be used.

1. Trustees and staff have an obligation to act in the best interests of Wickham Community Land Trust (hereinafter called the Charity) and in accordance with the Memorandum and Articles.

The Charity recognises that conflicts of interest may i) inhibit free discussion ii) result in decisions or actions that are not in the interests of the Charity; and iii) risk the impression that the Charity has acted improperly. The aim of this policy is to protect both the Charity and the individuals involved from any impropriety or appearance of impropriety.

2. Identifying conflicts of interest

- a) Direct financial gain or benefit to the trustee, such as
 - i) Payment to a trustee for services provided to the Charity;
 - ii) The award of a contract to another organisation in which a trustee has an interest and from which a trustee will receive a financial benefit; or
 - iii) The employment of a trustee in a separate post within the Charity, even when the trustee has resigned in order to take up the employment.
- b) Indirect financial gain, such as employment by the Charity of a child, parent, grandchild, grandparent, brother, sister, civil partner or spouse of a trustee or any person living with the trustee as his or her partner where their finances are interdependent;
- c) Non-financial gain, such as when a user of a the Charity's services is also a trustee; and
- d) Conflict of loyalties, such as where a trustee is appointed by the local authority or by one of the Charity's funders, or where a friend of a trustee is employed by the Charity.

²⁹ Sources:

Charity Commission: Manage a conflict of interest in your charity
 ICSA Guidance Note: Specimen conflict of interest policy, declaration form and register of interests for charity trustees.

3. Procedures for managing and recording interests and conflicts of interest:

- a) Any trustee who has a financial interest in a matter under discussion, should declare the nature of their interest and withdraw from the room, unless they have a dispensation to speak granted by a majority vote of the other trustees present.
- b) If a trustee has any interest in the matter under discussion, which creates a real danger of bias, that is, the interest affects their, or a member of their household, more than the generality affected by the decision: they should declare the nature of the interest and withdraw from the room, unless they have a dispensation to speak granted by a majority vote of the other trustees present.
- c) If a trustee has any other interest which does not create a real danger of bias, but which might reasonably cause others to think it could influence their decision, they should declare the nature of the interest, but may remain in the room, participate in the discussion, and vote if they wish.
- d) In the event of the board having to decide upon a question in which a trustee has an interest, all decisions will be made by vote, with a simple majority. A quorum must be present for the discussion and decision.
- e) interested parties will not be counted when deciding whether the meeting is quorate.
- f) All decisions under a conflict of interest will be recorded by the Charity and reported in the minutes of the meeting. The report will record:
 - i) The nature and extent of the conflict;
 - ii) An outline of the discussion;
 - iii) The actions taken to manage the conflict.
- g) If a trustee is in any doubt about the application of these rules they should consult with the chair.
- h) Trustee's interests are listed in a register.
- i) Should a trustee become aware of a new, actual or potential conflict of interest, he/she should give notice of it to Charity to enable the updating of the Interests Register.
- j) Any contracts/agreements to be entered into prior to the next meeting of the trustees should be recorded, any potential conflicts identified from a check of the Register and a report made to the next meeting of the trustees.
- k) Competitive Tendering should be used for contracts or work for which a trustee might be suited (and taking up references from other clients or customers.)
- l) The Charity will disclose any benefits received by trustees in the report and annual accounts.



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WICKHAM COMMUNITY LAND TRUST (WCLT)

Register of Interests

Name:.....

Category	Interests of Board Member	Interests of family members and persons living in the same household as the Trustee
Directorships (held in the past five years)		
Shareholdings or financial interests with which WCLT has any relationship.		
Links with any other organisations which may have an interest in the work of WCLT		
Membership or involvement in bodies who may have an interest in the work of WCLT		
Any other declarations		

Signed.....

Date

WICKHAM COMMUNITY LAND TRUST

Disposal Models: Revised 2011

1. The Trust's Memorandum of Association specifies the Trust's Objects in relation to the provision of housing for the relief of need.
 - 1.1 In addition, general principles have been agreed by the Trustees:
 - a) The Trust wishes to retain the right to nominate;
 - b) The Trust will seek subsequent buyers/tenants from their own list, from the local authority's housing waiting lists and local zone agent;
 - c) The Trust wishes to ensure that subsequent properly qualified beneficiary households occupy on similar terms and conditions;
 - d) where appropriate pre-emption rights will be included in leases;
 - e) No occupant who has purchased through shared ownership will accrue or lose more than the proportion relative to their share in the property;
 - f) Retain affordability in perpetuity;
 - g) Retain the option to rent.
 - 1.2 The Trust will offer and issue tenancies which are compatible with the purpose of the housing, the needs of individual households, the sustainability of the community and the efficient use of the Trust's housing stock.
 - 1.3 The Trust will be seeking legal advice with a view to adopting the following disposal models:
 - a) Shared ownership
 - b) Probationary tenancies
 - c) Fixed term tenancies at affordable rent
 - d) Restricted Stair-casing Shared Ownership in keeping with Wickham's Protected Area status
 - e) No right to buy
 - f) No home exchanges
 - 1.4 The Trust will promote a variety of tenures as an effective way of relieving need and preventing a high concentration of very poor families in one place. (See Appendix 3a, Housing Need Survey, Part 2, Para 6.) The Trust will have a flexible approach to tenure, dependent upon the circumstances of applicants, always exercised in concordance with 1.1 c) above.
2. **The TSA's National Standards for Social Housing**
 The Trust recognises the importance of the six new standards as applied from 2010:
 - Tenant involvement and empowerment standard
 - Home standard
 - Tenancy standard
 - Neighbourhood and community standard
 - Value for money standard
 - Governance and financial viability standard



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WICKHAM COMMUNITY LAND TRUST:

Data Protection Policy

Approved: 9th March 2009

Reviewed: 17th November, 2015

Review: September, 2018

Wickham Community Land Trust (WCLT) needs to collect and use certain types of information about individuals who come into contact with the Trust. This personal information must be dealt with properly however it is collected, recorded and used, whether on paper, in a computer, or recorded on other material.

It is important that all trustees and any employees are aware of the existence of the Data Protection Act 1998 and the principles on which it is based.

The Trust regards the lawful and correct treatment of personal information as very important and endorses the aims of the Act which are embodied in the eight Data Protection Principles.

These eight principles require that personal information be:

1. Fairly and lawfully processed.
2. Obtained for specified purposes and not further processed in a manner incompatible with those purposes.
3. Adequate, relevant and not excessive for the purposes for which it is processed.
4. Accurate and, where necessary, kept up to date.
5. Not kept for longer than necessary for the purposes.
6. Processed in accordance with the data subject's rights.
7. Secure.
8. Not transferred to countries without adequate protection.

The Trust will, through appropriate management and controls:

1. observe fully conditions regarding the fair collection and use of information;
2. meet its legal obligations to specify the purposes for which information is used;
3. collect and process appropriate information, and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
4. ensure the quality of information used;
5. ensure that the information is held for no longer than necessary;
6. ensure that the rights of people about whom information is held, can be fully exercised under the Act. (These include: the right to be informed that processing is being undertaken, the right of access to one's personal information, the right to prevent processing in certain circumstances and the right to correct, rectify, block or erase information which is regarded as wrong information);
7. take appropriate technical and organisational security measures to safeguard personal information;
8. that personal information is not transferred abroad without suitable safeguards;
9. treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information.

In addition the Trust will ensure that

1. there is someone with specific responsibility for Data Protection: (name)
2. everyone handling personal information understands that they are responsible for following good data protection practice;
3. queries about handling personal information are promptly and courteously dealt with;
4. a regular review and audit is made of the way personal information is held, managed and used;
5. a breach of the rules and procedures identified in this policy by a trustee or employee is a potential breach of the Code of Conduct.
6. this policy will be updated as necessary to reflect best practice and to ensure compliance with any changes or amendments to the Date Protection Act 1998.



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WICKHAM COMMUNITY LAND TRUST (WCLT):**EQUAL OPPORTUNITIES POLICY****Approved:** 13th December 2010**Reviewed:** May, 2014**Review:** May 2018

WCLT welcomes its legal responsibilities under the Equality Act 2010.

We recognise that certain groups and individuals in society are discriminated against and in the light of this knowledge make the following commitments.

WCLT's Beneficiaries

- WCLT will ensure that everyone who applies for housing is provided with a fair and equitable service and that the service will be monitored to ensure it is transparent and fair.
- All WCLT accommodation will be offered to applicants according to their eligibility, regardless of disability, ethnic origin, gender, pregnancy and maternity, race, religion or belief or sexuality.
- WCLT expects to maintain a waiting list of applicants and qualifying beneficiaries will be identified purely on their qualifying status.
- WCLT's Application Form contains an Equal Opportunities section and applicants are invited to complete that section to enable us to check our performance on equal opportunities. It is not used as part of the application process.
- WCLT services will be provided on a fair and objective basis to our residents and customers, making reasonable adjustments for people with disabilities
- WCLT will take any allegations of harassment of or by our residents and customers seriously and if necessary take action under tenancy conditions or through referral to other enforcement agencies.
- An appeals procedure is in place and set out in the Allocations Policy for complaints about allocations and a Complaints Policy is in place for complaints about how we provide our services.

Publicity/Information

- Application forms and any publicity or advertisements will be monitored for clear language and for simplicity.
- WCLT will offer reasonable additional assistance to applicants who have particular communication needs.

Trustees/Board of Directors

- There will be one class of membership.
- Membership is open to those who apply and whose application is approved by the Directors; directors may only refuse an application for membership if, acting reasonably and properly, they consider it to be in the best interests of the Charity to refuse the application.

- A Code of Conduct and Trustee Role Description lay out the expectations on all trustees including their responsibility to comply with the requirements of the Equality Act 2010 and this policy in approving membership and across all activities of WCLT.

Employment

- WCLT will advertise any vacancy so that anyone with the right skills can apply.
- A person specification will be provided listing the skills and qualities WCLT is looking for and applicants are invited to complete an equal opportunities form to enable us to check our performance on equal opportunities. It is not used as part of the application process.
- WCLT will appoint the best person for each post;
- WCLT will treat all applicants and employees fairly, including making reasonable adjustments for employees with disabilities.
- WCLT will set up procedures for grievances and disciplinary actions for any persons it employs.

Sub contractors

- WCLT will require all its sub contractors to adhere to the principles of its equal opportunities policy and the Equality Act 2010.

Volunteers

- All WCLT volunteers are expected to comply with this policy and have the same rights to be treated fairly as our customers and service users.

Monitoring, communication and training

All trustees, volunteers and staff are expected to abide by this policy, to monitor its effectiveness and provide feedback for annual review of this policy. The policy or its principles as appropriate will be communicated to all trustees, customers, residents, sub contractors and volunteers. Where required, training will be provided.



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WICKHAM COMMUNITY LAND TRUST

MONITORING AND REVIEW POLICY

Date August 2009

Reviewed: February 2017

Review: November 2019

1. The Trust believes it is essential to engage in ongoing review of its work so as to:
 - assess progress in meeting its charitable objectives and the delivery of public benefit
 - review its practices to ensure that the housing need of its individual beneficiaries continues to be met
 - direct its work in the future in the light of contemporary evidence of local need
 - ensure the Trust maintains an efficient, fair and responsive level of service
 - identify and address risks

2. As part of this ongoing process the Board of the Trust will expect to receive:
 - Allocation reports from the Housing Sub-Committee on allocations made and criteria met
 - Regular reports from its Management Agent
 - Tenant Feedback together with the method of collection. i.e walk about, tenants' meeting etc. (See Resident Involvement and Empowerment Policy)
 - Regular reports about the number of complaints received, the number of cases resolved, lessons learned and actions arising.
 - Regular reports on cash flow and management accounts
 - Annual budget to provide forecasts based on appropriate and reasonable assumptions
 - Occasional updates on legal and statutory requirements
 - An annual review of all projects will be conducted highlighting progress of projects against timed goals

3. This review process will provide:
 - action points for the Board and/or Management Agent, as appropriate, regarding the service to tenants
 - action points regarding financial/budgetary matters
 - action points on policy revisions and statutory requirements

4. Every three years an analysis of all projects to assess progress against objectives and also assess impact on the relief of housing need by, for example, consultation with/reference to:
 - Wickham Parish Council
 - Local Authority Housing and Economics Statistics
 - Further Housing Needs Survey as appropriate
 - Housing Association partners
 - Funding partners

5. Findings will to be incorporated in a report to the next Annual General Meeting of Wickham Community Land Trust.
6. Progress of the Trust in delivering public benefits as per its objects will be reported in its Report to the Annual Accounts, submitted to Companies House.
7. The Trust will reflect its monitoring and review processes in meeting the
 - registration and reporting requirements of the Homes and Communities Agency
 - reporting requirements of the Charity Commission
 - reporting requirements of Companies House
 - Reporting requirements of all lenders
 - Reporting requirements of the Local Authority and appointed zone agent with regard to housing allocations made and criteria met.



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Risk appraisal 13 February 2012 revised 10 August 2012**Risk calculation**

Gross risk is defined as a function of the likelihood of an event or outcome occurring and the potential impact of that event.

The assessment of residual risks takes into account any actual or proposed controls or actions taken by WCLT to mitigate the risk

Each risk then rated for its impact and likelihood. Impact rated on a scale of 1 to 6 with 6 being catastrophic. Probability rated from 1 to 6 for with 6 being almost certain to occur.

Identified risk	Risk rating		Gross Risk Score (G = I x P)	Planned controls already in place	Further measures to be put in place to minimise risk
	Impact 1-6	Probability 1-6			
Legal fees exceed those allowed for	4	3	12	Funders have been contacted to confirm costs CLT will have to bear	
Other capital costs increase over those budgeted for	6	1	6		Check the provisions made in the capital budget
Void period of 1 month allowed to tenant rented properties is exceeded	4	1	4	Tenants and reserves have been identified for all properties.	
Shared ownership properties take longer to sell than allowed for	6	3	18	Applications from interested being processed. Two deposit have been agreed	Further interest to be stimulated
Maintenance costs higher than allowed for	6	2	12	Maintenance costs based on experience of similar organisation	
Management costs higher than allowed for	6	1	6	Costs have been assessed on quotation received	
Voids and bad debts exceed allowance made	6	2	12		
Interest rate for Charity Bank long term loan increases	6	2	12	Charity Bank have confirmed that only in exceptional circumstances would the interest rate be altered.	
Key trustees no longer able to play their part in running the organisation.	3	3	9		Succession planning needs to be discussion.

Gross risk 1 – 6

Green

Gross risk 7-12

Amber

Gross risk 13 – 36

Red