

Beer Community Land Trust

Full allocation details in the s106 agreement

Local Connection	<p>means a connection to the Parish of Beer demonstrated by one or more of the following in priority order:</p> <ol style="list-style-type: none">(1) being permanently resident therein for a continuous period of at least three (3) years out of the last five (5) years immediately prior to being offered the Affordable Housing Unit; or(2) being formerly permanently resident therein for a continuous period of five (5) years; or(3) having his or her place of permanent work (normally regarded as 16 hours or more a week); or(4) having a connection through a close family member (normally mother, father, brother, sister, son or daughter) where the family member is currently resident therein and has been so for a continuous period of at least five (5) years immediately prior to being offered the Affordable Housing Unit; or(5) such person as is prescribed by the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 <p>In the event that no-one satisfying the above requirements can be found within the Parish of Beer then the process shall be repeated considering persons from the following areas in the following priority order:</p> <ol style="list-style-type: none">(1) the Neighbouring Parishes(2) persons from the District
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Local Allocations Plan

1. Background

- 1.1 **Beer Community Land Trust Ltd** (hereinafter referred to as the 'Affordable Housing Provider ') is established under the Industrial and Provident Societies Act of 1965.
- 1.2 The Affordable Housing Provider entered into a S106 Agreement with the District Council on the 8th September 2020 in respect of affordable housing to be provided at land Beer Social Club Berry Hill Beer Seaton Devon ("the Section 106 Agreement")
- 1.3 The definitions of the S106 Agreement shall apply to the interpretation of this the Local Allocations Plan unless expressly indicated to the contrary.
- 1.4 This Local Allocations Plan has been prepared to ensure that the objects of the Beer Community Land Trust are met.
- 1.5 Every effort has been made to ensure the Local Allocations Plan is not in variance with other policies and agreements.

2. Section 106 Agreement (Town & Country Planning Act 1990)

This Plan sets out how the process by which the Affordable Housing Provider will comply with the affordable housing requirements of the Section 106 Agreement namely to ensure that any homes developed remain affordable in perpetuity and are prioritised for Designated Persons.

3. Allocation Criteria

- 3.1 Designated Persons who are registered with Devon Home Choice will be selected and allocated for the Affordable Housing Units in accordance with paragraphs 3.2 - 3.6 below.
- 3.2 Eligibility of initial and any subsequent Designated Persons shall first be determined in accordance with the following priority order:
 - 3.2.1 First, Designated Persons with a Local Connection to the Principal Parish who are in Bands A-E of the Devon Home Choice scheme

- 3.2.2 Second, applicants with a Local Connection to the Neighbouring Parishes who are in the Bands A- E of the Devon Home Choice scheme
 - 3.2.3 Third, applicants with a Local Connection to the District of East Devon who are in Bands A- E of the Devon Home Choice scheme
- 3.3 In the event of there being two or more applicants in any of paragraphs 3.2.1 to 3.2.3 above then the eligibility of those applicants shall be further determined in accordance with the priority of their Local Connection category (with category 1 being the highest)
- 3.4 In the event of there being two or more applicants having equal Local Connection priority then the eligibility of the applicants shall be further determined in accordance with their housing need being determined by the Band they are contained in within the Devon Home Choice scheme (with Band A being the highest)
- 3.5 In the event there being two or more applicants having equal priority in terms of Local Connection and housing need, then their priority order will be determined by the length of time each has been on the Devon Home Choice scheme and the Affordable Units will be allocated to those who have been registered longer.
- 3.6 The properties will be advertised through Devon Home Choice ("DHC"). In the event that DHC is unable to provide this service, or the definitions of the Bands should change, the Affordable Housing Provider will ensure that future applicants who would formerly have been eligible for the properties by having a Local Connection and being in the Band E as defined in November 2013 (to the extent provided for in paragraphs 3.1 - 3.5) will remain eligible as if they were in Band E and the Affordable Housing Provider will seek to formally amend this Local Allocations Plan accordingly (and with it, the Section 106 Agreement.)
- 3.7 If no Local Person has been identified by applying the tests set out in paragraphs 3.1 to 3.5 above (or in the case where more than one vacancy is to be filled an insufficient number are identified) and the procedure set out in Schedule 1 Part 1 of the S106 Agreement has been followed then the Approved Provider may let the Affordable Housing Unit in accordance with Paragraph 2.2.3 of Schedule 1 Part 1 of the S106 Agreement.