

Dartmoor National Park Housing Allocations Scheme

Brook Lane Cottages, Widecombe-in-the-Moor

Summary of s106 allocation criteria

The s106 legal agreement includes the following allocation criteria which must be

To ensure it is clearly understood the s106 legal agreement includes definitions of key terms, including:

Adjoining rural parishes: that part of the civil parishes of Buckland-in-the-Moor, Dartmoor Forest, Manaton, Holne and Ilsington as lies within the boundary of Dartmoor National Park

Affordable Rent: A rent which does not exceed 80% of the Open Market Rent (inclusive of service charges) for the relevant property type (and should not exceed the published Local Housing Allowance for the relevant property type and in the relevant property market area allowing for any modifications to a level of allowance as published from time to time by the Government)

Local Connection: means a person who meets one or more of the following requirements or forms part of a Household containing at least one permanent resident who:

- a) Currently lives in the relevant parish and having done so for at least five years; or
- b) Has lived in the relevant parish for at least five years, but moved away within the past five years; or
- c) Is currently employed in the relevant parish working not less than 16 hours per week, and having done so for at least 26 weeks; or
- d) Has a strong local connection to the relevant parish by virtue of, for example upbringing, employment, or having a requirement to provide substantial care for a family member who currently lives in the parish and has done so for at least five years.

Qualifying Person: means a person who:

- a) has a Local Connection to the Parish of Widecombe-in-the-Moor; and
- b) is in Housing Need.

For clarity, a map of parishes adjoining Widecombe-in-the-Moor is provided at the Appendix.

The draft Housing SPD provides clarification of what is considered a 'strong local connection' for the purposes of determining a Local Connection. Paragraph 8.2.4 states: 'this term is intentionally not defined in absolute terms. Below are some examples of what we would consider satisfactory to demonstrate a strong local connection:

- A person with a close family member (parent, sibling, dependents, including equivalent connections 'in law' and through an unmarried partner) who is living in the relevant parish(es) and has done so for a period of 5 years
- A person who is providing substantial care to a close relative (grandparents, grandchildren, uncle, aunt, niece, nephew)
- A person whose upbringing or a significant part of their upbringing took place in the relevant parish(es)
- A person who has spent a significant amount of time (normally more than 5 years) living or working in the relevant parish(es) in the past'

Provisions of this Housing Allocations Scheme (Additional allocations criteria)

Prioritisation of qualifying people

Allocation to qualifying people in each level of the cascade (see 1.3.1 a-d) will be prioritised as follows:

- a) By Devon Home Choice Band priority (Bands A-D) with Band A being the highest priority, and then, if necessary
- b) Where two or more people have the same Devon Home Choice band, priority will be given to Qualifying Persons who have been registered on Devon Home Choice for the longest continuous period. There will be no aggregation of separate periods of registration and only the single period prior to registration shall be considered.

Teignbridge District Council's Community Contribution for Initial Allocations

The Teignbridge Community Contribution policy will only be applied for the Initial Allocations (the first letting of the property) only not subsequent allocations.

The Community Contribution does not supersede or replace the requirement for applicants to have a Local Connection, as described in Section 2.

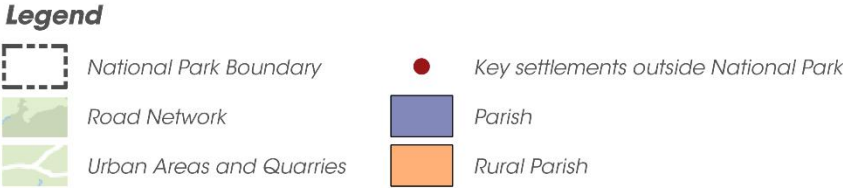
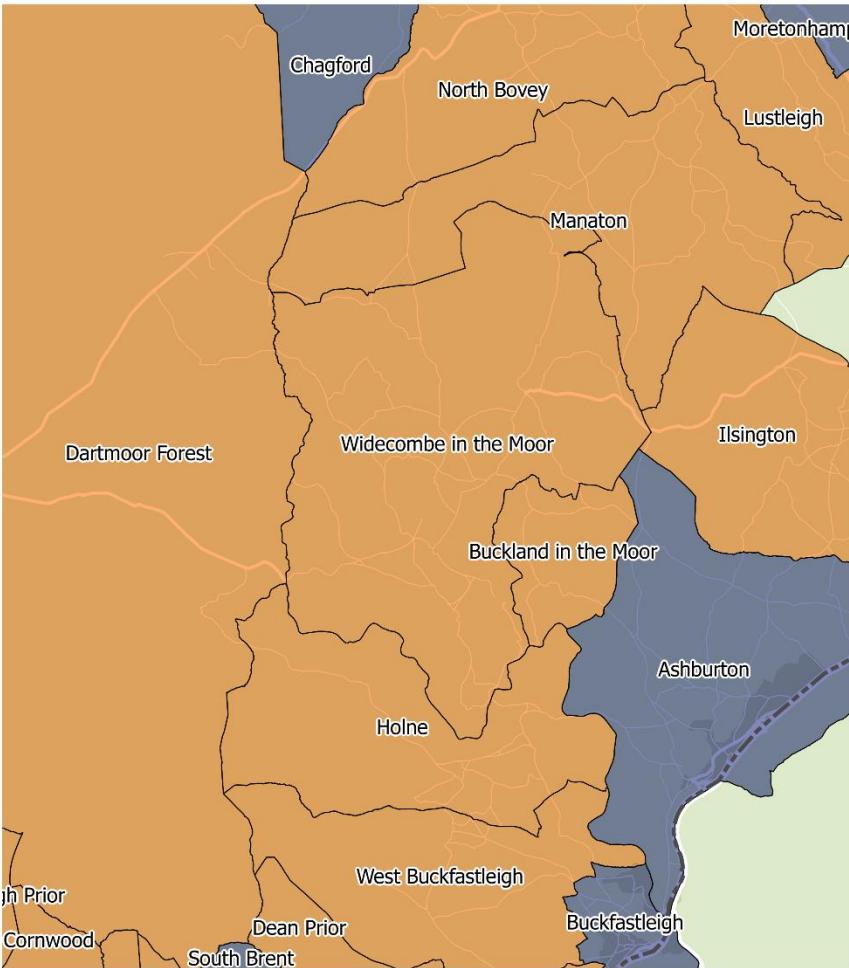
Only applicants with a Local Connection to Widecombe-in-the-Moor Parish can claim a Community Contribution. Applicants with Local Connections outside Widecombe-in-the-Moor Parish are not eligible for the Community Contribution policy.

Teignbridge's Community Contribution policy gives recognition to applicants with a substantial voluntary role in addition to the Local Connection policy. The policy allows people who would have otherwise been allocated in Band E, and were not considered eligible, to qualify in Band D if they have a local connection to the Parish of Widecombe-in-the-Moor and have made a Community Contribution.

A Community Contribution must have been undertaken for at least 2 years preceding the assessment period. The community contribution should be ongoing and not historic. We expect a Community Contribution of approximately 2 hours per week on average.

Information on qualifying Community Contributions can be found on the application form which is available from Teignbridge DC Housing via housing@teignbridge.gov.uk. The list of qualifying Community Contributions has been agreed with Widecombe-in-the-Moor Parish Council. Any other significant community contribution outside this list must be approved by Teignbridge DC in consultation with the Parish Council.

Appendix – Map of adjoining Parishes



Deed of Variation to S106 – Sections relating to Local Connection Criteria –

relating to land adjoining Brook Lane Cottages, Widecombe-In-The-Moor

The following definitions shall be inserted into clause 1 (**Definitions**) of Schedule One (**Affordable Housing**) of the Section 106 Agreement as follows:

<p>Adjoining Rural Parish Local Connection</p>	<p>means a person who meets one or more of the following requirements or forms part of a household containing at least one permanent resident who –</p> <p>A) currently lives in one of the Adjoining Rural Parishes and has done so for a least five years; or</p> <p>B) has lived in one of the Adjoining Rural Parishes for at least five years, but has moved away within the past five years; or</p> <p>C) is currently employed in one of the Adjoining Rural Parishes, working for not less than 16 hours per week, and having done so for at least 26 weeks out of the preceding year; or</p> <p>D) has a strong local connection to one of the Adjoining Rural Parishes by virtue of, for example: upbringing, employment, or having a Direct Family Member who has lived in one of the Adjoining Rural Parishes for at least five years or a requirement to provide substantial care to a Close Family Member who currently lives in an Adjoining Rural Parish and has done so for at least five years</p> <p>and for the avoidance of doubt these categories (A-D) are not set out in any preference or priority order</p>
<p>Close Family Member</p>	<p>means a Direct Family Member in addition to further family members such as grandparents, grandchildren, uncle, aunt, niece, nephew</p>
<p>Direct Family Member</p>	<p>means a parent, sibling, dependents, and equivalent connections ‘in law’ and through an unmarried partner</p>

<p>National Park Local Connection</p>	<p>means a person who meets one or more of the following requirements or forms part of a household containing at least one permanent resident who –</p> <p>A) currently lives in Dartmoor National Park and has done so for a least five years; or</p> <p>B) has lived in Dartmoor National Park for at least five years, but moved away within the past five years; or</p> <p>C) is currently employed in Dartmoor National Park working for not less than 16 hours per week, and having done so for at least 26 weeks out of the preceding year; or</p> <p>D) has a strong local connection to Dartmoor National Park by virtue of, for example: upbringing, employment, or having a Direct Family Member who has lived in Dartmoor National Park for at least five years or a requirement to provide substantial care to a Close Family Member who currently lives in Dartmoor National Park and has done so for at least five years.</p> <p>and for the avoidance of doubt these categories (A-D) are not set out in any preference or priority order</p>
<p>District Council Area Local Connection</p>	<p>means a person who meets one or more of the following requirements or forms part of a household containing at least one permanent resident who –</p> <p>A) currently lives in the District Council Area and has done so for a least five years; or</p>

	<p>B) has lived in the District Council Area for at least five years, but moved away within the past five years; or</p> <p>C) is currently employed in the District Council Area, working for not less than 16 hours per week, and having done so for at least 26 weeks out of the preceding year; or</p> <p>D) has a strong local connection to the District Council Area by virtue of, for example: upbringing, employment, or having a Direct Family Member who has lived in the District Council Area for at least five years or a requirement to provide substantial care to a Close Family Member who currently lives in the District Council Area and has done so for at least five years</p> <p>and for the avoidance of doubt these categories (A-D) are not set out in any preference or priority order</p>
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The definition of "Local Connection" shall be updated so that paragraph (D) is deleted and replaced as follows:

'D) has a strong local connection to the Parish of Provision by virtue of for example: upbringing, employment or having a Direct Family Member who has lived in the Parish of Provision for at least five years or a requirement to provide substantial care to a Close Family Member who currently lives in the Parish of Provision and has done so for at least five years

The following paragraph shall be inserted after paragraph (D) of the definition of "Local Connection" as follows:

'and for the avoidance of doubt these categories (A-D) are not set out in any preference or priority order.'

(a) for the Initial Period (Rental) PROVIDED THAT the Owner shall not Clause 2.5 shall be deleted and remain unused.

The Heading “**No Qualifying Person can be Found**” and Clause 2.6 shall be deleted and replaced as follows:

Order of Priority

Upon the expiry of the Initial Period (Rental), to allocate the Affordable Dwelling(s) in the following priority order (which shall, for the avoidance of doubt, give the person defined in clause 2.6.1 below the highest priority and a person defined in clause 2.6.4 below the lowest priority):

To a Qualifying Person;

To a person who can demonstrate to the reasonable satisfaction of the Authority or the Nominee that they are in “Housing Need” **AND** who has an Adjoining Rural Parish Local Connection;

To a person who can demonstrate to the reasonable satisfaction of the Authority or the Nominee that they are in “Housing Need” **AND** who has a National Park Local Connection; or

To a person who can demonstrate to the reasonable satisfaction of the Authority or the Nominee that they are in “Housing Need” **AND** has a District Council Area Local Connection.

Clauses 2.7 and 2.8 shall be deleted and any reference in the Section 106 Agreement to clauses 2.7 and 2.8 shall be deleted.