

Nailsworth Community Land Trust



Questions and Answers

The NCLT Steering Group exists under the auspices of Nailsworth Town Council, until it becomes registered as a Community Benefit Society with its own bank account. Members will then elect Directors to run it.

The Steering Group has appointed Aster Homes (AH) to be the development partner; fund the Community Right To Build Order at their own risk of it not being successful; fund the development; and manage and maintain the completed homes via a 125 year lease, with a break clause solely in favour of the CLT. AH will pay the CLT an annual ground rent. The SG and AH have jointly selected gcp Chartered Architects to design the scheme.

Stroud District Council approved the freehold disposal of its garages site at Lawnside to the CLT for £1 at the meeting of the Housing Committee on 28th October 2014. The next stage is public consultation on development proposals.

1. Questions about the Nailsworth CLT

1.1. Who are the Steering Group?

The group comprises 14 people who live and/or work in Nailsworth, have joined the CLT and have put themselves forward as volunteers to meet monthly and plan the setting up of the CLT and the development of new affordable homes in Nailsworth. They meet on the second Monday evening every month at 7 pm in the Council Chamber at the Town Hall, Old Bristol Road. The meetings are public and there is the opportunity to ask questions at the beginning. The agendas, reports and minutes are published on the CLT website, www.nailsworthclt.org.uk. When Nailsworth CLT is registered as a Community Benefit Society, there will be an Annual General Meeting to appoint Directors to the Board. This will replace the Steering Group. The Board will include two places for Town Councillors and one or two places for District Councillors.

1.2. What area does the Nailsworth CLT cover?

The Steering Group has chosen the area served by Nailsworth Town Council. The membership of a CLT should be restricted to those living and working in a defined area. Generally that is the formal boundary of the town or parish council where the CLT is based, as this is already formally fixed and agreed by official bodies.

1.3. Am I eligible to join the CLT?

If you are over 16 years of age and live and/or work in Nailsworth. This includes Forest Green, Windsoredge, Watledge, Shortwood and Newmarket. As a member you can vote at formal member meetings and stand to be elected as a Director.

1.4. How do I join the Nailsworth CLT?

Fill in the form at the Town Information Centre and pay your £1. Or go on-line at www.nailsworthclt.org.uk fill in the on-line form and pay your £1 via Paypal, for which the CLT receives 87p.

1.5. How will initial CLT costs and continuing costs be met?

The NCLT Steering Group exists under the auspices of Nailsworth Town Council and has been awarded £500 in 2014/15 and £500 in 2015/16 by the Town Council. In addition it has been awarded £5,000 by the CLT Start Up Fund to meet the costs of preparing a Business Plan, becoming registered as a social enterprise and to meet other legal costs.

1.6. What about the potential liabilities for CLT members and directors?

Members would only lose their £1 Membership Fee, if the CLT folded. Directors, for whom there would be training, must act responsibly and appropriately. We would also aim to recruit Board members with a range of skills – legal, financial, development, etc.

1.7. What would happen to the CLT's assets if it folded?

The freehold of the homes must be transferred to another social enterprise with similar objectives.

2. Questions about the proposed new affordable housing for rent

2.1. Where will the new affordable homes be?

At the bottom end of Lawnside where Dark Lane begins, on two sites, one each side of the road. The feasibility study shows four houses and four apartments could be built. The Steering Group is keen to hear of other possible development sites in the town.

2.2. Will the homes only be available for rent?

All the homes in the Lawnside scheme will be available for rent.

2.3. How could I become a tenant of one of the CLT's homes?

You will have to register with Stroud District Council as being in housing need. You can apply on-line via www.gloshomeseeker.co.uk

2.4. Is Stroud District Council's Waiting List means tested?

The Local Authority takes account of the capital and income that people seeking to go on the Housing Waiting List have.

2.5. Does the local authority have some say in who has priority for the houses?

Stroud District Council, as the Strategic Housing Authority will work with the CLT and Aster Homes to agree a Local Lettings Plan for the homes. This will give priority to people either living and/or working in the town and with local connections. SDC will then work with Aster Homes and the CLT, to allocate the homes based on that Plan. It will be important not to leave CLT homes vacant for longer than absolutely necessary due to the loss of rental income. If no one is available who meets any of the priority categories with Nailsworth connections, than a CLT home could be rented to someone with a local connection to the wider Stroud District.

2.6. How will the level of rents be decided?

The aim is for the rents to be affordable. They will be set by the CLT Board in discussion with Aster Homes, taking account of the Business Plan, the prevailing private and public housing rents in the town and what those in housing need can reasonably afford. The average SDC rent is approx. 65% of the market rent. If Homes & Communities Agency grant is received, they require that the rent of the affordable homes is up to 80% of market rent.

2.7. What is the housing status of the tenancy - short term, longer term etc. as needs change?

Aster homes will start all new tenants on an Introductory Tenancy.

2.8. Who will enforce the tenancy conditions?

Aster Homes, on behalf of the CLT.

2.9. How long will prospective tenants have to wait ?

All the tenants will be selected before the homes are completed. To minimise the loss of rent through voids, the CLT intends to ensure new tenants move straight in if, and when, a property becomes vacant.

2.10. When will the new homes at Lawnside be available for occupation?

Using the Localism Act is complicated and takes longer than the normal planning process. Currently we anticipate that the necessary consents will be secured around late 2015/early 2016, with the homes occupied in spring 2017.

2.11. Is there the Right To Buy with CLT homes?

Generally no. If the CLT development is on a Rural Exception site - outside the settlement boundary in a community of less than 3,000 population and listed as a rural community in Government Regulations this is automatic. However, Nailsworth is an urban area, so the removal of what is termed, 'leasehold enfranchisement', must be via a referendum of the electors.

A referendum on this question alone is not possible. Under the Localism Act 2011, the question on removing leasehold enfranchisement has to be linked with seeking consent for the development through a Community Right To Build Order (CRTBO). Additionally, the CLT will have in its constitution an asset lock which forbids the CLT from selling homes.

2.12. Is there the Right To Acquire?

If the referendum on the removal of leasehold enfranchisement is unsuccessful then tenants would enjoy the Right To Acquire. This allows most housing association tenants to buy their homes at a discount of between £9,000 and £16,000. There are certain exemptions, for example, if there is no social housing grant funding or if the property is in a designated rural area (under 3,000 population and listed in Government Regulations).

A tenant becomes eligible for the Right To Acquire if they have had a tenancy for 5 years or more. They purchase their home for the open market value less the discount (which in this area is typically no more than £11,000). The discount is refunded to the housing association and goes into a recycled grant pot. The tenant is required to offer the property back to the housing association if they re-sell them.

The Steering Group feel it important to keep the CLT's home for the benefit of the community as a whole. For this reason, we will be holding the necessary referendum to remove both the Right to Buy and the Right to Acquire.

2.13. If Nailsworth didn't have a CLT, what affordable housing would SDC be building in Nailsworth in the next 5 years?

Neither SDC, nor any Housing Associations currently have plans to build any affordable housing in Nailsworth. There are no private housing developments under construction or with planning consent where affordable homes are to be provided or where funds have been made available through a Section 106 Planning Agreement for the provision of affordable homes off site.

2.14. Is the housing in addition to Stroud District Council's Local Plan or in those numbers?

Any homes provided by the CLT will be part of the housing delivery in the recently submitted Stroud Local Plan under the category of windfall schemes.

2.15. How many homes does the CLT want to build?

The Housing Needs Survey commissioned by the Town Council from Gloucestershire Rural Community Council in 2013 identifies 52 households in housing need. The Lawnside site could provide say 8 homes. Depending on what other sites become available to the CLT and their development potential, the CLT could provide serviced plots for self-builders, bungalows for affordable rent and homes for freehold sale to provide cross-subsidy to the development cost of affordable homes.

2.16. What will happen to the garages still let by SDC on the Lawnside site?

SDC is responsible for providing the site without tenants. There are enough vacant garages owned by SDC in the vicinity to enable current garage tenants to be relocated.

2.17. If the garage site is built on, that would increase the need for on-street parking?

Each new home will have its own off-street parking. The development proposals will be discussed with local people and the Highway Authority – Gloucestershire County Council.

2.18. A petition has been circulated by a resident about reopening the Lawnside/Bunting Hill closure.

It will be a matter firstly for Nailsworth Town Council and then for Gloucestershire County Council, as the Highway Authority, if the Town Council wishes the closure to be reviewed.

3. Questions about CLTs in general

3.1. Is Nailsworth a pioneer?

There are over 170 local CLTs in England and Wales, half of which were formed in the last two years. There is a National CLT Network, a registered charity funded through national trusts and foundations with three staff based in London. There are eight sub-regional umbrella CLTs, funded locally, which employ staff to advise and assist local communities. Ian Crawley, the national CLT Technical Advisor assisting Nailsworth is a volunteer for the Wiltshire umbrella CLT. The Network target is for 3,000 affordable CLT homes by 2020. The overall goal is a CLT in every community.

Nailsworth CLT is pioneering the use of the CRTBO and the referendum to remove the RTB/A in a non-rural environment.

3.2. Have there been CLT planning applications that have been turned down?

A CLT has no different status with regard to obtaining planning consent from any other planning applicant. The CLT, or its employed advisers, should work closely with the planning and highways authorities to ensure the submitted planning application is likely to receive consent. The same applies to a Community Right To Build Order.

3.3. Is there any history of a CLT renovating historic properties?

There are various examples. Holsworthy in Devon, has converted vacant space above shops into flats. CLTs in Middlesborough and Liverpool are converting/upgrading derelict terraced homes.

3.4. Are there other CLTs that have worked with difficult sites?

Generally, CLTs build on greenfield sites, as they are rural exception developments. Some build on brownfield (previously developed) sites. For example, Lyvennet CLT in Crosby Ravenscroft, Cumbria, built their housing on the site of a former stoneworks with waste pits containing hazardous waste.

Ian Crawley/ 12th March 2015 On behalf of the Nailsworth CLT Steering Group.