





# COMMUNITY LAND TRUST FINANCING Understanding the diversity of models in Europe

September 2019

**CLT BRUSSELS (CLTB)** 

With the participation of













## **CLT BRUSSELS (CLTB)**

#### STATE OF AFFORDABLE HOUSING IN THE BRUSSELS CAPITAL REGION

The Brussels Capital Region (BCR) is suffering a lack of social housing, which represented only 7.3% of the total stock in 2016. In parallel, the waiting list for social housing keeps rising (29% increase between 2012 and 2018), reaching 48,000 persons in 2018 (*Société du Logement de la Région Bruxelloise*, 2018). This lack of supply is coupled with a severe housing affordability crisis. Between 2004 and 2016, the median rent increased by about 22%, whereas housing prices increased by 34% over the same period (Social Barometer, 2017). Against this backdrop, even though housing ownership concerns 35% of the population, the existing schemes no longer cover the lowest-income households (CLTB, Lille, 2018).

#### LEGAL AND POLITICAL BACKGROUND

The BCR was created in 1989. It is one of the three regions of the Belgium federal state, along with Flanders and Wallonia. As of 2018, it is governed by a centre-left/centre-right coalition. In this decentralised political arrangement, the provision of affordable housing is a direct responsibility of the BCR. This situation and the existence of a unique political-associative environment enabled the creation of CLTB. The BCR has significantly contributed to the organisation's support and development since 2012<sup>6</sup>.

#### **CLTB LEGAL STATUS AND GOVERNANCE**

In terms of legal status, CLTB is composed of **two entities** with different missions. One is the **Public Purpose Foundation** (FUP), **in charge of owning and managing the land perpetually**. The foundation receives a €2,000,000 yearly investment grant from BCR in order to acquire land and subsidise lowest-income households. In order to access this grant, CLTB must present a grant request identifying the project, including a feasibility study and a business plan. This investment component was initially granted within the framework of the 'Alliance Habitat' investment plan (2013-2017)<sup>7</sup>. Since the end of this plan, CLTB has been able to continue requesting yearly grants to develop further projects<sup>8</sup>.

The other entity is a non-profit organisation (ASBL) in charge of the day-to-day management of CLTB, housing development (including the participatory components with future residents) and other projects aiming at consolidating the CLTB model. The association had a €500,000 operational budget in 2018, €240,000 of which was a direct grant from the BCR<sup>9</sup>.

In terms of governance, CLTB followed the initial US-based CLT model of governance, adopting **tripartite governance** in which current and future residents, neighbours as well as public officials are represented within the board of trustees with one-third of the votes each. This model thus balances each party's interests and secures affordability in the long term.

1

<sup>&</sup>lt;sup>6</sup> For instance, BCR financed the CLTB feasibility study in 2012, therby contributing to the CLT model becoming recognised and integrated into the Housing Code in 2013.

<sup>&</sup>lt;sup>7</sup> CLTB had a mandate to develop 30 units per year within the framework of this four-year plan that expired in 2017.

<sup>&</sup>lt;sup>8</sup> This subsidy, combined with the investment of future residents, makes for a total of €5,000,000 investment budget for housing development per year.

<sup>&</sup>lt;sup>9</sup> The remaining 50% comes from specific calls for projects from public authorities (e.g. InnovIris, Interreg, Municipality of Moolenbeek etc.), or charitable funding (e.g. Fonds Baronne Monique van Oldeneel tot Oldenzeel, 4 Wings Foundation, etc.). Theses sources of funding are usually dedicated to specific projects (e.g. <u>SHICC</u>, <u>CALICO</u>, etc.).

## **CLT Brussels in brief**

Date of creation	2012 (7 years)					
Nature	Initiative supported by the non-profit sector					
Legal structure	Association (ASBL) combined with a Foundation (FUP)					
Target population	-Most deprived households, majority of migrants -Eligible for social housing -Maximum income ceiling (per individual): €22,560 per year					
Membership fees	- €10 per member per year					
Resale price	-Average price per m² on the private market: €2,800 - €4,000 (Brussels City) -CLTB price per m²: €1,650 on average -25-50% of the market price					
Projects	<ul> <li>- 1 project completed (9 units)</li> <li>- 1 unit donated</li> <li>- 4 projects under construction (34, 32, 7, 4 units)</li> <li>- 5 projects under study (22,18,15,13, 9 units)</li> <li>→ total of 164 units in development</li> </ul>					
Workforce	-7.5 FTE (full-time equivalents), 10 persons -An estimated 18 persons by mid-2019 -Mobilisation of 2 other FTE via partnerships with associations -CLTB is supported by about 50 volunteers <sup>10</sup>					
Number of members	CLTB has a total of 600 members, including: -400 homeowner candidates -170 supporting members -30 non-profit organisations					
Resale formula	Capture of added value  -The seller: receives 25% of added value  -CLTB (FUP) receives 6% of added value or €3,000  -The buyer pays initial price + 31% of added value  → 69% of the added value is captured					
Ground lease	-€10 month (€120/year) -50-year surface right leasehold including novation clause					
2018 budget	Operational budget: €500,000 Investment budget: €5,000,000					
Sources of funds	Mainly from public grants					

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 $<sup>^{10}</sup>$  Their involvement varies from regular tasks such as translations to occasional involvement in major events such as the Annual General Meeting (AGM). All CLTB trustees are volunteers.

## **HOW CLTB WAS CREATED**

#### Upfront financial assistance

Initially, the CLT project was supported by **pro-bono resources** from a group of associations (Bonnevie, Periferia, Crédal, Gut-T). A **feasibility study was then commissioned by the BCR** (Secretary of State for Housing) in 2012, amounting to €150,000. In line with the completion of the feasibility study, a **public call for projects** was launched to implement the CLT. During the CLT start-up phase, the organisation was supported by the Pro RénovAssistance Foundation, which contributed up to €10,000 to operating costs over the first two years. The King Baudouin Foundation also supported the early stages of development financing (2 FTE).

At the same time, the associations part of the consortium **benefited from subsidised jobs** (*emplois aidés*) dedicated to innovative jobs and financed by the BCR.

## **Technical support**

The CLTB feasibility study was carried out using the consortium's **internal competencies**<sup>11</sup>, in partnership with the UCL Development of Planning Unit (*Université Catholique de Louvain*), and the legal expertise of Lydian Lawyers. It led to the carrying out of a market study, identification of a target population, adoption of a legal status, forecasts for a pilot operation (250 units), and the design of a business plan.

#### **CREATION OF PROJECT GROUPS**

CLTB has, since its creation, been fostering the creation of future inhabitants groups for specific housing projects (*groupes-projet*). Members of these groups are provided with **training and capacity-building solutions**<sup>12</sup>. Two types of needs emerged: firstly, on understanding **housing development processes**<sup>13</sup> and their related challenges, and, secondly, on training related to **access to homeownership** (savings, legal aspects, etc.).

CLTB meets this first need thanks to mobilisation of its project managers, who generally have a background in architecture. They support the co-construction processes (composed of six architectural workshops) and ensure project supervision.

In parallel, **several associations collaborate with CLTB** using their own resources to help guide households towards ownership. They usually operate within the boundaries of their mission and focus on their traditional target audience<sup>14</sup>.

Further collaborative actions to foster capacity building have been considered within the framework of three-year **Urban Regeneration schemes** (*Contrats de Quartier*<sup>15</sup>), which usually include community-building activities. However, as of today, this scheme hasn't led to the creation of any new partnerships, due to time constraints<sup>16</sup>.

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<sup>&</sup>lt;sup>11</sup> Coordinated by the *Maison de Quartier Bonnevie* and *Periferia*.

<sup>&</sup>lt;sup>12</sup> For more information refer to the document '<u>Table Ronde CLTB</u>' (2014), in French/Dutch.

<sup>&</sup>lt;sup>13</sup> Including the public procurement process, design schemes, obtaining a building permit etc.

<sup>&</sup>lt;sup>14</sup> E.g. *Ciré* leads workshops on co-ownership schemes and related ownership rights, targeting immigrants. *Convivence*, for its part, helps guide vulnerable households through their home-purchase journey.

<sup>&</sup>lt;sup>15</sup> The way they operate will be detailed below under the 'Site' section.

<sup>&</sup>lt;sup>16</sup> CLTB has in some instances obtained funding to support projects through the *Contrat de Quartier* scheme, while the actual sale of the land where these projects would take place was not carried out within the three years of the programme. Associations were ready to collaborate, but the partnership couldn't be implemented and financed under the *Contrat de Quartier*.

### **PROJECT DEVELOPMENT**

#### Site

The most advantageous way for CLTB to acquire land is through **Urban Regeneration Schemes** called *Contrats de Quartier*. These are financed by the BCR, as well as by the *Politique des Grandes Villes* (urban policy) and Beliris (a semi-public organisation financing BCR urban development). The *Contrat de Quartier* **facilitates expropriations**, and it **enables the BCR to provide cities and towns grants** for them to sell land below market price (up to ¼ **of their market value**) (Leroy, 2018). CLTB is then in a position to bid to acquire the land at a reduced price. The acquisition is financed through the €2,000,000 investment grant described earlier, which includes a **grant for site purchase amounting to €350 per m²**.

#### Plan

Pre-feasibility and other mandatory site studies are **either carried out internally or commissioned by CLTB** using its operational budget. Following pre-feasibility, CLTB files a specific regional investment grant request which has project development as a condition (see above). CLTB project managers undertake the planning aspect as they prepare the call for tender that will designate the architect in charge. They also draft technical specification documents, calling on construction enterprises and ensuring co-design with the future residents in partnership with the designated architect.

Any other costs related to a project investment such as registration fees or building permit application fees are covered by the FUP through its investment budget. However, these costs are marginal (about €150,000) compared to total project costs.

#### Build

#### a. Building homes

Generally speaking, 40% of development is financed through the CLTB investment component or specific calls for projects<sup>17</sup>. Other regional grants exist for specific work such as decontamination or facade renovation; however, these are not specific to CLTB, and their amounts remains marginal - at most they represent 8% of the total budget of the project. The remaining 60% of investment is financed through the households' mortgages provided via the *Fonds du Logement* <sup>18</sup>.

As CLTB is financed significantly by public funds, developments have to undergo **public procurement processes** coordinated by CLTB project managers. CLTB has two models for housing development. It either develops projects on its own (self-development), or through an intermediary (*Fonds du Logement*) - or it directly buys units at completion from intermediary developers (e.g. *Fonds du Logement*) (Leroy, 2018).

The affordability of the unit is secured through two mechanisms. An **affordability grant of** £415 per m² on average¹9 and a **lower VAT rate**²0 (6%) lower the delivery cost of the unit. Even though there are a certain number of homeowner candidates on the CLTB waiting list, there is still a marginal risk that construction work cannot not be completed within the allocated budget. CLTB (FUP) guarantees up to 60% (representing the share of each household's investment) of this minor operational risk.

As of September 2019, CLTB has already developed **9 units** and a **further 77 are under construction**. CLTB is emerging as a legitimate housing developer. Its cost for public

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<sup>&</sup>lt;sup>17</sup> E.g. CALICO.

<sup>&</sup>lt;sup>18</sup> This mechanism will be detailed under the 'Acquisition and resale of units' section.

<sup>&</sup>lt;sup>19</sup> Grant calibrated to allow access to households with an average annual income of €14,360 (Source: CLTB presentation, 2018). It is part of the €2,000,000 investment grant from BCR.

<sup>&</sup>lt;sup>20</sup> NB: this tax break is allocated only to accredited housing providers. It has been implemented for schemes in which CLT acquired units from the *Fonds du Logement* or in which *Fonds du Logement* is in charge of the development of the project. CLTB is not accredited as of today but is looking for venues to obtain this reduced VATrate.

authorities is lower than traditional social housing providers (Leroy, 2018). Indeed, the BCR invests 40% of the project costs into CLT homes compared to 50% for social rental housing. In addition, the BCR also has to ensure the maintenance and the rehabilitation of social housing. CLTB thus has a strong potential to become a key player of the Brussels Region housing policy.

#### b. Financing non-residential components

Besides housing, CLTB also pursues the idea of developing **mixed-use urban development schemes**. Financing community spaces, associative or commercial spaces remains, however, a challenge.

Until now, CLTB has managed to include community spaces in most of its projects despite not receiving any grants from the Housing Department. It thus had to sell or rent those spaces at cost price (€2,000 per m²); depending on the area, this represents few advantages for the beneficiary. Consequently, the interested buyers have come from the not-for-profit world or the public sector²¹. These types of stakeholders have indeed found an interest in being part of a CLT project and didn't see drawbacks in taking part in a lengthy process (five years on average) from the early stages.

In order to **attract less flexible actors** - such as emergent social enterprises - CLTB has been seeking support from the Regional Economic and Employment Department. Attempts to subsidise the construction of commercial spaces have to date remained unfruitful.

#### Focus: a typical CLTB financial operation

Even though this project has not been completed, the forecasts presented below are quite representative of how CLTB works. CLTB aimed at developing 13 units for a total operational cost of about €3,000,000 euros. The average sale price was estimated at €1,650 per m². Land costs represented 22% of the overall costs, 10% of which were purchase costs and 10% for lot decontamination and servicing.

Generally speaking, such a project would take **five years** to implement, from the planning agreement to its completion<sup>22</sup>. On average, the land purchasing process takes four months and the project start about six months<sup>23</sup>. Then, about six months are required for contacting an architect then one year to file a building permit application. From there, four or five more months are necessary for contacting building entrepreneurs. Finally, the construction is spread out over a year and a half (Leroy, 2018).

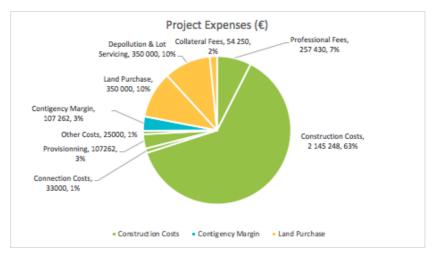
Origin of the land	Public			
Number of units	13 units to sell			
Common & community space	No			
Total estimated cost	€3,379,452			
Land cost	€350,000 (10%)			
Estimated price per m <sup>2</sup>	€1,650			

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<sup>&</sup>lt;sup>21</sup> E.g. The womens association *Vie féminine,* the Brussels public environmental association, municipal organisations, etc.

<sup>&</sup>lt;sup>22</sup> Not including preliminary studies, which can last several months.

<sup>&</sup>lt;sup>23</sup> A timing for which CLTB could have the most flexibility.



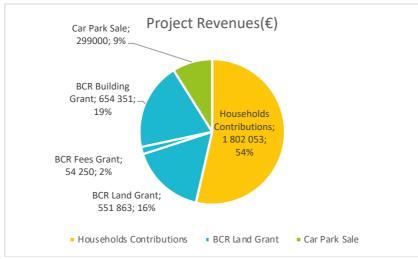


Fig.2 CLT Brussels typical financial operation (Source: CLTB, 2018)

#### **CLTB OPERATION**

#### Purchase and resale of units

CLTB units are allocated according to a chronological order of registration. The prices depend on household income (A to D, based on the BCR social housing grid, see below).

		Number of bedrooms						
Household Category		0	1	2	3	4	5	
A. (max. social housing)	Max	126,309€	142,348€	178,076€	223,522€	255,718€	318,366€	
	Min	109,225€	124,475€	157,304€	198,237€	227,425€	284,445€	
B. (above unemploy- ment benefit)	Max	109,225€	124,475€	157,304€	198,237€	227,425€	284,445€	
	Min	92,141€	106,602€	136,531€	172,953€	199,133€	250,523€	
C.(below unemploy- ment benefit)	Max	92,141€	106,602€	136,531€	172,953€	199,133€	250,523€	
	Min	75,056€	88,729€	115,759€	147,669€	170,840€	216,602€	
D.(min. legal income)	Max	75,056€	88,729€	115,759€	147,669€	170,840€	216,602€	
	Min	57,972€	70,885€	94,987€	122,385€	142,548€	182,681€	

Fig.3 Social-homeownership income ceilings in the Brussels Capital Region (Source: CLTB, 2018)

CLTB relies on the *Fonds du Logement* ('housing fund') in order to finance the mortgages of future residents. This **semi-public organisation** has a unique position, as it **both develops and manages affordable housing in the BCR**. Theoretically, mortgages could be contracted with any commercial or ethical bank, but the *Fonds du Logement* offers the most advantageous options. Indeed, it proposes **25-year credit at an interest rate of about 2%** on average<sup>24</sup>. The **maximum monthly repayment amounts to up to 30% of household income**. Prospective buyers are allowed to borrow €265,000 maximum. Fiscal incentives are the same as for first-time buyers in the country.

**These loans are guaranteed by CLTB** (FUP), a preliminary condition from the *Fonds du Logement* to provide the loans. Another option could have been to mortgage the CLT land, but this option was rejected for ideological reasons.

CLTB has established a number of measures to **limit risks of suspension of payment**. Firstly, a number of training sessions targeting current and future owners exist on how to save efficiently. For instance, CLTB, promotes a €10 monthly micro-savings initiative in partnership with Crédal.

Further, an informal agreement with *Fonds du Logement* has been developed ensuring that, in the event of any repayment issue, CLTB would be given sufficient notice and time to find a solution with the concerned household.

Once a mortgage is contracted, a **Ground-Lease Contract** is signed with CLTB for a period of **50 years** (corresponding to surface rights). This contract binds the CLT and the buyer. It obliges the buyer to lease the land to the CLT for €10<sup>25</sup> monthly. This contract includes a novation clause which enables the contract to be renewed every 50 years (in the event of sale or inheritance<sup>26</sup>).

Finally, once the unit is sold, the buyer has to adhere to anti-speculation rules as defined by the resale formula<sup>27</sup>. It stipulates that the seller receives 25% of the added value. CLTB (through the FUP) receives 6% of added value or €3,000 (whichever is the highest). The next buyer thus pays the initial price plus 31% of the added value. The capture of value represents 69%. The whole process is managed by CLTB (ASBL).

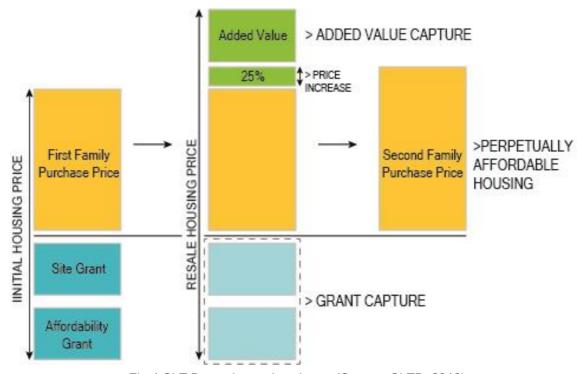


Fig.4 CLT Brussels resale scheme (Source: CLTB, 2018)

<sup>&</sup>lt;sup>24</sup> Varies between 1.5 and 3%.

<sup>&</sup>lt;sup>25</sup> Symbolic amount, representing a few cents per square meter.

<sup>&</sup>lt;sup>26</sup> If the heir fulfils income criteria.

<sup>&</sup>lt;sup>27</sup> Based on the Champlain Housing Trust experiment.

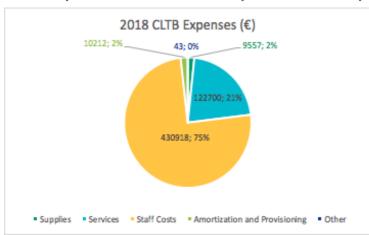
## **Building management**

In terms of building management, projects usually operate as **traditional co-ownership** schemes. Inhabitants pay **monthly charges** depending on the unit size and building facilities. They also contribute to a **guarantee fund**. The management is done by either one of the residents or a professional property manager.

Future residents are trained in the different aspects of managing their own house, including how to live as a community.

**CLTB supports groups for two years after they move in**. For instance, CLTB has piloted the drafting of a charter spelling out values shared among all residents.

## CLTB operations and development of new projects



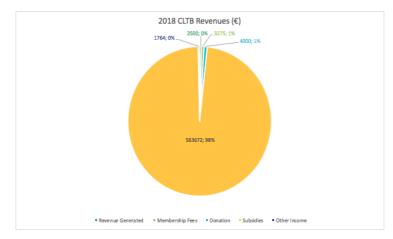


Fig.5 CLT Brussels 2018 budget (Source: CLTB, 2018)

As mentioned in the introduction, CLTB has an operational budget of €500,000 and an investment budget of €5,000,000 on average per year. It represents about 84% of investment made and 16% of operating costs (CLTB, 2016).

Concerning the organisation's operating costs, staff costs represent its greatest spending item (€430,918 in 2018, 75% of the operational budget). Its main source of revenue is a mix of diverse grants (€563,672, 98%). However, CLTB aims to expand its equity capital. As of today its baseline capital comes from leases ground (€10 per households per month<sup>28</sup>), membership fees (€10 member per year, representing €3,275 in 2018), and the mobilisation of local savings and citizen finance through crowd funding and donation campaigns (CLTB, 2016). CLTB also has the goal of developing solidaritybased finance through a land cooperative project in partnership with Crédal.

In terms of the CLT operation, grants provided by the government are neither transferable nor postponable from one year to another. This aspect forces CLTB to be forward-looking and to look continuously for new sites, thereby leading to high project turnover. As of today, seven operations are coexisting at different progress stages: three are under construction, and four others will be so soon. This favourable investment environment will foster a virtuous spiral of investment return. However, a risk envisioned by CLTB is to be unable to sustain increasing workload with present staffing.

Indeed, CLTB aims to grow from 130 units today to 1,000 units produced by 2030. However, its operating budget hasn't been revaluated in the past five years. Even though an economy of scale exists and staff expertise is improving, CLTB is still understaffed (7.5 FTE, 10

<sup>&</sup>lt;sup>28</sup> A number that could become significant in financing CLTB engineering in a scenario of growth (1,000 units).

employees). Within the current financing scheme, it is easier for CLTB to finance staff dedicated to project development than to back-office activities. In fact, the most understaffed positions are: **communication**, **administration** (currently ½ FTE mobilised) and **accounting**. To meet its objective of growth and still carry on its activities, CLTB is experimenting with **alternative ways to fund staff**, calling upon charitable foundations or implementing other alternative projects. For instance, CLTB will recruit five new staff by the end of 2018 including: 1 FTE for communication and fundraising (4WINGS Foundation), 1 FTE working on the development of a cooperative project (within the framework of the *Home Lab project*), and 2 FTE on the *Calico project*<sup>29</sup>.

#### CONCLUSION

CLTB faces various barriers towards the implementation of a sustainable financial model.

Firstly, its dependence on public financial support is both a strength and a weakness. This support indeed underlies strong political will to support a CLT on its territory but forces CLTB to produce only residential projects and puts it at risk in the event of political change. This aspect could be overcome by increased mobilisation of private and citizen capital, notably through social investment, the collection of ground leases and fundraising campaigns.

Similarly, its dependence on its partners for the social support of households doesn't appear sustainable in the long run. While this system is currently efficient, it might be more difficult to implement when the CLT scales up. These associations would need to increase their resources accordingly. It is thus essential to acknowledge the important added value provided by the social support for the residents. This feature needs to continue being considered as a crucial part of the projects and be financed as such.

In terms of financing back-office jobs, there is a clear lack of human resources for covering activities such as accounting, legal work and communication. In the framework of traditional calls for projects, one challenge is to justify these staff costs that are administrative in nature and yet essential to properly run the programmes. Currently, the existing staff cover these missions in a cross-cutting way, but it will be more difficult to sustain such tasks as CTLB scales up.

Less prominent but still an issue to be raised is the difficulty for CLTB to get non-residential components financed. At the present point in time, it must still obtain acknowledgement as a social-homeownership facilitator<sup>30</sup>. If CLTB wants to include a variety of projects (cooperatives, commercial spaces, Calico Project etc.), it is critical for it move beyond the pilot phase. The development of a sustainable business model would indeed enable it to gain the BCR's support and replicate these pilot projects on a larger scale.

Finally, one point of attention in developing CLTB activities would be to **develop an offer targeting a wider range of the population**, in particular people above the social housing ceiling but who are still not able to access the private market. These include first-time buyers, young people with unstable employment contracts and the elderly.

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<sup>&</sup>lt;sup>29</sup> A mixed project financed by Interreg combining 36 housing units, a nursery and a specific entity for palliative-care housing.

<sup>&</sup>lt;sup>30</sup> This is the mandate given by the BCR.

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FMDV (Global Fund for Cities Development) is in charge of coordinating the Financial Models Work Package (WP) of the SHICC project. FMDV mobilises its internal expertise and reaches out to other networks and partners (in particular from the finance community and local and regional governments) to analyse CLT/OFS financial models, develop new financing and engineering approaches for CLT/OFS, and disseminate knowledge that will help make the model widespread in the North-West Europe region.

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## With the participation of

#### The City of Lille



City of Lille supports the project management and coordinates the partnership agreement. As lead partner of the project, it is involved in all Work Packages (WPs) in order to ensure their proper coordination and advancement.

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#### **CLT Brussels**



CLTB leads the general coordination of the project, along with the City of Lille. As part of this project, CLTB develops new financial models and new strategies for enhancing community involvement. As a pilot CLT, CLTB will inspire other initiatives in the region. Through its involvement in capacity building, long-term effects and communication Work Packages, CLTB contributes to the spreading of the CLT model within the North-West Europe (NWE) region and helps emerging CLT to overcome their initial barriers.

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https://cltb.be/

#### **CLT Ghent**



To support Community Land Trusts, CLT Ghent is leading the four CLT Pilot Work Packages and contributes to other aspects of the programme.

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#### **London CLT**



London CLT brings practitioner expertise as a CLT in the very expensive housing market of London. It has particular experience in engaging with communities and the state, based on a community organising approach. It is making the change from a grant-funded not-for-profit organisation with a campaigning emphasis to a sustainable social enterprise, actively exploring a diverse range of social finance options. LCLT is keen to develop new ways to create sustainable funding.

hannah@londonclt.org http://www.londonclt.org/

#### **UK National CLT Network**



Leads the Communications Work Package (WP); leads the Start-up Fund WP, building on its existing grant programme that provides small grants for nascent or new CLT to buy in technical support and reach key milestones; leads the Long-term Effects WP, specifically delivering the advocacy campaign work and social-impact measurement work; and supports the delivery of other aspects of the programme.

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