

5/05/2021



Community Benefit Society No. RS007719  
Registered Society No. RS31419R

**Lune Valley Community Land Trust  
and  
South Lakes Housing Association**

**LOCAL LETTINGS PLAN**

**Mill Lane Community Homes**

**on Mill Lane, Halton,  
Lancaster**

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*Note: This Plan deals only with the allocation of Rental homes.*

### **1 Legislation**

In developing this policy the Councils have followed and fully considered the following housing legislation, regulations, statutory guidance, and strategies:

1. The Housing Act 1996, Part 6 as amended by Localism Act 2011 (England); 2. The Housing Act 1996, Part 7 as amended by the Homelessness Reduction Act 2017;

3. Allocation of Accommodation: Guidance for Local housing Authorities in England (2012) ;
4. Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England, (December 2013);
5. Improving access to social housing for members of the armed forces: Statutory guidance June 2020.

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## **2 Purpose, and partnership structure**

Lune Valley Community Land Trust (LVCLT) is registered with the Financial Conduct Authority (FCA) as a Community Benefit Society (Registration Number RS007719). It has been established to provide affordable housing for people who are in housing need, and who primarily live in or work principally in the Parish of Halton-with-Aughton or the surrounding Area.

In so doing LVCLT wishes to make it possible for those with employment in the Parish to live close to their place of work and for those with local family connections and responsibilities to live close by. In the event that no eligible applicants can be identified within the Parish, then applicants in adjoining Parishes in the surrounding Area will be considered based on their housing need and local connection, through the operation of a 'Cascade' system.

To deliver this Development, LVCLT has formed a development and management partnership (LVCLT/SLH) with South Lakes Housing Association Ltd (SLH), an FCA Registered Society with number RS31419R. SLH are a provider of affordable housing, approved by Lancaster City Council (LCC) for the purpose of developing, owning, maintaining and managing Local Needs Affordable Housing. The terms of this partnership are laid out in the Lease, and in the Partnership Agreement.

This Local Lettings Plan sets out the process by which LVCLT/SLH will ensure compliance with the requirements of the Section 106 Agreement for the Development; and ensure that all Affordable Dwellings are prioritised for people in housing need, with a Parish connection, in perpetuity.

The terms and conditions set out below will apply to all first time and subsequent lettings, so that SLH/LVCLT can ensure that the homes continue to be occupied on similar terms by households who meet the qualifying criteria.

## **3 Application of this policy**

This Local Lettings Plan will be applied within LCC's Housing Allocation Policy, to prioritise

local people to live in the Development. It favours anyone in housing need, who lives in or works principally in the Parish, or has local family connections or responsibilities.

SLH will be responsible for the allocation of all properties, in accordance with this policy.

#### **4 Definitions For the purposes of this Housing Allocations Policy**

The following definitions shall apply:

**Advertising** The process of publicising the scheme opportunity to the community, before new homes are released, or before re-let homes are available, to allow people to apply to be on LCC's housing register, to enable them to bid for the properties when advertised on LCC's website.

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**Affordable Rent** The rent to be set by SLH at a maximum of 80% of gross market rent (inclusive of service charges), but no more than the LCC Local Housing Allowance rate at the time of letting.

**Surrounding Area** The Civil Parishes surrounding Halton; of Caton-with-Littledale, Claughton, Gressingham, Nether Kellet, Quernmore and Slyne-with Hest.

**Applying for Homes** Applicants must be registered on Lancaster City Council's Housing Register and must apply for available vacancies in accordance with LCC's Lettings Policy. All vacancies will be advertised in accordance with Lancaster City Council's allocation scheme.

**Development** Residential development on Mill Lane, Halton, comprising 13 Affordable Rented Homes and 7 Intermediate Tenure Homes, access roads, car parking and public open space, described in an application for planning permission submitted on 29/06/2020 under reference number FUL/006123/20.

**District** The geographical area of Lancaster City Council

**Employed** Working in employment or self-employment for at least 16 hours per week; including self-employment and 'zero hours' contracts

**HAP** LCC's Housing Allocation Policy

**Housing Need** In need of suitable permanent housing and unable to afford to pay market rents or the open market price for reasonably suitable permanent housing

**Immediate Family** Mother, Father, Foster parents, Sister, Brother, Daughter, Son,

Grandparents or Grandchild, or if he or she ordinarily resides with that other person.

**Parish** The civil Parish of Halton-with-Aughton

**Plan** [ ] The plan attached to this policy marked [ ]

<https://planningdocs.lancaster.gov.uk/NorthgatePublicDocs/00969509.pdf>

**Permission** The planning permission to be issued for the Development

**Property** The land at Mill Lane.... edged red on the Plan being part of the land registered at HM Land Registry with absolute title under title number **XXXXXXX**.

**S106 Agreement** The planning obligation agreement entered into by LVCLT/SLH and Lancaster City Council (LCC) for the Development

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## 5 Aims & Objectives

LVCLT/SLH's aim is to provide housing at a price that can be afforded on local wages. It also wishes to make it possible for those with employment primarily in the Parish, but also in the Area, to live close to their place of work. In this way job vacancies can be filled; the community can function effectively and local young people can be given an opportunity to remain in the Parish should they wish to do so.

## 6 Application Process

Applicants must be registered for housing with Lancaster City Council (LCC). LCC will process their applications and prioritise them in accordance with their Lettings Policy (Appendix 1).

Applicants who are interested in a vacancy and are registered will be required to apply for properties when advertised in order to be considered for a vacancy.

## 7 Selection of Applicants

Firstly applicants must meet the following criteria

1. Applicants must be unable to afford local open market rental property. This will be determined by the criteria in LCC's Lettings Policy. If they are eligible to register for housing they will be deemed to be eligible for this development.
2. Preference will be given to applicants who will fully occupy the property.
3. Adapted properties will be allocated, where possible to applicants requiring the facilities of the property. The cascade sequence will be applied but if there are no applicants who require the adaptations who have a qualifying local connection, applicants with a need for the adaptations will be prioritised over applicants with a qualifying local connection who do not need an adapted property.
4. Applicants who can demonstrate a qualifying local connection to the parish of

Halton-with-Aughton who wish to expand their family will be considered subject to an affordability assessment. (These will take priority over applicants who will fully occupy but have no local connection to Halton-with-Aughton).

When choosing registered applicants to be offered homes at this Development, preference will be given to applicants who can demonstrate a qualifying local connection. The following local criteria will be prioritised over general housing need in the order given below; this is referred to as a “cascade” (See Appendix 4).

1. In the first instance priority will be given to applicants with a qualifying connection to Halton-with-Aughton parish.
2. If there are no applicants who meet the first criterion preference will next be given to applicants with qualifying connection to the surrounding area.
3. If there are no applicants who meet the criteria in 1 and 2 above, preference will be given to: rest of Lune Valley north east of Lancaster.

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4. If there are no qualifying applicants with a qualifying local connection to any of the above parishes, preference will be given to applicants with a local connection to Lancaster City Council District
5. If there are no applicants with a qualifying local connection preference will be given to the applicant in the highest priority category for re-housing.

## **8 Definition of Qualifying Local Connection**

The definition of local connection to be applied is the definition which is included in LCC's Lettings Policy. A local connection means that one or more of the following statements applies to the applicant:

- Lived continuously in the district for the previous three years.
- Previously lived in the district for a minimum of 15 consecutive years. If this is the only local connection criterion that applies, then the applicant will be placed in B and E, regardless of whether any other factors in a higher band apply
- Residence in a hospital, prison, residential school, student accommodation (where it is not their principal home), approved premises, residential rehabilitation facilities and recovery housing does not gain a local connection.
- Worked or provided a community contribution in the district for the previous three years (See section 3.34 and 3.35).
- Is serving in the Armed Forces or has served in the previous five years. • Is a bereaved spouse or civil partner of a member of the Armed Forces and is having to leave Services Family Accommodation.
- Is an existing or former member of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- Is a social housing tenant in another Local Authority area who is needing to move to the district to take up employment or apprenticeship opportunity within the district. • Is

a social housing tenant who has a need to move to the district to avoid hardship • Close family (i.e. mother, father, adult sibling or adult child), who currently live in the district and have done so for the previous five years. If this is the only local connection criterion that applies, then the applicant will be placed in Band E, regardless of whether any other factors in a higher band apply.

- They have moved to the district to escape violence or harm
- They are a victim of domestic abuse who has fled to the Lancaster district. • Applicants from the travelling community who do not have a local connection to another local authority area
- Asylum seekers who are granted refugee status or other form of leave (Exceptional leave to remain, humanitarian protection and discretionary leave) and were living in Home Office accommodation in the Lancaster district at the time their asylum claim was determined.
- They are a care leaver who has been looked after by County Council and after care duties still apply under s23C of the Children Act 1989.
- They are a care leaver aged under 21 who reside in the district and have done so for at least 2 years, including some time before they turned 16.

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Three criteria, additional to those listed in LCCs Lettings Policy will also apply:

- the individual needs to live in the Parish either because they are ill and/or need support from a relative who lives there; or because they need to give support to a relative who is ill and/or needs to live there.
- Local employment to include the self-employed, home workers and zero hour contract workers,
- 'Public Sector Key Worker' to cover anyone who works in the whole District, not just the Parish.

## **9 Insufficient Eligible Applicants**

If there are no applicants for the property it will be re-advertised as often as is necessary to let the vacancy.

## **10 Publicising the Qualifying Criteria**

LVCLT and SLH will clearly set out on their websites their Local Housing Criteria, and this Local Lettings Plan, together with LCC's Guidance Notes for completing an Application. Where necessary they will provide support to potential applicants in understanding these.

## **11 Equal Opportunities Policy**

LCC/SLH/LVCLT are committed to providing equality of opportunity to all who apply for housing and who meet the qualifying criteria. 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.

## **12 Conflicts of Interest Policy**

Any member of LCC, SLH or LVCLT who might have a vested connection with any applicant must declare such connection and will not be involved in that applicant's allocation decision.

## **13 Personal Information Policy**

LCC, SLH and LVCLT will manage all applicants' personal and financial information in compliance with the GDPR and Data Protection Act 2018 and any subsequent Acts, and it will be subject to appropriate confidentiality.

By submitting a Housing Register application to LCC, and/or a bid under the Choice Based Lettings Scheme to SLH, an applicant consents to the processing of personal data about themselves.

It will only be used as required to assess any application or appeal. All Applicants have the right to see the information held about them and to receive a copy of the information kept in computer or paper files. This is a Subject Access Request (SAR).

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Prospective tenants are strongly advised to take their own financial advice from individuals or organisations registered with the FCA.

## **14 Right of Appeal**

If an applicant is not satisfied with the assessment of their application for housing they should appeal the decision to Lancaster City Council in accordance with LCC's appeal procedure.

If an applicant is not satisfied with a decision relating to the allocation of a property, the applicant should appeal to South Lakes Housing in accordance with

## **15 Review of Local Lettings Policy**

This policy will be reviewed and changes made as necessary by SLH/LVCLT every 2 years to ensure that it continues to meet the needs of those in housing need in an efficient, fair and transparent way. Next Review Date: Two years from first lettings.

## **16 Contact Us**

Contact should be made in writing to **XXX** at Lune Valley Community Land Trust or by email to [customerservices@southlakeshousing.co.uk](mailto:customerservices@southlakeshousing.co.uk).

## **Appendix 1. Lancaster City Council's Housing Qualification Criteria**

Extract from LCC's Housing Allocation Policy, Section 3, March 2018

### **3. Assessing Applications**

#### **3.1 Assessing Applications to join the Lancaster Housing Register**

Lancaster City Council will consider all applications that we receive. When considering applications we will ascertain whether:

- The applicant is eligible for an allocation of accommodation, and
- If they qualify for an allocation of accommodation

#### **3.2 Eligibility to join the Lancaster Housing Register**

All applications will first be assessed to see if they are eligible for an allocation of accommodation and are therefore able to join the Housing Register.

Generally access to our accommodation is open to all, but there are a few groups we will not be able to offer accommodation to:

- A household or person from abroad and have been classed by the Secretary of State for Communities and Local Government as ineligible for housing.
- Households excluded by law from holding a tenancy.
- Households that do not meet the “Right to Rent” requirements under Sec 22 of the Immigration Act 2014.

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- Applicants who are not habitually resident in the UK.

If we are uncertain about an applicant’s immigration status we will confirm this with the Immigration Checking and Enquiry Services.

#### **3.3 Qualifying to join the Lancaster Housing Register**

If an applicant is eligible to join the Lancaster Housing register they will also need to qualify to join. The following qualification criteria will not apply to applicants who are accepted by the Local Authority as homeless and who we have a statutory duty to rehouse.

If an applicant makes a joint application, both parties to the joint tenancy must individually qualify to join Ideal Choice Homes and be eligible for an offer, or to bid for a property. If a joint tenancy is refused, a clear reason will be provided to the applicants in writing. Applicants can request a review of the decision if required.

In certain circumstances joint tenancies may be granted to more than two people. At the point of application, checks will be made to ascertain whether an applicant meets the qualification criteria. Once an application is included on the housing register additional checks may be made to ensure that they continue to meet the qualification criteria. In addition if an applicant is made an offer of accommodation additional checks may be undertaken by the social housing provider to ensure that they satisfy the qualification criteria.

##### **3.3.1 Local connection**

If an applicant does not have a local connection to the Lancaster district, then they will not qualify to join the Housing Register. This will apply to all applicants on the housing register and may mean that existing applicants on the housing register will no longer qualify to remain on the housing register. This will apply to all applicants on the housing register and

may mean that existing applicants on the housing register will no longer qualify to remain on the housing register.

A local connection means that one or more of the following statements applies to the applicant:

- Lived continuously in the Lancaster district for the previous three years. • You have previously lived in the Lancaster district for a minimum of 15 consecutive years. If this is the only local connection criterion that applies, then the applicant will be placed in B and E, regardless of whether any other factors in a higher band apply • Residence in a hospital, prison, residential school, student accommodation (where it is not their principal home), approved premises, residential rehabilitation facilities and recovery housing does not gain a local connection.
- Worked or provided a community contribution in the Lancaster district for the previous three years (See section 3.34 and 3.35).
- Is serving in the Armed Forces or has served in the previous five years. • Is a bereaved spouse or civil partner of a member of the Armed Forces and is having to leave Services Family Accommodation.

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- Is an existing or former member of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- Is a social housing tenant in another Local Authority area who is needing to move to the Lancaster district to take up employment or apprenticeship opportunity within the district.
- Is a social housing tenant who has a need to move to the Lancaster district to avoid hardship
- Close family (i.e. mother, father, adult sibling or adult child), who currently live in the Lancaster district and have done so for the previous five years. If this is the only local connection criterion that applies, then the applicant will be placed in Band E, regardless of whether any other factors in a higher band apply.
- They have moved to the Lancaster district to escape violence or harm • They are a victim of domestic abuse who has fled to the Lancaster district. • Applicants from the travelling community who do not have a local connection to another local authority area
- Asylum seekers who are granted refugee status or other form of leave (Exceptional leave to remain, humanitarian protection and discretionary leave) and were living in Home Office accommodation in the Lancaster district at the time their asylum claim was determined.
- They are a care leaver who has been looked after by Lancashire County Council and after care duties still apply under s23C of the Children Act 1989.
- They are a care leaver aged under 21 who reside in the Lancaster district and have done so for at least 2 years, including some time before they turned 16.

*The only exception to this will be applicants who wish to move into and are eligible for,*

*Category Two Sheltered Accommodation (flatted accommodation only), where they will be placed in Band E and only be able to bid on this type of accommodation. See Appendix A for the local lettings plan for sheltered accommodation, which includes eligibility criteria.*

The council may, in certain circumstances, agree some reciprocal arrangements with neighbouring authorities which may involve local lettings plans being entered into that will define an area outside the district boundary. This will only apply in limited circumstances, to meet local need and under duty to co-operate arrangements with other district councils.

### **3.3.2 Financial resources**

If the applicant has sufficient financial resources to rent privately or purchase a suitable property in the Lancaster district, then they will not qualify to join the Housing Register. If an applicant's circumstances change then they can make a new application and a new assessment can be made.

Any applicant who has over £30,000 in savings will not be eligible to join the Housing Register. If an applicant(s) needs one bedroom and has a gross household income of over £40,000 (excluding any benefits or tax credits), then they will not qualify to join the Housing Register.

If an applicant(s) needs two bedrooms and has a gross household income of over £50,000 (excluding any benefits or tax credits), then they will not qualify to join the Housing Register.

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If an applicant(s) needs three or more bedrooms and has a household income of over £60,000 (excluding any benefits or tax credits), then they will not qualify to join the Housing Register.

*The only exceptions to this will be applicants who require specialist fully adapted accommodation or Category Two Sheltered Accommodation (flatted accommodation only). These applications will be assessed on a case by case basis by the Choice Based Lettings Manager.*

### **3.3.3 Owner-occupiers**

If an applicant owns, has an interest in a property or has signed over a property to someone else or sold a property in the previous five years, then they will not qualify to join the Housing Register.

This will apply to properties owned or previously owned both within and outside the United Kingdom.

*The only exceptions to this will be:*

- *Where the applicant is requiring Category Two Sheltered Accommodation (flatted accommodation only).*
- *Where the applicant has a high medical award (25 or more points) and it is unreasonable for them to remain in their current accommodation on medical grounds and/or their housing problem cannot be resolved by adapting their present home or by selling it and purchasing or renting a more suitable home.*
- *Where the applicant is facing repossession as they are unable to pay the mortgage and*

*there is no equity in the property. All avenues to remain in the property will need to have been exhausted and a possession order granted, for this exception to apply.*

- *Applicants who have had their property reposessed or sold within the previous five years (due to their property being unaffordable) and they have been left with less than £26,000*
- *Applicants whose name has been removed from a property as part of a separation or divorce settlement and they have less than £26,000 in capital from any financial arrangement.*

## **Appendix 2 Lancaster City Council Housing Allocation Policy Review Process**

An applicant has a right to request a review if:

- They have not been accepted onto the Lancaster City Council Housing Register
- Their application has been removed from the Lancaster City Council Housing Register
- They disagree with how their application has been assessed and/or the band they have been placed into.

To request a review the applicant will need to put this in writing within 21 days of received our written decision. The applicant will need to give the reasons why they believe an incorrect decision has been made. If an applicant is unable to put their point across in writing, they can request a meeting with a senior officer. The review will be undertaken by a senior officer who was not involved in making the original decision and will take account of information provided by the applicant. They will notify the applicant of the decision within

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56 days of receiving the request. If the applicant is not happy with this decision, they can make a formal complaint using the complaints procedure.

## **Appendix 3 South Lakes Housing Complaints Policy**

The South Lakes Housing Complaints Policy is available on their website.

<https://www.southlakeshousing.co.uk/wp-content/uploads/2018/02/GOPOL09-Complaints Policy-February-2018.pdf>

## **Appendix 4 Lancaster City Council – District civil parishes**

**Cascade sequence** Applying the sequence of location priorities, in this order: as illustrated in the parish table below:

1. Halton-with-Aughton Parish;
2. Caton, Cloughton, Gressingham, Nether Kellett, Quernmore, Slyne with Hest;
3. Arkholme-with-Cawood, Burrow-with-Burrow, Cantsfield, Hornby with-Farleton, Ireby, Leck, Melling-with-Wrayton, Over Kellet, Priest Hutton, Tunstall, Wennington, Whittington;
4. Rest of Lancaster City Council District.

Name	Status	Population	District	Refs	Ma p

<a href="#">Aldcliffe-with-Stodday</a>	Civil parish	189	<a href="#">Lancaster</a>	<a href="#">[53]</a> <a href="#">[54]</a>	G99
<a href="#">Arkholme-with-Cawood</a>	Civil parish	334	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G1
Bolton-le-Sands	Civil parish	4,098	Lancaster	<a href="#">[57]</a> <a href="#">[56]</a>	G2
Borwick	Civil parish	210	Lancaster	<a href="#">[55]</a> <a href="#">[56]</a>	G3
<a href="#">Burrow-with-Burrow</a>	Civil parish	191	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G4
<a href="#">Cantsfield</a>	Civil parish	76	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G5
Carnforth	Town	5,350	Lancaster	<a href="#">[58]</a> <a href="#">[56]</a>	G6
<a href="#">Caton-with-Littledale</a>	Civil parish	2,720	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G7
<a href="#">Claughton</a>	Civil parish	132	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G8
Cockerham	Civil parish	558	Lancaster	<a href="#">[57]</a> <a href="#">[56]</a>	G9
Ellel	Civil parish	2,521	Lancaster	<a href="#">[57]</a> <a href="#">[56]</a>	G10
<a href="#">Gressingham</a>	Civil parish	153	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G11
<a href="#">Halton-with-Aughton</a>	Civil parish	2,360	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G12
Heaton-with-Oxcliffe	Civil parish	2,225	Lancaster	<a href="#">[57]</a> <a href="#">[56]</a>	G13
Heysham	Unparished area	11,016	Lancaster	<a href="#">[59]</a> <a href="#">[60]</a>	G98
<a href="#">Hornby-with-Farleton</a>	Civil parish	729	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G14
<a href="#">Ireby</a>	Civil parish	78	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G15

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Lancaster (including Aldcliffe with-Stodday)	Unparished area	50,867	Lancaster	<a href="#">[53]</a> <a href="#">[61]</a>	G99
<a href="#">Leck</a>	Civil parish	189	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G16
<a href="#">Melling-with-Wrayton</a>	Civil parish	290	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G17
Middleton	Civil parish	521	Lancaster	<a href="#">[57]</a> <a href="#">[56]</a>	G18
Morecambe	Town	35,916	Lancaster	<a href="#">[59]</a> <a href="#">[62]</a> <a href="#">[63]</a>	G19
<a href="#">Nether Kellet</a>	Civil parish	646	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G20
<a href="#">Over Kellet</a>	Civil parish	778	<a href="#">Lancaster</a>	<a href="#">[55]</a> <a href="#">[56]</a>	G21
Over Wyresdale	Civil parish	348	Lancaster	<a href="#">[57]</a> <a href="#">[56]</a>	G22
Overton	Civil parish	1,015	Lancaster	<a href="#">[57]</a> <a href="#">[56]</a>	G23

Priest Hutton	Civil parish	177	Lancaster	[57] [56]	G24
Quernmore	Civil parish	532	Lancaster	[55] [56]	G25
Roeburndale	Civil parish	76	Lancaster	[55] [56]	G26
Scotforth	Civil parish	239	Lancaster	[57] [56]	G27
Silverdale	Civil parish	1,545	Lancaster	[57] [56]	G28
Slyne-with-Hest	Civil parish	3,163	Lancaster	[57] [56]	G29
Tatham	Civil parish	393	Lancaster	[55] [56]	G30
Thurnham	Civil parish	595	Lancaster	[57] [56]	G31
Tunstall	Civil parish	105	Lancaster	[55] [56]	G32
Warton	Civil parish	2,315	Lancaster	[57] [56]	G33
Wennington	Civil parish	102	Lancaster	[55] [56]	G34
Whittington	Civil parish	359	Lancaster	[55] [56]	G35
Wray-with-Botton	Civil parish	521	Lancaster	[55] [56]	G36
Yealand Conyers	Civil parish	176	Lancaster	[57] [56]	G37
Yealand Redmayne	Civil parish	295	Lancaster	[57] [56]	G38