

Appendix A

We Can make Decision Taking Framework

We Can Make: micro-site process. Key stages and decision points (green), completion (red).

	Step	Requirements	Key documents	Lead	Decision takers	Notes/reflections/changes needed
1	Suitable household (including new tenant) and potential micro-site identified through We Can Make community engagement.	Confirmation that eligibility criteria as set out in Local Lettings Policy can be satisfied: <ul style="list-style-type: none"> - One of recognised housing needs; - Registered on Home Choice/ Eligible for Home Choice - Local Connection - Become member of WCM - Consent for info exchange with BCC 	Local Lettings Policy WMC list of potential sites and families. WCM Equalities Policy and Action Plan.	WCM team	WCM	Informal List. WCM will check for eligibility and at point of formal participation in the project ensure applicant is on Homes Choice.
2	1 st Outline site viability assessment	Desk-top survey and site visit. Production of outline site sketch with WCM home.	Outline viability assessment and site proposal.	WCM team	WCM	
3	Permission to engage with BCC from potential host tenant/applicant	Host and applicant agree to data sharing; grant access to site for surveys etc and give permission for WCM to talk to BCC about the potential tenant's housing situation.	Data sharing agreement	WCM team	Host household/Applicant	

4	Risk check with BCC	H&LS consider risk factors for host household and applicant	Consider ASB, rent arrears, housing need etc	BCC H&LS Named Point of BCC Contact: Estates Team Leader	BCC	Target time that BCC respond once have info from WCM – 4 weeks Form which contains all info and checks on a sharepoint site so can be updated easily/quickly
5	Site approved as suitable by BCC	BCC assesses suitability of site from Property and H&LS perspective including relevant property searches	In principle BCC agreement to proceed	WCM/BCC Named Point of BCC Contact Property Development Manager	BCC	Property: BCC ownership, access issues, constraints/covenants H&LS – management/maintenance issues Target time – 6 weeks
6	BCC housing team sign off to approve eligibility of applicant/host households	Includes confirmation that the applicant for We Can Make home meets Homechoice eligibility criteria.	LLP/ Agreement on eligibility	WCM/ BCC allocations team Named Point of BCC Contact Estates Team Leader	BCC	Target time – 4 weeks
7	Participation agreement	Sets out roles and expectations; explains WCM model including rent forecasts, nomination rights, land transfer process;	Participation Agreement	WCM team	WCM/Host household/Applicant	WCM to send copy of agreement to BCC
8	2nd level viability checks on site –	Requires site access, site surveys, topographical	Site Survey report.	WCM team.	WCM	Host tenant can give permission for access for non-intrusive works

		(surveys/inspections to be non-intrusive).				
9	Co-Design process to develop outline proposal for site	Engagement with host family and prospective tenant(s); neighbours etc. Outline building footprint and massing, and access produced for site (both final build and construction period). Confirmation that host household/applicant happy with proposed outline design.	Co-Design report which provides detailed brief for design team.	WCM team	WCM	
10	BCC Valuation of site to be transferred to WCM and approval in principle for disposal	BCC Property services to carry out valuation. Agreement to dispose to be signed off by relevant Officer.	Valuation, Executive Officer Decision (EOD) Report	BCC Named Point of BCC Contact Enabling Manager	BCC	EOD in accordance with overarching Cabinet approval for the roll out of further 14 units.
11	Preparation of the set of documents/ agreements to enable transfer of land.	a. Nomination agreement , to be entered into between WCM CIC and the host tenant, to provide the host tenant with the opportunity to nominate the first occupier for the new property once it has been constructed; b. Conditional Agreement for termination of the host	Nomination agreement. New tenancy agreement (BCC standard template with appendix of additional conditions	BCC Legal/Property/H&LS Named Point of BCC Contact Enabling Manage	BCC, WCM, host tenant/s	These documents need to be prepped prior to tenant receiving independent legal advice. Note- the site plan may be subject to change following detailed planning. How to take account of this? Can changes be appended

		<p>tenant's existing tenancy and the grant of a new tenancy to the host tenant, to be entered into between WCM CIC, host tenant and BCC (to append agreed form of notice to quit and the new form of tenancy, which will exclude the land which is to be developed.</p> <p>c. Conditional Agreement for lease to be entered into between BCC and WCM CIC (to append agreed form of lease), to be conditional on (i) completion of the termination of the existing tenancy by the host tenant (ii) planning permission for the development being granted and (iii) WCM CIC obtaining funding for the development.</p> <p>Host tenant cannot sign new tenancy if rent arrears.</p>	<p>covering access, front garden)</p> <p>Plan of site including ownership on land between host home and WCM home; shared access areas.</p> <p>Agreement for lease.</p>			<p>without voiding the independent legal advice?</p> <p>Want to be using templates as far as possible to ensure cost and time efficiencies.</p> <p>Conditional contract needs to be drafted early in this process. Property to instruct Legal</p>
12	Formal independent legal advice for WCM host tenant	Host tenant receives independent legal advice on how the We Can Make model works, including forecast rent	Confirm to BCC this has been issued	WCM Team	BCC confirm	

		level, nomination rights, access requirements and the legal documentation listed in vii below, prior to signing.				
13	Entry into Agreements to enable land transfer once conditions are met.	<p>Signing of the following documents:</p> <p>a. Nomination agreement</p> <p>b. Conditional Agreement for termination of the existing tenancy and the grant of a new tenancy to the host tenant.</p> <p>c. Conditional agreement for lease to be entered into between BCC and WCM CIC.</p>	<p>Nomination agreement</p> <p>Conditional Agreement for termination of the existing tenancy and the grant of a new tenancy</p> <p>Conditional agreement for lease</p>	BCC legal/WCM Named Point of BCC Contact Enabling Manager	WCM/BCC/Host Tenant	to allow WCM CIC to carry out further design work with assurance the project will proceed once planning and other conditions are met.
14	Full proposal developed for submission to planning	Meets Community Design Code; planning policy.	Planning submission.	WCM Team		
15	Planning consent achieved and construction funding in place.		WCM evidence conditions met – eg planning ref; letter from funder, letter from solicitor	WCM	BCC	

	NTQ check		Check host tenant still meets condition-eg no rent arrears		BCC	
16	NTQ and Exchange of contracts	<ol style="list-style-type: none"> 1. NTQ by host tenant. 2. Exchange lease agreement between BCC and WCM CIC with exact layout/ownership plan 3. New tenancy for host home prepared & signed 	Notice to Quit - 4 weeks, possibly less if agreed	BCC/WCM/host tenants	BCC Legal/H&LS/Property & Host tenant	<p>New tenancy cannot start until expiry of NTQ. Lease agreement cannot complete until new tenancy starts.</p> <p>Start date to be four weeks from NTQ unless agreed shorter NTQ period.</p>
17	Completion of land transfer	<p>New tenancy commences</p> <p>Lease agreement signed and sealed</p>	New tenancy, Lease agreement, completion statement	BCC Legal/H&LS/WCM	BCC Legal/H&LS/WCM	
18	We Can Make take possession of the micro-site and commence pre-construction works and build.					Process/timeframe for ongoing communication/progress reporting to BCC to be agreed

Draft 20.09.2021