

Decision Pathway – Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 06 February 2024

TITLE	Extension of We Can Make area of operation	
Ward(s)	Multiple wards in South Bristol: Bedminster; Filwood; Windmill Hill; Knowle; Brislington East; Stockwood; Hartcliffe & Withywood; Southville; Hengrove & Whitchurch Park; Bishopsworth; Brislington West	
Author: Louise Davidson	Job title: Head of Housing Delivery	
Cabinet lead: Cllr Tom Renhard, Cabinet Member for Housing Delivery and Homelessness	Executive Director lead: John Smith, Interim Executive Director Growth and Regeneration	
Proposal origin: Councillor		
Decision maker: Cabinet Member Decision forum: Cabinet		
Purpose of Report: To seek approval: 1. To apply to the Secretary of State to request an extension of the area of operation of the We Can Make project to cover all wards in South Bristol.		
Evidence Base: 1. The We Can Make project is being pursued by a community land trust (We Can Make), a subsidiary of Knowle West Media Centre, and aims to develop additional affordable homes on back garden and other unused City Council land in the Knowle West area. The scheme works by identifying existing tenants of Council homes who have large gardens and wish to offer their garden as a development site for a new home to house a household in housing need. There is usually a connection between the household to benefit from the new home and the host household. The garden micro-site is transferred from Bristol City Council (BCC) ownership to We Can Make, at an undervalue (£1) on a long lease, before the new home is developed by We Can Make, using a panelised system with components produced locally in the We Can Make factory. The area of operation currently covers the Knowle West Regeneration Framework area as agreed by the Secretary of State and approved by Cabinet in December 2021. We Can Make have completed two homes using this model, housing two households, and have agreement from Cabinet to develop a further 14 units as a pilot project. 2. So far, We Can Make have progressed two further sites to planning application stage and are exploring the potential of several other micro-sites. A Decision Taking Framework agreed by Cabinet in Dec 21 sets out how the liaison between We Can Make, the Council and the host tenants takes place and the procedure for the land		

transfer. Officers have engaged with We Can Make to explore the suitability of 18 potential sites, but many have been deemed unsuitable, either due to the location/nature of the site or because the housing need proposed to be addressed by the arrangement is not high priority under the Council's allocation scheme. In light of this the Decision Taking Framework has been revised to include a stronger role for the Council in scrutinising the current use of the host home and the housing need of the potential We Can Make tenant. We Can Make have identified several potential sites with tenants who wish to engage with the project that are outside of the current area of operation.

3. We Can Make have requested that the Council should apply to Secretary of State under Section 32 of the Housing Act 1985 to extend the area of operation to encompass all the wards in South Bristol, providing a wider opportunity to identify suitable sites and households that may benefit from the scheme. This is being supported by the Cabinet Member for Housing Delivery and Homelessness. It is proposed that the We Can Make pilot project be reviewed at the end of the 2025-26 financial year, with a report being presented to the appropriate committee in March 2026 to consider whether BCC should continue to engage with and support the project.

Opportunities

4. The potential benefits of the proposed expansion of the project are that it increases opportunities to identify suitable micro-sites for development to address housing need locally, drawing on community links and support networks to provide sustainable tenancies and high-quality low carbon homes. We Can Make have proved that they can deliver the homes relatively quickly once the planning process and legal procedure for the transfer of the site are completed. We Can Make are seeking to become a Registered Provider, giving them the opportunity to apply for additional Homes England grant funding to support delivery.
5. The benefits of extending the scope of the We Can Make Micro-sites Project are to:
 - Accelerate the delivery of Community Led Housing (CLH) opportunities across Bristol;
 - Demonstrate the council's support for the CLH sector;
 - Maximise the development of new homes on Council land;
 - Address pockets of housing need in a very local context, keeping families close to support networks and their local community;
 - Deliver high levels of social value through opportunities for skills development and training, local employment, and environmental sustainability.

Risks

6. There are potential risks to extending the scheme. A significant consideration is the officer time and cost that is required to engage with the project, assess the suitability of sites and the housing need of the potential tenants, and carry through the transactions to transfer the land to We Can Make. Whilst this was implicit in the Council's

support for the further 14 units, experience has shown that staff engagement is both crucial and can be extensive. Thus far BCC has engaged with We Can Make to assess a significant number of possible sites, but only two homes have been delivered, against the ambition of the pilot for 16 completed units. Whilst the extension of the area of operation has potential to bring forward more possible sites and make the staff input more productive, it may significantly increase the officer engagement and revenue cost to the Council. This could be mitigated by:

- Ensuring that the review of the scheme, includes cost benefit analysis from both a We Can Make and Council perspective.
- Clear planning guidance and parameters for appropriate micro-sites agreed with BCC planners, to be applied when assessing feasibility of a potential micro-site.

7. A further consideration is that the new We Can Make home is in different ownership and management to the existing host home, which remains in the Council's Housing Revenue Account (HRA). This may have potential to create housing management and maintenance issues in the future. From a planning perspective the new homes will have to conform to acceptable standards regarding overlooking, overbearing and privacy in relation to neighbouring homes and the host home. Mitigation will include adopting clear planning guidance for the garden schemes - building on the Design Guide that has already been compiled through collaboration with the City Design team.

Cabinet Member Recommendations:

That Cabinet:

1. Notes the achievements of the We Can Make project to date and the innovative approach to addressing local housing need.
2. Approves the geographical extension of the area of operation of the We Can Make project to the wards in South Bristol.
3. Authorises the Executive Director Growth and Regeneration in consultation with the Cabinet Member for Housing Delivery and Homelessness to make a new application to the Secretary of State for consent to the extension, which will be completed by the end of March 2024.
3. Authorises the Executive Director Growth and Regeneration, in consultation with the S151 Officer and Cabinet Member for Housing Delivery and Homelessness, to approve the disposal of selected HRA micro sites to We Can Make, in the area of operation covered by the Secretary of State consent, for the development of affordable housing (as defined by the NPPF and in accordance with Council affordable housing policies) to address local housing needs.
4. Notes a review regarding the future of BCC support for and engagement with the We Can Make pilot project will take place in March 2026 and recommendations will be made in accordance with the decision pathway.

Corporate Strategy alignment:

1. Supports delivery of the Fair & Inclusive Key Commitment: ensuring that affordable new homes are delivered in Bristol.
2. Takes an 'asset-based community development' approach by working with communities and partners to transfer assets and power to local people so they have more involvement.

3. Supports the delivery of the Empowering and Caring Key Commitments: Prioritises community development and enables people to support their community.
4. Supports delivery of the Fair and Inclusive Key Commitment: Helps develop balanced communities which are inclusive and avoid negative impacts from gentrification.
5. Supports delivery of the Well Connected Key Commitment: Reduces social and economic isolation and helps connect people to people, people to jobs and people to opportunity.

City Benefits: The project provides a method for increasing supply of land for development of affordable housing and provides a model of housing development that has potential to be of benefit to the whole city. It provides local employment /training opportunities in manufacture of MMC units and the method of construction has benefits for tackling the climate emergency.

Consultation Details: Knowle West Media Centre has undertaken a range of consultation events with local residents, community groups, stakeholders and members to ensure their project delivers homes that meet local need. They have engaged individually with Council tenants who are keen to be involved with the project in areas beyond the current area of operation. The roll out to areas in South Bristol will involve further community consultation through engagement with Council housing officers and tenant engagement officers and with local communities.

Background Documents: Cabinet Decision - [ModernGov - bristol.gov.uk](https://moderngov.bristol.gov.uk)
Report [We Can Make Report to Cabinet 14 Dec 2021 Final post Review 301121 .pdf \(bristol.gov.uk\)](#)

Estimated Revenue Cost assuming We Can Make progress	<u>Ongoing assuming 4 sites per annum</u>	Source of Revenue Funding	Housing Delivery
	S&E staff time £5,713 2 staff one day per month (BG 12/BG 15) Property staff time £ 407 H&LS tenancy audits £ 141 property checks £ 113 mtgs/case work £ 113 Legal title enquiries & clearance reports £1,242 Total p.a. ongoing £7,729 Legal lease negotiation & drafting for disposals £6k estimated per site £24,000 Total p.a.: £31,729 (Assuming 4 disposals p a) <u>One off</u> Legal support for SoS consent estimated £ 5,000		
Capital Cost	£240,000	Source of Capital Funding	BCC Affordable Housing Funding Programme grant (4 sites already committed)
One off cost <input checked="" type="checkbox"/>	Ongoing cost <input checked="" type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

Required information to be completed by Financial/Legal/ICT/ HR partners:

1. Finance Advice: The report seeks approval to expand the geographical area currently allocated for We Can Make to provide new homes within the existing garden boundaries of HRA owned assets to cover all wards in South Bristol, which it is anticipated will assist with the delivery of the total 16 units ambition of this pilot project (to date two have been delivered).

Revenue costs of circa £37k p.a. have been identified, however these will be met through existing resource, both budgetary and staffing. The capital cost to the Council is £240k. This cost has been committed by the council for a number of years and therefore does not represent any additional spend requirement.

The issue of splitting of title deeds in respect of the gardens needs careful consideration as each unit is considered, as this could impact on the valuation of the property, which in turn could affect both the rental income stream of each unit, and potentially also impact on any future Right to Buy receipts. Any such impact would need to be considered alongside the social value provided in order that the position is fully understood.

Finance Business Partner: Martin Johnson – Interim Finance Manager Housing and Landlord Services – 4 January 2024

2. Legal Advice: Secretary of State consent will be required for extension of this project beyond the Knowle West boundary on the basis that any disposal of Housing Revenue Account land at an undervalue is outside the scope of the General Disposal Consents contained in the Housing Act 1985

Legal Team Leader: Andrew Jones – Property Planning and Transport Team, Legal Services 17 January 2024

3. Implications on IT: I can see no implications on IT in regard to this activity.

IT Team Leader: Alex Simpson – Lead Enterprise Architect 28 November 2023

4. HR Advice: I can confirm that no HR implications are presented in these proposals.

HR Partner: Chris Hather Consultancy Lead HR and Work Force, 13 January 2024

EDM Sign-off	John Smith, Interim Executive Director Growth and Regeneration	29 November 2023
Cabinet Member sign-off	Cllr Tom Renhard, Cabinet Member for Housing Delivery and Homelessness	4 December 2023
For Key Decisions - Mayor's Office sign-off	Mayor's Office	8 January 2024

Appendix A – Further essential background / detail on the proposal We Can Make Decision Taking Framework revised Sep 2023	YES
Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	YES
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco-impact screening/ impact assessment of proposal	YES
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO

Appendix I – Exempt Information	NO
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO