

Appendix A

We Can make Decision Taking Framework Revised Sept 2023

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	<p>Suitable household (including new tenant) and eligible* potential micro-site identified through We Can Make community engagement.</p> <p>*within SoS approved area</p>	<p>Confirmation that eligibility criteria as set out in Local Lettings Policy can be satisfied:</p> <ul style="list-style-type: none"> - One of recognised housing needs; - Registered on Home Choice Eligible for Home Choice - Local Connection - Member of WCM - Consent for info exchange with BCC 	<p>Local Lettings Policy</p> <p>WMC list of potential sites and families.</p> <p>WCM Equalities Policy and Action Plan.</p>	WCM	WCM	<p>Informal List registering interest in participating in the project, with initial eligibility criteria met. WCM will check host household and future WCM tenant circumstances but Home Choice application and Tenancy Audit by BCC to confirm</p>
2	1 st Outline site viability assessment	<p>Desk-top survey and site visit.</p> <p>Production of outline site sketch with WCM home.</p>	<p>Outline viability assessment and site proposal.</p>	WCM	WCM	<p>Confirms a WCM is viable in terms of site space and access. Note this is outline feasibility only.</p>

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3	<p>Eligibility Check Stage 1 & Participation Agreement.</p>	<p>Participation Agreement of host home and proposed tenant of WCM home; includes agreement to share data with BCC; roles and responsibilities; understanding of the WCM process including land transfer process and how the allocations process works.</p>	<p>WCM Eligibility Stage 1 Form Participation Agreement</p>	WCM	Host household/Applicant and WCM	<p>Once both site and family eligibility have been checked by WCM, the proposed site and family are referred to BCC for assessment – simultaneously by Housing Services and Property. WCM to send copy of agreement to BCC</p>
4	<p>BCC verify Home Choice application and that other housing options for potential WCM tenant have been considered through Home Choice application</p>		<p>Home Choice application and BCC allocations policy</p>	BCC (Strategy and Enabling can access Home Choice)	BCC	<p>Band Four eligible for allocation, so long as certain conditions are met, including appropriate balance of needs provided across the pilot</p>
5	<p>BCC tenancy audit</p>	<p>H&LS consider risk factors for host household and applicant</p>	<p>Consider ASB, rent arrears, housing need,</p>	BCC H&LS	BCC	<p>Target time 4 weeks</p>

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		and suitability of BCC property for garden development	size of existing home etc	Named Point of BCC Contact: Estates Team Leader		
6	BCC Property team consider site suitability	BCC Property team request clearance reports.	To include: report on title, services, easements or other constraints	BCC Property Team Named Point of BCC Contact Property Development Manager	BCC	Target time 6 weeks
7	Site and eligibility of applicant tenant and host households approved as suitable by BCC	BCC concludes assessment of suitability of site from Property and H&LS perspective		WCM/BCC	BCC and WCM	Target time – 2 weeks for final sign-off following completion of BCC applicant and site assessments
8	In principle MOU Agreement to proceed	Both parties sign MOU agreement with agreed target timescales		BCC	BCC and WCM	
9	2nd level viability checks on site –	Requires site access, site surveys, topographical surveys/inspections/trial digs	Site Survey report.	WCM	WCM	Host tenant and BCC to give permission for works
10	Co-Design process to develop outline proposal for site	Engagement with host family and prospective tenant(s); neighbours	Co-Design report which provides detailed brief	WCM team, BCC Strategy and Enabling and Planning teams	WCM/BCC	Community consultation and response to neighbour concerns/input should be

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		<p>and BCC planning officers</p> <p>Outline building footprint and massing, and access produced for site (both final build and construction period).</p> <p>Confirmation that host household/applicant and BCC officers happy with proposed outline design. Confirm boundaries of host home and WCM home</p>	<p>for design team.</p>			<p>recorded by WCM and evidenced to BCC.</p> <p>Confirming boundaries between host home and WCM home important to establish so that legal process to prep land transfer agreement can be instructed to begin</p>
11	<p>BCC Valuation of site to be transferred to WCM and approval in principle for disposal</p>	<p>BCC Property services to carry out valuation. Agreement to dispose to be signed off by relevant Officer.</p>	<p>Valuation, Executive Officer Decision (EOD) Report</p>	<p>BCC Named Point of BCC Contact Enabling Manager</p>	<p>BCC</p>	<p>EOD in accordance with overarching Cabinet approval for the roll out of further 14 units.</p>
12	<p>Draft and agree HOTS for documents for disposal and Agreement for Lease</p>	<p>HOTS To include:</p> <p>Agreement for termination of host home tenancy, new host home tenancy,</p>	<p>Statement of HOT</p> <p>Agreement for Lease</p>	<p>BCC Property, H&LS,</p>	<p>BCC Property, H&LS, WCM</p>	<p>Written agreement of HOT will state that WCM must notify and seek approval from BCC as landowner prior to WCM submitting planning application</p>

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		<p>Agreement for WCM to Lease site from BCC</p> <p>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>				
13	Full proposal developed for submission to planning	Meets Community Design Code; planning policy.	Planning submission.	WCM Team	BCC Planning Authority	Strategy and Enabling to facilitate engagement with planning as needed. BCC S&E and Property to agree to planning application submission.
14	Preparation of the set of documents/	a. Proposed Tenant agreement , to be entered into between	Proposed Tenant Agreement.	BCC Property instruct legal when/if it is clear	WCM, host tenant/s BCC Legal/Property/H&LS	These documents need to be prepared prior to

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	<p>agreements to enable transfer of land.</p>	<p>WCM CIC and the host tenant, to provide the host tenant with the opportunity to propose the first occupier for the new property once it has been constructed conditional on BCC assessment and BCC nomination of proposed WCM tenant;</p> <p>b. Conditional Agreement for termination of the host 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>New tenancy agreement (BCC standard template with appendix of additional conditions 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>that planning approval will be granted. Named Point of BCC Contact Enabling Manager</p>		<p>tenant receiving independent legal advice.</p> <p>Note- the site plan may be subject to change following detailed planning. To take account of this changes appended to independent legal advice.</p> <p>Property to instruct Legal</p>
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		Host tenant cannot sign new tenancy if rent arrears.		WCM to check with tenant	BCC confirm	
15	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 level, proposed tenancy rights rights, access requirements and the legal agreements, prior to signing.	Confirm to BCC this has been issued	WCM	WCM and independent lawyer	
16	Entry into Agreements to enable land transfer once conditions are met.	Signing of the following documents: a. Proposed tenancy b. Conditional Agreement for	Proposed Tenancy Agreement and BCC	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.

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		<p>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>			
17	<p>Planning consent achieved and construction funding in place.</p> <p>NTQ check</p>		<p>WCM evidence conditions met – eg planning decision, letter from funders, letter from solicitor</p> <p>Check host tenant still meets</p>	WCM	<p>BCC</p> <p>BCC</p>	<p>Consider alternative tenants if change of</p>

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			conditions-eg no rent arrears. Check potential tenant Home Choice position			situation with first potential tenant.
18	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>
19	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	
20	We Can Make take possession					Process/timeframe for ongoing

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	of the micro-site and commence pre-construction works and build.					communication/progress reporting to BCC to be agreed
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Draft Revised Decision FW 28/09/23