



WINSFORD TOWN COUNCIL

DRAFT COMMUNITY LED HOUSING LAND DISPOSAL POLICY

To set out the policy for the disposal of Council-owned sites to community led housing organisations and associations of individual self-builders.

The policy provides a framework within which to operate to ensure that any site offered under this policy is distributed in a fair, transparent way, that maximises best consideration, whilst relying on the provisions of the Local Government Act 2000 where the authority considers the scheme will secure the promotion or improvement of the economic, social and environmental wellbeing of its citizens.

Although the legal form and activities of each community-led housing group and scheme may differ, schemes that are genuinely community-led will adhere to three common principles, set out below.

Schemes which meet the following principles will be defined as Community-led for the purposes of this policy:

- Commitment to community engagement and consent throughout the development process. Communities do not necessarily have to initiate the conversation or build homes themselves.
- Commitment by the community group to taking a long-term legally binding role in the ownership, stewardship, or management of the homes; and such is supported by a strategy and business case.
- Commitment by the community group to deliver clearly defined benefits of the scheme to the local area or other group, such benefits to be if possible legally protected in perpetuity.

HOUSING SCHEMES

Council approval will be required to the principle of disposing of Council owned sites identified as suitable for delivery via community-led housing, in accordance with this policy. Following Council approval, the sites will be marketed through Pro Contract to

those eligible, legally constituted community groups. Offers will be sought on a 'Subject to Planning' basis with the purchaser responsible for all risks and costs.

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All proposals will be evaluated against the following criteria:

- Demonstrating how far the proposal incorporates shared equity and the affordability, type, design and specification of homes.
- Community benefits
- Deliverability of proposal
- Social Value

Financial offer

All proposals/homes will be required to meet relevant Building Regulations and be fully compliant with the relevant Local Plan and all relevant supporting guidance.

Who is Eligible to Apply?

Unless there are exceptional circumstances, land will only be disposed of to legally constituted community groups falling into one of the following categories:

- A company limited by guarantee registered as a charity with the Charity Commission
- A charitable incorporated association
- A community interest company limited by guarantee without shares whose articles of association comply with schedule 1 from the CIC Regulations 2005
- A community interest company limited by guarantee with a share capital, or company limited by shares that only pay dividends to asset-locked bodies, whose articles of association comply with schedule 2 from the CIC Regulations 2005; or
- An industrial and provident society registered before 2014
- A community benefits society registered under the Co-operative and Community Benefit Societies Act 2014.

Examples of types of organisation are:

- Community land trusts which take one of the legal forms set out above
- Community-led housing groups which take one of the legal forms set out above
- Co-housing groups which take one of the legal forms set out above
- Registered providers working in partnership with a Community-led housing group (for this category it is the Community-led housing group that must be incorporated)