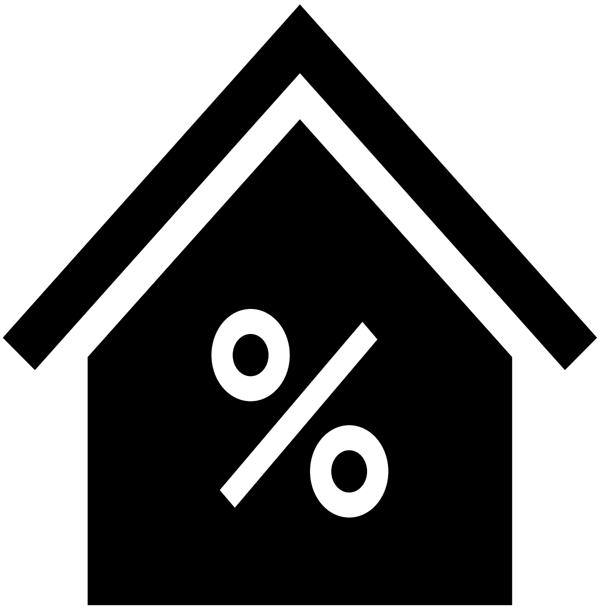
Discounted Sale Housing Policy and Procedure Guidance



June 2026

Discounted Sale Housing
Policy & Procedure Guidance

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Discounted Sale Housing Policy & Procedure Guide

1. Introduction

Background to the Scheme:

1.1 Housing is identified as a key priority in the Westmorland & Furness Council Plan: “Housing is a major issue. We need more, affordable, quality housing so that local families can build a life here and new people can be attracted to relocate.”

1.2 Median household income to house price ratios in 2025 (based on *Experian* data) highlight the diverse housing markets across Westmorland & Furness, based on the “legacy” district areas:-

- Westmorland & Furness – 6.0 x
- Barrow – 4.6 x
- Eden – 6.3 x
- South Lakeland – 6.5 x

Property prices in South Lakeland are among the highest in the North of England, with prices in Eden not far behind, meaning many local people have been priced out of the housing market in these areas. Although the affordability ratio in Barrow is less severe, this is an emerging market, with renewed interest from developers, in the wake of the significant employment expansion at BAE systems, meaning property prices are likely to increase.

1.3 To help local residents, in need of affordable housing, into sustainable low-cost home ownership, two of the legacy councils, Eden and South Lakeland, managed discounted sale schemes, which were inherited by Westmorland & Furness Council; although both schemes operated differently. The purpose of this policy document is to provide consistent guidance across Westmorland & Furness, including extending the discounted sale housing scheme to Barrow for the first time.

What is Discounted Sale housing?

1.4 Discounted sale is a form of “intermediate” affordable housing, whereby the initial purchaser buys their home at a fixed percentage discount, which is then passed on to each subsequent owner, for the benefit of successive generations.

1.5 Unlike some other forms of intermediate affordable housing, such as shared-ownership (part-rent/ part-buy) the purchaser of a discounted sale property owns their home outright, meaning no other party retains a share in the equity. The owner is responsible for all repairs and maintenance costs.

1.6 New build discounted sale properties have been negotiated with private developers as their contribution to affordable housing through a planning obligation. Low-cost properties are subject to covenants contained in a Section 106 Agreement (S106 of the Town and Country Planning Act, 1990).

Scope of this Guidance

1.7 This policy and procedure guidance provides the Council with a framework to assess applications for discounted sale properties across Westmorland & Furness, with the exception of those areas covered by the Lake District and Yorkshire Dales National Park Authorities.

1.8 The guidance explains how the Council will apply the clauses in the Section 106 planning obligations to applications to purchase a discounted sale property.

1.9 Westmorland & Furness Council maintains a database of people who have expressed an interest in purchasing a discounted sale property, in respect of new properties and re-sales of properties previously purchased through the scheme.

2. Registration and Application Process

2.1 People wishing to purchase a property through the Council's Discounted Sale housing scheme will need to complete the Registration and Application processes.

Registration

2.2 All households will be required to complete a registration form to apply to join the discounted sale waiting list. The household constitutes everyone who will be living at the address.

2.3 Registration forms are available to complete online from Westmorland and Furness Council's Website Buying a home in our affordable housing scheme | Westmorland and Furness Council or can be requested from affordable.housing@westmorlandandfurness.gov.uk. Communication will be via e-mail, unless a household specifically requests to receive the form by post, in which case, registration forms can be returned to:-

Housing Services
Voreda House
Portland Place
Penrith
CA11 7BF

Telephone: 0300 373 3300.

2.4 Once the registration forms have been processed, applicants will be added to the Council's discounted sale waiting list. Confirmation of entry onto the waiting list will be provided within ten working days of registration forms being received. Registration forms will be scanned and saved electronically to a secure folder, and hard copies will be disposed of securely, in accordance with General Data Protection Regulations (GDPR).

2.5 Once accepted onto the waiting list, people will receive details of properties to purchase through the scheme and how to apply for certification of eligibility to purchase a discounted sale property. Entry onto the discounted sale waiting list does not guarantee a household will be eligible to purchase a discounted sale property.

Application

2.6 Once people have registered, they will be able to apply for discounted sale properties advertised via e-mail through the scheme, as suitable vacancies become available. They will then be required to complete an application form to purchase a discounted sale property, in accordance with the terms of the Section 106 Agreement covering the scheme. (Detailed further in section 14.) Applications can only be accepted from households registered on the discounted sale waiting list.

2.7 Application forms and supporting information will be scanned and saved electronically to a secure folder. Hard copies of information submitted in support of an application will be disposed of securely – except in cases where the applicant has requested that this documentation is returned to them.

3. Qualifying for Affordable Housing - Eligibility Criteria

3.1 Discounted sale affordable housing is available to households in housing need, who would be unable to buy the specific property they are applying for without the percentage discount from market value. The application process for purchasing a discounted sale property must be in accordance with the

Section 106 Agreement, attached to each specific affordable property (further details are included in Section 14.) Applicants for discounted sale housing need to fulfil the three following eligibility criteria:-

1. Affordable housing need: applicants would need to demonstrate that they would require the discount in order to purchase the property.
2. Local connection: applicants would need to meet the criteria set out in the S106 for the specific scheme (further details are provided in Section 4).
3. Only home of the purchaser: discounted sale homes cannot be purchased as buy-to-let or holiday lettings. If the applicant already owns a residential property, they must provide evidence to the Council (such as a memorandum of sale) that it has been sold, subject to contract, before their application to purchase a discounted sale home can proceed.

3.2 Affordable housing need is calculated by assessing the household's total "obtainable funds", taking the following into consideration:-

- Mortgage in Principle: on headed paper from a mortgage advisor or lender regulated by the Financial Conduct Authority (FCA). This figure is cross-referenced against their income multiplier to make sure they are not borrowing too much or too little – for example if someone is on a high salary and submits a Mortgage in Principle based on an extremely low-income multiplier (see Section 7 on Responsible Borrowing).
- Savings – which can include a gift from a relative. Savings will be evidenced by statements from all accounts held by those applying to purchase a discounted sale property. Current account statements must show all transactions, covering at least the previous two months.
- Equity – for applicants with an existing property, equity will be calculated by subtracting any outstanding mortgage from the value of the property. This will be evidenced by an outstanding mortgage statement and a property valuation from an estate agent.

3.3 The following conditions will also be applied:-

- The minimum age for applicants to join the discounted sale register is eighteen years old.
- An applicant seeking to purchase a property would need to have the right to reside in the UK.

4. Local Connection Criteria

4.1 The local connection criteria in respect of affordable dwellings is detailed within the relevant S106 Agreement, covering the discounted sale property. Until we get a new Local Plan for Westmorland & Furness, the standard local connection criteria are slightly different in each of the three Legacy Local Plans for Barrow, Eden and South Lakeland. However, typical local connection criteria are detailed below, in respect of someone who:-

- lives in the locality and has done for a continuous period of at least three years
- Has worked in the locality for at least three years
- has a firm offer of permanent employment, for a minimum of 16 hours per week within the locality
- has moved away but has strong established and continuous links with the locality – e.g., by reason of birth or long-term immediate family connections
- needs to live in the locality to give or receive care and support to a relative on medical grounds.

Other criteria may include people with an Armed Forces connection, care leavers and people fleeing domestic violence.

The examples above are for illustrative purposes only, and it will always be necessary to check the specific S106 Agreement covering the discounted sale property for the exact local connection requirements.

4.2 In the case of rural housing schemes “Locality” will refer to the parish (or cluster or parishes) which will then “cascade out” over a period of time, specified in the S106, to a wider area, such as the former District or County of Cumbria, if a buyer cannot be identified with a local connection to the locality. On urban developments, the “locality” will be open to a wider area – for instance, discounted sale properties in Penrith are immediately open to anyone with a local connection to the Eden area of Westmorland & Furness. Further details are included in the Local Plans for each of the legacy districts.

4.3 Some S106 Agreements allow for properties to be sold to an applicant who doesn’t meet the local connection criteria, in the event that a qualifying purchaser has not been identified within a defined timeframe. This would therefore not prevent someone without a local connection i.e. someone who isn’t a qualifying person, from joining the register; however, their application could only be considered in cases where no qualifying person had applied within the specified timescale, and this was acceptable under the provisions of the specific S106 Agreement. Quite often these may be people already living or working locally but not yet meeting the continuous three-year requirement for residence or employment.

5. Prioritising Applicants

5.1 Applicants meeting the local connection criteria set out in the S106 Agreement for each particular scheme will be ranked by date of registration.

5.2 However, to make the most appropriate use of the discounted sale housing stock, for some types of accommodation, an additional priority will be awarded to particular types of household with a greater need for that type of property, as detailed below:-

1) 4/ 4+ bedroom houses:–

   i) households including 3 or more children (or having joint custody of 3 or more children); then
   ii) households including 2 children (or having joint custody of 2 children); then
   iii) households including 1 child (or having joint custody of 1 child).

2) 3-bedroom houses:-

   i) households including 2 or more children (or having joint custody of 2 or more children); then
   ii) households including 1 child (or having joint custody of 1 child).

   The priority for households with children will also apply in cases where a member of the household is pregnant. The applicant will need to contact the Housing team as soon as possible to update their details (e.g. through providing a MAT B1 maternity certificate form).

3) Dormer bungalows - including a downstairs bedroom and downstairs w/c and bathing facilities: equal priority will be given to the following types of household:-

   - households including someone aged 55 or over, and/ or households including someone registered disabled;
   - households with children (or having joint custody).

In the case of 4/4+ or 3 bed properties the criteria set out above, in respect of the prioritizing applicants based on the number of children in the household, would apply.

4) Bungalows and adapted/ adaptable ground floor flats (e.g. meeting Building Regulations standards M4(2) or M4(3) in respect of access and adaptability – formerly known as “Lifetime Homes Standard”): equal priority will be given to the following types of household:-

- households including someone aged 55 or over;
- households including someone registered disabled.

5.3 Other households who can demonstrate a need for a larger property, including people looking after adult children or elderly relatives with care needs, will be prioritised ahead of single applicants or couples for three or four-bedroom properties.

5.4 In cases where there is more than one qualifying applicant with an equal additional priority for the same discounted sale property, applications will be ranked by date of registration.

5.5 On the rare occasion where an applicant has an equal priority and same date of registration, the developer (in the case of a new build property) or vendor (in the case of a resale) can decide on the successful applicant.

5.6 An applicant can only be formally approved for one discounted sale property at a time; although the Housing team will be able to check eligibility, if there is more than one vacancy they are interested in applying for.

6. Percentage Discount

6.1 The policy seeks to ensure low-cost home ownership properties remain within reach of people on typical local incomes but without making schemes economically unviable. This is achieved through a percentage discount from market value, enabling the purchaser to buy the whole property at a discounted price.

6.2 Pending the adoption of the new Westmorland & Furness Local Plan, the percentage discounts will continue to reflect the arrangements set out in the Local Plans for each of the legacy districts, which are outlined in the following paragraphs.

6.3 Barrow: There was not previously a discounted sale scheme operating in Barrow; although the Affordable Housing and Developer

Contributions Supplementary Planning Document does specifically state that Barrow Borough Council was considering introducing a discounted sale scheme, prior to Local Government Reorganisation. To retain conformity with the legacy Local Plan, the discount will be based on the 30% discount from market value previously applied under the First Homes scheme in Barrow.

6.4 Eden: New build discounted sale properties will be sold at a discount of 40% from the open market value. To ensure prices remain affordable to successive generations, any properties sold via this method will be capped at 60% of the mean property price for the Eden area of Westmorland & Furness (based on the Experian data, or any other dataset subsequently by the Council). The affordable price cap will be reviewed on an annual basis and made available on the Council's Website.

6.5 South Lakeland: In the former South Lakeland area, discounted sale properties are sold at set prices by property type, which are updated annually, by applying the Consumer Price Index (CPI) rate. The price caps are differentiated by property size and type. Table 1, below, showing the rates from 1 January 2026, is included as an example, but the cap is update on an annual basis, with the latest figures available on the Council's Website.

Table 1: Maximum Discounted Sale Prices by Property Type for South Lakeland – From 1 January 2026

Affordable Property Type	Affordable Housing Prices (initial fixed sale prices)
1 bed flat	£89,431
2 bed flat	£102,208
1 bed house/ bungalow	£108,596
2 bed house/ bungalow	£121,372
3 bed house	£140,536
4 bed house	£159,699

Please note: the figures in this table are provided as an example only, and the property caps are updated annually.

6.6 Notwithstanding the discounted sale arrangements set out above, for each of the legacy districts, as Section 106 Agreements will differ, it will always be necessary to refer to the Section 106 Agreement covering the discounted sale property to ascertain the "affordable which the property can be marketed and sold. This is particularly relevant, as the discounts may not always be standard in older Section 106 Agreements.

6.7 The percentage discounts for each of the legacy districts will be reviewed as part of the emerging Local Plan process, to consider the potential to develop a more consistent approach across Westmorland & Furness.

7. Responsible Borrowing

7.1 The Council would always wish to avoid purchasers of discounted sale housing from putting their home at risk of re-possession, by over-stretching their finances and taking on too large a mortgage.

7.2 Applicants for discounted sale housing will therefore only be considered where they can produce a *Mortgage in Principle* from a reputable lender, registered with the FCA (Financial Conduct Authority). The Mortgage in Principle is a document provided by the lender, outlining the maximum amount they are willing to lend, based on an initial assessment of the applicant's finances. It is not a formal mortgage offer but provides potential homebuyers with a useful indication of their borrowing capacity, prior to making a formal offer on a property.

7.3 There are no longer any formal Government recommendations on income multipliers; it is understood this is in order that financial decisions on affordability are conducted by FCA accredited members, rather than housing providers. The lenders no longer operate simply on multipliers, but take into consideration a range of factors, including the amount of existing credit or loans the customer might have.

7.4 For the reasons set out above, the Council's discounted sale scheme does not impose a maximum income multiplier; however, applicants proposing to borrow more than 4.5x their income (the maximum multiplier under the Government's former *Help to Buy* scheme) will be advised to carefully consider whether they wish to proceed on that basis.

7.5 Savings, equity in an existing property, and any financial assistance to be provided (usually from the applicant's family) will also be taken into account to determine the applicant's obtainable funds.

8. Setting Affordable Values

8.1 The open market value of any discounted sale property shall be determined following the process set out below. The developer (in respect of a new build property) or vendor (in the case of a resale) is required, at their own expense, to provide the Council with a property valuation from an independent RICS (Royal Institution of Chartered Surveyors) qualified valuer, using the Council's standard valuation template – [Selling your home in our affordable housing scheme | Westmorland and Furness Council]. The Council will arrange to have this validated by an independent RICS valuer within ten working days of receipt of the valuation. Only valuations provided using this standard template can be accepted.

8.2 In the event that both parties are unable to reach agreement over the valuation, the developer or vendor has the right to request an independent valuation. The appointed surveyor must be mutually agreed between the owner and the Council and be a member of the RICS. The cost of appointing an independent valuer will be split between the developer or vendor and the Council, and the independent expert's decision will be final.

9. New Developments

9.1 The developer will be required to enter into a S106 Agreement prior to planning permission being granted, which will include details of the discounted sale plots, the percentage discount (please refer to Section 6), and the qualifying criteria. All successful applicants must be approved by the Council.

9.2 Westmorland & Furness Council works closely with the developer's sales teams to ensure that the low-cost housing scheme runs efficiently. Prior to properties being released for sale the developer should:-

- Provide the Council with a sales release letter or e-mail, this is normally no less than six weeks prior to the property being released for sale;
- Submit a RICS valuation in respect of the low cost properties;
- Refer interested customers to the Council, so they can register for the discounted sale scheme;
- In the event the Council is unable to refer a sufficient number of qualifying applicants from the waiting list, the developer will need to continue to advertise the remaining discounted sale properties.

9.3 Following the above, the Council's Housing section will:-

- Provide the developer with a copy of this policy and guidance document;
- Instruct an independent RICS qualified surveyor to check and approve the valuation;
- Once valuations have been agreed, advertise vacancies for ten working days to people registered on the Council's waiting list, together with a link to the online application form Buying a home in our affordable housing

scheme | Westmorland and Furness Council, including the following details:-

- Location – address / development / plot number
- Developer's details
- Type of property and number of bedrooms
- Open market and discounted sale price
- Details of the local occupancy criteria set out in the Section 106 Agreement, including any cascade arrangement.

▪ Request additional information from applicants, should this prove necessary. Any applications received after the deadline will be assessed on a "first come, first served" basis, in accordance with the terms of the Section 106 Agreement and guidance contained within this document.

▪ Approve the successful applicant(s) and the notify developer's sales office.

10. Re-Sales

10.1 The Section 106 Agreement, attached to a discounted sale property, will normally provide the relevant information required for the owner to sell their home, including:-

- The maximum percentage of market value at which the property can be advertised and sold (subject to a maximum cap, where applicable);
- That they will need to obtain a valuation;
- Who is eligible to buy the property under the local connection criteria; and
- That the purchaser must be approved by the Council.

10.2 Upon the resale of a low-cost property the vendor must:-

- Inform the Council's Housing team in writing of their intention to sell;
- Provide the Council with a valuation from a RICS valuer, using the standard template;
- Accept qualifying applicants referred by the Council;
- In the event the Council is unable to refer any qualifying applicants after advertising the property to everyone on its waiting list, the vendor will need to advertise their property with an estate agent. Any interested parties must be referred to the Council and they will be required to complete the Council's Registration and Application forms.

10.3 Following the above, the Council's Housing section will:-

- Provide the vendor (and where relevant their estate agent) with a copy of this policy and guidance document;

- Instruct an independent RICS qualified surveyor to check and approve the valuation;
- Advertise vacancies (once valuations have been agreed) for ten working days to people registered on the Council's waiting list, including a Web link to the vacancies page [Buying a home in our affordable housing scheme | Westmorland and Furness Council] setting out the following details:-
    - Location – address
    - Type of property and number of bedrooms
    - Open market and discounted sale price
    - Details of the local occupancy criteria set out in the Section 106 Agreement, including any cascade arrangement.
- Request additional information from applicants, should this prove necessary. Any applications received after the deadline will only be considered in cases where no qualifying applicants responded within the specified timescale.
- In the event no qualifying applicants respond to the waiting list advert, advise the vendor that they will need to advertise their home, at their own expense, through an estate agent, in accordance with the terms of the Section 106 Agreement. All prospective purchasers will need to complete the Council's Registration and Application processes and would need to meet the qualification criteria set out in the Section 106.
- Approve the successful applicant(s) and notify the vendor accordingly.

11. Notification of Decision

11.1 The Council may take up to ten working days from the closing date for applications to assess applications.

11.2 Applicants will be notified of the final decision via e-mail - in exceptional circumstances, and where the applicant has made a specific request, a hard copy may be posted out.

11.3 Approved applicants will receive an e-mail with a letter attached, confirming their eligibility to purchase the property. If applicable, this letter will specify the plot number for which they have been approved.

11.4 Names and contact details will be passed onto the developer, vendor, or estate agent.

11.5 The household purchasing the property will be removed from the waiting list.

11.6 In the event that a property reservation should fall through, the developer or vendor will notify the Council, who will advise qualifying unsuccessful applicant(s), prior to contacting households on the waiting list who did not apply.

12. Options to Consider if a Resale Property is Taking a Long Time to Sell

12.1 Buying or selling a home can be a stressful time and it cannot be guaranteed that any property, including discounted sale, will sell quickly. It is therefore always worth the owner seeking advice from their estate agent – they may suggest redecorating or de-cluttering the home. The vendor may also need to consider reducing the asking price slightly, even though it has been through a formal valuation process, especially in cases where they are keen to achieve a “quick sale.”

12.2 Any unusual circumstances may form the basis of a request to the Council to permit the property to be transferred to another party, such as a Housing Association or other affordable housing provider, where it can be demonstrated this would be in accordance with the Section 106 Agreement.

12.3 All Section 106 Agreements are different and, in some cases, there have been many variations to the original Agreement over time. Should the owner require clarification of the qualifying criteria, including any local occupancy “cascade” arrangement, it is advisable to check with the Council’s Housing team or their own solicitor.

13. Owner Occupiers

13.1 Not all of the low-cost homes would necessarily be first time buyer properties and referred purchasers may already have an amount of equity in an existing property which they wish to sell. This could include people needing a larger home as their family has increased but are unable to afford market prices or, conversely, older people looking to downsize into more manageable accommodation.

13.2 Some owner occupiers may also be "equity rich, cash poor" so rely on equity from the sale of an existing property, more than current income to secure a low-cost home – this is particularly prevalent in the case of retired people.

13.3 Existing homeowners would need to have a sale “subject to contract” before they can be formally nominated for a low-cost property, due to the length of time it can take for an applicant to sell their home.

14. Applications from Westmorland & Furness Employees

14.1 Westmorland & Furness staff are entitled to register for the Council's discounted sale scheme, on the same basis as anyone else, and applications for vacant properties will be considered in line with the Policy and Procedure Guidance and Section 106 qualification criteria for each development, alongside other applicants. To ensure transparency, any offer of a discounted sale property to a Westmorland & Furness employee would need to be approved by a Senior Manager.

15. Section 106 Agreements – Legal Implications and Enforcement

15.1 A Section 106 Agreement is registered as a local land charge and remains in perpetuity - therefore when the property is sold any purchaser is bound by the terms and conditions contained in the S106 Agreement. It is also binding upon other bodies with an interest in the land, i.e. a Mortgagee. This means that when a proposed purchaser undertakes a local search on the property the purchaser will become aware of the Agreement. Potential purchasers are entitled to request a copy of the Agreement from the Council to make themselves aware of its terms.

15.2 The purchaser should not proceed with the transaction unless and until they are satisfied with the terms and that they are not unduly affected by them. It is important for a purchaser to be fully aware of the terms to ensure that they do not breach the terms by completing the conveyance.

15.3 The Council should be notified of any sale of a discounted sale property. In the event the Council were not notified and become aware of a sale at a later date, the Council will initiate an investigation to determine the eligibility of the purchaser. Should the purchaser be found to be ineligible, the Council will undertake the necessary enforcement action to ensure vendors and prospective purchasers are compliant with the S106 Agreement.

16. Rental Option

16.1 Owners of a discounted sale property must not allow any other person(s) to live in their home, unless they form part of the owner's household. However, it is recognised that occasionally, circumstances may occur whereby the owner of a low-cost property has been unable to sell the property but has a genuine need to move out of the property (e.g. due to securing a new job in another area) and wishes to rent out the property on a temporary basis.

16.2 Approval to rent the discounted sale property, should such circumstances arise, is subject to a formal request to the Council, but can be agreed if the property is let to a qualifying person at an affordable rent, providing the following criteria are met:-

- The property must have been for sale with an estate agent for a reasonable period of marketing (e.g. three months) and where no qualifying person has made an approach. The applicant must demonstrate that the property has been marketed for the period stated, by providing copies of advertisements or alternatively a letter from an estate agent or solicitor acting on their behalf.
- The owner should also be informed that permission would be needed from their mortgage company (if there is an outstanding mortgage there may be restrictions placed on this) and advising them to seek legal advice.
- The Council's agreement is subject to confirmation from the owner that the lease will not be for more than seven years, as leases in excess of seven years are compulsorily registrable with the Land Registry.
- The property must be let at an affordable rent (as these are affordable homes subsidised through planning obligations) at no more than the Local Housing Allowance rate for the property type. This also applies in respect of annual rent increases.
- The Council's approval, in the above circumstances, is subject to confirmation from the owner that the lease will be in accordance with the provisions of the Renters Right Act (2025). After the tenancy has ended the dwelling must then be listed for discounted sale for a further three-month period before the owner can apply to the Council for permission to resume re-letting their property.

17. Home Improvements

17.1 Unlike some other forms of low-cost home ownership (e.g., shared ownership) the purchaser of a discounted sale property owns their home outright, meaning no other party retains a share of the equity.

17.2 The owner of a discounted sale property is therefore responsible for all repairs and maintenance costs relating to their home and is entitled to undertake any home improvements they wish; for example, adding a conservatory or extending the property (subject to securing any necessary planning permissions). However, it is important that owners fully understand that they may not realise the full value uplift relating to any such improvements, when they come to sell their home, due to the requirement to sell it on at the same percentage discount, which may also be subject to an upper cap, at which they purchased their property.

18. Transfer from Joint to Sole Ownership

18.1 Occasionally, where a discounted sale property was purchased in the owners' joint names, one of the owners may agree to transfer their interest in the property to the other party, meaning it would then be in their sole name. This is usually in the event of a change in personal circumstances, such as a divorce or relationship breakdown. The process for transferring the property into the sole ownership of the remaining owner is detailed below.

18.2 "Transfers of ownership" are treated as disposals by the Council. When a request is received to transfer a jointly owned property into sole ownership, the owners are therefore required to provide a RICS valuation, using the Council's standard template to establish the full market value of the property, and confirm the percentage discount, in accordance with the Section 106 Agreement. In cases where the owners are in agreement on the RICS valuation, there will be no need for the Council to have this independently validated, reducing the impact on public funding. The transfer is accordingly treated consistently with any other disposal.

18.3 The owner remaining at the property will be required to complete a new application form, enabling the Council to produce a "continue to be an approved person" letter. As they were a qualifying person, at the point they purchased their home, the application will always be approved, but this will provide them with the necessary documentation to enable the transfer of ownership to proceed, and their solicitor will have the necessary evidence of them continuing to be an approved person.

18.4 The former joint owner is required to provide an e-mail or letter, confirming they are agreeable to the transfer and that they are relinquishing ownership of the property. This will enable the Council to issue the *Restriction: consent or certificate (RXC)* for HM Land Registry purposes, in order that the property can be transferred into the sole name of the remaining owner.

19. Rights of Succession

19.1 Any person(s) inheriting a discounted sale property will be required to inform the Council.

19.2 Inheriting households will need to demonstrate that they meet the qualifying and eligibility criteria (i.e. they are in affordable housing need and have a local connection) included in the Section 106 Agreement covering that specific property. In cases where the inheriting household is unable to meet these criteria, the property must be sold in accordance with the terms of the

Section 106 Agreement, with the beneficiary receiving the monetary value (equity) received from the sale.

19.3 Notwithstanding these arrangements around succession, any unusual relevant circumstances may form the basis of a request to the Council to permit the property to be transferred to another party, subject to the Section 106 Agreement remaining on the property.

20. Data Protection

20.1 The Council will comply with all relevant data protection and privacy legislation, and regulatory requirements in the UK, relating to the use of personal data and the privacy of electronic communications, including the:-

- General Data Protection Regulation (GDPR)
- Data Protection Act (2018).

20.2 Any personal data submitted, in respect of a discounted sale housing application, will be handled in accordance with Data Protection legislation, as well as the Council's Data Protection and Privacy policies, which are available on the Council's Website: Data protection and privacy | Westmorland and Furness Council.

21. Appeals

21.1 The Council operates a straightforward discounted sale Policy, linked to the conditions of the Section 106 Agreement and time on the waiting list for discounted sale properties, subject to an additional priority awarded to particular types of household with a greater identified need for that type of property, detailed in Section 5. Prioritising Applicants. There is therefore no appeals process.

22. Monitoring and Review

22.1 The Council will monitor its discounted sale scheme on an ongoing basis, to ensure that this Policy and Procedure Guidance continues to work effectively for local vendors and purchasers, in respect of the level of discount and type of affordable accommodation provided.

22.2 An e-mail will be sent to households on the waiting list periodically, requesting confirmation that they wish to remain on the waiting list.

Customers who fail to respond will be automatically removed from the waiting list.