

DECISION NOTICE



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Notice and report e-
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Democratic
Services, Comms
Team and Report
Author, on 24 May
2017

NOTICE OF DECISION MADE BY PORTFOLIO HOLDER DECISION: LAWTON 5:16

(To be made available at the main offices of the Council and sent to all members of the Council within 3 working days of the decision.)

The Council's Constitution (Standing Order 28 – Recording of Executive Decisions; Part 3 Section D4 – Delegations to Cabinet members; and Part 4 D Access to Information Procedure Rules) requires that when any decision is made by an individual Portfolio Holder a record of the decision, including a statement of the reasons for it and any alternative options considered and rejected, must be prepared and published normally **within 3 working days**.

In accordance with this requirement notice is hereby given that Councillor C J Lawton, being the Portfolio Holder for Housing and Health, made the decision detailed below on Tuesday 23 May 2017 . This decision is not a key decision.

This notice is published on 24 May 2017.

In accordance with the terms of the Constitution (Part 3 Section D – Overview and Scrutiny (including Call-In Procedures)), the decision detailed below will come into force, and may then be implemented, on Friday 2 June 2017 (i.e. following the expiry of 5 working days following the date of publication of this notice) unless during that period a notice, where either a Ward Representative (in relation to a matter in their ward) or two members of the Performance Monitoring Panel or any three members formally request in writing (requests for Call-In must be given on a form designed for that purpose, and must be signed by each subscriber to the call-in) to the Senior Legal Officer (or such other officer as is nominated by the Senior Legal Officer) before the end of the five clear Working Day period specified above, in relation to a particular decision by the Leader, a Cabinet Member or Cabinet, a Sub-Committee of Cabinet or an officer, then that decision shall be referred to the Performance Monitoring Panel. Such request must contain a justifiable reason for the reference and one or more of the signatories to the reference must forward to the Senior Legal Officer, at least five clear Working Days before the date of the Committee which is to consider the matter, a brief explanation or statement as to the concerns of the signatories

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in the matter, and what alternative decision(s) that member/those members consider should be taken. (The call-in period expires at 5pm on the 5th working day following publication of this notice, or 4.30pm if the 5th working day is a Friday.)

Matter to which decision relates

Acquisition of a dwelling – To consider the purchase of a shared ownership dwelling to add to the Council’s existing housing stock

(The report of the Housing Manager is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) in Part 1 of Schedule 12a of the Local Government Act 1972).

DECISION (IF URGENT PROVIDE REASONS)

- a) That delegated authority be granted to the Interim Housing Landlord Manager to agree the surrender of the dwelling as detailed within the report for the sum of £70,000;
- b) That delegated authority be granted to the Housing Landlord Manager to deal with any issues which may arise, through discussion with the Portfolio Holder for Housing Landlord.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Do nothing – To not purchase the dwelling or order to sell the property freehold would mean that the leaseholders would need to either purchase the freehold reversion and the Council’s remaining interest, or nominate the prospective purchaser of the property to do so – this means that the new purchaser would buy the freehold without it being subject to the lease. Under the terms of the lease (Clause 7 (3)), the leaseholder may nominate a purchaser. Where this happens, the nominated purchaser has to meet the Council’s costs in selling the freehold reversion and remaining interest. The leaseholders have indicated that this route would not be their preference. In addition, this option would not provide a dwelling to add to the Council’s HRA stock.

REASON OR REASONS FOR THE DECISION

To enable the Council to add a dwelling to the HRA.

Conflicts of interest declared by an executive member, relating to the decision, and any dispensations granted

None.

REPORT

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| 1 | Acquisition of a dwelling -
To consider the purchase of a dwelling to add to the Council's existing housing stock | (Pages
1 - 6) |
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Agenda Item 1

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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