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EXECUTIVE DECISION RECORD

A1 Service Area	Housing and Homelessness
A2 Title	Variation of Section 106 Agreement – Grant's Yard (Orbit Housing)
A3 Decision Taken By	Deputy Leader/ Chief Officer
A4 Chief Officer	Please print name: SAE KNAW Plea [REDACTED]
A5 Leader / Deputy Leader	Plea [REDACTED] PATRICIA ACKROYD Please [REDACTED]
A6 Date of Decision	15 March 2019

Confidentiality

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to?	(Please tick as appropriate) ✓
Scrutiny (Audit & Value for Money Council Services) Committee	✓
Scrutiny (Economic Growth, Communities and Health) Committee	<input type="checkbox"/>

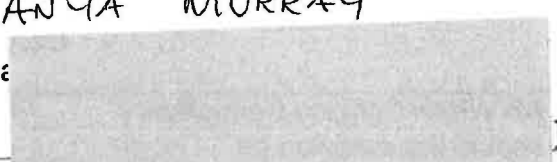
B1 What is the Decision?	The Council agrees to alter the Section 106 Agreement of 26 th July 2002 by Deed of Variation to remove the age restriction of flats which, when built, were designated for elderly persons. The flats are owned by Orbit Housing Association ^{Orbit Housing Living MA} and Orbit ^{who} have since started operating an age restriction of 40+ under a previous agreement with the Council, but complete removal of any age restriction is now sought.
B2 What are the reasons for the Decision?	The age restriction means that the accommodation provided by Orbit is empty for too long due to low acceptance by the designated client group. Removing the age restriction will free up accommodation and reduce voids. The last void took 135 days to let against a typical target time of 24 days for general needs properties. It was advertised via Trent and Dove, also directly on the Housing Association's website and on Rightmove – it was refused 10 times before anyone agreed to accept a tenancy there.
B3 What are the contributions to Corporate Priorities?	Protecting and Safeguarding Communities
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision

Financial Implications

B5 What are the financial implications?	There are no financial issues arising from this decision.
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Revenue	2018/19 NA	2019/20 NA	2020/21 NA
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Capital	2018/19 NA	2019/20 NA	2020/21 NA
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The finance section has been approved by the following member of the Financial Management Unit:	Please print name: ANYA MURRAY Plea: 
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Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
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Equalities Implications

B8 What are the Equalities implications:
B8.1 Positive (Opportunities/Benefits): <ul style="list-style-type: none">• This property will now be available to applicants of any age group.
B8.2 Negative (Threats): None
B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.
B8.4 The equality impact assessment identified the following actions to be carried out: NA

Risk Assessment

B9 What are the Risk Assessment implications:
B9.1 Positive (Opportunities/Benefits): None
B9.2 Negative (Threats): None
B9.3

Legal Considerations

B10 What are the Legal Considerations. The accommodation is subject to a Section 106 Agreement between the Council and the Owner which will need to be formally varied by legal agreement.	
B10.1 There are no significant legal issues arising from this decision.	
This section has been approved by the following member of the Legal Team:	Please print name: <i>ANGELA WAKKIEL</i> Please sign name: 

B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	
B6.2 Has it got the appropriate approvals under those provisions?	
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B7.2 Has it got the appropriate approvals under those provisions?	

Sustainability Implications

B11 What are the Sustainability implications: None
B11.1 The proposal would not result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures).
B11.2 Positive (Opportunities/Benefits): None
B11.3 Negative (Threats): None

Health & Safety Implications

B12 What are the Health & Safety implications: None
B12.1 A Risk Assessment has not been carried out and entered into Harriet for all significant hazards and risks because there are no significant hazards or risks arising from this decision.
B12.2
B12.3
B12.3.1 Positive (Benefits) None
B12.3.2 Negative (Threats) None

Key Decision

B13 Is this a Key Decision?	No
Note: A Key Executive Decision is one where: <ol style="list-style-type: none"> 1. REVENUE – Any contract or proposal with an annual payment or saving of more than £100,000 2. CAPITAL – Any capital project with a value in excess of £150,000 3. A decision which significantly affects communities living or working in an area comprising two or more wards. 	
B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would <u>seriously</u> prejudice the public interest?	NA
B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?	NA

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to andrea.davies@eaststaffsbc.gov.uk

The questions contained in this questionnaire are not to be altered in any way. If you have any queries regarding the contents of this document, please contact Andrea Davies Ext 1306 or refer to Part 3 Section 6 of the Constitution.