**DECISIONS DELEGATED TO OFFICERS**

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| **Decision title:** | Deed of Variation to the Housing Infrastructure Funding for Blackbird Leys Regeneration Project |
| **Decision date:** | 24 November 2023 |
| **Source of delegation:** | Cabinet, [on 13 September 2023](https://mycouncil.oxford.gov.uk/ieListDocuments.aspx?CId=527&MId=7518&Ver=4) (‘Housing Infrastructure Funding Update’) resolved to:   1. **Delegate authority** to the Head of Regeneration and Economy, in consultation with the Deputy Leader (Statutory) - Finance and Asset Management, the Head of Financial Services/S151 Officer and the Head of Law and Governance to finalise the drafting of agreements and enter into ancillary grant agreements with Oxfordshire County Council and the Environment Agency and any other steps necessary to enable or facilitate the claiming of the HIF funding; 2. **Delegate authority** to the Head of Regeneration and Economy in consultation with the Deputy Leader (Statutory) – Finance and Asset Management, the Head of Financial Services/S151 Officer, and the Head of Law and Governance to finalise the drafting of, and subsequently enter into, a Deed of Variation with Homes England in respect of the HIF funding for Blackbird Leys; and 3. **Delegate authority** to the Head of Regeneration and Economy in consultation with the Deputy Leader (Statutory) – Finance and Asset Management, the Head of Financial Services/S151 Officer, and the Head of Law and Governance to finalise the drafting of an agreement with Peabody, either as a separate agreement or as part of the Development Agreement (between Peabody and the Council) and to take any other necessary steps to enable or facilitate the claiming of HIF funding associated with Blackbird Leys Regeneration scheme. |
| **What decision was made?** | To enter into a Deed of Variation (DoV) to the Housing Infrastructure Funding (HIF) agreement with Homes England for the Blackbird Leys Regeneration Scheme. The DoV extends the deadline for HIF spend, as the current deadline has expired. It also  updates milestones and conditions to reflect the details of the scheme and current programme for delivery. |
| **Purpose:** | The Deed of Variation is to enable the HIF funding to be claimed and used directly to support the delivery of infrastructure at Blackbird Leys. |
| **Reasons:** | This decision is necessary to facilitate the drawdown of the HIF and enable its use, as intended, to support the delivery of infrastructure and affordable housing at Blackbird Leys.  The HIF agreement with Homes England requires a revised spend deadline, milestones, and programme to reflect the most current project programme. The Blackbird Leys Regeneration Project has suffered several delays to its original programme since the original HIF agreement was signed due to numerous issues including ongoing viability issues and a pause caused by the takeover of development partner Catalyst Housing by Peabody.  In February 2023, a decision was made to submit a planning application for the scheme even though the project still faced substantial viability issues and had  therefore not completed the Stage 2 viability requirement, to progress into Stage 3. A hybrid planning application was submitted on 23/02/2023 and was validated on 14/03/2023. The application received resolution to grant permission in August 2023.  Peabody have worked with their contractor to improve viability through value engineering and securing further grant, with both parties agreeing that Phase 1 of the scheme reached the viability threshold by November 2023. This means Phase 1 is able to progress through the viability gateway into the delivery stage. All HIF will be spent in Phase 1. |
| **Decision made by:** | Carolyn Ploszynski  Head of Regeneration and Economy |
| **Other options considered:** | The alternative option would be not to seek to amend the HIF agreement with Homes England but this would prevent the drawdown of funds. |
| **Documents considered:** | None |
| **Key or Not Key:** | Not key |
| **Wards significantly affected:** | None |
| **Declared conflict of interest:** | None |
| **This form was completed by:**  **Name & title:**  **Date:** | Karoline Soisalo de Mendonca  Regeneration Project Manager  20 November 2023 |

**Approval checklist**

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| ***Approver*** | ***Name and job title*** | ***Date*** |
| **Senior officer** | Carolyn Ploszynski, Head of Regeneration and Economy  Signature Carolyn Ploszynski |  |
| **Head of Financial Services** | Nigel Kennedy, Head of Financial Services | 23/11/23 |
| **Head of Law and Governance** | Emma Jackman, Head of Law and Governance | 21/11/23 |
| **Cabinet Member** | Cllr Ed Turner, Deputy Leader (Statutory) – Finance and Asset Management | 24/11/23 |