

DECISION OF A SINGLE MEMBER – Cabinet Member for Housing

Decision title:	Acquisition of Social Rent properties at Barton Park into the Council's Housing Revenue Account
Decision date:	19 September 2024
Source of delegation: State how the decision was delegated. Was it an express delegation made at a meeting or a general delegation under the Council's Constitution?	Part 4.6 of the Constitution: the Leader may delegate executive responsibilities to a single Cabinet Member with or without consultation with officers or other Cabinet Members. The Leader agreed on 11 September 2024 to delegate the decision to the Cabinet Member for Housing.
What decision was made? Explain briefly – include financial details of any income or expenditure relating directly to this decision. Please indicate whether information is exempt / confidential.	<p>The Cabinet Member for Housing and Communities resolved to</p> <ol style="list-style-type: none"> 1) Approve the acquisition of 10 new affordable homes at Barton Park (Phase 3) direct into the Housing Revenue Account (HRA). These units (listed in Appendix 1) will be retained in the HRA, removing OCH(I)L from any involvement with these properties. 2) Approve that the charging of these purchases (at the value shown in Appendix 2) is to the allocated HRA Capital budget for 'Purchases of Properties from OX Place', until such time as Council may allocate a special budget for the purpose of acquiring the Social Rent homes at Barton Park into the HRA. 3) Delegate authority to the Executive Director - Development, in consultation with the Cabinet Member for Housing and Communities; the Head of Financial Services/Section 151 Officer; and the Council's Monitoring Officer, to: <ol style="list-style-type: none"> i. Agree the terms of the acquisition of the freehold interest relating to the ten properties and any associated land subject to it meeting Existing Use Value for Social Rent (or an equivalent valuation methodology); ii. Agree to the purchase of the ten Social Rented properties and any associated land from Barton Park in accordance with the agreement with Barton Oxford LLP and Oxford City Council dated December 2014; iii. Enter into all agreements necessary, for which

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	powers are not already delegated under the scheme of delegation, to facilitate the transfer of the properties at i and ii above, including but not limited to, any documentation necessary to transfer the benefit of any continuing warranties and guarantees relating to the properties to the Council.
Purpose: What does the decision deliver or achieve?	This removes OCH(I)L from any involvement in the handovers resulting from these tranches.
Reasons: Please provide the reasons for the decision.	Confirming this approach in advance of the scheduled handovers will mean the homes can immediately be let to council tenants and will save approximately £40,000 in Stamp Duty Land Tax.
Decision made by: Name and title of the Cabinet Member	Councillor Linda Smith, Cabinet Member for Housing and Communities
Other options considered: List any alternatives that were available to the decision taker and why they were rejected	Continuing to acquire the properties as per the status quo was considered but this adds unnecessary costs and time to the process which is anticipated to change for future stages of the development subject to Cabinet and Council approval in October and November 2024 respectively.
Documents considered: Please attach any new documents relevant to the decision and state if they are exempt	The information is not exempt. Email delegation from Councillor Brown attached.
Key or Not Key: (see notes below):	Key
Wards significantly affected: If 2+ wards are significantly affected this will need to be treated as a key decision (see notes below)	N/A
Declared conflict of interest: Please record any declared conflict of interest by any Cabinet Member consulted on the decision which relates to the decision.	N/A
This form was completed by: Name & title: Date:	Dave Scholes, Affordable Housing Supply Corporate Lead 18 September 2024

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Approval checklist

Approver	Name and job title	Date
Decision maker Cabinet Member with delegated authority .	Councillor Linda Smith, Cabinet Member for Housing and Communities	

Consultee checklist

Consultees	Name and job title	Date
Senior officer e.g. the relevant service manager / head of service where the decision maker is the Chief Executive or an Executive Director.	Tom Bridgman, Executive Director for Development, Development Board Chair	18 th Sept 24
Head of Financial Services If required by the delegation / Constitution	Nigel Kennedy, Head of Financial Services (Section 151 Officer)	18 th Sept 24
Head of Law and Governance If required by the delegation / Constitution	Emma Jackman, Head of Law & Governance	18 th Sept 24
Cabinet Member(s) Some Cabinet delegations require consultation with the relevant Cabinet Member(s). For other decisions there is an expectation that Cabinet Members will be informed.	N/A	
Ward Members Ward Members should be told in advance about anything which particularly affects their ward and which is potentially controversial but please note that Cabinet Members must be consulted first	N/A	

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This form must be completed and sent to Committee and Member Services **as soon as reasonably practicable** after the decision is made. Prompt notification is particularly important for **key decisions** which are subject to call-in, as the call-in deadline is 2 working days from the decision notice being published. Before completing the form please refer to the notes below

NOTES

The law¹ requires the Council to record executive and non-executive decisions taken by officers under delegated powers and to publish them on the Council's website.

These requirements **apply** to decisions that would have been taken by Council or the Cabinet if delegated powers had not been given to an officer:

- under an express delegation granted at a meeting of Cabinet, Council or a Committee.
- under a general delegation (where responsibility is delegated in the Constitution) and the effect of the decision is to:
 - grant a permission or licence;
 - affect the rights of an individual;
 - award a contract or incur expenditure with a value in excess of £10,000;
 - award a contract with a value in excess of £10,000 but less than £1,000,000;
 - acquire or dispose of freeholds or leaseholds with a consideration or premium in excess of £10,000 but less than £500,000;
 - grant to new tenants or dispose of leases with a rental value in excess of £10,000 but less than £125,000 (this excludes assignments, holding over and rent reviews);
 - grant 'project approval' for projects in excess of £10,000 but less than £500,000;
 - make a regulatory order which affects a number of people, for example a Public Space Protection Order or a Parking Place Order;

These requirements **do not** apply to:

- planning and licencing matters where there are established arrangements for recording decisions: or
- decisions which are purely administrative or operational in nature

Officers making such decisions must complete a written statement containing details of the decision taken. A copy of this decision notice must be retained by the relevant service for at least 6 years and any background papers for 4 years.

Exempt or Confidential information

Information relating to a delegated officer decision does not have to be made public if it is exempt or confidential. Summary information from this decision sheet (excluding all exempt or confidential information) will be published on the Council's website.

¹ the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012/2089 (Regulation 13(4)) and The Openness of Local Government Bodies Regulations 2014/2095 (Regulation 7)

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Key or Non Key Decision

A key decision is an executive decision likely to have a significant effect on people living or working in at least two wards; or involve spending or saving a significant amount. For this Council 'significant' in budgetary terms is:

- a. Expenditure or savings of £500,000 or greater in the context of the medium term financial strategy;
- b. Contract awards with a value of £1,000,000 or greater
- c. Acquiring or disposing of freeholds or leaseholds with a consideration or premium over £500,000 in the context of the medium term financial strategy except for disposals pursuant to right to buy legislation
- d. Acquiring or disposing of leases with a rental value over £125,000 each year except statutory lease renewals under Part II of the Landlord and Tenant Act 1954.

A key decision can only be taken and recorded here if notice of it has been published in the Forward Plan for at least 28 clear days. Key decisions taken by officers may be "called in" by any four councillors or the Chair of the Scrutiny Committee within two days of the notice of decision being published.

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