

WINCHESTER CITY COUNCIL DECISION RECORD

Officer Completing the Form: Richard Burden

Lead Director: Richard Botham

Subject: Approval to Bid for 15 Braxton House, buyback of former Right to Buy property

Details of Decision:

To give authority to the Corporate Head of Housing to purchase 15 Braxton House, a leasehold flat that the City Council holds the freehold for. The flat has been valued at £185k and permission is given to purchase the property including associated fees and stamp duty.

Type of Decision: (please tick. see reverse for definitions)

- ☐ Key Decision (Executive) & Subject to Call-In (see section 2A on reverse of this form)
- ☒ Significant Operational Decision (see section 2B (1) on reverse of this form)
- ☐ Other Decisions to be Published (see section 2B (2) on reverse of this form)
- ☐ Is this an exempt decision? (If so, please provide brief details)

Reason for the Decision:

The Council's existing acquisitions policy provides for the buy back of properties previously sold under "Right to Buy" and in particular leasehold flats. £2m budget provision is included in the Housing Revenue Account capital programme to fund such purchases. The property will add another unit to the Council's social housing stock (waiting times for two bed properties are in excess of 2 years currently). The property has been assessed as being in reasonable condition and "relet" costs (electrical testing, essential maintenance etc) of £10k have been included in our overall cost estimates.

Alternative Options Considered & Rejected:

The Council could invest the resources into additional "new build" homes. However, large two bed flats would cost in excess of £185k to build to the current Winchester specification and would take at least a year, whereas this opportunity provides for an additional unit immediately to help residents in high housing need.

Supporting Information:

The acquisitions policy was approved as part of the Housing Asset Management Strategy in March 2016 (CAB2791(HSG) refers). The report refers specifically to acquiring units "In communal blocks where values are relatively low and re-acquiring properties would assist with the balance of tenanted/leasehold units". The approval for expenditure, under FPR7.4 utilising a budget was set in CAB3111 in January 2019. The purchase will be funded from a combination of 1-4-1 Right to Buy receipts and HRA capital reserves.

Declared Officer and/or Member interests:

None

Decision Taker (name):

Richard Botham

Decision Taker
(Signature):

Richard Botham – Strategic Director (Services)

Call In dates (if applicable) and Implementation date:

Commencement of call in: (date)	N/A (Please refer to Democratic Services for this date.)
Last date for call in: (date)	N/A (Please refer to Democratic Services for this date.)
Planned Implementation Date:	14/08/19

Notes for report authors.

1. Why record officer decisions?

The [Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require local authorities to produce a written statement of an executive decision made by an officer as soon as is reasonably practicable after the decision is taken (see Paragraph 13). This written statement must include the information requested in the questions of the pro forma on the previous page.

2. What sort of decisions are there?

- A. **Key decisions.** A key decision is defined by Regulation 8 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 as being an executive decision which is likely:
- To result in the local authority incurring expenditure, which is or the making of savings which are significant having regard to the local authority's budget for the service or function to which the decision relates; (For Winchester City Council, the financial limit above which a decision is regarded as significant is £250,000 per year), or;
 - To be significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

A decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules, Access to Information Procedure Rules (Part 4) and the Officer Scheme of Delegation (Part 3) of this Constitution.

- B. **Non-Key Decisions.** Officers will usually take non-key executive decisions. A non-key decision is an executive decision that does not meet either criterion of a key decision as laid out above. These decisions are divided into significant operational decisions and administrative decisions.

- Significant Operational (Non-Key) Decisions.** This is a decision in relation to a Council or executive function which is not a key decision and results in one of the following:
 - Revenue expenditure or making savings (including the receipt or loss of income) between £100,000 and £250,000 per year;
 - Capital expenditure (i.e. if they involve entering into new commitments and/or making savings) and/or contract awards of between £100,000 and £250,000
 - When, in the opinion of the Chief Executive, the Section 151 Officer or Monitoring Officer, a published record of the decision is required to provide openness and transparency.
 - A significant decision should be recorded in order to comply with Regulation 13 (Recording of executive decisions made by individuals) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (No. 2089).
- "Other" Decision.** Regulation 7 of the Openness of Local Government Bodies Regulation 2014 requires a written record to be produced as soon as reasonably practicable after an officer has made a decision under delegation which a) grants a permission or licence or b)affects the rights of an individual.
- Administrative Decision:** *(these generally do not require recording on this form if the following applies)*
 - It is within an approved budget; and
 - It is not in conflict with the Budget and Policy Framework or other approved policies approved by full Council, and
 - It does not raise new issues of policy

C. Which officer decisions need to be recorded on this form?

Officers need to record:

- any key decision, i.e., decisions that have a significant effect on 2 or more divisions, or have a cost/saving of £250,000 or more. (see 2A above)
- any Significant Operational Decisions. (see 2B (1) above)
- "Other" officer decisions regarding the granting of a permission or licence or that affect the rights of an individual (see 2B (2) above)

4) What are the relevant Deadlines?

The decision needs to be published by Democratic Services on the Councils website as soon as practicable of it being taken.

5) Who needs to sign off the Request Form?

If you are sure an officer decision needs to be recorded, please complete the attached officer decision form. Once completed, please ensure that it is approved by the relevant Director. Once approved, the form should be forwarded to Democratic Services for adding to the Council's website where it can be viewed by members of the public on the decisions page.