


RECORD OF URGENT CABINET DECISION

The following is a record of an urgent cabinet decision which cannot be delayed until the next meeting of the Cabinet (as set out in Rule 13 of the Cabinet Procedure Rules):

Officer: CLARE BIRTWISTLE MONITORING OFFICER	Signature: 
I can confirm that consultation has taken place with the following:	
• Leader	Date Consulted: 1 ST OCTOBER 2015
• Deputy Leader	Date Consulted: 1 ST OCTOBER 2015
• Relevant Portfolio Holder plus one of the following:	Date Consulted: 1 ST OCTOBER 2015
• Chief Executive or	Date Consulted: 1 ST OCTOBER 2015
• Monitoring Officer in the absence of the Chief Executive	Date Consulted: N/A.
In the absence of the Leader, Deputy Leader or Portfolio Holder (if any) the consent of another Cabinet Member will be required. If so, please give details here:	

Details of Decision and Reasoning:	<p>The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 allows the Council to effect registration of liabilities to repay assistance/grant monies as a Local Land Charge against a property or piece of land. This provides the Council with security for grant monies and it will not remove the charge until the grant conditions have been complied with and/or paid in full.</p> <p>The Council implemented a policy on Private Sector Housing under the "Private Sector Housing Renewal Strategy & Policy" which was updated in April 2007.</p> <p>The Strategy presently does not incorporate a "General Grant Condition" to allow the Council the ability to register our housing grants. Disabled Facility Grants</p>
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	<p>are covered but the Council must make provisions for a further update in order to facilitate and enhance the existing provisions.</p> <p>The following clauses are requested to be added to the existing Strategy as follows:-</p> <ol style="list-style-type: none"> 1) the provisions and conditions of any loan paid (including any loan amount outstanding as at the date hereof) shall bind all successors in title to any property the subject of any loan and/or grant repayment by the Council to the Homes and Community Agency 2) the Council shall register a local land charge against any property so as to bind successive owners of any property in which a land charge has been registered under the provisions of the Local Land Charges Act 1975 <p>In order to protect grant monies paid to date it is imperative that we regularise the position without delay and secure Local Land Charges.</p>
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<p>Details of the reason for the use of the urgency procedure:</p>	<p>The decision cannot be delayed to the next meeting of the Cabinet as to do so would put the Council at risk of not securing the Local Land Charge prior to possible disposals of properties without the Council's consent or knowledge.</p>
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<p>Decision to be taken by:</p>	<p>Clare Birtwistle Monitoring Officer</p>
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<p>Impact on Corporate Priorities:</p>	<p>To ensure value for money services which protect public funds.</p>
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<p>Consultees and Method(s) of Consultation:</p>	<p>Verbal consultation with Chair of O & S, Leader of the Council and Chief Executive prior to verbal consultation on 1st October 2015.</p>
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Documents to be considered by the decision taker:	Private Sector Housing Renewal Strategy and Policy
Implications:	Failure to enhance and update the policy will result in the Council being at risk of taking action outside the regulations and legislation and facing difficulties around recovery of grant monies.
Status: Please indicate if this is "for publication" or "not for publication". For advice please contact the Committee and Member Services Manager	For Publication

Clare Birtwistle	
Date:	1 st October 2015

<i>Clare Birtwistle</i>

Publication Date: 2nd October 2015.