



EXECUTIVE DECISION RECORD
Officer

REF No: 152.24

A1 Service Area	Environment and Housing
A2 Title	Price increases to Discounted Market Sale Dwellings in Land West of Uttoxeter
A3 Decision Taken By	Chief Officer
A4 Chief Officer	Please print name: Tom Deery Please sign name: (Approval via email 14/06/24)
A5 Leader / Deputy Leader consulted?	Please print name: Cllr Simon Slater Please sign name: (Approval via email 06/06/24)
A6 Date of Decision	14 th June 2024

Confidential or Exempt Information

A7 Does this decision contain Confidential Information?	No
A7.1 Does this Decision contain Exempt Information as described in Schedule 12A of the Local Government Act 1972?	No
A7.2 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	NA]

Conflict of Interest

Are there any conflicts of interest to declare? No

(If "Yes" please contact the Chief Executive before making the Decision. A note of dispensation should be attached).



Scrutiny/Audit

A8 Which Committee should this decision be submitted to? *(Please tick as appropriate)*

Scrutiny (Value for Money Council) Committee

Scrutiny (Regeneration Development and Market Hall) Committee

Scrutiny (Health and Wellbeing) Committee ✓

Scrutiny (Climate Change and Environment) Committee

Audit Committee

B1 What is the Decision?	To approve price increases on 9 Discounted Sale Market Dwellings ¹ on the site known as Phase 2B Land West of Uttoxeter. These price increases are due to market conditions and have been calculated using the agreed upon formula; a full list of the prices and the dwellings can be found at Appendix 1 (columns labelled EDR).
B2 What are the reasons for the Decision?	<ul style="list-style-type: none"> • There has been an increase in house price values since the date of the original valuation.² • The revised valuation has been provided by 3 RICS Registered Valuers and has been revised in light of available comparable data for 2-bedroom & 4-bedroom houses, this is in accordance with the process for determining valuations as required by the relevant S106 agreement. • All the dwelling and corresponding S.106 Agreements are listed at Appendix 1. • Approval is sought for the revised valuations. The new valuations are in accordance with the terms of the Section 106 Agreement made on 4/11/15 under Planning Reference number P/2013/00882, as amended by Part 4.3(d) of the Deed of Variation to that Agreement dated 16/12/21
B2 Alternative options considered and rejected?	The alternative option of simply leaving the dwellings at existing valuations would not recognise market changes and would require the developer to base their sale of the properties to first buyers on outdated valuations.
B3 What are the contributions to Corporate Priorities?	Creating a Prosperous East Staffordshire
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision

Financial Implications

¹ Discounted Market Sale Dwellings are to be sold at a percentage (usually 80%, depending on the terms of each specific Section 106 agreement) for the Capital Value to an 'Eligible Person' as defined in the relevant Agreement.

² The 9 wellings in Uttoxeter were first valued in June 2022.

B5 What are the financial implications?	<p>The main financial issues arising from this decision are as follows:</p> <ul style="list-style-type: none"> This decision will uprate prices of the discounted sale housing for the prospective purchaser to recognise relevant inflationary increases. This decision will not impact on the Medium Term Financial Strategy.
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Revenue	2023/24	2024/25	2025/26

Capital	2023/24	2024/25	2025/26

<p>The finance section has been approved by the following member of the Financial Management Unit:</p>	<p>Please print name: James Hopwood</p> <p>Please sign name: (Approval via email 31/05/24)</p>
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Policy Framework

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

Equalities Implications

B8 What are the Equalities implications:
<p>B8.1 Positive (Opportunities/Benefits):</p> <ul style="list-style-type: none"> Discounted market sale housing plays an important role in increasing the routes for potential homebuyers to access the market.
<p>B8.2 Negative (Threats):</p> <ul style="list-style-type: none"> None identified
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 What are the Equalities implications:

B8.4 NA

Risk Assessment

B9 What are the Risk Assessment implications:

B9.1 Positive (Opportunities/Benefits):

- The updated valuation has been undertaken in accordance with S106 agreement.

B9.2 Negative (Threats):

- None identified

B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

Legal Considerations

B10 What are the Legal Considerations:

- The original Section 106 Agreement with the Developer, dated 4th November 2015, stated that properties were to be sold on the basis of their capital value.
- By a Deed of Variation dated 16th September 2021, "Capital Valuation" was varied to "Market Value", which is defined in the Agreement as the best price reasonably expected as calculated in accordance with the RICS Manual of Valuation Practice (Red Book) based upon 3 valuations.
- Having obtained the required valuations the Council is entitled to increase the sale price of the properties.

B10.1

This section has been approved by the following member of the Legal Team

Please print name: Glen McCusker – Locum Solicitor and Deputy Monitoring Officer.

Please sign name: (Approval via email 16/05/24)

Environmental Impact

B11 What are the Environmental Impacts:

Consider impacts related to the Climate Change & Nature Strategy aims:

- Reducing greenhouse gas emissions (climate change mitigation)
- Preparing for future climate change (adaptation)
- Protecting and enhancing nature
- Using resources wisely and minimising waste and pollution

B11.1 The impacts are **not significant** and are set out below without enhanced consideration by the Council's Climate Change and Adaptation Officers.

(note – a **significant** impact will likely result from any project, policy, procurement exercise or service change that has a direct or indirect effect on energy or fuel use, water use, land use, other physical resource use, waste generation, pollution, regeneration or construction – If unsure contact the Council's Climate Change and Adaptation Officers.)

B11.3 Positive Impacts (Opportunities/Benefits):

- This is solely a market price change and therefore has no Environmental Impacts

B11.4 Negative Impacts (Threats/Mitigation):

- This is solely a market price change and therefore has no Environmental Impacts

Health & Safety Implications

B12 What are the Health & Safety implications:

B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.

B12.2 Any financial implications to mitigate against these hazards and risks are considered above.

B12.3 Control measures and an action plan have been identified for any significant hazards and risks identified in the risk assessment. The positive/negative impacts are set out below

B12.3.1 Positive (Benefits) NA

B12.3.2 Negative (Threats) NA

Key Decision

B13 Is this a Key Decision? No

Note: A Key Executive Decision is one where:

- 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:
democratic.services@eaststaffsbc.gov.uk