

## EXECUTIVE DECISION RECORD

REF No. 259.20

<b>A1</b> Service Area	Environment and Housing
<b>A2</b> Title	Expansion of Stage 2 Accommodation Project
<b>A3</b> Decision Taken By	Deputy Leader/ Chief Officer
<b>A4</b> Chief Officer	Please print name: Sal Khan  Please sign name: <a href="#">Approved by email 181220</a>
<b>A5</b> Leader / Deputy Leader	Please print name: Councillor Ray Faulkner  Please sign name: <a href="#">Approved by email 181220</a>
<b>A6</b> Date of Decision	18 <sup>th</sup> December 2020

### Confidentiality

<b>A7</b> Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
<b>A7.1</b> If yes, please state relevant paragraph from Schedule 12A LGA 1972.	NA

### Scrutiny

**A8** Which Scrutiny Committee should this decision be submitted to?

Scrutiny (Audit & Value for Money Council Services) Committee

Scrutiny (Community Regeneration, Environment and Health and Well Being)

Committee ✓

<b>B1</b> What is the Decision?	To provide revenue support of £13,611.00 from S106 commuted sums, in exchange for Trent and Dove providing 4 additional one bedroom flats for the project during 2021/22. This decision will enable the project to comprise one full time support worker and 10 units of Stage 2 accommodation for 12 months.
<b>B2</b> What are the reasons for the Decision?	<ul style="list-style-type: none"> <li>• The project is funded for 6 units and 0.6 of a support worker due to MHCLG budgetary constraints. This decision would enable a return to the original size that was envisaged for the project in EDR No. 234/20.</li> <li>• This project will improve the pathway out of expensive supported accommodation funded by 'exempt accommodation' rates<sup>1</sup> of Housing Benefit, and therefore an enlargement of the project is in the Council's interests.</li> <li>• The revenue funding is in place so that the Stage 2 accommodation properties will be offered at standard social housing rents by a Registered Provider of Social Housing, so the Council will receive full subsidy for any payment of Housing Benefit.</li> <li>• Trent &amp; Dove's commitment to make available 4 one bedroom flats in exchange for the £13,611.00 is set out at Appendix 1, and represents a good return on investment.</li> </ul>
<b>B3</b> What are the contributions to Corporate Priorities?	Environment and Health and Wellbeing
<b>B4</b> What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

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<sup>1</sup> Housing Benefit Regulations: Para 4(10) of Schedule 3 of the Housing Benefit (Consequential Provision) Regulations 2006

## Financial Implications

<b>B5</b> What are the financial implications?	<p>The main financial issues arising from this decision are as follows:</p> <ul style="list-style-type: none"> <li>• The funds are to be drawn from S106 and therefore will not impact the MTFS.</li> <li>• The funding is sufficient for 2021/22, with no commitment to funding in future years.</li> </ul>
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Revenue	2020/21	2021/22
Expenditure from S106	Nil	£13,611.00
MTFS Impact	Nil	Nil

<p>The finance section has been approved by the following member of the Financial Management Unit:</p>	<p>Please print name: Anya Murray</p> <p>Please sign name: <a href="#">Approved by email 171220</a></p>
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## Policy Framework

<b>B6</b> Is the Decision wholly in accordance with the Council's policy framework?	Yes
<b>B6.1</b> If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
<b>B6.2</b> Has it got the appropriate approvals under those provisions?	Yes
<b>B7</b> Is the Decision wholly in accordance with the Council's budget?	Yes
<b>B7.1</b> If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
<b>B7.2</b> Has it got the appropriate approvals under those provisions?	Yes

## Equalities Implications

<b>B8</b> What are the Equalities implications:
<b>B8.1</b> Positive (Opportunities/Benefits): <ul style="list-style-type: none"><li>• Improve the health and wellbeing of those currently unable to move on from shared supported accommodation.</li></ul>
<b>B8.2</b> Negative (Threats): <ul style="list-style-type: none"><li>• None identified.</li></ul>
<b>B8.3</b> The subject of this decision is a policy, strategy, function or service that is new or being revised. An equality impact assessment is attached as Appendix 2.
<b>B8.4</b> The equality impact assessment identified the following actions to be carried out: NA.

## Risk Assessment

<b>B9</b> What are the Risk Assessment implications:
<b>B9.1</b> Positive (Opportunities/Benefits): <ul style="list-style-type: none"><li>• This project should apply downward pressure to the amount of shared supported accommodation in the Borough, whilst improving the circumstances of the occupiers.</li></ul>
<b>B9.2</b> Negative (Threats): <ul style="list-style-type: none"><li>• None identified.</li></ul>
<b>B9.3</b> 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

<b>B10</b> What are the Legal Considerations:
<b>B10.1</b> The main legal issues arising from this decision are as follows: <ul style="list-style-type: none"><li>• The funds are to be drawn from commuted sums paid by developers under S. 106 of the Town and Country Planning Act 1990 for use in connection with the alleviation of homelessness within the Borough.</li></ul>

**B10** What are the Legal Considerations:

- The ability to use S.106 monies in this way will depend on the precise wording of each S.106 agreement and whether any necessary deeds of variation can be secured. The requirements attached to the existing pot of S106 funding do not prohibit the funds being used for this application.
- The Legal Team will draft an agreement capturing the terms and conditions on which the £13,611.00 is paid to Trent and Dove.
- A completed 'Exemption to Contract Procedure Rules' can be found at Appendix 3.

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

Please print name: Angela Wakefield

Please sign name: [Approved by email 141220](#)

## Sustainability Implications

<b>B11</b> What are the Sustainability implications:
<b>B11.1</b> The proposal would not result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below (please refer to guidance notes).
<b>B11.2</b> Positive (Opportunities/Benefits): <ul style="list-style-type: none"><li>• NA</li></ul>
<b>B11.3</b> Negative (Threats): <ul style="list-style-type: none"><li>• NA</li></ul>

## Health & Safety Implications

<b>B12</b> What are the Health & Safety implications:
<b>B12.1</b> 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.]
<b>B12.2</b> Any financial implications to mitigate against these hazards and risks are considered above.
<b>B12.3</b> NA
<b>B12.3.1</b> Positive (Benefits) <ul style="list-style-type: none"><li>• NA</li></ul>
<b>B12.3.2</b> Negative (Threats) <ul style="list-style-type: none"><li>• NA</li></ul>

## 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.

<b>B13.1</b> 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
<b>B13.2</b> 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 [andrea.davies@eaststaffsbc.gov.uk](mailto:andrea.davies@eaststaffsbc.gov.uk)