

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
RECORD OF EXECUTIVE DECISION**

This form should be used to record key and other decisions made by individual Lead Cabinet members. The contact officer will ensure that the signed and completed form is given to Democratic Services as soon as reasonably practicable after the decision has been taken.

A key decision shall not be taken unless notice of the item has been published at least 28 days before the decision is to be taken except where:

- a General Exception notice has been published under Rule 15 of the Access to Information Procedure Rules and the Chairman of Scrutiny and Overview Committee has been informed in writing; or
- a Special Urgency notice has been published under Rule 16 of those Rules and the Chairman of Scrutiny and Overview Committee has agreed the decision is urgent.

Unless permission has been obtained from the Chairman of Council and the Chairman of the Scrutiny and Overview Committee that this decision may be treated as a matter of urgency under Rule 12.19 of the Scrutiny and Overview Committee Procedure Rules, this decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless called in under Rule 7 of the Budget and Policy Framework Procedure Rules or Rule 12 of the Scrutiny and Overview Committee Procedure Rules. Where consent has been obtained to exempt the decision from call-in, this will be specified below.

Lead Cabinet Member	Lead Cabinet member for Housing
Subject Matter	Provision of 36 Affordable Dwellings at Bennell Farm, Toft
Ward(s) Affected	Hardwick
Date Taken	Friday, 17 July 2020
Contact Officer	Kirstin Donaldson, Head of New Build (Kirstin.Donaldson @scamb.gov.uk)
Date Published	Friday, 17 July 2020
Call-In Expiry/Exempt from call-in	Friday, 24 July 2020
Key Decision?	No
In Forward Plan?	No
Urgent?	No

Purpose / Background
<p>The purpose of this Decision Notice is to give approval for an amendment to be made to the ' Land Transfer Deed' associated with the transfer of affordable housing land to SCDC.</p> <p>A previous Decision Notice dated 11th April 2019 gave approval for South Cambridgeshire District Council (SCDC) to enter into Heads of Terms followed thereafter into a JCT Design & Build Contract (JCT 2016 – industry standard) to purchase 36 no affordable homes representing the S106 40% affordable housing contribution on a site at Bennell Farm, Toft.</p> <p>The Land Transfer completed on 18 Dec 2019, the Transfer deed omitted provisions required to be included by the section 106 agreement. The Transfer needs amending by way of a deed of variation otherwise the Transfer is in breach of the s106 agreement.</p> <p><u>Planning Reference number :</u> The site has planning (ref: S/4552/17/RM) with all conditions now discharged.</p> <p>The S106 is signed and completed.</p>

Mix:

Description of	No of	Type of	Stock	No of
Units to be delivered:	Units:	Tenure:	Category:	Beds:
1 bed flat	8	Rent	Flat	1
2 bed flat	9	Rent	Flat	2
2 bed house	5	Rent	House	2
3 bed house	3	Rent	House	3
2 bed house	8	Shared O'p	House	2
3 bed house	2	Shared O'p	House	3
4 bed house	1	Shared O'p	House	4

Shared Ownership units will be sold as part of this scheme and their ongoing sale forms part of this decision
Average equity buy-in will be 40%. It anticipated that the 4 bed unit will be 30% share or may be 'swapped' to a 3 bed unit

Contract type:

The contract will be a JCT 2016 contract. (Joint Contracts Tribunal) Design & Build Contract

no reasonable alternative or substitute – ie there are not other similar convenient sites which could reasonably be regarded as being available for development, eg in terms of being for sale, zoning, access to services etc.

Toft / Comberton are small villages which have not had any development sites commenced of this size for some considerable time. There are no other suitably sized permissioned sites in Toft/Comberton that are available for consideration at this time.

Financial

Use of Right to Buy Receipt:

This scheme consists of 25 rented homes which allows the use of Right to Buy receipts totalling £1,366,382

Use of Commuted Sum:

We are using £550,000 of commuted sum monies to assist in bringing these 11 shared ownership homes forward as council new build. This aligns with our standard £50k per unit commuted sum spend profile on new build schemes

The scheme is considered to be value for money for the council. The offer and price per sq. m is commensurate with sums paid for recent council new build development schemes. In addition a robust financial appraisal has been carried out and a commercially sensitive financial appendix is attached. The scheme has a Payback year within the business plan parameters.

Declaration(s) of Interest

Record below any relevant interest declared by any executive Member consulted or by an officer present in relation to the decision.

None

Dispensation(s)

In respect of any conflict(s) of interest declared above, record below any dispensation(s) granted by the Council's Standards Committee.

None

Consultation <i>Record below all parties consulted in relation to the decision.</i>
Advice has been provided by Joanne Peek , 3C Shared Services (Legal).

Other Options Considered and Reasons for Rejection
Not applicable.

Final decision	Reason(s)
To approve South Cambridgeshire District Council making amendments to the Land Transfer Deed.	This amendment is legally required to correct the Land Transfer document.

Signed	Name (CAPITALS)	Signature	Date
Lead Cabinet Member	Signed copy available upon request from Democratic Services (democratic.services@scambs.gov.uk)		
Chief Officer			

Further Information