

**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.

<b>Lead Cabinet Member</b>	Lead Cabinet member for Housing
<b>Subject Matter</b>	Provision of 3 no. affordable homes off Strawberry Farm, Pampisford Road, Gt Abington
<b>Ward(s) Affected</b>	Linton
<b>Date Taken</b>	Monday, 10 May 2021
<b>Contact Officer</b>	Claire guyton, Development Projects Officer (claire.guyton@scambs.gov.uk)
<b>Date Published</b>	Monday, 10 May 2021
<b>Call-In Expiry/Exempt from call-in</b>	Monday, 17 May 2021
<b>Key Decision?</b>	No
<b>In Forward Plan?</b>	No
<b>Urgent?</b>	No

<b>Purpose / Background</b>
<p>The purpose of this Decision Notice is to give approval for South Cambridgeshire District Council (SCDC) to enter into Heads of Terms followed thereafter into a JCT Design &amp; Build Contract (JCT 2016 – industry standard) to purchase 3 affordable homes representing the S106 40% affordable housing contribution on a site off Strawberry Farm, Gt Abington.</p> <p>The site has been brought forward by Carter Jonas on behalf of Shelford Properties Ltd. They are a local developer primarily focussed on private developments.</p> <p>In its entirety the site totals 8 new homes - with the policy compliant 40% affordable housing of 2 new rented homes and 1 new shared ownership home. These are made up of a mixture of 2 and 3 bed houses all with garages. Housing management have confirmed the garages acceptable and may allow for an increased rent. Likewise, the SO unit value would be increased.</p> <p>It is the intention that the shared ownership property is to be sold with a maximum ownership of 50% initially with the option to staircase up to 80% as per the Section 106 with South</p>

Cambridgeshire District Council retaining the remaining proportion.

Shelford Properties Ltd are due to start on site anticipated in Q2.

All reserved planning matters have been resolved.

It should be noted that the payback is in year 27.

#### Enabling/Strategic support

Strategic Housing fully support this mix, as it will provide much needed homes in Gt Abington where SCDC has existing stock .

The overall affordable housing mix has previously been agreed by Housing Strategy as meeting the housing needs in Gt Abington and its environs.

#### **Scheme Details:**

##### Planning Reference number :

The site has planning (Ref: S/1433/16/OL) without conditions and approved Reserved Matters (Ref: S/3387/19/RM).

Due to an administrative error, SCDC planning will be issuing a new decision notice with conditions, however this will not affect the planning permission given or this decision notice.

The S106 is signed and completed.

##### Mix:

Description of	No of	Type of	Stock	No of
Units to be delivered:	Units:	Tenure:	Category:	Beds:
<b>2 bed house</b>	2	Rent	House	2
<b>1 bed house</b>	1	Shared ownership	House	3

##### Contract type:

The contract is likely to be a JCT 2016 contract (Joint Contracts Tribunal) Design & Build Contract which will be confirmed in the next 2 weeks.

Legal Advice : Freeths ( Previously provided at Grace Crescent , Hardwick)

“We believe that either ownership or an option constitute such “exclusive rights”. It needs to be said, however, that cases do turn on their facts. We would also have to state that the Council should be able to demonstrate that in the case where it was letting a contract including development, that there is 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.”

There are no other suitably sized permissioned sites in Gt Abington that are available for consideration at this time.

#### **Financial**

##### Use of Right to Buy Receipt:

This scheme consists of 2 rented homes which allows the use of Right to Buy receipts totalling **£143,281**

##### Use of Commuted Sum:

This scheme consists of 1 shared ownership homes which allows the use of commuted sum totalling **£50,000**

The scheme is considered 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 . 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**  
*Record below all parties consulted in relation to the decision.*

Shelford Properties Ltd have consulted as required & demonstrated by the successful planning process.

**Other Options Considered and Reasons for Rejection**

**Option 1:** Option 1: The Council decides not to enter into contract with Shelford Properties Ltd for the purchase of the 3 affordable homes on this site.

Reason for Rejection:

- To reject the scheme would require a substitute scheme of similar size and cost to be found in the district to provide new affordable homes. This would be by no means certain and is unlikely to be achieved in the timescales. It would be resource intensive and is unlikely to be possible, with the return of unspent right to buy receipt back to the Treasury with interest if no suitable scheme could be sourced.

Final decision	Reason(s)
<ul style="list-style-type: none"> <li>To approve South Cambridgeshire District Council to enter into Heads of Terms followed thereafter by a JCT contract for the build of the 3 affordable homes and a land contract and transfer to purchase the site for the 3 affordable homes at Strawberry Farm, Gt Abington.</li> <li>To approve the sale of and grant of shared ownership leases up to a max 50% for the shared ownership properties with the option to staircase to 80%.</li> </ul>	<ul style="list-style-type: none"> <li>This scheme will provide 3 affordable homes - and affordability is a huge issue for the District in terms of housing.</li> <li>These homes will also add additional affordable homes to the Councils housing stock and will be managed by the in house SCDC Leasehold team.</li> <li>The provision of affordable homes is likely to reduce significantly due to recent policy changes for housing providers and the lack of HCA funding available.</li> <li>Changes to housing benefit and welfare reform will also mean that the demand for affordable homes will only increase in this area.</li> </ul>

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

<b>Further Information</b>