

EXECUTIVE DECISION RECORD

REF No 495/23

A1 Service Area	Communities and Housing Standards
A2 Title	Submission of a verification form to the Local Authority Housing Fund
A3 Decision Taken By	Leader/ Chief Officer
A4 Chief Officer	Please print name: Sal Khan Please sign name: Approval by email 260123
A5 Leader / Deputy Leader	Please print name: Cllr. G. Allen Please sign name: Approval by email 260123
A6 Date of Decision	26 th January 2023

Confidentiality

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

Scrutiny

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

Scrutiny Community Regeneration Committee

Scrutiny Environment and Health and Well Being Committee

Scrutiny Value for Money Council Services Committee ✓

B1 What is the Decision?	To make an expression of interest in participating in the DLUHC programme offering capital funding for the purchase of housing to be used as social rented housing and allocated to designated refugee groups.
B2 What are the reasons for the Decision?	<ul style="list-style-type: none"> • DLUHC are offering £979,506 for investment in social rented housing locally. Upon the departure of the first refugee tenant, housing purchased under the scheme will return to mainstream use becoming available to other applicants on the housing register (Appendix 1). • The bridging element of the fund requires the purchase of a 4+ bed property for an Afghan family who arrived under one of the locally employed person schemes. This requires a pledge to rehouse an additional Afghan family, however the homeless referral mechanism could mean that should this pledge not be entered into an Afghan family may in any event present as homeless under this pathway without the capital investment. • The main element requires the purchase of 10 x 2/3 bed homes for the rehousing of local Ukrainian families arriving under either of the applicable schemes. The capital offered to the Council was determined by taking into account existing Ukrainian refugee resettlement in the area and the likely impact on housing pressures. • Trent & Dove have agreed to deliver the required units of housing within the available period utilising the funding envelope. The prospectus recognises that non-stock holding authorities may need to use a housing association partner to deliver on the objectives of the scheme.
B3 What are the contributions to Corporate Priorities?	Environment and Health & Wellbeing
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

Financial Implications

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"> • Submitting the validation form at Appendix 2 is not a commitment to receiving funding or delivering the programme. DLUHC strongly encourage all LAs to fill out the online validation form by 25 January if they are interested in the programme, and have the capacity to deliver the funding indicatively allocated. • As a result submission of the verification form is indicative only, and a further decision will be required if the Council is to proceed on the offered programme.
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Capital	2022/23	2023/24	2024/25
Indicative funds available to the Council under the programme.	£293,852	£685,654	
Impact on the MTFS	Nil	Nil	

The finance section has been approved by the following member of the Financial Management Unit:	<p>Please print name: Lisa Turner</p> <p>Please sign name: Approval by email 200123</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?	Yes
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:
B8.1 Positive (Opportunities/Benefits): <ul style="list-style-type: none">• The purchased social rented homes will be allocated to target refugee groups identified by DLUHC, where they are confirmed as being in housing need.• Upon the conclusion of the first tenancy, the social rented homes will be available to applicants on the Housing Register under the usual provisions.
B8.2 Negative (Threats): <ul style="list-style-type: none">• None identified
B8.3 The subject of this decision is a policy, strategy, function or service that is new or being revised. An equality impact assessment is attached at Appendix 3.
B8.4 NA

Risk Assessment

B9 What are the Risk Assessment implications:
B9.1 Positive (Opportunities/Benefits): <ul style="list-style-type: none">• Harnesses available investment for social rented housing in the borough, increasing the overall amount of stock available to those in housing need.• Provides a targeted response for refugee groups that might otherwise require homelessness services, and have to be provided for within existing resources.
B9.2 Negative (Threats): <ul style="list-style-type: none">• Potential for negative publicity due to the requirement for the social rented homes to be allocated to specified refugee groups.
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:

B10.1 The main legal issues arising from this decision are as follows:

- Following acceptance of the verification form, a signed Memorandum of Understanding is required to access the funding. This will be subject of a further EDR. Therefore, the legal issues for the Council at this 'expression of interest' verification form stage are not significant.
- Whilst the guidance for the DLUHC programme explicitly allows the Council to partner with a Housing Association to deliver on the objectives, the structuring of the Scheme will need to be such that the requirements of the Public Contract Regulations 2015 and the Council's own Contract Procedure Rules are met before committing to this programme any further.
- Another consideration if the Council is to commit to the programme beyond the verification form stage, will be the impact, if any, of the Subsidy Control Act 2022 when granting funds to a Housing Association partner. This will also need to be resolved prior to committing to the programme.
- If the Council proceeds with the DLUHC programme, payments will be made in the form of grants under Section 31 of the Local Government Act 2003.

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

Please print name: Glen McCusker – Locum Solicitor

Please sign name: [Approval by email 190123](#)

Sustainability Implications

B11 What are the Sustainability implications:
B11.1 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).
B11.2 Positive (Opportunities/Benefits): NA
B11.3 Negative (Threats): NA

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 NA
B12.3 NA
B12.3.1 NA
B12.3.2 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 andrea.davies@eaststaffsbc.gov.uk