

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	23 March 2021
Decision Maker (Officer):	Damian Williams Corporate Director, Operations and Delivery
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4)(ii) – Part 3.39). The Corporate Director has delegated authority in respect of the control and management of all Council dwellings, garages, land and other premises held for housing purposes.
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Housing Portfolio Holder
Ward Member(s) consulted?	No
Is it a Key Decision?	Yes
Is it subject to call-in?	Yes
Decision Made:	To agree to introduce a Recharge Policy for Council Tenants and Leaseholders.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	As set out in the supporting report.

<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>By recharging tenants in specified circumstances, it will ensure that tenants who look after their homes are not required to share the cost of repairs for those who do not. Failure to recharge for these works in a consistent manner also deprives the Council of income and increases the cost of the services provided.</p> <p>By identifying and recovering these costs, the Council will be able to reinvest the money received to help improve both its services and its properties which will ultimately benefit tenants and leaseholders.</p>																		
<p>Details of any Alternative Options Considered and rejected (together with reasons):</p>	<p>For the Council not to implement the policy.</p> <p>Whilst the ability to recharge is underpinned by the Council's tenancy agreements, which are legally binding, this policy will ensure that recharges are dealt with in a fair, consistent and transparent manner.</p>																		
<p>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</p> <p>If relevant, a note of the dispensation granted by the Monitoring Officer:</p>	<p>N/A</p>																		
<p>Reason Decision, or supporting Report, is not published:</p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><u>and</u></p> <p><i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i></p>	<table border="1"> <tr> <td data-bbox="576 1323 635 1361">Y</td> <td data-bbox="635 1323 1385 1361">Not applicable.</td> </tr> <tr> <td data-bbox="576 1361 635 1400"></td> <td data-bbox="635 1361 1385 1400"></td> </tr> <tr> <td data-bbox="576 1400 635 1473"></td> <td data-bbox="635 1400 1385 1473">The report supporting the Decision contains confidential information</td> </tr> <tr> <td data-bbox="576 1473 635 1585"></td> <td data-bbox="635 1473 1385 1585">The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</td> </tr> <tr> <td data-bbox="576 1585 635 1624"></td> <td data-bbox="635 1585 1385 1624"> <ul style="list-style-type: none"> • Relates to an individual </td> </tr> <tr> <td data-bbox="576 1624 635 1662"></td> <td data-bbox="635 1624 1385 1662"> <ul style="list-style-type: none"> • Likely to reveal the identity of an individual </td> </tr> <tr> <td data-bbox="576 1662 635 1774"></td> <td data-bbox="635 1662 1385 1774"> <ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation </td> </tr> <tr> <td data-bbox="576 1774 635 1886"></td> <td data-bbox="635 1774 1385 1886"> <ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings </td> </tr> <tr> <td data-bbox="576 1886 635 2002"></td> <td data-bbox="635 1886 1385 2002"> <ul style="list-style-type: none"> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or </td> </tr> </table>	Y	Not applicable.				The report supporting the Decision contains confidential information		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:		<ul style="list-style-type: none"> • Relates to an individual 		<ul style="list-style-type: none"> • Likely to reveal the identity of an individual 		<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation 		<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings 		<ul style="list-style-type: none"> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
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		to make an order or direction under any enactment
		<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
	<p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p>Reasons: N/A</p>	

Officers

Signed: 

Title: Corporate Director, Operations and Delivery

Signed:

Title:

In consultation with:

Signed:

Portfolio Holder For Housing

Signed:

Section 151 Officer (if required)

Signed:

Monitoring Officer (if required)

Dated: 6 April 2021