

## 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

<b>Date of Decision:</b>	12 February 2024
<b>Decision Maker (Officer):</b>	Tim R Clarke Assistant Director (Housing and Environment)
<b>Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):</b>	Meeting of the Council's Cabinet held on 17 June 2022 (minute 24d refers) authorised the Assistant Director (Housing & Environment), in consultation with the Portfolio Holder for Housing, to make applications, where appropriate, to Homes England for the waiver of Designated Protected Areas made under the Leasehold Reform Act 1967 and the Housing (Right to Enfranchise) (Designated Protected Areas) (England) Order 2009.
<b>Identify which Portfolio Holder(s)/Committee Chairman consulted?</b>	Housing Portfolio Holder
<b>Ward Member(s) consulted?</b>	No
<b>Is it a Key Decision?</b>	No
<b>Is it subject to call-in?</b>	No
<b>Decision Made:</b>	To make an application to Homes England for a Designated Protected Area Waiver in relation to a request received from Sage Homes relating to a development in Halstead Road, Kirby Cross
<b>Reason for Decision (if a report was produced to support the Decision, refer to or attach it):</b>	As set out in the supporting report.
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	As set out in the supporting report.
<b>Details of any Alternative Options Considered and</b>	Only two options can be considered when a waiver request is received and they are that the Council either supports the

<p>rejected (together with reasons):</p>	<p>request for a waiver application or it does not. Generally, the default position is to support the request although the final decision will be based on an assurance that there is a justified need presented by the registered housing provider for the restrictions on stair casing being lifted. Ultimately, Homes England makes the final decision in any event.</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><b><u>and</u></b></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>	<p>Y</p>	<p>Not applicable.</p>
		<p>The report supporting the Decision contains confidential information</p>
		<p>The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</p>
		<ul style="list-style-type: none"> <li>• Relates to an individual</li> </ul>
		<ul style="list-style-type: none"> <li>• Likely to reveal the identity of an individual</li> </ul>
		<ul style="list-style-type: none"> <li>• Relating to financial or business affairs of a person or organisation</li> </ul>
		<ul style="list-style-type: none"> <li>• Relates to a claim for legal professional privilege in legal proceedings</li> </ul>
		<ul style="list-style-type: none"> <li>• 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 to make an order or direction under any enactment</li> </ul>
		<ul style="list-style-type: none"> <li>• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</li> </ul>
	<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: Assistant Director (Housing and Environment)

**Date: 26 March 2024**

**In consultation with:**

Signed: Confirmed by email

**Portfolio Holder for Housing and Planning**

Signed:

**Section 151 Officer (if required)**

Signed:

**Monitoring Officer (if required)**

**Dated: 27 March 2024**