

RECORD OF EXECUTIVE DECISION

TITLE OF THE DECISION : TRANSFER OF 5 AFFORDABLE HOUSING /GIFTED UNITS FROM HILLS RESIDENTIAL CONSTRUCTION LTD - PLOTS 37-41 AT ASTHERWOOD, SCHOOL ROAD ALSO KNOWN AS 1, 2, 3, 4 and 6 OAK CLOSE EMSTEAD COLCHESTER ESSEX CO7 7XH

Date	Decision Maker	Decision	Reason(s) for Decision	Alternative Options Considered	Conflicts of Interest Declared (and Dispensations granted by the Monitoring Officer)	Consultation with relevant Ward Member(s) Yes/No	Subject to Call-in? Yes/No
16 December 2024	Cllr Andy Baker as Portfolio Holder for Housing and Planning	The Portfolio for Housing notes the contents of the report on title and approves: i) Acceptance to the transfer of gifted units - 5 Plots Astherwood, School Road also known as 1, 2, 3, 4 and 6 Oak Clos, Elmstead Colchester based on the recommendation made by the Assistant Director of Planning. ii) Authorise the Assistant Director of Governance to complete the transfer of the gifted units from the developer. iii) Acquiring a shareholding in Astherwood School Road (Management Company) Limited (company number 14403988) with the official	Under Schedule 2 of the S106 Agreement dated 7 June 2017, 27 May 2020 and 4 August 2022 the Developer is required to transfer the 5 affordable/gifted units the Council at £1.00 per plot.	To decline the transfer of the affordable/gifed units is not an option. The acceptance of the gifted units forms part of the Council's housing strategy to increase its housing stock.			Yes

		representative of the Council to be nominated by the Chief Executive.					
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URGENT DECISIONS ONLY (If non-urgent go to “Agreement to Decision” below):-

GENERAL EXCEPTION APPLIES? (Rule 14 Access to Information Procedure Rules)	YES/NO	If yes, has at least 5 clear days notice been given to the Chairman of the relevant overview and scrutiny committee?	YES/NO
SPECIAL URGENCY APPLIES? (Rule 15 Access to Information Procedure Rules)	YES/NO	If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?	YES/NO
EXEMPTION FROM CALL-IN APPLIES? (Rule 18i Overview and Scrutiny Procedure Rules)	YES/NO	If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?	YES/NO
URGENT & OUTSIDE BUDGET OR POLICY FRAMEWORK? (Rule 6 Budget and Policy Framework Procedure Rules)	YES/NO	If yes, why is it not practical to convene a quorate meeting of full Council?	
		If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?	YES/NO

AGREEMENT TO DECISION:-

Signed:-  Decision Maker Portfolio Holder for Housing	Date:- 18/2/2024	Delegated Power Reference (in Part 3 of the Constitution):- 4.2.1 (Part 3.33) & 4.2.2 (8) (Part 3.35) of the Constitution
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Original signed copy to be retained by Service.

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