

# **Cherwell District Council**

## **Executive**

**6 June 2022**

## **Notification of Decision taken by Chief Executive under Urgency Powers**

### **Report of Assistant Director – Growth and Economy**

This report is public. Appendix 1 to the report is exempt from publication by virtue of paragraph 3 of Schedule 12A of Local Government Act 1972.

### **Purpose of report**

To inform the Executive of the decision taken under urgency powers by the Chief Executive for the approval of delegated authority to the Assistant Director – Growth and Economy, in consultation with the Council's s151 officer, to enter into new sales of leases; staircase of shared ownership leases; or resale of leases for residential properties in the Council's housing assets portfolio.

### **1.0 Recommendations**

The meeting is recommended:

- 1.1 To note the urgent decision taken by the Chief Executive for the approval of delegated authority to the Assistant Director – Growth and Economy, in consultation with the Council's s151 officer, to enter into new sales of leases; staircase of shared ownership leases; or resale of leases for residential properties in the Council's housing assets portfolio.

### **2.0 Introduction**

- 2.1 The Constitution states that the Chief Executive may take an urgent decision in relation to an Executive function (in consultation with the Leader of the Council) if it is in the best interests of the Council and/or residents.
- 2.2 The decisions taken under urgency powers by the Chief Executive regarding the approval of delegated authority to the Assistant Director – Growth and Economy, in consultation with the Council's s151 officer, to enter into new sales of leases; staircase of shared ownership leases; or resale of leases for residential properties in the Council's housing assets portfolio, was necessitated because there was hitherto no such delegated authority and five

properties in the Council's housing assets portfolio required urgent completion or legal progression.

### **3.0 Report Details**

- 3.1 The possible consequences of not taking an urgent decision to delegate the necessary powers would have meant that the transactions relating to new sales of leases, staircasing and resale of leases would not be completed in a timely manner.
- 3.2 The details of the properties involved are set out in the attached (exempt) Appendix One.

### **4.0 Conclusion and Reasons for Recommendations**

- 4.1 In line with the Constitution, this report is informing Executive of a decision which was taken by the Chief Executive under urgency powers.

### **5.0 Consultation**

- 5.1 Given that this urgent decision was related to commercial transactions, no outside consultation was undertaken in relation to this urgent decision.

### **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative option has been identified and rejected for the reason as set out below.

Option 1: Not to note the report. This is not recommended as the urgent action has been taken and it is a constitutional requirement for it to be reported to Executive.

### **7.0 Implications**

#### **Financial and Resource Implications**

- 7.1 There are no financial implications arising directly from this report as it is reporting an urgent decision which has already been taken.

Comments checked by:

Michael Furness, Assistant Director of Finance  
01295 221845 [michael.furness@cherwell-dc.gov.uk](mailto:michael.furness@cherwell-dc.gov.uk)

## **Legal Implications**

- 7.2 The noting of the urgent decision taken ensures compliance with the Council's constitution.

Comments checked by:

Helen Lolas, Team Leader and Solicitor, Legal Services  
07801 400 941, [helen.lolas@cherwell-dc.gov.uk](mailto:helen.lolas@cherwell-dc.gov.uk)

## **Risk Implications**

- 7.3 The noting of the urgent decision taken ensures compliance with the Council's constitution.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director – Customer Focus  
01295 221556, [celia.prado-teeling@cherwell-dc.gov.uk](mailto:celia.prado-teeling@cherwell-dc.gov.uk)

## **Equalities and Inclusion Implications**

- 7.4 There are no equality and diversity implications arising directly from this report as it is reporting on an urgent decision which has already been taken. Every time we must take a decision, we make sure it is in line with our equalities and inclusion framework.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director – Customer Focus  
01295 221556, [celia.prado-teeling@cherwell-dc.gov.uk](mailto:celia.prado-teeling@cherwell-dc.gov.uk)

## **Sustainability Implications**

- 7.5 There are no sustainability implications arising directly from this report because it is reporting on an urgent decision which has already been taken.

Comments checked by:

Sandra Fischer-Martins, Climate Action Mobilisation Manager  
07584 174682, [sandra.fischer-martins@oxfordshire.gov.uk](mailto:sandra.fischer-martins@oxfordshire.gov.uk)

## **8.0 Decision Information**

### **Key Decision**

**Financial Threshold Met: No**

**Community Impact Threshold Met: No**

**Wards Affected**

Banbury Ruscote  
Bicester South and Ambrosden

**Links to Corporate Plan and Policy Framework**

The reporting of urgent decisions is pursuant to a Constitutional requirement.

**Lead Councillor**

Councillor Lynn Pratt, Portfolio Holder for Property

**Document Information****Appendix number and title**

- Appendix One – EXEMPT urgent decision notice

**Background papers**

None

**Report Author and contact details**

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