

OFFICER DECISION RECORD SHEET

Name of decision maker: Assistant Director of Housing

Service Area: Housing Development

Title of Decision: To enter into a Deed Of Variation of title no HD484636 with Hertfordshire County Council (HCC).

Decision made and reasons:

Decision: To enter into a Deed Of Variation of title no HD484636 with Hertfordshire County Council (HCC).

Reason: In order for the Council sell the 65 properties developed on the above named title at Martindale, either on the open market or through 'right to buys', each property will require their own title. In order to achieve this, the overage clause placed on the original title by HCC needs to be removed by way of a 'Deed of Variation' as set out below:

Reports considered:

Delegated Authority to sign is attached

Officers/Councillors/Ward Councillors/Stakeholders Consulted:

Housing Development Group Manager
Housing Development Team Leader
Legal Governance Team Leader (Planning and Property)

Financial Comments:

Deputy Monitoring Officer Comments:

External legal advice has been taken on the entering of the Deed of Variation and it is recommended that this is completed to ensure that the overage restrictions do not affect title registrations of the individual properties at Martindale.

Deputy S151 Officers Comments:

The costs of this proposal will be met from within the approved project budget.

Financial: The costs to achieve this variation amounts to DBC's and HCC's legal fees approx. £5,000 and will be met through the Martindale Development budget. No further payments will required by HCC

Options considered and reasons for rejection:

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If this 'Deed of Variation' is not signed, the Council will be unable sell any of the units either through outright market sale or 'right to buys'.

Officer Signature:

Assistant Director of Housing

Date: