

OFFICER DELEGATED DECISIONS FORM

State the Delegated Authority that you are relying on in order to make this decision: e.g. specific (identified in constitution) or general

General responsibilities of Executive Members:

To lead on the development and delivery of policies within their portfolio remit;
and

To represent the Council on outside bodies.

Subject of decision: e.g. freehold disposal of land (16K-149K), contract extension, new policy

Designated Protected Area status, Hemlington

Text of decision: e.g. can include monies received by the Council, list any terms agreed, brief summary of the policy – Do not include any confidential information.

To approve the removal of the Designated Protected Area in Hemlington North

Reason for decision: e.g. benefits, new legislation requires a policy, review of opening hours, non- key decision, outside of agreed budget framework

Shared ownership housing is an important element of the provision of affordable housing in the district. It is available to households who aspire to home ownership but are unable to afford market housing. It works by the householder purchasing an initial share in a home with the remainder usually owned by a Registered Provider (RP).

Usually, the householder has a standard shared ownership lease agreement whereby they can buy additional shares in their home over time until they become the outright owner. This is known as 'staircasing'. In some instances, Homes England requires RPs to use a restricted lease, resulting in purchasers of some shared ownership homes in rural areas being prevented from 'staircasing' to full home ownership.

The requirement to prevent some households from 'staircasing' relates to Designated Protected Areas (DPA). Under the provisions of Sections 300 to 302 of the Housing and Regeneration Act 2008 'Designated Protected Areas' were introduced nationally in 2009 to ensure that rural affordable housing, specifically new grant funded shared ownership properties, remain affordable in perpetuity.

This limitation on staircasing applies to any shared ownership housing within a DPA which is included within Homes England's delivery programme even if it is not grant funded. The designation applies mainly in rural settlements.

Shared ownership housing in a DPA area is less popular as the occupiers cannot achieve full home ownership. Accordingly, there is a limited number of potential purchasers who are interested in acquiring this type of accommodation. This can mean that it takes longer to secure a buyer for a shared ownership property which is difficult for the RP in the first instance as they have a void property for longer. It can also be a problem for the occupier when they try to sell their home and move on.

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In addition, there is a much more limited selection of mortgage providers and products. This means that potential purchasers can often struggle to secure a mortgage and when they do, the mortgages are not competitive in comparison to other mortgage products. Given that this housing is affordable housing for those who are unable to secure market housing, it is ineffective that these restricted properties are not able to attract competitive borrowing terms.

Within the parish of Stainton and Thornton there are historic Designated Protected Areas (DPAs) in Hemlington North and Elderwood Grove, Hemlington.

Hemlington North is a new development in proposal with North Star and Elderwood Grove is an existing development that North Star bought units from Taylor Wimpy. The land falls within the parishes of Stainton and Thornton which have Designated Protected Area (DPA) status, meaning the use of the restricted lease.

These areas are not rural areas and officers agree that this designation seems outmoded with the amount of recent housing development in and around this location.

It is possible to apply to Homes England for a waiver which, if granted, will allow North Star to provide the shared ownership homes in a DPA area with the benefit of a standard lease which allows the householder to staircase to full home ownership

North Star would prefer to use the standard Homes England shared ownership lease, as opposed to the restricted lease. Homes England are responsible for determining the request to utilise the standard lease, however, the request must be submitted by a Local Authority demonstrating that they support the request. Accordingly, a procedure for considering such requests to apply to Homes England is required.

Officers fully support the redesignation of both these sites to allow more interest on the units and allow North Star to utilise a standard lease for the new developments.

This delegated authority recommends that we gain authority to apply to remove the DPA in Hemlington is agreed.

Other options considered (if any)

None

Has an Impact Assessment been completed Yes/No – if yes please attach to the decision.

No

Declarations of Interest by any member or relevant local government body

Who have you consulted as part of the decision making process e.g. Head of Service, Executive Member, Community Association, Surveyor?

Cllr Theo Furness, Executive Member for Development.

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Date of decision
Service area
Strategic Housing / Planning
Name of Delegated Officer making decision - i.e. Officer who is designated the power in the Constitution
Richard Horniman – Director of Regeneration and Culture
Name of the Officer making the decision – if power has been sub-delegated to another Officer.
List of background papers (do not list if contain exempt/confidential information)
 Signed: Dated: 12/08/26