



BRECKLAND COUNCIL

DELEGATED DECISION RECORD

This records a key or other decision taken by an Executive Member, the Cabinet or Cabinet Sub-Committee in accordance with the Council's scheme of Delegations (as set out in Section D of Part 3 of the Council's Constitution).

Unless the Leader and the Chairman of the Overview and Scrutiny Commission certify that the matter is so urgent that the normal five-day scrutiny delay on action should not apply, then this decision will come into force and may then be implemented on the expiry of five working days after the publication of the decision, unless called in under the call-in procedures as set out in Section D of Part 3 of the Council's Constitution.

Portfolio/Cabinet	Cabinet
Report Title (& Reference No.)	Redevelopment of Sweyn Close/Fulmerston Road, Thetford - Release of Restrictive Covenant (Agenda Item 7)
Summary Background	Flagship Peddars Way has asked Breckland Council for the release of restrictive covenants that it placed on 17 properties when Breckland Council originally sold the land. This is necessary to deliver 67 affordable dwellings of which 33 will be additional to the re-provision of 34 cross-walled properties.
Author/Contact Officer	Zoe Footer (Land Management Officer)
Ward(s) Affected	Thetford - Saxon;
Urgent?	No
Key Decision?	No
In Forward Plan?	Yes
Date Decision Taken	Tuesday, 26 July 2011
Date Published	Thursday, 28 July 2011
Call-In Expiry	Thursday, 4 August 2011
Exempt Information?	No
Decision (Action Agreed)	To release each and every restrictive covenant, (insofar as the Council has power to do so) contained in the relevant Conveyances in respect of the properties identified in the report, at nil consideration.

Reasons(s)	<ol style="list-style-type: none"> 1. To deliver 67 affordable dwellings of which 33 will be additional to the re-provision of 34 cross-walled properties; and 2. The development of Sweyn Close forms part of the regeneration of the Barnham Cross Estate.
Options	<ol style="list-style-type: none"> (1) To agree to release each and every restrictive covenant (insofar as the Council has power to do so) contained in the relevant Conveyances in respect of the properties identified in the report, at nil consideration, as per the request from Flagship Peddars Way. Please refer to paragraph 3 of the letter attached, as to the reasoning the Housing Association feels the covenants should be released at no premium; or (2) To agree to release each and every restrictive covenant (insofar as the Council has power to do so) contained in the relevant Conveyances in respect of the properties identified in the report but negotiate with the Housing Association as to an appropriate market value and/or a claw back arrangement.
Further Information	<p>CabinetSweynCloseandFulmerstonRoadThetford26July2011v2</p> <p>20110615154859615</p> <p>B 20110726 release of restrictive covenant Sweyn Close</p>

