

Delegated Decision

25 March 2024

Removal of Secure Charges from Properties



Report of Michael Kelleher, Head of Development and Housing

Paul Darby, Corporate Director of Resources (person making the decision)

Electoral division(s) affected:

Countywide

Purpose of the Report

- 1 The purpose of the report is to request an annual decision in relation to the removal of secure charges registered for Home Loans.

Executive summary

- 2 The Housing Solutions Service provide home loans to vulnerable people to repair and improvement their homes and to owners of empty homes to renovate them and bring them back into use.
- 3 All loans are subject to a restricted charge being registered against the property at HM Land Registry.
- 4 When a loan is repaid, or not progressed once the charge has been secured against the property and the applicant no longer wants to proceed, a DS1 form must be signed and sealed by the council in order to remove the charge at HM Land Registry.
- 5 As the request to remove charges is ongoing throughout the year as loans are repaid it is beneficial to have an annual decision to enable a timely process especially around the sale of properties.

Recommendation

- 6 This recommendation is to agree to the signing of DS1 forms for the year 2024/2025.

Background

- 7 The Housing Solutions Service provide home loans to vulnerable people to repair and improve their homes. All loans are subject to a restricted charge being registered against the property at HM Land Registry.
- 8 In 2014/15 loans were introduced to help owners of long-term empty properties to renovate and return them back into occupation providing affordable accommodation for residents.
- 9 In instances where the loan is repaid in full or not progressed once the charge has been secured against the property and the applicant no longer wants to proceed, a DS1 form must be signed and sealed by the council in order to remove the charge at HM Land Registry.
- 10 This report seeks agreement to authorise the signing of DS1 forms for the year 2024/2025 in such circumstances to ensure it does not unduly restrict the sale or re-mortgage of the property.

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Appendix 1: Implications

Legal Implications

If the charge is not removed it would restrict the sale or re-mortgage of the property

Finance

There is no risk as the loan has been paid in full or not progressed.

Consultation

None

Equality and Diversity / Public Sector Equality Duty

None

Human Rights

None

Crime and Disorder

None

Staffing

None

Accommodation

None

Risk

None

Procurement

None