

Guidance on completion attached at (1).

DELEGATED DECISION

Regeneration and Local Services

2 February 2017

Deed of Variation – Derwentside Homes



Report of Economic Development and Housing Service

Sarah Robson, Head of Economic Development and Housing

Purpose of the Report

- 1 To determine whether Durham County Council executes as a deed, the variation to transfer provided by Derwentside Homes.

Background

- 2 In 2006, a transfer agreement was entered into by both Derwentside Homes and Derwentside District Council for the purpose of transferring Derwentside District Council's housing stock to Derwentside Homes (stock transfer).
- 3 Following the Local Government Review in 2008, responsibilities under the transfer agreement transferred to Durham County Council.
- 4 In 2013, Derwentside Homes became a Community Based Benefit Society and at that time, Durham County Council made the decision to no longer nominate Council Members to positions on the board of Derwentside Homes.
- 5 It has now become apparent that no Deed of Variation was drafted at this time and clause 14 of the fourth article 'the Company shall provide the Council with the opportunity to nominate representatives to the board of the Company in accordance with the Company's governing document' is still stated in the agreement.

Recommendations and reasons

- 6 To agree to enter into a deed of variation with Derwentside Homes to amend the transfer agreement. This is to reflect Durham County Council's 2013 decision to no longer nominate Council Members to the board of Derwentside Homes.

Decision

- 7 To agree to enter into a Deed of variation of transfer contract with Derwentside Homes and for it to be executed as a deed by the affixing of the common seal of the County Council of Durham.

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Appendix 1: Implications

Finance -

Staffing -

Risk -

Equality and Diversity / Public Sector Equality Duty -

Accommodation -

Crime and Disorder -

Human Rights -

Consultation -

Procurement –

Disability Issues -

Legal Implications -