

## ***Portfolio Decision***

### ***Notification of Decision Taken Under delegated arrangement***



**Portfolio:** Housing & Community Services Portfolio Holder

**Decision Reference:** HCS-002-2020/21

**Subject:** SMALL-SCALE CARE FACILITY - VARIATION OF RESTRICTIVE COVENANT

#### **Decision Taken:**

1. That an agreement is entered into between the freeholder / owner of 30 Buxton Road, Waltham Abbey and the Council, varying the restrictive covenant to grant permission for either its current use or as a small-scale care facility (Children's Home), rather than releasing the covenant in full, ensuring that the Council maintains control over any future changes of use to the property; subject to the following conditions being met:
  - (a) That the agreement includes conditions to ensure that occupiers do not cause any general management problems including anti-social behaviour, or excessive noise nuisance, or that their occupation does not create excessive parking problems in the area;
  - (b) That the agreement be terminated if there are any justified complaints from the local community;
  - (c) That the Council's reasonable legal and management fees relating to the execution of the agreement are met by the owner;
  - (d) That Planning Permission is granted for use as a small-scale care facility.
  - (e) That the Director of Property & Housing is satisfied that the small-scale care facility has the relevant licences in place related to its operation.
  - (f) That the Director of Housing has no reasons why the Council should not vary the covenant.

**Call-in deadline:** 9 July 2020

**Full details of the portfolio decision can be found in the accompanying document(s) to this decision. These can be found at the bottom of the web page for this decision.**