

POLICY & FINANCE COMMITTEE

24 JANUARY 2019

NOTTINGHAM COMMUNITY HOUSING ASSOCIATION - TRANSFER OF TITLE OF PROPERTIES

1.0 Purpose of Report

- 1.1 To seek approval to transfer the title of properties registered in the name of the District Council to the Registered Provider, Nottingham Community Housing Association (NCHA).

2.0 Background Information

- 2.1 The Council, in the 1980's, provided loans to NCHA to develop new build social housing in the district, combined at the time with Housing Corporation funding. Until the loans were re-paid by NCHA the Council retained a charge on the properties.
- 2.2 The Council provided a loan of £373,611.66 to develop, amongst others, 19 properties at Bellmond Close, Lilac Close, Sycamore Close and Bailey Road, Newark and the loan was paid back in full in early 2004. A schedule of these properties is set out at **Appendix A**.
- 2.3 On repayment of the loan it was standard practice to return the Title Deeds for the properties to NCHA in order for them to transfer title with the Land Registry. The Council sent the Title Deeds to NCHA for all 19 properties in April 2005.
- 2.4 It has recently been established that NCHA cannot trace receipt of the Title Deeds and so the properties are still registered in the District Council's name.
- 2.5 Given the period of time since the loan was issued neither NCHA nor the Council have recourse to all of its records and it is not entirely evident on when the loan agreement was made or to the conditions of this agreement.
- 2.6 The Committee should note that the Council has a long and beneficial working relationship with NCHA who are the largest stock holder of affordable housing in the district, second only to the Council.
- 2.7 The Council undertook a voluntary first registration programme of its assets late in 2005. At this time NCHA had not registered their ownership of the 19 properties detailed in Appendix A. For noting, any conveyance by the Council to NCHA before 1986 would not have triggered compulsory registration. The land registry included these 19 properties in the Council's registered title. NCHA cannot now trace the deeds to the 19 properties and have requested that the Council enters into a transfer of these 19 properties for a nominal sum of £1.

3.0 Proposals

- 3.1 It is proposed that the Council now enters into a transfer of the 19 properties to NCHA for a nominal sum of £1.

3.2 The Council has never included the properties as part of its asset register (either in general fund or HRA) and since their construction NCHA have managed and maintained these properties, including the collection of rent.

4.0 Equalities Implications

4.1 There is no equality implications associated with this report.

5.0 Financial Implications (FIN18-19/553)

5.1 The cost of the work undertaken by Legal and Strategic Housing relating to the transfer will be met by NCHA; therefore there will be no financial implications as a result of this transfer.

6.0 RECOMMENDATION

That the Council enter into a transfer of the 19 listed properties, as identified on the plans at Appendix A, for a nominal sum of £1.

Reason for Recommendation

To transfer the legal title of properties (detailed in Appendix A) currently registered to the Council to Nottingham Community Housing Association.

Background Papers

None

For further information please contact Rob Main, Business Manager - Housing Strategy & Development on 01636 655930.

Karen White
Director - Governance &
Organisational Development

Schedule of Properties

11A Lilac Close Newark Nottinghamshire NG24 4LD 12A Lilac Close Newark Nottinghamshire NG24 4LD 19A Lilac Close Newark Nottinghamshire NG24 4LD 20A Lilac Close Newark Nottinghamshire NG24 4LD 21A Lilac Close Newark Nottinghamshire NG24 4LD 26A Lilac Close Newark Nottinghamshire NG24 4LD	13A Bellmond Close Newark Nottinghamshire NG24 4ER 14A Bellmond Close Newark Nottinghamshire NG24 4ER 1A Bellmond Close Newark Nottinghamshire NG24 4ER 45 Bellmond Close Newark Nottinghamshire NG24 4ER 46 Bellmond Close Newark Nottinghamshire NG24 4ER 47 Bellmond Close Newark Nottinghamshire NG24 4ER 8A Bellmond Close Newark Nottinghamshire NG24 4ER
7 Sycamore Close Newark Nottinghamshire NG24 4ES 8 Sycamore Close Newark Nottinghamshire NG24 4ES	21C Bailey Road Newark Nottinghamshire NG24 4EP 21D Bailey Road Newark Nottinghamshire NG24 4EP 21E Bailey Road Newark Nottinghamshire NG24 4EP 21F Bailey Road Newark Nottinghamshire NG24 4EP