

**TEST VALLEY BOROUGH COUNCIL**

**HEAD OF SERVICE'S DECISION**

Committee: Executive

Chairman: Cllr Ian Carr

Head of Service: Susan Tovey, Head of Legal Services

**SUBJECT**

Granting delegated authority to the Head of Legal Services to authorise a deed of postponement of a Legal Charge created pursuant to the Private Sector Housing Renewal Policy

**REASON FOR URGENCY**

(After consultation with the Chief Executive)

The Council has made a grant pursuant to the Private Sector Housing Renewal Policy and this has been secured by a Legal Charge in the Council's favour. The property was already subject to a mortgage. The mortgagee is proposing to lend further monies to be secured by an additional charge in their favour. They have requested that the council's charge be postponed to take effect after their additional charge. The effect of the requested postponement is unlikely to have any adverse effect on the council's security.

The authority to grant postponements of the Council's Charge in these circumstances has not been delegated to officers and therefore rests with the Executive.

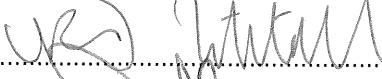
The reason for the urgency is that any delay in granting the postponement is delaying the payment of the additional money by the mortgagee to the owners.


A report will be going to a future meeting of the Executive requesting that the authority to grant such postponements is delegated to the Head of Legal Services. A copy of the proposed report is attached as an annex to this decision.

**DECISION**

That the Head of Legal Services be delegated the authority to agree the postponement of a Legal Charge created pursuant to the Private Sector Housing Renewal Policy.

(After consultation with the Chairman (or in his absence the Vice-Chairman), who has not requested that the matter be referred to a special meeting of the Committee).

Chief Executive's/  
Director's Signature:  ..... Date: 19.10.06

Chairman's/Vice-Chairman's  
Signature:  ..... Date: 19.10.06

Chairman's/Vice-Chairman's  
(Overview & Scrutiny Committee)

Signature: .....

*Sand N A New*

Date: .....

*19th Oct '06*

Head of Service's

Signature: .....

*S. Tracy*

Date: .....

*19 October 2006.*

Reported to Committee on .....

*22 November  
2006*

Date: .....

**DISTRIBUTION**

1. Chief Executive
2. Corporate Director (BS)
3. Corporate Director (CC)
4. Head of Legal Services
5. Head of Administration (original for report to

Committee)

**BACKGROUND PAPER:** report of Head of Legal Services attached hereto.