

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3839
Author:	Bevis Robert Andrew Mackie
Department:	Development and Growth
Contact:	Bevis Robert Andrew Mackie (Job Title: Estates Surveyor, Email: bevis.mackie@nottinghamcity.gov.uk, Phone: 01158763635)
Subject:	Building No. 1, Woolsthorpe Depot, Woolsthorpe Close, Bilborough
Total Value:	Exempt (Type: Revenue)
Decision Being Taken:	To approve the negotiated dilapidations settlement figure.
Reasons for the Decision(s)	The property comprises a three storey office building of 22,446 sq. ft. with undercroft car park forming part of the wider Woolsthorpe Depot site. The premises were occupied as a call-centre for several years, most recently under a three year lease term having terminated at 21 November 2019. In order to address various breaches with respect to decorative and repairing covenants under the above mentioned lease, a terminable schedule of dilapidations was served on the former tenant.

Other Options Considered: Continue negotiations for improved settlement figure - this was rejected as the consultant instructed on the behalf of the Bridge Estate responsible for preparing and serving the Schedules of Dilapidations has recommended settlement at this figure.
Continue negotiations, tenant to carry out works as necessary to remedy the breaches - this was rejected as the lease has terminated with the tenant unable to carryout the works under the benefit of the former agreement.

Background Papers: None

Published Works: None

Affected Wards: Bilborough

Colleague / Councillor Interests: None

Any Information Exempt from publication: Yes

Exempt Information:

Description of what is exempt: Financial details.

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption outweighs the public interest in disclosing the information because to do so would reveal the Bridge Estate's negotiating position, which could adversely prejudice the outcome of these and any future negotiations.

Documents exempt from publication: 2020.02.18.Exempt_Appendix_Background Information.docx

Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	There are no crime and disorder implications in regards to this decision
Equality:	EIA not required. Reasons: This is not a new changing policy, service or function and the decision adheres to Council and Equality policies.
Relates to Council Property Assets:	Yes
Decision Type:	Officer
Executive Decision?	Yes
£50,000 or more:	Yes
Scheme of Delegation Reference Number or Other Source of Delegation:	Trust and Chairty Land and Property: 6 (1) Dilapidations
Subject to Call In:	Yes
Call In Expiry date:	27/03/2020
Advice Sought:	Legal, Finance, Property
Legal Advice:	<p>From the information provided with the report the proposed transaction does not appear to raise any significant legal issues of concern. The completion of the matter will be subject to the drafting, agreement and completion of formal legal documentation between the parties.</p> <p>Advice provided by Mick Suggestt (Team leader: Conveyancing) on 03/03/2020.</p>
Finance Advice:	<p>The dilapidation settlement will provide the fund to refurbish the premises for re-letting to new tenants and preserve Bridge Trust's revenue streams.</p> <p>Advice provided by Mandy Bryce (Finance Analyst) on 25/02/2020.</p>

Property Advice:

External experts have advised in this matter and recommended acceptance of the settlement figure there is no reason not to accept their advice.

Advice provided by Pippa Hall (Portfolio and Investment Manager) on 21/02/2020.

Signatures:

Kevin Shutter (Director - Strategic Assets & Property)

SIGNED and Dated: 19/03/2020