

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4045
Author:	Pippa Hall
Department:	Development and Growth
Contact:	Pippa Hall (Job Title: Portfolio and Investment Manager, Email: pippa.hall@nottinghamcity.gov.uk, Phone: 0115 8763602)
Subject:	Dilapidations Claim Settlement 24-32 Carlton St 31-33 Warser Gate, Nottingham
Total Value:	Exempt (Type: Capital)
Decision Being Taken:	To agree to settle the dilapidations claim on 24-32 Carlton St 31-33 Warser Gate, Nottingham
Reasons for the Decision(s)	The Council took a lease on the subject property and exercised their right to break the lease in October 2019. The landlord subsequently served a dilapidations claim on the Council as per the terms of the lease. Specialists were appointed to negotiate on behalf of the Council and have reached an agreement with the landlord that they recommend the Council accept.
Briefing notes documents:	Plan Approval Location 24-32 Carlton Street.pdf
Other Options Considered:	Not to agree to settle the claim: this was rejected as specialist advisors have recommended it is a fair settlement.
Background Papers:	None
Published Works:	None
Affected Wards:	Castle

Colleague / Councillor Interests:

None

Any Information Exempt from publication:

Yes

Exempt Information:

Description of what is exempt:

Details of the settlement

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 in disclosing the information it would reveal the Council's negotiating position and could prejudice future negotiations.

Documents exempt from publication:

Exempt appendix DDM 24-32 Carlton St.pdf

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

There are no crime and disorder issues affecting this decision

Equality:

EIA not required. Reasons: An EIA is not required as the decision is not altering Council policy services or functions

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

19/11/2020

Advice Sought:	Legal, Finance, Property
Legal Advice:	From the information provided it does not appear that the proposed transaction raises any significant legal issues of concern. The matter will be subject to normal property legal due diligence and the drafting, agreement and completion of formal legal documentation between the parties. Advice provided by Mick Suggett (Team leader: Conveyancing) on 02/11/2020.
Finance Advice:	The amount to be paid as outlined in the exempt appendix will be paid from the Development and Growth Department Directorate service however it should be noted that there is no budget to meet this cost. Given the current position regarding Covid and the financial pressure the Council is under - there are no budgets available to meet this cost and all action to reduce budget spend is already being taken to manage current pressures. This will therefore add to the overspend for D&G as a whole and was reported in Q2 forecasting for the D&G department. Advice provided by Susan Tytherleigh (Senior Finance Manager) on 30/10/2020.
Property Advice:	This is a Property report therefore no further Property advice is required Advice provided by Rodney Alan Martin (Development Manager) on 28/10/2020.
Signatures	David Mellen (Leader/ PH Regeneration, Schools, Communications)
	SIGNED and Dated: 12/11/2020
	Chris Henning (Corporate Director for Development and Growth)
	SIGNED and Dated: 04/11/2020