

Delegated Decision Making Form
 (Property Delegations 232 - 251 only - Executive Officer Decisions)

REF NO 1919 Constitutional Services Use Only

Decision Type	Officer
Department	Development
Subject	Payment of Legal Fees relating to proceedings in a Party Wall dispute at the former Douglas School, Seely Road, Radford
Decision	Subject to call-in: Yes If NOT subject to call-in Reason and who consulted: N/A Total value of decision: See Appendix Revenue or Capital: Revenue
Decision taken	To approve the payment of legal fees to the claimant of a court sealed order at the Former Douglas School from an appropriate budget to be confirmed. The works relating to the order have now been completed and satisfied and the claimant has requested that his legal fees in this matter be settled. To avoid having to apply to court for determination of these costs, a negotiated settlement has been reached.
Exempt Decision	Yes – Appendix Only
Reason for exemption (including public interest reason)	The appendix attached to this decision is exempt from publication under paragraphs 1, 2 and 3 of Schedule 12A to the Local Government Act 1972 because it contains Information which is likely to reveal the identity of an individual, and because it contains information relating to the financial or business affairs of any particular person (including the authority holding the information) and, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because this may prejudice other similar negotiations in future if the details were made public.
Other options considered (with reasons for rejecting options not favoured)	The option to apply to court for determination was rejected because this would incur further costs on both sides, and a negotiated settlement has been reached to the satisfaction of both parties.
Reason for Decision	The works have now been completed to the claimants Agent's satisfaction. The claimant has submitted claims for his legal fees to be paid, which will bring the matter to a conclusion for him.
Affected Wards	Radford and Park

Advice sought

	Yes	No
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Finance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Human Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Equality & Community Relations Team	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Voluntary and Community Sector	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Grants Team	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Procurement	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

See Appendix for observations

Details of consultations undertaken

	Yes	No	Name and Date
Portfolio Holder	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Ward Councillors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Area Committee	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Other Council Bodies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Corp. Directors Affected	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Trades Unions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Minority Group	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Others	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____

Reasons for not consulting

There has been no express consultation about this decision, but regular meetings take place with the Portfolio Holder and Director of Strategic Asset and Property Management on general property matters, which may include this matter. The Decision relates to a day to day business matter where further consultation is not deemed appropriate.

Consultation outcomes

Not applicable

Background to the decision

Agreement to the details of the court sealed order (repair to a retaining wall and replacement of a damaged conservatory) were agreed in a Delegated Decision dated 18 August 2014 and published on 19 August 2014.

Declared interests

None

Dispensation by Standards Committee

Date: N/A	Dispensation Reference: N/A
-----------	-----------------------------

Equalities

Has the equality impact of the decision been assessed?	
NO – Not required	<input checked="" type="checkbox"/>
YES – equality impact assessment attached	<input type="checkbox"/>

Social Value implications

There are no Social Value Implications that relate to this Decision.

Crime and Disorder implications


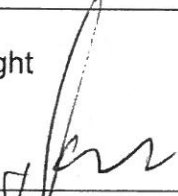
There are no Crime and Disorder Implications that relate to this Decision

Background Papers

There are no Background Papers which this Decision relies upon.

Published documents

There are no Published Documents that have been relied upon to make this Decision.

Uniform / Property Ref (if applicable)	06345/02		
Contact Person	John West, Estates Surveyor John.West@nottinghamcity.gov.uk		Ext: 63086
Scheme of Delegation Reference Number	250		
Property Manager	John West		
Signature		Date: 01-04-2015	
Director of Strategic Asset and Property Management	Stuart Knight		
Signature		Date: 4/4/15	

To be completed by Constitutional Services

Date published: 01/04/2015

Last date for Call-in: 10/04/2015