

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3192
Author:	Peter Taylor
Department:	Development and Growth
Contact:	Peter Taylor (Job Title: Senior Surveyor, Email: peter.taylor2@nottinghamcity.gov.uk, Phone: 8763017)
Subject:	Settlement of dilapidation claim - 23 Handel Street
Total Value:	Exempt (Type: Capital)
Decision Being Taken:	To authorise payment of the cash sum, detailed in the exempt appendix, in lieu of outstanding dilapidations in full and final settlement following the expiry of the lease for the rented property at 23 Handel Street, Sneinton, Nottingham. To amend the capital programme following approval of this decision.
Reasons for the Decision(s)	The City Council occupied 23 Handel Street for use as a car compound for 15 years. Following the end of the lease in late 2017, the subsequent serving of a dilapidations schedule by the landlord and negotiations surrounding this, it is considered appropriate to settle the dilapidations claim.
Other Options Considered:	Not to agree to the negotiated settlement was rejected as it would risk incurring further costs.
Background Papers:	None
Published Works:	None
Affected Wards:	St Ann's

Colleague / Councillor Interests:

None

Any Information Exempt from publication:

Yes

Exempt Information:

Description of what is exempt:

The financial 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 it could prejudice the Council in future negotiations.

Documents exempt from publication:

Finance Comments Snienton dilapidation claim.docx, Exempt appendix doc1.docx

Consultations:

Date: 08/06/2018

Other: Alex Cox Community Protection Operations Manager

Following the Parking Enforcement service relocating the car pound function to Council owned property the landlord served a substantial dilapidations claim including some outstanding historic fire damage work from 2006 prior to Community Protection owning the lease and following protracted negotiations a compromise financial settlement has been reached.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

None

Equality: EIA not required. Reasons: This is not a new or changing policy,service or function.the decision adheres to all Council Equality policies.

Relates to Council Property Assets: Yes

Decision Type: Portfolio Holder

Subject to Call In: No
The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

Person Consulted: Councillor Brian Parbutt
Consultation Date: 08/06/2018
To enable settlement of the claim at the negotiated costs by the deadline imposed by the landlord

Advice Sought: Legal, Finance, Property

Legal Advice: Following discussion with the author, and on the basis of the information provided within the decision, the proposed course of action does not appear to raise any significant legal issues of concern.
Advice provided by Mick Suggett (Team leader: Conveyancing) on 11/06/2018.

Finance Advice: This advice is exempt from publication and is contained within an exempt appendix.
Advice provided by Michelle Pullen (Commercial Business Partner) and Tom Straw (Senior Accountant - Capital Programmes) on 13/06/2018.

Property Advice: This is a Property report, no further Property advice is required. Advice provided by Rodney Alan Martin (Senior Surveyor) on 12/06/2018.

Signatures
Jon Collins (Leader of the Council)
SIGNED and Dated: 25/06/2018
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 15/06/2018