

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	3478
<b>Author:</b>	John West
<b>Department:</b>	Development and Growth
<b>Contact:</b>	John West (Job Title: Estates Surveyor, Email: john.west@nottinghamcity.gov.uk, Phone: 01158763086)
<b>Subject:</b>	Deed of Covenant at Victoria Embankment, Nottingham
<b>Total Value:</b>	£25,000 (Type: Revenue)
<b>Decision Being Taken:</b>	To enter in to a Deed of Covenant relating to the flood defences at Victoria Embankment, The Meadows, Nottingham with the Environment Agency (EA), whose registered address is Horizon House, Deanery Road, Bristol, BS1 5AH. The EA will pay a single contribution to the Council of £25,000 plus the reasonable legal fees in dealing with this matter.
<b>Reasons for the Decision(s)</b>	The Deed relates to the flood defence scheme that has been in place since 2015 and governs how the walls, gates and banks are to be maintained. The EA will covenant to keep the defences in a good standard, and the Council will take on day-to-day responsibility for maintaining cycle paths on the banks, cutting grass and removing graffiti, etc. The Council will also not be permitted to lower or alter any part of the defences without permission, or plant trees and shrubs within 8m of the banks without permission.
<b>Briefing notes documents:</b>	C&SW_Victoria Embankment_180615 FINAL PLAN.pdf
<b>Other Options Considered:</b>	The option of not agreeing to enter in to the deed was rejected as suitable terms have been negotiated, including the one-off payment. The defences were installed at the EA's cost and under their statutory powers.
<b>Background Papers:</b>	None.
<b>Published Works:</b>	None.

<b>Affected Wards:</b>	Bridge
<b>Colleague / Councillor Interests:</b>	None.
<b>Consultations:</b>	<p>Date: 25/03/2019</p> <p>Other City Council Bodies:Eddie Curry, Head of Public Realm</p> <p>Eddie Curry has been part of the negotiations of the terms of the deed from the outset and is in agreement with the recommended decision.</p> <p>Those not consulted are not directly affected by the decision.</p>
<b>Crime and Disorder Implications:</b>	There are no Crime and Disorder implications involved in this decision.
<b>Equality:</b>	EIA not required. Reasons: This is not a new or changing policy, service or function. The decision adheres to all Council Equality policies.
<b>Relates to Council Property Assets:</b>	Yes
<b>Decision Type:</b>	Officer
<b>Executive Decision?</b>	Yes
<b>Scheme of Delegation Reference Number or Other Source of Delegation:</b>	245
<b>Subject to Call In:</b>	<p>No</p> <p>The call-in procedure does not apply to the decision because the value of the decision is below the call in threshold.</p>
<b>Advice Sought:</b>	Property
<b>Property Advice:</b>	<p>Property support the entering in to a legal agreement in return for a one off payment from the Environment Agency to formalise the responsibilities for the future maintenavce of the flood defences in this non-adopted area of land ownership with Public access.</p> <p>Advice provided by Peter Taylor (Senior Surveyor) on 26/03/2019.</p>

**Signatures:**

<b>Kevin Shutter (Director of Strategic Assets and Property)</b>
<b>SIGNED and Dated: 27/03/2019</b>