

Please leave blank for completion by DS officers

EXECUTIVE DECISION RECORD

A1 Service Area	Assets and Estates
A2 Title	Approval of settlement for Anderstaff dilapidation repair works
A3 Decision Taken By	Leader / Chief Officer
A4 Chief Officer	Please print name: [Redacted] Please sign name: AO'BRIEN.
A5 Leader / Deputy Leader	Please print name: R. G. W. Grosvenor Please sign name: [Redacted]
A6 Date of Decision	6/4/17.

Confidentiality

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to?	(Please tick as appropriate) ✓
Scrutiny (Promoting Local Economic Growth) Committee	<input type="checkbox"/>
Scrutiny (Value for Money Council Services) Committee	<input checked="" type="checkbox"/>
Scrutiny (Protecting and Strengthening Communities) Committee	<input type="checkbox"/>
Scrutiny (East Staffordshire Health) Committee	<input type="checkbox"/>


B1 What is the Decision?	To approve the settlement of the Council's dilapidation obligations in regards to the Anderstaff Industrial Estate, through the payment of £211,605.
B2 What are the reasons for the Decision?	<p>The Council's 25 year lease of the Anderstaff Industrial Estate has now come to an end and the estate is to be handed back to the landlord.</p> <p>As part of the handover, the Council is legally obliged to conduct repair works to the buildings on termination of the lease, or make a payment comprising of the cost of those repair works. A schedule of dilapidation was produced by an agent acting on behalf of the landlord which totalled a cost of £375,689.</p> <p>The Council has negotiated with the landlord's agent and obtained an independent quote for the repair works. This has resulted in a substantially reduced figure which is now to be payable in lieu of the Council conducting the repair works directly.</p> <p>The settlement amount is £211,605, which is within the earmarked reserves for this work and has been deemed acceptable by both parties. This would be paid in full and final settlement of the obligation.</p>
B3 What are the contributions to Corporate Priorities?	This is in line with the Corporate Priority of Value for Money Council Services.
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

Financial Implications

B5 What are the financial implications?	The main financial issues arising from this decision are as follows:
--	--

Revenue	2016/17	2017/18	2018/19
Anderstaff dilapidation settlement from earmarked reserves	£211,605		

Capital	2016/17	2017/18	2018/19

The finance section has been approved by the following member of the Financial Management Unit:	Please print name: LISA TURNER Please sign name: 
---	---

Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B6.2 Has it got the appropriate approvals under those provisions?	Yes
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B7.2 Has it got the appropriate approvals under those provisions?	NA


Equalities Implications

B8 What are the Equalities implications:
B8.1 Positive (Opportunities/Benefits): NA
B8.2 Negative (Threats): NA
B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.
B8.4

Risk Assessment

B9 What are the Risk Assessment implications:
B9.1 Positive (Opportunities/Benefits): The approval of this executive decision record concludes and meets the Council's obligations in relation to the Anderstaff estate for a less than anticipated financial cost.
B9.2 Negative (Threats):
B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

Legal Considerations

B10 What are the Legal Considerations:	
B10.1 The main legal issues arising from this decision are as follows: This adheres to the Council's legal obligations under the lease for the Anderstaff estate.	
This section has been approved by the following member of the Legal Team:	Please print name: Angela Wakefield Please sign name: 

Sustainability Implications

B11 What are the Sustainability implications:
B11.1 The proposal would not result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below (please refer to guidance notes).
B11.2 Positive (Opportunities/Benefits):
B11.3 Negative (Threats):

Health & Safety Implications

B12 What are the Health & Safety implications: None
B12.1 A Risk Assessment has not been carried out and entered into Harriet for all significant hazards and risks because there are no significant hazards or risks arising from this decision.
B12.2 NA
B12.3 NA
B12.3.1 Positive (Benefits)
B12.3.2 Negative (Threats)

Key Decision

B13 Is this a Key Decision?	Yes
Note: A Key Executive Decision is one where:	
<ol style="list-style-type: none"> 1. REVENUE – Any contract or proposal with an annual payment or saving of more than £100,000 2. CAPITAL – Any capital project with a value in excess of £150,000 3. A decision which significantly affects communities living or working in an area comprising two or more wards. 	
B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would seriously prejudice the public interest?	No
B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?	NA

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to andrea.davies@eaststaffsbc.gov.uk