

DECISION NOTICE - CORONAVIRUS EMERGENCY RELATED
Key Executive Decision taken by an OFFICER

KEY DECISION Subject: Commercial rent policy

DECISION TAKER:

Name: Clare Fletcher

Job Title: Strategic Director

Signature:

Date: 24 April 2020

REASON WHY THIS DECISION DID NOT APPEAR ON THE FORWARD PLAN AND THE URGENCY PROVISIONS WERE NOT FOLLOWED:

This key decision was taken as part of the Council's emergency response to the national Coronavirus Emergency. Due to the necessary speed of decision taking at this time it was not possible to comply with the Council's Constitution that includes the requirement to give 28 days' notice of the decision to be taken; publish details 5 clear days before the decision was taken; publish the decision within 2 days of it being taken; and provide the 5 day call-in period before implementation. Nor was it possible to comply with the Urgency provisions in the Constitution

DECISION TAKEN:

The Council has a number of commercial tenants with a budgeted rent roll of circa £4Million. Some of the tenants relate to the shop parades, indoor market, assets bought for regeneration (Town Square and Plaza) and third party managed properties such as the BTC.

Rent is due on the quarter dates in the year, however due to the impact on commercial tenants, rent due may not be payable due to lost income.

The policy which requires review by end of June 2020, gives a 'ladder' of options for tenants to pay their rents.

There is allowance for deferral but where tenants have been in receipt of grants they should be encouraged to pay their rents

REASONS FOR DECISION:

- To prevent tenants from building up arrears which they cannot ever repay
- To ensure that tenants are treated equitably and have some flexibility to defer rents.
- To allow for discretion in cases of hardship where no central funding is available.

OTHER OPTIONS CONSIDERED AND REJECTED:

Consideration has been given to rent holidays, however the impact on the funding of services would be significantly compromised due the level of

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income and would have to be across all tenure to be consistent.
No flexibility in the policy would not be consistent with government advice.

FINANCIAL IMPLICATIONS:

The impact could be on cash flow and this is being monitored , a number of tenants have already given notice and a number have not paid the April Debit. The impact will be in the level of debt never repaid and is being monitored on a weekly basis.

LEGAL IMPLICATIONS:

None identified

EQUALITIES AND DIVERSITY IMPLICATIONS:

EIA screening identified no differential adverse impact as follows:

Characteristic	Differential Impact
Age	None
Disability	None
Gender	None
Gender re-assignment	None
Marriage or civil partnership	None
Pregnancy or maternity	None
Race	None
Religion	None
Sexual orientation	None

CONSULTATIONS:

SBC internal COVID Resources cell - concur
Strategic Leadership Team - concur
Council Leader (Sharon Taylor) and Portfolio Holder (Joan Lloyd) - concur

Chair of the Overview & Scrutiny Committee

I agree that this decision was reasonable in all the circumstances, was urgent and could not reasonably be deferred

I further agree that any delay likely to be caused by the call -in process would prejudice the Council's or the public interest and that the decision should not therefore be subject to call-in.

Signed:

Chair of the Overview & Scrutiny Committee

Date:

DATE OF IMPLEMENTATION OF DECISION: 27 April 2020