

WINCHESTER CITY COUNCIL DECISION RECORD

VERSION 4. MARCH 2022

Officer Completing the Form: Graeme Todd

Lead Director: Simon Hendy

Subject: 5-6 The Square, External Repairs and Redecorations

Details of Decision: Please provide a brief explanation as to what decision was made, including any financial implications. This should be done in easy to understand, non-technical language - as this wording will appear on the website for the public to read. Also please remember all staff will be able to see this document.

Approve the release of £150,000 from the property reserve to procure the revenue external repairs and external decorations.

Type of Decision: (please tick. see reverse for definitions)

- Key Decision (Executive) & Subject to Call-In (see section 2A on reverse of this form) Note, these decisions are published on winchester.gov.uk
- Significant Operational Decision (see section 2B (1) on reverse of this form). Note, these decisions are published on winchester.gov.uk
- Other Decisions to be Published (see section 2B (2) on reverse of this form) Note, these decisions are published on winchester.gov.uk
- Administrative Decision (see section 3 on reverse of this form)

Reason for the Decision: A brief overview of your reasons for taking this course of action.

5-6 The Square is a Winchester City Council owned asset WCC leased the property to Shuffle Music Ltd, for a term of 10 years commencing 27th May 2015. The passing rent was £78,250 per annum.

Shuffle Music sub-let the property to 4 Tenants:

Ground Floor and basement: Chalkboard Catering Ltd

First Floor: Aqua Africa

Second Floor: OB Architecture

Third Floor: Citygate Commercial Finance Ltd

The sub-tenants paid inclusive rents totalling £106,380 per annum.

In May 2022 Shuffle Music Ltd went into voluntary liquidation, and subsequently WCC started serving s.81 notices (Tribunal, Courts and Enforcement Act 2007) requiring the sub-tenants to make all future payments of rent direct to WCC.

The payments are charged at a total sum, and the income is allocated in the financials as follows:

Tenant	Rent p.a.	Service Charge	Total
Chalkboard	£ 45,000	£ -	£ 45,000
Aqua Africa	£ 18,538*	£ 6,152	£ 24,690
OB Architecture	£ 18,700	£ 5,990	£ 24,690
Citygate	£ 8,151	£ 3,849	£ 12,000
Total rental income	£ 90,389	£ 15,991	£ 106,380

WCC intend granting leases to the individual tenants, and as part of the negotiations have agreed to carry out various works to the building to rectify some existing issues and bring the property up to a good condition, as the Tenants will enter into Fully repairing and Insuring leases and will be responsible for any future maintenance, which will be recovered under the Service Charge.

* Aqua Africa have vacated the first floor. Goadsby are marketing the office at a rent of £25,000 + Service Charge.

A schedule of building works has been prepared, which includes: erection of scaffolding; repair/replacement cast iron rainwater goods; window repairs; render repairs and external redecorations.

Financial implications

One-off revenue expenditure of £150,000, funded from the property reserve to procure the external repairs and external decorations.

Alternative Options Considered & Rejected: *All alternative options considered need to be outlined here. Please include detail of any representations received. This will include your response to any alternatives suggested by those making representation and the reasons why these alternatives were rejected.*

Doing nothing has been considered, however, discounted as this would make the building difficult to let, create a likely higher repair cost and would lead to the further deterioration of the building.

The option to undertake the works on a phased over a period of years has been considered but rejected. With the high cost to erect the scaffolding required to undertake the works, it would be recommended to undertake all the works required utilising the scaffolding which is predominately all the works identified.

The preferred option is to undertake all the works identified with the condition survey and prepared specification of works to facilitate the letting of the building.

Supporting Information: *If your decision relates to delegated authority derived from a specific Committee resolution, please confirm the name of the Committee, the date of the meeting and paste the resolution into this box.*

None

Declared Officer and/or Member interests: *List any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision and, in respect of any declared conflict of interest, any note of dispensation granted by the Monitoring Officer.*

None

Departmental Review			
Legal review:	<i>Tick this box to confirm legal team have reviewed proposed decision</i>	<input checked="" type="checkbox"/>	Gareth John
Finance review:	<i>Tick this box to confirm finance team have reviewed proposed decision</i>	<input checked="" type="checkbox"/>	Darren Kennedy
Other review:	<i>Tick this box to confirm any other departmental review of proposed decision (and specify department)</i>	<input type="checkbox"/>	
Public Sector Equality Duty:	<i>Tick this box to confirm you have considered the PSED requirements (see section 4 on reverse of this form)</i>	<input checked="" type="checkbox"/>	

PTO

Are the details of the decision open or exempt?

Open

Part Exempt. Please expand

Exempt. Please expand

Decision Taker (name): *This needs to be the specific Officer or Cabinet Member who holds the delegation within the constitution/or referred to by a committee*

Liz Keys

aker
):

Date:

29 April 2025

Geoff Coe

Call In dates (key decisions only) and Implementation date:

Commencement of call in: (date)	Click here to enter a date. <i>(Please refer to Dem Services for this)</i>
Last date for call in: (date)	Click here to enter a date. <i>(Please refer to Dem Services for this)</i>
Planned Implementation Date:	Click here to enter a date.

Notes.

1) Why record officer decisions?

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require local authorities to produce a written statement of an executive decision made by an officer as soon as is reasonably practicable after the decision is taken (see Paragraph 13). This written statement must include the information requested in the questions of the pro forma on the previous page.

2) What sort of decisions are there?

- a) **Key decisions.** A key decision is defined by Regulation 8 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 as being an executive decision which is likely:
- i. To result in the local authority incurring expenditure, which is or the making of savings which are significant having regard to the local authority's budget for the service or function to which the decision relates; **(For Winchester City Council, the financial limit above which a decision is regarded as significant is £250,000 per year), or;**
 - ii. To be significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

A decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules, Access to Information Procedure Rules (Part 4) and the Officer Scheme of Delegation (Part 3) of this Constitution.

- b) **Non-Key Decisions.** Officers will usually take non-key executive decisions. A non-key decision is an executive decision that does not meet either criterion of a key decision as laid out above. These decisions are divided into significant operational decisions and administrative decisions.
1. **Significant Operational (Non-Key) Decisions.** This is a decision in relation to a Council or executive function which is not a key decision and results in one of the following:
 - i. Revenue expenditure or making savings (including the receipt or loss of income) between £100,000 and £250,000 per year;
 - ii. Capital expenditure (i.e. if they involve entering into new commitments and/or making savings) and/or contract awards of between £100,000 and £250,000
 - iii. When, in the opinion of the Chief Executive, the Section 151 Officer or Monitoring Officer, a published record of the decision is required to provide openness and transparency.
 - iv. A significant decision should be recorded in order to comply with Regulation 13 (Recording of executive decisions made by individuals) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (No. 2089).
 2. **"Other" Decision.** Regulation 7 of the Openness of Local Government Bodies Regulation 2014 requires a written record to be produced as soon as reasonably practicable after an officer has made a decision under delegation which a) grants a permission or licence or b) affects the rights of an individual.
 3. **Administrative Decision:** *(these do not require recording on this form unless one or more of the following applies)*
 - i. There is a financial implication;
 - ii. It is in conflict with the Budget and Policy Framework or other approved policies approved by full Council; and
 - iii. It raises new issues of policy.

3) Which officer decisions need to be recorded on this form?

Officers need to record:

- 1) any key decision, i.e., decisions that have a significant effect on 2 or more divisions, or have a cost/saving of £250,000 or more. (see 2A above)
- 2) any Significant Operational Decisions. (see 2B (1) above)
- 3) "Other" officer decisions regarding the granting of a permission or licence or that affect the rights of an individual (see 2B (2) above)
- 4) Administrative decisions for which there is a financial implication.

4) What are the relevant processes to be followed?

For all decisions, the report author needs to complete the Forthcoming Decisions record in Sharepoint.

Establish which type of decision it is (see 2 A and 2B above.)

Most officer decisions require to be recorded on this form (see 3 above) Once completed, please ensure that it is reviewed by legal, finance and the relevant Director prior to signing. Once approved, the form should be forwarded to Democratic Services for adding to the Council's website where it can be viewed by members of the public on the decisions page (unless it is an Administrative decision).

Public Sector Equality Duty. Contact your Corporate Head of Service should you require any clarification regarding the council's Public Sector Equality, including whether you may need to complete an impact assessment as part of this decision record.