

SUBJECT:	To extend the Head of Environment's delegated powers under the Scheme of Delegation to Officers
REPORT OF:	<i>Councillor Mike Smith</i>
RESPONSIBLE OFFICER	<i>Mr Chris Marchant Head of Environment</i>
REPORT AUTHOR	<i>Mr Chris Marchant Head of Environment</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To extend the Head of Environment's delegated powers under the Scheme of Delegations to further streamline the management of landlord and tenant matters.

RECOMMENDATION

That the Cabinet agree to extend the Head of Environment's delegated powers to include authority to grant leases or tenancies of no more than 7 years (with security excluded) or take on leases of no more than 7 years or to terminate a lease or tenancy granted by the Council.

2. Reasons for Recommendations

The Head of Environment does not have any delegated authority to take a short lease or tenancy or to terminate a lease or tenancy against tenants who are, for example, in rent arrears or otherwise in breach of the terms of their tenancy. The ability, in particular, to bring about the termination of a tenancy is an integral part of good estate management practice. Cases would be dealt within in consultation with the Head of Finance and Head of Legal Services.

3. Content of Report

The Cabinet has already given delegated authority to the Head of Environment to grant leases and licences at the London Road Depot as part of the Council Constitution. This delegation was extended in May 2014 to the whole of the Council's property portfolio and has been used successfully for over a decade. The delegation is currently worded as follows:

"Responsibility for the day to day management control and maintenance of the Council's property portfolio for the grant of short term tenancies including licences and non protected leases of no more than 7 years in length with an annual rent of no more than £35,000 per annum, for the use and occupation of land and buildings subject to the consideration for such licences or leases being assessed by a qualified Valuer."

To extend this to include the ability to take on leases or to instigate termination would assist with the overall efficiency of the Head of Environment's property and estate management functions.

The intention in relation to termination is for authority to be given by the Cabinet to the Head of Environment across the Council's property portfolio but it is only expected to be exercised when tenants are in persistent and long term (over a period of in excess of 6 months) rent arrears and in consultation with the Head of Legal Services and the Head of Finance.

Extending the Officers scheme of delegation as set out above would:

1. ultimately streamline the process and reduce the volume of minor Landlord & Tenant matters for Cabinet consideration
2. enable Officers to deal with tenants who are persistent late payers in a more timely manner
3. permit the Head of Environment to instruct Legal on credit control matters involving the Council's tenants.

4. Consultation

The Head of Legal Services and the Head of Finance have been consulted as part of this suggested extension of delegated powers. Neither raised any objections or concerns about this change to the Head of Environment's scheme of delegation.

5. Options

1. Do nothing- leave the Head of Environment's scheme of delegations unchanged. Each case for non-payment of rent where forfeiture is the only option would need to be considered by Cabinet on a case by case basis.
2. Agree to this extension to the scheme of delegations for the Head of Environment.

7. Corporate Implications

Objective 1.(E) Specifically to maximise the potential the of the Council's property assets and implement Strategic Asset Management Planning.

3.1 Financial –

Best use of the Council's assets

8. Links to Council Policy Objectives

If the Head of Environment's scheme of delegations is extended to include forfeiture proceedings this would assist with the management of the Council's property assets.

9. Next Step

If Cabinet approval is forthcoming Officers will have ability to instigate forfeiture of a tenancy in cases of non-payment of rent and persistent rent arrears. This will be on a case by case basis in consultation with Finance and Legal Services.

Background	None
Papers:	