

Executive Emergency Provision

This decision is to be made by the Chief Executive pursuant to the following provisions in Part 3 Paragraph 9.3.2.:

“Exceptionally,..... notwithstanding anything in this Constitution, the Chief Executive shall be authorised to exercise either executive or non-executive functions where the matter is urgent unless this is prohibited by law.”

The current situation in respect of the Coronavirus: COVID 19 is an exceptional circumstance.

Commercial Properties – Rental Deferral Scheme

Approval is being sought to:

- Defer or partially defer rental payments for up to six months for Commercial Tenants.
- Delegate authority to the Strategic Director of Regeneration and Environment in consultation with the Director of Finance to implement deferral or partial deferral of the Rent payable by individual Commercial Tenants for up to a period of six months from 25th March 2020 and ending on the 25th September 2020.
- Delegate authority to the Strategic Director of Regeneration and Environment in consultation with the Director of Finance to assess whether a Commercial Tenant is eligible to receive a rent deferral beyond the date during which The Council are barred from taking action for repossession imposed by the CA 2020 of 30th June 2020.
- Note that a further report will be presented to Cabinet after September 2020 that will detail the financial impact of the deferred rent for the 6-month period

The decision proposed in this report is urgent in current circumstances because:

- The current outbreak of Covid-19 and the subsequent social distancing measures put in place to combat its spread have placed a large number of businesses that rent space from the Council in serious financial difficulties.
- A number of businesses such as retail, hospitality, leisure operators and nurseries have closed in compliance with Government guidelines and others have closed or scaled back due to reduced customer numbers.
- Many of the Councils tenants have contacted Officers advising that in the current circumstances they will not be able to pay their rents and service charges and have enquired whether the Council will be able to assist them by waiving payments of Rent for a limited period.
- Deferral of rents for key tenants will assist in facilitating their financial survival.

This decision is a key decision and any delay in implementing it would seriously prejudice the Council's or the Public Interest within the meaning of Standing Order 14. The provision for call-in of key decisions under Standing Order 14 shall therefore not apply to this decision.

Approved by: Chief Executive

Signed: *Carolyn Downs*

Date: 18/05/2020

Date Leader or Deputy Leader, relevant Lead Member and Leader of the Opposition notified of decision made: 18/05/2020