

RECORD OF OFFICER DECISION

APPROVAL FOR THE APPLICATION OF A NEW RENT DEFERMENT POLICY TO APPLY DURING THE INITIAL STAGES OF THE UK RESPONSE TO THE CORONA VIRUS

UPRN: ALL

Decision made: To apply a new policy to allow a three month rent deferment for tenants affected by the Corona Virus, to be recovered back over the next nine month period, as confirmed by the Gold Meeting of 21 March 2020.

Made by; Simon Hendey, Director of Housing and Development

Background

1. By power given to me pursuant to paragraph 1 of Part 3 Section D2 of Wiltshire Council's Constitution Scheme of Delegation to Officers (as last updated in February 2016) adopted by the Council at its meeting on 9th November 2010 or any subsequent successor constitution, I am authorised to make the above decision.

Reason for decision

2. The widespread effects of the Covid 19 virus mean that there is a strong likelihood businesses that occupy council premises will be experiencing cashflow difficulties. Requests to give rent free periods are being received.
3. The government is offering support to business which is being administered by the Council's Economic Regeneration team.
4. Given this recognised pressure on business in the County a proposal was shared with the Gold Meeting to put in place an emergency policy to deal with the initial period of population lockdown.
5. The policy that has been confirmed by CEOs is based on a single approach being used when request are made for a rent-free period or a deferment of rent payments. The key points are
 - a. On request only
 - b. Three-month deferment of rent
 - c. Recovered over nine months
 - d. (Or the remaining term of the lease, if that is shorter.)
 - e. On equal instalments
 - f. No interest charge for the deferred rent
6. The total exposure of the Council in cashflow terms is estimated at £1.2 million.
7. This will include a three-month delay in issuing service charge demands.

8. Each individual application of the policy will be captured by Officer Delegated Decision forms on a standard template. The period for rent deferment is from 23rd March 2020 to 23rd June 2020, at which point the approach will be re-considered.
9. I confirm that in making this decision I have considered the following in line with Wiltshire Council's Constitution: **(Please insert 'Yes' / 'No' / 'Not Applicable' and any other comments necessary to evidence the issue identified has been addressed)**

Key decision requirements	NA
Views of relevant cabinet member(s), committee chairman, area board(s)	Gold Meeting of 20 March considered this policy and the outcome is shown on attached e-mail.
Consideration of the area boards and delegated decision checklist for officers on the issue of when and how to involve local councillors and area boards in decisions about local services	NA
Implication of any council policy, initiative, strategy or procedure	This is a new policy and ties in with the work to support local businesses by the Economic Regeneration team
Consultation in accordance with the council's consultation strategy	Relevant heads of service and directors have been consulted
Range of options available	Given the unprecedented circumstances this is considered to be the appropriate option at this time. Others are examined below.
Staffing, financial and legal implications	Finance were fully consulted in the decision making process
Risk assessment	This has been recorded on the corporate risk register with a total cashflow exposure of £1.2 million
Involvement of statutory officers and/or directors	Yes
Regional or national guidance from other bodies	Ties in with regional and national support for businesses in light of national impositions arising from Covid 19
The council's constitution	Yes

Conflict of Interest

10. Not applicable.

Other options considered

11. Refuse rent deferment requests. This may have an effect on the businesses involved and is against the wider council and central government to support them through the Corona Virus
12. Adopt an ad-hoc approach. This will create the potential for inconsistent approach to the problem A clear policy that officers can refer to will reduce the pressures on officers in dealing with these requests.
13. Allow a rent-free period. The approach of a deferment is considered to be an appropriate and proportionate response to the early stages of the response to the Corona virus

Approved by:

A handwritten signature in black ink, appearing to read 'Simon Hendey', written in a cursive style.

Simon Hendey, Director of Housing and Development

Recommended by:

Date: 23/3/2020