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City Hall

City of Bocholt takes legal action after alleged misappropriation of theatre seating

Criminal charges filed with the public prosecutor's office in Hildesheim

A possible case of embezzlement to the detriment of the city of Bocholt has arisen in the course of ongoing renovation work on the city's listed theatre building. Criminal charges have been filed with the responsible public prosecutor's office in Hildesheim against the managing director of an upholstery company from the Hanover area. The city council of Bocholt was informed about the case at the city council meeting on 29 April

The seating in the stage house from the 1970s (around 650 chairs) was to be faithfully restored and reupholstered as part of the refurbishment. The contract was awarded to a specialised company in the Hanover area following a regular, legally compliant EU-wide tendering procedure.

The company had provided all the required evidence in advance, won the tender competition and initially started the work as agreed. Metal frames were recoated and the city council was able to inspect physical samples of the new chair upholstery, and the progress of the work was also documented - as is customary in the tendering process. Until the connection was suddenly severed, there was no evidence of any dishonest behaviour on the part of the contractor.

The last direct contact with the company took place in the spring of last year. Subsequently, the city of Bocholt immediately took all contractually and legally required steps to persuade the company to fulfil the contract. As a public administration, the city is bound by formal intermediate steps, which is why multiple written reminders, deadlines and delivery attempts were initially made. As these efforts were unsuccessful and the suspicion of a criminal offence was substantiated, a criminal complaint was finally filed with the responsible public prosecutor's office in Hildesheim in order to safeguard the financial interests of the city.

There is no standard insurance for local authorities against suspected embezzlement on the part of a contractual partner; the general life and business risk applies here. However, the city is by no means letting the case rest on its laurels: the aim of subsequent civil proceedings will be to obtain an enforceable title against the man.

As it must currently be assumed that the chairs will remain missing for the time being, the city of Bocholt is already preparing to procure replacements so as not to jeopardise the schedule for the completion of the Bühnenhaus. It is not yet clear what financial impact such a replacement will have on the project.



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The city of Bocholt has taken legal action due to the alleged misappropriation of the theatre seating.