

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:	3290
Author:	Philip Le Couteur
Department:	Development and Growth
Contact:	Philip Le Couteur (Job Title: Estates Surveyor, Email: phil.lecouteur@nottinghamcity.gov.uk, Phone: 01158762494)
Subject:	To Approve a New Lease and Deed of Surrender for 25-27 Longmead Drive, Edwards Lane Estate, Nottingham, NG5 6DU
Total Value:	See Exempt Appendix (Type: Revenue)
Decision Being Taken:	To accept a surrender of the current lease and grant a new lease to a different tenant for the subject property on the terms in the exempt appendix.
Reasons for the Decision(s)	The current tenant is selling their business to the proposed tenant. Terms have been agreed with the proposed tenant to take a longer lease on the property which will provide increased security on the rental income for the Council.
Other Options Considered:	Not perform the deed of surrender and new lease - This option was rejected as the terms agreed with the proposed tenant are acceptable and the new tenant are considered a good risk for the Council.
Background Papers:	Plan for Property
Unpublished background papers:	2018.10.05 Plan.pdf
Published Works:	N/A
Affected Wards:	Sherwood

Colleague / Councillor Interests:	N/A
Any Information Exempt from publication:	Yes
Exempt Information:	
Description of what is exempt:	The negotiations for the new lease the property
	An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972
1 - Information relating to any individual	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it reveals details of the current and proposed tenant.
2 - Information which is likely to reveal the identity of an individual	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it reveals details of the current and proposed tenant.
3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it discloses information in respect of the Council's commercial dealings with the existing and proposed tenant
Documents exempt from publication:	2018.10.05 Exempt Appendix for New Lease.pdf, 2018.09.21 Heads of Term (25-27 Longmead Drive).pdf
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	There are no Crime or disorder implications included in this decision.
Equality:	EIA not required. Reasons: EIA not required. Reasons: This is not a new or changing policy, service or function. The decision adheres to all Council Equality policies.

<b>Relates to Council Property Assets:</b>	Yes
<b>Decision Type:</b>	Officer
<b>Executive Decision?</b>	Yes
<b>£50,000 or more:</b>	Yes
<b>Scheme of Delegation Reference Number or Other Source of Delegation:</b>	Delegation numbers 237 & 240 - Tenancies and Leases and Council Owned Land and Property. Sub-delegation dated 16/8/2016
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	24/10/2018
<b>Advice Sought:</b>	Legal, Finance, Property, Other: Leon Mclean(leon.mclean@nottinghamcity.gov.uk)
<b>Legal Advice:</b>	From the information contained in the report, and following discussions with the author of the report, the proposed transaction does not appear to raise any significant legal issues of concern. The legal documentation required to complete the transaction will be agreed between the parties and the transaction will be subject to normal legal due diligence. Advice provided by Mick Suggett (Team leader: Conveyancing) on 11/10/2018.
<b>Finance Advice:</b>	The proposed decision is to agree a ten year lease with a new tenant for the annual payments set out in the exempt appendix. This will provide a continued rental income to the Housing Revenue Account (HRA) budget for that property. The HRA is a ring-fenced account and this decision has no impact on the Council's MTFP. Advice provided by Julie Dorrington (Senior Accountant (Housing Revenue Account)) on 11/10/2018.
<b>Other Advice:</b>	Housing Strategy & Partnerships supports the agreement of a new lease to secure a tenant for the property. Advice provided by Leon McLean (Partnership Officer) on 10/10/2018.
<b>Property Advice:</b>	This letting will create revenue income for the Council. A due diligence process has been followed to limit the risk to the Council. Advice provided by Pippa Hall (Portfolio and Investment Manager) on 11/10/2018.
<b>Signatures:</b>	Peter Carroll (Head of Portfolio, Investment and Development)
	SIGNED and Dated: 15/10/2018