

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	4077
<b>Author:</b>	Philip Le Couteur
<b>Department:</b>	Development and Growth
<b>Contact:</b>	Philip Le Couteur (Job Title: Senior Estates Surveyor, Email: phil.lecouteur@nottinghamcity.gov.uk, Phone: 0115 876 2494)
<b>Subject:</b>	Project Fothergill (BGL)
<b>Total Value:</b>	See Exempt Appendix (Type: Revenue)
<b>Decision Being Taken:</b>	To approve a revision in the terms of the lease for the property.
<b>Reasons for the Decision(s)</b>	The tenant has recently requested to revise terms of the lease for which it is beneficial for the Council to agree.
<b>Other Options Considered:</b>	Not agree to the revised terms - The option was rejected as otherwise it would have a financial impact against the Council for future years.
<b>Background Papers:</b>	N/A
<b>Published Works:</b>	N/A
<b>Affected Wards:</b>	Castle
<b>Colleague / Councillor Interests:</b>	N/A
<b>Any Information Exempt from publication:</b>	Yes

**Exempt Information:**

**Description of what is exempt:**

**Terms of the agreed negotiations**

**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**

**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 reveals property sensitive negotiations that if released into the public domain could prejudice future negotiations.**

**Documents exempt from publication:**

**Exempt financial comments Project Fothergill 151220.docx, 2020.12.15 Exempt Appendix for Project Fothergill (BGL).pdf**

**Consultations:**

**Date: 18/12/2020**

**Other City Council Bodies:David Mellen (Portfolio Holder for Property)**

**After the recent Portfolio Holder Meeting this decision was discussed and approval to the decision was provided.**

**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.**

**Relates to Council Property Assets:**

**Yes**

**Decision Type:**

**Officer**

**Executive Decision?**

**Yes**

**Scheme of Delegation  
Reference Number or Other  
Source of Delegation:**

**Delegated Decision 3911**

**Subject to Call In:**

**No**  
**The call-in procedure does not apply to the decision because the value of the decision is below the call in threshold.**

**Advice Sought:**

**Legal, Finance, Property**

**Legal Advice:**

**The issues raised in this decision are very much of a commercial nature and will need to be viewed in that context. The avenues of legal redress are very limited in terms of recovering any outstanding sums and the choices are very much around business continuity or having an empty unit. Advice provided by Malcolm Townroe (Director of Legal and Governance) on 18/12/2020.**

**Finance Advice:**

**This advice is exempt from publication and is contained within an exempt appendix Advice provided by Mandy Bryce (Finance Analyst) on 16/12/2020.**

**Property Advice:**

**The decision taken will support the tenant with their future business and maintain rental income for the Property Trading Account and avoid having a vacant unit with and associated void costs Advice provided by Pippa Hall (Portfolio and Investment Manager) on 15/12/2020.**

**Signatures:**

**Nicki Jenkins (Director of Economic Development and Property)**  
**SIGNED and Dated: 22/12/2020**