

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4106
Author:	Philip Le Couteur
Department:	Development and Growth
Contact:	Philip Le Couteur (Job Title: Senior Estates Surveyor, Email: phil.lecouteur@nottinghamcity.gov.uk, Phone: 0115 876 2494)
Subject:	New Lease of 1 Peppercorn Gardens, Radford Bridge Road, Wollaton, Nottingham, NG8 1NT
Total Value:	Exempt (Type: Revenue)
Decision Being Taken:	To grant a new commercial lease to the current tenant of 1 Peppercorn Gardens, Radford Bridge Road, Wollaton, Nottingham, NG8 1NT.
Reasons for the Decision(s)	The previous lease for the property has expired and new terms have been agreed between the parties to a new market level. By approving this decision, the lease will provide the Council with an improved rent, lease terms and security of income on the subject property.
Briefing notes documents:	2021.01.14 Lease Plan - 1 Peppercorn Gardens.pdf
Other Options Considered:	To not agree the terms for a new lease: this option was rejected as the current lease has expired and terms for a new lease have been agreed with the current tenant to a market standard.
Background Papers:	None
Published Works:	None
Affected Wards:	Wollaton West

Colleague / Councillor Interests:

None

Any Information Exempt from publication:

Yes

Exempt Information:

Description of what is exempt:

The Heads of Terms and the details of the new lease.

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 contains personal details of the tenants taking the new lease.

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 contains personal details of the tenants taking the new lease.

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 the decision contains property-sensitive financial negotiations that, if released into the public domain, could prejudice the Council's ability to negotiate in the future.

Documents exempt from publication:

2021.01.14 Heads of Term.pdf, 2021.01.14 Exempt Appendix for New Lease.pdf

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

There are no Crime or disorder implications relating to this decision.

Equality:

EIA not required. Reasons: The decision does not represent 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
£50,000 or more:	Yes
Scheme of Delegation Reference Number or Other Source of Delegation:	237 - Council-Owned Land and Property - Grant of Tenancies and Leases; and 240 - Council-Owned Land and Property - Notice and Review
Subject to Call In:	Yes
Call In Expiry date:	10/02/2021
Advice Sought:	Legal, Finance, Property, Other: Leon Mclean(leon.mclean@nottinghamcity.gov.uk)
Legal Advice:	<p>From the information provided by the author of the report, and the exempt information, the proposed transaction does not raise any significant issues. The transaction will be subject to the normal due diligence, negotiation and completion of formal documentation.</p> <p>Advice provided by Joanne Backhouse (Senior Solicitor - Conveyancing) on 19/01/2021.</p>
Finance Advice:	<p>The proposed decision provides for a 10-year lease with the existing tenant for the annual payments set out in the Exempt Appendix. The lease will provide an increased 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 Medium-Term Financial Plan.</p> <p>Advice provided by Julie Dorrington (Senior Accountant - Housing Revenue Account) on 20/01/2021.</p>
Other Advice:	<p>The Housing Strategy and Partnership team supports the revised lease agreement for this property and associated rental revision. The return of the residential element to Nottingham City Homes to manage is also supported, to assist housing those on our housing register.</p> <p>Advice provided by Leon McLean (Partnership Officer) on 21/01/2021.</p>

Property Advice:

The decision is to re-let the ground floor of the property to the existing tenants. The new lease provides longer-term income at an increased market rent level, so is of benefit to the Council.

Advice provided by Pippa Hall (Portfolio and Investment Manager) on 20/01/2021.

Signatures:

Nicki Jenkins (Director of Economic Development and Property)

SIGNED and Dated: 02/02/2021