

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	4138
<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>	To Approve a New Lease for the First Floor, 16 King Street, Fothergill House, Nottingham, NG1 2AS
<b>Total Value:</b>	See Exempt Appendix (Type: Revenue)
<b>Decision Being Taken:</b>	To approve a lease renewal for the First Floor, 16 King Street, Fothergill House, Nottingham, NG1 2AS on the terms as set out in the Exempt Appendix.
<b>Reasons for the Decision(s)</b>	The property's lease has expired, so new terms have been agreed to increase the Council's revenue and provide a secure lease term.
<b>Other Options Considered:</b>	To not agree to renew the lease: this option has been rejected as acceptable terms have been agreed with the tenant to renew the lease.
<b>Background Papers:</b>	None
<b>Published Works:</b>	None
<b>Affected Wards:</b>	Castle
<b>Colleague / Councillor Interests:</b>	None

**Any Information Exempt from publication:**

**Yes**

**Exempt Information:**

**Description of what is exempt:**

**The Heads of Terms, commercial property information and the financial advice.**

**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 the decision contains details of property-sensitive negotiations that, if released into the public domain, could prejudice future negotiations.**

**Documents exempt from publication:**

**16 King Street -1st floor new lease.docx, 2021.02.10 Heads of Term for First Floor.pdf, 2021.02.10 Exempt Appendix for New Lease (FF).pdf**

**Consultations:**

**Those not consulted are not directly affected by the decision.**

**Crime and Disorder Implications:**

**There are no crime or disorder implications affecting in 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:**

**Portfolio Holder**

**Subject to Call In:**

**Yes**

**Call In Expiry date:**

**08/03/2021**

<b>Advice Sought:</b>	<b>Legal, Finance, Property</b>
<b>Legal Advice:</b>	<p><b>From the information provided in the report and following discussion with the author of the report, the proposed transaction does not appear to raise any substantive legal issues of concern. The grant of a lease will be subject to normal property legal due diligence work and the drafting, negotiation and agreement of formal legal documentation between the parties and their legal advisors.</b></p> <p><b>Advice provided by Mick Suggett (Team Leader - Conveyancing) on 16/02/2021.</b></p>
<b>Finance Advice:</b>	<p><b>This advice is exempt from publication and is contained within an Exempt Appendix.</b></p> <p><b>Advice provided by Susan Tytherleigh (Senior Finance Manager) on 12/02/2021.</b></p>
<b>Property Advice:</b>	<p><b>The new lease secures increased rental income for a longer period of time for the Council to an undisputed covenant.</b></p> <p><b>Advice provided by Pippa Hall (Portfolio and Investment Manager) on 11/02/2021.</b></p>
<b>Signatures</b>	<p><b>David Mellen (Leader/ PH Regeneration, Schools, Communications)</b></p> <p><b>SIGNED and Dated: 27/02/2021</b></p> <p><b>Chris Henning (Corporate Director for Development and Growth)</b></p> <p><b>SIGNED and Dated: 25/02/2021</b></p>