

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	4146
<b>Author:</b>	Hannah Owens
<b>Department:</b>	Development and Growth
<b>Contact:</b>	Hannah Owens (Job Title: Estates Surveyor, Email: hannah.owens@nottinghamcity.gov.uk, Phone: 07714488356)
<b>Subject:</b>	Lease Assignment - Project France
<b>Total Value:</b>	See Exempt Appendix (Type: Revenue)
<b>Decision Being Taken:</b>	1) To approve the assignment of three leases, for which approval has been granted previously, to a hospitality tenant. 2) To vary the terms of the leases by a deed of variation on the terms outlined in the Exempt Appendix.
<b>Reasons for the Decision(s)</b>	By agreeing the assignment and variations to the leases, the Council is supporting a hospitality tenant in being able to survive through a current forced closure. The alternative would be the failure of the business and vacant possession of the units being returned to the Council, which would incur void and reletting costs.
<b>Other Options Considered:</b>	To not grant the proposed variation. This option was rejected as, on the balance of costs, the decision proposed will have less of a financial impact on the Council. Furthermore, by agreeing to the arrangement, the Council is supporting the survival of a business located within Nottingham City.
<b>Background Papers:</b>	None
<b>Published Works:</b>	None
<b>Affected Wards:</b>	St Ann's

**Colleague / Councillor Interests:** None

**Any Information Exempt from publication:** Yes

**Exempt Information:**

**Description of what is exempt:** The financial details of the proposed variation and the Finance 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 commercially sensitive information that may prejudice future negotiations with other occupiers if released.

**Documents exempt from publication:** Exempt finance Comments Project France.docx, 2021.02.15 Exempt appendix for Assignment.pdf

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

**Crime and Disorder Implications:** There are no crime and disorder implications arising from this decision.

**Equality:** EIA not required. Reasons: The decision does not represent a new or changing policy, service or function.

**Relates to Council Property Assets:** Yes

**Decision Type:** Officer

**Executive Decision?** Yes

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

**241 - Council-owned Land and Property - Variations of covenants**

**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:**

**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 substantial issues of concern. The transaction has been negotiated by the Council's Property Department and will be subject to the drafting, negotiation and completion of formal legal documentation between the parties.**

**Advice provided by Mick Suggett (Team Leader - Conveyancing) on 03/03/2021.**

**Finance Advice:**

**This advice is exempt from publication and is contained within an Exempt Appendix.**

**Advice provided by Susan Tytherleigh (Senior Finance Manager) on 26/02/2021.**

**Property Advice:**

**The decision will support an existing tenant's business, the aim being this support now will allow the business to survive the current lockdown and be a long-term tenant for the Council.**

**Advice provided by Pippa Hall (Portfolio and Investment Manager) on 18/02/2021.**

**Signatures:**

**Nicki Jenkins (Director of Economic Development and Property)**

**SIGNED and Dated: 05/03/2021**