

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4367
Author:	Helen Elisabeth Wallace
Department:	Growth and City Development
Contact:	Christopher Deas (Job Title: Director of Major Projects, Email: chris.deas@nottinghamcity.gov.uk, Phone: 01158764205)
Subject:	Broad Marsh Substation Lease
Total Value:	Nil (Type: Nil)
Decision Being Taken:	<ol style="list-style-type: none">1. To approve an initial 7 year lease, prior to title issues being resolved, for the relocation of the Broad Marsh substation to a site north of the Broad Marsh site, as approved by the Director of Planning and Regeneration.2. To proceed to an agreement for lease, for 92 years, to take the total WPD occupation to the equivalent of a 99 lease, the agreement for lease to be entered into now, and the longer term lease to be granted once title issues resolved, for the site located to the north of the Broad Marsh Site.
Reasons for the Decision(s)	<p>This report seeks approval to relocate the existing substation, to a location agreed by planners, to allow the demolition of Broad Marsh Centre.</p> <p>It is not possible to enter into a 99 lease until title issues are resolved, hence the requirement to proceed with an initial 7 year lease with a view to entering into a further lease of 99 years lease once resolved.</p>
Other Options Considered:	To do nothing - this option has been rejected as, without the relocation of the substation to an alternative site, the demolition of the Broad Marsh Centre could not proceed.
Background Papers:	None

Published Works: **None**

Affected Wards: **Citywide**

Colleague / Councillor Interests:

Consultations:
Date: 07/09/2021
Ward Councillors: Sam Webster, Angharad Roberts
No objections raised.

Date: 09/09/2021
Other:Councillor David Mellen
No Objections raised

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: **Redevelopment of the Broad Marsh will significantly transform the vitality and viability of the Southern part of the City Centre.**

Equality: **EIA not required. Reasons: Not required as does not not relate to new or changing policy.**

Decision Type: **Portfolio Holder**

Subject to Call In: **Yes**

Call In Expiry date: **21/09/2021**

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 significant legal issues of concern. The transaction is a sensible way around the current title issues at the site. The transaction will be subject to normal property legal due diligence and the drafting, agreement and negotiation of formal legal documentation between the parties, based on an agreed precedent.
Advice provided by Victoria McIntyre (Solicitor) on 03/09/2021.

Finance Advice:

This report seeks to approve the relocation of an existing sub-station which is located at the western end of the former Broadmarsh Shopping Centre, and to enter into a 7 year lease with Western Power Distribution Ltd. Once title issues are resolved, a standard long lease with Western Power will be agreed. This report results in no ongoing financial implications. Were the approval not go ahead, there would be a risk of additional costs to the demolition programme as a result of delays.

Advice provided by Sarah Baker (Commercial Business Partner - Projects) on 02/09/2021.

Property Advice:

To enable the proposed demolition of the Western end of the former Broadmarsh Shopping Centre the existing sub-station needs to be re-located. The sub-station will be let on a long lease to Western Power Distribution on standard terms for the lease of this type. This substation is critical for power deliver to the southern end of the city centre therefore this decision is supported. Advice provided by Beverley Gouveia (Development and Disposal Manager) on 02/09/2021.

Signatures

David Mellen (Leader/ PH Strategic Regeneration Communications)

SIGNED and Dated: 10/09/2021

Sajeeda Rose (Corporate Director of Growth & City Development)

SIGNED and Dated: 13/09/2021