

Changing Places Toilets UK Government Grant Funding

DDM Legal Advice: Conveyancing Legal team

From the information provided we would advise that it is apparent that there are three sites for the Changing Places Toilets. One of the sites (Victoria Embankment) is understood to be owned and controlled by Nottingham City Council ("the Council") without any third party involvement. The remaining sites (the Portland Leisure Centre and National Justice Museum) are currently subject to leasing arrangements with third party tenants.

In light of the above, the agreement and engagement of those two third party tenants will be required.

Legal Services' recommendation is that there should be legal agreements put in place, prior to funds being released, to document and record the agreement between the Council and those third parties as to the use of any grant monies allocated, the standard of any works to be undertaken utilising those grant monies and the duration such requirements and conditions should subsist.

The recommendation is that there are likely to be needed to be two separate legal agreements required with each third party.

The first would be a legal agreement to document the terms and conditions of the capital grant payment to the third party tenant. This should incorporate the property requirements which will be dealt with under the second legal agreement.

The second legal agreement would be an agreement to vary the terms of the relevant lease agreement in place with the third party tenant, to ensure the obligations and conditions set out in the first agreement are adhered to, and to ensure the facilities benefitting from the grant monies are continued to be made available not only by the current tenant but also any future tenant that takes over the lease for the relevant property.

The detailed terms of such legal agreements are to be negotiated and agreed between the relevant parties and their legal advisors.

Generally and in addition, the proposed transaction itself will be subject to normal property legal due diligence of the premises in question.

Mick Suggett – Solicitor and Team Leader, Conveyancing. 18th November 2022.