

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:	4899
Author:	Kevin A Eastwell
Department:	Growth and City Development
Contact:	Kevin A Eastwell (Job Title: Senior Surveyor, Email: kevin.eastwell@nottinghamcity.gov.uk, Phone: 07714488356)
Subject:	Lease of vacant shop - 26 King Street, Nottingham, NG1 2AS (Fothergill House)
Total Value:	See Exempt Appendix (Type: Revenue)
Decision Being Taken:	To grant a new lease to the proposed tenant on the terms outlined in the Heads of Terms (exempt document). To pay the fees associated with the marketing of the shop to the external agency firm appointed.
Reasons for the Decision(s)	By granting the new lease the Council will generate revenue income and reduce costs associated with a currently void shop unit. The property has been marketed by external agents Box Property, which has negotiated terms on behalf of the Council with the prospective tenant and recommends them as representing the market rental level.
Other Options Considered:	To not grant the lease. This was rejected as market terms have been agreed with the prospective tenant for premises that have been void for several months.
Background Papers:	None
Published Works:	None
Affected Wards:	Castle

Colleague / Councillor Interests:	None
Any Information Exempt from publication:	Yes
Exempt Information:	
Description of what is exempt:	Details and Heads of Terms for the 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
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 it contains commercially sensitive information which if disclosed may prejudice future negotiations.
Documents exempt from publication:	Exempt Appendix_26 King Street_Nottingham.pdf, 20221115 WOWO Branding.pdf, Exempt Finance Comments - 26 King Street.docx, 20221111 26 King Street HoTs - FINAL.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 the decision.
Equality:	EIA not required. Reasons: The decision does not represent a new or changing policy, service or function.
Decision Type:	Officer
Executive Decision?	Yes
£50,000 or more:	Yes

Scheme of Delegation Reference Number or Other Source of Delegation:	237
Subject to Call In:	No
	The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.
	Person Consulted: Phil Wye
	Consultation Date: 13/12/2022
	Officer decisions do not require call-in
Advice Sought:	Legal, Finance, Property
Legal Advice:	From the information provided in the report, the proposed transaction does not appear to raise any substantial legal issues of concern. Commercial terms have been agreed between the prospective tenant and the Council for the grant of a lease. The proposed letting will be subject to normal property legal due diligence together with the drafting, negotiation, agreement and completion of formal legal documentation between the parties. Advice provided by Mick Suggett (Team leader: Conveyancing) on 13/12/2022.
Finance Advice:	This advice is exempt from publication and is contained within an exempt appendix Advice provided by Sarah Baker (Senior Commercial Business Partner - Property) on 22/11/2022.
Property Advice:	This decision is supported, following negotiations satisfactory lease terms have been agreed with the prospective tenant, the letting will ensure the Council re-lets the asset at market rental value and avoids ongoing costs associated with the vacant property.  Advice provided by Bevis Mackie (Corporate Property & Investment Manager) on 29/11/2022.
Signatures:	Nicki Jenkins (Director of Economic Development and Property )
	SIGNED and Dated: 24/03/2023