

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	5034
Author:	Rizvan Shafiq
Department:	Growth and City Development
Contact:	Rizvan Shafiq (Job Title: Senior Estates Surveyor, Email: rizvan.shafiq@nottinghamcity.gov.uk, Phone: 8763087)
Subject:	Surrender of existing lease and re-grant of new lease for 226-228 Southchurch Drive, Clifton, Nottingham, NG11 8AA
Total Value:	Exempt (Type: Capital)
Decision Being Taken:	To agree to the surrender of the existing lease of the above mentioned property and grant a new 150-year lease on terms set out in the exempt appendix.
Reasons for the Decision(s)	The tenant has approached the City Council with a view of re-gearing their existing lease to a new 150-year term. Accordingly, terms have been agreed which are contained in the exempt appendix. The re-gear of the lease will provide a longer term and increased security for the tenant encouraging their investment into the property. In addition, this re-gear supports the Council's Together for Nottingham Recovery and Improvement Plan Refresh 2022, and provides a capital receipt for the City Council.
Other Options Considered:	To continue with the current lease terms - this option is rejected as it would result in a missed opportunity for the Council to achieve capital receipts and would discourage investment into a Council asset.
Background Papers:	None
Published Works:	None
Affected Wards:	Clifton East

Colleague / Councillor Interests: None

Any Information Exempt from publication: Yes

Exempt Information:

Description of what is exempt: Financial details.

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 would prejudice future negotiations that the Council undertakes.

Documents exempt from publication: 2023.09.14- EXEMPT Appendix 226-228 Southchurch Drive.docx, EXEMPT -HOTs 226-228 Southchurch Drive.pdf, Exempt Finance Comments - 226-228 Southchurch Drive, Clifton.docx

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

Crime and Disorder Implications: None arising from this decision.

Equality: EIA not required. Reasons: The decision does not involve new or changing policies, services or functions.

Relates to Council Property Assets: Yes

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 18/10/2023

Advice Sought: Legal, Finance, Procurement, Property

Legal Advice: From the information provided in the report, the proposed transaction does not appear to raise any substantive legal issues of concern. The proposed transaction will be subject to normal property legal due diligence as would be usual in a transaction of this nature, as well as the drafting, negotiation, agreement and completion of formal legal documentation between the parties and their advisors. Advice provided by Mick Suggett (Team leader: Conveyancing) on 20/09/2023.

Finance Advice: This advice is exempt from publication and is contained within an exempt appendix
Advice provided by Sarah Baker (Senior Commercial Business Partner - Corporate Landlord) on 02/10/2023.

Property Advice: This decision does not raise any significant issues. A lease re-gear is a normal Landlord & Tenant activity. The lease extension has been agreed on commercial terms and will provide a capital receipt for the Council. Advice provided by Beverley Gouveia (Disposals & Development Manager) on 22/09/2023.

Procurement Advice: Procurement advice is not required for this decision. Nancy Barnard, Head of Governance, 27/09/2023

Signatures
Steve Battlemuch (PH - Skills, Econ Dev, Property & Growth)
SIGNED and Dated: 10/10/2023
Sajeeda Rose (Corporate Director of Growth & City Development)
SIGNED and Dated: 09/10/2023