

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	5061
Author:	Ishfaq Hussain
Department:	Growth and City Development
Contact:	Ishfaq Hussain (Job Title: Senior Surveyor, Email: ishfaq.hussain@nottinghamcity.gov.uk, Phone: 07850059492)
Subject:	Lease Renewal at 4th Floor Fothergill House, King Street, Nottingham NG1 2AS
Total Value:	See exempt appendix (Type: Revenue)
Decision Being Taken:	To grant a renewal lease to the existing tenant in respect of premises at 4th Floor, Fothergill House, King Street, Nottingham, NG1 2AS on terms as contained within the exempt document.
Reasons for the Decision(s)	The property is currently occupied by the existing tenant, and following negotiation between the parties terms have been agreed to renew the lease at the market rental. By granting this lease the Council will continue to receive a rental income towards the Council's revenue targets and avoid any void property costs if the property were to fall vacant.
Other Options Considered:	To not grant the lease - This was rejected as the tenant has a right for renewal under the Landlord and Tenant Act 1954, satisfactory lease terms have been agreed at a market rent which will ensure the Council continues to receive a rental income form this asset contributing to the Council's income targets.
Background Papers:	None
Published Works:	None
Affected Wards:	Castle

Colleague / Councillor Interests: Not applicable

Any Information Exempt from publication: Yes

Exempt Information:
Description of what is exempt: Heads of Terms for lease and background information.

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 to do so would prejudice the Council's negotiating position.

Documents exempt from publication: 2023 _11_14_Fourth Floor Fothergill House Exempt Appendix and background information.docx

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

Crime and Disorder Implications: The granting of the subject lease has no crime and disorder implications.

Equality: EIA not required. Reasons: The granting of the renewal of the subject lease has no impact on equality issues

Relates to Council Property Assets: Yes

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 04/12/2023

Advice Sought: Legal, Finance, Property

Legal Advice: Having previously provided advice on 02/08/2023 I note that nothing has changed and therefore the advice remains as before - namely that 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 will be subject to normal property legal due diligence and the drafting, agreement and negotiation of formal legal documentation between the parties.

Advice provided by Victoria McIntyre (Solicitor) on 14/11/2023.

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 14/11/2023.

Property Advice: This decision is supported, following negotiations lease terms have been agreed with the tenant on market terms, the lease renewal will ensure the Council continues to receive a rental income from this asset under a new lease term.

Advice provided by Bevis Mackie (Corporate Property & Investment Manager) on 14/11/2023.

Signatures
Steve Battlemuch (PH - Skills, Econ Dev, Property & Growth)
SIGNED and Dated: 24/11/2023
Sajeeda Rose (Corporate Director of Growth & City Development)
SIGNED and Dated: 24/11/2023