

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2063
Author:	John West
Department:	Development
Contact:	John West (Job Title: Estates Surveyor, Email: john.west@nottinghamcity.gov.uk, Phone: 01158763086)
Subject:	Letting of the 5-a-side Football Pitches at Harvey Hadden Sports Complex, Wigman Road, Bilborough.
Total Value:	Exempt (Type: Revenue)
Decision Being Taken:	<p>To enter in to a new 45-year lease at Harvey Hadden Sports Complex for the 8 artificial surface football pitches, along with shared use of changing room and reception facilities. The tenant is to be Nineteen Twelve Holdings Limited whose registered address is Apt 23, Block H, 71 Drayton Park, London, N5 1DU (Registered Company Number 09629663). The lease will be guaranteed by Boxhill technologies PLC, whose registered address is 39 St. James's Street, London, SW1A 1JD (Registered Company Number 04458947).</p> <p>To also agree to a surrender an existing 30-year lease between Short Sided Soccer ltd and Nottingham City Council dated 16 August 2001 (assigned to Swerveturn ltd, now called Soccerdome ltd) for the same area, to allow the new lease to take effect.</p>
Reasons for the Decision(s)	<p>As part of the investment and redevelopment of the Harvey Hadden Sports Complex site, which includes a new swimming pool and cycling track, the existing letting for the 5-a-side pitches was suspended, thus allowing construction work to take place. The project is due to be completed shortly, meaning that a lease to operate the 5-a-side pitches is now again needed. In order to invest in the site, the operator wishes to enter in to a new, updated lease and will be required to install modern 3G surfaces to all the 8 pitches pitches, providing improved facilities that will complement the rest of the improved site.</p> <p>Please note that this decision is to be signed by the Portfolio Holder for Resources and Neighbourhood Regeneration as the term of years proposed exceeds the Scheme of Delegation in the Council's Constitution.</p>
Briefing notes documents:	2015.04.13 Draft Plans Soccerdome.pdf

Other Options Considered: The option of not agreeing a new lease was rejected, as there is a need for a specialist 3rd party operator to run the 5-a-side provision, and suitable terms have been agreed with the applicant, who has operated from this before with success.

Background Papers: None

Published Works: Harvey Hadden Leisure Centre Development Project - Executive Board, 22nd May 2012.

Affected Wards: Bilborough

Colleague / Councillor Interests: None

Exempt Information:

Description of what is exempt: The expression of the annual rent and other commercially sensitive terms of 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 may prejudice other negotiations that the Council may enter in to for similar uses or types of property.

Documents exempt from publication: Exempt Financial Advice Letting Football pitches Harvey Hadden.doc, 2015.05.19 Exempt Briefing Note Soccerdome.doc

Consultations:
Date: 02/06/2015
Other: Andrew Miller, General Manager Harvey Hadden Sports Village. John Wileman, Head of Sport, Community & Leisure Centres.
Those Consulted were in agreement to the decision made.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

There are no Crime or disorder implications included in this decision.

Equality:

EIA not required. Reasons: This is not a new or changing policy, service or function. The decision adheres to all Council Equality policies.

Decision Type:

Portfolio Holder

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: Brian Parbutt
Consultation Date: 19/06/2015
The complex nature of the negotiations has meant that final agreement to the Heads of Term couldn't be agreed earlier, and therefore this decision could not be submitted earlier. This has unfortunately led to time pressures where the proposed lessee needs to begin work on site as soon as possible to ensure that the pitches are able to open at the same time as the rest of the new facilities.

Advice Sought:

Legal, Finance

Legal Advice:

Before any new lease can be completed the existing lease will need to be surrendered. The proposed new lease should be on terms which the Director of Strategic Asset and Property Management considers to be, overall, on the most advantageous terms to the Council taking account the nature of the letting. In all other regards the proposal raises no significant legal issues and is supported.
Advice provided by Malcolm Townroe (Legal Services Manager) on 08/07/2015.

Finance Advice:

This advice is exempt from publication and is contained within an exempt appendix.
Advice provided by Georgina Lewis (Finance Analyst) on 25/06/2015.

Signatures

Graham Chapman (PH for Resources and Neighbourhood Regeneration)
SIGNED and Dated: 14/07/2015
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 14/07/2015