

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

2576

Author:

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Department:

Development

Contact:

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Subject:

Units 1-5 Middleton Court, Glaisdale Parkway, Nottingham

Total Value:

See Exempt Appendix (Type: Revenue)

Decision Being Taken:

To agree to enter in to a new lease for Units 1-5 Middleton Court, Glaisdale Parkway, Nottingham for a term of 7 years at a rent and terms as shown in the exempt appendix. The landlord is Hadden Court Properties whose registered address is Hadden Court, Glaisdale Parkway, Nottingham, NG8 4GP. All terms are to remain the same as the existing agreement, including the rent.

To enable this, the existing lease (a 15-year agreement with effect from 01 April 2004, due to expire on 31 March 2019) will need to be surrendered with effect from an early date to be agreed and it is recommended that approval is also granted to this.

Following the completion of the new lease, an underlease is proposed to be granted to the British Red Cross, who have won a procurement exercise to deliver the services from this location for the ICELS partnership. The terms of this underlease will be approved by the Director of Strategic Assets and Property under existing delegated powers.

**Reasons for the Decision(s)** The Integrated Community Equipment Loan Service (ICELS) is a partnership between all the NHS bodies and Social Care organisations across the City of Nottingham and the County of Nottinghamshire.

ICELS is commissioned to provide community equipment on behalf of these organisations to people who live within these areas to support and enable them to live safely within their own homes. ICELS has commissioned a service provider to facilitate the service, they supply all the equipment required and provide all logistics and support.

As of 1st April 2016, the successful service provider is British Red Cross. They have been contracted to provide a service for up to a maximum 7 years from this date until 31st March 2023.

All invoices relating to the rent for the premises Middleton Court are paid direct by the ICELS Partnership Team under the financial auspices of Nottinghamshire County Council, as part of the Pooled Budget arrangements under a Section 75 Partnership Agreement. Nottingham City Council were the original leaseholders of Middleton Court in 2004, as they were also the host partner for Notts South ICES from 2004 to 2011. Host arrangements have since moved to Notts County Council in 2011 when the service merged North Notts and South Notts into one countywide service. At the time of changeover NCC agreed to continue being the main leaseholder on behalf of the partnership.

The rent is a shared responsibility of the whole partnership and all partners contribute to the bottom line running costs.

**Briefing notes documents:** Middleton Court Plan for PH-DDM.pdf

**Other Options Considered:** The option of not agreeing a new lease was rejected as the term of years remaining was not sufficient to cover the period of time that the new service procurement (with effect from 01 April 2016) was to be offered for. In order that an underlease can be granted to the successful party for the duration of their contract, a new lease must be entered in to. This will have the added benefit of making the head lease co-terminus with the procurement contract, allowing for better planning and assessment at future renewal stages.

**Background Papers:** None

**Published Works:** None

**Affected Wards:** Bilborough

**Colleague / Councillor Interests:** None

**Any Information Exempt from publication:** Yes

**Exempt Information:**

**Description of what is exempt:**

**Details of the terms and rent to be paid.**

**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 the details of the lease, including the rent is of a commercially sensitive nature and could be used against the Council in other negotiations if known.**

**Documents exempt from publication:**

**Exempt Appendix Middleton Court.docx**

**Consultations:**

**Date: 09/05/2016**  
**Other: Sarah Docksey, ICELS Partnership Manager, Nottinghamshire County Council.**  
**Those consulted were in agreement with the recommendations of this decision.**

**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.**

**Relates to Council Property Assets:**

**Yes**

**Decision Type:**

**Portfolio Holder**

**Subject to Call In:**

**Yes**

<b>Call In Expiry date:</b>	<b>31/08/2016</b>
<b>Advice Sought:</b>	<b>Legal, Finance, Property, Other: Clare Gilbert(Clare.Gilbert@Nottinghamcity.gov.uk)</b>
<b>Legal Advice:</b>	<p><b>Legal services will ensure that the proposed underletting is permitted by the Lease and will liaise with Property Services in respect of all other aspects of the transaction.</b></p> <p><b>The proposal does not pose any significant legal issues.</b></p> <p><b>Advice provided by Rebecca Beecroft (Solicitor) on 15/06/2016.</b></p>
<b>Finance Advice:</b>	<p><b>As detailed within this decision, the proposed lease terms will align to the contract period for the recently procured Integrated Community and Equipment Loan Service (ICELS). Nottinghamshire County Council are the host of the Pooled Budget and pay the lease costs on behalf of the ICELS Partnership. The specific allocation of this cost between partners is in accordance with the Section 75 Partnership Agreement. Advice provided by Darren Revill (Finance Analyst) on 24/05/2016.</b></p>
<b>Other Advice:</b>	<p><b>The proposals align with the commissioning arrangements for the ICELS Service.</b></p> <p><b>Advice provided by Clare Gilbert (Intertim Strategic Commissioning Manager) on 19/05/2016</b></p>
<b>Property Advice:</b>	<p><b>This is a report of the Director of Strategic Assets and Property, no further Property advice is therefore required Advice provided by Rodney Alan Martin (Development Manager) on 20/05/2016.</b></p>
<b>Signatures</b>	<p><b>Jon Collins (Leader of the Council)</b></p> <p><b>SIGNED and Dated: 22/08/2016</b></p> <p><b>David Bishop (Deputy CE, CD for Development and Growth)</b></p> <p><b>SIGNED and Dated: 16/08/2016</b></p>