

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3303
Author:	Philip Le Couteur
Department:	Development and Growth
Contact:	Philip Le Couteur (Job Title: Estates Surveyor, Email: phil.lecouteur@nottinghamcity.gov.uk, Phone: 01158762494)
Subject:	To Approve a New Lease and Deed of Surrender for 1 Castle Road and 75-77 Hounds Gate, Nottingham
Total Value:	See Exempt Appendix (Type: Revenue)
Decision Being Taken:	To surrender the lease for the current tenant and grant a new lease to the proposed tenant (the current sub-tenant).
Reasons for the Decision(s)	The negotiated terms and rental agreed are to a market level providing increased income and security of income to the Council.
Other Options Considered:	Not provide the deed of surrender for the current tenant and a new lease for the proposed tenant - This option was rejected as the current tenant does not wish to renew the lease. The current sub-tenant shall take a new lease with the Council directly on the terms found in the exempt section.
Background Papers:	Plan of Demised Property
Unpublished background papers:	2018.10.08 Plan.pdf
Published Works:	N/A
Affected Wards:	Radford and Park

Colleague / Councillor Interests: N/A

Any Information Exempt from publication: Yes

Exempt Information:

Description of what is exempt: The negotiations and valuation of the property.

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 business sensitive details that if released into the public domain could prejudice future negotiations on other properties.

Documents exempt from publication: 2018.10.08 Exempt Appendix.pdf, 2018.09.21 Heads of Terms.pdf

Consultations: 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: 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: Officer

Executive Decision?	Yes
£50,000 or more:	Yes
Scheme of Delegation Reference Number or Other Source of Delegation:	237 - Council Owned Land and Property ¿ Grant of Tenancies and Leases & 240 - Council Owned Land and Property ¿ Notice and Review
Subject to Call In:	Yes
Call In Expiry date:	02/11/2018
Advice Sought:	Legal, Finance, Property
Legal Advice:	From the information contained in the report, the proposed transaction does not appear to raise any significant legal issues of concern. The transaction will be subject to normal legal due diligence work and the agreement of legal documentation between the parties. Advice provided by Mick Suggett (Team leader: Conveyancing) on 23/10/2018.
Finance Advice:	The new 20 year lease agreement will income the rental income for the Chamber Estate portfolio and contribute towards the Property savings targets. Any rent free costs following the 5 year lease agreement will need to be covered by the Property Trading Account and form part of their income management. Advice provided by Susan Tytherleigh (Senior Finance Manager) on 22/10/2018.
Property Advice:	This is a property decision and the due diligence process has been followed to limit the risk to the Council. The new letting will secure increased income for the Council Advice provided by Pippa Hall (Portfolio and Investment Manager) on 17/10/2018.
Signatures:	Kevin Shutter (Director of Strategic Assets and Property) SIGNED and Dated: 25/10/2018