

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3584
Author:	Peter Taylor
Department:	Development and Growth
Contact:	Peter Taylor (Job Title: Senior Surveyor, Email: peter.taylor2@nottinghamcity.gov.uk, Phone: 8763017)
Subject:	Surrender of existing lease and grant new 50yr lease for the Nottingham Racecourse
Key Decision (decision valued at more than £1million):	Yes
Total Value:	see exempt appendix (Type: Revenue)
Decision Being Taken:	Grant a new 50 year lease following the surrender of the existing lease to Nottingham Racecourse and take a coterminus Park & Ride / Sports area lease back. The Racecourse lease currently does not include the inner circle land and terms have been agreed for a new commercial lease including the inner circle land with part leased back for Sports and Park & Ride use.
Reasons for the Decision(s)	Following negotiations it has been agreed to surrender the existing lease and grant a new 50 year lease including the whole of the inner circle land subject to leases back for the Park & Ride site and a Sports area within part of the the inner circle land.
Other Options Considered:	Not to agree to a new lease including the inner circle:This was rejected as terms acceptable to the Council's property advisors have been negotiated for a new lease including the inner circle which can be used for events by the Racecourse with a share of any exceptional profits to be paid to the City, in order to secure the future use of the peppercorn Park and Ride lease which had expired .
Background Papers:	N/A

Published Works:	N/A
Affected Wards:	Dales
Colleague / Councillor Interests:	N/A
Any Information Exempt from publication:	Yes
Exempt Information:	
Description of what is exempt:	The lease terms including the rent and share of profit level for the use of the inner circle for Racecourse events.
	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 is commercial sensitive and can prejudice the Council negotiations in future leisure property lease renewals.
Documents exempt from publication:	Heads of Terms V4 (2).doc, Racecourse Road May2019.pdf
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	N/A
Equality:	EIA not required. Reasons: N/A
Relates to Council Property Assets:	Yes

Decision Type:	Leader's Key Decision
Subject to Call In:	Yes
Call In Expiry date:	29/07/2019
Advice Sought:	Legal, Finance
Legal Advice:	The proposed transaction does not appear to raise any substantive legal issues of concern. Agreed terms have been negotiated by the Council's property department and the transaction will be subject to normal property legal due diligence work and the drafting, negotiation and agreement of formal legal documentation between the parties based on those agreed terms. Advice provided by Mick Suggett (Team leader: Conveyancing) on 14/06/2019.
Finance Advice:	The new lease has now included land within the inner racecourse circle, which the landlord will receive an agreed percentage of profit as result of event income. The Council will at least maintain the same level of income as it is now following the change in lease. Advice provided by Mandy Bryce (Finance Analyst) on 03/06/2019.
Property Advice:	This is a Strategic Asset and Property report and is supported. Advice provided by Rodney Alan Martin (Development Manager) on 20/06/2019.
Signatures:	David Mellen (Leader/ PH Regeneration, Safety and Communications)
	SIGNED and Dated: 22/07/2019
	Chris Henning (Corporate Director for Development and Growth)
	SIGNED and Dated: 22/07/2019