

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3708
Author:	Peter Taylor
Department:	Development and Growth
Contact:	Peter Taylor (Job Title: Senior Surveyor, Email: peter.taylor2@nottinghamcity.gov.uk, Phone: 8763017)
Subject:	Formalising the occupation of the Harvey Road Works Depot by Nottingham City Homes by way of a new lease
Key Decision (decision valued at more than £1million):	Yes
Total Value:	See Exempt Appendix (Type: Revenue)
Decision Being Taken:	To formalise the occupation of the Harvey Road Works Depot and stores premises by Nottingham City Homes, as the Council's housing Arms Length Management Company (ALMO), on a 10-year full repairing lease at a market rent.
Reasons for the Decision(s)	Nottingham City Homes have occupied this depot since the creation of the ALMO and the occupation needs to be formalised to allow the ALMO to sublet part to a third-party organisation.
Other Options Considered:	Not to review the rent charged and occupational terms: Rejected, as suitable market-facing terms have been agreed, and the formalisation of the occupation, in order to allow a sublet of part to a third-party company who undertake works for our tenant.
Background Papers:	None
Published Works:	None
Affected Wards:	Aspley

Colleague / Councillor Interests: None

Any Information Exempt from publication: Yes

Exempt Information:

Description of what is exempt: The financial terms of the lease and the sublet lease terms.

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 information is commercially sensitive and could prejudice the Council in future property transaction negotiations, if published.

Documents exempt from publication: Harvey Road Heads of Terms v5 210619 clean copy.docx, HOTS Harvey Road Depot.doc

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

Crime and Disorder Implications: None

Equality: EIA not required. Reasons: This decision does not relate to a new or changing service or function and will not impact equalities.

Relates to Council Property Assets: Yes

Decision Type: Leader's Key Decision

Subject to Call In: Yes

Call In Expiry date: 18/11/2019

Advice Sought: Legal, Finance

Legal Advice: From the information provided in the report the proposed transaction does not appear to raise any substantive legal issues of concern. The proposed transaction will be subject to normal property legal due diligence and the drafting, negotiation and agreement of formal legal documentation between the parties.

Advice provided by Mick Suggett (Team leader: Conveyancing) on 27/08/2019.

Finance Advice: The new lease will increase the rental income to the Corporate and Civic Portfolio and contribute towards the additional Big Ticket contribution target.

Advice provided by Mandy Bryce (Finance Analyst) on 25/06/2019.

Property Advice: This is a Strategic Assets and Property report, no further comments are required.

Advice provided by Rodney Alan Martin (Development Manager) on 21/08/2019.

Signatures:
David Mellen (Leader/ PH Regeneration, Safety and Communications)
SIGNED and Dated: 08/11/2019
Chris Henning (Corporate Director for Development and Growth)
SIGNED and Dated: 08/11/2019