

ASHFIELD DISTRICT COUNCIL: OFFICER DECISION RECORD

1	Title / Subject Matter: To grant a new three year lease of unit 5 Bentinck Workshops within the security of tenure provisions of the Landlord and Tenant Act 1954. Authority is also sought to make a protective court application and pursue renewal proceedings if required.
2	Decision Reference No: ODR/5 Bentinck/LR-12-08-16.
3	Decision Taken: To grant a new three year lease on the terms outlined below. Estates Manager to instruct the Assistant Chief Executive Governance to draw up the necessary documentation and agree with the Estates Manager including any variations to the above terms.
4	Reasons for the Decision: The current occupier has a periodic tenancy and it is wished to place the occupancy onto a more formal basis.
5	Alternative Options Considered / Rejected: Not to regularise the occupancy which neither party wishes to do.
6	Implications Corporate Plan: A dynamic, productive, competitive and rewarding local economy.
Human Resources: There are no direct HR implications	
Legal	
<p>This Lease is created pursuant to Landlord and Tenant Act 1954 [“the 1954 Act” and will create a new tenancy as defined in s.1 of the Landlord and Tenant (Covenants) Act 1995.</p> <p>This unit is to be offered on a three-year lease and will have the benefit of the 1954 Act protection which means that once the fixed term of the lease has ended, the tenant(s) of the Unit will have:</p> <ul style="list-style-type: none"> • the right to remain in occupation at the end of the contractual term; and • the right to apply to court for the grant of a new lease on similar terms. <p>The Shared Legal Service will provide advice and assistance to Estates to ensure the transactions are formalised by way of the correct legal documentation.</p>	

Financial: No significant financial implications

Environmental/Sustainability: The recommendations in the report have no direct implications for the council's environment or sustainability.

Diversity/Equality: There are no direct equality implications

Community Safety: With reference to Section 17: Crime and Disorder Act 1998 (as amended) there are no crime and disorder implications contained within the report.

Name / Title of the officer taking the Decision:

C. Burrell / SO - 2517 /

Date 22/8/16

Name / Title of the relevant Lead Cabinet Member consulted (if appropriate)

Date _____

(This decision is not subject to call-in and is circulated for information only).

If a Cabinet Member has a conflict of interest relating to this decision, then this should be declared and a request for dispensation will be considered.

Name / Title of the relevant Committee Chairman consulted (if appropriate)

(for non Executive/Council side function decisions)

Date _____