



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Non-key Decision

15th December 2020

Councillor Kelham Cooke

The Leader of the Council

Surrender and Re-Grant of the lease at the Registrars office at the Community Point, Bourne

To seek approval to surrender and re-grant the lease between South Kesteven District Council and Lincolnshire County Council at Bourne Community Point to enable the Council to relocate the Registrar's office elsewhere within the building.

Report Author

Danielle Spencer – Estates Surveyor

Tel: 01470 40 60 80

Email: Danielle.Spencer@southkesteven.gov.uk

Approved for
publication:

Councillor Kelham Cooke, The Leader of the Council

22 December 2020

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Recommendation (s) to the decision maker (s)

The Cabinet Member for Property to agree to the surrender and re-grant of the lease between South Kesteven District Council and Lincolnshire Country Council to enable the Registrar's office to relocate within the building.

1 The Purpose of the Report

- 1.1 The purpose of the report is to agree to the surrender and re-grant of the existing lease between South Kesteven District Council (the council/landlord) and Lincolnshire County Council (the tenant) at Bourne Community Point (the property) to enable the Council to relocate the Registrars Offices elsewhere within the building.
- 1.2 The Council owns the freehold of the property.
- 1.3 The lease between the Council and the Tenants commenced in March 2013 and runs for a term of 15 years. The Council have approached the tenant about re-locating the Registrar's office as shown within **Appendix 1** to enable the Corn Exchange to use the existing registrar's office as a changing facility. The tenant currently uses the Lobby as an ancillary to the Registrars office. The tenant has put forward a request to use rooms 02 (Interview Room) and 03 (Meeting room) outlined in red within **Appendix 1 – The Plan** as an alternative location.
- 1.4 Given that this request would amend the tenants existing demise, the lease would not be able to be varied or altered, and a surrender and regrant of the existing lease is required. The tenants leased area will change to reflect the relocation of the registrar's office however all other terms will remain the same as stated within the existing lease.
- 1.5 The tenant would have access to rooms 02 and 03 via the external door marked A within **Appendix 1**.
- 1.6 The Council proposes to grant the tenant and its users of the Registrars Services shared use of the corridor shaded yellow on **Appendix 1** for the purpose of access.
- 1.7 The Council has agreed to carry out the necessary works to enable the tenant to access the proposed new location. These works include reconfiguring the timber gates to create a side access point to the building and securing the back lobby by extending the fob access system.
- 1.8 The Council has also agreed to obtain any consents or permissions for the works to be carried out to the proposed change of use of the entrance and also to ensure that the alterations comply with an updated Fire Risk Assessment.
- 1.9 The tenant will be responsible for the maintenance and repair of this new area, and all other terms will be as per the existing lease.

2 Available Options Considered

- 2.1 No other options have been considered given that the Council have limited alternative spaces within the building available to relocate the registrars. If the Council didn't relocate the registrars, events at the Corn Exchange would continue to be challenging to manage operationally.

3 Preferred Option

- 3.1 To agree the surrender and re-grant of the lease between South Kesteven District Council and Lincolnshire County Council for the remaining term of the existing lease as per the heads of terms detailed within **Exempt Appendix 2 – Heads of Terms**.

4 Reasons for the Recommendation (s)

- 4.1 The recommendation is to authorise the relocation of the Registrars and by doing this, surrendering and regranting the lease between South Kesteven District Council and Lincolnshire County Council.

5 Financial Implications

- 5.1 The cost of relocating the registrars is included in the Bourne Corne Exchange renovation capital budget.

Financial Implications reviewed by: Alison Hall-Wright, Head of Finance

6 Legal and Governance Implications

- 6.1 The Council has the power to surrender and re-grant the lease as set out in the Report and the decision is within the remit of the Leader of the Council.

Legal Implications reviewed by: David Coleman, Chief Legal Officer, Legal Services Lincolnshire

7 Equality and Safeguarding implications

- 7.1 There are none because the lessee has its own equality and safeguarding policies to adhere to.

8 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?

There are no direct carbon reduction benefits to the Council from leasing the property. However, the wider refurbishment works to the Corn Exchange will include LED lighting upgrades.

9 Appendices

- 9.1 Appendix 1 – The Plan
- 9.2 Appendix 2 – Heads of Terms – the appendix is exempt under Paragraph 3 of Schedule 12A of the Local Government Act 1972.

10 Background papers

None.

Report Timeline:	Date decision due to be made	6 January 2021
	Call-in deadline	14 January 2021
	Date decision effective (subject to call-in)	15 January 2021