

# CABINET MEMBER DECISION



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## Decision:

**That approval is granted for a new lease at 32 Broadgate Lane, Deeping St James, PE6 8NW in line with the Heads of Terms enclosed as an Exempt Appendix 1 to the report.**

### (1) **Details of Decision**

To seek approval for the grant of a new lease for a ten-year period for 32 Broadgate Lane, Deeping St James, PE6 8NW.

### (2) **Considerations/Evidence**

The building is occupied by the charity Sense, for whom the building was developed, where they provide specialist care for people with complex disabilities.

The tenant was granted a lease dated 12 July 1996, which expired on 12 June 2021. The tenant has remained in occupancy holding over since the expiry of the current lease, whilst new terms were negotiated.

During the period of the previous lease there has been no management issues arise and the Sense have proved to be a good tenant.

### (3) **Reasons for Decision:**

Following discussion between the Council's managing agents and the tenant, the tenant has expressed that they wish to renew their lease but for a shorter period than the existing lease. The lack of any form of comparable evidence has led to a protracted period of negotiations.

The lease will be within the security of tenure provisions of Sections 24 – 28 of the Landlord and Tenant Act 1954.

As with the existing lease, the tenant will be responsible for all internal repairs, with the Council remaining responsible for all external and structural repairs. for the full repair, maintenance and decoration of the entire demise. The insurance is to be affected by the Landlord and recoverable from the tenant within the service charge. Rent and insurance are subject to VAT.

The lease will be subject to a break clause at the end of the fifth year of the term, on giving six months written notice and abiding by all terms of the break provisions.

The property has continued to generate revenue income for the Council and is not regarded as being surplus to requirements.

Should authority not be granted, the tenant could refer the matter to Court for settlement of terms or leave the premises, leaving the Council needing to find a new tenant for a specialist building.

### **Conflicts of Interest**

**(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded).**

None

### **Dispensations**

**(Any dispensation granted by the Monitoring Officer in respect of any declared conflict of interest to be noted).**

None

### **Decision taken by:**

Name: Councillor Richard Cleaver  
Leader of the Council

**Date of Decision:** 07 July 2023

**Date of Publication of Record of Decision:** 07 July 2023

**Date decision effective (i.e. 5 days after the date of publication of record of decision unless subject to call-in by the Chairman of an Overview and Scrutiny Committee or any 5 members of the Council from any political groups):**

15 July 2023