	<p style="text-align: center;">ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER In consultation with the Chairman of the Assets Growth and Regeneration Committee</p>
<p style="text-align: center;">Title</p>	<p>Acre Metals Ltd, Units 6, 7, 8 & 9 Claremont Way Industrial Estate, NW2: New Lease</p>
<p style="text-align: center;">Report of</p>	<p>Director of Resources</p>
<p style="text-align: center;">Ward</p>	<p>Golders Green</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Charles Kornbluth, charles.kornbluth@barnet.gov.uk T. 020 8359 2216</p>

Summary

Claremont Industrial Estate ('the Site') is owned freehold by the Council. The properties fall within the Brent Cross/Cricklewood Regeneration Area and the grant of a new short term lease, excluded from the Landlord and Tenant Act, enables possession to be achieved on expiry in a timely manner.

A plan of the demise is included in Appendix 1.

Decisions (Variation)

To grant a new lease of Units 6, 7, 8 & 9 Claremont Way Industrial Estate, Claremont Way, NW2 to Acre Metals Ltd until 31 May 2018, the demise being shown on the plan edged red at Appendix 1.

Variation:

DPR dated 3 August 2017 authorised a lease of the above premises to Acre Metals Ltd until 29 June 2018.

This DPR authorises a revised lease expiry date of 31 May 2018.

1. WHY THIS REPORT IS NEEDED

- 1.1 The Management of Assets Land and Property rules dictate that a long form Delegated Powers Report is required for values above £25,000.
- 1.2 Acre Metals Ltd currently occupies units 6, 7, 8, 10 and 11 of the estate. Units 10 and 11 are currently in advanced stages of renewal until 29 June 2018 on contracted out leases. The tenancies on units 6 and 8 had security of tenure under the 1954 Act and hostile s.25 notices were served which terminate the tenancies on 29 June 2017. The lease on unit 7 is contracted out and expires on 28 June 2017.
- 1.3 Acre Metals Ltd also wants to take up a lease on unit 9, which is to become vacant on 30 June 2017.
- 1.4 Units 6, 7, 8 & 9 are to be brought under a single new contracted out lease, with a term until 29 June 2018, and with an anytime mutual break option subject to 6 months' prior notice.
- 1.5 The rents for units 6, 7 and 8 will not be increased due to the short term nature of the lease, and the rent for unit 9 will be £16,000 p.a. (an increase of £4,500 from the previous tenant's rent).

2. REASONS FOR DECISIONS

- 2.1 To ensure that the properties continue to be occupied under a formal legal agreement until possession is required for redevelopment.
- 2.2 To ensure that Acre Metals' leases all expire on the same date, for consistency, and the possession can be gained smoothly.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

None

4. POST DECISION IMPLEMENTATION

- 4.1 Once the decision has been approved the new lease can be completed by HB Public Law.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Council's Corporate Plan 2015-20 states that the Council, working with local, regional and national partners, will strive to ensure that Barnet is a place
 - of opportunity, where people can further their quality of life
 - where people are helped to help themselves, recognising that prevention is better than cure

- where responsibility is shared, fairly
- where services are delivered efficiently to get value for money for the taxpayer

5.1.2 The new lease will support the corporate plan by mitigating loss of income pending the requirement of the site for the regeneration works.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.3 A rental income of £47,534.00 pa exc.

5.4 Rent Unit 6: £8,000 p.a.
 Rent Unit 7: £11,190 p.a.
 Rent Unit 8: £12,344 p.a.
 Rent Unit 9: £16,000 p.a.

5.5 Legal Fees: Each party to bear their own costs.

5.6 **Legal and Constitutional Reference**

5.6.1 Local authorities are given powers under Section 123(1) of the Local Government Act 1972, as amended, to dispose of land held by them in any manner they wish. The only constraint is that, except with the consent of the Secretary of State, a council cannot dispose of land, other than for the grant of a term not exceeding seven years, for a consideration less than the best that can reasonably be obtained. The proposed rent represents best consideration.

5.6.2 The grant of the lease, excluded from the provisions of The Landlord and Tenant Act 1954, is for a term effective from the date of completion until 29 June 2018 with a rolling 6 month mutual break option to enable timely possession for the regeneration scheme.

5.6.3 Council Constitution, The Management of Asset, Property and Land Rules, Appendix 1 Table A – sets out the authorisation delegated powers thresholds. For Lease out for Rent or Consideration value of £25,000 to £100,000, the decision is delegated to the Director of Resources in consultation with Chairman of appropriate Committee. The Chairman of the Assets Regeneration and Growth Committee has been consulted.

5.7 **Risk Management**

5.7.1 This decision allows to mitigate against the risk of squatters and loss of income.

5.8 **Equalities and Diversity**

5.8.1 The signing of the lease will not give rise to any issues under the Council's Equality Policy and do not compromise the Council in meeting its statutory

equalities duties.

5.9 Consultation and Engagement

5.9.1 None

6 BACKGROUND PAPERS

6.1 None

7 DECISION TAKER'S STATEMENT

7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

8 OFFICER'S DECISION

I authorise the following action

8.1 To grant a lease of Units 6, 7, 8 & 9 Claremont Way Industrial Estate, Claremont Way NW2 to Acre Metals Ltd.

Signed



Name

Anisa Darr

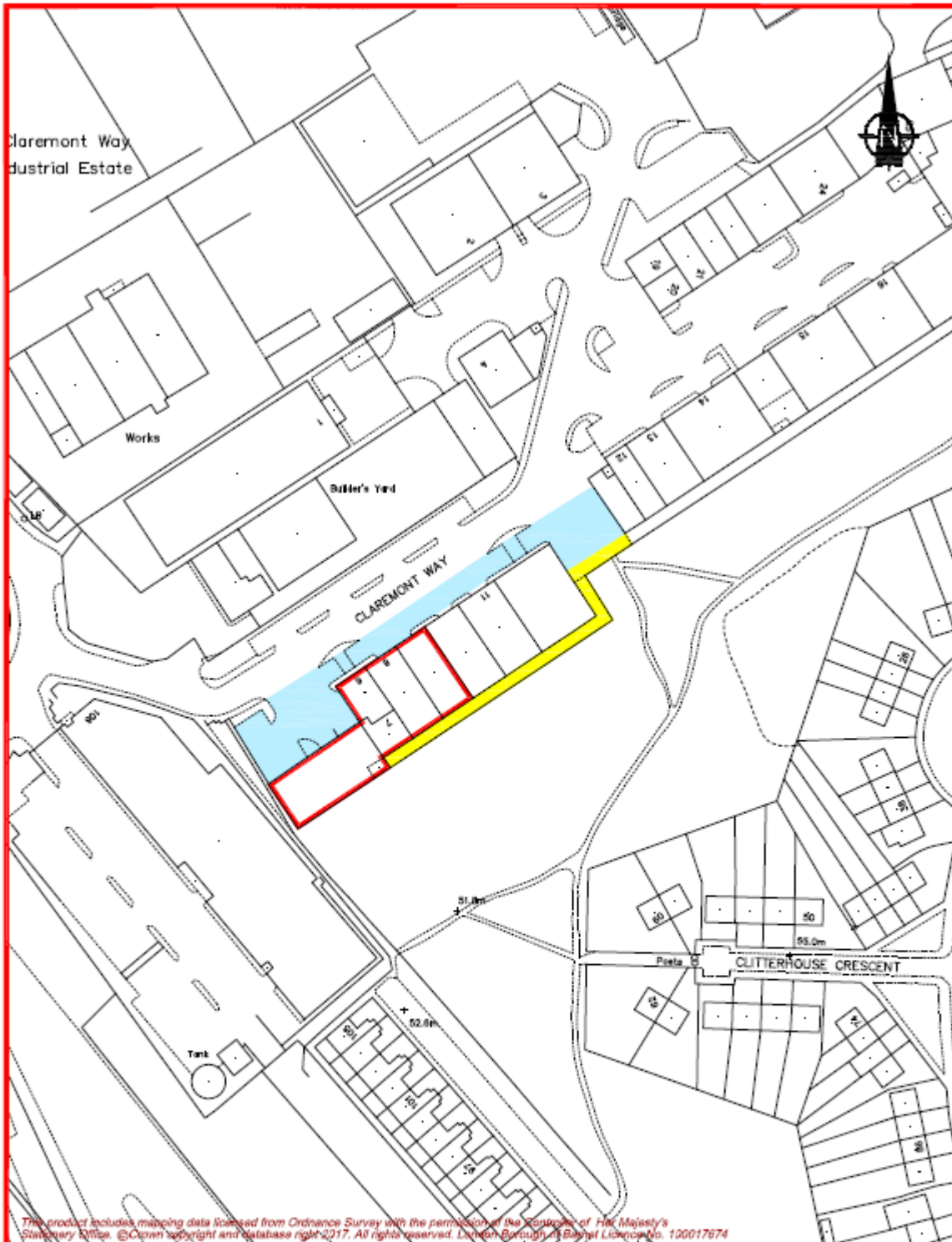
Designation

Director of Resources

Date

21st August 2017

Appendix 1 - PLAN



This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office. © Crown copyright and database right 2017. All rights reserved. London Borough of Barnet Licence No. 100017674

Initiated by	SCHEME: UNITS 6-9, CLAREMONT WAY INDUSTRIAL ESTATE, NW2	Steve Duneveln, Director of Estates,	BARNET LONDON BOROUGH PROPERTY SERVICES
Drawn by K.E.B.	TITLE: LEASEPLAN	London Borough of Barnet, Barnet House, 1255 High Road, Whetstone, London, N20 0EJ Tel, 020 8359 2000	DRAWING No.
Checked by			24755
Date 26/06/17	Scales 1:1250		