

Single Member Cabinet Decision

**Executive
Forward Plan
Reference****E3390****Fairfield House and 27 Burleigh Gardens – New Lease**

Decision maker/s	Cllr Tom Davies, Cabinet Member for Adult Social Care and Council House Building
The Issue	The tenant has occupied the premises for several years. The purpose of this decision is to regularise the current arrangements and to provide Fairfield House Bath CIC with the opportunity to develop a business plan and to apply for grant funding, under the terms of a short-term lease.
Decision Date	4 October 2022
The decision	<p>The Cabinet Member agrees to:</p> <p>Delegate to the Director of Regeneration and Housing authority to:</p> <ol style="list-style-type: none">1. Grant a new lease for a two-year term, which will be outside of the security of tenure provisions set out in the Landlord and Tenant Act, 1954 at an annual rent of £1,200 per annum and2. The lease will be predominantly on the basis of the Landlord being responsible for repairing and insuring the property and3. The Landlord will carry out some limited works at the start of the lease and4. Based on the terms as set out in the Heads of Terms and5. During the two-year lease period the tenant will develop plans to apply for a Community Asset Transfer (CAT) or a new longer lease [25 years] and6. The Tenant will during the lease period arrange and develop stand-alone funding, business and any partnership plans in consultation with the corporate estate and service department
Rationale for decision	Fairfield House Bath CIC currently occupy buildings and land comprising Fairfield House and 27 Burleigh Gardens. This decision regularises current arrangements. The Tenant has committed to developing a business case during the two-year lease period, with a view to securing a community asset transfer. Any future transfer would be subject to assessment against council policy, financial and legal frameworks.
Financial and budget implications	There is not considered to be any material implications or changes on resources as the status quo is being maintained. The Council is currently responsible for property costs and will remain so for the course of the lease granted, for the next two years. The Tenant will be paying a nominal rental of £1,200 pa during the lease term. The Council would, if the property were in repair, be foregoing an estimated rental income of £50,000 pa in respect of Fairfield House and £17,000 pa in respect of 27 Burleigh Gardens.

Issues considered	Social Inclusion; Sustainability (Climate Emergency); Property; Equality, Community Asset Transfer Policy
Consultation undertaken	Ward Councillors for Newbridge; Cabinet colleagues; Section 151 Finance Officer; Chief Operating Officer; Monitoring Officer, Director of Adult Social Care.
How consultation was carried out	E mail and telephone conversations. Internal meetings and through the drafting of formal reports.
Other options considered	<p>Other options are currently limited due to the occupation/proposal and condition of the property. A primary option would be an outright sale of the property on the open market. However, this property is a valued local community facility, and it is therefore considered that a community asset transfer is the preferred option. This is subject to a robust business case being submitted which is compatible with council policy, financial and legal frameworks.</p> <p>The grant of the new lease enables the community to retain a facility and community centre resource for the short term with a view to the Tenant working up to and planning a sustainable operation, to transfer to a longer-term lease opportunity by way of Community Asset Transfer.</p>
Declaration of interest by Cabinet Member(s) for decision:	None
Any conflict of interest declared by anyone who is consulted by a Member taking the decision:	No.

Name and Signature of Decision Maker/s	Cllr Tom Davies
Date of Signature	4 October 2022
Subject to Call-in until 5 Working days have elapsed following publication of the decision	