

Single Member Cabinet Decision

Executive
Forward Plan
Reference

E 3509

BEAUMONDS CHILDRENS HOME, PADLEIGH HILL, BATH BA2 9DW

Decision maker/s	<ul style="list-style-type: none">• Cllr Kevin Guy, Leader of Bath & North-East Somerset Council• Cllr Paul Roper, Cabinet Member for Economic & Cultural Sustainability
The Issue	<p>1.1 It is proposed where the Council is commissioning services and granting a lease for the operation of that service that the rental charge is waived as, to do otherwise, would simply increase the cost of the service by whatever rental is charged. Since the rent being charged at a nil or a peppercorn will signify a disposal at undervalue a Single Member Decision is required to ratify the grant of such leases.</p> <p>1.2 The property currently being considered is Beaumonds Childrens Home and the intention is to utilise this in-principle decision to enable other properties in similar commissioning situations to be so leased.</p>
Decision Date	4th March 2024
The decision	The Cabinet Member agrees that; A lease may be granted at a nil/nominal rental where a commissioned service is being procured and a lease is being granted to the service provider for the property/service.
Rationale for decision	<p>The ability of the Council to attract tenders/bids is sometimes critical to a fair competition as some tenderers will decline to participate if it involves the requirement to procure separately the accommodation necessary, in the market, in order to provide the service to the Council.</p> <p>The Council is sometimes able to provide a property from which a commissioned service can be provided which ordinarily it would be required to charge a market rent but could be abated where a commissioned service is provided from the premises.</p> <p>The insertion of a market rent for council property in the lease where a commissioned service is no longer provided from the Council premises will ensure any terminated service provider will either pay the market rent specified in the lease for continuing to occupy the premises, or to vacate the premises. The rent paid would then be used to fund council services or if vacated the premises can used to house a new provider or for alternative</p>

	services, or even disposed of.
Financial and budget implications	There is not considered to be any immediate material implications or changes on resources other than improved competition for service provision and efficiency savings.
Issues considered	Property; Corporate; Other Legal Considerations
Consultation undertaken	Service Users; Section 151 Finance Officer; Legal Services
How consultation was carried out	Email.
Other options considered	None.
Declaration of interest by Cabinet Member(s) for decision:	{State the nature of interest and whether interest is a disclosable pecuniary interest or an 'other' interest, including any conflict of interest, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests). Cabinet Members must not make any Single Member Decisions in relation to a matter affecting their own ward. Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer, or a member of their staff, before taking the decision. If there is no interest then put 'none'}
Any conflict of interest declared by anyone who is consulted by a Member taking the decision:	

Name and Signature of Decision Maker/s	<p>Councillor Kevin Guy Leader of Bath and North East Somerset Council</p> <p>Councillor Paul Roper Cabinet Member for Economic and Cultural Sustainable Development Bath and North East Somerset Council</p>
---	---

Date of Signature	4 th March 2024
--------------------------	----------------------------

Subject to Call-in until 5 Working days have elapsed following publication of the decision
