

**REPORT OF THE LEADER OF THE COUNTY COUNCIL****MOORFIELD COURT, SOUTHWELL - SURRENDER OF PART OF  
PROPERTY - THE SPIERS DAY CENTRE****Purpose of the Report**

1. To seek approval to surrender the remainder of the leasehold interest in The Spiers Day Centre to the landlord Anchor Trust Housing Association.

**Information**

2. NCC hold a 35 year lease on the above premises commencing 13<sup>th</sup> September 2004 at a rent of £1.00 per annum (as indicated on lease plan2). The day centre closed at the end of May 2013 and has remained vacant since pending a decision on its future use. The lease includes a strict user clause only permitting use as a day centre or conversion to flats for frail and elderly residents. The landlord now wishes to redevelop the property and has agreed to take a surrender of the property on the basis that it is vacant. The landlord has confirmed there will be no dilapidations claims against the Council, who will have nomination rights on 50% of the newly developed flats (as indicated outlined red on plan A). This will relinquish any future liability on this site and allow for much needed residential accommodation to be provided.
3. As part of the proposed redevelopment, Anchor will create 4 new apartments in the former day care centre space, taking the overall number of apartments at Moorfield Court from 43 to 47. Anchor have offered to give NCC nomination rights to two of these additional apartments, thereby increasing the total number of NCC Extra Care nomination units in the scheme to a total of 17. The contract for this will be as per the existing agreements.
4. There no management or void costs in respect of the new properties as these will be covered by Anchor Housing Trust.

**Other Options Considered**

5. Rejection of the proposal. This would not be in the interest of NCC and the Council will remain liable for any maintenance on the property up until lease expiry and with a final dilapidations claim expected to be made.

## **Reason/s for Recommendation/s**

6. Failure to agree a surrender with the benefit of future nomination rights on future redevelopment would not be in the interest of NCC and the Council will remain liable for any maintenance on the property up until lease expiry, with a final dilapidations claim made.
7. To allow for the development of much need residential accommodation.

## **Statutory and Policy Implications**

8. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

- 1) That approval is given to the surrender the lease back to the landlord and for the Council to have nomination rights on 50% of the new flats.

**Cllr Mrs Kay Cutts MBE**  
**Leader of the County Council**

**For any enquiries about this report please contact:** David Hughes, Service Director, Investment & Growth, Tel: 0115 9773825

## **Constitutional Comments [CEH 25/05/2018]**

9. The recommendation falls within the delegation to Policy Committee. The nomination rights will need to be documented in a formal agreement (to be agreed with Legal Services) setting out all rights and obligations.

## **Financial Comments [RWK 24/05/2018]**

10. There are no specific financial implications arising directly from the report.

## **Background Papers and Published Documents**

None.

## **Electoral Division(s) and Member(s) Affected**

Ward(s): Southwell  
Member(s): Councillor Roger Jackson