

## Record of operational decision

<b>Decision title:</b>	<b>Station Approach Nominations Agreement with New Model Institute in Technology and Engineering</b>
<b>Date of decision:</b>	4 August 2020
<b>Decision maker:</b>	Director for Economy and Place
<b>Authority for delegated decision:</b>	<p>The non-key Officer decision on 29 July 2019:  <a href="http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6173">http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6173</a></p> <p>Student accommodation on Station Approach final project approval</p> <p>Recorded that:  The (then) acting Director for Economy and Place will enter into all necessary legal agreements and/or the giving of securities or guarantees and take all operational decisions necessary to implement the project within the approved budget and using the project funding approach as advised by the Chief Finance Officer</p> <p>The key Cabinet member decision on 10 June 2019 included the recommendation that:</p> <p>The council entering into the Nominations Agreement for a period of 50 years as guarantor to Hereford College of Arts (HCA) and in the first three years of the Nominations Agreement to provide nominations of students to occupy the student accommodation on the Station Approach site</p> <p>The Nominations Agreement with HCA is in place. The council's nomination obligations will be fulfilled by putting in place a sub Nominations agreement with NMITE, where</p> <p>The sub-nominations agreement covers 89 number rooms for the period from January 2021 through to 1 August 2023. Under the sub-nominations agreement NMITE will be required to meet the council's obligations related to the nomination of students to occupy rooms allocated to the council under the Nominations Agreement and make any shortfall payments arising from a failure to nominate students to fill the 89 number rooms which are subject to the sub-nominations agreement. The sub-nominations is conditional on NMITE obtaining validation as a Higher Education provider before January 2021</p> <p>NMITE will work with the council and the Cityheart Living Limited to ensure that the council's obligations in its Nominations Agreement are met</p>
<b>Ward:</b>	Widemarsh
<b>Consultation:</b>	Legal services and Finance services have been consulted and confirmed that the decision may be taken
<b>Decision made:</b>	To enter into a sub-nominations agreement with NMITE for the duration of the council's nomination obligation set out in the Nominations Agreement

	with the Hereford College of Art and Cityheart Partnerships Limited
<b>Reasons for decision:</b>	<p>To enter into a Sub-nominations Agreement with NMITE to cover the council's nominations obligations for the Student accommodation at No.1 Station Approach</p> <p>Entering into this agreement would enable the occupancy of the building and prevent the council incurring additional costs that might otherwise be required under the terms of the Nominations Agreement for the facility which the council is a party to</p>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	<p>Key risks related to the nominations agreement include:</p> <p>Prevent the council incurring the rental cost of the unoccupied rooms each academic year prior to HCA taking nominations rights for the whole facility in September 2023(after three years)</p> <p>To minimise the reputational impact of empty rooms in the facility</p> <p>The agreement with NMITE would cover the first three academic years. This is a key period in the development of NMITE as the facility will provide accommodation for the cohorts of NMITE students undertaking courses in the first 3 years</p>
<b>Details of any alternative options considered and rejected:</b>	<p>The council could chose to not enter into the agreement with NMITE and explore other options with alternative occupiers of the accommodation. This is not recommended as the opportunity to support the early stages of NMITE's development will be lost</p>
<b>Details of any declarations of interest made:</b>	None

Signed

Date: 4 August 2020

Richard Ball  
Director for Economy & Place