

Record of officer decision

Decision title:	Deed of variation to lease of Kington Cemetery Chapel
Date of decision:	21 st April 2020
Decision maker:	Acting Assistant Director for Technical Services
Authority for delegated decision:	The Economy and Place Scheme of Delegation dated 23/12/2019 updated 30/03/20 (line 54) gives the Assistant Director for Technical Services the authority to take the decision: To negotiate and agree terms for the grant of leases, licences, tenancies, agreement for lease, development agreements and legal consents
Ward:	Kington, Leominster East
Consultation:	None
Decision made:	Deed of variation to lease of Kington Cemetery Chapel
Reasons for decision:	<ol style="list-style-type: none"> 1. Kington Cemetery chapel is leased to Oak Tree Funeral Services whose sole proprietor wishes to sell his business and retire. 2. It is proposed to grant a Licence to assign the lease to A W Hughes & Son, undertakers for the unexpired term. 3. The lease includes a prohibition on assignment therefore a deed of variation giving express consent is required.
Highlight any associated risks/finance/legal/equality considerations:	<ol style="list-style-type: none"> 1. The building will continue in use and to be cared for. 2. The Licence to assign will include an authorised guarantee agreement which means the old tenant would still be liable to perform the lease covenants and pay the rent in the event of default by the new tenant. 3. Due diligence enquiries of the new tenant do not give cause for concern. 4. The Council's costs in the matter will be paid by the outgoing tenant.
Details of any alternative options considered and rejected:	No suitable alternatives were proposed
Details of any declarations of interest made:	None

Signed..... Date:

CHRIS JENNER