

Record of officer decision

Decision title:	Tenancy at Will in respect of Unit 31, 3 Gomond Street, Maylord Orchards Centre, Hereford
Date of decision:	21 st June 2023
Decision maker:	Strategic Assets Delivery Director (formerly Acting Head of Property)
Authority for delegated decision:	Economy and Place Directorate's scheme of delegation dated 16/06/23 (line 53) gives the Strategic Assets Delivery Director (formerly Acting Head of Property) the authority to take the decision
Ward:	Central
Consultation:	
Decision made:	To approve the grant of a tenancy at will in respect of Unit 31 Maylord Orchards Centre to the current tenant.
Reasons for decision:	<ol style="list-style-type: none"> 1. The tenant's previous lease has expired. 2. The tenant's current occupation needs to be regularized whilst a decision is made with regards to a new lease. 3. The Shopping centre comprises multiple retail units, some of which have been vacant for some time and it is important that occupation levels are maximized so that the holding costs incurred by the Council are mitigated. 4. The Council's external solicitor for the centre Browne Jacobsen has recommended the action. 5. The terms agreed leave the tenant responsible for payment of the landlord service charge, business rates, insurance, utilities and internal repairs. 6. The tenancy at will proposed will not prohibit the council from undertaking development at a future date if planned.
Highlight any associated risks/finance/legal/equality considerations:	The tenant currently has rent arrears. The tenancy is outside of the protection of the Landlord and Tenant Act 1954.
Details of any alternative options considered and rejected:	No suitable alternatives were proposed. The tenant's previous lease has expired so a tenancy at will is needed to regularize the tenant's current occupation of the unit. Not to put a tenancy at will in place could result in the tenant walking away from the unit resulting in the Council becoming liable for vacant unit costs.
Details of any declarations of interest made:	None

Signed..... Date:

Sarah Jowett
Strategic Assets Delivery Director
Formerly Acting Head of Property