

## Record of operational decision

<b>Decision title:</b>	Consent to a Transfer of Positive Covenants (via a Deed of Covenant) to a successor purchaser following the sale of the property affected by the Covenants.
<b>Date of decision:</b>	17 <sup>th</sup> November 2023
<b>Decision maker:</b>	Strategic Assets Delivery Director
<b>Authority for delegated decision:</b>	The Corporate Centre Directorate Scheme of Delegation dated July 2023 gives the Strategic Assets Delivery Director the authority to take this decision <i>Line 35 – To negotiate, agree terms for and sign the grant of leases, licences, tenancies, agreement for lease, development agreements and legal consents.</i>
<b>Ward:</b>	Dinedor Hill
<b>Consultation:</b>	None - This is an operational decision arising out of the management of the council's commercial property portfolio and ensures continuity of covenants imposed on the original buyer in July 2019 by the Council at the original point of sale.
<b>Decision made:</b>	To grant a Deed of Covenant to the new purchasers of the property affected by this decision.
<b>Reasons for decision:</b>	<ol style="list-style-type: none"> <li>1. The covenants imposed on the new owner are in substitution for the covenants imposed on the original purchasers of the affected property who are released from those covenants by virtue of their sale of the property to the new owners.</li> <li>2. The new Deed of Covenant binds the new owners of the property to perform the obligations contained in those covenants as far as they remain capable of being performed.</li> <li>3. Provisional agreement, subject to formal approval, has been reached with the new owners for a new Deed of Covenant to be entered into.</li> </ol>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	None
<b>Details of any alternative options considered and rejected:</b>	None
<b>Details of any declarations of interest made:</b>	None

Signed..... Date: 23/11/2023

Sarah Jowett

Strategic Asset Delivery Director

**Schedule 1**

Unit	Town
Carpigiani House, Coldnose Road, rotherwas Industrial Estate, HR2 6JL	Hereford