

Record of officer decision

Decision title:	Lease Surrender in respect of Unit 53, 5-9 The Atrium, Maylord Orchards Centre, Hereford.
Date of decision:	30 th September 2024
Decision maker:	Commercial and Investments Manager
Authority for delegated decision:	The Directorate's scheme of delegation dated July 2023 (line 39) gives the Commercial and Investments Manager the authority to take the decision.
Ward:	Central
Consultation:	None
Decision made:	To accept a Surrender by Operation of Law on Unit 53, Maylord orchards Centre.
Reasons for decision:	<ol style="list-style-type: none"> 1. The tenant entered administration on 21st August 2023 and has not paid any costs for the property since September 2023. 2. The Surrender allows the Council to take full control of the unit. There is a risk that if the administration ends the lease would transfer to the crown which can then result in a lengthy process to disclaim the lease. 3. It is understood that the administration process is nearing a close within the next 6 months. 4. The Council would be in a position to let the property once the surrender has been accepted. 5. The Surrender by Operation of Law incurs no costs to the Council.
Highlight any associated risks/finance/legal/equality considerations:	The Council would be responsible for the costs associated with the property until a deal is agreed with a new Tenant.
Details of any alternative options considered and rejected:	Another option to surrender is by entering into a Deed of Surrender but this incurs a cost of £2,500 and as such was rejected. A third option to not surrender the lease would place the authority at risk of the lease falling into Bona Vacantia. This would involve a lengthy legal process to disclaim the lease and has therefore been discounted.
Details of any declarations of interest made:	None

Signed..... Date: 30/09/2024

Print Name: David Micah
Job Title: Commercial and Investments Manager