

Report of : Head of Property Services
Report to : Acting Chief Asset Management Officer
Date: 10 February 2014
Subject: LEASE OF 1 SYDENHAM STREET, LEEDS 11

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Beeston and Holbeck	
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:	10.4(3)	
Appendix number:	1	

Summary of main issues

1. The subject property has stood empty since the last live in caretaker on the Domestic Street Industrial Estate occupied it as a house and office. Numerous attempts to let it have failed.
2. The property is a concrete prefab two storey house with a flat roof constructed in 1968
3. It is proposed to lease the property to Joanna Leeds a registered charity who provided counselling and aid to women involved in prostitution.

Recommendations

4. That approval be given to the grant of the lease of the subject on property on the terms proposed in the report and its confidential appendix.

1 Purpose of this report

- 1.1 To seek approval to the terms of a lease as negotiated of the subject property to Joanna Leeds.

2 Background information

- 2.1 The subject property was constructed in 1968 to serve as residential and office accommodation for the caretaker of the adjoining Domestic Street Industrial estate. The last caretaker vacated around ten years ago and the estate no longer has a live-in caretaker. Subsequently the property has stood empty and has been marketed unsuccessfully with little interest from prospective tenants and difficulty obtaining planning permission for proposed uses. City Development Department has continued to incur annual Council tax costs for the empty residential portion of the property.
- 2.2 In 2012 the Council were approached to identify premises for Joanna Leeds a limited company and registered charity who provide counselling, advice and assistance to women involved in prostitution.
- 2.3 Joanna are part of the nationwide and Council supported 'Ugly Mugs' scheme which is intended to improve the safety of sex workers and they contribute to both the Practitioner's Forum and the Sex Workers Case Conference. The work they propose to undertake at 1 Sydenham Street will support the Leeds Prostitution Strategy and assist in addressing shortcomings identified in Council community safety reports which have highlighted the need to address gaps in health and social support for sex workers. In addition Area Community Safety Co-ordinator staff within the ALMOS and the Area Support Teams, are supporting Beeston & Holbeck Ward Members and working with residents through this process of Joanna gaining planning permission for the proposed use of the subject property.

3 Main issues

- 3.1 It is proposed to offer Joanna a six year lease, contracted outside the security of tenure provisions of the 1954 landlord and tenant act.
- 3.2 The lease will be on an internally repairing basis, the Council will retain liability for repair to the exterior and the roof, while Joanna will be responsible for the interior and all windows and doors. The Council will likewise retain responsibility for insurance and will recover this cost from Joanna via a service charge.
- 3.3 Detailed terms for the lease including rent and details of works which Joanna will undertake are given in the confidential appendix to this report

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Ward Members were consulted on 4 November 2013, two responded supportively and one responded with "no comment".

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no specific equality and diversity issues arising from the proposed lease

4.3 Council Policies and City Priorities

- 4.3.1 The current draft of the Leeds Prostitution Strategy states that the Vision for Leeds 2011-30 and the underpinning City Priority Plan 2011-15 are clear in the drive for a fair, sustainable, and inclusive city and the Council's Plan 2013-17 articulates the council's intentions to improve the quality of life for the citizens of Leeds,

particularly, for those who are vulnerable or in poverty. The lease of these premises to Joanna will assist in these aims.

4.4 Resources and Value for Money

- 4.4.1 The lease on the terms as set out in the confidential appendix provided value for money to the council on an underused asset as well as removing a council tax liability

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 Under Part 3 Section 3E Paragraph 2(a) of the Council's Constitution (Officer Delegation Scheme (Executive Functions)) the Director of City Development has authority to discharge any function of Executive Board in relation to the management of land (including valuation, acquisition, appropriation, disposal and any other dealings with land or any interest in land) and Asset Management.
- 4.5.2 The Acting Chief Asset Management Officer has authority to take the decisions requested in this report under Executive functions 1 and 10 (specific to the Director of City Development) of the Director of City Development's sub delegation scheme.
- 4.5.3 The proposal constitutes a significant operational decision and is therefore not subject to call in.
- 4.5.4 The Head of Property Services confirms that the proposal set out above and in the attached appendix is the method most likely to result in the Council achieving the best consideration that can reasonably be obtained under Section 123 of the Local Government Act 1972.
- 4.5.5 The information contained in the Appendix attached to this report relates to the financial or business affairs of particular persons, or organisations, and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information is to be used as part of one to one negotiations in respect of the leases of these properties in this report, it is not in the public interest to disclose this information at this point in time. Also it is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to other similar transactions of other similar properties. It is therefore considered that this element of the report should be treated as exempt under Rule 10.4.3 of the Access to Information Procedure Rules.

4.6 Risk Management

- 4.6.1 If the lease is not approved or does not proceed then the property will remain empty and unimproved and given the time that has elapsed since it was last occupied it would be reasonable to expect it to remain empty and remain a cost to the council.

5 Conclusions

- 5.1 The proposed lease to Joanna Leeds represents a good opportunity to the Council to bring this property back into use and in so doing will also provide assistance to a vulnerable section of the population of Leeds.

6 Recommendation

- 6.1 That the lease of the property as proposed by this report and its confidential appendix and as negotiated with the tenant should be approved.

7 Background documents¹

- 7.1 None.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.