

**NORTH SOMERSET COUNCIL
DECISION**



DECISION OF SECTION 151 OFFICER OF THE COUNCIL,
CORPORATE SERVICES DIRECTORATE

DECISION NO: CSD53

SUBJECT: Unit 6 Westland Distribution Park, Weston-s-Mare – Grant of Tenancy at Will to Biffa Municipal Ltd

BACKGROUND:

The Council has taken a lease of Unit 6, Westland Distribution Park, from St Modwen Properties for use as a waste transfer depot. The Council intends granting a sub-lease on the unit to Biffa with the company paying a nominal sum as rent and being responsible for the repair and maintenance of the unit and the cost of utilities.

The sub-lease will not be granted before Biffa has signed the new contract with the Council for recycling and waste collection, which is due to commence on 1st March next year. As Biffa wish to enter the unit next week to commence its conversion for the proposed use and the Council is not in a position to grant the sub-lease, it has been agreed that a Tenancy at Will be granted to Biffa, to run to the date that the sub-lease is signed, which is likely to be late October or early November. The Tenancy at Will will terminate when the sub-lease is granted and the terms are consistent with those of the sub-lease.

DECISION:

That a Tenancy at Will be granted to Biffa Municipal Ltd in accordance with the terms and conditions set out in this report.

Reasons:

To enable Biffa to take early occupation of Unit 6, thus reducing the risk of the unit not being ready for use when the waste contract commences.

Other Alternatives Considered:

None

Financial Implications:

There are no new financial implications for the Council in granting the Tenancy at Will.

In the unlikely event of the main waste contract not being signed and granted to Biffa, the Waste Services Manager has confirmed that the unit will be still be required by the Council to make available to another waste contractor if appointed. Also, the works undertaken by

Biffa during their period of occupancy under the Tenancy at Will are likely to be consistent with those to be undertaken at a future date by any other potential contractor, thus not impacting adversely on the cost of the main waste contract if it has to be re-tendered.

Implications for Future Years:

None

Signed: 
Section 151 Officer, North Somerset Council

Dated:12/10/16,.....