

**NORTH SOMERSET COUNCIL
DECISION**

2016/17 scheme



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

DECISION NO: CSD64

SUBJECT: Nailsea Shopping centre

BACKGROUND:

The property shown edged red on the attached plan is held freehold by the Council and leased out under the terms of a 125 year head lease from 1/3/1982 to Vaneli Investing Corporation for a ground rent of £100pa. The property is underlet by Vaneli to Waitrose Ltd for a period due to expire on the 22/4/2017. The property comprises a Waitrose supermarket and a small number of ancillary retail units around the perimeter.

Under the terms of the head lease the council's consent is required before Vaneli can grant any under leases, including the grant of a renewal under lease to Waitrose from April 2017. Such consent cannot be unreasonably withheld or delayed nor can a fee be charged, although the council's costs in granting its consent can be recovered

Vaneli have agreed terms for the renewal of the under lease to Waitrose with effect from 23/4/2017 and have applied for the Council's consent as head landlord

In addition to the renewal of the under lease Vaneli and Waitrose have requested a slight variation to the user clause contained within both the head lease and the under lease in order to clarify that a use within Class A2 of the Town and Country Planning (Use Classes) Order 1987 would be acceptable i.e. Finance and Professional Services in order that they might let one of the ancillary retail units for such a use. The current head lease and under lease do not prohibit such a use but both Vaneli and Waitrose have requested that this point be clarified by a slight variation to the user clauses

DECISION:

That officers be authorised to enter into a Licence with Vaneli Investing Corporation consenting to the grant of a further under lease to Waitrose Ltd and to the variation of the user clause contained within both the head lease and the under lease to clarify that a use within Class A2 of the Use Class Order would be permissible

REASONS:

For good estate management

OTHER ALTERNATIVES CONSIDERED:

None

FINANCIAL IMPLICATIONS:

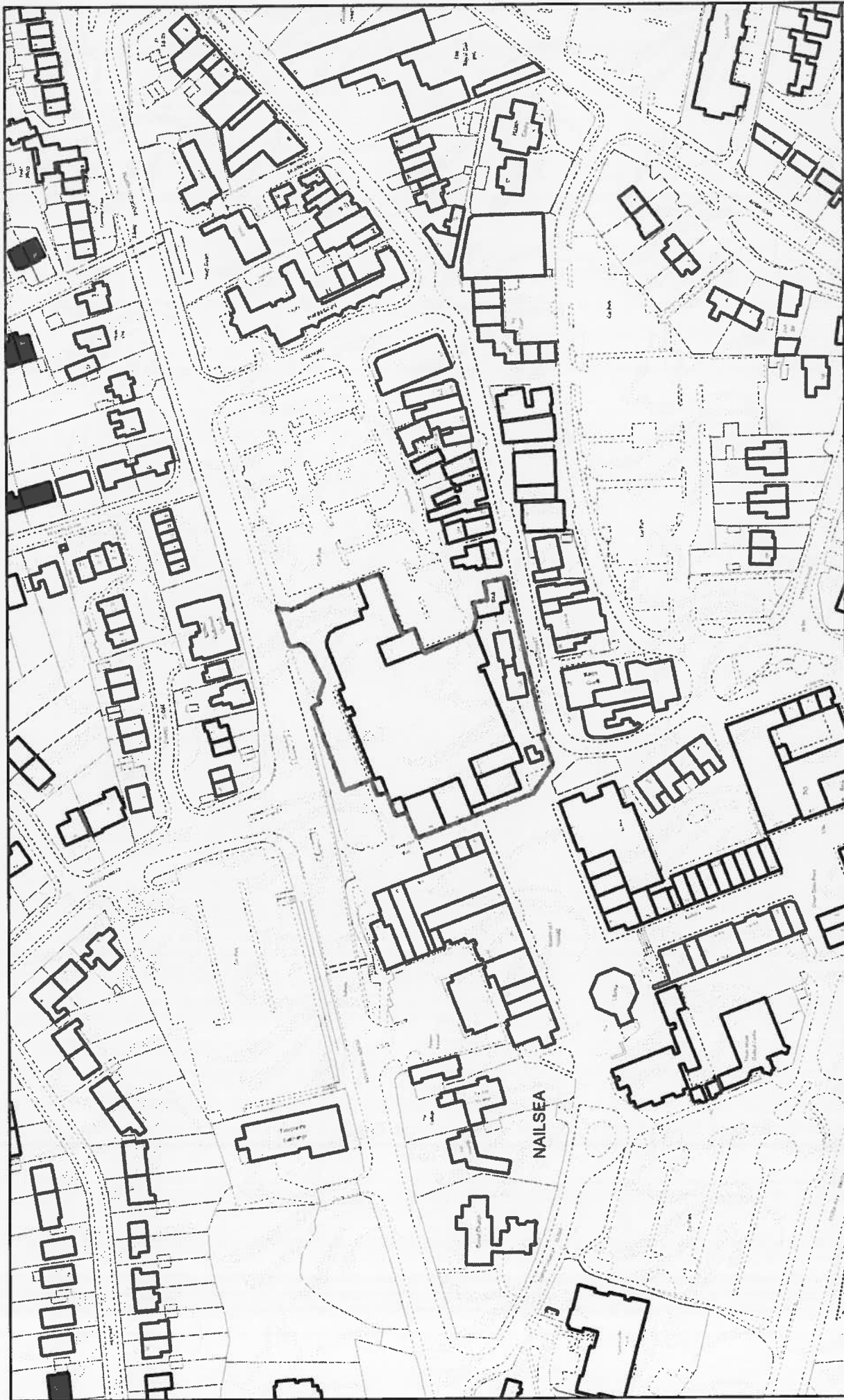
None as the council's costs in entering into the licence will be met by Vaneli/Waitrose

IMPLICATIONS FOR FUTURE YEARS:

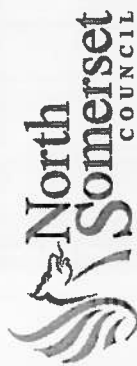
None

Signed: 
Section 151 Officer, North Somerset Council

Dated: 8/11/16



Scale: 1:2000
Drawn by: Martin O'Neill
Date: 31 October 2016
Time: 16:33:10



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