



PUBLICATION OF DECISION LIST NUMBER 33/21-22

MUNICIPAL YEAR 2021/22

Date Published: 09 November 2021

This document lists the Decisions that have been taken by the Council, which require publication in accordance with the Local Government Act 2000. The list covers Key, Non-Key, Council and Urgent Decisions. The list specifies those decisions, which are eligible for call-in and the date by which they must be called-in.

A valid request for call-in is one which is submitted (on the form provided) to the Governance and Scrutiny Team in writing within 5 working days of the date of publication of the decision by at least 7 Members of the Council.

Additional copies of the call-in request form are available from the Governance and Scrutiny Team.

If you have any queries or wish to obtain further report information or information on a decision, please refer to:

– Claire Johnson (0208 132 1154)

INDEX OF PUBLISHED DECISIONS – 09 November 2021

List Ref	Decision Made by	Date Decision came/ comes into effect	Part 1 or 2	Subject/Title of Report	Category of Decision	Affected Wards	Eligible for Call-In & Date Decision must be called in by (If Applicable)	Page No.
1/33/21-22	Director of Property and Economy - Place	Wednesday 17 November 2021	Part 1 & 2 (Para 3)	Ladderswood – Commercial Unit 3	KD 5318	Southgate Green	Tuesday 16 November 2021	1-2

DECISIONS

For additional copies or further details please contact Claire Johnson (020 8132 1154), Governance and Scrutiny Team.

LIST REFERENCE: 1/33/21-22

SUBJECT TITLE OF THE REPORT:							
LADDERSWOOD – COMMERCIAL UNIT 3							
Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes into effect	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by
Part 1 & 2 (Para 3)	Southgate Green	Executive Director - Place	Wednesday 17 November 2021	None	KD 5318	Mala Pandya Development Manager mala.pandya@enfield.gov.uk 02081320703	Tuesday 16 November 2021
DECISION							
<p>AGREED subject to not being called in:</p> <ol style="list-style-type: none"> 1. It is recommended that the Council proceeds with an offer from Tenant A in accordance with the Heads of Terms appended in Part 2 (Confidential Report). 2. The Council's Managing and letting agents for the Ladderswood Commercial Units- Avison Young have been made several offers on this premises and the current offer received by a reputable local franchisee supermarket is one where they have been able to negotiate better terms. 3. The franchisee has requested a 15-year internal repairing lease and would like the lease to be contracted inside of the Landlord and Tenant Act 1954. 							
OPTIONS CONSIDERED							
<ol style="list-style-type: none"> 1. The alternative would be to try and get operators for the existing use class which has been none so far and thus have the units remain empty for longer. 							

REASONS FOR PROPOSAL

This is ensuring that the unit is occupied by a reputable tenant that can serve the whole development and neighbouring community especially in these uncertain times. The marketing evidence provided has been that prevailing market conditions are 'tenant friendly' and occupiers are protecting themselves against a future pandemic with lease flexibility and specific lease drafting. Tenants are requesting additional incentives to commit now, and we envisage this being the same with the subject units, particularly as they are being offered on a shell and core basis.

A 15-year lease will provide the Council with 5 years extra of secured income which aligns with the wider property strategy and will have a positive impact on the capital value of the investment. It reduces the risk of vacancy among the commercial units at the Ladderswood scheme which results in a longer-term tenant which will provide a convenience offering for the immediate community. Unfortunately, unit 3 is too small for the better-quality convenience store operators such as Tesco, Sainsbury's or Waitrose, but any of those operators would have demanded that the lease is inside the act. Likewise for the smaller, more local operators who typically enter into franchise agreements with the likes of Nisa, Budgens, and Cost cutter, it is their private money they are investing, in which they have to outlay a substantial capital expenditure at the outset to firstly take on the franchise, but then towards shop fit (bear in mind we are also providing shell and core handover so this is even higher in this case), and stock. They need enough time to amortise their costs to make back their money and they can't run the risk of their lease terms coming to an end after 10 years.

The Council's letting agent have confirmed that the terms agreed represent open market value and the opportunity to secure an immediate letting in the current uncertain retail market is also considered in the best interests of the council.

BACKGROUND

Please note that a copy of the Part 1 report is available on the Council's democracy pages. As the Part 2 appendix contains exempt information it will not be available to press and public.