
To: Infrastructure, Land & Environment Policy Board

On: 15 March 2023

Report by: Chief Executive

Heading: Shop at 36/40 Foxbar Road, Paisley

1. Summary

- 1.1 This report advises the Board on the provisional terms and conditions agreed for a new lease of the shop premises at 36/40 Foxbar Road, Paisley.
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2. Recommendations

- 2.1 It is recommended that the Board:
- 2.2 Authorise the Head of Corporate Governance to conclude a new lease of the shop property at 36/40 Foxbar Road, Paisley on the basis of the terms and conditions detailed in this report.
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3. Background

- 3.1 Martin McColl Ltd became the tenant of 36/40 Foxbar Road, Paisley on a 10 year lease in May 2016. The shop trades as a licensed grocer & newsagents, at a current annual rental of £18,200.
- 3.2 In May 2022, Martin McColl Ltd went into administration, and their interests were subsequently sold to Morrisons Plc. This property has been refurbished and is now trading as a Morrisons Daily, under licence via the administrators. It is however appropriate to formalise this occupation by granting a new lease.

- 3.3 Discussions have taken place with the relevant parties, and the following main terms and conditions have been provisionally agreed.
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4. Proposed terms and conditions of lease;

- 4.1 The existing lease shall be renounced at a mutually agreed date between all parties. This date shall also be the date of entry in the new lease.
- 4.2 The new lease shall be for a period of 10 years, and shall be on the basis of the Council's standard Full Repairing and Insuring style of lease.
- 4.3 The annual rental shall remain at £18,200 which is considered to be the full market rental value, reviewable after 5 years.
- 4.4 A 3 month rent free period shall be granted at the start of the lease in recognition of rebranding required at the property.
- 4.5 The use of the property shall continue as a licensed grocer & newsagents only.
- 4.6 Each party shall be responsible for their own expenses incurred in concluding the lease.
- 4.7 All rent arrears, if any, must be paid in full prior to concluding the new lease.
- 4.8 Note that the new lease must be concluded within 6 months from the date of this Board otherwise revised terms and conditions will be renegotiated.
- 4.9 Any other reasonable terms and conditions considered necessary by the Head of Corporate Governance and the Head of Economy & Development to protect the Council's interest.
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Implications of the Report

1. **Financial** – £18,200 annual rent to be achieved.
2. **HR & Organisational Development** – None.
3. **Community Planning** – None.
4. **Legal** – Lease of shop property.
5. **Property/Assets** – As per report.
6. **Information Technology** – None.

7. Equality & Human Rights

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. Required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. Health & Safety – None.

9. Procurement – None.

10. Risk – None.

11. Privacy Impact – None.

12. Cosla Policy Position – Not Applicable.

List of Background Papers

- (a) N/A

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