
To: Infrastructure, Land & Environment Policy Board

On: 9 November 2022

Report by: Chief Executive

Heading: 2 Year Lease of Shop at 71/3 High Street, Johnstone

1. Summary

- 1.1 This report advises the Board on the provisional terms and conditions agreed for the lease of the property at 71/3 High Street, Johnstone as shown on Report Plan E3286.

2. Recommendations

It is recommended that the Board:

- 2.1 Agree to the terms and conditions that have been provisionally agreed with the Council and the proposed tenant (Mr S McFarlane) and authorise the Head of Corporate Governance to conclude the lease on the basis of the terms and conditions detailed in this report.

3. Background

- 3.1 The property at 71/3 High Street is currently leased by Mr Toni Marshall and is being used as delicatessen with hot food takeaway.
- 3.2 The tenant has been in occupation of the premises since the 4th of September 2018 when they acquired the property by way of assignation. The lease has been running on tacit relocation since the 28th of May 2010. The current passing rent of the property is £10,850 and was set when the tenant took entry.

- 3.3 The tenant requested an assignation of the lease to Mr Scott McFarlane to whom he is selling the business.
- 3.4 The Council has received satisfactory references to allow the lease with Mr McFarlane to proceed.
- 3.5 The assignation request has triggered a rent review and the new rent proposed will be £11,700 which is the current market rent for the property.
4. **Proposed Terms and Conditions of Lease**
- The lease shall be for a period of 2 years and shall be on the basis of the Council's full repairing and insuring lease.
 - The rent shall be £11,700 per annum and shall be reviewed upon expiry of this lease. A payment of £900 shall be payable on the date of entry.
 - The property shall be used as delicatessen and hot food takeaway and for no other purpose whatsoever.
 - Assignation and sub-letting is prohibited.
 - The tenant shall meet the Council's reasonable legal expenses incurred in concluded this lease.
 - Any other reasonable terms and conditions considered necessary by the Head of Corporate Governance.

Implications of the Report

1. **Financial** – Rent of £11,700 per annum to the HRA account.
2. **HR & Organisational Development** – None.
3. **Community Planning** - None.
4. **Legal** – Conclusion of Lease.
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.

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CHIEF EXECUTIVE'S SERVICE ASSET & ESTATES SECTION



Renfrewshire
Council

TITLE REPORT PLAN
71/3 HIGH STREET, JOHNSTONE

DRAWING No. E3286

SCALE 1:1250

DRAWN BY JW

DATE OCT 2022



71/3 HIGH STREET

