



To: Planning & Property Policy Board

On: 12th May 2015

Report by: Director of Finance & Resources

Heading: Riverside House, Old Ferry Road, Erskine

1. Summary

- 1.1 The purpose of this report is to approve the grant of landlord's consent for a variation of an existing ground lease agreement with Mr Leonard Riley to enable the construction of a modular building and the sub-let of the ground to Crisis Ltd., the occupiers, adjacent to Riverside House in Erskine as shown on Plan E2301.
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2. Recommendations

- 2.1 To approve the request for landlord's consent for a variation of the existing lease agreement between Renfrewshire Council and its tenant, Mr Leonard Riley, to allow the construction of a modular building and to regulate the sub - lease to Crisis Ltd.
- 2.2 Authorise the Head of Corporate Governance to conclude the necessary lease variation subject to the recovery of the Council's reasonable professional & legal expenses.
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3. Background

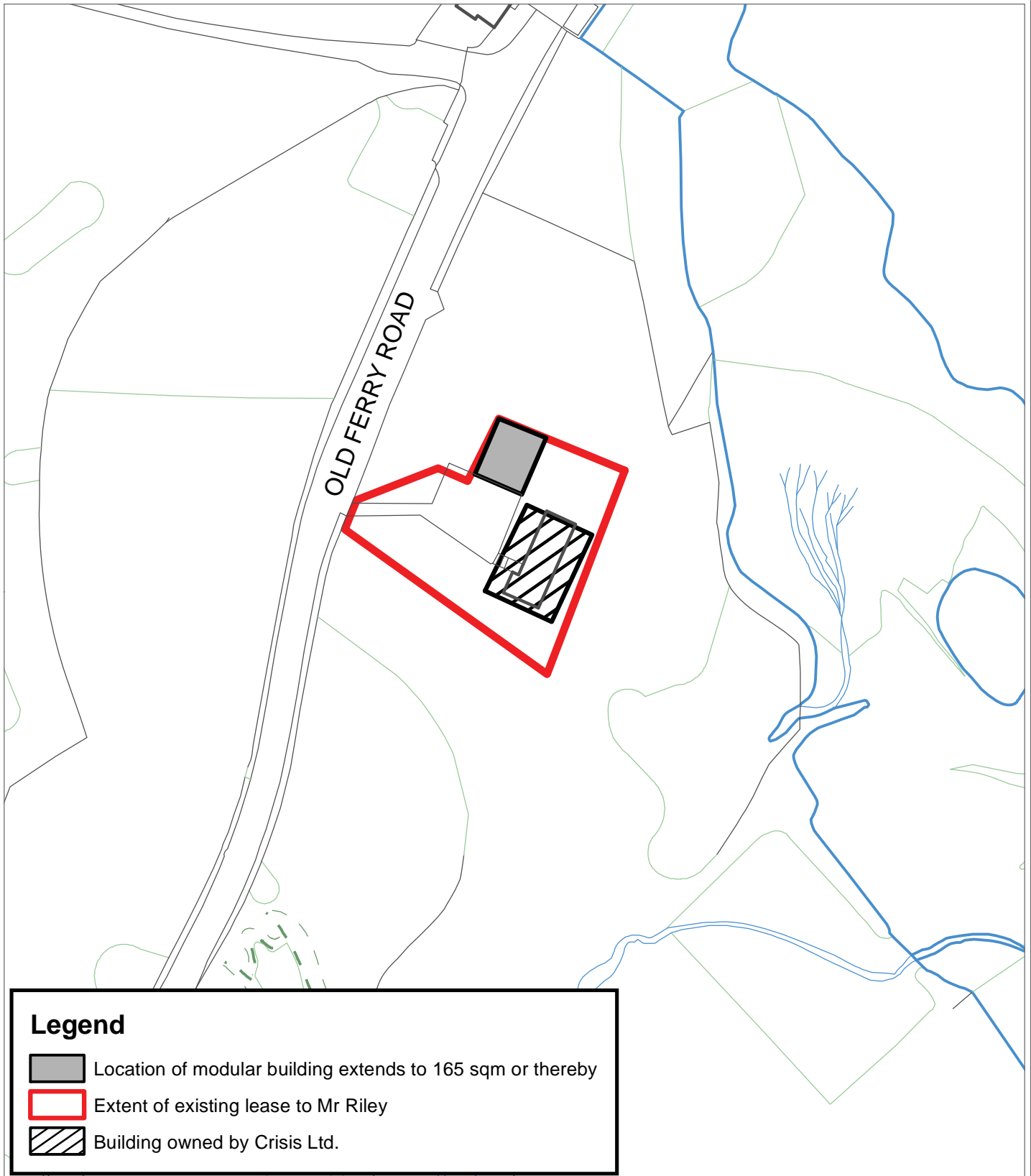
- 3.1. The existing tenant, Mr Riley has a long ground lease for the area of ground outlined bold on the attached plan for a period of 99 years from 11 July 1974, the rights of which he acquired by way of assignment in 1982. This is for access and the formation of a car park to serve the adjacent Riverside House.
- 3.2. Mr Riley subsequently sold his ownership interest in Riverside House to Crisis Limited in 2007, however due to an oversight, he did not seek or obtain landlord's consent for a sub-lease to Crisis Ltd. for the area leased.
- 3.3. Although formal landlord's consent for the unregulated sub-lease has not been given to Mr Riley, the Council has been aware of the ongoing use of the leased area.
- 3.4. Crisis Limited, provide a counselling service, and obtained planning permission (15/0072/pp) to erect a modular building on the land currently leased to Mr Riley. They have obtained grant funding for this facility and are keen to progress its construction.
- 3.5. Mr Riley on being made aware of the need for landlord's consent for the building to be erected on the land leased, has confirmed that he would not object to Crisis Ltd. erecting the modular building on the land concerned and has sought landlord's consent in terms of the lease to enable this to occur and to regulate Crisis Ltd.'s occupation of the leased area. This will require a minute of variation to the lease.
- 3.6. Mr Riley has been advised of the likely costs for a variation to the lease and that this is in respect of the Council's recovery of its reasonable professional & legal expenses with this transaction.

Implications of the Report

1. **Financial** – The Cost of a request for landlords consent and a minute of variation totalling £408 requires to be met.
2. **HR & Organisational Development** – None.
3. **Community Planning** – None
4. **Legal** – None.
5. **Property/Assets** – As per this 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 because no groups or individuals have any involvement currently at the property. If 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.
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