



To: Planning & Property Policy Board

On: 15th March 2015

Report by: Director of Finance & Resources

Heading: Shop premises 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

It is recommended that the Board:-

- 2.1 Grant authority to the Head of Property and the Head of Corporate Governance to conclude a new lease of the shop premises at 36 - 40 Foxbar Road, Paisley, on the basis of the main terms and conditions contained in this report.
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3. Background

- 3.1. Mr Mohammed Ramzan has been a tenant of the Council owned shop property at 38/40 Foxbar Road, Paisley since 1st July 2014. This shop trades as a licensed grocer and newsagent, has a current passing rental of £13,200 per annum, and the lease now runs on month to month basis. From 20th

August 2014, Mr Ramzan has also leased the adjacent shop at 36 Foxbar Road. This unit is used for storage purposes, has a current passing rent of £5,000 per annum and is also on a month to month lease. The tenant has recently undertaken alteration works to combine both units into one larger property, in accordance with all necessary building warrants. It is therefore considered appropriate to conclude a new lease covering the combined premises, rather than continuing with the two existing short term agreements.

- 3.3. Discussions have taken place with Mr Ramzan, and the following main terms and conditions of lease have been provisionally agreed.

4. **Proposed terms and conditions of lease;**

4.1 The existing short term leases shall be renounced at a mutually agreed date between both parties.

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 initial annual rental shall be £18,200, and the rent shall be reviewed after 5 years.

4.4 The use of the property shall continue as a licensed grocer and newsagent.

4.5 The tenant shall meet the Council's reasonable legal and professional expenses incurred in concluding the lease.

4.6 Any other reasonable terms and conditions considered necessary by the Head of Corporate Governance and the Head of Property to protect the Council's interest.

Implications of the Report

1. **Financial** – Annual rental of £18,200 to be received.

2. **HR & Organisational Development** – None.

3. **Community Planning** –

Wealthier & Fairer - New lease will provide more security of tenure for both landlord and tenant.

4. **Legal** – New lease to be concluded.

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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