

Record of an officer making an executive decision



Name of officer and title	Peter Beer – Estates and Property Services Manager
Subject matter:	Lease of storage unit at 31 Rabans Close, Aylesbury
Date of decision:	26 September 2018
Decision:	To take a lease of 31 Rabans Close for storage from Aylesbury Vale Estates (AVE)
Reasons for decision:	<p>AVDC had a short term agreement with AVE to use unit 57-58 Rabans Close to cover storage requirements following development at Pembroke Road..</p> <p>The demand for these units increased and AVE required AVDC to enter into a three year lease with commercial terms. The former Property & Estates Manager felt that this rent was too high and therefore AVE found new tenants for the unit.</p> <p>Due to the ongoing requirement for storage AVE was asked if it had any alternative units available and it was able to offer a three year, excluded, full repairing and insuring lease with a tenant only break option at 18 months (six month's notice) for a smaller unit at 31 Rabans Close. The rental cost for this option was less than the rental cost for the original unit..</p> <p>The draft lease was a full repairing and insuring lease which would pass responsibility for the structure of the unit (roof, party walls, foundations etc) to AVDC. Following officer and legal advice it was felt that this obligation was too onerous for AVDC to agree to, given the short term nature of the lease and risk of structural failure from adjacent units.</p> <p>As a compromise AVE offered alternative terms. The structural repairing obligation could be removed from the lease but AVDC would have to pay an increased rent.</p> <p>The revised rent plus VAT is to be paid quarterly in advance. AVDC will also be responsible for paying a fair proportion of the estate service charge and insurance premium. Officers recommend agreeing to these terms.</p> <p>An early access letter has been signed due to the short timescales involved in sourcing an alternative unit.</p>
Alternative options considered	A longer term storage solution is required and options are being considered, however, there is an immediate need for storage. The lease can be broken at 11 November 2019 given at least six months notice. Officers are completing a review of AVDC's storage requirements so this can be considered before the three year term is up.

Any conflict of interest declared by a Cabinet Member who is consulted and any dispensations granted to them:	No consultation undertaken with the Cabinet member.
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