

**15 September 2015**

**Policy, Finance and Resources Committee**

**4 The Keys Warley Brentwood**

**Report of:** *Russell Clinker, Senior Assets Manager*

**Wards Affected:** *Warley*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1. This report considers the renewal of the lease at 4 The Keys which is currently occupied by 'Martin The Newsagent' as a convenience Store.
- 1.2. The current lease on 4 The Keys, Warley expires in September 2016
- 1.3. It is proposed that Martins take a new lease from September 2015 (surrendering their current lease) at an increased rent and widened user clause to incorporate the selling of alcohol subject to the tenant at 3 The Keys (currently holding over on their lease) which currently sells alcohol terminating their lease (3 months Notice to terminate required).

## **2. Recommendation**

- 2.1 That a new lease is agreed with Martins on the above outline basis to increase the income to the Council approx. a year earlier than expected and secure a key tenant in the Keys shopping parade for the immediate future.

## **3. Introduction and Background**

- 3.1. Martins need to expand their user clause to include alcohol sales in order to protect the long term viability of their shop at 4 The Keys which is in competition with similar convenience stores in the locality which do sell alcoholic drinks.
- 3.2. Martins have been in discussions with the tenant at 3 The Keys which trades as an off licence in order to purchase their goodwill of that business. The off licence is struggling and they want to vacate and they have been speaking to Martins to sell the goodwill of their business so

Martins can (subject to approval from the council and licencing officers) expand their user clause to include alcohol sales.

- 3.3. An application for a Licence to sell alcohol (for consumption off the premises) has been received from agents acting for Martin McColl Ltd by the Licencing Team at Brentwood Council on 6 August. This relates to 4 The Keys.

#### **4. Issue, Options and Analysis of Options**

- 4.1. Martins are the only multiple tenant in this shopping parade and therefore a key occupier in terms of its covenant and the larger size of the store. It is a shop that attracts footfall to this location and it is important to secure the future of this shop and therefore the security of the income for the future.
- 4.2. For Martins to commit to another lease term they require an extended user clause to include alcohol sales in order to compete with similar shops in the local area.

#### **5. Reasons for Recommendation**

- 5.1. To ensure that this key tenant that generates footfall in the Keys is retained for at least another five years.
- 5.2. To increase the rental income.

#### **6. Consultation**

- 6.1. No formal consultation has been undertaken or is required

#### **7. References to Corporate Plan**

- 7.1. Value for Money: policies that invest in key services to create opportunity for all, provide better value for Brentwood's taxpayers and enhance the Borough's infrastructure whilst modernising and transforming Brentwood Borough Council. We will re-prioritise and focus our resources and be innovative in our approach.
- 7.2. Our Borough: Policies which promote our environment, support sustainable growth, and safeguard our high quality environment including heritage and countryside. We will provide responsive, accessible and forward thinking services for vulnerable residents, supporting people back

into work and providing good quality housing making Brentwood our residents' Borough of Choice.

## 8. Implications

### Financial Implications

**Name & Title:** Chris Leslie, Finance Director

**Tel & Email:** 01277 312542 / [christopher.leslie@brentwood.gov.uk](mailto:christopher.leslie@brentwood.gov.uk)

- 8.1. The lease will generate income for the Council.

### Legal Implications

**Name & Title:** Christopher Potter, Monitoring Officer and Head of Support Services

**Tel & Email:** 01277 312860 / [christopher.potter@brentwood.gov.uk](mailto:christopher.potter@brentwood.gov.uk)

- 8.2. None directly arising from this report.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.1. None directly arising from this report

## 9. Background Papers

None.

## 10. Appendices to this report

Appendix A – Exempt

### Report Author Contact Details:

**Name:** Russell Clinker

**Telephone:** 01277 312931

**E-mail:** [russell.Clinker@brentwood.gov.uk](mailto:russell.Clinker@brentwood.gov.uk)