



DERBY CITY COUNCIL

Council Cabinet
20 April 2010

Report of the Corporate Director of Adult and
Corporate Services

ITEM 14

‘The Rocket’ site, Breadsall

SUMMARY

- 1.1 To seek authorisation to terms provisionally agreed for a surrender of the existing lease and for sale to an RSL with a view to bringing the site back into beneficial use.

RECOMMENDATION

- 2.1 To authorise the terms set out in the confidential report.

SUPPORTING INFORMATION

- 3.1 The freehold of the site of 2,530 sq yds (0.52 acres) is owned by us. The site was leased to Ind Coope for 99 years from 18/7/1955. A building agreement required Ind Coope to erect a pub. The premises were in disrepair a few years ago. Acting as Planning Authority, we then served notices of disrepair on the then lessee.
- 3.2 Panorama Living Ltd (“Panorama”) took an assignment of the lease on 21 February, 2007. When our consent was sought as freehold owner to that assignment it was given on the express basis of its continued use as a public house. But Panorama immediately arranged demolition of the premises. Panorama were aware - before they arranged demolition - of all the provisions of the lease, including the obligations
- “to keep the demised property and all additions thereto and the boundary walls and fences thereof ... in good and tenantable repair and condition”
 - to paint the premises at specified intervals
 - “to use the demised property ... as a licensed victualling house only...and to keep the same ... open as such during all lawful hours...”
- The lessees are continuing to breach the above covenants.
- 3.3 The confidential report details the terms provisionally agreed with Panorama for them to surrender their lease by agreement (rather than us seeking forfeiture, for the reasons set out in that report) and for us simultaneously to contract to sell the freehold with vacant possession to an RSL.

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Background papers: None
List of appendices: Appendix 1 – Implications
Report in the confidential part of the agenda

IMPLICATIONS

Financial

- 1.1 As set out in the confidential report.

Legal

- 2.1 As set out in the confidential report.

Personnel

- 3.1 None.

Equalities Impact

- 4.1 None.

Corporate objectives and priorities for change

- 5.1 Implementation of this proposal would assist in our Corporate Priorities to regenerate Derby's neighbourhoods, to improve levels of safety and cleanliness and to develop confidence and pride across our communities and neighbourhoods.