

AGENDA ITEM No.

UNIVERSITY HOSPITALS BIRMINGHAM NHS FOUNDATION TRUST

BOARD OF DIRECTORS

FRIDAY 3 DECEMBER 2010

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| Title: | THE SEALING & SIGNING OF A SUBLEASE AND LICENCE TO SUBLET AT 300-301 MELCHETT ROAD KINGS NORTON BUSINESS CENTRE BIRMINGHAM |
| Responsible Director: | Director of Corporate Affairs |
| Contact: | James Gooch (Extension number 3601) |

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| Purpose: | To request approval from the Board of Directors to seal, in accordance with Standing Order 6.1, a Sublease and a Licence to Sublet. |
| Confidentiality Level & Reason: | None |
| Medium Term Plan Ref: | |
| Key Issues Summary: | <p><u>Background</u></p> <p>The Trust occupies 300-301 Melchett Road under a lease with Slough Estates (KNBC) Ltd (“the Landlord”). The Trust have sublet part of the Property to West Midlands Ambulance Services (“the Tenant”) to carry out the terms of their service contract with the Trust dated 1st April 2010. The previous sublease to the Tenant expired on 31st April 2010 and they have continued to occupy the Property under the terms of that sublease.</p> <p>The new Sublease contains provisions equivalent to the existing sublease made between the Trust and the Tenant.</p> <p>The term of the new Sublease to be granted to the Tenant will be from 1st May 2010 to 23rd December 2013. The Trust’s lease with the Landlord expires on 25th December 2013 and therefore the Trust is not presently in a position to grant the Tenant a new sublease for the entirety of the term of their service contract. An extension of the sublease will be considered if the Trust’s lease with the Landlord is extended.</p> <p>The initial rent under the new Sublease will be £24,391.69 per annum being that payable under the existing sublease. This will be reviewed annually on 10th December each year during the term.</p> |

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| | <p>The Licence to Sublet contains the Head Landlord's consent to the grant of the Sublease by the Trust to the Tenant.</p> <p>It is in the Trust's interest that the Sublease and Licence to Sublet be completed to ensure the continued occupation of the Tenant is correctly documented.</p> |
| <p>Recommendations:</p> | <p>The Board of Directors is requested to authorise:</p> <p>David Burbridge Director of Corporate Affairs, and Lynne Darby Land and Property Manager severally to exercise the powers of the Trust in relation to negotiating, approving and amending the Sublease and Licence to Sublet and any associated documents, without limitation save that such authority may only be exercised to the extent that the Sublease and Licence to Sublet is materially as described in this Report, and to do all such acts and things as may be required in order to give effect to the Resolution(s) resulting from this Report and implement the Sublease and Licence to Sublet to include the finalising and delivery of all such notices, confirmations, applications, letters, transfers, appointments, certificates, powers of attorney, deeds, forms, notice of drawing, notice of withdrawal or notice of utilisation and any other documents as required; and</p> <p>any one or more Directors of the Trust and, in the case of any documents that are Deeds, the Foundation Secretary, severally to sign, execute and deliver the Sublease and Licence to and any associated documents save that, where any such other documents are Deeds, execution will be by any two Directors or a Director and the Foundation Secretary.</p> |

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| <p>Signed:</p> | <p>Date: 23 November 2010</p> |
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