

THE POLICE CRIME & VICTIMS' COMMISSIONER FOR DURHAM

DECISION RECORD FORM

REQUEST:

Title: Surrender of ground lease of Trimdon Radio Mast

Summary:

For many years, Durham PCVC (and previously, the Police Authority) has leased a radio mast in a remote area of Trimdon. The mast is no longer used for operational policing purposes. The landlord is Northumbria Water.

Income is received to the Constabulary by way of rent from other users of the mast. However, the income does not outweigh the annual costs and liabilities. Therefore it is in the PCVC's interest, and that of the taxpayer, to exit the current arrangement.

The best option is to surrender the ground lease.

An agreement has been reached to repay outstanding debts, at a reduced rate of £120,000, in relation to ground rent and a proportion of third party income to the landlord.

Surrendering the lease is a preferred option compared with issuing a notice to quit. If we were to issue a notice to quit, costs would be significantly higher as we would be required to remove the mast and reinstate the land. Furthermore, telecommunications companies are protected under the telecommunications code meaning the proposed removal of the mast would likely result in protracted negotiations and potentially higher costs.

There is no longer any requirement for Durham Constabulary to utilise the mast for its own purpose and no obligation to provide infrastructure for its current provider, therefore surrendering the lease is the best course of action.

The PCVC is requested to approve the terms for surrender of the lease of Trimdon Radio Mast to the landlord.

Decision: To approve to the provisionally agreed terms for surrender of the ground lease of Trimdon Radio Mast to the landlord.

OPCVC Lead Officer: Alan Reiss

Contractor Details (if applicable):

Implications:

Has consideration been taken of the following:	Yes	No	
Financial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Equality & Diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Human Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Risk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consultation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
(If yes please provide further details below)			

Decision Required – Supporting Information

Financial Implications: (Must include comments of the PCVC's CFO where the decision has financial implications)

The Assistant Chief Officer confirms that the historic debt and ongoing payments up to the date of surrender will be accommodated within the 2017/18 budget.

Legal Implications: (Must include comments of the Monitoring Officer where the decision has legal implication)

No specific legal implications

Equality and Diversity Implications

No specific equality and diversity implications

Human Rights Implications

No specific human rights implications

Sustainability Implications

No specific sustainability implications

Risk Management Implications

No specific risk management implications

Consultations

No specific consultation took place

OFFICER APPROVAL

Chief Executive

I have been consulted about the decision and confirm that financial, legal, and equalities advice has been taken into account. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

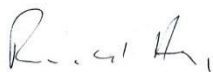
Signed:



Date: 15/11/2017

Police and Crime Commissioner:

Signed:



Date: 15/11/2017