

## RECORD OF OFFICER EXECUTIVE DECISION

### State if decision exempt from publication (OPEN)

Certain information may be exempt from publication if it falls under Schedule 12A of the Local Government Act 1972. However, these exemptions only apply so long as, in the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing it.

No.	Date of Decision:	
1.	Name of Decision Maker and Job Title:	Gerald Almeroth, Executive Director of Finance and Resources
2.	Status of the decision (e.g. by Executive Director in consultation with Portfolio Holder under the Constitution):	<p>The Executive Director Finance and Resources holds the statutory role for the Council of s151 Officer Local Government Act 1972. The Executive Director is given delegated power to take decisions in relation to the disposal of non Housing Revenue Account (HRA) land and property under part 26.3, sub-para 8 of the scheme of delegation within the Council's Constitution. The executive Director has granted his authority to execute any documents necessary to facilitate a renewal of Q Park's sublet at Park Lane Car park to the incumbent subtenant, Enterprise Cars.</p> <p>The renewal of the underlease is for 5 years from 13 August 2024 and is excluded from the Landlord and Tenant Act 1954. The rent is £100,000 reviewed to RPI on 13 August 2025 with a collar and cap of 104% and 101%. This rent is receivable by Q Park.</p> <p>The enterprise sublet area is used as parking, a small office and washbay area. This use is permitted under the lease and in accordance with planning.</p> <p>Westminster hold a long lease of Park Lane car park, with DfT being the freeholder. The proposed renewal is in accordance with the terms of Westminster's headlease.</p>
3.	Specific Delegation from Executive (Leader, Cabinet or Cabinet Member) / Committee:	Delegated powers from the scheme of delegations within the Council's Constitution.
4.	Other Consultees involved. (i.e. Director of Law & Finance):	Westminster have been advised by external solicitors Gowling with associated legal costs borne by Q Park
5.	Material considered as part of the decision-making process. Include how best value achieved and	Under the lease with Q park, consent cannot be unreasonably withheld to allow them to sublet in the car park where lease terms are adhered to. The

	equality objectives met (as appropriate):	proposed renewal of their subletting with Enterprise is in accordance with the terms of Q park's lease and Westminster's headlease with the DfT. At the time of the letting to Q Park in 2011 - best value was achieved and the annual 4% fixed rent review ensuring continued rental growth
6.	Decision taken:	To approve the Council agreeing the necessary legal documents to enable Q park to progress the renewal of the Enterprise lease at Park Lane car park
7.	Reasons for the Decision:	Consent cannot be unreasonably withheld and the additional income for Q park ensures the Council's largest tenant's business is supported and diversified
8.	Risk Analysis:	Not proceeding would be a breach of the Council's lease terms with Q Park
9.	Details of alternative options considered and rejected:	N/a
10.	Conflicts of interest declared by any Executive Member/ other Member or officer consulted by the decision maker which relates to the decision:	There are no conflicts of interest
11.	Dispensations Granted: (If any)	N/a

**I certify that this is a true record of the executive decision in relation to the above.**

**X**

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Signed by the Decision Maker

Job Title: Executive Director of finance and resources

Signed by

Dated 12/09/24



Name Gerald Almeroth