



OPEN

Officer Decision Record – Key Decision

CLOSED APPENDIX

NOT FOR PUBLICATION

Exempt information within paragraphs 3 of Schedule 12A to the Local Government Act 1972 (as amended)

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to
Cabinet made the following decision on the 16th of July 2025 (DN.SC.6) in relation to a new letting for the majority of the ground floor of the former House of Fraser (HOF) building: RESOLVED – 1. That the new letting as set out in the report now submitted be approved in principle. 2. That the Interim S151 Officer and Assistant Directors for Law and Governance and Regeneration, in consultation with the Leader of the Council, be delegated authority to agree the final terms of the letting, including associated landlords works and/or capital contributions, provided they are within the sums referred to in the closed appendix plus any grants.

3. That the Assistant Director Law and Governance be authorised to formalise the agreements and to deal with all ancillary matters reasonably arising.

2. Subject and details of the matter (to include reasons for the decision)

Following on from the Cabinet decision which delegated authority to the Interim S151 Officer and Assistant Directors for Law & Governance and Regeneration, in consultation with the Leader of the Council, to agree the final terms of the letting, including associated landlords works and/or capital contributions, negotiations have now been concluded with the well-known retail tenant for the majority of the ground floor of the former HOF.

The design and specification of internal landlord works have also been completed, the delivery of which are expected to allow the property to be ready for handover to the tenant in 2027. In addition, a works package to ensure the property is tenable has been tendered, is ready for award and is subject to a separate ODR. Moreover, through project development grants from The National Lottery Heritage Fund (TNLHF) and Historic England, a programme of external repair and restoration works have been fully designed, and a grant application was submitted to TNLHF on 28th May 2026. That decision is expected to be made in September 2026 and if successful, will be incorporated into the works package mentioned above.

3. Decision being taken

That the Interim S151 Officer and Assistant Directors for Law and Governance and Regeneration, in consultation with the Leader of the Council, approve the completion of letting of the ground floor of the former House of Fraser building, details of which are set out in the closed appendix from the previous Freshney Place Cabinet Sub Committee approval.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency. Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

No.

5. Anticipated outcome(s)/benefits

The Council acquired the property in 2023 due to its relationship with the Freshney Place leisure scheme and the substantial frontages to both the existing mall and Victoria St. The ground floor is the key aspect of the building which the Council has been seeking to lease, and this letting will enhance a hitherto unoccupied building with a nationally recognisable brand. The letting will also improve confidence in the wider town centre, complement ongoing projects, improve the frontage and subject to the Heritage Lottery application, restore its heritage.

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

The Council could decide not to progress this deal. However, it has always been anticipated that new occupiers would be sought, and the Council's retained agents and Asset Manager have recommended the nature of the occupier and the main terms, advising that this is an important letting to enhance this area of the town

7. Background documents considered (web links to be included and copies of documents provided for publishing)

[Urgent-Business-Town-Centre-Acquisition.pdf](#)

[6.-House-of-Fraser-Building-New-Letting.pdf](#)

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

Yes, please see above re closed appendix

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

N/A

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The decision is consistent with the will of Cabinet as the Freshney Place Cabinet Sub-Committee and is as anticipated.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The proposed letting is consistent with the authority delegated by Cabinet and has been negotiated within the financial parameters approved as part of that decision. The agreement supports the Council's strategic objective of securing a sustainable occupier for the ground floor of the former House of Fraser building.

The financial implications arising from the lease, associated landlord works and any agreed capital contributions have been reviewed and are considered manageable within the approved funding envelope and governance arrangements established by Cabinet. The securing of a nationally recognised tenant provides an important element of income generation and reduces the ongoing financial risks associated with a prolonged vacant property.

The principal financial risks relate to delivery of the required building works, potential construction cost pressures, and the successful completion of external grant funding arrangements. These risks are recognised within the project governance framework and should continue to be actively monitored. Subject to these considerations, I have no further financial concerns regarding the proposed decision

12. Human Resource Comments (Head of People and Culture or nominee)

No HR implications

13. Risk Assessment (in accordance with the Report Writing Guide)

There are limited risks associated with entering into a pre-let in advance of completion of works, which is commonplace in developments. The Council's retained solicitors will ensure the documentation protects our interests so far as is reasonably practicable.

Heritage funding – securing second part of grant for delivery of capital works.

Building condition could delay and impact on costs if issues are discovered during delivery. This has been mitigated through full internal strip-out and structural survey in advance of preparing designs and tender documents for a contractor.

The Freshney Place Development Board, which meets monthly, and is chaired by the Assistant Director Regeneration, has responsibility for risk. Key risks are reported to the Board, and the project team retains an ongoing risk register.

14. Has the Cabinet Tracker been updated with details of this decision?

N/A

15. Decision Maker(s):**Any two to sign:**

Name	Damien Jaines-White
Title	AD Regeneration
Signature	Redacted
Dated	27.07.26
Name	Simon Jones
Title	AD Law and Governance
Signature	Redacted
Dated	27.07.26
Name	Guy Lonsdale
Title	Interim 151 Officer
Signature	Redacted
Dated	27.07.26

**16. Consultation carried out with
Portfolio Holder(s):**

Name: **Councillor Oliver Freeston**

Title: **Leader of the Council**

Signed: Redacted

Dated: 26th July 2026

**17. If the decision is urgent then
consultation should be carried out
with the relevant Scrutiny
Chair/Mayor/Deputy Mayor**

Name:

Title:

Signed:

Dated:

Key Decisions are defined in the Constitution as:

A decision (whether taken collectively or individually by members) which is likely:

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards.

A decision will be considered financially significant if:

- (i) in the case of revenue expenditure, it results in the incurring of expenditure or making savings of £350,000 or greater;
- (ii) in the case of capital expenditure, the capital expenditure/savings are in excess of £350,000 or 20% of the total project cost, whichever is the greater

In determining whether a decision is significant in terms of its effect on an area comprising two or more wards, consideration shall be given to:

- (i) the number of residents/service users that will be affected in the wards concerned;
- (ii) the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- (iii) whether the decision may incur a significant social, economic or environmental risk.