

Yorkshire and the Humber
Strategic Health Authority

BOARD MEETING



Yorkshire and the Humber

Date: 8 September 2009

Report Author: Richard Powell,
Corporate Business Manager

Title of paper: Sealing of various legal documentation

Actions Requested:

The Board is requested to;

- Approve the sealing of the legal charges securing grants made by old Health Authorities
- Approve the sealing of an underlease relating to 4 rooms on the fifth floor of Don Valley House, Sheffield
- Note that the Authority's Seal has been used in a Deed of Rectification for a contract with the University of Huddersfield

Governance Requirements:

SHA Objectives supported by this paper:

Objective 19: Effective HQ

Risk Management:

Risk 19.1 – Supporting the effective functioning of the SHA.

Board Assurances:

The Board can be assured that by noting the use of the Authority's Seal and approving the Sealing of the above documents, the SHA has followed the correct governance and legal processes.

Risk Assessment:

There should be no residual risk to the SHA once the appropriate documentation has been signed.

Communication (including public and patient involvement):

Not applicable.

Resource Implications:

There are no resource implications outside existing budgetary provision.

Legal Implications:

Legal opinion has been sought throughout.

Equality and Diversity:

Not applicable.

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Authority to Seal Documents

Re: Legal Charges securing grants made by old Health Authorities

At its' meeting on 2nd December 2008, the Authority approved the transfer of a number of Legal Charges from the SHA to Hull tPCT. Since that approval, it has come to light that two further buildings need to be transferred and appropriately registered at the Land Registry.

Details are as follows:

1. Land and Buildings at Stroud Crescent East, Bransholme, Kingston Upon Hull and known as 180, 182 and 186 Stroud Crescent East, Bransholme, Kingston Upon Hull.
2. Land at Hermes Close, Kingston Upon Hull and known as 74 and 82 Hermes Close, Kingston Upon Hull HU9 4DR

Legal opinion has been sought and there should be no residual risk to the SHA once the transfer has taken place and the appropriate adjustments have been made via the Land Registry.

Action required:

In order to facilitate the transfer and allow the necessary registrations to take place, the Board is requested to approve the transfer of Legal Charges and agree to the sealing of the relevant legal documentation.

Karl Milner
Director of Communications and Public Relations
August 2009

Yorkshire and the Humber Strategic Health Authority

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Authority to Seal Documents

Re: Underlease relating to 4 rooms on the fifth floor of Don Valley House, Sheffield

The SHA was approached in July 2008 by members of the Condition Management Programme (CMP), who are part of Barnsley PCT asking if would be possible to lease rooms in Don Valley House (DVH) for their team.

Following several site visits, the CMP requested 4 rooms on the 5th floor. These rooms are self contained. The team have no requirement for data and telephone lines therefore there is no risk to the SHA's IT systems.

The CMP have been in occupation of the 4 rooms since February 2009 under a Licence to Occupy.

A formal underlease has been prepared by Hempsons Solicitors acting on behalf of the SHA and agreed by Oxley and Coward acting on behalf of Barnsley PCT.

Action required:

The Board is requested to agree to the lease of the 4 rooms at DVH and to the sealing of the relevant legal documentation.

**Karl Milner
Director of Communications and Public Relations
August 2009**

Yorkshire and the Humber Strategic Health Authority

8 September 2009

Authority to Seal Documents

Re: SHA Signature and Seal to Deed of Rectification, University of Huddersfield

It has come to the attention of the SHA that The University of Huddersfield is seeking to rectify an error in its original contract with the SHA where the business agreement should have been with the University of Huddersfield Enterprises Ltd.

The SHA's legal advisor on education contracts has scrutinised the document and has indicated that the contract should be signed and that by doing so, there are no risks posed to the SHA.

Action required:

Due to the timeframe involved, the Deed of Rectification has been executed under the seal and signed by the Chairman and Chief Executive. In order to complete the process, the Board is requested to note the sealing.

**Karl Milner
Director of Communications and Public Relations
August 2009**