

CABINET

17 MAY 2013

REPORT OF THE FINANCE AND ASSET MANAGEMENT PORTFOLIO HOLDER

A.11 RENEWAL OF LEASE, HOLLAND LIBRARY, ADJOINING HOLLAND PUBLIC HALL, FRINTON ROAD, HOLLAND ON SEA, ESSEX (Report prepared by David Hall)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek approval for the renewal of the existing lease to Essex County Council for a new 10 year term for continued use of the facility as a Library. The site is edged bold on the attached Appendix A.

EXECUTIVE SUMMARY

Essex County Council is currently holding over on the 21 year lease of the library which passed its contractual end date on 03 September 2012. Terms have been negotiated for a replacement ten year lease. Details are included in the report in Part B of this agenda.

RECOMMENDATION(S)

That Cabinet considers and proposes the renewal of the existing lease subject to the figures as set out in the Part B report later on this agenda.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Corporate Plan identifies the need to provide quality leisure facilities and to work in partnership with local organisations. The proposed action meets both targets.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

Detailed financial implications of renewing the lease will be set out in the report in Part B of this agenda.

Risk

There is little risk associated with the granting of the lease renewal as the tenant has been successfully operating the Library since the Lease commenced in 1998.

LEGAL

This action is within the discretionary powers of the Council. The existing lease continues

because of the provisions of Part II of the Landlord and Tenant Act 1954. The same legislation entitles the tenant to a new lease, unless specific conditions are met. None of the conditions are met in this case.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder/Equality and Diversity/Health Inequalities/Consultation/Public Engagement

Ward

St Bartholomews

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Essex County Council has been tenant of the building since the current lease commenced on 04 September 1998. During that time they have met the conditions of the lease.

CURRENT POSITION

The current lease passed its contractual end date on 03 September 2012. Since then the County Council have been holding over. Terms have been negotiated for a new ten year lease. Detail of the terms is considered in a report in part B of this agenda.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

Appendix A – plan indicating location of the Library.