

Key Decision Required:	No	In the Forward Plan:	Yes
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CABINET

9 MAY 2014

REPORT OF THE REGENERATION, INWARD INVESTMENT AND ASSET MANAGEMENT PORTFOLIO HOLDER

A.2 RENEWAL OF LEASE, BURRSVILLE PUBLIC HALL, BURRS ROAD, CLACTON (Report prepared by Aileen Middleton)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek approval for the renewal of the existing lease of the site of the Burrsville Public Hall. The site is shown edged red on the attached Appendix A.

EXECUTIVE SUMMARY

The Burrsville Residents' Association is holding over on a 21-year lease, which reached the end of its contractual term on 7 April 2008. The Association is seeking to renew the lease for a further 21-year term. The renewal of the lease is in line with existing terms and has been negotiated by the Council's agents, NPS.

RECOMMENDATION(S)

That Cabinet approves, in principle, the granting of a new 21-year lease.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

This proposal contributes to the following priorities:

- to promote healthy and active lifestyles
- to regenerate the district and improve deprived areas

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

Renewal of the lease will provide a small increase in rental income to the Council. Details of the terms of the lease are set out in the report in Part B of this agenda.

Risk

The Burrsville Residents' Association has been the tenant of this facility for the last 27 years. Officers therefore consider that there is little risk associated with the renewal of the lease.

LEGAL

Section 123(1) of the Local Government Act 1972 indicates that a local authority may dispose of land held by it in any way it wishes so long as (Section 123 (2)) the land is disposed for a consideration not less than the best that can reasonably be obtained.

The General Disposal Consent Order (England) 2003 gives consent for disposal at below best consideration reasonably obtainable provided that the undervalue is less than £2m and the proposal enhances the environmental economic and social well-being of the area.

Section 123(2A) of the Local Government Act 1972 indicates that a local authority may not dispose of land held by it without advertising its intention to do so in the local press.

In this case, the value negotiated by the agents is considered to be best consideration.

In coming to decisions in relation to management of assets, the Council must act in accordance with its statutory duties and responsibilities. Under case law, following Section 120 of Local Government Act 1972, the Council is obliged to ensure that the management of its assets are for the benefit of the district.

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

Crime and Disorder

Consideration has been given to the Crime and Disorder Act 1998. There are no direct implications.

Ward

Burrsville

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The Burrsville Residents' Association has been the tenant of the Burrsville Public Hall since 8 April 1987. During that time, the Association has used the building as a community hall, hiring it out for leisure activities and community use.

CURRENT POSITION

The Burrsville Residents' Association is currently holding over on a 21-year lease, which reached the end of its contractual term on 7 April 2008. The Burrsville Residents' Association is currently seeking to renew the lease so it can continue with its community work at this site.

FURTHER HEADINGS RELEVANT TO THE REPORT

None

BACKGROUND PAPERS FOR THE DECISION

None

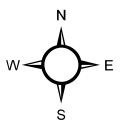
APPENDICES

Appendix A – Location Plan.

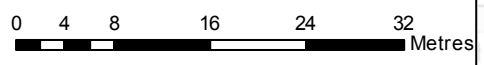
Legend



Date: 26/03/2014



Author:



Map Notes