

<b>Key Decision Required:</b>	<b>No</b>	<b>In the Forward Plan:</b>	<b>Yes</b>
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## CABINET

24 APRIL 2015

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

#### **A.6 NEW LEASE FOR LAND ADJACENT TO NAVIGATOR HOUSE, BARRACK LANE, HARWICH**

(Report prepared by Aileen Middleton)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To consider the principle to grant a new lease of a small piece of land adjacent to Navigator House, Barrack Lane, Harwich to the 4<sup>th</sup> Dovercourt Sea Scouts.

##### **EXECUTIVE SUMMARY**

The Council is the freehold owner of the land at Barack Lane, Harwich which surrounds and includes the site of the Sea Scouts headquarters, Navigator House.

The location is shown in the plan attached as Appendix A.

The Sea Scouts would like to construct a garage and compound, in which to keep their new minibus, on the land.

The land is not currently developed but it is not public open space

Potential terms for a proposed lease will be considered in part B of this agenda.

##### **RECOMMENDATIONS**

**That Cabinet authorises in principle the grant of a new lease of the land adjacent to Navigator House to the 4<sup>th</sup> Dovercourt Sea Scouts.**

#### **PART 2 – IMPLICATIONS OF THE DECISION**

##### **DELIVERING PRIORITIES**

The facilitation of this new lease will contribute to the activities of the Sea Scouts and therefore to the following Council priorities to:

- Promote healthy and active lifestyles
- Regenerate the District and improve deprived areas.
- Protect and enhance our environment, countryside and coast.

##### **FINANCE, OTHER RESOURCES AND RISK**

**Finance and other resources**

The grant of a lease will lead to the receipt of a small rental stream. The details of this are contained in the report in Part B of this agenda.

### **Risk**

If no lease were granted then the Sea Scouts would have nowhere to keep their minibus making it vulnerable to vandalism and theft. There is little risk to the Council in granting this lease. The rental is small and the Sea Scouts have not had any rental arrears.

### **LEGAL**

Section 123(1) 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 wellbeing of the area.

Section 123(2A) 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.

The proposed new lease area is small and adjoining the existing site. In this case the price is in line with the valuation and is considered to be best consideration reasonably obtainable. However, demonstrating that the Best Consideration Reasonably Obtainable is obtained usually requires open marketing. Therefore it is proposed that the Cabinet uses discretionary powers under the General Disposal Consent (England) Regulations 2003 to grant a new lease without openly marketing the piece of land.

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 Crime and Disorder, Equality and Diversity, Health Inequalities, Consultation/Public Engagement and Wards; and any significant issues are set out below.**

None

#### **Ward**

Harwich East

## **PART 3 – SUPPORTING INFORMATION**

### **BACKGROUND**

- The Sea Scouts have a lease on the land on which Navigator House in Barrack Lane, Harwich sits. This lease was granted some years ago and enabled the group to build the current building. A lease for the additional land is proposed which is co terminus with the original lease. Rent reviews patterns will also be matched for ease of administration.

- The additional land request has been made so that the Group can build a garage and surround this with a secure compound. This will enable their new minibus to be kept in a locked building. The Sea Scouts have already gained planning permission.
- A valuation was obtained for the yearly rental of the building.
- Officers consider that this transaction poses little risk and will marginally increase the rental income to the Council.

### **CURRENT POSITION**

The land in question is not currently in use and consists of a grassed area adjacent to Navigator House within the space between users of the Barrack Lane site including the Harwich and District Community Association and The Luney Club.

The rental level discussed in Part B of this Agenda offered by the Sea Scouts, is in line with the valuation obtained and is sustainable.

The garage and compound will be built by the Sea Scouts at their cost.

Planning permission has been granted.

### **FURTHER HEADINGS RELEVANT TO THE REPORT**

None

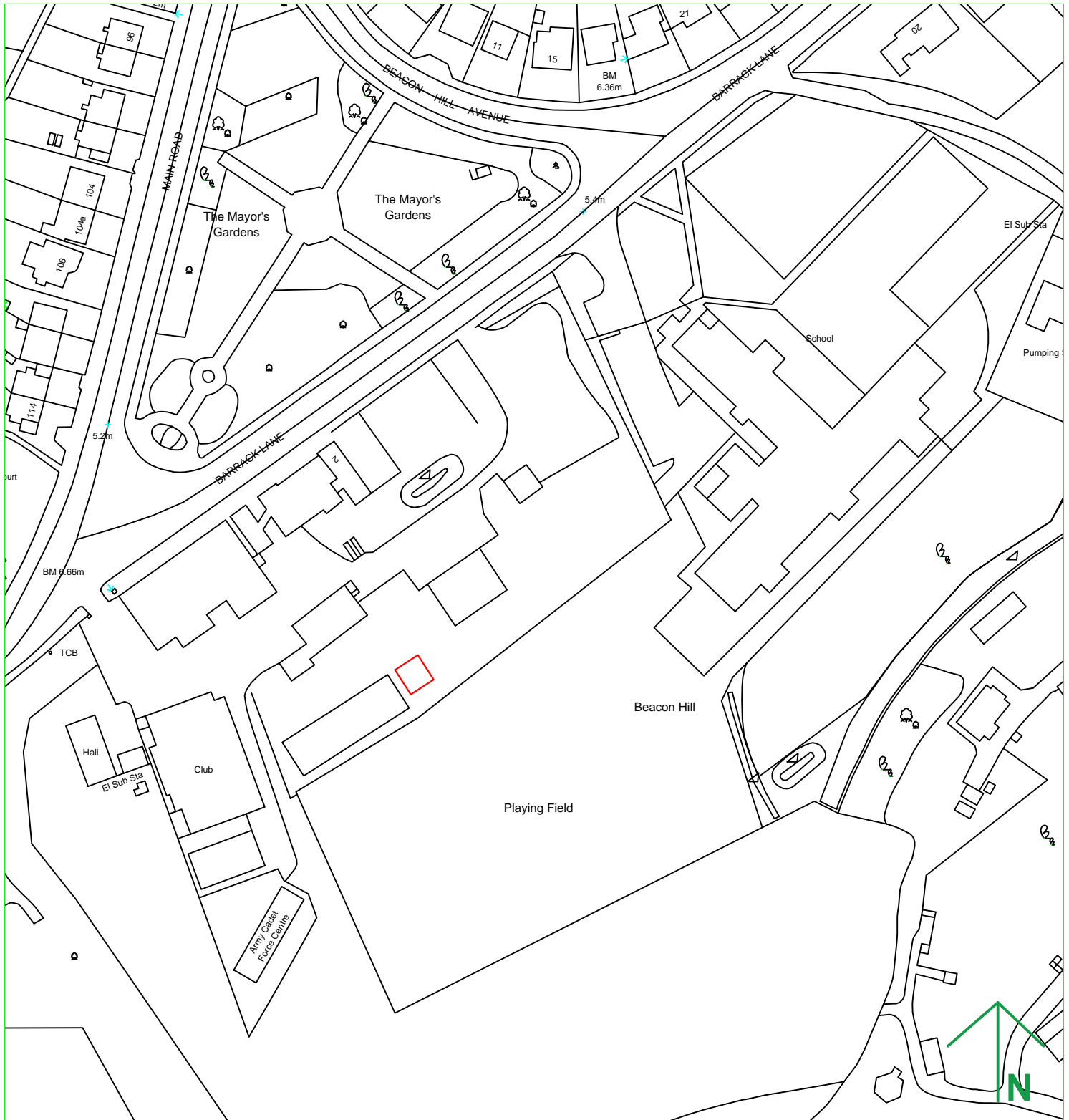
### **BACKGROUND PAPERS FOR THE DECISION**

None

### **APPENDICES**

- **Appendix A – Plan with the proposed lease area edged in red.**

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**TENDRING DISTRICT COUNCIL**

**M. KNAPPETT**  
BA(hons). DMS. MCIH.  
HEAD OF CORPORATE  
PERFORMANCE

**Title**

Land Adjacent to Navigator  
House, Barrack Lane, Harwich

**Date:** 25 February 2015

**Scale:** 1:1250

**Drawn By:** J. Weavers

**Drawing No. & Revision**

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