

<b>Key Decision Required:</b>	<b>No</b>	<b>In the Forward Plan:</b>	<b>Yes</b>
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## PORTFOLIO HOLDER FOR FINANCE AND CORPORATE RESOURCES

5 October 2020

- A. NEW LEASE IN RESPECT OF LAND AND BUILDING ON SWIMMING POOL ROAD, OFF WICK LANE, DOVERCOURT, CO12 3TA**  
(Report prepared by Jennie Wilkinson)

### PART 1 – KEY INFORMATION

#### PURPOSE OF THE REPORT

To seek approval for the granting of a new lease over land and property on Swimming Pool Road, off Wick Lane, Harwich CO12 3TA as shown edged red on the plan in Appendix A.

#### EXECUTIVE SUMMARY

The current tenants have rented the property for 30 years and are currently holding over on a lease that expired in 2011.

It is proposed to grant them a new 21 year lease and this report seeks approval for the principle of this.

#### RECOMMENDATIONS

**That the Portfolio Holder approves the principle of the granting of a new Lease over the land and property in Swimming Pool Road, Dovercourt**

### PART 2 – IMPLICATIONS OF THE DECISION

#### DELIVERING PRIORITIES

The new lease will contribute to the following Council priorities:

- Support improved community health
- Make the most of our assets

#### FINANCE, OTHER RESOURCES AND RISK

##### Finance and other resources

The granting of a new lease will continue to provide income to the council and retain the freehold of the asset.

**Risk**

The tenant is responsible for the full repair and maintenance of the land and property under the Lease and Officers will monitor the property and ensure that the conditions within the Lease are met.

**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.

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 / Area or Ward affected / Consultation/Public Engagement.

The local Ward Members have been advised of this Report and its recommendations.

**Ward**

Dovercourt All Saints

**PART 3 – SUPPORTING INFORMATION****BACKGROUND**

The current tenants have lease the property for 30 years as a club house and changing rooms, with outdoor patio space. The current lease expired in 2011 and the tenant would now like to renew the lease for a further 21 years.

**CURRENT POSITION**

Officers have negotiated Heads of Terms based on the Council's standard lease and those of the current lease, which have been agreed by the Tenant. Full details of these Heads of Terms are in the concurrent confidential Report.

**FURTHER HEADINGS RELEVANT TO THE REPORT**

None

**BACKGROUND PAPERS FOR THE DECISION**

None

**APPENDICES**

**Appendix A: Location Plan**