

Key Decision Required:	No	In the Forward Plan:	Yes
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4 August 2017

A.1 TERMS FOR A NEW LEASE TO THE GIRL GUIDES, FOR PREMISES IN BARRACK LANE, HARWICH

(Report prepared by Jennie Weavers)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To consider the principle of granting a new Lease of the premises in Barrack Lane, Harwich shown edged red on the Location Plan (Appendix A) to the Girl Guides

EXECUTIVE SUMMARY

The Girl Guides have leased this property from the Council for over 20 years. They are currently holding over on a lease which expired on the 24 April 2017.

In order for the Girl Guides to continue to use this site, it is proposed to grant them a new 21 year Lease in accordance with the Heads of Terms set out in the concurrent confidential report.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

A new lease to the Girl Guides will have the potential to deliver on the following Council priorities:

- Supporting engagement with the community
- Promoting healthier lifestyles and wellbeing

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The granting of a new lease will provide an increase in income to the council whilst retaining the freehold of the asset.

Risk

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

LEGAL

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.

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.

Terms for the proposed lease are set out in the concurrent confidential report.

OTHER IMPLICATIONS

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

Ward Harwich East

PART 3 – SUPPORTING INFORMATION

BACKGROUND

In 1996 a 21 year Lease was granted to the Girl Guides, renewing a previous lease they had had over the property. This Lease expired on the 24 April 2017 and the Girl Guides have been holding over since this date.

CURRENT POSITION

The Girl Guides would like to continue to use this site, and in order to do this would like to be granted a new 21 year Lease in accordance with the Heads of Terms set out in the concurrent confidential (Part B) report.

FURTHER HEADINGS RELEVANT TO THE REPORT

None

BACKGROUND PAPERS

None

APPENDICES

Appendix A – Location Plan