

<b>Key Decision Required:</b>	<b>No</b>	<b>In the Forward Plan:</b>	<b>Yes</b>
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# November 2017

**A.1 PRINCIPLE OF GRANTING A NEW LEASE TO ESSEX COUNTY COUNCIL, FOR HOLLAND LIBRARY IN FRINTON ROAD, HOLLAND ON SEA,**  
(Report prepared by Vidmante Minkeviciute)

**PART 1 – KEY INFORMATION**

**PURPOSE OF THE REPORT**

To consider the principle of granting a new Lease of the premises in Frinton Road, Holland on Sea, shown edged red on the Location Plan (Appendix A) to the Essex County Council

**EXECUTIVE SUMMARY**

Essex County Council has leased this property from the Council for many years. They have a lease which includes a break clause which has been exercised and therefore the lease ended on 03 September 2017.

Essex County Council has not yet reached a final decision on the future of the library. Therefore it has been provisionally agreed to grant them a new 3 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 Essex County Council will have the potential to deliver on the following Council priorities:

- Supporting engagement with the community
- Deliver a quality living environment
- Enable better job prospects
- Facilitate improved qualification and skills attainment

**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 repair and maintenance of the interior 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.

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

Library provision has a generally positive effect in social terms which may include health inequalities and equality and diversity.

#### **Ward**

St Bartholomews

### **PART 3 – SUPPORTING INFORMATION**

#### **BACKGROUND**

In 2012 a 10 year Lease was granted to the Essex County Council, renewing a previous lease they had had over the property. This Lease would have expired on the 3 September 2022. However on 24 February 2017 a break notice was served by tendering District Council to terminate the term of the lease on 3rd September 2017, in order for Essex County Council to explore the potential possibilities for this site.

#### **CURRENT POSITION**

Essex County Council would like to continue to use this site, while they make a decision for their long term future. In order to do this would like to be granted a new 3 year Lease in accordance with the Heads of Terms set out in the concurrent confidential report.

#### **BACKGROUND PAPERS**

None

#### **APPENDICES**

Appendix A – Location Plan