

SUBJECT	Extension of current lease for Sports Ground at Watchet Lane, Holmer Green
RELEVANT MEMBER	Councillor C Jones, Portfolio Holder for Environment
RESPONSIBLE OFFICER	Chris Marchant, Head of Environment
REPORT AUTHOR	Mike Broad michael.broad@chilternandsouthbucks.gov.uk
WARD/S AFFECTED	Holmer Green

1. Purpose of Report

To consider the extension of the current lease to Little Missenden Parish Council and the grant of a sub-lease from the Parish Council to Holmer Green Sports Association (HGSA).

RECOMMENDATIONS:

1. **To agree an extension of the current lease to Little Missenden Parish Council from its current expiry in 2041 for a further 25 years and authorise the Head of Environment to advertise the proposed extension as required under section 123 of the Local Government Act 1972.**
2. **To authorise the Head of Environment to consider and respond to any objections received as a result of the advertisement under section 123 and to agree the terms of the lease and any associated documents in consultation with the Portfolio holder.**
3. **To approve the grant of a sub-lease from the Little Missenden Parish Council (LMPC) to the Holmer Green Sports Association (HGSA) through to 2066.**

2. Executive Summary

Little Missenden Parish Council have a lease of the Sports Ground for 60 years from 1.1.1982. There is a sub-lease to the Holmer Green Sports Association for the same period. The LMPC and the HGSA have requested an extension of the current lease term.

3. Reasons for Recommendations

The buildings at the Sports Ground were constructed in the 1960's and are now in need of considerable refurbishment. The extension of the lease will enable the HGSA to attain Charitable Status and assist with grant funding applications to make extensive improvements to the facilities on site. The Sports Ground is within the Green Belt, so there is little opportunity for re-development. Because the land is amenity open space the Council is required to advertise the grant of any lease longer than 7 years and consider any objections received.

4. Content of Report

- 4.1. The current lease to the LMPC expires on 31.12.2041. To enable the HGSA to attain Charitable Status and to access funding streams the lessee and sub-lessee require a longer lease. Legal documentation will be required to enable an extension of the existing lease for a further 25 years. The current rent is the £2,002 per annum and the existing lease has rent reviews every 10 years, with the next review due on 1.1.2022.
- 4.2. The current lease is of the land only. Only the land is valued at a rent review.
- 4.3. It is proposed that there would be a rent review every 10 years with the next review on 1.1.2022.
- 4.4. The re-grant of the lease until 2066 will be contracted out of the security of tenure provisions in the Landlord and Tenant Act 1954.
- 4.5. The approval is sought for the grant of an extension of the sub-lease to the HGSA until 2066.

5. Consultation

Not Applicable

6. Options

- a.* The extension of the lease for allow the HGSA to seek Charitable Status and seek external funding for improvements.
- b.* Not agree an extension and continue with the current lease arrangements but that would preclude HGSA's sub-lease also being extended.

7. Corporate Implications

7.1 Legal – Under section 123 of the Local Government Act 1972 the Council is required to advertise a proposal to grant a long lease (over 7 years) of its amenity land in the local press for 2 consecutive weeks and consider any objections received before entering into the lease. It is not expected that a lease extension to the Parish Council would generate objections and therefore the recommendation is that consideration of any objections is delegated to the Head of Environment in consultation with the Portfolio holder. The proposal will require several legal documents to be agreed and entered into and the Council will incur some advertisement costs. These can be met within existing budgets. The Parish Council will be expected to meet their own legal costs.

8. Unitary Implications (if applicable)

- 8.1 All the Council's land ownerships, leases and licences will transfer to and vest in Buckinghamshire Council on 1 April. There will be a small sum required for legal costs which would fall to the new Council if the lease extension is not completed before 31 March 2020.
- 8.2 The granting of the lease is in line with improving the buildings within the public estate and the HGSA are looking to fund improvements in a community building

9. Links to Council Policy Objectives

1. The approval will enable a partner /tenant to deliver cost-effective improved service.
2. Which will help to promote safer and healthier local community.

Key objectives available here:

<http://www.chiltern.gov.uk/Aims-and-Objectives>

10. Next Steps

Agree the terms of lease extension with the LMPC and the HGSA. However, most of the main terms are already subject to agreement.

Background Papers:	Holmer Green Sports Association Development Programme
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