

Chiltern District Council

Cabinet Decision

Notice is given that the following decisions have been taken by Cabinet on Tuesday, 3 March 2020

7 **King George V House - Write off of outstanding amount owed by Bucks Learning Trust**

(a) DECISION:

Cabinet considered a report which detailed a sum of £34,947.53 owed to Chiltern District Council for rent and service charge from Bucks Learning Trust (BLT) entering liquidation on 28 March 2019.

RESOLVED

- 1. That the Council write off the outstanding debt of £34,947.53 owed by the Bucks Learning Trust.**
- 2. That the Estates Manager continue to pursue the liquidators for a small percentage payment of the outstanding debt.**

(b) REASON FOR DECISION:

There is no chance of a recovery of the outstanding amount of £34,947.53, as the BLT was put into liquidation with assets of £81,032.38 and debts of £887,163.42. Approval of the recommendation would also allow the possible recovery of a small payment from the liquidators.

(c) ALTERNATIVE OPTIONS CONSIDERED:

The only other option to a write off of the debt would have been to again seek payment from Buckinghamshire County Council (BCC) to whom the B.L.T. supplied a service. BCC have so far refused to make any further payments. In view of the impending creation of the new Buckinghamshire Council, it is not recommended to request a payment from BCC.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

8 **Extension of Current Lease - Chalfont St Peter Community Centre**

(a) DECISION:

Cabinet received a report in relation to the extension of the current lease held by the Chalfont Community Association from its expiry on 24 February 2025 for a further 99 years until 24 February 2124 including an option to extend the lease for a further 15 years until 24 February 2139. The Association wish to redevelop the community centre on the site (subject to grant of planning permission) and require an extension of their current lease term.

RESOLVED

- 1. That Chalfont Community Association's current lease be extended from its expiry on 24 February 2025 for a further 99 years until 24 February 2124 including an option to extend the lease for a further 15 years until 24 February 2139.**
- 2. That part of the Chalfont St Peter Parish Council's demise be surrendered and this land added to the Community Association's demise.**
- 3. That the Head of Environment be authorised to approve the terms of the legal agreements required to effect the lease extension with the Community Association and the surrender with the Parish Council in consultation with the Portfolio Holder and the Director of Resources.**
- 4. That the Head of Environment be authorised to publish any open space notice disposal notices pursuant to Section 123(2A) for two consecutive weeks. Should any objections be received for disposal of open space, the Head of Environment be authorised to consider any objections and decide whether to proceed with the open space disposal in consultation with the Portfolio Holder and Director of Resources.**

(b) REASON FOR DECISION:

The extension of the lease would enable access to funding streams for the construction/redevelopment of the site. The longer period will enable the tenant to discount the capital cost of the build over the period of the lease. The inclusion of the parcel of land currently in the tenancy of Chalfont St Peter Parish Council would provide an improved layout.

(c) ALTERNATIVE OPTIONS CONSIDERED:

To choose not to extend the lease which would result in the association being unable to seek external funding for the proposed redevelopment.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

Councillor J Rush declared a personal interest due to his role as Director of the Chalfont St Peter Community Centre. Councillor I Darby declared a personal interest due to her role as a Chalfont St Peter Parish Councillor.

9 **Lease to Ashley Green and District Community Association of the Old School**

(a) DECISION:

Cabinet considered a report on the granting of a lease of the Old School at Ashley Green to the Ashley Green and District Community Association to be co-terminus with the lease of the adjacent Memorial Hall to the Community Association.

RESOLVED

- 1. That a lease of the Old School at Ashley Green be granted to the Ashley Green and District Community Association to be co-terminus with the lease of the adjacent Memorial Hall to the Community Association.**
- 2. That the Head of Environment be authorised to agree the terms of the lease and any associated documents in consultation with the Portfolio Holder and the Director of Resources.**

(b) REASON FOR DECISION:

The granting of the lease would secure the old school as a community centre and allow the association to apply for outside funding for the running and upkeep of the building.

(c) ALTERNATIVE OPTIONS CONSIDERED:

The occupation by the community association requires formalising and granting a long lease will enable the organisation to request external funding for the upkeep of the centre. Alternatively, the Council could offer a short lease (less than seven years) which would not be compulsorily registrable at the Land Registry. This would enable the Council's application to register the land to be completed and any requisitions on title or ownership challenges to be dealt with. This could however make it more difficult for the community association to obtain funding for upkeep of the building.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

10 **Extension of current lease for Sports Ground at Watchet Lane, Holmer Green**

(a) DECISION:

Cabinet received a report which considered 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).

RESOLVED

- 1. That the extension of the current lease to Little Missenden Parish Council be agreed from its current expiry in 2041 for a further 25 years and the Head of Environment be authorised to advertise the proposed extension as required under section 123 of the Local Government Act 1972.**
- 2. That the Head of Environment be authorised 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. That the grant of a sub-lease from Little Missenden Parish Council to the Holmer Green Sports Association through to 2066 be approved.**

(b) REASON FOR DECISION:

The buildings at the Sports Ground were constructed in the 1960's and require considerable refurbishment. The extension of the lease would 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 lay 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.

(c) ALTERNATIVE OPTIONS CONSIDERED:

To not agree to an extension and continue with the current lease arrangements, however this would preclude HGSA's sub-lease also being extended.

(d) CONFLICTS OF INTERESTS/DISPENSATIONS:

None

Date Published:	20 March 2020	Call in Deadline: (Midnight on)	27 March 2020
Date to be implemented: 30 March 2020			
*recommendations to Full Council are not subject the call in procedure			