

Melksham Area Board

Date 6 February 2013

Grant of Lease

Melksham Adventure Centre

Executive Summary

This report deals with an application for the grant of a new lease to Melksham Adventure Centre. Whilst not directly related, the report makes reference to Wiltshire Council's Community Asset Transfer Policy.

Proposal

The Area Board is asked to consider an application submitted by Melksham Adventure Centre for a renewed lease at a peppercorn rent.

Reasons For Proposal

In other circumstances a proposal supporting and implementing Wiltshire Council's Community Asset Transfer Policy would be made.

Recommendation

To approve a new lease for a term of 15 years at a peppercorn subject to the matters referred to in paragraph 10 of the report.

Donal Casey
Senior surveyor

Melksham Area Board

Date 6 February 2013

**GRANT OF NEW LEASE – CONSIDERATION OF COMMUNITY ASSET
TRANSFER POLICY**

Melksham Adventure Centre

Purpose of Report

1. The Area Board is asked to consider an application submitted by Melksham Adventure Centre located at King Georges Fields Melksham for a renewed lease of land (see plan attached at Appendix 1). To consider other users of the King Georges Fields and applications that may come forward in due course.

Background

2. Wiltshire Council is supporting the principle of the transfer of community assets in order to empower and strengthen local communities. The Council believes that transferring appropriate public assets to communities leads to more responsive services that better meet local people's priorities.
3. Transfer of an asset can also provide the opportunity to lever more resources into a community and provide a more accessible and responsive base from which to deliver local services.
4. A community group or organisation can benefit from greater financial stability and build confidence through having ownership (or long term security through a lease) of a physical asset. This financial sustainability can help the organisation become less dependent on grants, provide security for further borrowing and opportunities for further growth.
5. Typically, organisations that would be considered appropriate are Voluntary and Community Groups/Associations, Town or Parish Councils, Trusts or Charities, or Social Enterprise Groups.

The application before the Area Board

- 6 The King Georges Field Melksham is held on Trust by Wiltshire Council and several leases have been granted.(Appendix2) Under the Trust the Council is meant to obtain best consideration for any dispositions. However, as the Council subsidises the service any receipts from users would simply go towards reducing the Councils maintenance liability for the Fields.

- 7 In law the Council has to offer a renewed lease of up to 15 years to the Adventure Centre.
- 8 Otherwise the proposal meets the requirements for consideration by the Area Board. The Community Area Manager has consulted with Strategic Property Services, who have undertaken appropriate consultation with service departments across the Council. Consultation has been undertaken with members of the board. As this is a lease renewal public consultation has not taken place with simply the question as to rent being put before the board.

The views of Council officers

- 10 On behalf of the Council, Strategic Property Services (who have overall responsibility for the Council's estates and property) has provided the following observations to the Area Board.
 - 10.1 The Adventure Centre property was leased to Melksham Adventure Centre for years from 1 November 1976 which expired 31 October 2011. They hold over on the existing terms and conditions and enjoy a protected tenancy.
 - 10.2 As in other circumstances the Council would be minded to consider favourably an application for a community asset transfer of this site. It is considered by officers that to charge a rent would be against the spirit of the Community Asset Transfer policy – that as near as reasonably possible the policy should apply.
 - 10.3 The properties are not to be transferred on the standard basis. Rather a lease for 15 years is to be granted at a peppercorn rent.
 - 10.4 The Adventure Centre hold the property under a full repairing lease and will bear the cost of putting and keeping the Adventure Centre in repair and carry on with its maintenance and improvement. Therefore, financial implications will be the loss of rent towards the maintenance of the King Georges Fields generally to the Councils maintenance budget.
 - 10.5 The Guides and Scouts buildings are considered to have similar issues attached and whereas the users have not been approached it would seem sensible to deal with these in the similar manner in due course.
 - 10.6 Other users of the site are not considered to be in the same light as these primarily youth groups and should be dealt with on their own merits in the fullness of time.
 - 10.7 The Adventure Centre sub-lets the property to users. As well as accounts held by the Adventure Centre, it would seem prudent to take accounts for these users of the centre to ensure that a supernormal profit is not being taken and that the benefit of the peppercorn rent goes to the young

people who are accessing the service and for whom this recommendation is being made.

- 10.8 If the members do not wish to grant a peppercorn for the whole period the renewed lease could reasonably incorporate rent reviews at 5 yearly intervals to revisit the question.

Recommendation

To approve a new lease at a peppercorn rent for a term of 15 years without review.

Donal Casey
Senior Surveyor

Appendix 1 Plan
Appendix 2 Schedule of Leases

- a Melksham Adventure Centre 35 years. Expires 31/10/2011
 - b Melksham Guides 21 years. Expires 24/12/2005
 - c Melksham Scouts. Expires 24/12/2005
 - d Melksham Riverside Club 99 years. Expires 17/6/2068
 - e Melksham Cricket Club TBC
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