

To:	Cllr Robin Betts, Cabinet Member for Climate Change, Regeneration & Property
From:	Stuart Edwards, Head of Administrative and Property Services
Director:	Adrian Stanfield, Director of Central Services

BRIEFING NOTE: EXECUTIVE - NON-KEY DECISION

SURRENDER OF LEASE OF IGHTHAM VILLAGE HALL CAR PARK

Summary of Issue: TMBC currently operates the Ightham Village Hall car park under a lease from the Parish Council, which is due to expire in 2025. There is no desire to renew the lease and an opportunity has presented itself which would allow the Council to surrender the lease now.

Recommendation: To surrender the lease on the car park with immediate effect.

1 Background

The current lease of the car park was entered into in May 2004 for a term of 21 years (expiring in May 2025) for a peppercorn rent and obliges TMBC to operate the land as a car park, being responsible for all costs of operation and maintenance.

TMBC were approached by Ightham Parish Council's (the Landlord) solicitor in relation to a new electrical substation that UK Power Networks need to install on part of the land TMBC leases. The Parish Council's solicitor has suggested that TMBC simply surrender our lease early.

2 Main Terms

Surrender the lease of the car park, to allow the works to be undertaken and parking control be passed back to the parish council

3 Legal Advice

The matters set out in this briefing note are considered routine or uncontroversial. The Council's Locum Property Solicitor has been consulted on the documentation required and will be instructed to draft the necessary documentation.

4 Financial and Value for Money implications

No income is generated from the car park and therefore represents a cost in its operation. By surrendering the lease, TMBC will be able to save those costs.

5 Risk Assessment

By surrendering the lease TMBC will no longer have any control over this land, although, in reality, due to the lease covenants there was little TMBC could do with the land in any case.

6 Public Sector Equality Duty

We do not consider there to be any equality related issues in this matter.

7 Consideration by Overview and Scrutiny

We do not consider that this matter needs to be considered by O&S/ SSC before a decision is made.

8 Communications

The Cabinet Members for Climate Change, Regeneration & Property and Transformation & Infrastructure have been consulted and agree with the proposed way forward.

9 Conclusion

We recommend the lease be surrendered in order for UKPN to undertake the work required.

10 Annexes

None.