

To:	Cllr Robin Betts – Cabinet Member for Housing, Environment and Economy
From:	Stuart Edwards – Head of Administrative & Property Services
Director:	Adrian Stanfield – Director of Central Services

BRIEFING NOTE: EXECUTIVE - NON-KEY DECISION

LEASE OF LAND TO TONBRIDGE MODEL ENGINEERING SOCIETY

Summary of Issue: The Tonbridge Model Engineering Society have occupied their current site for decades and both parties agreed a modern agreement should be entered into to reflect the current arrangements.

Recommendation: To grant a new lease of the land at The Slade to the Tonbridge Model Engineering Society.

1 Background

The Tonbridge Model Engineering Society (TMES) have occupied the current site at The Slade in Tonbridge for a number of decades. The current agreement dates from the 1950s and both parties agreed it was time to enter into a more modern agreement which reflects the current arrangements.

2 Proposal

Both parties have been discussing the proposed terms for the new agreement and have agreed the following, subject to Member approval:

Term – 25 years less 1 day

Rent - £1 per annum

Use – For the pursuance of model engineering activities and to operate a miniature railway, as a non-profit making cooperative

Area to be leased – As shown at Annex A

Tenant responsibilities – To maintain the land including any structures thereon and insure

Assignment – No ability for Tenant to assign the lease

Landlord and Tenant Act 1954 – Lease to be ‘contracted out’

3 Legal Advice

The matters set out in this briefing note are considered routine or uncontroversial and a legal opinion has not been sought.

If approved, Legal Services will be instructed to draft and complete the lease documentation, to ensure all relevant terms are included.

The site has previously been registered as an Asset of Community Value (ACV). By keeping the term below 25 years it means the disposal procedures associated with the ACV are not engaged.

4 Financial and Value for Money implications

Being that the site is already the subject of a land use agreement, the Council is supportive of the use and the site has to be operated as a non-profit making cooperative, a £1 annual rent is felt appropriate

Each party will bear their own costs in completing the agreement.

5 Risk Assessment

If a new agreement were not entered into, with modern terms and which reflects the current arrangements, confusion may arise when trying to apply out of date terms.

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

Local Members have been consulted and are in agreement with the proposed way forward.

9 Conclusion

We recommend granting the new lease to the Tonbridge Model Engineering Society.

10 Annexes

Annex A – Lease Plan