Ettington Parish Council

Report to Council

Date: 11 July 2018

|  |  |
| --- | --- |
| Item 13 | Lease WK348245 |

1. **Background**

In 2017 the Clerk sought advice from the National Association of Local Councils in respect of various matters with regard to Lease WK348245 (Appendix 1 to this report) between Ettington Parish Council and the Trustees of the Community Centre. Their response is at Appendix 2).

The Community Centre Management Committee have recently agreed to a Youth Shelter being sited on land included in the lease.

1. **To Consider**
2. The NALC Solicitor highlights a particular anomaly in that the Council is both the landlord and tenant which is clearly not what was intended when the lease was drawn up;
3. The Trustees as named in the lease is out of date;
4. Should the land on which the Youth Shelter has been sited be transferred back to Ettington Parish Council or a clause included in the lease to reflect that permission has been granted.
5. There is no specific requirement in in the lease for the tenant to maintain the exterior of the building (Clause 4.20 makes specific reference to the interior window frames)
6. Clause 4.21 makes reference to ‘the garden’ being maintained by the tenant. It is the Clerk’s understanding that it maintains the green area leased to the Tenant.
7. Clause 6.8 appears to suggest that the Landlord can claim back the cost of mowing of the retained land (that not leased to the Tenant.
8. **Recommendation**

The Clerk recommends that:

1 To seek legal advice on the queries raised and to identify any other anomalies.

2 Cllr Hughes, as current Parish Council Trustee liaise with the Trustees and the Community Centre Management Team (together with the Clerk if thought appropriate/necessary) to highlight the anomalies