



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Officer Delegated Decision

24th May 2024

Richard Wyles - Deputy Chief
Executive & S151 Officer



Surrender of Existing and Grant of New Lease for Deepings Community Centre, 2 Douglas Road, Market Deeping, PE6 8PA.

To give approval to accepting a surrender of the existing lease to Deeping Community Trust Ltd and the regrant of a new 25-year lease from a date to be agreed.

Contact

Gareth Dawkins - Corporate Property Services



Decision made by:	Richard Wyles (Deputy Chief Executive & S.151 Officer)
Decision:	To grant approval to for accepting a surrender of the existing and the granting of a new lease for the Deeping Community Centre, 2 Douglas Road, Market Deeping, PE6 8PA.
Public or Exempt:	This report is not exempt from publication; however, Appendices 1 and is exempt from publication
Reasons for exemption:	The public interest in maintaining the exemption in Appendix 1 outweighs the public interest in disclosing the information because it contains financial information relating to confidential negotiations with a third party and the Council must be able to undertake such negotiations without thereby putting confidential items in the public domain if it is to maintain the confidence of third parties in undertaking dealings with the Council
Conflicts of interest:	No
Policy compliant:	Yes

Details of delegation:

Part 3C 26(g) of the Constitution (November 2023) Part 3 26(g) of the Constitution delegates the Chief Executive, Deputy Chief Executive, relevant Director and any other officers they authorise in writing as being appropriately qualified and trained to arrange lettings (in excess of seven years) of land and property not immediately required for other purposes at rent/license fees fixed by the Section 151 Officer, providing that the total cost of the lease in its entirety does not exceed £100,000

1. Implications

Finance

1.1 There are no financial implications arising from this report.

Completed by: Richard Wyles, Deputy Chief Executive and s151 Officer

Legal and Governance

1.2 The Council's power to dispose of land is set out under Section 123 of the Local Government Act 1972. Under Section 123 of the Local Government Act 1972, the Council may not dispose of land otherwise than for the best consideration reasonably obtainable except with the consent of the Secretary of State. The Council will not be receiving best consideration for the disposal. However, the Secretary of State has issued a general consent under Section 123 which applies where:

- (a) the authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects in respect of the whole or any part of its area, or all or any of the persons resident or present in its area:
 - the promotion or improvement of economic well-being
 - the promotion or improvement of social well-being
 - the promotion or improvement of environmental well-being; and
- (b) the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000.

The Deputy Chief Executive & Chief Finance Officer should therefore be satisfied, for the reasons set out in this report, that the disposal will contribute to the achievement of one or more of the above objectives.

Legal Implications reviewed by: Mandy Braithwaite, Legal Executive

2. The Purpose of the Report

- 2.1 To seek approval to accepting a surrender of the current lease of the Deeping Community Centre, Market Deeping and the simultaneous grant of a new lease. As Detailed in the attached ***Exempt Appendix One – Heads of Terms***

3. Available Options Considered

- 3.1 Option 1) To proceed with the new lease as detailed in the attached ***Exempt Appendix One – Heads of Terms***
- 3.2 Option 2) To leave the current lease in place for the remainder of its term.

4. Preferred Option

- 4.1 Option 1) To proceed with the surrender and regrant as detailed in ***Exempt Appendix One.***

5. Reasons for the Decision

- 5.1 The Deeping Community Trust Ltd's lease is due to expire on 1st October 2025.
- 5.2 The Community Trust are keen to have in place a long-term lease in place, to provide the confidence to continue investing in the Centre and to apply for any potential grant aid that may be available. Club are keen to carry out physical improvements to make improvements to the building. In order to apply for grant funding, the Trustees need to show that they have a legal interest in the building of at least twenty years, plus the time in which to make any such applications.
- 5.3 The Council is similarly keen to agree a new basis for the management of the Centre including the area previously occupied by SKDC, which is now included the Trust's demise. In order to support the Club's future ambitions, terms have been agreed at Exempt Appendix One, to take a surrender of the existing lease, together with the simultaneous grant of a new longer lease.
- 5.4 The Council has agreed to replace the existing boiler, which will once installed will be maintained going forward by the tenant.

6. Consultation

- 6.1 No formal public consultation is required.

7. Appendices

7.1 List any Appendices.

7.1.1 **Exempt Appendix One – Heads of Terms**

Signed by: **Richard Wyles**

Dated: **6 June 2024**