SKATEPARK LEASE

TOWN COUNCIL MEETING	REPORT 48/15	18 MAY 2015

The purpose of this paper is to provide Members with a summary of the discussions of the Public Buildings Working Group, following the April Town Council Meeting, as the basis for a response to the request from both the Isle of Wight Council and the Skatepark Committee for the Town Council to take on a lease for the facility.

NO.	DETAIL

1) BACKGROUND

a) Minute 57/15 of the Town Council Meeting of 13 April committed the Town Council to take on the lease for the land occupied by the Skatepark subject to the support of the Public Buildings Working Group.

b) The matter was discussed at the Group's meeting of 21 April and while the value of the facility and the situation of the signatories to the current Licence from the Isle of Wight Council under which it operates were recognised, such were the concerns about liability of insurance, management arrangements and health and safety issues that the Clerk was asked to take legal advice.

c) The matter was referred to Glanvilles, the Town Councillors Solicitors, on 22 April and a response received the same day:

> *as the tenant of the land VTC [would] be responsible for all activities undertaken from the skate park. The lease will also emphasise this point. You will need to put in place the usual public liability insurances to protect VTC in the event of a claim. In addition you will need to actively manage the site in terms of Health & Safety, making sure the equipment is in a safe and usable condition etc. You cannot limit your liability for any claims in these circumstances.*

2) PUBLIC BUILDINGS WORKING GROUP ADVICE

The Public Buildings Working Group's advice is that the Town Council should not take on a lease for the facility at this time while asking its staff to give every possible assistance to the current Committee to arrive at the point where it would be possible to do so.

3) RECOMMENDATION

The Town Council is recommended to accept the advice of its Public Buildings Working Group.