



VENTNOR CENTRAL LEASE

TOWN COUNCIL MEETING

REPORT 60/15

13 JULY 2015

The purpose of this paper is to ask Members to consider revised Heads of Terms from the Isle of Wight Council for a proposed lease of Ventnor Central to the Town Council.

No. DETAIL

1) BACKGROUND

- a) Members considered the initial request to move from a Tenancy at Will basis for the Town Council's management of Ventnor Central to a Lease in the form of draft Heads of Terms at their meeting of 18 May.
 - b) The decision at that time is recorded in Minute 68/15 as:
to advise the Isle of Wight Council that the Town Council cannot enter into discussion of the draft Heads of Terms until greater clarity is available on the future uses of the building and the available contribution to the essential capital programme for it.
 - c) This was shared with the Isle of Wight Council's Agent for this matter, Jason Doughty of Doughty Newnham Ltd, and after discussion with their client the response on 22 June indicated that the Tenancy at Will arrangement *poses an unacceptable level of risk for them as they do not have any control over what happens in the building.*
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2) REVISED HEADS OF TERMS

- a) The response acknowledged the Town Council's concerns about becoming responsible for the building's poor maintenance condition and supplied a revised version of the Heads of Terms to take account of those concerns.
 - b) In particular the new document, attached to this Report, specifically excludes any requirement to return the building in any better condition than its current state and the accompanying email highlights the one month break clause in the Town Council's favour within a lease lasting to 31 March 2017.
 - c) On this basis the Town Council is asked to reconsider the request to move to a Lease based on the revised Heads of Terms.
 - d) The matter was considered in detail by the Town Council's Public Buildings Working Group at its meeting of 25 June.
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3) RECOMMENDATION

The Public Buildings Working Group recommends that the Town Council agree the attached Heads of Terms as the basis for its lease of Ventnor Central from the Isle of Wight Council until 31 March 2017.

Heads of Terms: Former Youth Centre, Ventnor
(Subject to Contract & Formal Council Approval)

Lessor:	Isle of Wight Council, County Hall, High Street, Newport, Isle of Wight, PO30 1UD.
Lessee:	Ventnor Town Council 1 Salisbury Gardens Dudley Road Ventnor Isle of Wight PO38 1EJ
Contact	David Bartlett (Town Clerk) Email: townclerk@ventnortc.org Tel: 01983 857840
Address and Description of Property:	Former Youth Centre Victoria Street Ventnor Isle of Wight PO38 1ET.
Term:	The lease is to be for a term until 31st March 2017.
Rent:	The Rent will be £1 per annum if demanded.
Repairs:	Tenant will not be required to return property in any better than at lease commencement - to be recorded by a photographic schedule of condition agreed by both parties.
Alterations:	Not permitted without Lessors prior written consent.
Insurance:	The Lessee to reimburse the Lessor for the cost of insuring the premises.
Permitted Use:	The Permitted Use will be as a centre for youth and community facilities only.
Health & Safety:	The Lessee will be responsible for all health & safety matters relating to the use of the Property.

Other:	The Lease will be outside the protection of the Landlord & Tenant Act 1954 Part II.
Break Option:	Lessee to have the ability to break the lease at any point during the term subject to one month's prior written notice.
Assignment / Subletting:	The Lessee will not be permitted to assign or sublet the whole or part of the property. However, the Lessee will be permitted to hire out the building in part, subject to all statutory requirements being satisfied.
Utilities:	All costs to be Lessees responsibility.
Parking:	N/A
Costs:	Each party will be responsible for its own costs incurred in this transaction.

Signed:

Print Name:

Date:

Lessees Solicitors Details (If Applicable):

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