



VENTNOR COMMUNITY ORCHARD LICENCE

FULL COUNCIL MEETING

REPORT 05/26

9 FEBRUARY 2026

The purpose of this Report is to ask Members to approve the Heads of Terms for a Licence on the area used for the Ventnor Community Orchard.

No. DETAILS

1) BACKGROUND

- a) Ventnor Town Council established a community orchard on some disused land on Steephill Down Road owned by the Isle of Wight Council.
 - b) The trees were planted on 30 January 2025, under an informal agreement with the Isle of Wight Council whilst awaiting a formal licence.
 - c) The IWC has now issued VTC with Heads of Terms for that Licence, which is attached for Members' consideration.
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2) LICENCE TERMS

- a) Under the proposed 6-year Licence, Ventnor Town Council will be responsible for all outgoings and running costs relating to the property, and responsible for all repair and maintenance of the existing structures, grounds, boundaries and other facilities constructed upon the premises – and to keep these in good and substantial repair and condition.
 - b) The terms would allow Ventnor Town Council to vacate the property in the future, by giving one month's notice.
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3) CONSIDERATION

- a) The terms of the proposed Licence are simple, but it may be worth seeking clarity to ensure that Ventnor Town Council should not become responsible for any existing trees on the site (i.e. any not planted by VTC and its volunteers).
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4) RECOMMENDATION

Members are recommended to:

Approve the Heads of Terms of the Licence for the Community Orchard site, subject to satisfactory agreement regarding the consideration mentioned above

Heads of Terms (Subject to Contract)

Ventnor Town Council – Licence for Community Orchard, Ventnor

Licensor:	Isle of Wight Council
Licensor Contact Details:	County Hall, High Street, Newport, Isle of Wight PO30 1UD Email: propertyservices@iow.gov.uk Tel: 01983 821000
Licensee:	Ventnor Town Council
Licensee Contact Details:	Morgan Williams, Joint acting Town Clerk & RFO (with Alison Killick) 1 Salisbury Gardens, Dudley Road, Ventnor, Isle of Wight PO38 1EJ Email: townclerk@ventnortowncouncil.org.uk Tel: 01983 857840
Address and Description of Property:	Area of land known as Community Orchard, Steephill Down, Lowtherville, Ventnor, Isle of Wight, shown edged red on the plan attached.
	Is the Property currently vacant? No
Buildings:	Land and buildings or land only? Land Only
Any appointed solicitor?	TBC
Date of Commencement:	1 April 2025
Term:	The licence is to be for a term of SIX (6) years to commence from 1 April 2025.
Annual Rent:	A rent of £1 per annum will be payable, if demanded.
VAT:	VAT is chargeable on the rent No
Rent Payment Dates:	1 st April in each year
Other Payments:	Insurance charges No Service charges payable No Utilities No
Rent Reviews:	There will be no rent review.
Outgoings:	The Licensee will be responsible for all outgoing and running costs relating to the property (including business rates, water rates, electricity, gas, etc).
Repairs:	The Licensee will be responsible for all repair and maintenance of the existing structures, grounds, boundaries and other facilities constructed upon the demised premises and for keeping these in good and substantial repair and condition.
Decorations	The Lessee will be responsible for keeping any buildings erected or to be erected in good decorative order.
Alterations:	The Licensee shall not make any external or structural alteration or addition to the property without the consent of the Licensor, such consent not to be unreasonably withheld The Licensee shall not make any internal, non-structural alteration to the property without the consent of the Licensor, such consent not to be

unreasonably withheld.

Where applicable the Licensee must comply with all Planning & Building Regulations and provide evidence to the Licensor that it is compliant.

Insurances:

The Licensee will be responsible for all insurances relating to the Property and also for ensuring there is third party liability insurance cover in force throughout the Term to the Licensor's reasonable satisfaction for a minimum sum of Ten Million Pounds Sterling (£10,000,000).

Permitted Use:

The Permitted use of the grounds and premises is for the purpose of a community orchard.

The use of the land and access is as defined on the plan provided. The upkeep of the access is the responsibility of the Licensee.

Rights to be granted:

For the avoidance of doubt, this agreement does not grant exclusive possession. Stee
None required.

Alienation:

The Licensee shall not be permitted to share occupation, assign or sublet the Property in whole or in part, subject to Licensor's consent.

Charging:

The Licensee is allowed to charge the property without consent. No.

Health & Safety:

The Licensee will be responsible for all health & safety matters relating to the use of the Property.

Break Options:

Licensee may break on giving not less than one months notice.

Licensor to break if the Property is required for redevelopment or other purpose on giving one month's notice

Landlord & Tenant Act Part II

N/A

Legal Fees

N/A

Other:

The grant of the Licence will be subject to receipt of and consideration of any objections to the proposed disposal, which may be made in accordance with section 123 of the Local Government Act 1972.

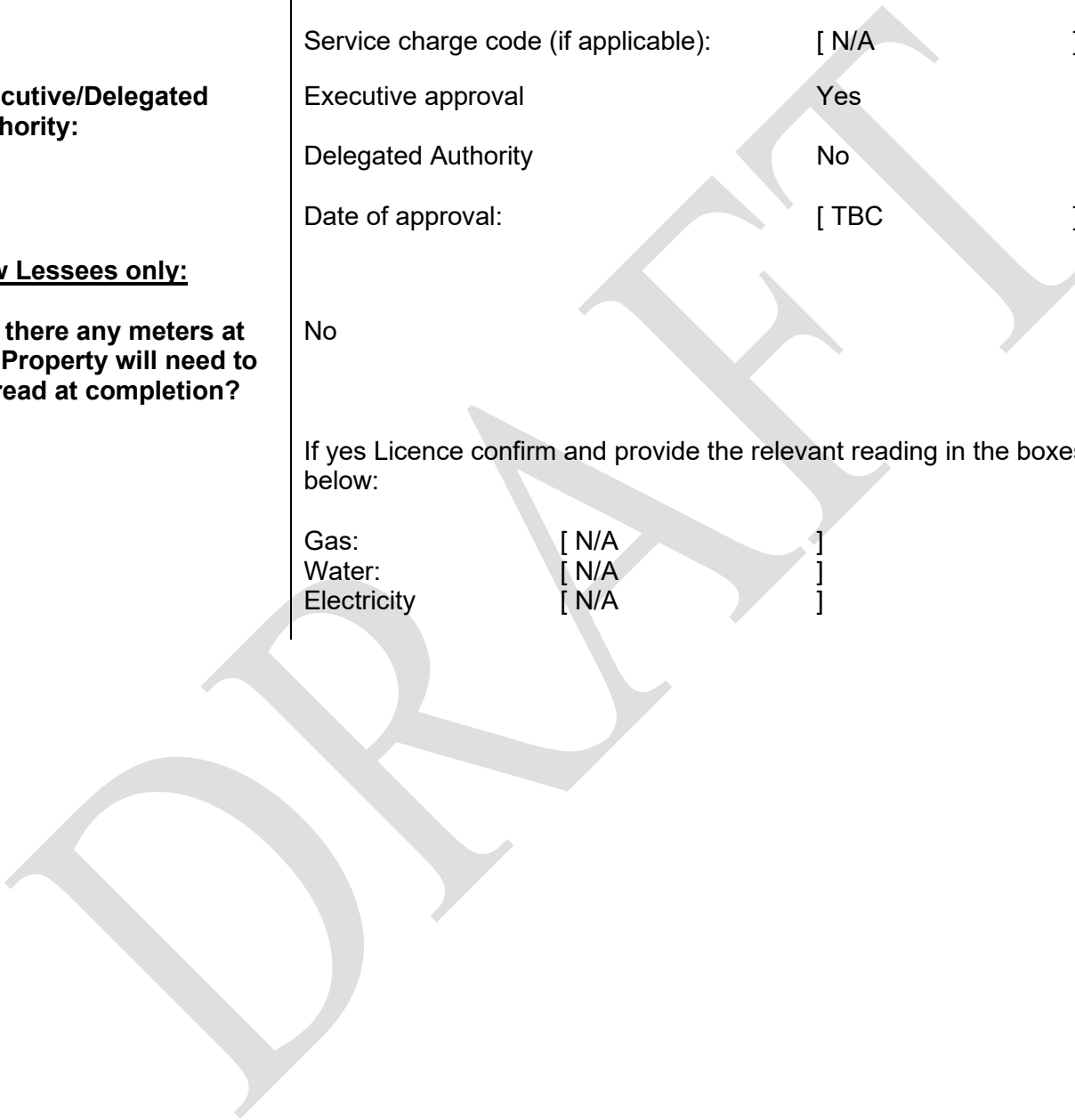
Signed.....

Print Name:.....

Date:.....

Other information required by Legal Services

TF Lettable Unit:	[New Unit]
Budget Codes:	Rent Code: [No rent applicable]
	Debtor number as existing: [N/A]
	Contract number as existing: [N/A]
	Insurance code (if recharged): [N/A]
	Please confirm if Tenant is to insure Property: PL Cover Only
	Service charge code (if applicable): [N/A]
Executive/Delegated Authority:	Executive approval Yes
	Delegated Authority No
	Date of approval: [TBC]
<u>New Lessees only:</u>	
Are there any meters at the Property will need to be read at completion?	No
	If yes Licence confirm and provide the relevant reading in the boxes below:
	Gas: [N/A]
	Water: [N/A]
	Electricity [N/A]



Community Orchard Plan, Steephill Down Road, Lowtherville, Ventnor

[Scale 1:1250 @ A4]

