

Please ask for:

Lisa Young

Direct dial:

(023) 9254 5340

Fax:

(023) 9254 5587

E-mail:

Lisa.young@gosport.gov.uk

24 June 2014

S U M M O N S

MEETING: Economic Development Board
DATE: 2 July 2014
TIME: 6.00pm
PLACE: Committee Room 1, Town Hall, Gosport
Democratic Services contact: Lisa Young

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

The Mayor (Councillor Ronayne) (ex officio)
Chairman of the Policy and Organisation Board (Councillor Hook) (ex officio)

Councillor Philpott (Chairman)
Councillor Beavis (Vice Chairman)

Councillor Ms Ballard	Councillor Hylands
Councillor Edgar	Councillor Langdon
Councillor Mrs Forder	Councillor Mrs Searle
Councillor Geddes	Councillor Mrs Wright

FIRE PRECAUTIONS

(To be read from the Chair if members of the public are present)

In the event of the fire alarm sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Councillors are requested to note that, if any Councillor who is not a Member of the Board wishes to speak at the Board meeting, then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off for the duration of the meeting.

AGENDA

1. APOLOGIES FOR NON-ATTENDANCE
2. DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter, any personal or personal and prejudicial interest in any item(s) being considered at this meeting.

3. MINUTES OF THE MEETINGS OF THE BOARD HELD ON 12 MARCH 2014 AND 05 JUNE 2014.
4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Monday 30 June 2014. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Monday 30 June 2014).

6. RE-NEGOTIATION OF LEASE AGREEMENTS FOR THE BRIDGEMARY, ROWNER AND WOODCOT COMMUNITY ASSOCIATION (BRWCA) LAND AND BUILDINGS AT BRIDGEMARY SCHOOL

PART II

To advise the Board of the proposal to surrender the existing lease agreements and enter in to new lease agreements with Hampshire County Council (HCC) and the Bridgemary, Rowner and Woodcot Community Association (BRWCA) for land and buildings at Bridgemary School.

Contact Officer:
Corinne
Waterfield
Ext 5372

7. ANY OTHER ITEMS
-which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.

AGENDA ITEM NO 6

Board/Committee:	Economic Development Board
Date of Meeting:	2 July 2014
Title:	Re-negotiation of Lease Agreements for the Bridgemary, Rowner and Woodcot Community Association (BRWCA) land and buildings at Bridgemary School
Author:	Housing Services Manager
Status:	FOR DECISION

Purpose

To advise the Board of the proposal to surrender the existing lease agreements and enter in to new lease agreements with Hampshire County Council (HCC) and the Bridgemary, Rowner and Woodcot Community Association (BRWCA) for land and buildings at Bridgemary School.

Recommendation

That the Board authorise the Housing Services Manager, in consultation with the Borough Solicitor, to:

- a) Complete the negotiations with Hampshire County Council for the surrender of the existing lease and to enter in to a new, revised, lease for the land and buildings at Bridgemary School and,
- b) Accept the surrender of the under-lease held by the BRWCA and enter in to a new, revised, lease for the same land and buildings, as set out in the report.

1. Background

- 1.1. This Council holds a Lease of sixty (60) years from Hampshire County Council for land and buildings at Bridgemary School expiring on 1st November 2032 (the Head-lease).
- 1.2. In turn the BRWCA holds a Lease of thirty (30) years from this Council for the same land and buildings (the Under-lease). The lease is not contracted-out of the L&T Act ss24-28 and therefore a right of renewal exists.
- 1.3. The BRWCA has requested a new lease which would include a variation to the demise, achieved by swapping land to the west of the clubhouse building with land to the rear, (see Appendix 1, Plan A, existing demise and Plan B proposed demise). Progress has been slow due to difficulties in the negotiations between the various interested parties but all matters are now fully resolved and agreement reached.
- 1.4. An alteration to the demise requires not only a variation to the Under-lease but a reciprocal variation in the Head-lease.

2. Report

- 2.1. In 2013, HCC disposed of all land at Bridgemy School to Kenmal Academies Trust (KAT) on a long leasehold basis, except for the land that is contained in the lease to GBC.
- 2.2. However, subsequent to the start of the GBC Head-lease (1972), the layout of the school has been altered affecting the land and rights enjoyed by GBC and BRWCA. Plan C shows the service road has been widened, taking a small part of the land leased to GBC and the two car parks, 2 and 3, which GBC and its under-tenants have rights to use, have both been removed. Rights to use car park 1 remain part of the lease
- 2.3. The KAT wish to build sports facilities at the school but cannot do so until GBC surrender rights to use the car parks (and owing to the small piece of land taken by the widened service road, the KAT full leasehold title could not be properly registered).
- 2.4. As each of the four parties, BRWCA, GBC, HCC and KAT have now agreed the revised arrangements, it is proposed that this matter moves forward with simultaneous surrenders and re-grants.
 - a) The first action is for the BRWCA to surrender their Under-lease to GBC. GBC will draft a Deed of Surrender;
 - b) HCC will draft a similar Deed of Surrender for the GBC Head-lease;
 - c) HCC and the KAT will agree to a surrender of the KAT Lease.
- 2.5. Following these simultaneous surrenders:
 - a) HCC will grant a new Lease to KAT for the Bridgemy School site minus the land contained in the GBC lease
 - b) HCC will then grant a new Lease to GBC for the revised land, and;
 - c) GBC will grant a new Under-lease to the BRWCA for the new land.

3. Financial

- 3.1. It is not proposed to change the financial arrangements of the existing lease agreements; GBC will continue to receive an income for the land and buildings from the BRWCA and the Head-lease from HCC will remain as a peppercorn.
- 3.2. It has been agreed between the Council and the BRWCA to increase the rent to £1800/annum, calculated using the change in the Retail Price Index applied to the existing rent.

4. Risk Assessment

- 4.1. This is a low risk project that seeks to formalise revised arrangements for the use of the land and buildings at Bridgemy School.

5. Conclusion

5.1. This project, to formalise the revised agreements for the land and buildings at Bridgemary School, will enable the school to proceed with their proposed infrastructure improvements and for the BRWCA to continue their valuable community activities on the site.

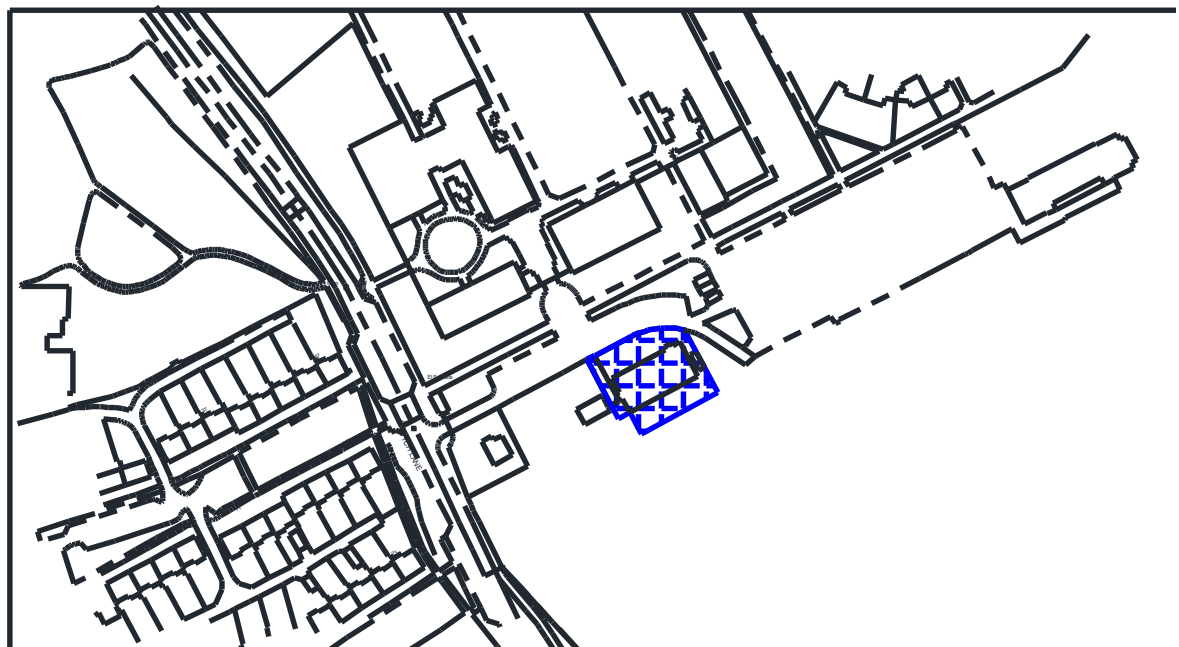
Financial Services comments:	As detailed in paragraph 3.
Legal Services comments:	The Council has the power to enter into the arrangements set out in this Report.
Crime and Disorder:	None
Equality and Diversity:	None
Service Improvement Plan implications:	The revised agreements will provide a formal basis for the continuing relationship between GBC, HCC, BRWCA and KAT at the Bridgemary School site.
Corporate Plan:	The proposal will contribute to the corporate priorities relating to Partnership, Participation and People.
Risk Assessment:	Contained in Section 4
Background papers:	None
Enclosures:	None
Report Author/ Lead Officer:	Andrew Morton

Appendix 1

Plan A – Existing Demise



Plan B – Proposed Demise



Plan C – Car Parks and Road Alterations

