

**APPROVAL FOR A 'LESS THAN BEST' LEASE TO BE GRANTED TO
SPALDWICK PARISH COUNCIL**

To: **Commercial and Investment Committee**

Meeting Date: **23 March 2018**

From: **Chris Malyon, Deputy Chief Executive**

Electoral division(s): **Alconbury & Kimbolton**

Forward Plan ref: **N/a** *Key decision:* **No**

Purpose: **To gain approval to grant a 15 year lease at a less than best rent**

Recommendation: **1) To approve granting a 15 year lease to Spaldwick Parish Council
2) To approve granting of a lease at a peppercorn rent**

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1. BACKGROUND

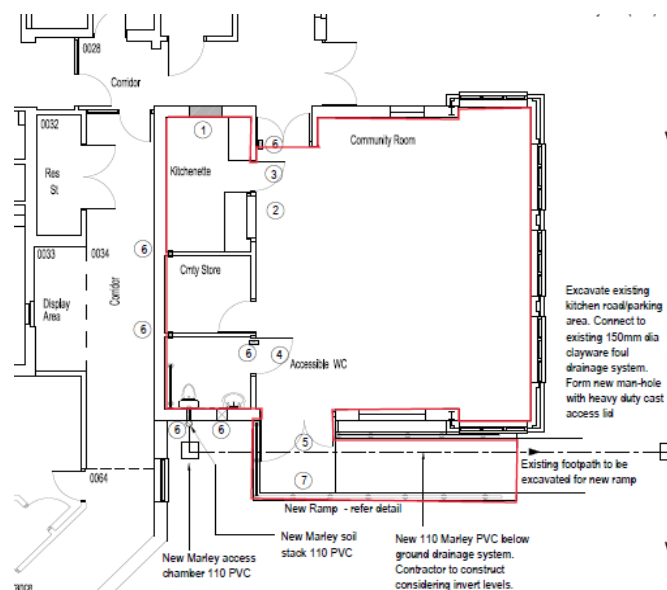
- 1.1 The Spaldwick Community Room is located at Spaldwick Community Primary School, Ferriman Road, Spaldwick, PE28 0TQ which Cambridgeshire County Council own the freehold of.



- 1.2 The Community Room was first added to school building around 1989, then extended some years later. The funding for the original building came from the Education capital budget. It was procured through the LEA property department.
- 1.3 When the room was extended in 2001, Huntingdon District Council (HDC) put in an £11,000 grant towards the total build cost of £25,000. It is standard practice that other authorities are invited to contribute funds to further enhance the facilities, and this was given by HDC as there was no other community provision at Spaldwick at that time.
- 1.4 The Village Hall fell into disrepair some years ago and due to the low number of residents and the small precept it was decided to sell the property. The proceeds of this sale are held in Trust and can only be used to buy a new Village Hall, unfortunately with low interest rates and high property prices the Parish Council have struggled to find a replacement option and there are no other suitable community facilities within the village.
- 1.5 There is no agreement currently in place and the community use needs to be formalised.
- 1.6 The room is currently used on a weekly basis by a range of community users including the Bowls Club, the village youth club and Mother and Toddler group. The Parish Council hold monthly meetings. In addition the room is used by Huntingdon District Council as a polling station.

2. THE MAIN ISSUES

- 2.1. The School are currently managing the Community Room and want occupation of the Community Room for their own purposes. They served the Parish Council notice to vacate without consulting them. Discussions have been ongoing for the past two years and a resolution has been reached for the Parish to take a lease for the Community Room.
- 2.2. During the investigation CCC identified safeguarding concern regarding the day time shared usage of the room as there were no way of controlling access from the Community room into the school. In addition there were no separate WC facilities so the users of the Community room were having to use the school's facilities.
- 2.3. Terms have been agreed with Spaldwick Parish Council, on the basis of a 15 year in lease for community use, with a rent of £1 if demanded (a peppercorn rent). The rent of a peppercorn was agreed with the Parish Council.
- 2.4. The Parish Council has limited uncommitted funds as the majority of their precept (the 2018/19 budget sets the precept fund at £10,405) is used to cover grass cutting and Clerk wages. Their intention is to let this space to members of the community at a reduced rate to encourage as much use as possible whilst promoting health and wellbeing. If The Parish Council had to pass on the cost of a market rent to users it would not be viable, the cost would be too great.
- 2.5. Under the proposed lease the school will still have use of the room 10 times a year.
- 2.6. In response to concerns about safeguarding and health and safety, it was agreed by the Education team that CCC would carry out some repairs and improvements to the Community Room (new layout in plan below) which amounted to around £50,000 and were completed in 2017. The tenant will be responsible for internal repair and maintenance.



- 2.7. Works carried out include; new electric heaters in the community room (CCC disconnected the schools heating from this room). New water meter in kitchen, new electric meter in school electric cupboard. In addition create new concrete ramped entrance with handrails and new main doors. Installed a new WC with electric heating, DDA compliant. Installed new foul drain connection from WC to foul drain manhole the other side of the school car park. Installed new entrance in to existing kitchen within community room and blocked up door leading into school (from kitchen). Provided new electric hot water heater to WC and kitchen. Provided new fire rated serving hatch to the kitchen, Installed some new kitchen cupboards. Installed new water meter in kitchen. Installed new electric meter, located in electric cupboard in the school hall (directly outside the schools main kitchen). Minor making good to decoration.
- 2.8. The outcome of these repairs and improvements carried out by CCC in 2017 is that the Parish Council can now manage the community room as a standalone facility they have their own separate access, toilet facilities and their own meters. The concerns regarding safe guarding whereby members of the public could access the school via the community room have also been resolved.
- 2.9. Protection of the CCC investment made for the improvements is required and to ensure continued community use in the event of the school converting to an Academy. If the school is to become an Academy then in accordance with the Academies Act 2010 the premises could be transferred to the Academy Trust if the School have been using it in the last 8 years.
- 2.10. The Community Room is an important aspect to the village and brings people together enabling them to develop the community, not just the Parish Council but also other local groups.

3.0 OPTIONS

- 3.1 Agree the terms of the proposed lease to Spaldwick Parish Council for 15 years at a peppercorn rent (less than best rent).
- 3.2 The Parish Council to provide a contribution to external maintenance costs recharged associated with the Community Room and any business rates and utilities. They will be responsible for internal repairs and maintenance which they will carry out themselves.
- 3.3 Continue with the current arrangement although this could lead to the School taking more occupation so there is not the availability for other users and subsequently no community space.

4.0 SUMMARY

4.1 Granting a lease of the Community Room to the Parish Council secures protection of the CCC asset and enables continued community use.

4.2 It is proposed that the Parish pay a peppercorn rent which will enable them to pass on a reduced rate to community users.

5.0 ALIGNMENT WITH CORPORATE PRIORITIES

5.1 Developing the local economy for the benefit of all

- The Community Room can be used by members of the public groups etc to hold meetings, run classes.
- The intention is to let this space to members of the community at a reduced rate to encourage as much use as possible whilst promoting health and wellbeing.

5.2 Helping people live healthy and independent lives

- The community room is used for promoting health and wellbeing there are exercise classes run from the room
- The bowls club which is a source of exercise and socialising use the community room
- The elderly members of the community regularly meet at the community room
- Mother and toddler classes are an important aspect providing a support network.

5.3 Supporting and protecting vulnerable people

- The Community room is used by members of the public and especially the older people who have nowhere else in the village to meet
- As a meeting place the Community Room reduces isolation and provides a supportive platform and sense of inclusion.

6 SIGNIFICANT IMPLICATIONS

6.1 Resource Implications

There are no significant implications within this category.

6.2 Procurement/Contractual/Council Contract Procedure Rules Implications

There are no significant implications within this category.

6.3 Statutory, Legal and Risk Implications

6.4 Equality and Diversity Implications

There are no significant implications within this category.

6.5 Engagement and Communications Implications

There are no significant implications within this category. Christine Birchall has confirmed that they would like to issue communications for a story promoting community

6.6 Localism and Local Member Involvement

Local members have been involved in the Community Room.

6.7 Public Health Implications

Public Health implications have been identified in section 5.1, 5.2 & 5.3.

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Yes or No Name of Financial Officer: Tom Kelly
Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement?	Yes Name of Officer: Paul White
Has the impact on statutory, legal and risk implications been cleared by LGSS Law?	Yes or No Name of Legal Officer: Fiona McMillan
Have the equality and diversity implications been cleared by your Service Contact?	Yes Name of Officer: John Macmillan
Have any engagement and communication implications been cleared by Communications?	Yes Name of Officer: Christine Birchall
Have any localism and Local Member involvement issues been cleared by your Service Contact?	Yes Councillor Gardener is fully supportive of the Community Room being leased to the Parish Council.
Have any Public Health implications been cleared by Public Health	Yes Name of Officer: Kate Parker

Appendix 1