

MAIDSTONE BOROUGH COUNCIL
CABINET MEMBER FOR CORPORATE SERVICES
REPORT OF HEAD OF BUSINESS IMPROVEMENT

Report prepared by: Christopher Finch
Date Issued: 7 January 2010

1. SURRENDER AND RENEWAL OF LEASE TO POPLAR PRE-SCHOOL GIDDYHORN LANE

1.1 Issue for Decision

- 1.1.1 To consider a request from Poplar Pre-school that the Council accepts surrender of their existing lease for a new lease, to include additional land, for a term of 15 years.

1.2 Recommendation of Head of Business Improvement

- 1.2.1 That the Cabinet Member agrees to the request from Poplar Pre-school and that the Corporate Property Manager be instructed to agree and prepare appropriate Heads of Terms; and
- 1.2.2 That the Head of Legal Services be instructed to draft a commercial lease reflecting the proposal outlined in the Heads of Terms

1.3 Reasons for Recommendation

- 1.3.1 Poplar Pre-school currently lease the pavilion at Giddyhorn Lane from Maidstone Borough Council for a term of 15 years from August 2000, the current rent is in excess of £6700 and subject to an annual increase in line with inflation.
- 1.3.2 In his Decision 4th September 2009 the Cabinet Member for Leisure and Culture declared surplus a parcel of open space at Giddyhorn Lane (for use by Poplar Pre-school as a secure play area for their pupils) and an advertisement pursuant of Section 123 of the Local Government Act 1972 was placed in the local paper. No formal responses to the Notice were received. (Appendix I)
- 1.3.3 Currently the lease to Poplar Pre-school has just over 5 years remaining. To assist the pre-school to make future charity funding application they may wish to make in respect of the premises and

school, the pre-school have requested an extension to their lease for a further 10 years.

- 1.3.4 Poplar Pre-school is a registered charity (No. 1037754) which offers community support for children of pre-school age. Granting a new lease for a term of 15 years will provide the pre-school long-term accommodation with a small secure play area (Appendix II).

1.4 Alternative Action and why not Recommended

- 1.4.1 The Cabinet Member could decide not to agree to new lease term or that a shorter period be agreed, however this could make access to charity funding opportunities extremely difficult for the pre-school.

1.5 Impact on Corporate Objectives

- 1.5.1 None

1.6 Risk Management

- 1.6.1 There is no tangible risks associated with granting a new lease to the pre-school, at this time.

1.7 Other Implications

1.7.1

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment
5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement
9. Asset Management

1.7.2 None

1.8 Conclusions

1.8.1 None

1.9 Background Documents

1.9.1 None

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes ☐ No ☒

If yes, when did it appear in the Forward Plan? _____

Is this an Urgent Key Decision? Yes ☐ No ☒

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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