

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO COMMUNITY COMMITTEE

Agenda Item No.

meeting date: 13 JANUARY 2015
title: PENDLETON CAR PARK – SURRENDER OF LEASE
submitted by: DIRECTOR OF COMMUNITY SERVICES
principal author: TERRY LONGDEN - HEAD OF ENGINEERING SERVICES

1 PURPOSE

1.1 To consider the surrender of the leases for the Council operated free car park at Pendleton.

1.2 Relevance to the Council's ambitions and priorities:

- Corporate Priorities – To be a well-managed Council, providing efficient services based on identified customer needs.
- Other considerations – To work in partnership with other bodies in pursuit of the Council's aims and objectives.

2 BACKGROUND

2.1 The Council provides a free, off street car park, located between the Pendleton Village Hall and the Swan with Two Necks Public House, at Pendleton. The car park is made up of two areas each being leased to the Council on a 25 year leases, at rents of one peppercorn p.a. for one area and at £50 p.a. for the other. A plan included as Appendix A to this report highlights the area of the car park and the split between the two leased areas. The Council does not own any part of the car park.

2.2 As lessee the Council is liable for the annual payment of the National Non Domestic Rates (NDR) and for the upkeep of the car park, including the maintenance of the shrubbery on the leased area, and the provision of the lighting.

2.3 When the leases for the areas were arranged in 1989 the Council enlarged the area of the existing car park that was already on part of the site. It also improved the access to the car park off the public highway. The car park is used by visitors to Pendleton including the patrons of the village Hall and the public house

3 ISSUES

3.1 Both of the 25 year leases will expire on the 1 January 2015 and occupation by the council of the areas will continue as the leases are "holding over".

3.2 The Council is maintaining a car park that is most frequently used by the patrons of the village hall and the public house and is incurring charges as a result. Having enlarged, improved and operated the car park for a period of 25 years is proposed that it is not in the Council's interest to continue to provide this car park, but to instead to leave this task to the landlords of the leased areas and hence the Council formally surrenders the lease and informs the landlords accordingly. With the termination would cease the Council's liability for the upkeep of the car park and the ongoing maintenance and NDR charges.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – The termination of the lease would end the Council's responsibility to pay the NNDR (£710p.a. at 2014/15) and to maintain the car park, the annual budget provision being approximately £400.
- Technical Environmental and Legal – The lease states that upon the determination of the term the Council is to leave the demised land in a clean and tidy condition. Whilst the surfacing of the car park is some 25 years old it is in a suitable condition for its use and is considered to be fit for purpose. The responsibility for its upkeep would revert back to the landlords. It is suggested that the landlords will keep the area in use as a car park for use, in particular, by the patrons of the village hall and the public house.
- Political – There are no such implications.
- Reputation – There are no such implications.

5. RECOMMENDATION

5.1 That the leases with the Pendleton Parish Council and Dutton Brewery Limited, or their successors, are formally terminated.

TERRY LONGDEN
HEAD OF ENGINEERING SERVICES

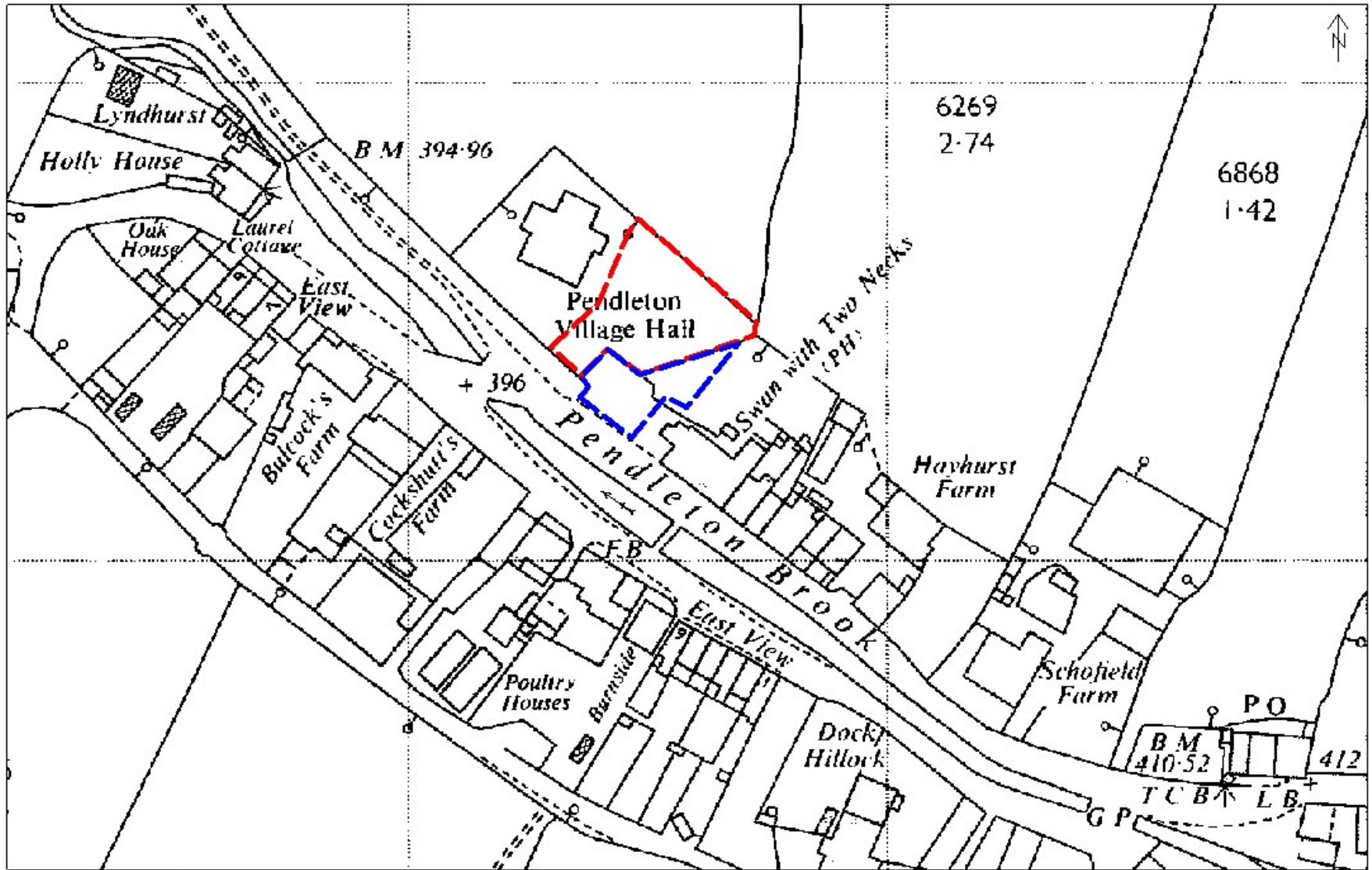
JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

BACKGROUND PAPERS

Leases dated 17 July 1989 between the Council and a) Pendleton Parish Council & b) Duttons Brewery Limited

For further information please ask for Terry Longden, extension 4523.

REF:TL/COMMUNITY/13 JAN 14



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Appendix 1