

REPORT OF THE LEADER OF THE COUNTY COUNCIL

PROPOSED LEASE ARRANGEMENTS FOR THE MILL ADVENTURE BASE

Purpose of the Report

1. The purpose of this report is to propose a new lease arrangement at the Mill Adventure Base to protect and enable capital investment.

Information

2. The Council occupy the adventure base indicated hatched on the attached plan by way of a lease from Ashfield District Council (ADC) dated 13th May 2004 which is due to expire in 2029. The existing site also includes a second area shown cross hatched on the plan which is leased separately from ADC and known as the Ecology field. The Council is currently 'holding over' under the terms of the lease dated 6th May 2015 which expired earlier this year.
3. An earlier report to Policy Committee in May 2018 approved entering into a Partnership Agreement with Ashfield District Council (ADC) to accept part of their Heritage Lottery Fund (HLF) project being spent on improvements to the café at the Mill Adventure Base. The report also approved the surrender of the existing lease of the centre and taking a new extended lease to match the terms of the HLF funding.
4. The Partnership Agreement has been signed and the work to the café has successfully been completed.
5. The County Council capital programme has approved investment in the existing centre to replace and improve the climbing tower and this work is currently on site. A further capital investment has also been approved to provide a community offer of activities to be made available to the wider public. This will include the history of the site which is located adjacent to the reservoir, wildlife and ecology projects together with walking and cycling.
6. This capital investment is expected to widen the customer base, increase visitors and help make the centre become self-financing.
7. The existing Adventure Base will be developed to its full potential with the completion of the current project and therefore it is proposed to build the additional community offer on land adjacent to the current site indicated edged on the attached plan which is also in the ownership of ADC.
8. It is therefore now proposed to protect the Council's investments in the site that the Council surrender both its existing leases and take a new single lease to include the hatched, cross hatched and edged area indicated on the plan. This will bring the whole of the enlarged site under a single lease encompassing the existing centre, ecology field and community field.

9. The terms of the proposed new lease have been agreed with ADC and summarised as follows:

Property - as indicated hatched, cross hatched and edged on the attached plan including landing stage access to the reservoir as indicated.

Landlord – Ashfield District Council

Tenant – Nottinghamshire County Council

Term – A new lease to run until 31st December 2041.

Rent - £1,700 per annum exclusive of rates and other outgoings. (The current rent for the existing leases is £1,050 pa).

Rent review – Upward only on every fifth anniversary in accordance with CPI.

Rates and Utilities- The Council to be responsible for the payment of rates and utility invoices.

Insurance – The Council to be responsible for the insurance of the property.

User - Adventure Centre including a café for the purpose of education and training, water based activities on the reservoir, various land based activities including climbing, orienteering, cycling, together with the provision of residential accommodation and catering to support the activities provided.

Assignment and Sub-letting - the assignment or subletting of the whole or part of the property is permitted with landlord's consent which is not to be unreasonably withheld.

Repairs – The Council to maintain the property in good repair and condition.

Alterations - Structural and external alterations are permitted with landlord's consent which is not to be unreasonably withheld. Internal alterations are permitted without landlord's consent. In both cases also to be in accordance with any applicable funding conditions.

Break Clause – a break clause in favour of the Council following the service of 6 months notice in writing.

Landlord and Tenant Act - the lease would be protected under the renewal provisions contained in the Landlord and Tenant Act 1954.

Costs - each party to be responsible for payment of their own costs.

Other Options Considered

10. The Council could agree separate leases for each parcel of land.

Reason/s for Recommendation/s

11. The additional field is required for the next phase of capital investment and the taking of a new lease until December 2041 will provide a secure term for this.
12. Bringing the site into one lease will ensure that it can be managed coherently for the duration of the Partnership Agreement.

Statutory and Policy Implications

13. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

It is recommended that:

- 1) Policy Committee approves the leasing of the additional area.
- 2) That the existing leases dated 13th May 2004 and 6th May 2015 are surrendered, and one new lease is agreed on the terms contained in the report.

Councillor Mrs Kay Cutts MBE
Leader of The Council

For any enquiries about this report please contact: Matthew Neal, Service Director, Investment and Growth, Tel: 0115 9773822 **Constitutional Comments (EP 08/12/2020)**

14. The recommendations fall within the remit of Policy Committee by virtue of its terms of reference.

Financial Comments (SS 11/12/2020)

15. The increase in the annual rent of £650 (£1,050 to £1,700) will be met from the Children & Families, Adventure Bases base budget of £51,752.

Background Papers and Published Documents

- Report to Policy Committee in May 2018 and minutes of that meeting.

Electoral Division(s) and Member(s) Affected

- Sutton Central & East
- Councillor Samantha Deakin

File ref.: BH/SB/054011

SP:

Properties affected: 54011 : The Mill Adventure Base