

Report Title:	Ascot District Day Centre– Surrender and Renewal of Lease
Contains Confidential or Exempt Information?	No
Member reporting:	Councillor Johnson Leader of the Council, Lead Member Business, Economic Development & Property
Meeting and Date:	19 th December 2019
Responsible Officer(s):	Russell O’Keefe, Executive Director
Wards affected:	All

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REPORT SUMMARY

1. The Trustee and Chair of Ascot Day Centre supported by Cllr. Bateson have approached RBWM to enquire whether it would as Landlord effectively extend the term of the Lease by 99 years. For the avoidance of doubt the lease will therefore be 117 years.
2. The Ascot District Day Centre Trust Ltd, has a 60 year lease wef 25th December 1977 (exp 2037) at a peppercorn rent with the demise being ‘a parcel of land’ with an obligation on the tenant to build a day centre. There is a rolling break at any time on three months’ notice. At expiration the tenant is to yield up the land and any buildings on it.
3. From RBWM’s perspective there are 18 years unexpired with no income but at expiration gets back the site plus any buildings on it.
4. Attached is a plan showing RBWM’s ownership and it will noted that the site is tight and surrounded by other uses with a narrow shared entrance with little prospect for development potential for the foreseeable future. The area identified as LH2030 is the subject property with the orange FH2030 being St Michaels Primary School playing field and LH 2029 let to the Girl Guides for 50 yrs wef 1/1/01 at a peppercorn. Access to all three is via the orange access to the main road shared by all.
5. The proposal will ensure continuity of service to the local older population for the future and enable the Trustees to further invest in the fabric and apparatus of the operational running of the day centre.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) **Approves the Surrender and Renewal of the Lease for Ascot Day Centre for to The Ascot Day Centre Trust Ltd a term of 117 years at a peppercorn rent (“the Lease”); and**
- ii) **Delegates authority to Executive Director of Place to agree the final details of the Lease.**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

2.1 Continuity of service provision for residents within the borough. Providing essential key services for the older population.

2. DETAILS

- 3.1 The Ascot District Day Centre is a local charity set up in 1977 to provide day care to the elderly of the area. The current Lease is for a term of 60 years at a peppercorn with the buildings erected being funded by voluntary donations to the Day Centre.
- 3.2 Over the years the Day Centre for the elderly has grown and flourished with over 80 members. The Centre serves some 200 meals a week plus a further 68 meals on wheels and organises a variety of entertainment and minibus services on a daily basis thus providing a very valuable amenity to the community.
- 3.3 Currently there are 60 volunteers helping provide the services and some 150 benefactors who contribute to the funding of the operations on an ongoing basis.
- 3.4 Ascot District Day Centre feel now is the time to seek more certainty on their future position. With the high and growing number of elderly people in the Borough the need for services they provide will continue to grow.
- 3.5 The current strong partnership between the charity and the Borough has provided a mutually beneficial way to supply the services at a highly cost effective rate.

4. KEY IMPLICATIONS

- 4.1 There are no real downsides to RBWM. Elderly care provision continues for a further 99 years so beneficial to the community.
- 4.2 The lease will be a FRI (Full Repairing & Insuring Lease), so no obligations for the council, to repair or maintain, these are all the responsibility of the trust.

5. FINANCIAL DETAILS / VALUE FOR MONEY

- 5.1 There is no financial change to RBWM, however the continued provision of this service will alleviate financial and resources pressure on the Council, whilst the trust provides this much needed service to the community.
- 5.2 The cost of instructing and meeting legal fees for both sides will need to be borne by the Trust, so that the Council can demonstrate that it has not incurred any costs in this process.
- 5.3 The Net Book Value of the land in the last Council asset valuation in early 2019 shows the site for its existing use as de minimus.

6. LEGAL IMPLICATIONS

- 6.1 RBWM has the power of dispose of land in its ownership (disposal including the grant of a lease) under s123 of the Local Government Act 1972 provided the land is sold at a consideration not less than the best that could reasonably be obtained in the market.
- 6.2 The Secretary of State has issued a general consent for disposals of land under section 123 for less than best consideration. This allows a local authority to dispose of land for less than best consideration if it considers that the disposal will contribute to the promotion or improvement of the economic, social or environmental well-being of its area and the extent of the undervalue is no more than £2m.
- 6.3 Solicitors would be instructed to deal with the surrender and lease renewal.

7. RISK MANAGEMENT

- 7.1 No risks are envisaged.

8. POTENTIAL IMPACTS

9. TIMETABLE FOR IMPLEMENTATION

Table: 1 Implementation timetable

Date	Details
Dec 2019	<i>Cabinet Approval</i>
Jan 2020	<i>Instruct solicitors</i>
March 2020	Complete new lease

10. APPENDICES

- Appendix A – Site Plan for Ascot District Day Centre, Bagshot Road, Sunningdale, SL5 9PD

11. BACKGROUND DOCUMENTS

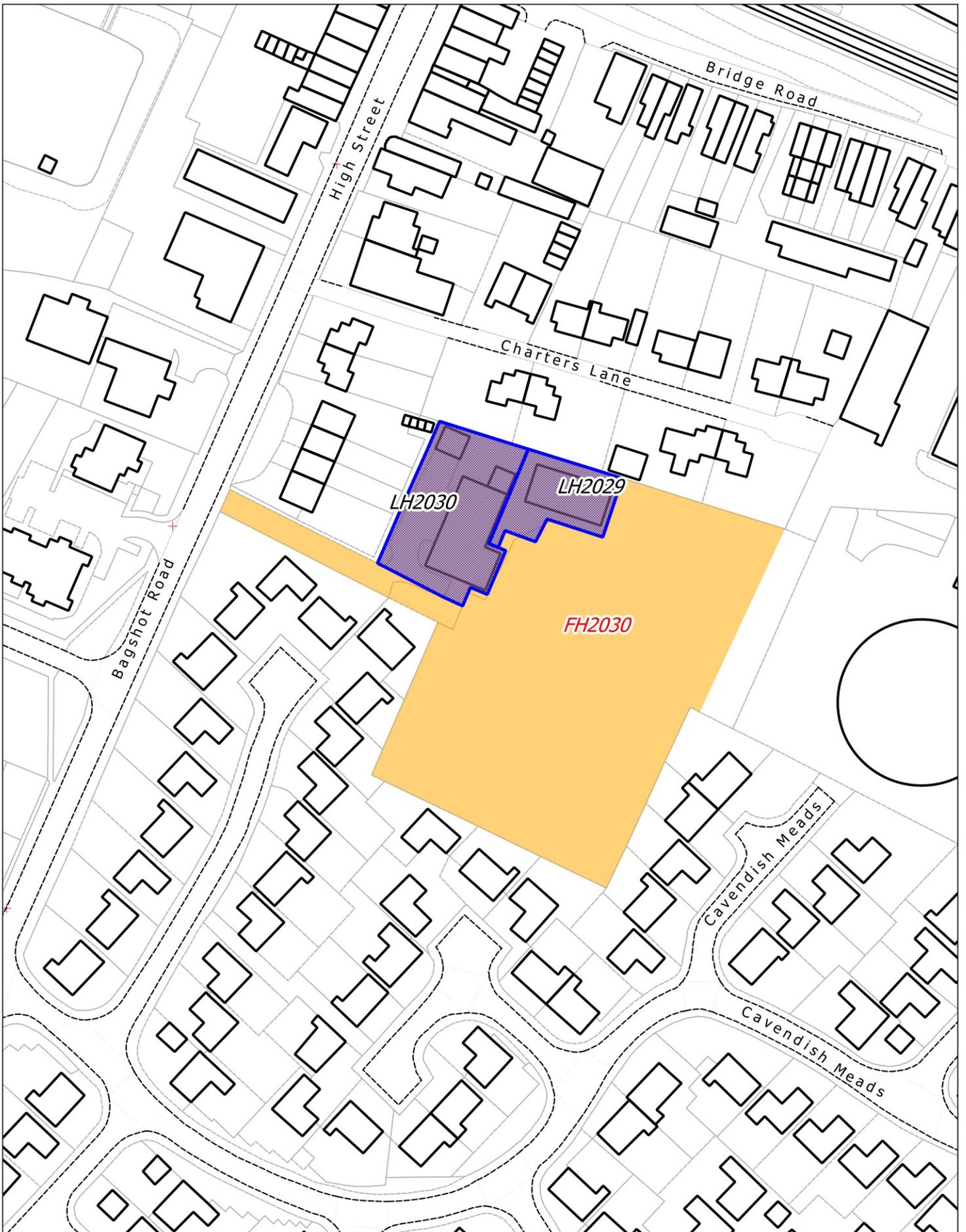
N/A

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Johnson	Leader of the Council, Maidenhead Regeneration and Maidenhead (includes Communications and Property)		
Duncan Sharkey	Managing Director		
Russell O'Keefe	Executive Director		
Andy Jeffs	Executive Director		
	Section 151 Officer		
Elaine Browne	Interim Head of Law and Governance		
Nikki Craig	Head of HR and Corporate Projects		
Louisa Dean	Communications		
Kevin McDaniel	Director of Children's Services		
Hilary Hall	Deputy Director of Commissioning and Strategy		
	Other e.g. external		

REPORT HISTORY

Decision type: Key decision Urgent	Urgency item? Yes This proposal represents good asset management of the Council's property at the same time as protecting a valuable charitable service for the elderly.	To Follow item?
Report Author: Andrew Caldwell – Asset Manager Commercial Property		



Ascot Day Centre/Girl Guides
Bagshot Road
Ascot SL5 9PD

Drawing No:
EO...

Royal Borough Of Windsor and Maidenhead

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Area = 7667 sqm (total)

OS Ref: SU9376 sw

Date: 21/10/2014

Scale 1:1250 @A4 Portrait