

Committee: Resources

Date: 4 July 2023

Title: Leases

Purpose of Report

For Members to consider the current leases for the Archie Gooch Pavilion and the Tony Rice Building.

Recommendation:

Members to note the report and agree representatives to attend meetings with Iminster Cricket Club Ltd and Iminster Sports Club Ltd.

Report:

1. In recent years the Town Council has entered into lease arrangements with both Iminster Cricket Club Ltd (ICC) and Iminster Sports Club Ltd (ISCL) with regards to the Tony Rice Building and the Archie Gooch Pavilion.
2. ICC signed their lease on the 5 December 2018 whilst the lease with ISCL was signed on the 21 November 2016.
3. In each of the leases there is a requirement that the two organisations meet annually with the Town Council. Since the signing of the leases, it would appear that ICC has not held an annual meeting, whilst there have been three meetings with ISCL in respect of the Archie Gooch Pavilion.
4. The purpose of these meetings can cover a number of aspects, but essentially, they are an opportunity for the Council to reassure itself that the terms of the lease are being adhered to and for the tenants to raise any concerns they might have. It also allows the tenants to sound out the Council with regards their objectives in the coming years so as to be able to ensure that they remain compliant with the terms of the lease and/or to provide notice that they may wish to amend the terms of the lease.
5. From the Council's perspective they should be looking to reassure themselves that the tenants remain viable and are not exceeding the remit of the lease. They should also be using it as an opportunity to check that all of the required documentation is up to date.
6. As part of the recent Audit the Council was made aware of a concern from the auditor with regards insurance of the Archie Gooch pavilion. The first concern was that the insurance was in place and the second that the Town Council are the named beneficiaries if anything catastrophic should happen to the building.

"Council to review its arrangements for verifying there is valid insurance coverage in place for the pavilion

A copy of the insurance coverage of the Archie Gooch Pavilion to be provided to the auditor."

7. The Proper Officer for the council has emailed ISCL and is still awaiting a copy of the certificate for the period under question. A response has been provided that states that they are currently reviewing their insurance and will come back to us once this has been done.
8. ICC have also been asked for an up to date certificate and they are arranging for this to be sent through to officers.
9. Looking at the notes from the previous meetings it is clear that there have been three Members from the council that have met with the board of ISCL. Members may wish to continue this practice for the ISCL and the ICC meetings.
10. In order to ensure that due diligence is carried out, some of the aspects that might be covered at the meetings include:
 - a. Having copies of the latest accounts of the organisations in order to consider the financial security of the organisations running the buildings
 - b. Ensuring that all public liability documents have been provided
 - c. All licensing requirements are in place
 - d. That required maintenance has been carried out
 - e. That future plans are in line with the council's understanding of the use of the buildings and if there will be the need for the council to allocate funding in its budget to assist and that regular updates are provided to assist the council
11. All parties will wish to reassure themselves that the leases are being adhered to and where any action is required, ways forward can be established.
12. Members to agree who should attend the meetings from the council's perspective

Mark Tredwin
Town Clerk
June 2023