



# Officer decision record

Directorate      Asset Regeneration & Development  
Date              12 May 2020  
Contact Name    Claire Elderfield  
Telephone No    Ext 6177  
Subject Matter   **Lease Extension – Whippingham Community Centre, Alverstone Road, Whippingham, East Cowes**

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Decision Taken      Surrender and renewal of existing lease to the Trustees of Whippingham Community Association to extend the lease term from 25 years to 50 years to assist with the tenant's grant funding applications.

Relevant  
Background  
Considerations

Current lease terms are:

- Lease dated 21 December 2015
- Property known as Land and buildings at Whippingham Community Centre, Alverstone Road, Whippingham, Isle of Wight
- Annual rent of £1.00 pa if requested
- Term of 25 years from 1 December 2015 and ending on 30 November 2040
- Permitted use: Community Centre only
- Alienation prohibited – no undertlettings or assignments
- Lease is inside the L&T 1954 Act

The tenant would like to apply for grant funding to assist with running the community centre but requires a lease longer than 21 years. The current lease term remaining is 20 years.

Options  
Considered and  
reasons for  
decision

The tenant has approached the council to request an extension to their lease to 50 years.

On review of their current lease, it was noted by IWC Legal Services that the current lease was not registered by the tenant on completion in 2015.

Therefore, rather than register the current lease to then prepare an extension variation and then registering that, an easier solution would be to surrender the current lease and simultaneously grant a new lease for a

longer term. The new lease would be lodged immediately for registration at land registry by the tenant's solicitor.

Legal Implications

The tenant has appointed Tony Careless from AJ Careless Solicitors to act on their behalf.

Legal implications include the extension of the tenant's interest in the property for an additional 25 years. The longer lease would be on the same terms as the current lease aside from the term. The user clause is restricted to community use only and alienation is also restricted.

Advice has been received from both Heather Legood and Ben Gard from Legal Services.

Advised by

The tenant will pay a contribution towards the council's legal fees so there will be no financial implications.

Financial implications

Strategic plans for the property and surrounding location

Currently there are no strategic plans for the property or its surrounding location.

Any maintenance issues

The lease will be full repairing and insuring once again so there are no costs or maintenance issues associated with property.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

I have consulted on the above decision, (for use if it is considered appropriate to consult the relevant Member in taking a decision).

Signature of relevant Cabinet Member (If required)

Signed: \_\_\_\_\_

Date: \_\_\_\_\_