

**Written statement of a non-key decision**  
**Cabinet member contracts and assets**

<b>Title</b>	<b>Surrender of Tenancy at Peterchurch Centre</b>
Decision maker	<p>Cabinet member contracts and assets</p> <p>Information about cabinet, including the names and contact details of the cabinet members, can be found here:</p> <p><a href="http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251">http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251</a></p>
Date of decision	12 January 2018
Report exemption class	Open
Purpose	<p>To agree termination of the occupational arrangements and costs incurred in respect of the council's use of the Peterchurch centre at Peterchurch church. The council is paying running costs in respect of the premises under its Licence to Occupy dated 8 August 2008 for the designated use as a children's centre. The Licence was made between the Reverend Simon Lockett ('Licensor'), the Parochial Church Council of the Parish of Peterchurch ('Church Council') and Herefordshire Council ('Licensee'). Children's centre services provided by the council no longer operate from the premises and in accordance with the cabinet report dated 14 September 2017 a review of the arrangement is required.</p> <p>The report seeks approval to surrender the licence through the operation of the one-off break clause on the 10<sup>th</sup> anniversary of the start date i.e. 8 August 2018 and to serve the required 6 months' notice on or before 8 February 2018. A separate licence in respect of the community library will remain in place.</p>
<b>Decision</b>	<p><b>That:</b></p> <p><b>(a) the licence to occupy in respect of Peterchurch Church held by Herefordshire Council is terminated by the operation of the one-off break clause and the required 6 months notice is served on the landlord on or before 8 February 2018 so that the licence and all liabilities under it cease on 8 August 2018.</b></p>
Reason for the decision	<p>As set out in the report. Documents relating to this decision are available at</p> <p><a href="http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?Id=50024623">http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?Id=50024623</a></p>

Options considered	<p>1. There are three alternative options:</p> <ul style="list-style-type: none"> <li>• Allow the licence to remain in place for the remaining 15 years of the original 25 year term</li> <li>• Fund the community group through other means</li> <li>• Negotiate terms for a new occupational agreement</li> </ul> <p>2. Allow the licence to remain in place – this would mean that the council will continue to pay for the use of the building for another 15 years (see details below). This arrangement is disproportionate to the council use, especially considering the council’s children centre services no longer operate from the site. There could be a renegotiation of terms to be aligned to changing circumstances, however this still has a cost implication which does not match the corporate use / need.</p> <p>3. Fund the group through other means – a separate licence exists and a licence fee of £405.00 is paid by Herefordshire Council for the use of the Peterchurch Centre for a community library which recognises the continued need for the library provision. The venue runs a number of community activities valuable to local people having a positive effect on the council’s approach for locally led activity. Therefore separate services may consider this a valuable provision to financially support through grant or revenue. This would be subject to a different and separate decision and agreement. Additionally the council can be charged adhoc rental charge for designated use.</p> <p>4. That a new agreement is negotiated on more favourable terms for use of the Peterchurch Centre. This, again, would have a cost implication but might be a consideration in the future if clawback becomes an issue (see report).</p>
Declarations of interest (see below)	
Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)	18 January 2018

Councillor: .....	Date 12 January 2018
Cabinet member contracts and assets (Councillor H Bramer)	

- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

and

- in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.