

PETITION REGARDING SOUTH RUISLIP COMMUNITY CENTRE, DEANE PARK, LONG DRIVE, RUISLIP

Cabinet Member	Councillor Jonathan Bianco
Cabinet Portfolio	Finance, Property and Business Services
Officer Contact	Bill Ogden, Planning, Environment, Education and Community Services
Papers with report	Appendix A – Cabinet Report: 28 July 2011

HEADLINE INFORMATION

Purpose of report	To inform the Cabinet Member that a petition has been received from Brian Robinson, Chairman of South Ruislip Community Association, signed by South Ruislip Ward residents seeking the renewal of the lease on terms acceptable to the Association.
Contribution to our plans and strategies	None
Financial Cost	If the petition is upheld in respect of the further discretionary rent reduction, there will be a loss of rental income to the General Fund revenue account.
Relevant Policy Overview Committee	Corporate Services and Partnerships
Ward(s) affected	South Ruislip

RECOMMENDATION

That the Cabinet Member:

1. Meets the petitioners and considers their requirements for the terms of a new lease of the Centre.
2. Decides on the appropriate course of action having met with the petitioners.

INFORMATION

Reasons for recommendation

To allow the Cabinet Member to consider the petition with the petitioners.

Alternative options considered

These can be identified from the discussions with the petitioners.

Comments of Policy Overview Committee(s)

None at this stage.

Supporting Information

1. A petition with 622 valid paper signatures and 184 valid on-line signatures of residents, was received by the Council on 26 September 2011 under the cover of a letter from Brian Robinson, Chairman of South Ruislip Community Association.
2. The residents have signed the following statement:

“We the undersigned request that the London Borough of Hillingdon offer South Ruislip Community Association a new lease on Deane Park hall. This new lease should:

- 1. Maintain existing rights as tenants.*
- 2. Maintain a lease terms of a minimum of 25 years, to protect the use of the facility by local people.*
- 3. Be set at a financial level which the Community Association finds affordable.*

Thereby protecting the existence of the Community Association for future generations”

Background

3. The Association is holding over on the terms of its previous lease and, on 17 November 2009, terms for a new lease were submitted to the Association on the basis of a 25 year term and a rent assessed in line with the Policy, namely a discount of 80% from market rental value. The Association was also informed that, if it considered that it was unable to afford the new rent, it would be able to apply for a further discretionary discount, and the relevant application form was provided.
4. At the time that the terms were submitted, it had been usual practice to grant 25 year leases to the Borough’s Community Associations, as well as to Scout and Guide Groups, but the Voluntary Sector Leasing Policy (VSLP) did state that there was no longer a standard term of lease.
5. In October and November 2010, the Cabinet Member for Finance, Property and Business Services gave consideration to the length of leases offered to organisations covered by the VSLP. Officers were subsequently instructed to grant terms of no more than 10-15 years, and to seek to have such leases contracted out of the security of tenure provisions of the Landlord and Tenant Acts. These instructions were to apply to all new negotiations, and to all existing cases where leases had not been completed. This qualification to the Policy was subsequently approved by Cabinet on 28 July 2011. Authority was also given to the Cabinet Member for Finance, Property and Business Services to consider extensions to new leases for longer than 15 or 10 years, where it is considered that the individual merits of the case warrant it.

6. Organisations that, at the time, had either already agreed terms, or were still in negotiation, were informed of the above amendments. South Ruislip Community Association (SRCA) had applied for a further discretionary discount, but had made no comment on the terms of the lease previously submitted to them. Having been informed of the amendments, the SRCA subsequently confirmed that it required a lease term of 25 years, and that the new lease not be contracted out of the Landlord and Tenant Acts. It also provided the application form for a further discretionary discount, and evidence to support its application.
7. The Association's request for a lease of 25 years within the Landlord and Tenant Act, and for a further discretionary rent discount, was originally included in a report to Cabinet on 29 September 2011, but was withdrawn pending consideration of the petition.

Financial Implications

If the petition is upheld in respect of the further discretionary rent reduction, there will be a loss of rental income to the General Fund revenue account.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The recommendation will enable the Cabinet Member to discuss with the petitioners their concerns, and allow him to consider whether or not to agree to their requests.

Consultation Carried Out or Required

Petition Hearings are a key way in which residents can meet with, and influence, Council decision makers.

CORPORATE IMPLICATIONS

Legal

The Cabinet Member has before him recommendations that:

- (a) the Cabinet Member meets the petitioners and considers their requirements for the terms of a new lease of the South Ruislip Community Centre; and
- (b) the Cabinet Member decides the appropriate course of action having met with the petitioners.

Under Article 7.08(d) (28) of the Council's Constitution there is a general Cabinet Member delegation for the Cabinet Member to deal with petitions in their portfolio area in accordance with Council procedure.

The recommendation therefore falls within the Cabinet Member delegations. Article 13 of the Council Constitution requires that all key decisions follow the seven principles set out therein. The Cabinet Member should have full regard to the Cabinet decision dated 28 July 2011 referred to in the body of this report vis-à-vis the changes to the VSLP.

BACKGROUND PAPERS

None.
