

Morval Parish Council

Minutes of a special sub-committee meeting of Morval Parish Council held at 7.00 pm on Thursday October 28, 2021 in the Village Hall, Widegates, to discuss the proposed lease for the Play Area on the Farriers Way development.

Present: Councillors John Collings (parish council chair), Stuart Hutchins, John Kitson, Deborah Kirkland and Sara McFadzean.

Apologies for absence: Councillor Clive Pearn, plus Samantha Pengelly (parish council clerk)

It was agreed that, in the absence of the clerk, Councillor Collings would take the minutes of the meeting.

Councillors considered the Draft Lease, supplied by the Harding family, and proposed, seconded and unanimously resolved that the landlords should be asked for their views on some suggested amendments.

LR 6

Tenant's payments to the Landlord

LR 6.1

The Rent on each anniversary of the Term

SUGGESTED AMENDMENT

LR 6.1

The Rent on April 1 of each calendar year

ADDITIONAL OBSERVATION

The landlords to be asked if it were possible to pay the full term rent up front at the start of the lease

LR 9.2

At the end of the Term or on forfeiture of the Lease the Tenant must yield up the Land with full vacant possession with the Land being returned to its original condition as at the date of this Lease (save for the surface of the Land can remain as altered)

SUGGESTED ALTERNATIVE

LR 9.2

At the end of the Term..... with full vacant possession and all fixtures, fittings, and debris removed... as at the end of this Lease (save for.....)

LR 11

Easements

The sub-committee requested some clarity from the landlords as to what easements (utility provisions excepted) might be envisaged

LR 10.3.1

The Tenant will not object to the use of the Landlord's adjoining land

REMOVE COMPLETELY

As it stands, this clause implies that Morval Parish Council cannot object to any proposed future development and, therefore, were somehow bound to support a planning application irrespective of merit.

LR 13.12

Relocation of Play Area

LR 15.12.1

The Landlord providing an alternative location of the Play Area satisfactory to both the local authority and the Tenant (acting reasonably)

SUGGESTED AMENDMENT

LR 15.12.1

The Landlord providing an alternative location of the Play Area satisfactory to both the local authority and the Tenant (acting reasonably) and within a radius of 500 metres of the existing Play Area

MISCELLANEOUS

- The sub-committee noted that the proposed lease was being considered without the benefit of a final and agreed site plan, with boundaries, and reserved the right to comment on the precise location once supplied.
- The Clerk was asked for contact the landlords as soon as possible so that the next occasion on which the full council debated the lease, the outcome of the sub-committee's suggested amendments would be known.
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- Once agreed in principle (or otherwise), the sub-committee's view was that the lease should be sent to the council's solicitors for final approval and drafting etc.

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The meeting closed at 7.50 pm.