



The purpose of this Report is provide a further update on the draft Lease provided by the Isle of Wight Council for the Town Council to manage the Park for the next 30 years.

No. DETAILS

1) BACKGROUND

- a) The Town Council agreed the Heads of Terms for the Lease to the Town Council of the management of the Park on a 30-year term by Minute 83/20 of its meeting of 10 August 2020.
- b) The Isle of Wight Council provided a draft for the full lease by email on 10 November
- c) The draft was considered by the Assets and Services Group meeting of 17 November when it was agreed to forward the draft to the Town Council's Solicitor for comment and to ask him to act for the Town Council in progressing it as reported to the Town Council meeting of 14 December in Report 94/20.

2) PROGRESS TO DATE

- a) The Town Council's Solicitor has referred the Isle of Wight Council's refusal to extend the definition of *Permitted Uses* as the Town Council requested back to the Council's Solicitor Heather Leegood.
- b) The current Lease she is proposing is available in full here.
- c) Heather's response email to our Solicitor is attached to this Report.
- d) Our Solicitor's response to that is *I don't see the harm with the IWC agreeing our revised wording which merely seeks to clarify the position so as to avoid any grey areas. However, we now have this email exchange confirming out understanding.*
- e) After discussion with him, his advice was that there is no legal reason for the Town Council to be bound by the Heads of Terms and, on that basis I have authorised him to take up the issue further.

3) WEATHER STATION

- a) The Isle of Wight Council asked that the Town Council agree to the exclusion of the Weather Station from the lease as it is already the subject of a separate lease with the Metoffice.
- b) I have agreed to that and the amended plan in available [here](#).

4) UPDATE

A further email from the Town Council's Solicitor confirms that the Isle of Wight Council has agreed to the Town Council's wording of the Permitted Uses clause subject Town Council's agreement to the inclusion of a new clause:

25.1 The Tenant shall not use the Property for any purpose other than the Permitted Use and at the start of the lease the Tenant shall be required to provide to the Landlord a copy of the land hire application together with the terms and conditions of use that will be used for an event organised by a party authorised by the Tenant

5) RECOMMENDATION

The Town Council is recommended to agree the amended Lease and authorise its signature.
