

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	TOURISM AND LEISURE COMMITTEE	18 JUNE 2020	4
GRANTING A NEW LEASE TO PARK VIEW 4 U			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

This report proposes a sixteen year Lease to be granted to Park View 4 U to replace their existing 25 year lease granted in 2011 (16 years remaining) for the café located on Park View Playing Fields in Lytham, as their previous legal incarnation has been dissolved. A Licence to Sub-let is also proposed to enable Park View 4 U to obtain a commercial income from the café.

RECOMMENDATION

1. That Fylde Council grant a new Lease on identical terms to Park View 4 U for the café for sixteen years.
2. That Fylde Council grant a Licence to Sub-let to Park View 4 U to enable them to let the café to a commercial operator to enhance the income to the charity.
3. That Fylde Council grant a Deed of Variation to enable the café to be used by a commercial operator rather than as a community café.

SUMMARY OF PREVIOUS DECISIONS

None

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. Park View 4 U were granted a 25 year Lease of land within Park View Playing Fields in 2011 to enable them to construct (at their cost) and operate a community café for the benefit of the public. The charity has operated the café on this basis since but is now struggling to staff the café with volunteers and wishes to generate an income from a commercial operator to support the work of the charity in managing Park View Playing Fields.
2. Park View 4 U have marketed the opportunity and have chosen a suitable commercial operator to take a 5 year lease of the café on similar terms to their own lease, other than the rent charged.
3. The original Lease to PV4U does not permit under-letting or the use of the building for anything other than a community café.
4. Terms have been agreed to permit the under-letting and minor change of use, and the proposed new Lease will not change the legal relationship between PV4U and Fylde Council.
5. Officers only became aware of the changed status of PV4U once legal work commenced on the under-letting and change of use, otherwise the matter would have been dealt with under delegated powers. The original Lease was granted to Park View 4U Community Centre Limited, which no longer exists following a reorganisation of the charity to streamline its structure. The new Lease will be granted to Park View 4U Charitable Incorporated Organisation (PV4U CIO).
6. The prospective commercial operator is keen to open as soon as possible, subject to complying with Government guidance, and PV4U are keen to receive the income and not lose the operator due to a 3 month delay before the next scheduled Committee meeting. It had been hoped by the charity that matters could have been completed by the end of May.
7. The Committee are requested to grant delegated authority to the Director of Development Services in consultation with the Chair of the Tourism and Leisure Committee in approving the draft Lease with Park View 4U CIO as outlined above.
8. The Committee are asked to note that the Director of Development Services will grant the Licence to Underlet and the Deed of Variation to enable a minor change of use, under delegated powers.

IMPLICATIONS	
Finance	As the proposed new lease will be on identical terms to the current lease agreement, there are no financial implications arising from this report.
Legal	None arising from this report
Community Safety	None arising from this report
Human Rights and Equalities	None arising from this report
Sustainability and Environmental Impact	None arising from this report
Health & Safety and Risk Management	None arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Former café lease	2011	Town Hall

Attached documents

Appendix 1 - Agreed heads of terms to PV4U for café 15-05-2020

Appendix 2 - Agreed heads of terms for café 15-05-2020