

Lease for Cemetery Road Pocket Park

The parish council has an existing lease for the pocket park play area at Cemetery Road, which is situated on land registered to the Trustees of Wickhambrook Memorial Social Centre.

The lease was negotiated in 2013 and provides for Wickhambrook Parish Council to use and maintain the land for the purposes of recreation.

The lease will expire in February 2023 and the budget approved for the next financial year (2022/23) makes provision for £1500 plus VAT for the renegotiation/renewal of the lease.

The legal basis for the parish council to maintain play areas is contained in:

- Public Health Act 1875, s.164
- Local Government (Miscellaneous Provisions) Act 1976, s.19

There is a further ancillary power under Local Government Act 1972, s.111 to do anything that will facilitate, be conducive to or incidental to the discharge of its powers and functions.

Solicitors have been canvassed for costs of undertaking the work to re-new/re-negotiate the lease. Costs vary between £450 plus VAT to £1500 plus VAT (plus any disbursements), dependant on whether the work is a straightforward renewal and registration with HM Land Registry, or involves re-negotiation of the terms of the lease.

Action:

Councillors are asked to establish whether they wish to renew on the same terms, namely:

- **The parish council leases the land for Cemetery Road Pocket Park and pays for the grounds maintenance of it, maintenance and/or replacement of all equipment within the play park and the boundary fencing; or**
- **Negotiate any new aspects to the lease identified by the Estates Committee.**