

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet Member for Regeneration**
held on Monday, 12th June, 2017 at R1 & R2 - Westfields, Middlewich Road,
Sandbach, CW11 1HZ

PRESENT

Councillors D Stockton, Cabinet Member for Regeneration

Officers

Joanne Jones, Property Services Manager

Paul Mountford, Executive Democratic Services Officer

1 APOLOGIES FOR ABSENCE

There were no apologies.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

4 WHISTLESTOP CAFE, CONGLETON - PROPOSED NEW GROUND LEASE

The Cabinet Member for Regeneration considered a report on the grant of a new lease to the Whistlestop Café, Market Street, Congleton.

The Whistlestop Café was subject to an existing ground lease dated 9th May 2007 between Congleton Borough Council, now Cheshire East Council, as landlord, and John and Pauline Hodson, as tenant, for a term of 10 years, expiring this year. The lease was a secure business tenancy and as it is coming to an end the tenant has requested its renewal for a new 10 year term and is seeking consent to grant their sub-tenant a new 10 year (less 3 days) sub-lease, at the same time. The leased area forms part of the adjacent Fairground Car Park.

Negotiations to renew the ground lease and provide consent to a further sublease had been conducted on the basis of the Council being able to break the lease during the term, should the land be required for redevelopment in the future and subject to the Council compensating the tenant if the lease were terminated early.

The Council had no current use for the leased area and therefore did not need to regain possession of the land currently. The terms agreed were considered best consideration, in accordance with s123 of The Local

Government Act 1972 and would allow the tenant to be granted a new lease, with the Council able to obtain vacant possession, by exercising the break clause, at the appropriate time, if required.

RESOLVED

1. That approval be given to the grant of a new 10 year lease of the land referred to in the report at a rent of £3,450 per annum, with a rent review at year 5 of the term, and subject to a landlord only redevelopment rolling break option, subject to a fixed compensation payment of £40,000, on terms and conditions to be agreed by the Head of Assets and Director of Legal Services.
2. That approval be given to permit the sublease of the land in accordance with the terms of the new lease.

The meeting commenced at 11.00 am and concluded at 11.05 am

Councillor Don Stockton (presiding)