

**Proposed Heads of Terms for Bourne Community Interest Company
Subject to Contract.**

Subject to Authorisation by the Executive Committee of Waverley Borough Council.

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| Lease term | 299 years commencing on the 1 st March 2017. |
| Landlord | Waverley Borough Council, Council Offices, The Burys, Godalming GU7 1HR |
| Tenant | Bourne Asset Community Group Community Interest Company. |
| Property | All that land and (buildings when constructed) shown edged red on the attached plan situate at the Bourne Recreation Ground Old Frensham Road Lower Bourne Farnham Surrey GU10 3HF. |
| Use | The land is to be used for the construction of a pavilion in accordance with the Planning Permission reference WA/2015/2045. Once constructed the pavilion premises are to be used as a sports pavilion together with clubhouse area, storage and changing facilities. The pavilion is to be primarily used for organised outdoor games sports and physical training together with such other purposes of social recreation, cultural, charitable, non-profit making or educational nature that is complimentary with a community sports facility building. |
| Assignment | Prohibited. However in the event of the dissolution of the CIC organisation the lease may be assigned to a similar community group or non-profit making organisation set up solely to administer the pavilion provided that the written consent of the landlord is first obtained. |
| Subletting | Any formal sub-letting will be prohibited. Although the tenant may permit the use of the pavilion by individual members of the Bourne Asset Community Group to use the premises on an hourly basis for events. However no such event is to be of more than 24 hours duration and no formal Landlord and Tenant relationship is to be created. |
| Rent | £1 per annum (if demanded). |
| Decoration | The tenant will be required to redecorate the interior and exterior of the premises in every 10 th year of the lease. |
| Repairs and maintenance | The tenant will be responsible for all repairs to the premises. |
| Alterations | Subject to the appropriate planning and building consents being achieved it is agreed that the tenant will demolish the existing cricket pavilion on the land and will erect the new pavilion. Once these works are complete the lease is to contain an absolute prohibition on any further structural or external alterations. However the tenant may carry out internal non-structural improvements to the premises provided that they first seek the landlord's consent with such consent is not to be unreasonably withheld. However no further alterations will be permitted that infringe the Village Green status of the recreation ground. |
| Use of the Pavilion by others. | It is recognised that the Pavilion will be made available for use by the local community and therefore the tenant is to be permitted to allow the premises to be used by other clubs and organisations active in the local community. Again no formal landlord and tenant relationship may be created. Further any such use must be in connection with a sporting or recreational use and be in accordance with the main use of the premises and be within the Planning Permission existing for the pavilion at the time. |
| Security of tenure | The lease is to be within the security of tenure provisions as set out in Sections 24-28 of Part 2 of the Landlord and Tenant Act, 1954 as amended. |
| Surrender of existing rights | The tenant agrees to unconditionally surrender all the rights contained within the existing agreement dated 11 January 1974 between the Urban District Council of Farnham (now vested in Waverley Bough Council) and the Bourne Recreation Ground Committee to build and use the existing pavilion. |

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| Building Insurance | The tenant will insure and keep insured the land and buildings in the joint names of the tenants and the Landlord. |
| Remaining Terms | The remaining terms of the lease will follow the Council's standard lease for premises of this nature. |

Date: 01/11/16

Subject to Contract and to Formal Council Executive Approval