

Questions under Procedure Rule 11.2 for Council

Q1. Question from Councillor Evans to the Cabinet Member for Innovation, Commercialisation and Corporate Services

"Will the Cabinet Member please help with a problem that the 1st Burntwood Scout Group are having with the District Council in their wish to ensure there is equal treatment for the females in their Group, by setting out an action plan to resolve the situation?"

The 1st Burntwood Scout Group that is situated in Elder Lane on the Burntwood Park, has been in discussion with LDC about renewing their ground lease on the land their headquarters are situated on, but there is a dispute regarding ownership of the building. LDC maintains it is their building, but the scouts have proof it is theirs in totality as they built it and they have sent all the relevant information to the council. The present building was constructed in the early 1980's, replacing the wooden structure that was there beforehand. At the moment the group are needing to do renovations, especially to convert the toilets as they now have a number of females in the scouts and the toilets are inadequate. The funding for the building was initially raised by fundraising events, grants and donations, which is one of the reasons they can prove the building belongs to them.

Although they are still conducting meetings via Zoom, they wish to undertake the renovations during this lockdown time, so that they can offer a full programme of scouting when restrictions are lifted in order that the scouting movement can continue to support the young people of Burntwood."

Response from the Cabinet Member for Innovation, Commercialisation and Corporate Services

The ownership of the Scout Hut is not in dispute, the solicitor representing the Scouts has supplied a lease which predates the 2008 lease we hold, the rental charge is a peppercorn rent for the land.

There has been regular contact for the period 5/6/20 until 17/11/20 between officers from the Property Services Team often speaking with the Scouts representative two or three times a day, during which time terms were agreed and solicitors instructed on the 30/6/20 with regards to the new lease. The Scouts head office had not agreed and signed the terms of the new lease until the end of August 2020.

The lease has the following clause:

6(i) Not at any time during the term without the written consent of the landlord (which consent may not be unreasonably withheld or delayed) and then only in accordance with plans previously approved by the landlord and under the supervision and to the reasonable satisfaction of the landlord or its head of planning services to make or suffer to be made in or to the demised premises or any part thereof any alterations additions or improvements.....

(vi) To remove any alterations additions or improvements made to the demised premises at the expiration of the term if so required by the landlord and to make good at the tenants own expense any part or parts of the demised premises.....

On 5/10/20 the Scouts raised the issue of their proposed alterations with the Property Services Team this enquiry received an immediate response. On the 17/11/20, our legal representatives - South Staffordshire Legal Services responded to a question posed by the Scouts Legal representative regarding the issue of the former 1980 lease and how we would wish to deal with the reinstatement obligations, we are still awaiting their response and/or further instructions.

We have been advising the Scouts about what needs to be carried out to ensure the success of proposed project, including the need for Building Regulations approval, these discussions were at an early stage, and unfortunately due to the impact COVID-19 has had, more recently, we have experienced difficulties in making contact with the Scouts or their representatives.

Property Services Team will not withhold permission to the alterations but we do need to protect the integrity of the building (as indicated in the above clause) as the tenant can return them at any time. We need to safeguard the council from incurring costs to remove inappropriate or rectify defective alterations. Once the project details have been received, we will issue a licence for the alterations.

Whilst there is a good relationship between the Property Services Team and the Scouts, I'd like to thank Councillor Evans for her intervention and for the introduction and connection with the Scout Leader, who is now working directly with us expedite and remedy any outstanding issues - a virtual meeting between the Scout Leader and Property Services is due to take place on Thursday.