

# Agenda for Asset Management Forum

## Thursday 9 March 2017, 9.30am



**Venue:** Council Chamber, Knowle, Sidmouth, EX10 8HL

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- 1 [Public speaking](#)
- 2 Notes for 9 February 2017 (attached)
- 3 Apologies
- 4 [Declarations of interest](#)
- 5 [Matters of urgency](#) – none identified
- 6 Confidential/exempt items – there is one item which officers recommend should be dealt with in this way.

### Part A Matters for Decision

- 7 **Organisational and Asset Management - Update**
- 8 **Asset Management Plan Refresh**
- 9 **Asset Devolution Programme (attached TNRP Community Centres)**
- 10 **Schedule of Meetings**
- 11 **The Vice Chairman to move the following:**  
“that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session (Part B)”.

### Part B Matters for Decision

- 12 **Workspace delivery on Council Owned Land**
  - a) Para 3 Schedule 12A Information relating to the finance or business affairs of any particular person

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[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL

Report of a Meeting of the Asset Management Forum held at Knowle,  
Sidmouth on Thursday, 9 February 2017

Present: Councillors:  
Geoff Pook  
Philip Skinner  
Paul Diviani  
Andrew Moulding  
Alan Dent  
Ian Thomas

Officers:  
Donna Best  
Richard Cohen  
John golding  
Andrew Hancock  
Charlie Plowden  
Chris Lane

Also present: Councillors:  
Megan Armstrong  
John Dyson  
Geoff Jung  
Mike Allen  
Rob Longhurst  
Pauline Stott

Apologies: Laurelie Gifford  
Jamie Buckley

The meeting started at 9.35am and finished at 11.30am.

- \*1 Notes  
Members noted the report of the meeting held on 15 December 2016.
- \*2 Exclusion of the public  
**RESOLVED:** that the classification given to the documents to be submitted to the Forum be confirmed there was one item which the officers recommended should be dealt with in Part B.
- 3 Review of Asset Management Plan - (2014-2017) Delivery Plan and development of tasks for refreshed AMP (2017-2020)  
Members discussed the review of the Corporate Asset Management Plan 2014-2017. Councillor Geoff Pook, Chairman of the Asset Management Forum read out the following statement on the way that he considered Asset Management in East Devon should move forward:  
  
"This agenda is sparse but important as it will hopefully set the programme, aims and deliverables for the next 2 years and more.  
The AMP should be a strategic document that identifies what assets the council needs and how they should be managed in order to achieve the aims of the Council Plan.

The individual plans such as the Green Space Plan and the Playing Field Plan should be the detail showing how those elements will achieve aims of the plan and include the necessary detail to enable informed decisions to be made.

The AMP currently aims to;

Reduce costs  
Increase revenue,  
Sell assets  
Transfer assets.

I don't see a great need to change these general aims, what I do see is a need to identify a set of actions that will achieve them.

To achieve results we need to understand the role each asset plays in delivering the aspirations of the council plan and the statutory duties of the council. The worth revenue cost and revenue generating potential must be clearly understood.

The asset register has been the subject of much debate and work over the last 18 months. It is improving but it needs further work. Ideally; assets must be "owned by" a department in the Council That department must identify the strategic or statutory need for owning the asset. Each department must be able to show the net cost of owning the asset. For a strategic need the department must consider alternative, appropriate models of ownership and operation Where there is no strategic or statutory need the asset should be disposed of or transferred to a appropriate body. Where there is an increased strategic or statutory need the council should look to acquire additional assets providing full cost benefit analysis.

The end result must be that the council only owns the assets it needs to discharge its responsibilities and achieve the aims of the council plan, where ownership incurs a net cost the cost of owning the asset and providing the associated service must be clearly identified.

This approach should be taken across the council and I see this next plan review, the Green Space Plan, as a first step. I expect the Green Space Plan to identify all its assets as outlined above. Many will be integral to the aims of the council plan and best delivered by this council whilst others may best provided by an alternative, appropriate body. Following this review we need to establish a programme of reviews when each department examines its assets and identifies the need, cost and future action. The review should include consultation with our towns and villages to seek their views on transfer and alternative management. - The end result must be the council only owns those assets it needs and that the cost of owning the assets and providing the service is clearly understood and is sustainable within the council budget"

Councillor Pook was concerned that speedier progress be made on pursuing projects and emphasised that each asset needed to be owned by a specific department of the Council, that each asset was needed for a specific purpose and that each asset was being made the most of. The Council could also look to acquire assets when an appropriate business case had been established.

The members of the Forum then discussed the priorities contained in the CAMP 2014-2017.

1. Leisure Assets Review – leave in the Plan and take a proposal to the LED Monitoring Group that in partnerships with LED, a review of the Council's leisure provision should be undertaken and a report brought back to the forum along with Peter Gilpin, LED Chief Executive.
2. Beach Huts & Chalets – remove as been completed.

3. Private Clubs and Sports Clubs – remove as been completed but note that there was a need to review the rent support grant application procedures,
4. Cranbrook – additional land and buildings management - leave in the Plan.
5. Asset Management incorporation into Service Planning – remove.
6. Estates Team thinking Review – remove as completed.
7. Beaches – will be incorporated in the work proposed under the Green Space Plan.
8. Whole life costing appraisal – remove as completed.
9. East Devon Business Centre – remove as completed.
10. Play Area, multi-use games areas, outdoor gyms and skate parks – will be incorporated in the work proposed under the Green Space Plan.
11. Depot Review – leave in the Plan and prioritise.
12. Community Halls – the work had been done on this subject and would be reported to the Forum.
13. Open Space, Parks & Gardens – will be incorporated in the work proposed under the Green Space Plan.
14. Third sector Asset Transfer – leave in the Plan.
15. Arts Development – remove as the Cultural Plan was now in place and that would include property implications.
16. Theatres – remove as the Cultural Plan was now in place and that would include property implications.
17. Nature Reserves - will be incorporated in the work proposed under the Green Space Plan.
18. Public Convenience Review – To be reported to AMF May 2017
19. Port Royal – Regeneration - remove as work completed and project now been implemented
20. Performance Management – Work undertaken to date to reported to AMF June 2017..

The Forum accepted that the Plan's priorities should be:

1. Leisure Assets;
2. Depot Review;
3. Beer Pilot - service and associated asset devolution;
4. Small Business Units – ambition to deliver more in the district; and
5. Delivery of Green Space Plan

**RESOLVED:** that the statement read out by the Chairman, Councillor Geoff Pook be circulated to all Council member along with the minutes of the meeting;

**RECOMMENDED:** that the above priorities for the new Corporate Asset Management Plan be agreed.

- \*4 Green Space Management Plan  
Charlie Plowden, Service Lead - Countryside and Leisure, reported on EDDC's Green Space Strategy 2016-2026.

The report presented to the Forum set out the need to adopt a Green Space Plan for East Devon District Council. The report identified the benefits that could be derived from adopting a Plan that would help prioritise the Council's management of its green spaces over the next ten years, especially the opportunities for closer working between key service areas such as Streetscene, Housing and Countryside. The future management of these green spaces was of critical importance as their contribution to the district's quality of life indices including health and wellbeing, for local residents was significant.

Green spaces also played a key role in helping to boost the local economy with their role in attracting visitors and visitor spend in many of the district's towns as well as their importance to East Devon's outstanding natural environment.

The Council currently provided 10% of its annual budget to managing our green spaces which is excellent value when the Council's annual household survey shows 78% of all local residents regarding the Council's green spaces as of vital importance to the work of the Council (Viewpoint Survey 2016).

The current set of Council plans and strategies did not provide a strategic framework for the management of EDDC's green spaces and this document would therefore help shape the future management of these important areas for public recreation and enjoyment.

Members agreed that the revised Plan presented was greatly simplified and was a good document that would help achieve the Council's aims for green spaces.

**RESOLVED** that the Green Space Management Plan as presented be endorsed as report for consideration by Cabinet at a future meeting.

\*5 Exclusion of the public

**RESOLVED**

that under Section 100(A) (4) of the Local Government Act 1972 and in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public (including the press) be excluded from the meeting as exempt and private information (as set out against the Part B agenda item), is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

\*6 Delivery of Workspace

a) Cloakham Lawns Employment Land Delivery

Donna Best, Principal Estates Surveyor, reported that as part of its Section 106 agreement, Bovis Homes had provided a site for employment land at Cloakham Lawns. They had produced a scheme that showed small office space, but local members had reported that the provision of small workshop space maybe more what the area needed. It was noted that EDDC had 5 years to deliver a scheme on the site and if no scheme was delivered the land would revert back to the developers, Bovis Homes.

Members acknowledged the need to identify what the demand was in the area and adopt a phased approach to giving an opportunity for small business. It was accepted that an employment needs survey was required for the area.

**RESOLVED** that the Project Plan as presented to the Forum be endorsed for presentation to Cabinet at a future date.

b) Seaton Workshops

Donna Best, Principal Estates Surveyor, reported that the Council owned two sites in Seaton allocated in the Local Plan as employment land. These were known as the Colyford Road Depot and Land at Fosseyway Park. In May 2014 planning permission was secured for the development workspace on the sites. Both permissions would expire in 2017. A decision was therefore required on whether or not to build the units.

The development of these sites was, subject to the caveats outlined in the report, capable of providing the Council with a new future income revenue stream in the region £250,000 (gross of management and maintenance costs) and a return on investment of circa 8%. Negotiations had commenced with the planning service regarding the discharge of conditions of the planning permissions. Charlie Plowden, Service Lead - Countryside and Leisure, reported that the Countryside Service was still using Colyford Road Depot as a depot to store Countryside equipment.

- RESOLVED** that the report including the recommendations as follows be endorsed by members of the Forum:
- 1.0** Up to £110,000 of the £517,750 capital programme funding currently committed to the project is used to clear the planning conditions and carry out the pre-tender works identified in this report.
  - 2.0** Submit a detailed business case to the LEP's Unlocking Growth Fund for £450,000 grant funding.
  - 3.0** That once pre-tender works have been undertaken, the design and build contract for the development of the new workshops is re-tendered.
  - 4.0** On receipt of the new tenders, and subject to a variance in the projected cost of development being no more than 5%, that delegated authority is given to the Deputy Chief Executive to proceed with the development of the new workspace units.
  - 5.0** To move the unspent capital programme budget of £109,350 for two new units at Manstone Workshops to the Seaton Workshops project.

\*7 Date of next meeting

The next meeting of the Asset Management Forum would be held on **Thursday 9 March 2017** at 9.30am in the Council Chamber, Knowle, Sidmouth.

**East Devon District Council – TNRP Review**

**Community Centre Cluster**

**November 2015**

**PRIVATE & CONFIDENTIAL**





## **A. Background**

CIPFA Property has been commissioned by East Devon District Council to support it through a review of its Tenanted Non Residential Property portfolio. The approach taken has been to partition the portfolio into manageable chunks, or "asset clusters", and to review each in turn, making recommendations to EDDC in a series of reports, of which this is the first.

The asset clusters identified are:

1. Industrial Estates
2. Sports & Activity Clubs
3. Private Halls / Community Halls
4. Depots
5. Café and Kiosks
6. Chalets and Beach Huts
7. Cinemas and Theatres
8. LED Leisure Facilities

## **Report Caveats**

In reaching our conclusions and recommendations we have not:

1. Relied upon any information and knowledge other than that provided by EDDC,
2. Made any enquiries of EDDC planning officers or made other enquiries into the feasibility of alternative land uses or planning consents,
3. Inspected any original title deeds,
4. Investigated the ground conditions or commissioned any contamination reports,
5. Inspected or surveyed the properties, or
6. Undertaken any of our own valuations.
7. Not investigated the possible payment of any grants from EDDC to the tenants

## **B. The Community Centres Cluster**

### **B1. Review Areas**

This cluster comprises 4 separate sites with community centre buildings, and our high level conclusions focus on the three areas of:

- Ability to influence
- Outcomes
- Income generation

The four assets are leased to legally separate entities, and generally on quite long leases.

### **B2. Conclusions and Recommendations**

#### **Ability to influence**

- 1** All four leases are for a term of years certain, three of which have over 75 years remaining. As a result the scope for EDDC to influence the activities of the tenant are extremely limited.
- 2** We have not identified any specific EDDC community strategy that covers these leases and the only relationship between EDDC and the tenants appears to us to be one of landlord and tenant only, and consequently the only contact between the respective parties is in an estate management capacity.
- 3** EDDC could seek out a dialogue with the respective tenants to ensure that the activities within the premises are meeting the needs of local people but there is no particular incentive for the tenants to engage with EDDC on these matters.

#### **Outcomes**

- 4** There is very limited scope to seek to ensure that the activities within the premises are aligned to EDDC's corporate priorities.

#### **Income generation**

- 5** The four leases generate a total annual rent of £130.10. The bulk of this (£130) is from a single lease and one lease is subject only to a peppercorn rent. The properties do not therefore provide anything that might be regarded as an investment income.
- 6** Against the income that there is, EDDC will be incurring costs of estate management relating to rent collection, rent review, covenant compliance and landlord's consents. These costs will exceed the current and anticipated levels of rental income. In practice therefore it is very likely that EDDC is in fact losing money through retained ownership of these assets.
- 7** EDDC appear to have adopted a policy of inserting low nominal rents in leases of these type of premises. If EDDC is minded to grant future such leases of these type of premises it should reconsider this policy. By inserting a lease rent of £0.05 per annum for example, EDDC will be incurring costs far greater than the income through the cost of invoicing for that rent. Where future such leases are to be granted it would be far more cost effective to provide for a peppercorn rent.
- 8** Even where the rent is more substantial (Littleham Community Hall) the cost of implementing the future rent reviews is likely to exceed any increased rent accruing.

**C. Asset Analysis**

**C1. Land at Sidbury Village Hall, Sidmouth**

The lease relates to two small areas of land lying adjacent to Sidbury Village Hall which is largely in private ownership (believed to be the Trustees of Sidbury Village Hall). The areas leased by EDDC appear to have been built upon affording extensions to the hall.

LEASE DETAILS	
TENANT	Sir Charles Edward Coleridge Cave and David Lloyd Pike and William Wilkinson, being Trustees of Sidbury Village Hall
TERM	7 <sup>th</sup> January 1992 to 28 <sup>th</sup> September 2088
RENT	One peppercorn pa excl
RENT REVIEWS	None
USER	For construction of buildings thereon in conjunction with the Sidbury Village Hall only
ALIENATION	No assignment, sub-letting or charging permitted other than assignment between Trustees and to a new Trustee
INSURANCE	Tenant
TENANT REPAIR	Maintain in a clean and tidy condition
LANDLORD REPAIR	None

**Findings:**

- 1.1 No Book Value has been supplied and we have assumed that given the low level of rent the asset falls below EDDC's de minimis level for asset valuation
- 1.2 No information relating to the physical condition or state of repair of the premises was provided to us.
- 1.3 Given the length of the lease, the ability of EDDC to control and influence the activities of the tenant and to seek to align these to EDDC's corporate priorities, is extremely limited.
- 1.4 The land leased relates to a very small part of the overall community hall site.

**Recommended Actions:**

- 1.5 As the tenant has no liability for keeping the buildings on the land in any specific state of repair we would not recommend a condition survey be undertaken of the premises, unless EDDC has the intention of undertaking any repairs itself. It should be noted that the buildings on the land were erected by the tenant and no liability for repair falls to EDDC.
- 1.6 Unless EDDC considers there are any other overriding reasons to retain the freehold, we would recommend that EDDC seek to dispose of their freehold interest in this land to the sitting tenant. Our reasons for this are that:
  - The small proportion that the leased land comprises of the overall community hall site,
  - The buildings erected on the leased land is not subject to a covenant on the tenant to keep in repair meaning that upon reversion the buildings could be taken back in a very poor state of repair, with any possibility of a dilapidations claim,

- There is over 75 years remaining on the lease meaning that the scope to influence the activities within the premises is limited, and,
  - The two parcels of land within the lease now have buildings upon them which have been integrated into the main community hall meaning that their value and usability to any tenant different to the Trustees is likely to be low.
- 1.7 Should EDDC decide to pursue disposal of the freehold interest we would recommend a restriction on use and clawback provisions are included within the terms of the disposal.

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**C2. Liverton Copse Community Hall, Prince of Wales Drive, Exmouth**

This lease relates to land only upon which the Trustees of Liverton Copse Community Hall have constructed a community hall.

LEASE DETAILS	
TENANT	Geoffrey Percy Chamberlain and John Francis Strudwick and Jane Elizabeth Lovelace Carter, being Trustees of Liverton Copse Community Association
TERM	125 years from 8 <sup>th</sup> October 1986
RENT	£0.05 pa exclusive
RENT REVIEWS	None
USER	Community Centre and ancillary purposes
ALIENATION	No assignment, underletting, charging or parting with possession permitted except assignment to new Trustees
INSURANCE	Tenant
TENANT REPAIRS	To well and substantially repair, cleanse and maintain the premises To decorate the exterior every 5 years and in the last year To decorate the interior every 7 years and in the last year
LANDLORD REPAIRS	None

**Findings:**

- 2.1 No Book Value has been supplied and we have assumed that given the low level of rent the asset falls below EDDC's de minimis level for asset valuation
- 2.2 No information relating to the physical condition or state of repair of the premises was provided to us.
- 2.3 Given the length of the lease, the ability of EDDC to control and influence the activities of the tenant and to seek to align these to EDDC's corporate priorities, is extremely limited.
- 2.4

**Recommended Actions:**

- 2.5 If the freehold of the property is to be retained by EDDC we would recommend that an inspection of the premises be undertaken to establish the current condition and to identify any items of repair etc. that the tenant are liable to address.
- 2.6 Unless EDDC considers there are any other overriding reasons to retain the freehold we would recommend that EDDC seek to dispose of their freehold interest to the sitting tenant. Our reasons for this are that:
  - There is around 100 years remaining on the lease meaning that the scope to influence the activities within the premises is limited, and,
  - So long as the freehold interest is retained there will continue to be estate management costs relating to rent collection, covenant compliance and landlord's consents all of which will outweigh the rental income
- 2.7 Should EDDC decide to pursue disposal of the freehold interest we would recommend a restriction on use and clawback provisions are included within the terms of the disposal.

- 2.8 If the freehold is to be retained then EDDC should undertake a building survey, such survey to have reference to the lease repair liability on the part of the tenant.

CONFIDENTIAL

**C3. Knappe Cross Community Hall, Brixington Lane, Exmouth**

This lease relates to land only upon which the Trustees of Knappe Cross Community Association have constructed a community hall.

LEASE DETAILS	
TENANT	Trustees of Knappe Cross Community Association
TERM	125 years from 9 <sup>th</sup> September 2008
PREMIUM	£19,500
RENT	£0.05 pa exclusive
RENT REVIEWS	None
USER	Community Centre and ancillary purposes
ALIENATION	No assignment, underletting, charging or parting with possession permitted except assignment to new Trustees
INSURANCE	Tenant
TENANT REPAIRS	To well and substantially repair, clean and maintain the premises
LANDLORD REPAIRS	None

**Findings:**

- 3.1 No Book Value has been supplied and we have assumed that given the low level of rent the asset falls below EDDC's de minimis level for asset valuation
- 3.2 No information relating to the physical condition or state of repair of the premises was provided to us.
- 3.3 Given the length of the lease, the ability of EDDC to control and influence the activities of the tenant and to seek to align these to EDDC's corporate priorities, is extremely limited.

**Recommended Actions:**

- 3.4 If the freehold of the property is to be retained by EDDC we would recommend that an inspection of the premises be undertaken to establish the current condition and to identify any items of repair etc. that the tenant are liable to address.
- 3.5 Unless EDDC considers there are any other overriding reasons to retain the freehold we would recommend that EDDC seek to dispose of their freehold interest to the sitting tenant. Our reasons for this are that:
  - There is over 120 years remaining on the lease resulting in the scope to influence the activities within the premises is limited, and,
  - So long as the freehold interest is retained there will continue to be estate management costs relating to rent collection, covenant compliance and landlord's consents all of which will outweigh the rental income
- 3.6 Should EDDC decide to pursue disposal of the freehold interest we would recommend a restriction on use and clawback provisions are included within the terms of the disposal.
- 3.7 If the freehold is to be retained then EDDC should undertake a building survey, such survey to have reference to the lease repair liability on the part of the tenant.

**C4. Littleham Community Hall, Westdown Lane, Exmouth**

This lease relates to Littleham Community Hall in Exmouth.

LEASE DETAILS	
TENANT	Douglas John Upton and Christopher Cowley, being Trustees of Littleham Community Hall
TERM	30 years from 1 <sup>st</sup> April 2010
RENT	£130 pa exclusive
RENT REVIEWS	5 yearly
BASIS OF RENT REVIEW	In the absence of agreement as to the new rent, the rent shall be set by reference to increase in Retail Price Index
USER	Community Hall for the benefit of the local residents only
ALIENATION	No assignment, underletting or parting with possession permitted except assignment to new Trustees Temporary hiring of the hall to local organisations at a reasonable charge is permitted
INSURANCE	Tenant
TENANT REPAIRS	To keep in substantial and tenable repair and condition To repaint all woodwork and ironwork every 5 years and in the final year To grain, varnish, french polish, distemper, wash, stop, whiten and colour and re-paper the interior every 5 years and in the last year
LANDLORD REPAIRS	None

**Findings:**

- 4.1 No Book Value has been supplied and we have assumed that given the low level of rent the asset falls below EDDC's de minimis level for asset valuation
- 4.2 Most recent condition survey (July 2008) identified five items of disrepair that were categorised as 'D' (poor condition). These items all related to externals and two of the items were assessed as being Priority 1 repairs (asbestos cement rainwater guttering and downpipes). We do not know if any of the items of disrepair identified have been notified to the tenant for them to correct, or indeed if the items identified even fall to the tenant to undertake, as the basis of the survey was most likely to record condition rather than a basis for action for disrepair and dilapidations under a lease. Nevertheless, although the lease was granted subsequent to the condition survey it is our opinion that as the lease provides for the tenant to 'keep' the premises in repair, that this requires them also to 'put' the premises in repair.
- 4.3 Given the length of the lease, the ability of EDDC to control and influence the activities of the tenant and to seek to align these to EDDC's corporate priorities, is limited.
- 4.4 Given the low level of the current passing rent and the basis of the future rent reviews, it is likely that the cost to EDDC of implementing future rent reviews will exceed any rental increases that might accrue.



**Recommended Actions:**

- 4.5 Unless EDDC considers there are any other overriding reasons to retain the freehold we would recommend that EDDC seek to dispose of their freehold interest to the sitting tenant. Our reasons for this are that:
- The scope to influence the activities within the premises is limited by virtue of the term,
  - The rent reviews are unlikely to yield significant future growth as the rent is pegged to RPI, and,
  - So long as the freehold interest is retained there will continue to be estate management costs relating to rent collection, rent review, covenant compliance and landlord's consents all of which could easily outweigh the rental income
- 4.6 Should EDDC decide to pursue disposal of the freehold interest we would recommend a restriction on use and clawback provisions are included within the terms of the disposal.
- 4.7 If the freehold is to be retained then (if the tenant has not already been notified of the items identified in the condition survey of July 2008) EDDC should undertake a follow-up building survey, such survey to have reference to the lease repair liability on the part of the tenant.

**END**

**Chris Brain FRICS  
Susan Robinson MRICS  
11<sup>th</sup> November 2015**