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**LEASE OF GOLF COURSE TO SELKIRK GOLF CLUB**

**Report by Service Director Commercial Services**

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**SELKIRK COMMON GOOD FUND SUB COMMITTEE**

**18 February 2015**

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**1 PURPOSE AND SUMMARY**

- 1.1 **This report seeks to obtain the consent of the Selkirk Common Good Sub Committee to continue the lease to Selkirk Golf Club on a year to year basis.**
- 1.2 The current lease to Selkirk Golf Club commenced in 1994 by Ettrick and Lauderdale District Council. The 21 year term is due to expire on 31<sup>st</sup> March 2015 (see appendix 1).
- 1.3 There is provision in the current lease for it to continue on a year to year basis.
- 1.4 The terms of the current lease are still acceptable and appropriate and therefore this report recommends that the current lease continues on a year to year basis.

**2 RECOMMENDATIONS**

- 2.1 **I recommend that the Selkirk Common Good Sub Committee agrees to continue the current lease to Selkirk Golf Club until such time as a new lease with new terms and conditions is required by either the tenant or landlord.**

### **3 BACKGROUND & PROPOSALS**

- 3.1 Selkirk Golf Club was founded in 1883 and the current course was laid out in 1924. The land for the golf course is owned by Scottish Borders Council on behalf of Selkirk Common Good Fund. The clubhouse and other buildings are owned by the Golf Club and therefore not included in the lease.
- 3.2 In 1994 Ettrick & Lauderdale District Council agreed a new lease with Selkirk Golf Club for a 21 year period until 31<sup>st</sup> March 2015 although the lease has a provision to continue on a year to year basis thereafter until terminated by either party on giving six months written notice.
- 3.3 The terms of the current lease include all repairs and maintenance being the responsibility of the golf club and an annual rent of £10 being paid to the landlord.
- 3.4 The golf club committee are aware that the 21 year period of lease expires on 31 March 2015 but they have not requested a new lease and they consider the current lease to be satisfactory at present.
- 3.5 Circumstances may change in the future which require a new long term lease to the golf club. For example, additional security of tenure would be required if the golf club want to apply for grant funding.
- 3.6 If a new lease is required to commence on 1 April 2015, the landlord will incur additional legal costs in preparing a new lease.

### **4 IMPLICATIONS**

- 4.1 **Financial**  
There are no financial implications arising from this report's recommendations.
- 4.2 **Risk and Mitigations**  
The report fully describes all the elements of risk that have been identified in relation to this lease and no specific additional concerns need to be addressed.
- 4.3 **Equalities**  
It is anticipated there will be no adverse impact due to race, disability, gender, age, sexual orientation or religion/belief arising from the proposals contained in this report.

4.4 **Acting Sustainably**

There are no significant effects on the economy, community or environment.

4.5 **Carbon Management**

There are no significant effects on carbon emissions.

4.6 **Rural Proofing**

Not applicable because no new Council policy or strategy is being requested.

4.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made.

**5 CONSULTATION**

5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

**Approved by**

Andrew Drummond-Hunt

**Service Director Commercial Services      Signature.....**

**Author**

Name	Designation and Contact Number
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**Background Papers: None**

**Previous Minute Reference: None**

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. James Morison can also give information on other language translations as well as providing additional copies.

Contact us at Estate Management, Scottish Borders Council, Newtown St Boswells. 01835 824000 Ext 5295