

BUILDINGS & LEASES COMMITTEE

As adopted by Council 28.10.2025 (and published on the website as part of the Terms of reference

Terms of Reference

Membership: The Committee shall consist of 10 Members appointed at the Annual Meeting of the Town Council (AMTC) or appointed by the full Council.

The Chairman and Vice-Chairman are to be elected by the Committee at the first Committee meeting following the first meeting of the newly elected Council, in accordance with Standing Orders, and be in post for four-years (Council term). Should the Chairman/Vice-Chairman resign from post, their replacement will be elected at the next meeting of the Committee and will hold the post for the remainder of that Council term.

If the numbers of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum (4) the meeting shall be adjourned and any business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

All councillors are invited to attend meetings, but only appointed committee councillors may vote on agenda items.

Minutes are approved by committee at its next meeting; full Council adopts committee minutes.

The Committee has delegated authority to make decisions, to be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations, and any approved policy framework and within the approved budget, on the following:

1. Delegated business includes:

Buildings monitoring, maintenance & compliance

1.1. Consider all matters, administration, maintenance and use of the Town Council's owned properties and to provide and maintain to a high standard:

- Doggetts Barn
- Rickards Hall
- Church House
- Pavilion (Recreation Ground)
- Tractor Shed (Recreation Ground)
- The Depot
- Market Yard Public Toilets and Mess Room
- Mowshurst Barn
- Mowshurst Garage
- Forge Croft Mess Room

1.2. Manage the buildings maintenance and works contracts undertaken on behalf of outside bodies and organisations.

1.3. To monitor the budgeted expenditure and buildings earmarked reserves.

1.4. To ensure all health and safety monitoring is in place and regular checks and records are maintained.

- 1.5. Fire Safety:
 - Ensure compliance with fire regulations
 - To review Fire Risk Assessments annually
- 1.6. Legionella:
 - Ensure compliance with Legionella Regulations and testing and monitoring of water systems
 - To review the Legionella Risk Assessment annually
- 1.7. To review the governance Risk Assessment for council buildings and ensure compliance.
- 1.8. To at least annually review the maintenance plans for:
 - One and 10 year buildings plans
 - 30 year buildings plan

Asset Management & Condition

- 1.9. Responsibility for maintaining an asset register and annual condition survey for each property.
- 1.10. Monitoring of energy efficiency ratings (EPCs) and compliance with carbon reduction or sustainability objectives.
- 1.11. Make recommendation to Council for energy efficiency improvements and enhancements.

Procurement & Contractor Oversight

- 1.12. Review tendering and procurement processes for building works, ensuring transparency and value for money.
- 1.13. Preferred contractor lists to be reviewed periodically.

Performance Monitoring

- 1.14. Key Performance Indicators (KPIs) for building management — e.g., energy usage, maintenance response times, occupancy rates, or compliance scores.
 - Maintenance Plans works carried out as planned each year.
 - Unexpected maintenance issues addressed accordingly.
 - Budgets justified.
 - Compliance:
 - External professional annual Health and Safety audits.
 - External professional Risk Assessments for:
 - Fire Safety
 - Legionella

Accessibility & Inclusivity

- 1.15. Oversight of Equality Act compliance, particularly building accessibility and inclusive design.

2 Leases and tenant oversight

- 2.1 To oversee the Lease arrangements for the tenants of Council Lease arrangements:
 - Church House – Eden Valley Museum
 - Pavilion – Rugby Club
 - Blossoms Park – Cricket Club
 - Mowshurst – Nomads
 - Land at Doggetts courtyard – Forge Musical Theatre
 - Land at Doggetts courtyard – Food Bank
 - Land at Station Road – WI Hall

Lease Monitoring

- 2.2 Ensure the Leaseholders are complying with their statutory duties under health and safety legislation and compliance. This includes receiving:
 - Gas and electricity safety certificates
 - Legionella testing and monitoring records
 - Fire risk assessment and fire safety checks
- 2.3 Annual lease compliance checklist (to systematically review insurance, H&S, rent payment, and maintenance obligations).
- 2.4 Ensure copies of ALL leaseholders annual insurance certificates.

Tenant Engagement

- 2.5 To monitor the rights of the Lease holder, and ensuring preserving the amenities or services.
- 2.6 To ensure good communications between Council and tenants/Lease Holders, aimed to strengthen relationships and partnerships.
- 2.7 To hold annual meetings with:
 - Eden Valley Museum
 - Edenbridge Rugby Club
 - Edenbridge Cricket Club
 - Nomads Football Club
- 2.8 Minute notes of annual meetings to be shared with leaseholder and reported to next committee with outcomes.
- 2.9 Ensure the Leaseholders are complying with their statutory duties under health and safety legislation and compliance. This includes receiving:
 - Gas and electricity safety certificates
 - Legionella testing and monitoring records
 - Fire risk assessment and fire safety checks
- 2.10 Renegotiation of new leases and drafting of new terms.
- 2.11 Make recommendations to Council for best use of its properties under Lease arrangements.

Community Benefit & use

- 2.12 To assess **community value** of leases (aligns with Localism Act 2011 principles) periodically.
- 2.13 To **recommend to Council termination or repurposing** of leases if use no longer aligns with Council priorities.

Leaseholder Performance Monitoring

- 2.14 **The Committee will monitor tenant performance and lease compliance through.**
 - Timely provision of statutory certificates and insurance.
 - Adherence to maintenance and repair obligations.
 - Responsiveness to Council communications.
 - Evidence of community benefit or participation.

3 Referred matters

- To consider and make recommendations to full Council on the following matters:
- 3.1 Report unbudgeted works to Council with recommendations for:
 - Time frame of works
 - How it could be funded
- 3.2 Propose any additional works and upgrading required, funded from the appropriate funds.

- 3.3 To prepare budget estimates and make recommendations to the Finance and Governance Committee for the annual budget preparations on the Buildings Maintenance Plans; and included where there maybe any additional works and upgrading required.
- 3.4 Make recommendations to the Forward Planning Streeting Group for future projects and the Council's Asset Management Strategy and Objectives.
- 3.5 Improvements to facilities within the Committee's sphere of responsibilities.
- 3.6 Identify funding opportunities (e.g. grants or partnership funding)
- 3.7 Report to Council any issues with the Risk Assessments with recommendations.
- 3.8 Review and consider any other matter referred by the full Council to the Buildings and Lease Committee.
- 3.9 Lease disputes to be reputed to full Council.
- 3.10 Notify full Council 18 months prior to a Lease end date.
- 3.11 Recommend to Council new Lease negotiations; and final draft Lease to be approved by full Council.

Environmental Sustainability

- 1.12 Oversee and promote sustainable practices across Council buildings, including energy efficiency improvements, waste reduction, and exploration of renewable energy opportunities, in line with the Council's Climate and Environment commitments.