

South Ayrshire Council

Report by Director of Housing, Operations and Development  
to Cabinet  
of 21 January 2025

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**Subject: Lease Renewal at Maidens Bowling Club, Maidens**

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**1. Purpose**

- 1.1 The purpose of this report is to obtain Cabinet approval for the proposed lease renewal of the Pavilion and Bowling green at Maidens Bowling Club, 31 Harbour Road, Maidens for a period of 30yrs on the Councils' standard Full Repairing and Insuring Lease along with the grant of Landlords consent for proposed alterations and extension to be built by the members of Maidens Bowling club. The site is shown in [Appendix 1](#).

**2. Recommendation**

**2.1 It is recommended that the Cabinet:**

- 2.1.1 agrees to grant a new 30yr lease to the members of Maidens Bowling club on the terms and conditions detailed within this report;**
- 2.1.2 authorises the granting of Landlords consent for members of Maidens Bowling club to alter and construct the proposed extension to the current pavilion in accordance with planning consent obtained ref 24/00068 decision notice issued 4 March 2024 by the Council's Planning and Building Standards Service;**
- 2.1.3 grants authority to the Council's Chief Governance Officer to conclude the lease renewal and grant of Landlords consent subject to the agreed terms and conditions detailed in Section 4 below; and**
- 2.1.4 notes that the Cabinet may be asked at a future date to consider the granting of a lease extension to incorporate additional land, as indicated on [Appendix 2](#), once more detailed plans have been received from Maidens Bowling Club.**

**3. Background**

- 3.1 Maidens Bowling Club, 31 Harbour Road, Maidens is subject to a lease with South Ayrshire Council from 2005, which is currently on a yearly basis, as it is running by tacit relocation at an annual rent of £300.

3.2/

3.2 The membership of the club has ambitions to improve the pavilion and facilities for its' members and visitors to the club and have sought and obtained planning consent for alterations and an extension to the pavilion 24/00068/pp. However, the current yearly leasing arrangement does not offer the club the security of tenure they and any grant funding bodies would require, as they seek support for the proposed extension.

3.3 In addition to the above proposal, the club have also enquired about the possibility of extending the lease area, to include additional ground, which is indicated on [Appendix 2](#). They have suggested they would build up the ground, so it is at the same level as their current leased area and incorporate the ground into the leased area and utilise the same for additional seating around the bowling green. Legal Services has confirmed that there is no title restriction which would prohibit the Council from leasing the additional area of land. However, these discussions are at an early stage, and any proposal would require the club to make an appropriate planning application for a change of use, from open space. Upon receipt of detailed plans, the Cabinet will be asked to consider this proposal.

### 3.4 ***Provisional Agreement***

1. South Ayrshire Council will lease to Maidens Bowling Club the Bowling Green, Pavilion and Buildings contained within the existing 0.24ha site indicated outlined in red on the current lease plan [Appendix 1](#).
2. The lease shall be for a period of 30years on the Council's standard Full Repairing and Insuring lease.
3. Date of entry for the new lease shall be the 28 November 2024 or such other date as agreed between the parties.
4. The initial rent shall be £2,500(Two Thousand five hundred pounds sterling) per annum payable quarterly in advance.
5. The rent shall be subject to review at 5yr intervals and will be based upon the average turnover taken from the 5yrs preceding the date of review. Maidens Bowling Club will be required to submit to South Ayrshire Council copies of the accounts to facilitate the rent calculation. As the rent is based on an average Turnover basis it is recognised by both parties that the rent can go down as well as up.
6. The premises will be used as a Bowling club, Community use and as a Licensed premises.
7. The Council will continue to maintain insurance for the pavilion as part of its' block policy, with the Maidens Bowling club meeting its' proportionate share of the premium.
8. It will be for Maidens Bowling club to procure appropriate public liability insurance for members and visitors to the premises and their own contents insurance.
9. In relation to the granting of the new lease, each party will bear their own respective professional and Legal expenses in concluding the lease, but Maidens Bowling Club will be responsible for meeting the cost of any Lease Registration and Land Transaction dues in respect of the registering of the new lease.
10. In respect of the granting of Landlords consent for the proposed extension to the pavilion as indicated in the decision letter of 4 March 2024, and plans submitted in relation to the application 24/00068, I can

advise that Landlords consent will be incorporated with the conclusion of the new lease. [Appendix 1](#).

11. Landlords consent will be granted subject to the club building in accordance with the approved plans 24/00068 and obtaining all necessary statutory consents, including an appropriate completion certificate, a copy of which should be provided by Maidens Bowling Club to the Council as Landlords for its' files.
12. Landlords consent will also be subject to Maidens Bowling Club meeting the cost of any increased block insurance premium resulting from the extension.
13. At the end of the lease, Maidens Bowling club shall return to the Council the premises in a good condition and in accordance with the terms of the Full Repairing and Insuring lease.
14. As regards the additional area requested, the Council will consider this request once the club is able to provide more detailed plans of its' proposals for the additional land. As indicated on [Appendix 2](#).
15. The request for the additional land will be subject to the Club obtaining any necessary statutory consents for its' proposed use of the Land in question, and subject to South Ayrshire Council's Legal Services confirming there is no Legal impediment which would prevent the Council from granting a lease or incorporating this additional land with the lease of Maidens Bowling club.

#### **4. Proposals**

- 4.1 It is proposed that the Cabinet authorises the lease renewal and grant of landlords' consent for the proposed alteration and extension to the pavilion on the terms outlined in section 3.4 of this report.

#### **5. Legal and Procurement Implications**

- 5.1 The recommendations in this report are consistent with legal requirements. Legal Services will be required to conclude the lease renewal and grant of landlords' consent.
- 5.2 There are no procurement implications arising from this report.

#### **6. Financial Implications**

- 6.1 The general services account will receive an increased rent for the pavilion and bowling green as outlined.

#### **7. Human Resources Implications**

- 7.1 Not applicable.

#### **8. Risk**

##### **8.1 *Risk Implications of Adopting the Recommendations***

- 8.1.1 Maidens Club fail to secure the appropriate funding needed to undertake the proposed alterations and extension to the premises, such that the pavilion is not extended.

## **8.2 Risk Implications of Rejecting the Recommendations**

- 8.2.1 By rejecting the recommendations the Council risks losing the additional revenue, from the increased rent for the property and the conclusion of a more secure lease with Maidens Bowling club. In addition, the club would not be able to improve the club as envisaged for its' members and any visitors.
- 8.2.2 The Council would continue to lease the premises in terms of an outdated lease.

## **9. Equalities**

- 9.1 The proposals in this report have been assessed through the Equalities Impact Assessment Scoping process, and there are no significant positive or negative, equality impacts of agreeing the recommendations, therefore an Equalities Impact Assessment is not required. The proposal is in relation to day to day, operational and maintenance of existing assets and therefore a IIA does not need to be carried out.

## **10. Sustainable Development Implications**

- 10.1 **Considering Strategic Environmental Assessment (SEA)** – This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan programme, policy or strategy.

## **11. Options Appraisal**

- 11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## **12. Link to Council Plan**

- 12.1 The matters referred to in this report contribute to Priority 2 of the Council Plan: Live, Work, Learn/ Work, and economy (Outcome 2).

## **13. Results of Consultation**

- 13.1 There has been no public consultation on the contents of this report.
- 13.2 Consultation has taken place with Councillor Martin Kilbride, Portfolio Holder for Buildings, Housing and Environment, and the contents of this report reflect any feedback provided.

## **14. Next Steps for Decision Tracking Purposes**

- 14.1 If the recommendations above are approved by the Cabinet, the Director of Housing, Operations and Development will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Council's Cabinet and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<b>Implementation</b>	<b>Due date</b>	<b>Managed by</b>
Lease concluded by Legal Services	28 February 2025	Service Lead – Asset Management and Community Asset Transfer

**Background Papers**    None

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