

**To: Infrastructure, Land & Environment Policy Board**

**On: 30 August 2023**

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**Report by: Chief Executive**

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**Heading: Alteration to Lease, KLAS Care (CIC), Gilmartin Road, LINWOOD**

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## **1. Summary**

- 1.1 This report advises the board on proposed changes to the existing lease to KLAS Care CIC to facilitate the development of a further building on site.
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## **2. Recommendations**

- 2.1 It is recommended that the Board:
- 2.2 Authorise the Head of Corporate Governance in conjunction with the Head of Economy and Development to vary the existing lease to KLAS Care to facilitate the development of a further building on their leased area on the basis of the terms and conditions outlined in this report.
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## **3. Background**

- 3.1 KLAS Care CIC (SC482117) were granted a lease of the former janitor's house at East Fulton Primary School, Gilmartin Road, Linwood PA3 3SG following Board approval in March 2016.
- 3.2 The lease commenced on 31 January 2017 and was originally for a period of 15 years, extended to 25 years later in 2017. Expiry is due on 30 January 2042. There are break options for both parties as at 31 January in each of the years 2022, 2026, 2032 and 2037. The rent agreed is at a concessionary level and increases by 10% annually.

- 3.3 KLAS Care wish to add a further building on the leased area to provide a 'wellbeing hub' for children in their care. They have secured significant funding to construct the building. The construction has commenced without formal consent from Renfrewshire Council as landlord. The necessary planning consent and building warrants are in place.

#### **4 Proposed Alterations to the Lease**

- 4.1 The current lease does not permit the building of new or additional buildings.
- 4.2 It is proposed the wording of the lease be changed to permit additional building on the site subject to Landlord's consent, and on such terms and conditions as the Head of Corporate Governance and Head of Economy and Development shall consider appropriate in that connection. All other terms to remain as they are.
- 4.3 Tenant to cover any Landlord's legal costs and outgoings incurred.

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#### **Implications of the Report**

1. **Financial** – None.
2. **HR & Organisational Development** – None.
3. **Community Planning** –  
**Children and Young People** – Extra childcare provision.
4. **Legal** – Alterations to lease will be required.
5. **Property/Assets** – As per report.
6. **Information Technology** – None.
7. **Equality & Human Rights**
  - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – None.
9. **Procurement** - None.
10. **Risk** – None.

11. **Privacy Impact** – None.

12. **Cosla Policy Position** – Not Applicable.

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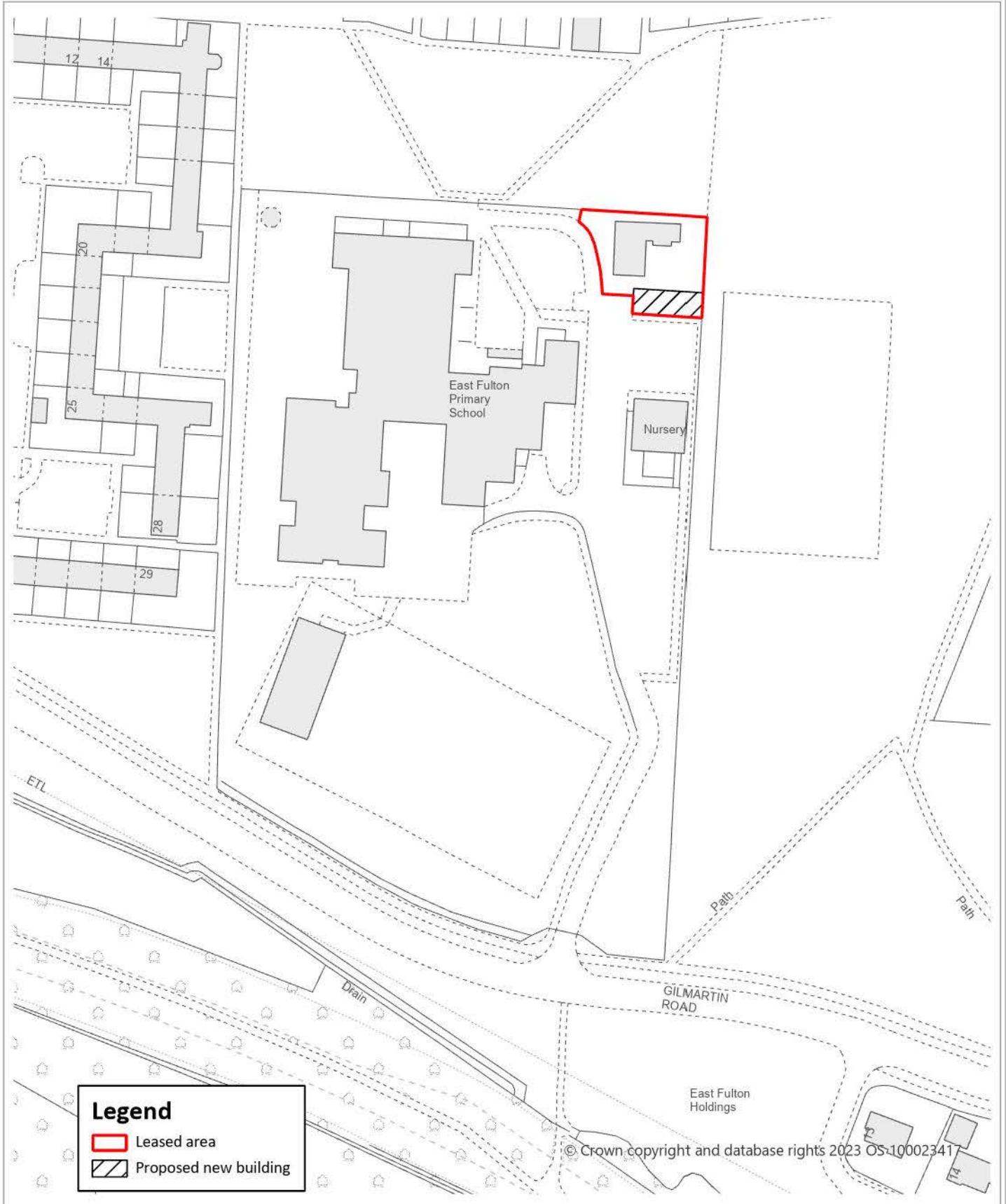
**List of Background Papers**

(a) Not Applicable.

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