REPORT of
DIRECTOR OF NEIGHBOURHOOD SERVICES AND COMMUNITIES

to
STRATEGY AND RESOURCES COMMITTEE
26 NOVEMBER 2026

LONG LEASE AGREEMENT: FORESHORES AT RIVER BLACKWATER AND DOWNS ROAD BOATYARD

1. PURPOSE OF THE REPORT

1.1 To request agreement for a renewal lease of 25 years for the foreshore abutting Downs Recreation Ground at River Blackwater.

1.2 To request agreement for a renewal lease of 25 years for the foreshore adjoining Downs Road Boatyard to bring both leases in line with each other.

2. RECOMMENDATION

That the Council agrees a renewal lease for 25 years for the foreshore abutting Downs Recreation Ground at River Blackwater and the foreshore at Downs Road Boatyard allowing both leases to expire in 2051.

3. SUMMARY OF KEY ISSUES

3.1 The current tenant is a long-standing tenant of Maldon District Council. The leaseholder runs a business from the adjoining boatyard using both leased foreshores as necessary access points.

3.2 The current tenant has held a lease for the abutting Downs Recreation Ground at River Blackwater (see **APPENDIX 1 – image A**) with Maldon District Council since 1993. The lease was initially granted for a period of seven years and then extended to 25 years.

3.3 The tenant has leased the foreshore area adjoining Downs Road Boatyard (**APPENDIX 1 - image B**) since 2008 under a separate 20-year lease. As this lease is nearing the end of its term, approval is sought to extend the lease period to align them.

3.4 The lease for the foreshore adjoining Downs Road Boatyard has expired; however, the tenant remains in lawful occupation under the security of tenure provisions of the Landlord and Tenant Act 1954. This enables the tenant to continue occupying the premises on the existing lease terms while a renewal lease is negotiated and completed.

3.5 As the security of tenure provisions of the Landlord and Tenant Act 1954 were not excluded from either lease, the current tenant, has statutory rights to seek a renewal tenancy. In practice, this means that the Council is required to grant a new lease on broadly similar terms, unless there are statutory grounds for opposing renewal.

3.6 The Council is therefore working with the tenant to agree new lease terms for both the foreshore abutting Downs Recreation Ground on the River Blackwater and the foreshore adjoining Downs Road Boatyard. As the additional foreshore lease was granted in 2008 for a term of 20 years, it is proposed that the renewal arrangements align the terms of both leases.

4. CONCLUSION

4.1 The current tenant has a legal right a new lease on similar terms for the foreshore abutting Downs Recreation Ground at River Blackwater and foreshore adjoining Downs Road Boatyard under the provisions of the Landlord and Tenant Act 1954. The proposed 25-year lease will meet our legal obligations and ensure stability for the business.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

5.1 **Growing our economy**

5.1.1 The agreement of a new lease and lease extension will provide stability for the long running business, allowing continued investment in the skills and facilities required to contribute to Maldon's maritime heritage.

6. IMPLICATIONS

(i) **Impact on Customers** – None.

(ii) **Impact on Equalities** – None.

(iii) **Impact on Risk (including Fraud implications)** – If Members do not approve the proposed lease renewal, the tenant has the right to seek renewal of the tenancy by applying to Court. The Court will likely grant a new lease and will set the terms, rent etc over which the Council will have less control.

(iv) **Impact on Resources (financial)** – There will be no impact on the Council's Finances, as a result of agreeing these lease extensions.

(v) **Impact on Resources (human)** – The legal work will be carried out in house.

(vi) **Impact on Devolution / Local Government Reorganisation** – None currently.

Background Papers: None.

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