

**Heads of Terms
Proposed 99 year Lease
Skillz Academy**

1. **Proposed Rent:** £1 per annum if asked
2. **Proposed Use:** All Weather Sports Hub
3. **Responsibility for Boundaries:** Skillz Academy
4. **Rates:** Tenant to be responsible for payment of general and water rates and all other utilities.
5. **Repairs & Maintenance:** The tenant will be fully responsible for all repairs, maintenance and upkeep of the ground and any buildings erected there on.
6. **Alterations:** No alterations to property without the landlord's prior written consent.
7. **Safety Certificates:** Tenant to be responsible for complying with all statutory obligations including where appropriate (but not limited to) fixed electrical testing, water testing including legionella testing, gas boiler and soundness testing and provision and testing of fire safety equipment.
8. **Insurance (buildings):** Tenant
9. **Insurance (Contents & Third party e.g. Public Liability):** Tenant
10. **Alienation:** The tenant will not be permitted to assign the lease or sub-let the property except that it will be permitted to hire the premises to other community groups.
11. **Planning:** The tenant is responsible for obtaining all appropriate permissions and /or licences, including any planning permission in relation to their use of the subjects.
12. **Funding:** Skillz Academy securing the full funding package required to commission the works to replace the existing AstroTurf surface and fencing to industry standards, the provision of modular changing facilities, to meet the cost of changes to the energy supply arrangements (currently through the school

and will need to be separated) and if required the provision of a suitable access route consistent with the maintenance of School and pupil safety.

- 13. Access:** To maintain the security and safety of pupils and the School there will be no access to the School Grounds which surround the Subjects during the school day.
- 14. Commissioning:** Within 1 year from the date of entry Skilz Academy will commission the works to replace the existing AstroTurf surface and fencing to industry standards, the provision of modular changing facilities, to meet the cost of changes to the energy supply arrangements and if required the provision of a suitable access route, with the said works to be completed within 3 months.
- 15. Floodlights:** Within 1 year from the date of entry Skilz Academy will replace the existing floodlights with new low energy LED lights.
- 16. Community Facilities:** Within 5 years of the date of entry Skilz Academy will secure funding for the provision a community building adjacent to the pitch for the use of the community. This building will house toilets, changing rooms, a Changing Places toilet, meeting room/classroom and office space and will be fully compliant in terms of the Equality Act 2010. The Building will be completed within 2 year from Funding being in place and no later than 7 years from the date of entry.
- 17. School Use:** Agreement being reached between the Council, ANGUSalve and Skilz Academy for priority access to the synthetic pitch for school use. To cover set hours both term time and holidays, to ensure there is no detriment to the school's ability to deliver its core PE curriculum and related extra-curricular activity or negative impact on school costs compared to the Council retaining the asset.
- 18. Public Access:** Safe and workable plans for Equality Act 2010 compliant public access to the facility being agreed by the Council / ANGUSalve and suitable legal agreements being put in place for rights of access being established for Skilz Academy. This would cover both construction and operational phases.
- 19. Angus Alive Use:** Agreement being reached between ANGUSalve and Skilz Academy to allow access to the synthetic pitch for the delivery of children's holiday programmes during Easter, Summer and October

periods (number of weeks to be agreed) and coach education courses (number of days to be agreed) in partnership with the Scottish FA and other National Governing Bodies of Sport. Costs of hire to be agreed.

20. Fair Pricing: Agreement being reached with the Council / ANGUSalive on how Skilz Academy will ensure adequate community access and fair pricing will apply to usage of the facility.

21. Other Conditions: Agreement being reached on any other requirements which the Council, ANGUSalive or Skilz Academy need to put in place to operate the facility in a manner which ensures compliance with relevant laws and regulations.

Such other conditions as the Director of Legal and Democratic Services may determine necessary to secure the services/outcomes in Skilz Academy's CAT application.

22. Standard Lease terms: As per Angus Council's standard lease.

If the lease is for 7 years or more (or if less than 7 years it is renewed and extends up to or beyond 7 years) and the rent is £1,000 a year or more you must complete a Land and Buildings Transaction Tax (LBTT) return and send it to Revenue Scotland within 30 days of the "effective date". You must pay any tax due and complete further tax returns every 3 years. There are penalties for submitting late returns or paying tax late. Revenue Scotland's website has further information and guidance (www.revenue.scot). Your solicitor will be able to prepare the returns for you.

23. Legal Fees: Tenant to pay Angus Council's reasonable Legal Fees & outlays