

WEST SWINDON PARISH COUNCIL

Appointment of a Solicitor – Play Area Leases

1. Background

- 1.1 The West Swindon Parish Council agreed the terms of a lease for play areas in July 2018 using Bevirs Solicitors for independent legal advice and submitted these to Swindon Borough Council's Property Services team.

2. Report Details

- 2.1 Swindon Borough Council has communicated that it is currently undertaking land title searches to be shared with the Parish Council's solicitor and have asked for the contact details for this purpose.
- 2.2 At this stage, it is difficult to quantify what legal work is exactly required and on that basis it may not be possible to secure comparable quotes for the work proposed.
- 2.3 Based on previous experience, Bevirs Solicitors have indicated the following:
- £900.00 plus VAT for dealing with the lease itself including the work to register the same at the Land Registry (charges are normally around £1200.00, so there is a discount here).
 - In terms of the title paperwork, it is estimated at a full working day (8 hours) to read the documentation and report on any relevant matters. At an hourly rate of £230.00 plus VAT, this would mean costs of £1840.00 plus VAT
- 2.4 This suggests a minimum budget in the region of £2,750.00 plus VAT for this exercise. The Parish Council has currently set aside £8,000 for Legal Fees. There will also be a Land Registry fee of around £150.00 and possibly there are extra fees for registering against so many titles.
- 2.5 The only other possible costs are for searches. It is wise to have searches undertaken to ensure that the Parish Council has proper access rights and that nothing is revealed which would affect plans for the property. Local searches are around £150.00 each and (depending on proximity) it would need a search for each parcel. Until the full paperwork from Swindon Borough Council is available, we will not know the extent of the searches required.
- 2.6 As Bevirs Solicitors have acted for West Swindon Parish Council in respect of the draft play area lease terms, it would be reasonable to anticipate that their continued representation would be an efficient and expedient choice for the Parish Council.

3. Recommendation

- 3.1 It would be usual as part of the Parish Council's Financial Regulations 2018 to seek 3 estimates for work with the exception of specialist services such as solicitors (10.(a)). It is therefore recommended that the Parish Council appoints Bevirs Solicitors to represent the Parish Council to conclude the Lease arrangements for West Swindon Parish Council play areas.

Paula Harrison Parish Manager