

Boughton Aluph & Eastwell Parish Council 17/11/25

Sandyacres Lease

Rachel Girt, Clerk, 11/11/25

Background

An [application](#) for micro-energy storage on part of the Sandyacres site has been approved by Ashford Borough Council. For ABC to lease part of the site to the operator, the lease area needs to be amended so ABC has requested changes be made to the lease. The lease is held by the Parish Council as a custodian Trustee on behalf of Sandyacres Trustees.

Custodian Trustee

Boughton and Eastwell Parish Council (B&EPC) is the Tenant of a lease from Ashford Borough Council of the site known as Sandyacres (and registered at the Land Registry) as the custodian trustee for The Sandyacres Trust. This arrangement was put in place as The Sandyacres Trust is an unincorporated body and is unable to enter into contracts or legal documents in its own right. All documents have to be entered into by the individual trustees as trustees. To prevent a new lease having to be drawn up each time there is a change of trustee at The Sandyacres Trust, a custodian trustee was put in place to hold the land. This is quite common for community facilities and it is not unusual for the custodian trustee to be a parish or borough council. It does not imply any responsibility of B&EPC for the responsibilities which are those of the trustees and the lease is very clear that the responsibility for the obligations in the lease sit with the Trustees of The Sandyacres Trust whoever they may be from time to time.

Paragraph amended & approved by Principal Solicitor (Property & Projects) Ashford Borough Council on 11/12/19

The Surveyor for Ashford Borough Council has confirmed:

- that the Parish Council's role will continue as before, but simply not in respect of the small battery box area.
- the Parish Council will not have any liabilities in relation to the battery box site itself, other than not blocking occasional maintenance access.

Costs & donation

A commitment has been secured that the company operating the equipment will make a contribution of £1,500 in respect of the Parish Council's legal costs in respect of the work involved in surrendering part of its lease to Ashford Borough Council which will enable ABC to grant the lease to Battery Box.

The likely cost for the legal work has been quoted as £950 plus VAT.

Battery Box has offered a donation of £2000 to the Parish Council.

Wellers Hedley

The Parish Council has used Wellers Hedley solicitors previously. They are specialists in Parish Council law.