



AGENDA ITEM: 5(u)

CABINET: 15 September 2015

Report of: Assistant Director Community Services/ Assistant Director Housing and Regeneration

**Relevant Managing Director: Managing Director (People and Places) /
Managing Director (Transformation)**

Relevant Portfolio Holders: Cllr. Y. Gagen/Cllr I. Moran

Contacts for further information: Mrs R. Kneale

(E-mail: rachel.kneale@westlancs.gov.uk)

Mr S. Kent

(E-mail: Stephen.kent@westlancs.gov.uk)

SUBJECT: ALLOTMENT LEASES

Wards affected: All Skelmersdale wards

1.0 PURPOSE OF THE REPORT

1.1 To seek approval to extend the lease term for the Councils two statutory allotment sites in Skelmersdale.

2.0 RECOMMENDATION

2.1 That the Assistant Director Community Services be authorised to take all necessary steps to extend the lease term of Skelmersdale Horticultural Society and Liverpool Road Allotment Society(respectively) from 7 years to 25 years, as identified at paragraph 5.1, subject to all necessary consents and approvals being obtained.

3.0 BACKGROUND

3.1 In 2010 a report was presented to Cabinet (Operational Assets – Managed Allotment Sites – 16 March 2010) which set out a process for new management arrangements for all of our allotments following a Government White paper in 2008 entitled Advancing Assets for Communities. Our report looked to support

this initiative by seeking and supporting, devolved management for our allotments, and authorisation was given for new management arrangements for allotment societies. These arrangements included setting standard terms for Society leases of 12 months for new societies and 7 years for established and capable societies.

- 3.2 This process has proven successful with most of our allotments now under some level of devolved management, and all of the sites fully occupied with waiting lists.

4.0 CURRENT POSITION

4.1 Skelmersdale Allotment Society (SHS) manage the Council owned allotment site at Houghtons Road Skelmersdale. Liverpool Road Allotment Society (LRAS) manage the Council owned allotment site in Liverpool Road, Skelmersdale.(see appendix 1 – Skelmersdale Allotment Sites). Both of these societies have been operating on these sites for many years, SHS since 1985 and LRAS since 1984, undertaking devolved management of the facilities, and between them provide plots for almost 50 local residents. They have both operated efficiently and through their voluntary input have contributed significant time, skill and resources, including attracting external grant funding, to help develop well managed allotments that are a great asset to the community.

4.2 In line with current policy both of these Societies have been given or offered 7 year leases for their sites. However, both Societies have requested that the duration of their leases be extended to 25 years. The reasoning for this request is:-

4.2.1 Both Societies are keen to develop their sites and keep the standards as high as possible. Without financial support from the Council they rely upon external grant aid. Many grant funders, including the Big Lottery, require security of tenure to allocate significant grants, of 20-25 years, and this is a similar situation for many of the other larger grant distributors.

4.2.2 As both Societies have already been in existence for substantially longer than 7 years (SHS – 30 years, and LRAS - 31 years) and have managed their sites well throughout that time, they feel that they warrant this longer term lease.

4.2.3 The two sites managed by these Societies, at Houghtons Road and Liverpool Road, Skelmersdale are the only two Council owned sites that are officially classified as Statutory sites, with the protection that affords, and the Societies feel that the longer lease term requested would better reflect this status.

5.0 PROPOSALS

5.1 It is proposed, therefore that, in order to support the Societies aims of attracting grant funding and to reflect the standing and capabilities of the Societies and their sites approval be given to extending the duration of their leases to terms of 25 years.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 The project will support the Council's strategic aims in respect of improving access to quality facilities, providing facilities to improve the health and quality of life of the community.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 Longer security of tenure would increase the ability of the allotment societies to access external grant funding. This would support the ability of the societies to continue fully devolved management of the sites.
- 7.2 The subject allotments are statutory by designation and therefore enjoy legal protection under the Allotments Act 1925. Statutory Allotments may only be disposed of by a local authority if the Secretary of State provides his consent.
- 7.2.1 "Such consent ... shall not be given unless the Minister is satisfied that adequate provision will be made for allotment holders displaced by the action of the local authority or that such provision is unnecessary or not reasonably practicable." The Council has shown its support for allotments and therefore, of S123 of the Local Government Act, members may be satisfied that the provisions namely the social, economic benefits are met.

8.0 RISK ASSESSMENT

- 8.1 The allotment societies concerned feel that the increased lease term would help them to access funds that they require to continue devolved management and without this their devolved management responsibilities could be unfeasible. If the societies terminated their leases and handed the management function back to the Borough Council there would be increased resource implications for the Council.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Appendices

Appendix 1 – Skelmersdale Allotment Sites

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.