

**REPORT FROM:** CORPORATE DIRECTOR

**TO:** EXECUTIVE

**DATE:** 22<sup>nd</sup> OCTOBER 2015

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## HALIFAX ROAD ALLOTMENTS SITE, BRIERFIELD

### PURPOSE OF REPORT:

To consider further the transfer of this allotments site to BrierfieldTown Council.

### RECOMMENDATION

That the allotments site be transferred to Brierfield Town Council.

### REASON FOR RECOMMENDATION

To regularise the legal position.

### ISSUE

1. At the meeting of the Transfer of Services and Facilities to Town and Parish Councils Committee on 27<sup>th</sup> August a report was requested on the transfer of the allotments at Halifax Road, Nelson to Brierfield Town Council.
2. The Executive considered a report on the site on 24<sup>th</sup> July 2014 following a request from the Town Council and a recommendation from the Brierfield and Reedley Committee for it to be transferred to the Town Council. The item was deferred for further information.
3. The allotment site is owned by the Council and shown edged black on the attached plan. The Council also owns the land shown hatched black.
4. In April 1992 shortly after Brierfield Town Council was established the Bent Head statutory allotment site was transferred by Pendle to the Town Council. This was because the law provides that, where a town or parish council exists then it, rather than the Borough Council, is the statutory allotment authority.
5. At the same time statutory allotments were also transferred to the newly created parish councils of Barnoldswick, Earby, Trawden and Barrowford.

6. The Halifax Road site was also a statutory allotment site but was not transferred to the Town Council because at that time it was within the Nelson boundary. It was only after a ward boundary review in 2000 that it became part of Brierfield Borough ward and also part of the Brierfield Town Council area.
7. Although it was not transferred the site has for some years been managed on behalf of the Council by the Town Council who in turn have had a Management Agreement in place with the Halifax Road Allotments Society whereby the Society undertakes the day to day management of the site.
8. Members are asked to now regularise the position and agree to the transfer of the statutory allotments site to the Town Council.

## **IMPLICATIONS**

**Policy:** None arising directly from the report.

**Financial:** None arising directly from the report.

**Legal:** These are set out in the report.

**Risk Management:** None arising directly from the report.

**Health and Safety:** None arising directly from the report.

**Sustainability:** None arising directly from the report.

**Community Safety:** None arising directly from the report.

**Equality and Diversity:** None arising directly from the report.