

**REPORT FROM: CORPORATE DIRECTOR**

**TO: COUNCIL**

**DATE: 25<sup>th</sup> SEPTEMBER 2018**

**Report Author: Philip Mousdale**  
**Tel. No: 01282 661634**  
**E-mail: Philip.mousdale@pendle.gov.uk**

**BARROWFORD MEMORIAL PARK and PENDLE HERITAGE CENTRE**

**PURPOSE OF REPORT:**

To report the current position with the proposed transfer of Barrowford Memorial Park and Pendle Heritage Centre to Barrowford Parish Council; and the receipt of a counter proposal from the Pendle Heritage Centre Trust.

**RECOMMENDATION**

**Either**

(1) That the proposal from the Pendle Heritage Centre Trust be investigated further and a further report be submitted to the next Council meeting.

**OR**

(2) That the Council proceed with the transfer to Barrowford Parish Council of the freehold of the Memorial Park, and of the Heritage Centre subject to the existing lease.

**REASON FOR RECOMMENDATION**

To make progress with the Transfer of Facilities programme.

1. This report is brought to full Council following concerns expressed by Members at the lack of progress in achieving the transfer of the Memorial Park and Heritage Centre and the potential implications for the Transfer of Facilities programme. The report also outlines a counter proposal from the Pendle Heritage Centre Trust which raises policy implications.
2. For the last four years the Council has been engaged in a programme of transfer of facilities to town and parish councils. The purpose is to reduce the Council's costs whilst ensuring that the facilities remain in local democratically accountable ownership.
3. The programme includes the transfer of parks and all the town and parish councils with parks in their area were invited in 2016 to consider taking transfers of the freeholds. Barrowford Parish Council indicated its wish to take the Memorial Park.

4. Pendle Heritage Centre, the site of which adjoins the Memorial Park, is currently leased by the Council to the Heritage Trust for the North West (HTNW). The lease is for 90 years from 1<sup>st</sup> April 1991 and therefore has approximately 63 years to run.
5. A Pendle Heritage Centre Trust (PHCT) has recently been established (a registered charity and limited company) with the intention of taking a sub- lease from HTNW.
6. In 2012 HTNW approached the Council seeking a variation of the lease to enable it to run the Heritage Centre in a more flexible way and generate more income and make the operation more sustainable. The Executive agreed to some of the requested changes though things did not really move on.
7. In October 2016 HTNW and PHCT requested a community asset transfer of the freehold of the Heritage Centre. The Executive considered this alongside the Parish Council's offer to take a transfer of the Memorial Park at its meeting on 8<sup>th</sup> December 2016. It received representations at the meeting from both parties.
8. In summary it accepted the Parish Council's argument that the two sites should be viewed as a single entity as they had been "gifted" together to the people of Barrowford in the 1920s.
9. In addition to agreeing to the transfer of the Memorial Park to the Parish Council it resolved "That the transfer of the freehold of the Pendle Heritage Centre to Barrowford Parish Council be agreed in principle subject to satisfactory agreement being reached between the Parish Council and HTNW on a renegotiation of the terms of the current lease".
10. It was agreed that the Corporate Director would try to facilitate the renegotiation. Initial meetings were held with each party as to what they would like to see included/excluded and a draft lease was prepared and sent to the parties in October 2017. We consider that the draft is less onerous in several respects for HTNW/PHCT than the present lease.
11. The intention was that the transfer would be completed by April 2018 (as happened with the three Barnoldswick parks). Unfortunately, despite numerous attempts, it has proved impossible to convene a joint meeting to agree the terms of the proposed new lease.
12. I have to say that whilst the Parish Council has been willing and eager to meet, HTNW and PHCT have been very reluctant to engage in the process.
13. On 4<sup>th</sup> September we received a counter proposal from the Chair of PHCT requesting the transfer of the freehold of both the Heritage Centre and the Memorial Park to PHCT instead of to the Parish Council. In support it points to the example of Lytham Hall (a country house with surrounding parkland) where HTNW has taken over management leading to improvement of its condition and development as a central plank of tourism on the Fylde Coast. The Chair advocates there is an opportunity to do the same for Barrowford and Pendle.
14. If the Council wishes to explore this proposal further then it is suggested a strict deadline is imposed for further investigation and a report is submitted to the next meeting of the Council.
15. Disposal to PHCT of the Park would be a departure from the existing policy underpinning the transfer of facilities programme which is to keep them in the ownership of a local democratically accountable body. There has been one small exception to this which was Trawden Community Centre. There the parish council itself did not wish to take a transfer

but some of its members and local people set up a Charitable Incorporated Organisation for the purpose.

16. If the Council does not wish to take up the new proposal either now or following further investigation then the next logical step would be to revert to the original decision and transfer the Park and the Heritage Centre to the Parish Council subject to the present lease.

## **IMPLICATIONS**

**Policy:** The Council's policy is as outlined above.

**Financial:** At this stage the financial implications of a transfer to PHCT have not been explored. In line with other town and parish councils Barrowford Parish Council contributed 25% of the Park's grounds maintenance costs in 2017/18 and has agreed to contribute 50% in 2018/19 (£14,705). The expectation is that this will rise to 75% in 2019/20 and 100% in 2020/21.

**Legal:** None arising directly from 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.