

<b>Report Title</b>	Land to the rear of The Garden Project – Fleet Street, Nelson.
<b>Meeting</b>	Nelson, Brierfield and Reedley
<b>Meeting Date</b>	5 <sup>th</sup> January 2026
<b>Report Author</b>	Stephen Martens
<b>Directorate</b>	Resources
<b>Lead Executive Member(s)</b>	Councillor David Whipp
<b>Wards Affected</b>	Bradley, Brierfield East & Clover Hill, Brierfield West & Reedley, Marsden & Southfield, Whitefield and Walverden.
<b>Public. Part Exempt, or Fully Exempt</b>	Public
<b>Appendices (if any)</b>	Site identification Plan

## 1. Executive Summary

- 1.1 The purpose of the report is to inform members of a request by Bodies in Motion (Registered Charity) to be granted a Lease so that they can secure grant funding for the creation of an outdoor adventure facility and forest school.

## 2. Recommendations

**For the reasons set out in this report, Nelson, Brierfield and Reedley Committee is recommended to:**

- 2.1 Approve the request by Bodies in Motion and ask the Executive to approve the granting of a Lease.

## 3. Information: the Rationale & Evidence for the Recommendations

- 3.1 A request has been made by Bodies in Motion for a Lease of the site shown on the identification plan. They have identified the site which is currently in a poor unkempt condition but feel that with grant assistance it can be made suitable to fulfil their mission 'support the health, wellbeing, and personal development of individuals across our communities by engaging them in structured, positive activities that foster resilience, confidence, and self-belief.'
- 3.2 After identifying the site Bodies in Motion have contacted Lancashire Environmental Fund (LEF) for Grant support who following a site viewing and seeing their proposals have said that the scheme meets

many of their requirements. Other grant providers may also be approached however grant monies would not be given unless Bodies in Motion had a legal interest in the site. Planning Permission and Loss of Open Space advertisements may also be required.

- 3.3 If Committee/s are supportive of the proposal and approval given, then subject to any Statutory requirement being obtained Property Estates can instruct the Legal Department to produce the documentation for a Lease. The most practical solution would be for the Council to grant a Lease which is co-terminus with the existing lease of The Garden Project (land fronting Fleet Street) this is for a term of 50 years from 10<sup>th</sup> July 2025 at a peppercorn rent if demanded.
- 3.4 The Grant application requires submission in early 2026 before which Bodies in Motion will need to have a Legal interest in the site (Lease) and full scheme proposals.

#### **4. Link to Council Plan Priorities: (Providing High Quality Services and Facilities, Proud and Connected Communities and Places, Good Growth and Housing and Healthy Communities)**

- 4.1 Proud and Connected Communities and Places, Healthy Communities.

The project will support the health, wellbeing, and personal development of individuals across the communities.

#### **5. Implications**

##### **5.1 Financial Implications**

The site is a Freehold Council Asset; Currently the site generates no income. A lease at peppercorn rent would maintain this position but would transfer all liabilities and responsibilities to the Leaseholder.

##### **5.2 Legal and Governance Implications**

The existing terms of the Lease dated the 10<sup>th</sup> July 2025 should be included in the new Lease. These terms include Bodies in Motion having public liability insurance in place throughout the lease term; the break clause that allows Bodies in Motion to bring the Lease to an end if funding for the project stops; bringing the Lease to an end if Bodies in Motion cease to exist.

The new Lease will not be contracted out of Landlord and Tenant Act 1954 which means at the end of the 50 years Bodies in Motion will have a statutory right to a new lease unless the Council are able to rely on one of the specific grounds (for example, the Council need the land to develop; Bodies in Motion have left the land in disrepair; Bodies in Motion have breached covenants)

In addition to the above the new Lease will include riparian land, i.e. a part of Walverden Water. The Lease will be drafted in a way that Bodies in Motion

will be responsible for keeping that part of Walverden Water clean and free from rubbish.

### 5.3 **Climate and Biodiversity Implications**

The proposal has potential positive impacts through re-greening, outdoor education and active management of currently unmanaged vegetation.

### 5.4 **Human Resources Implications**

There are no HR & Payroll implications.

### 5.5 **Equality and Diversity Implications**

No Equality and Diversity Implications

## 6. **Consultation**

6.1 No external consultation undertaken

## 7. **Alternative Options Considered**

Retain the land in its current condition.

## 8. **Statutory Officer Sign off** (please put an x in the relevant box below)

Section 151 Officer	x
Monitoring Officer	x

## 9. **Background Documents**

N/a

### **Contact Officers**

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