

Report of	Meeting	Date
Director of Director Commercial Services (Introduced by the Executive Member for Resources)	Executive Member Decision	22 nd April 2021

Proposed Lease of Land at Pear Tree Lane Euxton

Purpose of Report

- To seek approval to the terms agreed for the grant of a lease of land at Pear Tree Lane Euxton for the provision of allotments
- To seek approval to transfer the S106 for the allotment creation to Euxton Parish Council

Recommendation(s)

- That the terms agreed be approved and authority granted for the Lease to be completed

Executive Summary of Report

- Terms have been agreed for the grant of a 30-year Lease to Euxton Parish Council
- The land is located at the Pear Tree Lane Field Development off Euxton Lane and is shown on the plan attached
- Terms have been proposed and agreed with the Parish Council for the grant of a full repairing and insuring lease with the Parish Council responsible for the creation and ongoing operation of the allotment site
- Chorley Council are to contribute £10,402.73 of S106 funding towards the creation of the allotments of which £7,867.73 has currently been received.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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Reasons for Recommendation(S)

(If the recommendations are accepted)

- To meet the need for the provision of allotments prominently in the parish of Euxton

Alternative Options Considered and Rejected

- None

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	X	A strong local economy	
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Clean, safe and healthy homes and communities	X	An ambitious council that does more to meet the needs of residents and the local area	X
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Background

11. Rowland Homes have developed a residential estate known as Sylvesters Farm in Euxton.

Planning /Local Plan

12. The terms of the planning permission and associated Section 106 agreement required a contribution towards the provision of allotments, the land adjacent to the housing development was transferred to the Council for use as allotments in lieu of a monetary contribution. Euxton Parish Council are responsible for applying for planning permission for the detailed site layout.
13. In the open space review carried out in 2011 and adopted through the Local Plan in 2012 land was identified to create new allotments to make up the shortfall in the Borough.
14. Chorley Council provide (or have provided) under our statutory duties under the Small Holdings and Allotments Act 1908 allotments within the Borough.

S106 and Funding

15. See Appendix 1

Legal status

16. The Local Government Act 1972 provide for allotments within a parish to be operated by the parish council rather than the district council.
17. This only applies to parished areas.
18. Euxton Parish Council has confirmed that they are seeking the transfer of the allotments site within their parish to them for the continued use as allotments.

Land Transfer

19. See Appendix 1

Allotment Waiting List

20. It has been agreed with Euxton Parish Council that the existing waiting list for people from Euxton Parish will be transferred and managed by the Parish Council. Existing plot holders in Euxton Parish have been offered the opportunity to transfer
21. The waiting list in general has increased significantly during the COVID pandemic and the creation of new allotments will increase the number of allotments available and ease pressure on other sites in the Borough

Implications of Report

22. This report has implications in the following areas and the relevant Directors' comments are included:

Finance	X	Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

Risk

A risk register has been completed	Yes	No
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Comments of the Statutory Finance Officer

23. As detailed in the report the S.106 receipts received will be transferred for this purpose. As future receipts are received these can also be transferred across to the scheme

Comments of the Monitoring Officer

24. As mentioned in the body of the report a district council and parish council have a statutory duty to provide allotments in accordance with the Small Holdings and Allotments Act 1908.
25. Paragraph 9 of Part II of Schedule 29 of the Local Government Act 1972 states that a parish council shall only exercise this function within their respective parish.

Director Mark Lester
Commercial Services

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Catherine Jagger	5724	22/4/21	CMJ AN038 EM128

Following careful consideration and assessment of the contents of this report, I approve the recommendation(s) contained in Paragraph 2 of the report in accordance with my delegated power to make executive decisions.



Dated 04/05.21

Councillor Peter Wilson
Executive Member (Resources)