

Minutes of a meeting of the Regulatory and Appeals Committee (sitting as Trustees) held on Thursday, 7 March 2019 in the Banqueting Hall - City Hall, Bradford

Commenced 1.35 pm
Concluded 1.55 pm

Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
Warburton Watson Godwin	Brown Cooke	Griffiths

Apologies: Councillor Alan Wainwright and Councillor Mohammed Amran

Councillor Warburton in the Chair

90. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

91. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

92. CHAPEL LANE ALLOTMENTS, ALLERTON, BRADFORD

The Strategic Director, Corporate Resources presented a report (**Document “AQ”**) in relation to the self-management of Chapel Lane Allotments, Allerton, Bradford, which the Council owned as Charitable Trustees. The Council as Trustee was currently assisted by the Allerton Allotment Association in running the trust allotments.

The Strategic Director, Corporate Resources explained that the allotments were part of a larger area of land that was held in Trust by the Council for two charities for the purpose of public recreation and allotment gardens. He reported that a request for a Community Asset Transfer (CAT) had been submitted by Chapel Lane Allotment Association, who managed and maintained the site and this had been progressed until it had been identified that the land was held in Trust. Members were informed that the Association had improved the site and a CAT would enable them to fully self manage the allotments. The Strategic Director, Corporate Resources highlighted a number of options available to the Trustees as a way forward, however, he confirmed that the Association did not want to

become a charitable trust due to the cost and work associated with this. It would also be difficult to grant a long lease, as the land was split between two charities. In conclusion it was recommended that a Service Level Agreement be granted to the Association, which would allow them to run the allotments in accordance with the aims of the Trust.

In response to a number of questions from Members, the City Solicitor, acting on behalf of the Trustee confirmed that a 'disposal', i.e. a sale or lease longer than seven years, of the site would likely damage the existing Trusts and a CAT lease granted over seven years would be classed as a disposal by the Charity Commission. He indicated that the best way forward would be to retain the status quo or undertake a Service Level Agreement. The splitting of the Trust land via a disposal would also be an issue, as it would not benefit the on-going Trust as a whole.

A representative of the Chapel Lane Allotment Association addressed the Committee and explained that a great deal of work had been undertaken by the Association in order to improve the site over the past 10 years. Members noted that the site had won a best allotment award in 2015, it had a shared poly tunnel, paths and hedges were maintained and there were bee hives and a wildlife garden. Income from the site totalled £1700 per year, which was a significant amount for the Association, as it could be used to provide toilet facilities and more work with the community could be undertaken. The Association's representative stated that if they became responsible for the site they would be able to make the funds go further and allow the Council's Allotments team to focus on other problem sites. They had public liability insurance and were ready to take on the responsibility of managing the site.

During the discussion a Member indicated that a possible way forward would be for officers to negotiate a Service Level Agreement with the Association and investigate the possibility of whether the two Charities could be restructured into a separate park and allotment Trusts. The Chair agreed that this would be beneficial to the Association in the short term and hopefully provide an option to move to in the future.

Resolved –

- (1) That Option 4, to grant a Service Level Agreement to the Chapel Lane Allotment Association, be approved.**
- (2) That the Strategic Director, Corporate Resources be requested to explore the feasibility and possibilities in respect of restructuring the two Charities into separate park and allotment trusts.**

ACTION: Strategic Director, Corporate Resources

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Regulatory and Appeals Committee.

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER