

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cabinet Member for Regeneration and Assets with the Cabinet Member for Communities**  
held on Tuesday, 15th December, 2015 in Committee Suite 1, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

### **PRESENT**

Councillors D Stockton and L Gilbert.

### **Also present:**

Councillors B Burkhill, T Dean, D Mahon and G Williams.

### **Officers in attendance:**

Lee Beckett - Surveyor

Joanne Jones – Property Services Manager

Cherry Foreman – Democratic Services Officer

### **13 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **14 DECLARATIONS OF INTEREST**

In the interests of openness Councillor D Stockton declared the Cliff Road allotments were in his local ward.

### **15 PUBLIC SPEAKING TIME/OPEN SESSION**

No members of the public were present.

### **16 LAND LANE ALLOTMENTS AND CLIFF ROAD ALLOTMENTS, WILMSLOW**

It was reported that approval was required to transfer two allotment sites known as Land Lane Allotment and Cliff Road Allotment, Wilmslow, shown edged red on the plans attached to the report, as part of the Local Service Delivery -Transfer and Devolutions to Town and Parish Councils process; this fell in line with the previous cabinet decision for the transfer of assets and devolution of services.

Wilmslow Town Council had been created in May 2011 as a result of a formal Community Governance Review Process. As Wilmslow Town Council had been created by an Order the Allotments were already vested in the Town or Parish Council by virtue of The Local Government (Parishes and Parish Councils) (England) Regulations 2008. The regulations apply to every reorganisation order including the 2013 Order. By Regulation 9 of the 2008 Regulations it was provided that where, immediately before the Order date, land in an area constituted as a parish by a reorganisation order was held by a principal council for any purpose of the Allotments Acts 1908 to 1950 or was vested in a principal council and used for those purposes, it shall on the order date transfer to and

vest in the parish council for that parish or, if there was no such council, the parish meeting for that parish.

This approval was, therefore, required to enable any existing or required rights to be legally retained for any of the Councils adjacent land and to be dealt with in the legal documentation as opposed to allowing the vesting and registration order to just occur.

### **RESOLVED**

Subject to the response to the public space advertisements, approval be given to dispose by way of a freehold transfer Land Lane Allotment and Cliff Road Allotment, Wilmslow, shown edged red on the plans attached to the report, to Wilmslow Town Council for a nominal value on the terms stated in the report and other terms to be agreed by the Assets Manager in consultation with the Portfolio Holder and Head of Legal Services pursuant to the provisions of s.99 of the Local Government and Public Involvement in Health Act 2007.

The meeting commenced at 10.45 am and concluded at 10.55 am