

DECISION NOTICE

Notice is given that the following decision has been taken under the Provisions set out in the Council's Constitution

- Decision maker:** Cabinet Member for Regenerations and Assets with the Cabinet Member for Communities
- Date:** 15 December 2015
- Decision in the matter of:** Land Lane Allotments and Cliff Road Allotments, Wilmslow
- Decision:** 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.
- Background:** An approval is 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 which falls in line with the previous cabinet decision for the transfer of assets and devolution of services.

Wilmslow Town Council was created in May 2011 as a result of a formal Community Governance Review Process. As Wilmslow Town Council has been created by an Order, then the Allotments are 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 is provided that where immediately before the Order date land in an area constituted as a parish by a reorganisation order is held by a principal council for any purpose of the Allotments Acts 1908 to 1950 or is 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 is no such council, the parish meeting for that parish.

This approval is required to enable any existing or required rights to

be legally retained for any of the Councils adjacent land and be dealt with in the legal documentation as opposed to allowing the vesting and registration order to just occur.

Background Documents: The background papers relating to this report can be inspected by contacting the report writer.

Approved:

Signed
Councillor Don Stockton (Cabinet Member for Regeneration and Assets)

Signed
Councillor Les Gilbert (Cabinet Member for Communities)

Date: 15 December 2015

Advising Officer:

Signed
Lee Becket (Surveyor)