1. **Purpose of Report**

1.1 To seek Cabinet approval to lease land at Piggy Park, Rishton, to the PROSPECTS Foundation for the purpose of a local food growing site.

2. **Recommendations**

2.1 That Cabinet agrees to lease Piggy Park in Rishton to the PROSPECTS Foundation.

2.2 That Cabinet delegates authority to the Head of Housing and Regeneration, following consultation with the Portfolio Holder, to agree the detailed terms of the lease.

3. **Reasons for Recommendations and Background**

3.1 Cabinet is referred to the meeting held on 11\textsuperscript{th} March 2015 (minute 481) when it approved the grant of a 15 year lease to the Rishton Food Growing Association on the Piggy Park site for the purpose of a local food growing project. The previous report is attached for information.

3.2 The approval was granted on the basis of the Rishton Food Growing Association becoming a properly constituted body with capacity to enter into the lease.

3.3 Although the Association has subsequently become a constituted body it is not incorporated for the purpose of entering into a lease with the Council. Members of the Association are reluctant to take on personal liability for complying with the terms of the draft lease by signing a lease as trustees.
3.4 The PROSPECTS Foundation has offered to become the Council's tenant for the purpose of complying with the lease terms, while enabling the project to progress quickly. The PROSPECTS Foundation, in turn, will appoint the Rishton Food Growing Association to manage the site on its behalf as its agent.

3.5 The intention is still to grant a fifteen year lease on the same terms as previously reported.

3.6 The Council has advertised its intention to dispose of this public open space by way of a lease in order to satisfy the requirements of Section 123 (2A) of the Local Government Act 1972. No objections were received to the notices and the Head of Regeneration and Housing has decided to recommend the disposal of the public open space by way of the proposed lease.

4. Alternative Options considered and Reasons for Rejection

4.1 The alternative options of how to progress this project were set out in the previous report. However, this proposal enables the project to progress without the need for the Council to take on the management responsibility for the proposed food growing plots while encouraging a local community group to become involved in managing its own scheme.

4.2 With the Prospects Foundation acting as the Council’s tenant, the community group will not be exposed to the risk of financial loss if the project is not a success.

5. Consultations

5.1 The Legal Services Team is aware of the revised proposals and has raised no objection to the PROSPECTS Foundation becoming the Council’s tenant.

6. Implications

| Financial implications (including any future financial commitments for the Council) | As set out in previous report |
| Legal and human rights implications | As set out in previous report |
| Assessment of risk | As set out in previous report |
| **Equality and diversity implications**<br>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report. | As set out in previous report |
7. **Local Government (Access to Information) Act 1985: List of Background Papers**

7.1 *Report to Cabinet dated 11th March 2015 (Attached)*

8. **Freedom of Information**

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.