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**To : full council**  
**Subject : Status of AfLP negotiations**

**Update on status of AfLP negotiations**

Following the decision by the Charity Commission (CC) to instigate a review of the proposed AfLP scheme, we have been advised that it may be several months before a conclusion is reached. Until the scheme is approved, AfLP would be unable to lease the land back to us. In fact if the scheme is not approved the only resource available to AfLP to raise income under their existing scheme would be to sell the land and in principle they would be obliged to sell to the highest bidder.

In the meantime, at the request of the AfLP trustees, we have been asked not to transfer ownership of the pieces of land involved until such time as they are in a position to lease them back to us. We have agreed to this, and to back date the agreements to 1<sup>st</sup> January 2015 assuming the scheme goes forward.

There are several objections that have been raised and that are being considered by the CC, varying from an objection to the name (why mention allotments in the name if the charity is not obliged to provide them anymore?) to an objection questioning the very existence of the charity. Clearly a name change is insignificant, however should the CC reach the conclusion that the AfLP's existence and involvement in the process is unnecessary then we would have to reconsider the current proposals.

The conclusion of the HPC working party at present is that the most likely outcome is that the CC will make the scheme and we will progress as originally agreed. As a show of goodwill and to ensure we are in a position to go ahead immediately the scheme is made, we have instructed our solicitors to review the proposed leases and to consider the questions raised at the previous HPC FC meeting concerning the involvement of the AfLP trustees in the management of the sites.

Regards

James Perkins