
Report to COUNCIL CHARITABLE TRUST COMMITTEE

Northern Roots: Plot 8 (Phase 2 Urban Farm)

Portfolio Holder: Cllr Arooj Shah, Leader of the Council and Portfolio Holder for Reform and Regeneration

Officer Contact: Emma Barton, Executive Director of Place (Deputy Chief Executive)

Report Author: Matt Bulmer, Project Director SportsTown and Northern Roots

23 Feb 2026

Reason for Decision

Officers are seeking the consent of the Charitable Trust Committee (CTC) to authorise steps required to enable Northern Roots to progress Phase 2 of the Urban Farm on Plot 8, which is charitable land gifted to the Council and held on charitable trusts. Specifically, the report seeks approval to commission a Charities Act-compliant surveyor's report and to progress the necessary legal and regulatory steps to enable the grant of a lease of Plot 8 to the Northern Roots charity for the purposes of delivering Phase 2 of the Urban Farm.

The proposed use relates solely to Plot 8 and does not include or rely upon any changes to other plots.

Recommendations

Request and Recommendations

It is recommended that the Charitable Trust Committee:

1. Authorise and instruct officers to commission a surveyor's report on behalf of the CTC pursuant to the provisions of the Charities Act 2011 (as amended) in respect of a proposed lease of Plot 8 to the Northern Roots charity for Phase 2 of the Urban Farm (the Proposed Lease).

AND, should the surveyor's report advise, that the proposal should be advertised,

2. Authorise and instruct officers to advertise by way of notice the Proposed Lease for such period and in such manner as is required by the Charities Act and as may be advised in the surveyor's report.
3. Authorise and instruct officers of the Council to apply for any consent, order or Scheme that may be required from the Charity Commission in connection with the Proposed Lease of Plot 8.

Potential grant of lease of charitable land (Plot 8) to the Northern Roots charity.

1 Background

- 1.1 The Council owns approximately 100 acres of green space at Snipe Clough, known as the Northern Roots site. The Northern Roots charity is delivering a long-term project to regenerate the site for public benefit, improving health, wellbeing, education, skills and access to green space through learning, leisure and food-growing activities.
- 1.2 The Northern Roots project is being delivered by the Northern Roots charity, which is required by the Charity Commission to be operationally and legally independent from the Council.
- 1.3 Extensive community engagement has been undertaken and a masterplan approved. Planning permission (FUL/348898/22) and subsequent Reserved Matters approval (RES/352568/24) include provision for an 'upper market garden' on Plot 8, forming part of the Urban Farm.

2 Current Position

- 2.1 Plot 8 (Lees Recreation Ground) was gifted to the Corporation in 1911 and is subject to charitable trusts.
- 2.2 The charitable objects relating to Plot 8 were amended by a Charity Commission Scheme dated 10 November 2020. The current objects are:

“To promote for the benefit of the inhabitants in the borough of Oldham and the surrounding area the provision of facilities for recreation or other leisure time occupation of individuals who have need of such facilities by reason of their youth, age, infirmity or disablement, financial hardship or social and economic circumstances or for the public at large in the interests of social welfare and with the object of improving the condition of life of the said inhabitants.”
- 2.3 The proposed Phase 2 Urban Farm use of Plot 8 aligns with these charitable objects, delivering recreation, education, social welfare, health improvement and community benefit.
- 2.4 Northern Roots proposes to progress Phase 2 of the Urban Farm on Plot 8, comprising an expansion of community food-growing and associated infrastructure consistent with the approved planning permission.
- 2.5 The proposed use includes, but is not limited to: • Community growing areas for schools, community groups and social prescribing referrals • Educational horticulture and agriculture activities • Polytunnels, growing beds, orchards and demonstration plots • Facilities to support training, apprenticeships and volunteering • Small-scale commercial growing, with all surpluses reinvested into the charity's objectives • Ancillary infrastructure such as composting, water management, tool storage and access routes

-
- 2.6 The Urban Farm will operate as an educational, therapeutic and community asset, improving access to healthy food, skills development and outdoor activity for Oldham residents.
 - 2.7 Northern Roots cannot lawfully occupy or use Plot 8 without the consent of the Charitable Trust Committee.
 - 2.8 Given the nature and duration of the proposed use, a lease of Plot 8 is required in order to provide Northern Roots with the necessary security of tenure to operate, fundraise and invest in Phase 2 of the Urban Farm.
 - 2.9 The disposal of charity land by way of lease must comply with the Charities Act 2011 and Charity Commission guidance. As trustees, the CTC must ensure that: (1) decisions are made in the best interests of the charity, (2) reasonable care and skill are exercised and, (3) the best terms reasonably obtainable are secured
 - 2.10 Prior to granting the Proposed Lease, the CTC is required to obtain and consider a written report from a qualified surveyor instructed exclusively on behalf of the charity.
 - 2.11 Where the proposed tenant is another charity, this will require either consent or a Scheme from the Charity Commission.

3 Options/Alternatives

- 3.1 Option 1: agree to the recommendations in this report.

This will enable officers to commission the required Charities Act surveyor's report and progress the necessary regulatory steps, allowing the Proposed Lease to be brought back to the CTC for further consideration once all statutory requirements have been met. This option supports delivery of Phase 2 of the Urban Farm. (Recommended)

- 3.2 Option 2: do not agree to the recommendations.

This would prevent the commissioning of the surveyor's report and, as a result, prevent the grant of a lease of Plot 8, meaning Phase 2 of the Urban Farm could not proceed.

4 Preferred Option

- 4.1 Option 1: agree to the recommendations in this report.

This will enable officers to commission the required Charities Act surveyor's report and progress the necessary regulatory steps, allowing the Proposed Lease to be brought back to the CTC for further consideration once all statutory requirements have been met.

5 Consultation

- 5.1 Should the surveyor's Charities Act report recommend that the Proposed Lease be advertised, officers will undertake advertisement in accordance with that advice.
- 5.2 Any representations received will be reported back to the Charitable Trust Committee alongside the surveyor's report for further decision-making.

6 Financial Implications

- 6.1 There will be a revenue cost associated with commissioning the surveyor's report and any required advertisement. These costs will be met from within existing Northern Roots project budgets.

7 Legal Implications

7.1 The recommendations in this report follow the Charity Commission’s Operational Guidance on the disposal of charity land and the requirements of Section 119 of the Charities Act 2011.

7.2 “Section 119 requires the charity trustees to:

- *Obtain and consider a written report on the proposed disposition from a qualified surveyor instructed by the trustees and acting exclusively for the charity (section 119(1)(a), ChA 2011); and*
- *Advertise the proposed disposition for such period and in such manner as is advised in the surveyor’s report (unless the surveyor advises that it would not be in the best interests of the charity to advertise the proposed disposition) (section 119(1)(b), ChA 2011); and*
- *Decide that they are satisfied, having considered the surveyor’s report, that the terms on which the disposition is proposed to be made are the best that can reasonably be obtained for the charity (section 119(1)(c), ChA 2011).*
- *It is therefore only necessary for the charity’s trustees to advertise the proposed disposition, if advised to do so by the surveyor in their report. The Charity Commission may decide to be prescriptive about the nature of notices and advertising required for (a) the issue of a new Scheme (ie change of objects and to allow disposal to a connected person) and (b) the proposed disposal itself (a Scheme or Order will be required to grant a lease to either an connected entity (ie connected to the Council) or a charitable entity) and it may not be just as the surveyor may recommend.*
- *The surveyor’s report must cover the prescribed matters referred to in the Schedule to the Charities (Qualified Surveyors’ Reports) Regulations 1992”.*

7.3 Provided the Charitable Trust Committee follows the prescribed statutory process, including consideration of the surveyor’s report and any necessary Charity Commission consent, the trustees will be compliant with their legal duties.

8. Procurement and Estates Implications

8.1 Estates recommend the Charity Board take independent advice on the suitability of the proposed use and the appropriate Lease terms.

9 Equality Impact, including implications for Children and Young People

9.1 No

10 Key Decision

10.1 No

11 Key Decision Reference

11.1 N/A

12 Background Papers

12.1 N/A

13 Appendices

13.1 No