



## Southbourne Parish Council

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### MINUTES OF THE MEETING OF THE SOUTHBOURNE PARISH COUNCIL ALLOTMENT COMMITTEE 21st September 2023

**PRESENT:** Cllrs: L. Meredith (Chair) and J. Money.

**IN ATTENDANCE:** M. Carvajal-Neal (Clerk of Allotment Committee) M. Banach (Admin Assistant) and Committee Member J. Ullman.

The meeting started at 10.02

#### 16. TO NOTE THE RESIGNATION OF CLLR TAYLOR FROM THE PARISH COUNCIL

This was **NOTED**. The Chair offered her thanks to the former Chair for all his hard work and dedication to the Parish Council and to the Allotment Committee.

#### 17. TO NOTE THE APPOINTMENT OF CLLR MEREDITH AS CHAIR OF THE ALLOTMENT COMMITTEE AS APPROVED BY COUNCIL ON 11TH JULY 2023

This was **NOTED**.

#### 18. CONSIDERATION OF THE APPOINTMENT OF MEMBERS AS NON-COUNCILLOR MEMBERS TO THE COMMITTEE

The Deputy Clerk had received notification that an allotment holder wished to stand to be nominated for the position of non-councillor elected Member to the committee. Unfortunately, the tenant was not able to attend the meeting. Members **AGREED** to wait until the tenant can attend the meeting to consider electing them on to the Committee. The Deputy Clerk to notify the tenant.

#### 19. CHAIRMAN'S WELCOME AND INTRODUCTION

The Chair welcomed everyone to the committee and thanked everyone for their attendance.

#### 20. APOLOGIES FOR ABSENCE

Apologies had been received from Cllr T. Bangert who had other commitments in her capacity as CDC councillor and from Committee Member L. Davies who is on leave.

#### 21. TO APPROVE AND SIGN THE MINUTES OF THE ALLOTMENT COMMITTEE MEETING HELD ON 25<sup>TH</sup> MAY 2023

Members **AGREED** to **APPROVE** the Minutes of the Allotment Committee meeting held on 25<sup>th</sup> May 2023 and they were signed by the Chairman.

#### 22. DECLARATIONS OF INTEREST

- 22.1** The Deputy Clerk declared that she has a plot at Southbourne Fields which is subject to inspection. The Chair had undertaken the inspection of this plot.

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- 22.2** J. Ullman declared that she had a pecuniary interest in agenda item 10 as she is an allotment holder and would refrain from voting on the matter.

**23. ADJOURNMENT FOR PUBLIC OPEN FORUM**

There were no items for open forum.

**24. CLERK'S UPDATE**

Members **NOTED** the following updates from the Deputy Clerk:

- 24.1** The Contracted caretaker has trimmed the footpaths and cut back the overhanging branches at Flanders Close. As he had access to his own tools he did not need to purchase any equipment. Min 10.6 refers.
- 24.2** Full Council agreed to the recommendation to formally adopt the Greenhouse. Min 11.1.1 refers.
- 24.3** A resident has complained regarding the condition of the plots at Flanders Close, specifically the smell of rotting vegetation and that the plots are untidy. Additionally, that the weeds outside of the site are not being tended to. Officers have written to tenants to remind them of the terms of the tenancy agreement. Maintenance of the site is already for consideration on this agenda as is the inspection report from the site, as such no decision is required at this time.
- 24.4** A tenant has complained regarding their plot at Flanders Close, circulated separately. The items raised are for consideration on this agenda as such no decision is required at this time.

**25. TO CONSIDER A PROPOSAL TO REVIEW THE RENTAL FEES FOR SOUTHBOURNE FIELDS AND FLANDERS CLOSE.**

Members received and **NOTED** a verbal update from the Deputy Clerk of the history of the rental fees and that the fees had been set in line with the facilities that were provided and the condition of the plots. Officers have not received any comments regarding rental fees being high.

One Member raised a point that a former Parish Councillor and Member of the Committee had raised at a previous meeting that rental fees were not being utilised for the allotments. The Deputy Clerk clarified that there are no terms that specify that generated income from rental fees must be spent on allotments only and that Parish Councils are permitted to generate income from allotments to be utilised elsewhere. Additionally, it would not be good practice for the committee to lower rent in line with expected expenditure as allotment sites can require large unforeseen expenses. If there is unspent budget at the end of the financial year it is good practice to reduce the budget provided by the Parish Council rather than reducing rental fees which in turn can help keep the precept at an affordable rate for the electorate. Additionally, there are no outstanding items that need to be addressed as such the Committee *have* utilised the money for the allotments when it was required.

Following discussion, it was proposed that the rental fees for Flanders close be set at £20 per annum for the financial year 2024-25. Members considered the proposal and unanimously **AGREED** to set the rental fees at £20 for 2024-25.

It was then proposed that the rental fees at Southbourne Fields remain at £100 per annum for the standard plots and £115 for the larger plots. Members considered the proposal and unanimously **AGREED** for rental fees to remain at £100 per annum for the standard plots and £115 for the larger plots .

The committee further **AGREED** that the rental fees for Southbourne Fields remain the same for a period of 3 years, therefor they will next be reviewed for the financial year 2027-28.

**26. BUDGET- TO NOTE THE BUDGET AND ANY INCOME AND EXPENDITURE INCLUDING:**

The budget including income and expenditure was **NOTED**.

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**26.1 TO RATIFY THE PAYMENT OF £197 (EX VAT) FOR THE REQUIRED REPAIR TO TAP 2**

Members **AGREED** to **RATIFY** the payment of £197 to come from the allotment committee budget for the required repair to tap 2.

**26.2 TO CONSIDER THE BUDGET FOR 2024-25 INCLUDING ANY REQUIRED RECOMMENDATIONS TO FULL COUNCIL**

Members **NOTED** the expected income and expenditure as circulated by the Deputy Clerk and **AGREED** that the 2024-25 budget for the Allotment Committee be set at £1000 per annum, based on a predicted income of £1740 generated from rental fees. Members further **AGREED** to make the following recommendation to Full Council:

**RECOMMENDATION:** That the 2024-25 budget for the Allotment Committee be set at £1000 per annum.

**26.3 TO CONSIDER A PROPOSAL TO ESTABLISH A MAINTENANCE FUND FOR FUTURE WORKS AND TO FURTHER CONSIDER MAKING ANY RECOMMENDATIONS TO FULL COUNCIL INCLUDING TO MAKE ANY APPROPRIATE AMENDMENTS TO THE ToR**

Members **CONSIDERED** and **AGREED** to the proposal to establish a maintenance fund for future works to either allotment sites. Members further **AGREED** to make the following recommendations to Full Council:

**RECOMMENDATION:**

1. That the Allotment Committee establishes a maintenance fund for required maintenance to any allotment site owned by the Parish Council.
2. That any unspent funds either from the Allotment Committee budget or generated income at the end of the financial year are earmarked to the Maintenance Fund up to a maximum value of £5000.
3. Should the maintenance fund reach £5000 capacity any further unspent budget at the end of any financial year is returned to the Parish Council reserves.
4. Should Full Council approve the above recommendations that these terms are added to the Allotment Committee ToR:

**Function of committee:** To manage a Maintenance Fund generated from annual unspent budget to a maximum value of £5000.

**Delegation of functions:** Parish Clerk and Officers

**26.4 TO CONSIDER A PROPOSAL TO EARMARK A PORTION OF THE BUDGET TO BE ALLOCATED FOR THE FUTURE PURCHASE OF ADDITIONAL ALLOTMENT SITES**

A discussion was held and the following points were raised:

- The committee do not have the authority to agree to the purchase of any land, as such this decision must be deferred to Full Council.
- The provision of allotment plots is not within the PC's business plan for 2023-24.
- The Parish Council have purchased two allotment sites since 2021 and as such have met their obligation to the electorate in terms of the provision of allotments.
- The formation of the allotment plots at Flanders Close took a considerable amount of officer's time. As it stands officers would not have sufficient time to take on another project of this scale.
- Given the legal costs associated with purchasing Flanders Close and the costs of the contracted work it would be unlikely that the committee would be able to generate enough funds from unspent budget to support the purchase of new allotments.
- Officers recommend that should a future viable allotment site become available that the committee consider making a recommendation to Full Council to purchase or adopt the site at that time.

Following discussion Members **AGREED** to decline the proposal to earmark any portion of the budget to be allocated to the future purchase of additional allotment sites.

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Members **AGREED** with officer's recommendation that should a viable allotment site be presented to the PC that the committee consider making a recommendation to Full Council to purchase or adopt the site at that time.

Members further **AGREED** to add to a future agenda consideration of a minimum set of standards for any allotment site that is offered to the PC. Members asked that Officers notify the committee if any sites are presented to the PC.

**27. TO CONSIDER A PROPOSAL TO MOVE THE TENANCY RENEWAL DATE TO 1<sup>ST</sup> MAY TO ENSURE THAT RENTAL PAYMENTS ARE RECEIVED IN THE CORRECT FINANCIAL YEAR**

Following discussion Members **AGREED** to delay the tenancy renewal date from 1<sup>st</sup> April 2024 to 1<sup>st</sup> May so that rental fees can be received into the correct financial year.

Members further **AGREED** to offer tenants the month of April 2024 rent free.

**28. FLANDERS CLOSE- TO RECEIVE ANY UPDATES AND CONSIDER ANY REQUIRED ACTIONS**

**28.1 TO RECEIVE AND NOTE AN UPDATE ON THE NEW HOMES BONUS PROJECT**

Members **NOTED** the update.

**28.2 TO CONSIDER ANY APPLICATIONS FOR THE COMMUNAL PLOT**

Members **NOTED** that the Deputy Clerk has not received a response from any of the organisations that were contacted by officers. Members further **NOTED** that the Deputy Clerk has had some interest from Tuppenny Barn who could potentially use the plot for a new scheme they are starting which is due to launch in February 2024.

Members **AGREED** that the plot is offered to Tuppenny Barn. The Deputy Clerk highlighted that the tenancy agreement may need to be amended at that time to support the project given that there is no water on site and it may not be feasible to use the plot in a traditional way. It was further **AGREED** to revisit this at a future meeting and to ask Tuppenny Barn to attend that meeting and present their ideas so that the tenancy agreement can reflect the agreed use.

**28.3 TO CONSIDER MAINTENANCE OF THE SITE INCLUDING WEEDS IN COMMUNAL AREAS**

The Deputy Clerk recommended that a formal maintenance plan is put in place for Flanders Close, specifically; litter picking, strimming around plots and weed spraying in the areas outside of the plots. The contracted caretaker can undertake this work. Members considered the items circulated by the Deputy Clerk and the following was proposed:

1. The contracted caretaker is instructed to carry out litter picking and weeding/strimming once per month during the months of April to October. That the remaining period of the year will only require maintenance every other month.
2. An area of 3ft to be strimmed back around the allotment plots. That the external allotment boundary be strimmed, not sprayed, to prevent contamination of produce. That the external gravel area is sprayed with a non-glyphosate weed killer.
3. The wildlife corridor to the rear of the site is left to remain wild.
4. That officers instruct the caretaker as and when to carry out the maintenance, that no spraying is required in winter months and that a maximum budget of 259.99 is used for the purchase of weed killer (10x 5 litre bottles) to come from the Allotment Committee maintenance fund.

Members **AGREED** to the above proposal. Members further **AGREED** that the PPE and other items circulated to the committee are purchased and will come from the allotment committee budget to a maximum value of £100 excluding the weed killer.

#### **28.4 TO RECEIVE AND CONSIDER A QUOTE FOR TREE MAINTENANCE AND CONSIDER A COURSE OF ACTION FOR ANNUAL TREE MAINTENANCE**

Members **NOTED** that the Deputy Clerk had only been able to source one quote for the works required at Flanders Close. Members **NOTED** the quote as previously circulated and **AGREED** to **APPROVE** the quote of £480 to:

- Cut back overhang from 2x Sycamores along boundary.
- Remove 1x Sycamore sapling.
- All waste removed.

The works are to be paid for from the maintenance fund and for Officers to instruct the contractor to carry out the work.

Members further **AGREED** to **APPROVE** the quote of £180 per annum for the maintenance of the trees and hedges along the boundary line and **AGREED** to officers instructing the contractor to carry out this work when required.

#### **28.5 TO CONSIDER A REQUEST FROM A TENANT TO TEMPORARILY REMOVE SOME FENCING TO ALLOW A WATER TANK TO BE INSTALLED**

Members **NOTED** that a tenant has requested that they or the PC remove a portion of the fencing temporarily to allow an IBC tank to be brought onto site to collect larger volumes of water. The contracted caretaker has advised that he is able to facilitate this.

One Member was concerned that the tanks are very large and questioned whether they were suitable given that they would be required to be removed from site if and when the tenancy was terminated. Following discussion Members **AGREED** that during the exit inspection Officers can make an assessment as to the benefit of any equipment on site, providing that the equipment is in good order the tenant would not be asked to remove it. This applies to any and all items on any plots owned by the PC.

Members **AGREED** that the fence be removed and that Officers liaise with the caretaker and plot holder to organise this.

There were some concerns regarding legionella in water butts, containers and hoses given that there has been a recent case of a death caused by legionella contracted from a hose pipe at an allotment.

Members **AGREED** that the tenancy agreement will need to be amended to prohibit the use of any equipment which creates aerosol as air born legionella can cause a significant risk to both the user of the equipment and to neighbouring plot holders and residents. As such Members **AGREED** that Officers circulate some information to tenants regarding legionella and that tenants are advised of the following;

***Tenants may not add pumps to any water butt or cistern. Tenants must not use any equipment that creates an aerosol spray due to the risks of legionella except when attached to a mains water supply.***

It was further **AGREED** that Officers add this to the tenancy agreement and display information on the risk of Legionella on the noticeboard.

#### **29. SOUTHBOURNE FIELDS**

##### **29.1 TO RECEIVE AND NOTE AN UPDATE ON ANY TREES PLANTED BY TENANTS AT SOUTHBOURNE FIELDS AND TO CONSIDER ANY REQUIRED ACTIONS INCLUDING TO CONSIDER REVIEWING THE TENANCY AGREEMENT**

Members **NOTED** the report as provided by the Deputy Clerk. Following discussion the following was proposed:

1. Officers write to tenants and request that any tree that is planted without permission is removed, any tree that is planted that is not a fruit tree of dwarf root stock is removed, that all hedging is removed and that any tree that is of dwarf stock and has been historically permitted is maintained to a maximum height of 8ft and clear of any fencing.
2. That any plot holders that have not had permission to plant a tree or hedge are given until 1<sup>st</sup> January 2024 to remove the tree or hedging. If they are not removed within this time the 28-day enforcement process is initiated.
3. Officers write to tenants and advise that as of 21<sup>st</sup> September 2023 the planting of any tree on site is strictly prohibited.

Members **AGREED** to the above proposal. Members further **AGREED** that the tenancy agreement is amended as follows:

*3.4.3 Due to the size of the plots the planting of hedges or trees other than dwarf trees will not be permitted*

Be amended to:

*3.4.3 Due to the size of the plots the planting of hedges or trees is not permitted.*

**29.2 TO RECEIVE AND NOTE AN UPDATE ON THE MAINTENANCE OF THE TAPS AND TO CONSIDER IF ANY ADDITIONAL ACTIONS ARE REQUIRED**

Members **NOTED** the update and **AGREED** that the taps do not require any additional attention at this moment. Members further **AGREED** that, considering the importance of water on an allotment site, should the taps require repair again that they are replaced with a more robust standpipe up to the value of £1000, that should this occur officers circulate the information via email and ratify the decision at the subsequent committee meeting.

**29.3 TO CONSIDER A PROPOSAL TO ATTEND TO THE WEEDS IN THE CARPARK AREA**

Members considered the proposal and **AGREED** to the same terms as for Flanders Close allotments, Min 33.3 refers, namely that:

The contracted caretaker is instructed to carry out litter picking and weeding/strimming once per month during the months of April to October. That the remaining period of the year will only require maintenance every other month. That officers instruct the caretaker as and when to carry out the maintenance. That glyphosate free weedkiller is used and that no spraying is required in winter months. A maximum budget of £259.99 (for both sites) is used for the purchase of weed killer (10x 5 litre bottles) to come from the Allotment Committee maintenance fund.

**29.4 TO NOTE THE SAFETY ISSUE AND RESOLUTION REGARDING THE GATE**

Members **NOTED** the update. One Member advised that a more robust solution is required and requested this be added to a future agenda, this was **AGREED**.

**29.5 TO CONSIDER A PROPOSAL TO PURCHASE ADDITIONAL FRUIT TREES**

Members **AGREED** that the two apple trees in position at the moment are in good order and do not require any amendments to the stakes. Members **AGREED** to defer the purchase of additional trees to the November meeting and proposed J Ullman provide the committee with information on ornamental cherry trees at that time.

**30. TO CONSIDER A REQUEST FROM A RESIDENT TO SITE A BEEHIVE ON ONE OF THE ALLOTMENT SITES**

Following discussion Members **AGREED** not to permit the siting of a beehive on either allotment site, this is due to there not being sufficient space. Officers to write to the applicant.



**31. TO NOTE THE CURRENT TENANCIES AND WAITING LISTS FOR BOTH SITES AND TO CONSIDER ANY ACTIONS**

The current list was **NOTED**.

It was proposed that the tenant at Southbourne Fields who is sited under the sycamore tree be offered the plot which has just been returned to the PC before it is offered to anyone else on the list. This was **AGREED**.

**32. SITE INSPECTIONS- TO RECEIVE AND NOTE THE SEPTEMBER INSPECTION REPORT AND TO CONSIDER ANY REQUIRED ACTIONS**

Members **NOTED** the report.

Members **AGREED** that there were only 3 plots which required a decision. The following actions were proposed:

1. 1 Plot appears to be abandoned and requires initiation of the 28-day enforcement process.
2. 2 Plots have a letter issued to them reminding them of the terms of the tenancy agreement specifically related to keeping the plot reasonably free from weeds.

Members **AGREED** to the proposal and to officers writing to the tenants. One Member requested that correspondence be sent by post and email, this was **AGREED**.

Members discussed whether the current terms in the tenancy agreement were too stringent, specifically relating to cultivation of the site, that the current conditions were unattainable and should be reviewed. The following changes were proposed;

*3.3.1 The tenant shall keep the allotment reasonably free from weeds, properly cultivated and in a good state of fertility all year round. Properly cultivated means that all of the plot is being worked all year round. The area of the allotment occupied by the shed and its base remains exempt from this requirement to cultivate.*

*3.3.2 Within the first three months of the tenancy 25% of the plot must be under cultivations with crops. This is discretionary on the condition of the plot at the time of tenancy agreement and time of year the plot is let. After three months it must be seen that the plot is regularly tended to and showing signs of progress. The remainder of the plot must be under cultivation with crops within twelve months.*

Shall be amended to:

*3.3.1 The tenant shall keep the allotment reasonably free from weeds all year round. The tenant shall keep at least 50% of the allotment properly cultivated and in a good state of fertility all year round. The area of the allotment occupied by the shed and its base remains exempt from this requirement to cultivate.*

*3.3.2 A new tenant shall by the end of the first year of their tenancy comply with 3.3.1 above.*

Members unanimously **AGREED** to the proposed amendment.

**33. TO NOTE THE DATE AND TIME OF NEXT MEETING, THURSDAY 30<sup>TH</sup> NOVEMBER 2024**

This was **NOTED**.

The meeting ended at 12:32

Signed .....

Dated .....