

BERKHAMSTED TOWN COUNCIL

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23 January 2015

There will be a meeting of the **Allotment Management Team** on **Thursday 29 January 2015 at 10.30am** in the Council Chamber, Civic Centre, Berkhamsted.

Councillors: A Armytage Chair
 E Collins
 J Laws

Allotment Reps: John Eaton, Sunnyside
 John Fisher, Butts Meadow
 Diana Reay, Dellfield
 Lin Philips, Sunnyside
 Geoffrey Wallington, Butts Meadow
 Keely Charlick, Sunnyside Rural Trust

Town Council: John Bushby, Town Warden


Gary Cox
Town Clerk

THE PUBLIC ARE INVITED TO ATTEND ALL MEETINGS OF THE TOWN COUNCIL

AGENDA

OPENING MATTERS

AMT 1/15 Apologies for Absence

To receive any **apologies for absence**.

AMT 2/15 Minutes of Last Meeting

To approve the **minutes of the last meeting** held on 16 October 2015.
(Minutes attached)

AMT 3/15 Public Participation

To invite any **public participation**.

AMT 4/15 Correspondence from the public

To note **emails from the public and responses** regarding

- allotment measurements in imperial v metric system
- a concern over risks of water tanks at Dellfield (attached)

FINANCE MATTERS

AMT 5/15 Income and Expenditure Report

To consider the **allotment income and expenditure and reserves** for 1 April 2014 to 31 December 2014 and the projected outcome at 31 March 2015.
(Paper attached)

AMT 6/15 Allotment Budget 2015/16

To note that Full Council has **approved the budget for 2015/16**, including the proposed allotment budget. (Attached)

AMT 7/15 Allotment Rent Collection Report

To note the outcome of the **rent collection/renewal** for 2014. (Summary attached)

ALLOTMENT MATTERS

AMT 8/15 Allotment Reports

To consider **allotment and plot inspection reports** on:

- (i) Dellfield
- (ii) Sunnyside Old
- (iii) Sunnyside New
- (iv) Butts Meadow (attached)
- (v) Sunnyside Rural Trust

AMT 9/15 Allotment Risk Management

To **consider any allotment risks** and agree required mitigating actions.

AMT 10/15 Allotment Rules

To consider a **redraft of the allotment rules** towards plainer English and greater clarity on tenant responsibilities. (Current and proposed text attached)

AMT 11/15 Date of Next Meeting

To note the date of the **next AMT meeting** is arranged for 10.30am on Thursday 23 April 2015; and to **propose any specific agenda items** for that meeting.

AMT 2/15

BERKHAMSTED TOWN COUNCIL

Minutes of the Meeting of the

ALLOTMENT MANAGEMENT COMMITTEE

held in the Council Chamber, Civic Centre, Berkhamsted on

Thursday 16 October 2014 at 10.30 am

PRESENT:

Councillors: A Armytage Chair
J Laws

Allotment
Representatives: John Eaton, Sunnyside
Jenny Sippings, Sunnyside
Diana Reay, Dellfield
John Fisher, Butts Meadow
Geoffrey Wallington, Butts Meadow
Keely Charlick, Sunnyside Rural Trust

OFFICER: Gary Cox - Town Clerk

ALSO PRESENT: 1 member of the public.

OPENING MATTERS

AMT 36/14 Apologies for Absence

Apologies for absence had been received from Councillor E Collins, John Bushby and Lin Philips.

AMT 37/14 Minutes of the Last Meeting

One change was agreed to the minutes of the last meeting held on 17 July 2014 regarding item 31/14 to ...'outstanding work on removal of trees lining the railway line at SSO and SNN.'

Subject to that change, the minutes of the last meeting were agreed.

The Management Team noted that all actions from the last meeting had been completed and the Town Clerk was asked to:

- check the link from the Town Council website to watering good practice guidance on the Sunnyside Allotment Society website;
- confirm that Mr Stout would consider shooting pigeons as well as rabbits on SSO, as was taking place on SSN;

- consider a further option to improve vehicle access to Butts Meadow Allotment; and
- explore further options for trees abutting the railway line at SSO and SSN to be felled. **Action: Town Clerk**

AMT 38/14 Public Participation

There was no public participation.

AMT 39/14 Income and Expenditure Reports

The Management Team considered the income and expenditure report at 30 September 2014; noted that the projected outturn at 2014-15 year end was for a surplus of £1,602 and requested the report be developed to include more information on budget/expenditure variances. **Action: Town Clerk**

AMT 40/14 Allotment Budget 2015/16

The Management Team considered first draft budget proposals for 2015/16.

It was noted that income proposals were based on an assumption that there would be no change to land rent and water rates when set next year, but if this position were to change, then a revised budget would be presented to the Management Team at that time.

The Management Team requested that the expenditure proposals should include provision for legal costs and suggested the following improvement work for 2015/16 be costed and included in the budget proposals:

- Improvements/strengthening the Butts Meadow roadway
- To consider with the SS representative the scope and cost for improved rabbit fencing, including around some individual plots. **Action Town Clerk/John Eaton**

ALLOTMENT MATTERS

AMT 41/14 School Visit to Dellfield Allotments

The Management Team noted that Year 1 children from Westfield School had visited Dellfield Allotment the previous day as part of their 'healthy eating project'.

AMT 42/14 Allotment Management System

The Town Clerk reported that the new allotment management system had been installed. After considerable hard work by the Allotment Officer, the system contained up-to-date tenant details and tenancy invoices for 2014/15 had been sent out.

The Management Team noted that all but a few invoice payments had been by cheque or on-line, rather than by cash

Allotment Representatives agreed that, to ensure tenant records were accurately maintained:

- tenants who wished to relinquish plots should be encouraged to complete a termination form or send an email confirming they are relinquishing their tenancy. The termination form would be made available on line. **Action: Town Clerk**
- new tenants should not be allowed to tend their new plot until a signed tenancy agreement form and rental payment had been received by the Town Council to allow for details to be entered onto the new system.

Following discussion, the Management Team proposed that the Allotment Reserve fund should pay for an enhancement to the new Allotment Management System so that by Allotment Representatives could view-only access though secure web-access. **Action: Town Clerk**

AMT 43/14 Access to Butts Meadow Allotments

The Management Team noted that the Borough Council had changed vehicle access arrangements to Butts Meadow.

The Borough Council has installed a new lock to the access gate, necessary as it is no longer possible for insurance and liability reasons to allow uncontrolled vehicle access over council land, especially when crossing pathways and near playgrounds.

Anyone needing access into Butts Meadow and to the Allotments will need to produce public liability insurance to gain a licence and provide the dates required for the gate to be opened, limited to between 9am and 2pm Monday to Friday.

Those requiring an access licence to Butts Meadow Allotments should send a scan or copy of their public liability or vehicle insurance to the Town Clerk to forward to the Borough and for a licence to be issued. **Action: John Fisher/Town Clerk**

John Fisher requested that the Town Council advertise new access arrangements on the Butts Meadow Allotment Notice Board. **Action: Town Clerk**

AMT 44/14 Allotment Reports

Allotment Reports are attached. The following issues were discussed.

Dellfield

There were no issues to raise.

Sunnyside Old and New

The revised, combined lease for Sunnyside Rural Trust was still outstanding. The Town Clerk was asked to produce a draft lease for consideration by the site representative and SSRT. **Action: Town Clerk**

Investigations should be made to ensure the Town Council was receiving the most competitive water rate charges. **Action: Town Clerk**

Wood chippings were being dumped at SS Allotments. Whilst this generally helped maintain driveways the wood chippings had become excessive on SSN. The Management Team agreed that the Town Council would install a notice that anyone wishing to spread chippings on either Sunnyside site should contact the Town Council in the first instance. **Action: Town Clerk**

There were two potential plots on SSN that were difficult to let and might be suitable for Sunnyside Rural Trust. John Eaton and Keely Charlick would consider options for those plots. **Action: John Eaton/ Keely Charlick**

There was confusion over ownership of one plot on Sunnyside New close to Sunnyside Rural Trust rented land. John Eaton and Keely Charlick would review the plot and advise the Town Council on the status of this plot. **Action: John Eaton/ Keely Charlick**

Butts Meadow

The Management Team agreed to a proposal from John Fisher that a Centenary Noticeboard be purchased for Butts Meadow to be unveiled by The Mayor, to commemorate the centenary of BM Allotments. **Action: John Fisher/Town Clerk**

Sunnyside Rural Trust

There was nothing to report.

AMT 45/14 Allotment Risk Management

The latest assessment by the Town Warden had not identified any potential allotment risks. The Management Team noted that risks to children caused by low-level water tanks at Dellfield had been addressed.

AMT 46/14 Date of Next Meeting

The Management Team noted that the date of the next meeting is arranged for 10.30am on Thursday 29 January 2015.

AMT 47/14 Close of Meeting

The meeting closed at 12.05pm.

Townclerk

AMT 4/15

Subject: FW: Council use of Imperial vs metric system
Attachments: Table of rent and water rates.pdf

From: Townclerk
Sent: 07 January 2015 11:33
To:
Cc: Ian Reay; Anthony Armytage; Financeofficer
Subject: RE: Council use of Imperial vs metric system

Mr [REDACTED]

Thank you for your email.

I am aware that there may have been some confusion on allotment measurements following the 1990's and in to the early 2000's when legislation on Weights and Measures and Units of Measurement were introduced, and the need for clarification to Councils that those metric regulations do not apply to allotments.

However, the Town Council is aware that whilst many allotment gardeners still use imperial measurements and think in terms of rods and poles; others are more comfortable with the metric system of square metres

The Town Council's allotment rent calculations are made in both in both metric units and the imperial measure of poles.

Allotment plots are of varying sizes, so, for example, the rents for this year have been agreed as:

- Land rent: £0.098845 per square metre (equivalent to £2.50 per pole)
- Water rent: £0.059307 per square metre (equivalent to £1.50 per pole)

In addition the Town Council uses a ready reckoner calculator for allotment costs in both metric and imperial measures – see attached which dates from 2012 and is still in use as rents have not risen over that time .

As you will be aware, annual invoices sent to tenants for rent renewals are for the plot and make no reference to plot size.

I hope this is helpful.

A copy goes to Councillor Armytage, Chair of the Allotment Management Team.

Gary Cox
Town Clerk

From:
Sent: 06 January 2015 20:09
To: Enquiries
Cc: Ian Reay
Subject: Council use of Imperial vs metric system

Can you please explain why the local allotment rents are now calculated on the basis of cost per square metre? In rental agreements the allotment dimensions are expressed in Imperial measure, viz. poles and this is a perfectly satisfactory unit for expressing also the rental cost. It is preferable in that it relates the cost more immediately and transparently to the size of the plot.

Thanks for your attention.

Townclerk

Subject: FW: AMC Minutes 17 July 2014

Gary

Thanks for that. Should do the job.

Fyi the tank at the east end of the site has not been painted but it is prominently placed, hence very obvious to passers-by.

Peter

From: Townclerk [<mailto:Townclerk@berkhamstedtowncouncil.gov.uk>]

Sent: 08 January 2015 12:47

To:

Cc: Ian Reay; Anthony Armytage; Townwarden

Subject: RE: AMC Minutes 17 July 2014

Peter

Thanks for the email.

In September last year, the Town Council arranged for 25 x 25 x 2mm square tube supports across lower-level water tanks. This ensures buckets/watering cans can still be used in tanks and still mitigates the chance of someone falling into a water tank.

The Town Council also had those tanks painted in fluorescent yellow to make them more obvious to those walking along the allotment paths.

Gary

01442 800152

From: Peter

Sent: 08 January 2015 10:58

To: Townclerk

Cc: Ian Reay; Anthony Armytage

Subject: AMC Minutes 17 July 2014

Dear Gary,

The above Minutes included the following:

AMT 30/14 Allotment Risk Management

The Town Warden reported on potential allotment risks, including an assessment of risks to children on allotment gardens.

The main risk was to children falling into uncovered water tanks. The taller, deeper tanks already had covers in place, but there was a risk children might fall into the lower-level tanks.

It was agreed to install covers to the lower-level tanks to mitigate this risk. **Action: Town Clerk and Town Warden**

As a plot holder I very much welcome this decision and would like to know the proposed date for actioning it on the Dellfield site.

The Minutes of the subsequent AMC meeting on 16 October 2014 noted at AMT 37/14 that "all actions from the last meeting had been completed". This is not the case in respect of the installation of tank covers for Dellfield.

Thanks for your attention.

Peter

AMT 5/15
6/15

ALLOTMENT INCOME AND EXPENDITURE AT 31 DECEMBER 2014

14/15 230115	2013-14 ACTUAL OUTTURN	2014-15 BUDGET	2014-15 at 300914	2014-15 FORECAST OUTTURN	% FORECAST OUTTURN	2015-16 BUDGET
INCOME						
Allotment	£8,589	£8,200	£8,762	£8,762	106%	£8,400
600/5 Allotment Land Rent	£6,779	£6,600	£6,907	£6,907		£6,800
610 Water Rates Income	£1,634	£1,600	£1,659	£1,659		£1,600
615/6 Key Purchases	£176	£nil	£160	£160		NIL
EXPENDITURE						
Allotments	£6,895	£8,155	£3,445	£6,848	84%	£6,405
7300 Improvements	£1,858	£2,500	£761	£1,300		£2,000
7303 Water supply charges	£1,332	£1,400	£533	£1,400		£1,400
7304 General expenses	£706	£1,200	£73	£500		£300 + centenary noticeboard
7306 Annual Maintenance costs	£2,148	£2,255	£1,935	£2,255		£2,255
7308 Legal fees	£718	£800	nil	£800		nil
7309 Allotment software support	£143	£nil	£143	£593		£450
Surplus/(Deficit)	<u>£1,730</u>	<u>£45</u>		<u>£1,914</u>		<u>£1,995</u>
RESERVES						
1380 Allotment Reserve Fund	£8,060			£9,974		

AMT 7/15

ALLOTMENT RENT COLLECTION REPORT 2014

	Rent	Water	Total	Terminations	New Lets
BM	£900	£270	£1,170	2	3
DF	£987	£427	£1,414	4	8
SSN	£1,763	£353	£2,115	11	13
SSO	£3,131	£559	£3,690	7	15
TOTAL			£8,389		

AMT 8/15

ALLOTMENT REPRESENTATIVES REPORT TO AMT January 2015

Name of Site Representative	<i>John Fisher</i>
Site(s) covered by this report	<i>Butts Meadow</i>
Date of AMT meeting	<i>29/01/2015</i>

ALLOTMENT VACANCIES & WAITING LIST APPLICATIONS

NB: entries are for changes since date of last meeting	Total Nr allotment plots	Vacant Plots	Nr of waiting list applicants
B/F total from last meeting date	66	3	18
Add plots created by subdivision	0		
Add Nr plots vacated/evicted		1	
Add Nr new waiting list applicants			0
Deduct plots 'lost' by amalgamation	0		
Deduct Nr plots let to new tenants		2	0
Deduct Nr of withdrawn applications			4
Total C/F to next meeting	66	2	12

SITE INSPECTIONS UNDERTAKEN (PLEASE STATE PLOT REFERENCES)

No current issues. Review for next meeting after growing season has started

LETTERS TO BE WRITTEN TO TENANTS

	Plot reference(s)
Overgrown warning letters	<i>None</i>
Letters of eviction due to non-cultivation (based upon the spread sheet showing list of tenants sent allotment warning letters)	<i>None</i>

OTHER ISSUES:

1. 21 loads of manure delivered. Dacorun allowed me to keep key throughout period. Any thing more than 15-16 loads results in significant wear to roadway. 2. Undercultivation: what can we do about tenants who do 'just enough' but, ultimately, will give up leaving a plot in poor condition that needs to be rehabilitated? Can we create an 'undercultivation' letter or use the current system to tell them that their 'minimum' is not enough because we cannot allow them to let their plot degrade in this way?

STANDARD ALLOTMENT GARDEN RULES OF BERKHAMSTED TOWN COUNCIL

ORIGINAL

AMS

10/15

RULES GOVERNING NOTICES OR VARIATIONS TO THIS AGREEMENT:

- (c) Any notice required by this Agreement to be given to the Council shall be delivered to or sent by post to the Clerk of the Council and any notice to be given to the tenant shall be treated as sufficiently served if left at or posted to the address at the head of this agreement.
- (d) The tenant agrees to observe any special conditions issued in future by the Council which it considers necessary to preserve the allotment garden from deterioration.

OBLIGATIONS FOR YOU AS A TENANT AND THE UPKEEP OF YOUR PLOT:

- (e) Pay the rent on the first day of the commencement of the tenancy and then on the 29th Day of September in each year.
- (f) Keep the whole allotment garden and surrounding pathways and boundaries clean and in a good state of cultivation, condition and fertility and keep surrounding pathways and boundaries clear of obstruction. If permission is granted to erect a shed &/or greenhouse on the allotment the tenant must maintain any such building in good order.
- (g) Not deposit or allow other persons to deposit on the allotment garden any refuse or decaying matter (except for manure or compost or material for the purpose of making compost in such quantities as may reasonably be required for use in cultivation).
- (h) The Council recommends the use of organic alternatives in preference to chemicals, but where these are used they should be locked away out of reach of children in their original containers & used & disposed of in accordance with manufacturer's instructions.
- (i) Not use barbed wire or asbestos for any purpose.
- (j) Not cause any nuisance or annoyance to the occupier of any other allotment garden or local residents e.g. avoid creating a nuisance with bonfires (please refer to guidelines contained in the 'NSCA garden bonfires' leaflet available from the Town Council).
- (k) Dogs are allowed on the allotment site provided they are kept on a leash and kept under control.
- (l) Only fruit bearing trees & bushes will be permitted. They must not exceed four metres in height. The tenant will be responsible for keeping all such plants in a manageable condition.
- (m) On termination of the tenancy, hand the allotment garden back to the Council in such a condition as to comply with the requirements of these regulations.

RULES GOVERNING ACCESS TO WATER:

- (n) The use of hoses connected direct to tank service pipes or standing sprinklers is not permitted. Siphoning of water from the tank to tenants own tank, but not directly onto crops, using a 12.7mm (half inch) pipe is permitted free of charge. However hand operated hoses connected to designated tank taps can only be used if tenants hold a current hose licence, have paid the appropriate water rates and use only a tank tap key hired from the Town Council. In all circumstances no water is to be used without the tenant being present on site.
- (o) Comply with any temporary hosepipe bans and drought orders.

SITUATIONS IN WHICH THE TENANCY WILL BE TERMINATED:

- (p) By the Council serving on the tenant a minimum of twelve month's written notice to expire between 29th September and 6th April.
- (q) When the tenant becomes resident more than one mile outside of the parish boundary.
- (r) Upon the death of a tenant and whenever the tenancy or right of occupation of the Council terminates.
- (s) By re-entry by the Council after serving one month's notice if the rent is in arrears for not less than forty days.
- (t) By re-entry by the Council after serving one month's notice not less than three months after the commencement of the tenancy if the tenant is not duly observing any of these rules affecting the allotment garden, or any other term or condition of his/her tenancy but without prejudice to any right of the Council to claim damages for any such breach or to recover any rent already due before the time of such re-entry but remaining unpaid.

ACTIONS THAT FIRST REQUIRE THE WRITTEN CONSENT OF THE COUNCIL:

- (u) Under-letting, assigning, or parting with the possession of the allotment garden, or any part of it.
- (v) Erecting any building on the allotment. An application form to seek such permission is available from the Town Council. On the ending of the tenancy the Ownership of such building will be deemed to have passed from tenant to the Council unless removed from the plot within one month.
- (w) Keeping any animals or livestock of any kind upon the allotment garden.
- (x) Cutting or pruning any timber or other trees not rooted within the plot.
- (y) Taking, selling or carrying away any top soil, mineral, gravel, sand or clay.

COUNCIL'S RIGHTS TO ENTER THE ALLOTMENT AND CLAIM DAMAGES FOR ANY BREACH OF THIS AGREEMENT:

- (z) Any member or officer of the Council shall be entitled, at any time, when directed by the Council, to enter and inspect an allotment garden & any buildings erected thereon.
- (aa) The Council, or any person authorised by them, may at any time enter the allotment garden for the purpose of laying, constructing, repairing or maintaining any boundaries, trees, pipes, mains, tanks, cables or other services over, under or across the land but in so doing shall make fair compensation to the tenant for any loss of crops which he suffers thereby.

STANDARD ALLOTMENT GARDEN RULES OF BERKHAMSTED TOWN COUNCIL

As a plot holder you are required to:

1. Keep your plot clean and tidy, free from weeds and rubbish and in a good state of cultivation and fertility throughout the gardening year.
2. Use your plot to grow flowers, fruit and vegetables.
3. Lock away chemicals in their original containers, keep them out of reach of children and use and dispose of chemicals in accordance with manufacturer's instructions.
4. Only plant and cultivate fruit bearing trees & bushes, which must not exceed four metres in height and keep them in a manageable condition.
5. Remove all broken glass, litter and non-organic waste from the site.
6. Only burn diseased plants and dry material that will burn without smoke. (It is not illegal to have a bonfire, but creating smoke that causes a nuisance is an offence.)
7. Keep paths and allotment boundaries clear
8. Keep any hut, shed or greenhouse in good condition.
9. Ensure, if you bring children onto the site, that they are under the supervision of a responsible adult at all times.
10. Keep dogs on a lead and under control at all times on site.
11. Comply with any temporary hosepipe bans and drought orders.
12. Pay rent and any water rates within 40 days of the day of the invoice due on 29 September each year.
13. Let the site representative or Town Clerk know if you are unable to work your plot as a result of illness or any other reason
14. Inform the Town Council of any change of address or email address.
15. On termination of the tenancy, hand back the plot in a clean and tidy condition.

As a plot holder, you should not:

16. Use your plot for any trade or business purpose.
17. Cause nuisance or annoyance to other tenants.
18. Take, sell or carry away or give permission to others to take, sell or carry away any timber, mineral, gravel, sand clay, turf or soil.
19. Use barbed wire or asbestos for any purpose.
20. Leave a bonfire unattended.
21. Install children's swings, paddling pools, trampolines or other such play apparatus
22. Bring any rubbish onto the site; including tyres, MDF, carpet and melamine.

You should apply to the Town Council if you want to:

23. Erect a hut, shed or greenhouse.
24. Keep hens, rabbits or bees on your plot (You will have to satisfy the Town Council you have the necessary experience, arrangements are acceptable and animal welfare standards are high).
25. Use a hand held watering hose, which requires you to purchase a water licence and tank tap key. Water should be used responsibly. The use of standing sprinklers is not permitted.
26. Cut or prune any timber or other trees not rooted within the plot.
27. Under-let, assign, or part with the possession of the allotment garden, or any part of it.

The Council may terminate your tenancy if:

28. Your rent is in arrears by more than 40 days
29. After three months tenancy, it appears that you have not observed these rules
30. You move address to more than 1 mile outside the town boundary
31. You receive two non-cultivation warning letters within a 2 year consecutive period.

The Council has the right to:

32. Enter and inspect an allotment garden & any buildings erected.
33. Authorise any person to enter the allotment garden for the purpose of laying, constructing, repairing or maintaining any boundaries, trees, pipes, mains, tanks, cables or other services over, under or across the land but in so doing shall make fair compensation to the tenant for any loss of crops he suffers.
34. Request compensation in respect of any deterioration caused by the failure to maintain the plot in a clean and good state of cultivation and fertility.
35. Serve notice on a tenant by leaving or sending it to their last known address.
36. Change these conditions at any time, including to comply with any new legislation.