

MINUTES of the Allotment Committee Meeting of Melksham Without Parish Council on Monday 16th January 2012 at 7.00p.m. at Crown Chambers, Melksham.

Present: FULL COMMITTEE Cllr Mike Mills (Chairman); Cllrs Richard Wood; Alan Baines, Rolf Brindle, John Glover and Pat Nicol.

- 359/11 **Declarations of Interest:** Cllr John Glover declared an interest as a tenant of Berryfield Allotments. The Clerk declared an interest in the item relating to the Best Allotment Competition sponsorship as her husband works for Countrywide Farmers.
- 360/11 **Minutes, Allotment Committee 15th June 2011:** The Minutes of the last Allotment Committee meeting were noted.
- 361/11 Arising from Min 70/11 c) ii) **Ownership of Southern Boundary (Briansfield):** The Clerk reported that Mr Guley has maintained the fence in the past and thinks he owns it, but would have to check before confirming. The ownership is dictated by which side of the fence has the ditch. Mr Guley was happy to continue to maintain the fence but if the damage was caused by allotment tenants, then he would expect the Parish Council to put right that damage. It was noted that the main damage caused in the past was due to stock, which are no longer kept in that field as now allotments; and that there was no visible ditch along the boundary anymore.
- 362/11 Arising from Min 75/11 **Site Noticeboard and emergency information:** The Committee noted that the Full Council meeting on 20th June 2011 (**Min 116/11**) resolved that a decision on Site Notice boards was to be deferred until the new allotment site is up and running. The Finance Committee 14th November 2011 (**Min. 312/11**) recommended that the Council wait and see if the current take-up level of allotments continued and review again next year.

A sum of £200 had been included in the 2012/13 Budget to provide a Sign for each Allotment Site gate providing contact details for the Council and the Site Name. The Allotment Committee felt that this signs would be useful for providing contact details if residents were interested in taking up an allotment, and if there were any problems on site; such as last year when a frozen standpipe lead to leaking water. The Site Name was also felt to be important to help locate the allotments for both residents, tenants and emergency services.

Recommendation: *The Council erect a sign on the gate at Berryfield Allotments, and the gate at Briansfield Allotments with the Allotment Site name and the Contact Details of the Parish Council, in line with the 2012/13 Budget figure of £100 per sign.*

- 363/11 Arising from Min 78/11 **Berryfield Allotment Track:** The Clerk reported that the Council's Solicitor had prepared a second letter to Mr Norvill for the Council's approval. The Committee made the following amendment to the letter; to replace the word "allotments" with "the Council land at the rear of your property". The paragraph to now read "We understand that you are still erecting a fence on part of the Access which impedes free access to the Council land at the rear of your property".
- Recommendation:** *The Council instruct their Solicitors to send a second letter to Mr Norvill, with the amended draft, as detailed above.*

The Committee discussed concerns that the Council had only challenged Mr Norvill about the erection of a fence on the access to the Council owned land at the rear of Mr Norvill's property and was not actually exercising its right at the present time over the track to the land it owned at the end of the track. The Clerk reported that the Parish Council now had an absolute title for access to Council land and this was formally registered with Land Registry. An old letter indicated that Mr. Guley owned the track as far as the allotments and the Council owned the rest of the track to the boundary with the Council owned land. It may be worthwhile checking early Council Minutes in 1960s to see what had been written down. There had been mention of a Council-owned well beyond the allotments. Councillors expressed concern that those rights could be lost if the actual access was not used over a number of years. ***Recommendation:*** *The Council ask the Parish Caretaker to survey the track to assess if vehicle access could be gained.*

364/11 **Allotment Warden post and Job Description:**

- i) **Parish Caretaker to take on Allotment Warden duties:** The Committee noted that the Allotment Warden Mr. Barry Mylchreest had stepped down due to ill health and the Staffing Committee had recommended (**Min 356/11 -357/11**) that the Parish Caretaker, Mr Terry Cole, take on the responsibility of being Allotment Warden as well as Caretaker and be paid Scale 12 - £7.82 per hour with effect from 1st January 2012 to cover both his extra Allotment duties and his additional workload as Caretaker. It was recommended that Terry's normal working week be increased by one extra hour to cover the Allotment work.
- ii) **Volunteer Allotment Assistance:** The Council then considered a letter from Parish resident and allotment tenant, Mr Richard Crump, who had made an unsolicited offer to become a volunteer Allotment Warden in an unpaid basis.

The Council resolved to suspend Standing Orders to allow for a period of public participation.

The Chairman invited comments from Mr Richard Crump who had been observing the meeting. Mr Crump explained that he had originally applied to the Council to assist Terry Cole and to keep an eye on the new allotments. He would be pleased to act as an unpaid helper to the Parish Caretaker if he also took on the Allotment Warden duties and act as the "eyes and ears" at the Allotments.

Cllr Wood commented that Mr Crump had been very helpful already, assisting with the laying out of the new Briansfield plots, and reporting incidents on the Briansfield site very promptly.

The Council reconvened.

Recommendation: *The Council accept Mr Crump's offer to assist the Parish Caretaker with his Allotment Warden duties, on a voluntary, unpaid basis.*

- iii) **Allotment Warden Job Description:** The Committee reviewed the draft Job Description for the Part-time Allotment Warden. It was felt that the scope of works was too much to expect someone to do on a voluntary basis.

Grasscutting: The Clerk requested clarification as to whether grass-cutting at the Berryfield Allotments should be deemed an Allotment Warden responsibility and included in the job description. At present the track was cut by the Caretaker. It was noted that if Allotment Warden role was undertaken by someone other than the Parish Caretaker this would mean the Council would need employ two separate individuals to cut grass with the associated equipment and training costs. Grass cutting at the Briansfield Allotments had been let to a contractor as the size and width of the tracks necessitated a “ride on” rather than hand mower.

Recommendation: *The section “Grasscutting” be removed from the Allotment Warden Job Description.*

Transport: Clarification was also requested re transport allowance for the Allotment Warden. In the past a mileage allowance had been paid to visit the Allotments from home and return. Cllr Glover confirmed that the Inland Revenue was tightening up the rules on visits from “home to duty” and if the Allotment Warden only undertook that role then any mileage allowance would be classed as taxable as a benefit rather than a reimbursable expense. It was agreed that no transport allowance should be paid in future as part of the Allotment Warden post, as this was deemed normal travel to and from work.

Recommendations: *The section “Transport” be removed from the Allotment Warden Job Description.*

Job Description: Recommendation: *The Council approve the draft Job Description for Part-Time Allotment Warden, with the removal of the two provisional clauses as detailed above.*

365/11

Policy re allocation of plots to persons outside of the Parish:

- i) The Clerk sought clarification on the Policy to let allotment plots to people who lived outside the Parish area, as requests had been received from residents who lived in Trowbridge, Atworth and the Town. Did the Council wish to rent the allotments outside the Melksham Community Area bearing in mind adjacent parishes had very long waiting lists? Did the Council wish to give people outside the parish a limited period tenancy, in case others in the parish needed them in future? It was noted that at present the Council charged twice the current allotment rent to a resident outside of the parish.

The Chairman commented that the new allotments cost a lot of money to set up, and that money had come from the Precept. He emphasized that there was a responsibility on all local parish councils to provide allotments for their own residents. Following discussion it was agreed that the only exception should be non residents who worked a significant part of their time in the Parish. Cllr. Glover cautioned that this would include workers in the Bowerhill Industrial Estate and Hampton Meadows for example. The Chairman then made the following proposal that priority for allotment plots should always be for parish residents. In the event that a plot was still vacant, then a plot could only be taken up by a non resident who worked a significant amount of time in the parish. Any non-resident taking up an allotment plot in Melksham Without would be charged twice the standard allotment rent for the plot. This proposal was agreed. It was noted that some existing allotment plots had been let to residents in Melksham town parish in the past. The Allotment Committee

agreed that once these tenancies had finished, then the new policy of letting plots only to residents or those who worked in the parish would come into effect.

Recommendation: *The Council approve the policy on allocating plots to persons outside of the Parish to be as the proposal detailed above.*

- i) The Committee noted an email from a Trowbridge resident who had appealed against not being permitted a plot at Briansfield. The individual had been informed after being given a contract to sign by a staff member and making the necessary rent payment. The Clerk had only realized this person lived at Trowbridge when payment had been made and she was asked to counter-sign the contract. She had then sought clarification of the policy because Trowbridge was outside the Melksham Community Area and already had six allotment sites of its own. It was noted that the resident spent the majority of working time in the Parish as a PCSO (Police Community Support Officer) for Bowerhill and Berryfield and so would be eligible under the proposal recommended to the Council (*see above*).

Recommendation: *The Council offer the resident an allotment plot under the policy as detailed in 365.11(a)*

366/11

Erection of Sheds – amendment to Allotment Agreements: The Clerk proposed an amendment to clause f) of the Allotment agreements which was discussed and the following proposed wording agreed.

Original wording:

f) The tenant shall not erect any building or permanent structure, shed or greenhouse on the Allotment Garden without first obtaining the written permission of the Council.

Proposed wording:

f) The tenant shall not erect any structure; for example shed, greenhouse, chicken house; on the Allotment Garden without first obtaining the written permission of the Council. A site plan showing the proposed site should accompany the written request. Maximum size permitted is 183cm x 122cm (6ft x 4ft) and the site must be approved by the Allotment Warden prior to erection.

Recommendation: *The Council amend the Allotment agreements for Briansfield and Briansfield as detailed above.*

367/11

Allotment issues:

- i) **Mud around trough (Briansfield):** It was agreed that 3 or 4 concrete slabs should be laid along the width of the water trough. Cllr Baines kindly offered to donate some second hand slabs that would be suitable. **Recommendation:** *The Council ask the Parish Caretaker to lay concrete slabs around the water trough.*
- ii) **Rats (Berryfield):** The Clerk reported that the Allotment tenant at Plot 15 had written to the Council confirming that he had cleared up around his chickens and install a rat proof chicken feeder. The tenant had also given up part of the plot that had not been under cultivation. The Clerk queried if rats were still present at the Berryfield allotments. Cllr Glover confirmed that there will still rats present, and also in the field behind the allotments.

iii) **Request from tenant to erect mesh fence (Briansfield):**

The Council resolved to suspend Standing Orders to allow for a period of public participation.

The Chairman invited comments from Mr Richard Crump who had made the request. Mr Crump explained that he wished to erect a 30” wire mesh fence all around his plot to act as a windbreak as the Briansfield site has been experiencing problems with high winds. One tenant had already put up a wind break as their shed had been blown over twice. The mesh fence is from a windbreak netting fencing specialist and would also keep rabbits and rats off his plot although Mr Crump noted that he had not seen any rats at the Briansfield site yet.

The Council reconvened.

Cllr Glover expressed concerns if all allotment holders erected a windbreak around their plots, that the pathways would become too narrow.

Recommendation: *The Council give permission to Mr Crump to erect a 30” wire mesh fence windbreak around his plot.*

368/11 **Best Allotment Competition - sponsorship:** The Assistant Financial Officer reported that initial discussions had been held with the Melksham store of Countrywide Farmers about sponsoring the proposed Competition. Unfortunately, the company had now ceased their national scheme of donating to charities and community groups.

Meeting closed 8.15 p.m.

Chairman, 23rd January 2012