



BUCKLESHAM PARISH COUNCIL

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Acquisition of Bucklesham Allotments

Report prepared for **Bucklesham Parish Council** by Ruth Johnson,
Clerk to Bucklesham Parish Council

Brief: To assess the implications for Bucklesham Parish Council if they agreed to the Community Asset Transfer (CAT) of the Bucklesham Allotments, Green Crescent, Bucklesham from East Suffolk Council.

Introduction

This report has been written following a request from East Suffolk Council (ESC) for Bucklesham Parish Council (BPC) to consider the transfer of the freehold of the Bucklesham Allotments in Green Crescent, Bucklesham to the Parish Council.

ESC are willing to transfer the freehold of the Bucklesham Allotments to BPC free of charge and may consider covering all expenses incurred by BPC as a result of the necessary legal documentation being drawn up.

The proposal had been made to BPC on previous occasions, however the Clerk at the time had been unwilling to take on the management role and therefore Councillors had voted against it.

This report has been compiled with a view to BPC being in receipt of all information needed to make a decision. However, some issues remain unresolved at time of publication of the report.

An initial discussion with regards to whether BPC will be willing to agree to the CAT of the Bucklesham Allotments will take place at the next Parish Council meeting on 5th July 2023. BPC should aim to make a decision in principle at said meeting, while being mindful that new information from ESC may emerge which could lead to a need for further discussion.

The Situation As It Currently Stands

- The Site is presently managed by ESC, specifically Chris Phillips, Senior Estates Surveyor.
- There are 20 plots on the site, of approximately the same size.
- All plots are apparently taken but not all plots are currently being cultivated (Clerk awaiting details).
- There is no clear waiting list. At least 4 residents believe they are on a list, ESC stated that only 1 resident actually is.
- Monies owed are collected at various times throughout the year. One tenant advised me he had not had an invoice and could not pay despite asking many times.
- It appears the plots vary in charges ranging from £10 to £40 per annum.
- It is unclear why charges vary but it appears that tenants who have had their plot for several years pay the least.
- It is unclear who has paid and if all monies owed are up to date (Clerk awaiting details).

Benefits Of The CAT For The Parish

It will be possible for BPC:

- to ensure that the site remains as allotments in perpetuity for the Parish and not available for future housing developments.
- to manage a waiting list ensuring priority is given to those living in the Parish (**although protecting existing tenants** who live beyond the Parish).
- to ascertain if plots are uncultivated, and be redistributed to other residents on the waiting list, if they are not.
- to divide plots which become available to allow more residents to participate.
- to ensure all **new tenants** are charged at the same rate and monies are collected at the same time of year.

Action Points

It will be strongly advisable for the Clerk to consult all present plot holders about the proposals, arranging a meeting with the Clerk and a Parish Council Rep, to establish excellent future working relations with them. It will be necessary to ensure that existing tenants realise they have **nothing to fear** from the CAT. **Existing contracts should be respected and hire charges should not be increased. Existing tenants should be protected.**

It will be necessary:

- for ESC to prepare the contracts and a Conveyance.
- for BPC to establish the exact boundary of the site.
- for BPC to learn of any costs involved such as grass cutting and maintenance of the site and any responsibilities.
- to ascertain if any monies already paid by tenants would be paid forward to BPC.
- to devise a Tenancy Agreement (already drafted by the Clerk and awaiting approval by Councillors in consultation with existing tenants).
- to devise a Register of Tenants, including contact details, which plot they are renting, monies paid and/or owed (already drafted by the Clerk).
- to devise a waiting list for future tenants adding any on the waiting list held by ESC (already drafted by the Clerk).
- for at least 2 Councillors to take on the responsibility of 'Allotment Representative' to aid the Clerk in management of the Allotments.
- to join the National Allotment Society at a charge of £3 per plot (covered in Hire Charge) which will provide all tenants legal advice, public liability insurance, 10% off seeds etc.
- to ensure that the site is inspected regularly. This is to protect the existing tenants and the occupiers of neighbouring properties, to ascertain if there is any non-cultivation of the plots and that tenants are adhering to their agreements.
- for the Clerk and Councillors with 'Allotment Representative' responsibility to attend the SALC training course on Managing Allotments.

Summary Of Proposal

ESC will undertake a **Community Asset Transfer** of the freehold of the Bucklesham Allotments in Green Crescent to BPC free of charge. If BPC are in agreement to the CAT, ESC may also consider covering all legal fees incurred to both parties. The Clerk is investigating whether it is possible to use CIL funds for this purpose and subsequent costs if ESC will not cover it.

The amount of revenue from Bucklesham Allotments is still unclear. However, It will be necessary to ensure there is no deficit in costs to BPC should it agree to the CAT.

BPC Clerk will administer the management of Bucklesham Allotments on behalf of BPC. All work undertaken by the Clerk will be recorded for 12 months with a view to increase monthly hours of the Clerk if necessary and agreed by BPC.

Recommendations

After speaking to other Clerks with regards to their experiences of managing allotments, and given all the research undertaken, **I recommend that BPC consider the CAT of Bucklesham Allotments.**

The alternatives to BPC agreeing to the CAT are that a separate Community Trust be formed; that ESC continue with the management as it is; or any number of unwanted possibilities with regards to the future use of the land.

I am not confident that setting up a Community Trust would be achievable. BPC have previously had difficulty finding willing volunteers to take on roles such as the Community Council, and I see no reason why we would suddenly find volunteers to take on this role. ESC have contacted the tenants in the past to suggest they form a Community Trust but to no avail. I have spoken to a couple of the tenants who agreed they were not interested in this role. It would also mean unelected, unaccountable volunteers would manage the allotments and would therefore have a say in the future of the site.

ESC have requested the CAT as Bucklesham is the only remaining allotment site that they manage. All other sites have already been transferred to Parish Councils or local Community Trusts. It is clear ESC no longer wish to manage the site.

Bucklesham previously had two allotment sites: the existing site in Green Crescent, and a second site on Levington Lane behind the houses from 54 to 92. All plots were cultivated on the second site, there was a waiting list, and the allotments even had 'King George V Protected Status'. Despite this, Suffolk Coastal District Council developed the land for housing in 2001 and the 4 houses on Slip Ponds were built, against the wishes of local residents and BPC.

If BPC manage the site it can be protected for the benefit of the village.

I hope this is enough information to aid you all as BPC Councillors in coming to a decision about the CAT of the allotments to BPC. If there is anything else you would like me to investigate with regards to this matter, please let me know before the meeting on 5th July.

Further information can be found on the National Allotment Society website
<https://www.nsalg.org.uk/allotment-info/>

Ruth Johnson

Clerk to Bucklesham Parish Council, 24th June 2023