

Minutes of 5/8/16 Extra Ordinary Meeting on Allotments

Parish Land Q& A Session with Ms I Lougher (Land Agent from JH Walter)

1. **Present:** Chair: P. Fisher, Cllrs: B. Blackbourn, B. Cruft, R. Dixon-Warren, D. Winn
Others in attendance: Clerk: B. Bradford, I. Lougher (JH Land Agent)
3 members of the public
2. **No apologies/absences**
3. **Declaration of Interest:** Cllr Dixon-Warren declared an interest as a friend of Mr D Lister.
4. **Minutes:** Cllr Fisher proposed the Minutes for adoption. Initially, no-one would second the proposal. When Cllr Dixon-Warren offered to second the proposal so that a vote could be taken, this was declined on a procedural point. The Minutes were consequently not put forward for approval / adoption. The Clerk then directed Cllr Dixon-Warren to leave the meeting on the basis of the interest he had declared, on LALC advice (unspecified). Cllr Dixon-Warren protested that he had neither disclosable pecuniary nor prejudicial interests, and sought an adjournment from the Chairman. The Chairman responded that he was happy with the way the meeting was progressing. Cllr Dixon-Warren stated that he had to respect the Chairman's procedural authority, and left. Cllrs Blackbourn and Winn then withdrew from the meeting, followed by two members of the public. The council was left without a quorum and the meeting was subsequently adjourned.
5. **Q&A Session-** As the council had previously agreed to fund the visit of Ms Lougher (JH Walter) it was agreed by the remaining councillors that the money should not be wasted and data gathering and exchange should continue. Notes of the advice provided are enclosed overleaf.
6. **Next Steps** – unable to vote as no quorum

Signed on original (David Winn – Chairman)

17 May 2017

Enclosure: Advice received from Ms I.Lougher (JH Walter) Land Agent at Extra Ordinary Meeting on 5/8/16 at Morton Church Hall 3pm

1. In the past, The Parish Council (PC) should have been paying for all the maintenance on Parish land they had contracted to tenants. It is clear this did not happen.
2. Utilising the rent from the Parish Land was against the law and this money should have been kept separate for the upkeep of the land etc.
3. Confirmed current contracts are not fit for purpose
4. We need to be mindful that if 6 or residents came along and request an allotment, the PC is duty bound to provide a facility for allotments. If so, where would these be located bearing in mind ease of access and off road parking.
5. The following contracts should be in situ:
'grazier' should be a 'common law tenancy' currently affects D.Lister

Garden Licence – should be issued for currently Mrs Pinders 1-acre plot and Mrs White's 1 acre plot

Common Law tenancy for the 2 acres currently rented by B.Bradford

Farm Business Tenancy – currently on 11.5 acres affecting Mr A. Woolley. This can then be fit for purpose for between 3-6 years at the PC discretion.

6. On all of the above the maintenance would be the responsibility of the tenant.
7. Notice: Can be flexible
8. Tenancy: Can be 5 months to 5 years and rolling
9. Advice on stone pit field – subsidies may be claimed currently by grazier, needs investigating
Install a water meter to avoid strong possibility that Anglian Water may serve a bill on PC in the future for water used to date. Manage risk and damage limitation i.e. unwanted future costs not planned for.
10. Advice given on 3 acre field currently rented by Mr Woolley. Have a locked gate to avoid any unwanted travellers setting up camp on field. Prevention better than cure and cost of clearing up afterwards.
11. Possible Market Rates to be charged:
Arable £135-165 per acre pa
Stonepit- min £75 per acre pa plus water charge used if on meter
3 acres (if grazed) £75 per acre but bear in mind not fenced and no water so possibly not so achievable
2-acre grazing - £75 per acre pa but bear in mind no water, no fencing, all set up costs all borne from tenant.

12. Please note farmers are able to claim subsidies at £75 per acre pa, currently we are only charging rent at £60 per acre pa,
13. Ms Lougher suggested that if the PC decided to continue with JH Walter, they would be happy to continue with the fixed cost originally quoted and the current bill will be deducted from the original bill.

Projected possible future rents

Current	Future	Increase % Income
21 acres @ £60 per acre pa = £1260 TOTAL		
11.5 @ £60 per acre pa = £690 pa	11.5 on FBT @ £155 per acre pa = £1782.50 pa	158.33 %
9.5 @ £60 per acre pa= £570 pa	9.5 @£75 = £712.50 pa	25%
	£2495 Total	98.01 % Total

Please note this money can then be used to the good of the community as the land is not declared as allotments and so the money can be lawfully used to the good of the community to pay for things such as grass cutting in future and to create an area for allotments going forward if the community requests the facility.