

Sandy Town Council

To: Cllrs N Aldis (Chairman), J Ali, T Cole, A M Hill, G Leach, C Osborne, D Quick, M Scott, J Sparrow, S Sutton
c.c. Cllrs P Blaine, W Jackson, M Pettitt, D Sharman, P Sharman

You are hereby summoned to attend a meeting of the Community Services and Environment Committee of Sandy Town Council to be held in the Council Chamber at 10, Cambridge Road, Sandy, Bedfordshire on Monday 5 October 2015 commencing at 7.30pm

Chris Robson
Town Clerk
10 Cambridge Road
Sandy, SG19 1JE
01767 681491
29 September 2015

A G E N D A

- 1 **Apologies for absence** Admin

- 2 **Declarations of interest** Admin

*Under the Localism Act 2011 members of Council are not required to make oral declarations of interest at meetings but may not participate in discussion or voting on any items of business in which they have a Declarable Pecuniary Interest (DPI) and under Sandy Town Council's Standing Orders must leave the room for the duration of all discussion on such items. (All members' register of interests are available on the Sandy Town Council website or on application to the Clerk.) This item is included on the agenda to enable members to declare new DPis and also **those who wish to do so** may draw attention to their stated DPis and also any non-declarable personal interests which they have declared under Sandy Town Council's adopted Code of Conduct and which may be relevant to items on the agenda.*

 - i) *Disclosable Pecuniary Interests*
 - ii) *Non-disclosable Interests*
 - iii) *Dispensations*

- 3 **Minutes of previous meeting** Previously circulated

To consider the minutes of the Community Services and Environment Committee held on Monday 24 August 2015 and to approve them as a correct record of proceedings.

- 4 **Public Participation Session**

Members of the public may ask questions or make representations to the committee about items of business which are on the agenda.

Sandy Town Council

- 5 Allotments**
To receive and consider a report from the Town Clerk regarding the proposed allotment site.

Appendix
I
- 6 Cemetery Project Update**
To receive a verbal report from the Chairman of the Cemetery Working Group on progress with this project.
- 7 Draft River Basin Management Plan Consultation-River Ivel Project Concerns**
The Town Clerk has written to various to heritage bodies and as yet has received no replies.
- 8 Berwick Way Estate**
TILCo Ltd has agreed to meet to discuss the adoption of the land, date to be confirmed.
- 9 Community Notice Board – High Street**
To receive a report from the Town Clerk.

Appendix
II
- 10 Beeston Green**
To note a report from Cllr Hill.

Appendix
III
- 11 Bus Turning Circle**
To receive a verbal update from Paul Dodge, Public Transport Manager at Central Beds Council.
- 12 Winchester Road**
To receive a verbal request from the Pinnacle Ward members for a consultation with the residents and identify costs to the Town Council.
- 13 Friends of Sandy Christmas Lights Event**
To receive a verbal progress report from Admin Team Leader.

SANDY TOWN COUNCIL

**COMMUNITY SERVICES AND ENGAGEMENT COMMITTEE
5 OCTOBER 2015**

SUBJECT: PROPOSED ALLOTMENT SITE

SUMMARY

Sandy Town Council is in the process of looking to lease land from Central Bedfordshire Council for the siting of allotments.

The following report compiles together information previously circulated to Councillors and addresses some questions raised in recent weeks over the proposed allotment site.

This is not a final report as some information is still being sought and the Clerk recognises there are outstanding questions and concerns. The purpose of this report is to provide Members with an update.

RECOMMENDATION

It is recommended that the Town Clerk;

Continue to work with Anglian Water to establish the cost of connecting water to the site and all costs identified including quotes where applicable

Continues to work with SDLGAA on a drafting final management plan

Reports back to the CSE committee on 16 November with all costs and potential income

Arranges a site visit for Councillors as soon as possible

Arranges for Members to receive professional advice on the preparation of the land to accommodate allotments and that this be followed by a comprehensive report to Councillors covering all advice received

TERMINOLOGY

STC Sandy Town Council

SDLGAA Sandy & District Leisure Gardens and Allotment Association

CBC Central Bedfordshire Council

Management Agreement The agreement between STC and SDLGAA over the day to day management of the allotment site

Management Plan Plan of works to be carried out to prepare the site for allotments

Lease The lease between CBC and STC over the land to locate the proposed allotment site

Heads of Terms Principle agreement of what lease will include

PROCESS

- Clerk to continue researching costing and management plan for establishing correct process of preparing land, including information from a professional.
- Members to attend a site visit and receive professional advice.
- Members to receive a recommended Management Plan.
- Town Clerk to work with SDLGAA to draw up final recommended Management Agreement.
- Members to receive a final management agreement to be agreed in principle with SDLGAA.
- Agree Heads of Terms with CBC on a lease over the land
- If necessary agree a Licence to Access the land earlier than the start date of the lease.
- Agree and sign a formal lease with CBC
- Have SDLGAA sign the Management Agreement

BACKGROUND

The proposed allotment site was initially identified as a possible site some time ago. On the 1 June 2015 Members received a soil contamination report from Central Bedfordshire Council (CBC). The report showed there

On 13th July 2015 a Members received a report from Cllrs. Aldis and Sutton with information on the proposed site and management agreement. It was RESOLVED to recommend that the Council lease the 8.5 hectares from CBC for the siting of allotments.

On 24th August 2015 a further report was presented to Members with additional information and draft costs. It was RESOLVED to name the 'site Amen Corner Allotment Site' and that the Cllrs. Aldis and Sutton, in conjunction with the Town Clerk would continue negotiations with CBC and SDLGAA.

On 28th September 2015 Councillors RESOLVED to budget £600 for the cost of and £15,000 to cover initial project costs. Members also agreed to aim work towards getting a lease in place for 25th March 2015 as this would allow more time for research and discussion. It was noted the Council could still arrange access to the site from 25th December if they wished via a Licence to Access.

INFORMATION

The intention has been for the Town Council to acquire the proposed site via a long term lease with CBC and then pass day to day management of the site over to the SDLGAA, with a joint management group overseeing the operations.

Area of Land

It was anticipated that about 120 plots would be required with 10 poles (250sq m) being the standard area, with 5 poles and 2.5 starter plots also being required. At the time of this report 88 registers of interest had been received. The minimum area required for 120 poles would be 10 acres (4 Hectares)

Land would also be needed for car parking, storage, and communal areas.

Length of Lease

CBC have offered a lease of 10 years, which would be followed by an extension. Should the area be required by CBC for development prior to this they may terminate the lease.

If CBC terminates the lease they will endeavour to find the Council a new site for the allotments, although they are under no obligation to do so. If the lease is terminated in the first 7 years of the agreement CBC will compensate STC for some of the original set up costs. These costs would need to be agreed before the lease is signed.

Cost of Lease

The cost proposed by CBC is £100 a hectare. The original cost for the whole site was £850 per year. As STC are now looking at taking only part of the site the cost would be £600 per year.

Access to Site

The site would be accessed by a track leading from Sunderland Road. This track is owned by CBC so STC would be given permission to use it. STC would be responsible for the maintenance of the track along with another tenant renting the land STC did not want to take on. The land currently houses an animal rescue centre.

Concerns were raised that the entrance is inaccessible due to hedge and bramble growth. CBC have said they are unlikely to clear this. The entrance would need to be reviewed by the Clerk and Members on a site visit.

Management by Allotment Society

CBC has confirmed STC can have a separate arrangement with SDLGAA over the management of the site once it had been set up. This will most likely take the form of a management agreement, however CBC are exploring the possibility of getting permission to sub-let the whole of the area on the same terms as the lease for the purposes of allotments only.

The Clerk has met with the Chair of the SDLGAA who has confirmed the Association is in support of the project and are eager to work with the Council to

ensure all expenditure is clear and questions are answered prior to getting access to the site.

It has previously been suggested STC provide a mower for the grass strips between each plot and possibly other equipment but would not provide replacement items or pay for any maintenance or consumables.

Further meetings are required with SDLGAA to work out equipment needs and costs and develop the management agreement. A draft copy is included in this report for Members information.

Water Supply

Water supply to the site would need to be arranged by installing either bore holes or a separate non-permeable pipe from a current connection. Anglian Water is currently reviewing our request for a quote and will advise on the cost and process of leading a pipe to the site.

Water supply will be the Council's largest expense and Councillors should therefore be fully aware of the costs involved. The Clerk will continue to work with the water provider and bring these costs in full to Council.

The main supply on the site should be shared "dipping tanks" for allotment holders to fill their watering cans but there would not be stand pipes with a hose connection.

Allotment holders would be expected to have water butts on their plot capturing rainfall from all sheds and communal buildings.

Time Scale

It was originally intended that the Council take on a lease from 25th December 2015. Following discussions with CBC and SDLGAA it became apparent it would be more realistic to aim to take on a lease from 25th March 2015. This would allow the Clerk to carry out more work on costing and management plans.

Should the Council still wish to get on site prior to 25th March 2015 a licence for access could be granted by CBC.

Legal Costs

CBC officers have estimated the cost that the Council would charge for the legal work and surveyors fees would be in be £1,500.

Planning Permission

A planning permission would be required for change of use with an outline given for the location of the allotment plots, the community building, the access road, the entrance point from the highway and the car parking.

Communal Building

It has been suggested that the Council out building located at the cemetery could be used by the allotment association as a communal building. If this were to be the case it is assumed this would remain in the ownership of

Rabbit Fencing

The allotment area would need a rabbit fence around the perimeter where one third of the fence is laid on the ground and other two-thirds are fixed to a wire strand attached to posts. There is an additional strand about one metre off the ground to deter jumping mammals like deer.

Operating suggestions

With a 1m chain link fence around the allotment area only, along with a windbreak hedge we would ensure that no individual plot had its own fence. Each plot would be marked with boundary posts and at least 1.5m between each plot to allow for proper access.

Sheds would be permitted and must have a water butt to provide for shared dipping tanks. Ideally a communal poly tunnel would be installed so that there were no individual glass houses on the plots. This would also avoid dealing with breakages and contaminating the ground with broken glass. To increase security and services for the allotment holders, it is suggested that a communal meeting room is provided. This could be the current mess room that will become available once the cemetery building is complete. We could look at installing composting toilets and prices are being sought.

Income to Council

Discussions have been held with SDLGAA about the possible charge to tenants for an allotment and the income that this would generate for both the Council and the SDLGAA.

The starting point has been that the Council will always receive the cost of the lease owed to CBC plus a percentage of the income from the number of ten pole equivalent plots above 30. (10 by 10, 30 by 5, 40 by 2.5 poles)

This would allow SDLGAA to maintain the site, invest in future projects and have some "reward" for managing the site on behalf of the Council. Income needs to be discussed and reviewed further and the Clerk bring a report to committee solely on the financials of the project.

ALTERNATIVE

Should the Council not wish to set up a management agreement with SDLGAA the Council would have to carry out the day to day management of the allotments in-house. This would not be possible with current level of staffing and an allotment officer would need to be sought.

The Town Clerk has approached Councils who manage allotments in-house to establish an idea of the hours and salary that would be involved. Estimates of hours and costs will be included in a further report to committee.

QUESTIONS AND ANSWERS

Over the course of the last month Members have raised a series of questions in regards to the allotment site, management agreement and lease with CBC. Below the Clerk has attempted to answer some of these questions;

Q. The area of land seems large. What will we do with the unused space?

CBC has advised the lease would only allow the land to be used for Allotments and associated activities (storage etc.) The Town Clerk is currently establishing what further activity CBC would permit STC to carryout.

It should be noted that although an orchard would not be permitted under the current terms of the proposed lease CBC would be willing to look at this during the term of the lease if STC and SDLGAA were in a position to start an orchard.

Other Councils have established similar size allotment sites and have, over time, filled these with allotment holders.

Q. Due to the initial set up costs being an absolute minimum of £20k, I do not feel a 5 Year lease with CBC is sufficient. Can we secure a 10 year minimum.
CBC are offering a 10 year lease but this can be terminated with 12 months' notice at any time. If the lease is terminated CBC would look to relocate the allotments, but would be under no obligation to provide an alternative site. If the lease was terminated (by CBC) in the first 7 years of the agreement they would compensate STC for specifically agreed expenditure incurred in setting up the allotment.

Q. Will it be a license, lease or basic Management plan?

A Management Agreement is the most common document used when the Council does not own the land and CBC have confirmed a separate management agreement should be acceptable.

However, CBC have advised it might be possible to get permission to sub-let the whole of the area on the same terms as the lease for the purposes of allotments only. CBC officers are currently looking into this and will report back to the Clerk.

Q. Will the site facilities be 'disabled friendly'?

The aim would be to make the sites as disable friendly as possible. It is anticipate raised beds would be provided; so far we have received 5 registers of interest for raised beds. Access from the car park to the plots, and around them, as well as to the communal area would need to be of a suitable surface for wheelchair use. The Clerk is looking into recommend surfacing and costs.

Q. Who pays for the maintenance of the rabbit fencing & gates if they are damaged?

SDLGAA will repair and maintain the rabbit proof fence. However, it is likely STC would need to be responsible for the maintenance of a gateway.

Q. Who insures the motor mower and Community building?



Exactly who insures what has yet to be finally agreed and will require further meetings with SDLGAA. This will then be included in more detail in a report and further developed management plan for Members review. However, as it is assumed STC would want to keep ownership of the community building we would need to insure it.

Q. Who pays for the maintenance costs of the site toilet / Community Building if it is damaged?

It has been proposed that portable toilets be provided for the allotment during the first year; following this a compost toilet would be installed. The cost of renting the portable toilets during year one would fall to STC. The costs of maintaining a compost toilet need to be discussed with SDLGAA.

As it is assumed STC would not want to give up ownership of the community building its insurance and maintenance would fall to STC.

Q. Who will clear any rubbish left on site and dispose of it?

As part of the Management Agreement SDLGAA would clear

Q. Water supply - The estimated Allotment costs state £7.5k for the borehole yet the report states it could be as much as £15k. What are the exact costs for supplying water to the site?

At present this is not known. The Clerk acknowledges this is a critical costing as it will be the largest expense the Council will incur. The Clerk has contacted Anglian Water Anglian Water and completed the relevant forms to receive a quote. The Clerk will continue to push and bring pricing back to CSE on

Q. Public Liability Insurance? Who is providing this?

STC will insure the allotment area against fire, lightning, explosion and impact from aircraft. STC would insure the community building and any equipment given owned by STC but used by SDLGAA for the maintenance of the site.

SDLGAA will insure its own equipment and hold Public Liability Insurance to a minimum level of £5 million.

Q. Can a site visit be arranged?

CBC officers were not able to arrange a site visit prior to handing notice to the current tenant. Notice has now been handed to the tenant and the Clerk will arrange for Members to have a site visit.

SANDY TOWN COUNCIL
AMEN CORNER ALLOTMENTS
DRAFT MANAGEMENT AGREEMENT

Agreement between Sandy Town Council and Sandy & District Leisure Gardeners & Allotment Association for the management of the Amen Corner Allotment site

It is Agreed;-

- 1) The agreement is for an initial period of 10 years commencing on XXXX. There will be an option to extend on a yearly basis following this initial 10 years.
- 2) If the landowners, Central Bedfordshire Council, terminate its lease with Sandy Town Council over the land the Council will terminate the Management Agreement.
- 3) The SDLGAA is granted the right to manage the site in consultation with Sandy Town Council in order to discharge the Council's statutory duty.
- 4) Sandy Town Council may terminate the Management Agreement with SDLGAA if there is non-compliance with the terms of this agreement or if Central Bedfordshire Council terminates the lease on the site.
- 5) The land covered by the Management Agreement is to be used for allotment and related uses only. These may include the growing of fruit and vegetables, a community poly-tunnel, a club building and composting facilities.
- 6) The allotment area will not be used for the purpose of any trade or business.
- 7) Vegetation which cannot be composted or shredded may be burnt on site in accordance with such rules as are agreed.
- 8) Sandy Town Council Shall;
 - i) insure the allotment area against such perils as fire, lightning, explosion and impact from aircraft
 - ii) insure the community building and any equipment provided to the SDLGAA for the maintenance of the allotment area

- iii) reserve the right of access to the land using the access track for the maintenance of areas not under the management of the SDLGAA
- iv) Decide on plot fees, including any future increases or reductions. The charge for each plot will rise by RPI at the discretion of Sandy Town Council.
- v) Maintain the area not used by SDLGAA for allotments

9) Sandy & District Leisure Gardeners & Allotment Association shall;

- i) repair and maintain the rabbit proof fence around the allotment plots, roadways, paths, parking area, raised allotment beds, site security measures and community facilities
- ii) Collect plot fees from allotment holders on behalf of the Council
- iii) fund all running costs of the site from their share of the rents for the allotment plots
- iv) ensure that the allotment area is at all times kept properly and appropriately cultivated free from weeds and noxious plants and in good condition
- v) ensure that no nuisance is caused to neighbouring properties by any activity on the site
- vi) ensure that the allotment area is kept secure when unoccupied
- vii) not erect any signs on the allotment site without the prior written permission of Sandy Town Council
- viii) no alterations or additions are to be made to the allotment site without the written notice of Sandy Town Council
- ix) no commercial plant or large machinery shall be used on the allotment area without express permission of the Council
- x) indemnify Sandy Town Council against liability claims and all other claims arising as a result in connection with any activity (authorised or not) in connection with any breach of negligence
- xi) permit Sandy Town Council; its agents, workmen and others at all reasonable times (upon prior written notification except in an emergency) to view and stating the condition there of Sandy Town

Council may serve notice in writing of any defects found and the SADLGAA will undertake to take such remedial work as is required

- 10) SDLGAA is subject to any other items that Sandy Town Council's legal representatives consider it is important to include.
- 11) SDLGAA will operate within an agreed set of rules and must provide the Council with properly audited annual accounts
- 12) A management committee composed of three members of the SDLGAA, three Sandy Town Councillors and an allotment holder who is not a committee member of SDLGAA or a Sandy Town Council Member, will meet quarterly to consider any matters of common concern regarding the allotment site.
- 13) SDLGAA will pay a rent of £600 plus £50 for every 5 pole plot occupied on the Midsummer Quarter Day (24th June) over 30 plots. Pro rata for 10 pole and 2.5 pole plots.
- 14) The standing charge of £600 will be unchanged throughout the period of the lease with Central Bedfordshire Council.
- 15) It is expected that the charge for a 5 pole plot (125 square metres) will be £50 per year. Other size plots will be charged pro rata.

SANDY TOWN COUNCIL**COMMUNITY SERVICES AND ENVIRONMENT COMMITTEE
5th OCTOBER 2015****SUBJECT: REQUEST TO MOVE A COMMUNITY NOTICE BOARD****SUMMARY**

The Council has received a request to move the community notice board located on the High street (B1042). (Please see the below picture)

The request has come from the owner of 4 Downing Court who wishes to carry out works to create a driveway at the front of the property and in its current position the notice board would partially block the proposed driveway. The owner's intention is to leave the telegraph pole in place and remove the existing fence/wall to create the driveway. There is a dropped kerb already in place to allow access form the road. It has been requested the board be moved slightly to the right.

**INFORMATION**

The base of the notice board is buried and secured within the ground. It is not possible to move the board to the right due to water and telecom connections. Therefore if the board is to be moved a new location would need to be found.

To move and reposition the board the legs would need to be cut at ground level and new ones purchased, as the base is secured and cannot be removed. The cost of new legs is estimated at £250. To reposition the board the legs would need buried beneath the surface type, depending on the surface this could be difficult and would require permission from any relevant landowner.

Alternatively the board could be attached to a wall removing the cost of purchasing new legs.

ALTERNATIVE LOCATIONS

The board could be moved to Faynes Corner and installed in the flowerbed/grass near the Lounge India restaurant or close to the wooden benches. This would be a easier and quicker to install than a location with a paving/tarmacked surface.

Alternatively the board could be wall mounted at the library or another building in the town centre. The Town Clerk would need to enter into discussion with the building owners to secure permission to mount the community board.

Councillors are asked to decide;

- Should the Council relocate the community notice board outside number 4 Downing Court;
- An alternative location/s for the Town Clerk to investigate installing the community board

SANDY TOWN COUNCIL**COMMUNITY SERVICES AND ENVIRONMENT COMMITTEE
5 OCTOBER 2015****SUBJECT: BEESTON GREEN MANAGEMENT PLAN 2015****SUMMARY**

The following report is to provide Members with an update on progress to the Beeston Green Management Plan.

An initial meeting was held on June 23rd and attended by Cllrs Scott, Hill and CBC Cllr. Stock. The discussion was wide-ranging and an attempt was made to establish the different issues that need to be addressed by a Beeston Green Management Plan as well as noting all the other matters and concerns currently affecting the community of Beeston.

INFORMATION

Access and parking are likely to prove the most difficult and it was felt that the process of drawing up the plan needed to start by addressing the following:

- Being clear about the exact limits of the Green
- Trying to establish what if any, by- laws exist in relation to Beeston Green
- Logging all current access points across the Green

It was agreed that the working group would get hold of the latest plan and review all existing deeds in relation to Beeston Green and then walk the site to familiarise the group with the area in question.

The Beeston Management Plan should look to address the following issues:

- Definition of ownership/limits of the Green
- Rights of access/permitted routes
- Car parking
- Grass cutting
- Tree maintenance
- Bulbs and wild flowers/planters
- Moles
- Dog fouling
- Use of metal detectors
- Horse riding
- Radio-controlled aircraft, drones etc.
- Community use/events
- The plan should be linked to the community orchard

The structure of the plan will need to include:

- Historical background
- Definition of 'Common land'. STC as 'Lord of the Manor'.
- Rationale for management plan
- Role of residents
- Management of the plan. Actions and responsibilities
- Handling infringements
- Monitoring and review

FURTHER ACTION

On September 22nd Cllrs. Stock, Scott and Hill undertook a walk around the perimeter of the Green. Access points were noted as well as factors affecting the state of the Green. A small number of trees are in need of attention and there was also concern that the western boundary of the Green adjacent to the culvert is being steadily but significantly overgrown with nettles. It is now unclear which areas of this boundary are designated 'wild flower' habitats and are not mown. Consultation will be needed with members of the task team.

Expansion of issues listed above:

- Definition of ownership/limits of the Green.
In places it is still unclear what the boundaries exactly are. Are the verges at the approach to the A1 included?
- Rights of access/permitted routes.
There is a mixed picture. Gravel and tarmac covered driveways and one or two paved.
- Car parking
This is a problem with a few properties. How would we look to enforce?
- Grass cutting CBC contract.
No real problems at present.
- Tree maintenance
This is only done rarely and on an ad-hoc basis. The process will need to develop structured monitoring.
- Bulbs and wild flowers/planters
Task team and BWG members do a very good job.
- Moles Periodic problems.
STC triggers action.
- Dog fouling
This is still an issue but much better than in the past. Dog bins provided and well used.

- Use of metal detectors
This is an issue. Work will need to be done to establish if this is permitted or not and whether Licenses are required.
- Horse riding
Not permitted on the Green itself.
- Radio-controlled aircraft, drones etc.
Not permitted under CAA rules.
- Community use/events
Used for picnics and recreation in the summer months. Large events need permission from STC. Camping not permitted.
- Wooden sculptures
Need attention. Contact BWG.
- Play area
Quite well used and maintained.
- Link to community orchard project
Access across the Green likely to be the key issue. We need to establish what land CBC actually owns.

MOVING FORWARD

In due course there needs to be clarification on a number of points both in terms of national regulations affecting village greens and any bye-laws affecting Beeston Green which have been introduced by the Council over time. This can then lead on to a draft management Plan and subsequent consultation with local residents.