

Public Document Pack

SALTASH TOWN COUNCIL

Minutes of the Extraordinary Meeting of the Services Committee held at the Guildhall on Thursday 24th August 2023 at 6.30 pm

PRESENT: Councillors: R Bickford, R Bullock, J Dent, M Griffiths, S Lennox-Boyd, L Mortimore, J Peggs (Chairman), B Stoyel and D Yates.

ALSO PRESENT: Three Members of the Public, S Burrows (Town Clerk) and D Joyce (Administration Officer).

APOLOGIES: J Brady, J Foster, S Gillies, S Martin, S Miller, B Samuels and P Samuels (Vice-Chairman).

46/23/24 HEALTH AND SAFETY ANNOUNCEMENTS.

The Chairman informed those present of the actions required in the event of a fire or emergency.

47/23/24 TO APPOINT A VICE CHAIRMAN.

In the absence of the Vice Chairman, it was proposed by Councillor Peggs, seconded by Councillor Lennox-Boyd and **RESOLVED** to appoint Councillor Bickford as Vice Chairman for this meeting only.

48/23/24 DECLARATIONS OF INTEREST:

a. To receive any declarations from Members of any registerable (5A of the Code of Conduct) and/or non-registerable (5B) interests in matters to be considered at this meeting.

None.

b. The Town Clerk to receive written requests for dispensations prior to the start of the meeting for consideration.

None.

49/23/24 QUESTIONS - A 15-MINUTE PERIOD WHEN MEMBERS OF THE PUBLIC MAY ASK QUESTIONS OF MEMBERS OF THE COUNCIL.

None received.

50/23/24 **TO RECEIVE AND APPROVE THE MINUTES OF THE SERVICES COMMITTEE HELD ON 8TH JUNE 2023 AS A TRUE AND CORRECT RECORD.**

Please see a copy of the minutes on the STC website or request to see a copy at the Guildhall.

It was proposed by Councillor Bullock, seconded by Councillor Dent and **RESOLVED** that the minutes of the Services Committee held on 8th June 2023 were confirmed as a true and correct record.

51/23/24 **TO RECEIVE THE SERVICES COMMITTEE BUDGET STATEMENT AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

The Town Clerk informed Members of the current budget statement contained within the circulated reports pack.

It was proposed by Councillor Yates, seconded by Councillor Griffiths and **RESOLVED**;

1. To note the budget statement;
2. To vire £100 from budget code 6403 Guildhall Electricity to 6400 Guildhall Rates to cover the increased Cornwall Council business rates;

It was proposed by Councillor Yates, seconded by Councillor Griffiths and resolved to **RECOMMEND** to the Station Sub Committee to review budget code 6810 General Repairs & Maintenance - Isambard House due to limited funds remaining for the year 2023/2024.

TO RECEIVE AND CONSIDER THE FOLLOWING COMMITTEES RECOMMENDATIONS:

a. Joint Burial Board held on 27th June 2023;

5/23/24 TO RECEIVE THE JOINT BURIAL BOARD BUDGET STATEMENT AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.

The Assistant Town Clerk (ATC) explained the reason for the need to better present the budget statement to offer further clarity of the expenditure to date and the ability to track expenditure throughout the year highlighting any areas that may be close to an overspend. This also identifies areas that may require further consideration by Members when setting the budget for the following Precept year.

The ATC provided a brief overview of the colour coding system contained within the circulated reports pack:

- Green shows funds are on target as predicted at this point of the financial year;
- Yellow shows where the budget has been utilised more than expected at this point of the financial year;
- Red shows an overspend on the budget for what was expected to be utilised at this point of the financial year.

Town Council Members agreed to consider and approve the virements en bloc:

It was proposed by Councillor Bickford, seconded by Councillor Peggs and resolved to **RECOMMEND** the following virements to the next Services Committee meeting:

1. £16,422.22 from budget code 6624 ST BB Cemetery Staff Gross Pay (St Stephens) to 6618 ST SE Services Delivery Gross Pay;
2. £1,387.21 from budget code 6625 ST BB Cemetery – Employers NI to 6619 ST SE Services Delivery Employers NI;
3. £3,201.96 from budget code 6626 ST BB Cemetery Staff – Employers Pension (St. Stephens) to 6620 ST SE Services Delivery Employers Pension;
4. £138.00 from budget code 6667 ST BB Cemetery Staff – Clothing (St. Stephens) to 6673 ST SE Services Delivery – Clothing;
5. £473.00 from budget code 6668 ST BB Cemetery Staff – Mobiles (St. Stephens) to 6674 ST SE Services Delivery – Mobiles;

6. £80.00 from budget code 6669 ST BB Staff Travelling Expenses (St. Stephens) to 6675 ST SE Services Delivery Staff Travelling Expenses;
7. £530.00 from budget code 6670 ST BB Staff Training (St. Stephens) to 6676 ST SE Services Delivery Staff Training;
8. £8,830.00 from budget code 6693 ST BB EMF Staff Contingency (St. Stephens) to 6700 ST SE Services Delivery Staff Contingency.

It was proposed by Councillor Bickford, seconded by Councillor Mortimore and **RESOLVED** to approve the above recommendations en-bloc.

b. Personnel held on 29th June 2023;

Members agreed to receive and consider the following recommendations en-bloc.

RECOMMENDATION 1:

27/23/24 TO RECEIVE THE TRAINING BUDGET, REPORT BACK ON TRAINING ATTENDED AND CONSIDER TRAINING REQUESTS AND ANY ASSOCIATED EXPENDITURE.

It was **RESOLVED** to note the training budget and staff training to date.

It was proposed by Councillor Foster, seconded by Councillor Stoyel and resolved to **RECOMMEND** at the next Services Committee meeting to approve for a Service Delivery General Assistant to undertake the Powered Pole Pruner training at a cost of £240 allocated to budget code 6676 Service Delivery Staff Training.

RECOMMENDATION 2:

28/23/24 TO RATIFY SERVICE DELIVERY TRAINING EXPENDITURE.

It was proposed by Councillor Dent, seconded by Councillor Stoyel and resolved to **RECOMMEND** at the next Services Committee meeting to ratify the below Service Delivery training of £695 allocated to budget code 6676 Service Delivery Staff Training:

1. Brushcutter/Trimmer LANTRA Certificate and card - £220.00
2. Hand Held Hedge Trimmers LANTRA Certificate and card - £220.00
3. Pedestrian and Ride-On Mower LANTRA Certificate and Card - £255.00.

RECOMMENDATION 3:

30/23/24 TO REVIEW EMPLOYMENT LAW TRAINING FOR LINE MANAGERS AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.

It was proposed by Councillor Martin, seconded by Councillor Stoyel and **RESOLVED** to approve the Line Managers to attend Employment Law training delivered by HR Support Consultancy at a total cost of £450. The Town Clerk to arrange a suitable training date subject to the appointment of a Service Delivery Manager.

It was proposed by Councillor Martin, seconded by Councillor Stoyel and resolved to **RECOMMEND** at the next Services Committee meeting approval for Employment Law training cost of £90 allocated to budget code Service Delivery Staff Training;

It was proposed by Councillor Stoyel, seconded by Councillor Dent and **RESOLVED** to approve the above recommendations.

c. Policy and Finance held on 11th July 2023;

RECOMMENDATION 1:

39/23/24 TO RECEIVE THE CURRENT STC AND COMMITTEE BUDGET STATEMENTS AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.

It was **RESOLVED** to note the Town Clerk update on budget reports.

It was proposed by Councillor Miller, seconded by Councillor Martin and resolved to **RECOMMEND** to the Burial Authority Committee, Services Committee and Library Sub Committee to consider the virement of funds to bring budgets back within the set expenditure at their next available meeting.

It was **RESOLVED** to note the recommendation for the Services Guildhall budget was actioned under Agenda Item 6 minute number 51/23/24.

53/23/24 **TO RECEIVE AND CONSIDER A RECOMMENDATION FROM THE PROPERTY MAINTENANCE SUB COMMITTEE HELD ON 1ST AUGUST 2023.**

32/23/24 TO RECEIVE THE GUILDHALL TENDER REPORT FROM BARRON SURVEYING AND REVISIT THE SCOPE OF WORKS DRAFT PRIORITY LIST AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.

The Chairman announced that Agenda Item 8 is to be received at the same time as Agenda Item 7.

The Chairman informed Members that four tenders were received and analysed by Barron Surveying for Members consideration.

The Chairman referred to the Scope of Works Draft Priority List and confirmed the associated cost is within the available budget.

Members agreed all works detailed in the Draft Priority List were to be undertaken with further discussions to be held regarding the window draft stripping.

Members asked the Town Clerk together with Barron Surveying to identify the windows that require draft stripping to be sure the budget is spent wisely.

The Town Clerk asked Members to consider the appointment of Barron Surveying to project manage the Guildhall works.

It was proposed by Councillor Dent, seconded by Councillor Peggs and resolved to **RECOMMEND** to the next Services Committee meeting:

1. To appoint D R Jones to undertake the external repairs and redecoration works to the Guildhall Building at a maximum cost of £78,519+VAT to be allocated to budget code EMF 6470 Guildhall Maintenance;
2. To appoint Barron Surveying to arrange a site meeting with DR Jones to go through the works and tender return;
3. To delegate authority to the Town Clerk working with Barron Surveying to identify the windows that require draft stripping;
4. To appoint Barron Surveying to project manage including full contract administration with frequent site inspections and reports, progress meetings and programme review, dealing with day to day queries, variations, valuation and final account at a percentage fee of 12% of the project value allocated to budget code 6418 GH Professional Fees

It was proposed by Councillor Dent, seconded by Councillor Stoyel and **RESOLVED** to approve the above recommendation.

54/23/24

TO RECEIVE REPORTS FROM THE SERVICE DELIVERY DEPARTMENT AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE:

- a. Departmental Report;

The Town Clerk reported on the Departmental Report received and contained within the circulated reports pack.

The Town Clerk informed Members of the text highlighted in blue, contained and detailed within the report, in which Members were requested to consider resolutions.

It was proposed by Councillor Peggs, seconded by Councillor Dent and **RESOLVED** to;

1. Delegate to the Town Clerk to repair the North Road bus shelter roof working within budget code 6512 Bus Shelter Maintenance;
2. Ratify the cost of £235 to replace the Guildhall window allocated to budget code 6410 General Maintenance;

3. Ratify the change in operational hours to the fully accessible public toilet at Belle Vue in line with other Town Council public toilet operational hours;
4. Ratify to discontinue the LMP footpath work for the year 2023-24 and delegate to the Service Delivery Manager to ascertain if there is sufficient resource within the department to undertake the work the year 2024-25, and the Finance Officer to carry out a cost exercise for budget setting purposes, both reporting back at the next Services Committee meeting;
5. Appoint company A to undertake hedge works at Churchtown Cemetery and Allotment site at a cost of £1,024.50 allocated to budget code 6506 Grounds Maintenance and Watering;
6. Budget sufficient funds for replacement fencing at Churchtown Cemetery in the year 2024-25;
7. Delegate authority to the Town Clerk to appoint a contractor to carry out the works within budget this year, and future budgeting for Pillmere footpaths works to be undertaken every two years;
8. Plant evergreen plants for the Autumn/Winter period, and the Spring/Summer planting to be around the evergreen areas to bring colour to the beddings and containers;
9. Remove the Fore Street hanging baskets at the end of August;
10. Delegate to the Town Clerk to undertake a vehicle exercise reporting back at the next Services Committee meeting.

b. Grounds Maintenance Works;

The Chairman reported on the Grounds Maintenance report received within the circulated reports pack.

The Town Clerk expressed to Members the importance of the Town Council's many responsibilities and the volume of work that accompanies those responsibilities.

Members were asked to be mindful when considering future devolution, the impact on resources and the Precept.

It was **RESOLVED** to note.

c. Work Request Log;

Members were advised that the work request log is additional requests received from Members, Officers, and the public via the below link or emailed directly to services@saltash.gov.uk

https://www.saltash.gov.uk/service_delivery_enquiries.php

It was **RESOLVED** to note.

d. Vandalism and Anti-Social Behaviour Report;

Members agreed the report should be shared with external organisation Safer Saltash to strengthen communications and awareness of the minor crimes being experienced within the Saltash community.

It was **RESOLVED** to note.

e. Statutory and Mandatory Building and Asset Checks;

It was **RESOLVED** to note.

55/23/24

TO RECEIVE PONTOON QUOTES AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.

Members discussed the repairs and maintenance works identified at the Pontoon.

Councillor Bickford provided an overview on the pontoon inclusive of information as to when it was installed, a Tenancy at Will in place, and its current condition.

Members considered the current Tenancy at Will with Cornwall Council and the Town Council's commitment to repair and maintain the site. Members agreed that the Pontoon was a valuable asset they wished to retain in future years.

It was proposed by Councillor Bickford, seconded by Councillor Mortimore and **RESOLVED** to appoint Company B to replace with standard decking and 2x2 timber and screws (price includes materials and labour) at a cost of £5,800+vat allocated to budget code 6584 EMF Pontoon Maintenance Costs, subject to the Town Clerk confirming the decking and timber are pressure treated.

56/23/24 **TO RECEIVE A REPORT ON THE USE OF MOBILE DEVICE MANAGEMENT AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

It was proposed by Councillor Peggs, seconded by Councillor Stoyel and **RESOLVED**:

1. To purchase a Mobile Device Management (MDM) Subscription for 8 Town Council Mobile Devices at a cost of £440 for a three year subscription;
2. To appoint the IT Consultant to set up the MDM system on behalf of the Town Council at a cost of £400;
3. To allocate the cost to budget code 6674 Service Delivery Staffing Cost.

57/23/24 **TO RECEIVE A REPORT ON LATCHBROOK FORMER PLAY AREAS AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

The Chairman discussed a recent site visit undertaken in which it was clear the areas being proposed for devolution were in need of a considerable amount of work.

It was proposed by Councillor Mortimore, seconded by Councillor Stoyel and **RESOLVED** to thank Cornwall Council for providing the Town Council the opportunity to consider all six areas during their release process, however, due to the work required to bring the sites back to an acceptable condition Saltash Town Council reject the offer on this occasion and ask Cornwall Council to consider retaining the areas as public open spaces in line with the Saltash Neighbourhood Plan, should Cornwall Council wish to sell the land on the open market a covenant be included to exclude properties being built on the land that should remain as public open spaces.

58/23/24

TO RECEIVE AN UPDATE ON THE TOWN COUNCIL CIL APPLICATION AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE

Members of the CIL Play Area Working Group spoke of recent progress with the Town Council's funding application.

The Working Group met with the Pillmere Community Association and continue to work in partnership to drive the project forward.

The closing date for a final submission is late October. However, Members were advised a formal application can be submitted prior to the final submission date with advice available to be received to strengthen the funding bid if required.

It was proposed by Councillor Dent, seconded by Councillor Moritmore and **RESOLVED** to provide delegated authority to the Town Clerk to submit a formal application on behalf of the Town Council with a further update to be received at the next Services Committee meeting.

TO RECEIVE A REPORT ON THE TOWN LOUDSPEAKERS AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.

Members discussed the report received and contained within the circulated reports pack.

Members discussed in length the associated costs in relation to PPL and PRS Licences supporting external community events and for Saturday Meet Your Councillor sessions together with the loudspeakers.

It was proposed by Councillor Stoyel, seconded by Councillor Lennox-Boyd and **RESOLVED:**

1. To discontinue the background music licence for Meet Your Councillors with immediate effect;
2. To discontinue the Town Council music licence for external events with immediate effect;
3. To investigate if the Town Council are entitled to a refund for the music licence period of the 29.11.22 to 28.11.23;
4. To update the Town Council booking form to state it is the responsibility of the person / organisation applying to use the loudspeakers to obtain a PPL/PRS licence;
5. To appoint the contractor to service the loudspeakers at a cost of £180.00 +vat allocated to budget code 6504 Street Furniture (Maintenance) reporting back at a future Services Committee meeting.

60/23/24 **TO RECEIVE A BENCH REPORT AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

It was proposed by Councillor Dent, seconded by Councillor Stoyel and **RESOLVED**;

1. To purchase a composite bench to be installed at St Stephens Road, subject to permissions being sought from Cornwall Council, at a cost of approximately £462.50;
2. To apply for a licence to work within the highway at an approximate cost of £100;
3. To install a plaque stating the bench has been installed by Saltash Town Council and funded in partnership with Cornwall Council;
4. To part fund the bench allocated to budget code 6504 Street Furniture (Maintenance) and Cornwall Councillors to contribute by way of their Community Chest Funding subject to the Community Link Officers' approval.

61/23/24 **TO RECEIVE A REPORT ON THE USE OF PUBLIC ROYAL NAMES AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

The Chairman spoke of suggested locations that could be used to mark the passing of Her Majesty Queen Elizabeth II and commemorate her extraordinary reign through the use of her name and title.

The Chairman reminded Members that historically Victoria Gardens was a rose garden and asked for Members comments regarding planting Queen Elizabeth Roses (pink) with the specified area to be named Queen Elizabeth II Memorial Rose Garden.

It was proposed by Councillor Peggs, seconded by Councillor Stoyel and **RESOLVED** to delegate to the Town Clerk to submit a request to mark the passing of Her Majesty Queen Elizabeth II at Victoria Gardens subject to Cornwall Council permissions.

62/23/24 **TO RECEIVE A REPORT FROM THE GREAT WAR COMMEMORATIVE EVENTS COMMITTEE AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

It was proposed by Councillor Bickford, seconded by Councillor Dent and **RESOLVED** that Saltash Town Council adopt, insure and maintain the History Board and Plaque located at Wearde Quay Road, Key Bridge adjacent to the former Defiance Halt.

63/23/24 **TO RECEIVE A REPORT ON ALLOTMENT SOFTWARE AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

The Town Clerk informed Members of the current allotment process which is time consuming and potentially leaves room for errors. The software will assist when undertaking audits of Town Council allotment sites.

Further to this, there are insufficient funds to support the purchase of software for the year 2023-24.

It was proposed by Councillor Peggs, seconded by Councillor Lennox-Boyd and **RESOLVED**;

1. To appoint Company C at an annual cost of £669 plus any increase for the year 2024-25;
2. To create a new budget code titled 'Subscriptions' allocating £700 for the year 2024-25 to support the allotment software.

64/23/24 **TO RECEIVE A REPORT ON THE ALLOTMENT CONTRACT AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

The Chairman spoke of recent complaints and issues arising at Town Council allotment sites and that it has been identified the current allotment contracts are in need of review.

It was proposed by Councillor Bullock, seconded by Councillor Lennox-Boyd and **RESOLVED** to adopt the NALC template Allotment Agreement for all new allotment contracts with an addendum to be issued to existing contracts to improve management.

65/23/24 **TO RECEIVE A DRAFT ALLOTMENT POLICY AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

It was proposed by Councillor Peggs, seconded by Councillor Bickford and resolved to **RECOMMEND** to the next Policy and Finance Committee the Draft Allotment Policy as attached.

66/23/24 **TO RECEIVE A REPORT ON THE WINDOW WANDERLAND 2023 AND CONSIDER ANY ACTIONS OR ASSOCIATED EXPENDITURE.**

It was proposed by Councillor Bickford, seconded by Councillor Stoyel and **RESOLVED** to approve:

1. The Town Council to register participation in the free Window Wanderland event with decorated windows at the Library and Guildhall;
2. Window designs to be lit by automatic timers between 16:30 and 22:00 daily in line with the light switch on;
3. Approve the Administration Department to create a window display for the third window in the Guildhall Long Room;
4. Procurement of a lighting timer and materials at a cost of £44.98 allocated to budget codes 6301 Stationary.

67/23/24 **TO RECEIVE A REPORT ON THE HIGH STREET CATENARY WIRES AND TOWN COUNCIL CHRISTMAS LIGHTS 2023 AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

The Administration Officer reported on the High Street Catenary Wires and Christmas Lights 2023 contained within the reports pack.

It was proposed by Councillor Peggs, seconded by Councillor Lennox-Boyd and **RESOLVED**;

1. To appoint Company C to complete a visual inspection on the catenary wires as soon as practicable at a cost of £1,430.00+vat;
2. To appoint Company A to carry out works for the festive lighting for the year 2023-2024 at a cost of £6,135+vat;
3. To allocate the associated cost to budget code 6572 EMF Festive Lights;
4. To delegate to the Town Clerk to oversee and action any works to the catenary wires and festive lighting inclusive of the removal and disposal of bunting;
5. To note the current lack of Method of Inspection nor Quality Level of Inspection Certificates for installed Catenary wires over previous years.
6. To adopt the Festive Light Schedule for 2023 subject to Agenda Item 24 – minute nr. 69/23/24.

68/23/24 **TO RECEIVE A REPORT ON TOWN COUNCIL CHRISTMAS TREES 2023 AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

It was proposed by Councillor Stoyel, seconded by Councillor Mortimore and **RESOLVED**;

1. To appoint Company A to supply and deliver 20ft Nordmann Fir Christmas Trees at a total cost of £500;
2. To appoint Company A to provide a crane to install the trees at both the Waterside and Victoria Gardens at a cost of £250;
3. To apply to Cornwall Council for a Highways Limit Licence at a cost of £97;
4. To procure 9 x 5M Warm White Fairy Lights and 1 Transformer at a cost of £110;
5. To note staff time and costs allocated for erecting, decorating and dismantling the Christmas Trees;
6. To allocate the associated cost to budget code 6572 EMF Festive Lights.

69/23/24 **TO RECEIVE A REPORT ON THE CHRISTMAS LIGHT SWITCH ON EVENT 2023 AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.**

Councillor Bickford reported on the past Town Council Christmas Light Switch on Events coinciding with the annual Christmas Festival Event held on the first Saturday of December.

The organisers of the Saltash Christmas Festival have agreed to work in partnership with the Town Council to switch the Christmas Lights on taking place on Saturday 2nd December 2023.

It was proposed by Councillor Peggs, seconded by Councillor Mortimore and **RESOLVED** to refer the Town Council Light Switch on Event to the Saltash Christmas Festival to be held on Saturday 2nd December 2023.

70/23/24

TO RECEIVE A REPORT ON TOWN COUNCIL CHRISTMAS LIGHTS 2024 AND CONSIDER ANY ACTIONS AND ASSOCIATED EXPENDITURE.

The Administration Officer reported on the proposals received with indicative associated costs sought for the various options Members may wish to consider for the year 2024-25.

The Administration Officer requested guidance from Members on how they wish to proceed for future years festive decorations for the town with budget requirements to be considered prior to budget setting for the year 2024-25.

It was proposed by Councillor Lennox-Boyd, seconded by Councillor Bullock and **RESOLVED** to go out to tender for the Christmas Festive Decorations for the year 2024-25 and budget accordingly for future years.

Members thanked the Town Clerk for her dedication in temporarily fulfilling the Service Delivery Manager role, alongside her Town Clerk and RFO duties.

DATE OF NEXT MEETING

Thursday 12 October 2023 at 6.30 pm

Rising at: 8.41 pm

Signed: _____
Chairman

Dated: _____

Allotments Policy

RESPONSIBLE COMMITTEE: SERVICES

This is a policy/procedure document of Saltash Town Council to be followed by both Council Members and Employees.

Current Document Status			
Version	1 DRAFT	Approved by	
Date		Date	
Responsible Officer		Minute no.	
Next review date	As required		

Version History					
Date	Version	Author/ editor	Committee/ date	Minute no.	Notes
08/2023	1	AJT			DRAFT

Document Retention Period
Until superseded

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Saltash Town Council

Allotments Policy

Saltash Town Council reserves the right to change the Allotments Policy, rules and procedures from time to time. Any changes will be notified to the tenants in advance and tenants will be expected to comply with any rule changes following the consultation and notification process.

1. Introduction and Scope

Allotments and community gardens are a great way to grow your own food and enjoy the fresh air whilst learning about cultivation, observing wildlife and improving mental health and wellbeing.

Saltash Town Council provides three allotments sites in the town, Fairmead Road, Grenfell Avenue and Churchtown. Plots are allocated when they become vacant, subject to an application process to confirm eligibility and signature of a Tenancy Agreement. The Town Council operates a waiting list for all sites. (See allocation of plots below.)

2. Eligibility

Applicants for tenancy of an allotment must be over the age of 18 and live within the Saltash Town Boundary. Where a tenant moves outside of the Town boundary, they will be required to end their tenancy.

The Town Council operates a waiting list for allotments. Where a resident is added to the waiting list it is their responsibility to ensure that they notify the Town Council of any change to their contact details.

3. Allocation of Plots

When a plot becomes vacant the person at the top of the waiting list will be offered the plot in writing, usually by email. The offer should be accepted in writing within 10 working days. Where there is no response the person will be removed from the waiting list and the plot offered to the next person on the list.

A tenant may only start work on a plot on completion of all required paperwork and payment of tenancy fees. Fees may be reduced proportionally at the discretion of the Town Council where a plot is allocated part way through the year.

All allotment tenants are required to provide proof of insurance at the start of the tenancy agreement and annually at renewal. The Town Council accepts no liability for any loss, damage or injury to Tenants, or any other person or their belongings occurring on allotment sites.

4. Allotment Tenant Responsibilities

When signing the Tenancy Agreement, the Tenant agrees to the terms laid out in the agreement.

Change of Contact Details

The Tenant should immediately notify the Town Council in writing of any change in contact details.

Charges

A deposit is required from all new Allotment Tenants at the commencement of tenancy, repayable on termination of the tenancy providing that the allotment plot is left in an acceptable condition.

Charges are reviewed annually by the Town Council as part of the budget setting process. Tenants are given twelve months' notice in writing of any change to charges.

Tenants will be invoiced annually and fees should be paid in full by 1st April each year to retain the tenancy of the allotment.

Water is provided at two allotment sites. Where water is provided there is an additional annual charge to Allotment Tenants on those sites.

Allotment plot

The allotment should be maintained in a good state of cultivation and kept free from weeds. Pathways should be kept clear. New tenants will be permitted adequate time to bring a plot to an acceptable level of cultivation.

The land is not to be used for any purpose but as allotment gardens cultivating fruit, vegetables, herbs and flowers for use and consumption by the Tenant and their family. Selling or undertaking of a business in relation to the cultivation on the allotment plot is not allowed. Surrounding trees and hedges may not be trimmed by Tenants and pathways must be free of allotment holder items, such as, chairs, wheelbarrows, soil etc. Any issues of overhanging should be reported to the Town Council.

The following are prohibited on allotment sites at any time:

- a. Dogs, poultry or livestock (as to be prejudicial to health or a nuisance)
- b. Alcohol and/or drugs
- c. Bonfires
- d. Barbed wire
- e. Taking/removal of any mineral/ gravel/ sand/earth or clay.

Conduct

Tenants should not take, remove or borrow crops, equipment or supplies that belong to other Tenants without the prior consent of the owner.

Tenants should not cause or permit any nuisance or annoyance to any other Tenant or obstruct or encroach onto other plots or pathways. Disputes between Tenants should be referred to the Town Council to investigate. The decision of the Town Council will be final and binding.

Use of Chemical Sprays and Fertilisers

The Town Council encourages chemical free, organic cultivation methods. However, where Tenants use pesticides or fertilisers on their plot they must:

- a. Only use domestic grade pesticides;
- b. Take all reasonable care to ensure that other plots, pathways, hedges and trees are not adversely affected;
- c. Select and use pesticides so that there is minimal risk to members of the public, birds and other wildlife, with the exception of vermin or pests;
- d. Comply at all times with current pesticide regulations. Tenants are advised to refer to the Health and Safety Executive database to ensure that specific products may be lawfully used.

Storage of pesticides and other potentially toxic chemicals on allotment plots or in sheds is not permitted.

Subletting

Subletting of the plot is not permitted without the written permission of the Town Council.

Water

Where water is provided on site it is solely for the use of watering crops. Attachment to the water points for automatic continuous watering, sprinklers or drip feed systems is not permitted. Tenants should ensure that water is not left running unattended.

Parking

Where a parking facility is provided, it should be used. Parking in prohibited areas may lead to the termination of the Tenancy Agreement by the Town Council.

5. Buildings and Structures

No building or structure may be erected on the allotment without the written consent of the Town Council. Buildings/structures must conform to any relevant planning conditions laid out by Cornwall Council and specifications of conformity as determined by the Town Council.

All buildings erected with the consent of the Town Council must be maintained in a good state of repair and should only be used in connection with the use and management of the allotment plot. Residential use or sleeping is not permitted

When a tenancy agreement is terminated, the Tenant will be required to remove all buildings and structures from the plot before it is reallocated.

6. Town Council Responsibilities

The Town Council will promote best practice on all allotment sites and encourage sustainable environmental management.

Site Management

The Town Council will seek to ensure the sites are accessible and usable for all allotment tenants.

The Town Council will undertake regular site inspections and reserves the right to access any plot to undertake inspections. Monthly site inspections will include checking the condition of pathways, gates, site boundaries and identify any other issues that need resolving.

Plots will be inspected at regular intervals to ensure they are in active use and being cultivated.

Allotment tenants should report any site problems to the Town Council .

7. Termination of Allotment Tenancy Agreements

Cancellation by the Tenant

Tenants wishing to cancel their Tenancy Agreement should do so in writing to the Town Council. The Town Council will not refund any rent paid in that year where the cancellation is at the request of the tenant.

Cancellation by the Town Council:

The Town Council has the right to terminate the tenancy agreement where the Tenant is in breach of the allotment rules as agreed by the Tenant when signing the Tenancy Agreement.

Enforcement

The following enforcement procedure will apply:

1. Informal warning – Tenants who fail to comply with their tenancy agreement will be contacted in writing and requested to address the issues of non-compliance within one calendar month.
2. Formal warning – Tenants who fail to respond to an informal warning within one calendar month will be issued with a formal written warning and requested to address the issues of non-compliance within two weeks.
3. Notice to quit – Tenants who fail to respond to a formal warning within the provided notice will be given notice to quit.
4. Where a Tenant has been given notice to quit and fails to vacate the allotment, the Town Council is entitled to take possession of the plot and exclude the Tenant.

Power to Evict

In the event of a serious breach of the Tenancy Agreement or where the Tenant becomes bankrupt or compounds with their creditors, the Town Council reserves the right to serve immediate notice to quit.

Non-payment of charges

The Town Council reserves the right to terminate the Tenancy Agreement giving one month's written notice to quit where the allotment rent is in arrears for 40 days or more.

Breach of residential conditions

If it appears to the Town Council that the Tenant, not less than three months after the commencement of the tenancy, is resident more than one mile outside of the Town Boundary, the Town Council may give the Tenant a month's written notice terminating the Tenancy.¹

Death of a Tenant

The tenancy of the allotment shall terminate upon the death of the tenant. Next of kin will be given adequate time to remove personal possessions and produce from the plot. Unless otherwise agreed in writing, the tenancy will terminate two months after the death of the tenant.

The plot will be returned to the possession of the Town Council in the interim period until a new tenant is assigned.

Return of land

Where the land being used as Allotment Gardens is required for providing new services, the Town Council shall cancel Tenancy Agreements. In such circumstances the Town Council shall give Tenants 12 months written Notice to Quit expiring on or before 6 April or on or after 29 September in any year.²

8. Complaints

All complaints should be directed to the Town Clerk. The Town Council Complaints Procedure can be found on the Town Council website.

9. Personal Data

Allotment Tenants and residents who supply their personal data to be added to the Allotment Waiting List should refer to the Privacy Notice on the Town Council website for details on how we use your data.

¹ s.30(2), 1908 Act as amended by s.23, 1922 Act

² s.1(1)(a), 1922 Act as amended by s.1,1950 Act

Appendix 1: Definitions

Saltash Town Council:

includes any committee of the Town Council and/or any Officer of the Town Council appointed under the Allotments Acts 1908 and 1950.

Allotment garden:

a piece of land not exceeding 250 square metres although there is no set standard size.

Allotment Tenant:

a person over the age of 18 who resides within the Saltash Town boundary and has entered into a Tenancy Agreement for an allotment on one of the Town Council sites.

Allotment Tenancy Agreement:

the legal document signed by the Tenant and Saltash Town Council when renting an allotment.

Allotment Rent:

the annual charge for renting an allotment from the Town Council.

Cultivation:

actively growing plants or with a plot ready to accept crops during the main growing season on not less than 70% of the total plot area.

Non-cultivation Notice:

a formal notice issued by the Town Council notifying the Tenant of the requirement to commence cultivation of face further action that might lead to the termination of the Allotment Tenancy Agreement.

Appendix 2: Relevant Legislation

The Legislation relating to allotments

Small Holdings and Allotments Act 1908

Consolidated all previous legislation and laid down basis for all subsequent legislation.

Placed a duty on local authorities to provide sufficient allotments, according to demand.

Made a provision for local authorities to purchase compulsory land to provide allotments. Established the framework for the modern allotments system.

Land Settlement Facilities Act 1919

This Act was mainly to assist returning servicemen and opened up allotments to all, not just 'the labouring population'. Made metropolitan borough councils allotment authorities for the first time.

Allotments Act 1922

This Act was established to provide allotment tenants with some security of tenure. It also provided tenants with greater compensation at the termination of their tenancy and limited the size of an allotment to one-quarter of an acre, specifying that it should be used mostly for growing fruit and vegetables.

Allotments Act 1925

Required local authorities to recognise the need for allotments in any town planning development. Established 'statutory' allotments which a local authority could not sell or convert to other purposes without Ministerial consent. This Act was intended to facilitate the acquisition and maintenance of allotments, and to make further provision for the security of tenure for tenants.

Allotments Act 1950

This included:

- the amendment of the provisions relating to rents that may be charged for allotments;
- the extension of period of notice to quite to 12 months for allotment gardens;
- compensation payable to plot holder at whatever season of the year a tenancy terminates;
- making plot holders who have allowed their plot to deteriorate through neglect liable to pay compensation on quitting; and
- allowance of certain forms of livestock (hens and rabbits) to be kept although this can be, in some cases, restricted by local by-laws*.

***NOTE: Saltash Town Council does not permit any form of livestock on allotment plots.**

Other legislation:

The Local Government Act 1972 amended the allotments legislation in a number of matters of detail, for example, removing the requirement upon local authorities to establish allotments committees (contained in Section 12 of the Allotments Act 1925).

Other Acts which have impacted upon allotments include the Town and Country Planning Act 1990, the Local Government Planning and Land act 1980 and the Acquisition of Land Act 1981.

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