

FULL STATEMENT FROM LINTON PARISH COUNCIL ON THE ALLOTMENTS
OCTOBER 2011

The History of the Search for Allotment Land

Linton lost its allotments in 1994 when South Cambs District Council, who owned the land, sold it for housing. Even before that, Linton Parish Council had been searching for its own land suitable to be used as allotments.

All known land owners around Linton have been approached over many years to see if they would lease or sell land to the Parish Council for allotments. These land owners included the Fairey family, Mr Sid Taylor, Mr Peter Balaam, the Alper family, Pembroke College and the Diocese of Ely, and always the answer was that they were not willing to relinquish any land.

In 1994 the Parish Council nearly secured 6 acres of land along Back Road, the field adjacent to Kingfisher Walk. The Parish Council was willing to pay £3,000 per acre. The negotiations were very protracted. In 1996 the landowner decided to auction the land, but it was taken off the market very suddenly and sold to the Fairey family.

The Parish Plan of 2004 identified the need for allotments as a high priority. The SCDC Outdoor Play-space Survey of 2005 confirmed the need for more recreational space for a village of our population.

In 2004 Mr Sid Taylor approached an individual Parish Councillor. This individual informed the Council that if the Parish Council matched the offer from County Council for the field next to Linton Village College, then he would sell it to the Parish Council instead of the County Council. The Parish Council, under confidentiality, discussed the issue and decided to bid for the land, as it could be used for a variety of purposes: allotments, recreation or sports land that could be co-used by residents, village clubs and the College. The land had been uplifted from agricultural to grazing land while negotiations were taking place. It was agreed to pay £22,000 per acre for just over 6 acres, which we were informed was more than the County Council was offering. Mr Sid Taylor sold the land to the County Council.

In 2007 six residents requested that the Parish Council provide allotments. Under the Small Holdings and Allotments Act, if there is sufficient demand for allotments, the PC is obliged to provide them. Consequently, the Parish Council was legally bound to assess the need for allotments, and this was advertised; over 40 residents responded. Again the Parish Council contacted all local landowners, and again land was not forthcoming.

In 2008, the Parish Council was approached by Mr Peter Balaam, who requested Parish Council support for a large housing development on Balsham Road. In return he would provide some land for allotments. As this proposed development fell outside the village envelope, the Parish Council referred it to South Cambs District Council who would have to make the decision. Eventually, after 18 months the proposal was abandoned. Parish Council minutes 3rd Sept 2009 state.....*Allotments. Cllr Linsdell reported that he had today spoken with Mr Balaam who confirmed that he had met with Mr McMurray, planning officer at South Cambs. This had not been a very positive meeting and no conclusion had been reached.*

Current Situation and Proposed Land

In June 2010 a new landowner was identified by Roger Hickford. Tim Lamb, and his sister, are co-owners of the majority of the field (nearly 21 acres) behind houses on Back Road to the north of the village on Rivey Hill. The landowners were willing to negotiate with the Parish Council, for the land to be used as allotments and recreational space. The Allotments working party was informed and they asked the Parish Council to obtain seven acres for allotments, as long as the land was proved to be fit for purpose. At first the negotiations were for leasing the land only, but after some persuasion the landowners agreed they would sell seven acres for allotments, and lease us the remainder for recreational land.

The land is currently being leased to the Faireys, under the Agricultural Holdings Act 1986. This specifically states that a Notice to Quit can only be served on the tenants if the land is required for purposes other than agriculture, and that this would need to be done with planning permission for a “change of use”. The Notice to Quit takes effect on the anniversary of the tenant’s agreement, in this case 29th September, and the tenants then have another 12 months use of the land. Compensation would also have to be paid to the tenants even after the 12 months have passed and the tenants had left the land.

In the summer of 2010, the Parish Council met with Mr Charles Fairey and explained the wishes of the Parish Council to obtain the land for allotments and recreational space, and the willingness of the landowner, and asked for his cooperation in the matter as the sitting tenant. An agreement was not reached. Later that year, the Parish Council was informed that the Linton Fireworks Display 2010 could be cancelled. This display was dependent on the use of Grip Meadows, land owned by the Fairey family, and it was suggested that permission for use of the land on Grip Meadows may be withdrawn if a “Notice to Quit” was served on the allotment field.

The Parish Council discussed this issue at length, and agreed to purchase the lower seven acres of the field for allotments as the first priority, and also try to lease the remaining fourteen acres for recreational use for the village. Seven acres were necessary for allotment land, so that the 48 people who had already expressed an interest in owning an allotment could be accommodated, as well as any other residents that may want one. Seven acres would cater for 84 plots, but it was estimated that 2 acres would be lost to buffer screening, small car park/drop off point and track ways, and therefore 60 full-size plots could be made available. The remaining fourteen acres would help meet the shortfall of recreational land previously identified.

Many issues needed sorting out before Heads of Terms could be agreed, including:-

Planning Permission: Planning permission was required on the whole 21 acres for “change of use” so that the Notice to Quit could be served on the tenants. The Planning application required details of who owned the proposed access....the bridleway. This information was not forthcoming, and was only discovered after an initial planning application from the PC proposing “change of use”. A solicitor representing the Fairey family then wrote stating that the Fairey family owned the bridleway and that the planning application was invalid. The PC immediately withdrew the application, but the information for any future application was now in the public domain.

Water source: Although there was an option for a water pipe to be laid to the field from a new development close by, this was turned down as no Heads of Terms had been agreed. The pipe would run to the south west corner of the field only, and the cost of introducing a water supply this way increased dramatically from an initial £1000 to nearly £14,000. The Allotments Association, set up in early 2011, has looked into drilling a bore hole on the land, and preliminary investigations are very favourable. The cost of drilling a bore hole is considerably less, about £5,000, and running costs obviously much less. The following is part of the response received from the Environment Agency regarding a borehole at this location..... *The site is in an outer zone - Source Protection Zone 2 - for public water supply sources. We tend to get concerned about activities within Source Protection Zone 1, and as the location given is 1km or more away from the SPZ1, we wouldn't object to it.*

Suitability of Soil: The Parish Council has commissioned for soil samples to be analysed for suitability for allotments. There has been much concern from residents that the soil in this field is unsuitable. The PC commissioned Law Fertilisers to take the samples, which were sent away for lab testing. The following report has been obtained from Law Fertilisers Ltd.....

Linton Allotment Project/ Soil fertility report

Sample 1 was the third nearest the bridleway.

Sample 2 was the area in the middle which was characterised by a dip.

Sample 3 was the farthest area which was a high area or ground similar to 1.

The results were consistent with well farmed arable land for the area although the low organic matter levels of below 1.5% (not tested) and moderate phosphate indices at index 2 would need to be raised to support sustainable allotment cultivation. Although there appears a difference in potassium levels of index 2+ and 2- if you consider the ppm concentration the levels are very consistent and would support vegetable and fruit production. There was no acid issues.

Sample 1 was clearly the poorest area of land being stony and "thin" having a high proportion of chalk which would lead to slow growth in spring and the potential for manual cultivation difficulties. The lower magnesium level is not that significant for plant growth but purely explains the dominance of calcium in the soil complex.

Sample 2 was the best soil area with a deeper structure and heavier texture. However there would need to be a provision for drainage, which may already be in place, otherwise winter working could be tricky.

Sample 3 had a better soil structure than sample 1 but again stones and a thin topsoil may initially limit productivity and workability.

In summary, the area may pose challenges as a result of the topography and soil texture for allotments although the basic fertility is good. The ploughing in of compost or organic manure across the slope before winter frosts combined with the use of triple superphosphate and potassium salts thereafter would improve the basic fertility, whilst the low organic matter levels will require the growth of legumes in the rotation or the use of nitrogen to help develop and maintain a leaf canopy.

This report confirms a verbal report that this site is suitable for allotments. The soil will need some initial work and nutrients to be added, but this is usual practice when establishing a new allotment.

Parking: The Parish Council is very aware of the concerns expressed by some residents concerning parking. It was considered that allotments would need an area for 4-6 vehicles to allow set down and picking up, together with 2 disabled parking spaces. Vehicles would not be allowed to park there, but must park away from the allotments site. This is not ideal, but when it is the only option available, then it must be considered and ways found of trying to make it work. County Council own a wide verge to the west of the telephone exchange. Initial discussions have suggested that it might be possible to park up to 12 vehicles here. British Telecom has been contacted and is unwilling to sell or lease the car park of the telephone exchange.

Access: Access to the site would use the bridleway next to the telephone exchange. County Council has confirmed they would not object to the bridleway being used, as long as there was a vehicle movement plan, where the number of vehicle movements were restricted, a plan for a small car park, and that the surface of the bridleway up to the allotments entrance was resurfaced (to minimise noise and stop stones and mud being displaced onto Back Road). Visibility splays for vision and width of entrance are within acceptable limits. All these conditions can be met except one; the resurfacing and upgrading of the bridleway needs permission from the owners; the Fairey family own the bridleway. The Parish Council has received a letter from a solicitor representing the Fairey family, dated 30th September 2011, stating that they ...“would strongly resist through all appropriate legal channels any proposals to commission such an upgrade.”

The Situation going Forward

It was always going to be difficult to resolve everything in time for the Notice to Quit to be served 29th September 2011.

1. The statutory duty of the Parish Council is to provide land for allotments. The Parish Council does not have to consider suitability of soil, access, or any other problems. This Parish Council would not consider it appropriate, or indeed morally correct, to simply provide the land without considering whether it was “fit for purpose”. This Parish Council understands and will try to address the concerns of residents nearby, particularly the access and parking, should the proposal go ahead.
2. Despite many rumours to the contrary, the land currently being considered for allotments is the **only** land actually being offered to the Parish Council, and therefore is the only land the Parish Council can consider at this moment.
3. No Heads of Terms have been signed with the Lambs, and therefore the Parish Council is available to talk with any other landowner who might have more suitable land available. If the seven acres of allotment land is deemed fit for purpose, and there is no other land for consideration, the Parish Council will seek to secure it for allotments via Heads of Terms and then formal agreement.

4. The Parish Council is very aware of the parking and traffic management situation and the potential problems the allotments might cause should this proposal go ahead. It is a priority to try to minimise any adverse effect caused by traffic around this site. It is also very aware of the visual impact it may have on surrounding residents and the overall view, and there are plans in place for “buffer zones” and planting around the allotments site where necessary.
5. It is the responsibility of the PC to obtain “best value” for the village and residents. Details of any financial arrangements/transactions will remain confidential between the Parish Council and their solicitor, and the landowners and their agent, until such time as the PC feels it appropriate to release the information into the public domain. This is to keep the financial aspects secure until settlement has been reached, and to protect the negotiations from third party interference (this has occurred previously when trying to secure land). The Parish Council will seek the best deal for the village, and will keep costs down where possible. By purchasing the land, the Parish Council is securing the land for allotments, for the village and for future generations. It will also ensure that no development will take place on this land. The current owners of this land have not put forward proposals to develop this land for housing, unlike many of the other landowners with fields bordering Linton.
6. The Parish Council will help secure land for allotments and help with initial costs, such as tree/hedge planting for buffer zones, rabbit-proof fencing and water supply, but it is expected that after two years the Allotments Association will be self-financing. It is anticipated that rents received will fund ongoing costs or needs, and cover fees to the Parish Council for the site. Rents for each plot holder will be decided by the Allotments Association.
7. The Parish Council feels that the issue that has the potential to stop this whole proposal would be whether vehicular access can be secured to the allotments via the bridleway. The Fairey family have made it very clear, via their solicitor, they will “strongly resist” any attempt by the PC to resurface the path as required by the County Council. Very soon the Allotments Association will have to decide whether such access is essential for the site to be “fit for purpose” and inclusive for all. If the Association decides access is a requirement, the PC will seek legal advice on how best to proceed, looking at the options, and whether the PC should contest the right to resurface the bridleway, with all the costs that this entails, or whether the whole proposal should no longer be considered viable.
8. Should the Parish Council obtain the seven acres for allotments, it will also seek to secure the remaining fourteen acres for recreational land. South Cambs officers are fully involved and very supportive of the idea, advising on potential layouts and projects, not only for the fourteen acres but for the allotment site also. The officers at South Cambs have already sent a couple of draft plans back to the PC, which are available to view at the PC office. Before any final decision there will be full public consultation on how the space could be used.