

Sandy Town Council

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

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 13 July 2015 commencing at 7.30 pm

Carol Baker-Smith
Acting Clerk
10 Cambridge Road
Sandy, SG19 1JE
01767 681491
26 May 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 1 June 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.
- 5 **Allotments** ✓
To receive and consider a report from Cllrs Aldis and Sutton regarding the proposed allotment site.

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- 6 Berwick Way Estate**
To receive a report from Cllrs Ali, Aldis and Hill regarding their meeting with the Developer's representative to discuss the adoption of the amenity land on the Berwick Estate. ✓
- 7 Cemetery Project Update**
To receive a verbal report from the Chairman of the Cemetery Working Group on progress with this project.
- 8 Potton Sandy Cycleway**
Potton Sandy Cycleway group have requested a representative from Sandy Town Council to join the group in order to achieve the final stages.
Members to consider whether they wish to have representative on this group .
- 9 Chamber of Trade**
To consider and approve a request from Chamber of Trade for a link from the Sandy Town Council website to a new Chamber of Trade website.
- 10 Friends of Sandy Christmas Lights**
To consider and approve a request from Friends of Sandy Christmas Lights to sell the Christmas Sleigh to Biggleswade and Sandy Lions to enable them to continue the Christmas fundraising sleigh runs.
- 11 Bedford Road Recreation Ground**
To approve the Triumph Wellbeing group's use of Bedford Road Recreation Ground for a Boot Camp.

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Community Services and Environment Committee Monday 13th July 2015

R E P O R T S

5 Allotments Report on Allotments Project

On Friday 3rd July 2015, Clls Susan Sutton and Nigel Aldis met with Sally Wileman and a legal team officer from CBC to discuss the Allotment Project. A number of issues were discussed which are included in this report. Some of them need a decision with a recommendation to Council so that the project can move forward and meet a tight deadline.

Preamble

Members will recall that STC has been trying for a very long time to secure a replacement allotment site as it is required to do if a sufficient number of residents express an interest. This does not apply to a burial ground! In the latter stage of the search a site was identified which was owned by CBC but has a sitting tenant who uses the land for grazing mainly horses. An extensive survey by CBC has been carried out to ensure that the site which was once the municipal rubbish tip for Sandy does not pose any risk to health from the cultivation of the ground for producing food. The report showed that the site is perfectly acceptable for such a purpose.

The intention is for the Town Council to acquire the land via a long lease and then pass day-to-day management of the site over to the Sandy & District Allotments and Leisure Gardens Association (SDA&LGA). We would suggest that a joint management group is set up with one or more councillors representing STC.

It is anticipated that about 120 plots are required with 10 poles (250 sq m) being the standard area, but 5 poles and 2.5 starter plots also being required. It is also anticipated that there would be some raised plots to cater for any gardeners who require such a facility. The minimum area required for 120 x 10 pole plots is 10 acres (without supporting areas).

To get access to the plots there would be a track around the site and 1.5 metre strips between each plot to define the boundary of each allotment. In addition there would be a car park area with a community building.

This draft plan has been shared with the SDA&LGA and they are in broad agreement subject to costs.

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Area of Land Available

The site in total is 8.5 hectares or approximately 21 acres. The Town Council could have all of this site or a proportion. The waiting list is currently about 100 residents most of whom would seek to have a ten pole plot. But smaller options would be available of 5 poles or 2.5 starter plots. Land would also be needed for communal area of car parking, meeting room/storage building, polytunnel, an access track around the site, a mowing strip between each plot, a community orchard and meadow land for future needs if required.

Therefore to accommodate all these needs we would need to use all 8.5 hectares.

Length of Lease

Up to 10 years would normally be available but five years may be offered with 12 month extensions being available. Any lease would have a "lift & shift clause". CBC is investigating whether we can start with a 10 year lease.

Cost of Lease

The cost proposed by CBC is £100 an hectare so the cost for the full site would be £850 per year.

Heads of Terms for Lease

The CBC legal officer had prepared a draft "Heads of Terms" document which is attached and should be read in conjunction with this report.

Access Road

There was discussion about the access direct from the roundabout on Sunderland Road. The current access to the site is via the first industrial building on the LH past the roundabout. CBC officers are to check the ownership and ensure that either ownership or right of access is passed to STC/allotment holders.

Management by Allotment Society

This was recognised by CBC as being perfectly acceptable as would be having a grazier to manage any meadow land if that was an option as currently happens on the Riddy.

STC would have an agreement with the SDLG&AS to manage the site once it had been set up. An annual rent could be charged based on plot occupancy with an element included to recover the start-up costs over the length of the initial; lease term.

STC could also provide a mower for the grass strips between each plot and possibly other equipment but would provide replacement items or pay for any maintenance or consumables.

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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 install composting toilets.

Water Supply

There is currently a water supply on the site for the watering of the livestock but Sally Wileman is to check who it belongs to. STC may have to install a separate non-permeable pipe as it's unclear as to what standard is the current pipe. 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

If the scheme is to make good progress it will be necessary for the Council to give a commitment to take the project forward as soon as realistically possible so that notice can be given to vacate the site (or part of it) on the next Quarter Day which is 21st September. The Council / Allotment Society would then be able to take possession on 25th December 2015.

Legal Costs

The CBC officers were asked to provide an estimate of the costs that the Council would charge for the legal work but this would be a minimum of £750.

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 orchard, the community building, the access road, the entrance point from the highway and the car parking.

Other Matters

Since the meeting it has been suggested that the existing building used by the outdoor staff at Stratford Road could be reused at the allotment site as the

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community building with a composting toilet. A draft costings plan for the project is attached for members' comments and consideration. It is possible that some grant money may be available and CBC is to checking any S106 that may be owed to STC. The Allotment Society may also be able to apply for grants/donations towards some aspects of the site.

Recommendations

Members are requested to note the report and make a decision as a recommendation to Council on the following items:

- 1. To agree to lease the 8.5 hectare area owned by CBC for an allotment site and to confirm this in writing so that the existing tenant can be given notice to vacate the land by 21st September 2015.**
- 2. To authorise the Chair & Vice-Chair of CS&E to continue acting as the Council's representatives in negotiations with Central Bedfordshire Council.**
- 3. To continue researching the costs of setting up an allotment site and to bring a further report to the next meeting of the Committee.**
- 4. To agree Heads of Terms for a management plan with the Sandy & District Allotments and Leisure Gardens Association and to bring a report to the next meeting of this Committee.**

6 Berwick Way Estate

On Thursday 4th June 2015 Cllrs Jafor Ali, Max Hill and Nigel Aldis met two representatives from Tilco Ltd. The latter are working for Taylor Wimpey to dispose of amenity land which they still own from previous developments. The purpose of the meeting was to gain an understanding of what areas were included in the amenity land that are being offered to the Town Council for it to take responsibility for future maintenance.

The company's brief is to handover amenity areas to local authorities where there is a section 106 agreement compelling them to do so with an appropriate commuted sum. However where there is no S 106 agreement in place the company wishes to finance the commuted sum (in this area reported as £29,000) by building on part of the open space.

The proposal at Berwick Way is to construct an access road from the hammer head by the end of the Sunderland Road Recreation Ground to the raised mound between Winchester Road and the estate. This would involve removing the entire mound and constructing three detached houses similar in style to those already existing in the parallel close. The gardens of the new properties would extend up to the existing hedgerow to eliminate any area that might be used for anti-social behaviour.

Building on this area is likely to meet with very stiff opposition from the

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existing residents who are of the belief that there is some covenant preventing this land from being developed.

The site visit team then round the rest of the estate to view the parcels of land which would be included. There were several triangular pieces of land which directly abut on to the long strip behind Winchester Road which is believed to be in the ownership of Aragon Housing Association although the grass is cut by Central Bedfordshire under contract. However the trees/hedging around the boundary have never been maintained and would require a great deal of work before STC could possibly consider adopting the area. The vegetation hides a considerable amount of litter and other abandoned items including a gas barbeque.

There are small parcels of land around the estate in some cases with foul or surface water drains running across them. A small space between Skipton Close and Warwick Close is obscured by rampant growth which needs a severe trim. The previous deputy-clerk who did much work on the adoption recommended that it was cut back to six feet high which would be a very hard prune indeed but would give inward visibility to the site which would deter anti-social behaviour on the plot.

Tilco Ltd was also under the impression that the land surrounding the Scout Headquarters and Army Cadet Hut whose sites are both owned by STC was in their ownership. If so bungalows on this site were considered as a possible alternative to the three houses. Subsequent investigation has shown that this area of land is in the ownership of Taylor Wimpey. It is possible that at some stage in the past it might have been exchanged for a similar size strip which borders the end of the recreation area. This piece of land is shown as being part of the land parcel owned by Taylor Wimpey on some plans but not on others.

We are still awaiting a follow-up letter from Tilco Ltd.



DRAFT HEADS OF TERMS

PROPOSED LEASE OF LAND NORTH OF SUNDERLAND ROAD SANDY TOWN COUNCIL

SUBJECT TO CONTRACT. WITHOUT PREJUDICE. SUBJECT TO FORMAL APPROVAL

1. Lessor:

Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

2. Lessee:

Sandy Town Council

3. Demised Area:

To be determined

4. Date of Commencement:

To be determined

5. Term:

10 years from the Date of Commencement (negotiable)

6. Permitted Use:

To use the Demised Area for allotments only

7. Opening Hours:

N/A

8. Rent:

£100 per hectare per annum

9. Rent Reviews:

N/A.

10. Termination:

The Lessor may terminate the lease on non compliance by the Lessee of any of the terms of the lease

The Lessee may terminate the lease on giving 12 months notice expiring on the fifth anniversary of the commencement date, and every five years thereafter.



19. Alterations and Additions:

No alterations or additions are to be made to the Demised Area without the written consent of the Lessor.

20. Reinstatement:

The Lessor may require any alterations or additions made by the Lessee to be removed upon termination of the lease with any damage made good at the expense of the Lessee.

21. Statutory Requirements:

The Lessee is to ensure that now and in the future the Demised Area complies with and has all necessary legislation, consent and licences from the relevant statutory bodies and will produce to the Lessor whenever requested any or all details of such consents and licences obtained, together with any condition or stipulation held with the same.

22. Nuisance:

The Lessee shall not cause or allow any disturbance or nuisance to other users of the Community Complex, the Lessor, the Lessor's agents or the general public.

23. VAT:

The Landlord reserves the right to charge VAT on all rents and monies payable under the Lease.

24. Security:

The Lessee is to ensure that the Demised Area is kept secure when unoccupied.

25. Security of Tenure:

The Lease will be contracted out of the security of tenure provisions of Sections 24-28 of the Landlord and Tenant Act 1954 Part 2.

26. Professional Fees:

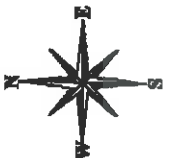
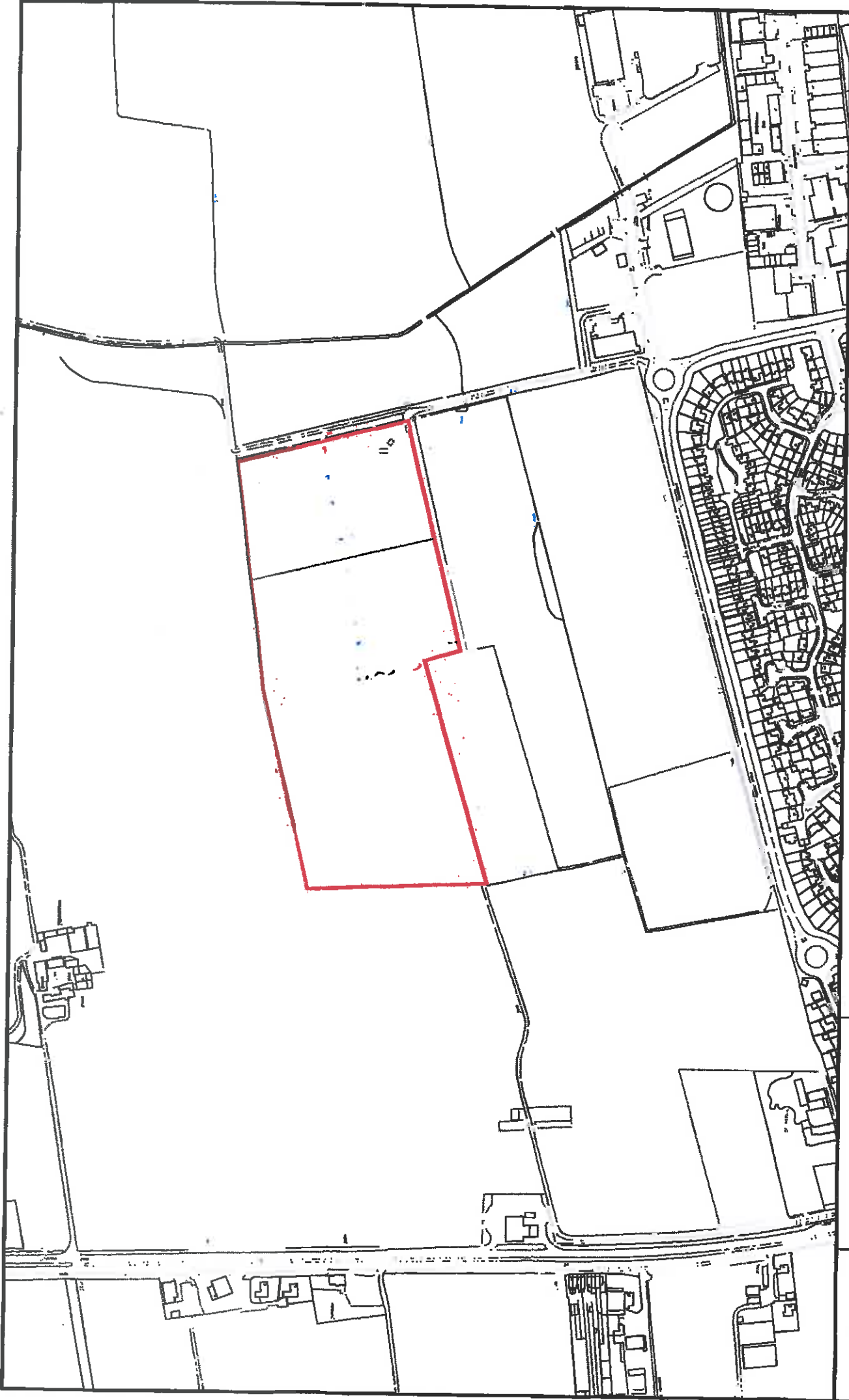
The lessee will pay a contribution towards the Landlord's reasonable legal & surveyors fees in the sum of £7,500 plus VAT. It is noted that the sum of £2,500 has already been invoiced and paid and a further invoice of £5,000 will be Invoiced in August 2013

27. Signs:

The Lessee will not erect any signs on the demised area without the prior written permission of the Lessor.

28. Additional Terms:

The Lease is subject to any other terms that the Council's Legal Representatives consider it is appropriate to include.



Date: 16 April 2016

Scale 1:5000

**Proposed Allotment Site
North of Sunderland Road, Sandy**



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Ordnance Survey 100049028.
Central Bedfordshire Council.
Cities Revealed aerial photography copyright
The GeoInformation Group, 2010