

Lowestoft Town Council
Extraordinary Meeting of the Allotments Sub Committee
First Floor, Hamilton House, Battery Green Road, Lowestoft, Suffolk, NR32 1DE
10:00 on Friday 15 September 2023

MINUTES

Present: Cllrs Andy Pearce, Keith Patience (Deputy Chair) and Elise Youngman

In Attendance: Shona Bendix (Town Clerk) and Taylor Williams (Committee Clerk)

Also in Attendance: Betty Jarrod (Chair of Lowestoft and District Allotments Ltd – LDAL)

41. Welcome

The fire evacuation procedure and public right to report was explained and the meeting was welcomed.

42. To receive and consider acceptance of apologies for absence

Apologies were received from Cllrs Brooks, Coleby and Pitts with reasons provided. Cllr Pearce proposed approval; seconded by Cllr E Youngman; all in favour.

43. Declarations of Interests and dispensations

43.1 To receive declarations of Disclosable Pecuniary, Other Registerable and Non-Registerable interests from councillors on items on the Agenda – Cllr Patience declared he had previously provided a sum of money to the project per item 47.2.

43.2 To consider written requests for dispensations for interests and note dispensations granted – No written requests for dispensations had been received.

44. To consider the confidential note of the meetings on 8 June 2023 and 7 July and the draft minutes and confidential note of the meeting on 4 August 2023

Cllr Pearce proposed approval of the draft minutes; seconded by Cllr E Youngman; all in favour.

45. Public forum

An opportunity for the public to make comments on any matters on this agenda, and to consider any advance comments from the public – No members of the public were in attendance and no advanced comments had been received.

46. Health and safety:

46.1 To consider matters arising from the health and safety inspections of allotment sites – The only matter of note was the accumulated wood and compost that would be addressed under item 47.1.

47. To consider the Lowestoft and District Allotments Ltd priorities and aspirations, and any support that may be required from Lowestoft Town Council, including the following:

47.1 To consider the removal of historical waste on plot 23 of the St Margaret's allotment site – The issue was summarised as a build-up of waste behind the shed of plot 23 of wood and timber branches over a compost heap, with trees also overhanging from the adjacent school and covering the woodpile. The Chair of LDAL had contact the allotment holder and established they did not own the plot when the waste was accumulated and were not entirely responsible, they also confirmed they had neither the physical nor financial means to clear the waste. Officers were asked to check if the site had been reviewed by the facilities officers and ensure that is progressed with suggested actions to be provided at the next meeting. One option discussed was to approach the owner of plot 22 and obtain their permission to extract the waste via

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their plot.

47.2 To consider the raised bed project on St Margaret's (confidential) – To be discussed in confidential session.

48. To receive the notes of the stand-alone zoom meeting with Ormiston Denes Academy 2 August 2023

Cllr Pearce confirmed he attended the site visit with the Chair of LDAL and the representative from Ormiston Denes Academy. Upon reviewing the boundary fence, the Ormiston Denes Academy representative felt there was no need to remove trees. At the site visit, Cllr Pearce had noted that one area of the fence was upright, whilst the rest of the fence was leaning, which may indicate that some other factor may be causing the fence to lean in.

Officers were awaiting quotes to progress this to the Assets, Inclusion and Development Committee (AID). A placeholder item would be on the October AID agenda, however if a quote is received before Tuesday 19 September and was over £7,500, it would be addressed by Full Council.

49. To receive an update on the renewal of the lease/management services agreement with Lowestoft and District Allotments Ltd (some aspects may be confidential)

The lawyer was due to draft the new lease on the agreed terms.

The financial terms had been agreed for the year one figure to be the 2023 equivalent of £1,000 in 2008. The Finance and Information Officer had ascertained this figure to be £2,653 in 2022 and was due to provide an updated figure with the June 2023 RPI figure. Therefore the year one figure under the new lease would be the 2023 equivalent of £1,000 in 2008 and be index linked year on year by the RPI factor in June or 1 July. There would also be a further £1,000 paid to LDAL for administration support.

As the Town Council intended to set the budget for payments under the new terms, the Clerk confirmed as long as the terms were clear then there were no legal impediments to making payments to LDAL under the new terms. Cllr Pearce proposed as Full Council had previously approved the new financial terms, the payments made to LDAL this year be the 2023 equivalent of £1,000 in 2008, plus the £1,000 administrative payment, and when the new lease is signed it will reflect those financial terms. Cllr E Youngman seconded the proposal and a vote was held with all in favour.

As the rent payments from LDAL had not been reviewed, officers were asked to check the lease for a review date or ask the lawyers to insert a clause stipulating the timeframe for rent review. The rent has not been increased by RPI and any increase would need to be negotiated and agreed separately.

49.1 To consider the funding for water supply at Kirkley Gardens and review the inclusion of this supply in the lease

It was agreed that this should be progressed alongside the current water storage venture for the Town Council's parks, with water supply only require by one entrance of the allotment site. The funding for the water supply and its inclusion in the lease would be

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dependent on the costs.

The Clerk noted that with the development of the Water Management Policy and the aim to reduce water use, considerations would be required on how to ensure the water supply would only be used by plot holders. The Chair of LDAL confirmed the different areas of the site were separated with padlocks so the water access could be limited to specific areas, furthermore when LDAL receives a water bill the Treasurers does a share per rod, per tenant and that goes on the plot holder's annual bill. As the previous Waveney District Council had provided water supply, Cllr Pearce proposed to investigate how to fund and progress a water supply, with officers to review the historical Waveney lease and provide further information at the next meeting; seconded by Cllr E Youngman; all in favour.

50. To approve the permanent meeting schedule of the Allotments Sub-Committee being the first Friday of the month on a bi-monthly basis

Cllr Pearce proposed approval of the new meeting schedule; seconded by Cllr E Youngman; all in favour.

Due to the low number of members, Cllr Patience suggested a notice be put out to new Councillors too gauge interest for joining this Sub-Committee.

51. Date of the next meeting

Cllr Pearce proposed an extraordinary meeting be held in October and once the capital works and lease have been sorted then the Sub-Committee would revert to a bi-monthly schedule; seconded by Cllr E Youngman; all in favour.

The next meeting was scheduled for 6 October.

52. Items for the next Agenda and Close

It was requested that any items be sent to the office.

53. To resolve that under the Public Bodies (Admission to Meetings) Act 1960, the public be excluded from the Meeting on the grounds that publicity would be prejudicial to public interest by reason of the confidential nature of the business to be transacted, namely any legal issues relating to the matters on this agenda

Cllr Pearce proposed the meeting be moved into confidential session; seconded by Cllr E Youngman; all in favour.

The Chair closed the meeting to the public and moved into confidential session at 10:32

47.2 To consider the raised bed project on St Margaret's (confidential) – It was agreed to receive an update from the Chair of LDAL before determining if Cllr Patience was required to leave the chamber for the consideration of this item. The Chair of LDAL provided a confidential update on the project and confirmed some of the funds had been spent.

The Clerk temporarily left the chamber at 10:36

The Clerk returned to the chamber at 10:37

The Sub-Committee were assured that the funds were ring-fenced specifically for this project and there were no actions required by this Sub-Committee unless there was a dispute that

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required intervention by the landlord.

49.1 To consider the funding for water supply at Kirkley Gardens and review the inclusion of this supply in the lease – The Clerk notified the Sub-Committee of a confidential matter.

The Clerk informed the Sub-Committee that the Chair of LDAL needed to be invited into confidential sessions, noting that even non-Councillor members required an invite to attend confidential sessions. Cllr Pearce proposed the Chair of LDAL be made a non-Councillor member of this Sub-Committee and granted automatic attendance to confidential sessions unless asked to leave for consideration of specific items; Cllr E Youngman seconded; all in favour. The Chair of LDAL would need to provide declaration of interests.

The Chair of LDAL reported that Sussex Road had been cleared.

The Chair closed the meeting at 10:58

Signed:

6 October 2023