

Fernwood Allotments Review

July 2020

1. Introduction

Currently Fernwood has no allotments. In the last 2 months, Fernwood Parish Council has received 4 requests for allotments. These requests were discussed at the Parish Council meeting on June 15th and the Clerk was tasked with investigating the options and reporting back to the Council. Prior to this the Clerk had received 1 or 2 allotment requests each year and Balderton Parish Council had accepted applications from Fernwood residents, however Balderton residents were given priority.

2. Legislation

The Small Holdings and Allotments Act 1908, Section 23 outlines that Councils have a duty to provide allotments – see Figure 1. However, there is no time constraints within which to provide land.

Changes to legislation: There are currently no known outstanding effects for the Small Holdings and Allotments Act 1908, Section 23.

23 Duty of certain councils to provide allotments.

(1) If the council of any borough, urban district, or parish are of opinion that there is a demand for allotments . . . **F1** in the borough, urban district, or parish, . . . **F1** the council shall provide a sufficient number of allotments, and shall let such allotments to persons . . . **F1** resident in the borough, district, or parish, and desiring to take the same.

(2) On a representation in writing to the council of any borough, urban district, or parish, by any six registered parliamentary electors or [**F2**persons who are liable to pay an amount in respect of council tax] resident in the borough, urban district, or parish, that the circumstances of the borough, urban district, or parish are such that it is the duty of the council to take proceedings under this Part of this Act therein, the council shall take such representation into consideration.

(3) **F3**

(4) **F4**

Textual Amendments

F1 Words repealed by Land Settlement(Facilities) Act 1919 (c. 59), Sch.3

F2 Words in s. 23(2) substituted (1. 4. 1993) by virtue of Local Government Finance Act 1992 (c. 14), s. 117(1), Sch. 13 para.4 (with s. 118(1)(2)(4); S.I. 1992/2454, art. 3(1)(a).

F3 Ss. 23(3), 27(2), 31, 32(3), 41(3) repealed by Land Settlement (Facilities) Act 1919 (c. 59), Sch. 3

F4 S. 23(4) repealed by Allotments Act 1950 (c. 31), Sch.

Modifications etc. (not altering text)

C1 S. 23 modified (London) by London Government Act 1963 (c. 33), S. 55(4)

Figure 1: The Small Holdings and Allotment Act 1908, s.23

3. New Provision of Allotments in Fernwood

Barratt David Wilson Homes have allotments planned for Fernwood. The Parish Council has looked into when these will be delivered.

‘We plan on laying out the sports pitches and allotments next Spring/Summer 2021. Newark and Sherwood are unlikely to want to adopt the pitches until they are ‘playable’, in our experience this can take at least two growing seasons which takes us to Summer 2023. This coincides with our proposed phasing plan which shows these areas completed around this time’

‘We will have difficulty delivering the allotments earlier as the only safe access to get to them runs through the current DWH site and past their site compound. Newark and Sherwood may also wish to adopt the whole area (pavilion, pitches and allotments) in one transfer. I believe the allotments have a post and rail fence around them with a number of water bib taps’.

Figure 2: Communications from Mark Potter of Barratt Homes regarding allotments

Larkfleet Homes also have allotments in their plans for Fernwood but this application has not had a planning reserved matters application yet and the infrastructure work is likely to take a year. As these allotments are planned to be delivered in the fourth phase of the Larkfleet development it is clear that it is going to be some time before they are available.

4. Other Local Providers of Allotments

The Clerk has written to neighbouring Parish Councils to see if they have availability to accommodate Fernwood residents wishing to have an allotment. Balderton Parish Council have 25 applications on their waiting list. Claypole Parish Council does not have its own allotment site but signposted us to a local farmer who owns and manages allotments in the village. At present he has 1 person on the waiting list and predicts there will be vacancies next year. He would welcome applications from Fernwood residents and they would be given the same priority at Claypole residents. The charge per year is £50 per allotment.

No further responses have been received at the time of writing this report.

5. Alternative Option

Another option is to rent or buy land to temporarily site allotments on if the Council could find a suitable site. Although, not compulsory, water troughs would be needed. Security fencing and an access track and parking would need to be considered.

6. The Way Forward

A detailed piece of work will be required to find a possible site and costings to allow the Council to access the costs for a temporary allotment site; potential users would need to be consulted with on whether they would be prepared to accept an allotment which they would have on a temporary basis.. At this point the Clerk asks the Council to decide on the way forward. That is, to decide whether to wait for the Barratt David Wilson Homes Allotments and in the meantime suggest the Claypole option to enquirers or find a potential site and get detailed costs of setting a temporary site up.

7. Council Decision on July 20th 2020

Consideration of the Clerk's report regarding the provision of allotments and to decide how to proceed - The Council unanimously agreed to wait for the developer's allotments to be provided and suggest Claypole allotments to Fernwood residents for the time being.

Clerk will provide contact details for the farmer in Claypole who offers allotments going forward.