

Child's Hill Allotment Society

Newsletter

January 2011

Introduction

Since our newsletter editor has been working abroad for some time, and we have not been able to find anyone to deputise in her absence, it is well over a year since the last edition was published. The committee has attempted to keep members informed about developments on and about the site, for example by means of notices, committee minutes and the report that we produced for the last AGM. It is clear, however, that there is a need to bring members up to date about several matters, which is why we are writing this letter to you. Most importantly there are the developments surrounding future management of the site and Barnet's intention to impose major rent increases. In addition, we are appealing to members to get more involved in the site management and the society's other activities, and there are a few other minor news items.

But to start with, a happy and successful cultivating New Year to you all!

Future management:

Most of you will have heard that Barnet Council wants to hand over all aspects of site management to local societies and groups, and April of this year was originally set for the completion of the process. This was a political decision that was made last June with little consideration as how it might be carried out in practice. Given the extraordinarily optimistic timescale, it had been expected that there would by now have been some real progress in discussions between Barnet and the allotment societies, but to date only one site has been formally approached.

On November 29, a policy paper entitled *The Future of Barnet's Allotments* was adopted by the Barnet council cabinet. The paper is available on the council's website at http://committeepapers.barnet.gov.uk/democracy/documents/getdoc_ext.asp?DocID=87807

The recommendations in the paper were as follows:

1.1 That the council explore a new Big Society management model for the Borough's allotment sites, providing for allotment site management with the sites run by their users.

1.2 To start a new management model with Brookfarm Allotment, with responsibility for the management of the site transferred to the allotment society. This management arrangement will then be rolled out to other leased sites.

1.3 That the Council approaches Central Government to seek a change to legislation governing allotments so that new leases can be granted, and current leases renewed and varied, thereby providing an alternative option for creating allotment management by their users.

1.4 To advertise for interested parties to manage the remaining direct-let and self-collect sites with the view to employing the same approach or a variation on this in order to devolve as much management responsibility as possible to plot-holders.

1.5 To seek to recover full costs from those sites which do not choose to move to this management model, through the fees and charges

The contents of the paper and these recommendations were much as expected. However, we were concerned that 1.4 opened the way for Barnet to advertise generally to recruit organisations to take over the management of self-collect sites such as ours. We therefore emailed Cllr Coleman (the cabinet member for the environment) to ask that, before advertising, the council should first ask individual self-collect site societies whether they were interested in taking on the site management. We received the following reply

"I am clear that current Management Committees such as yours (assuming you are properly organised with some sort of constitution and "democratic" process) will be the organisation to take over the running of your allotment site. We do not intend to bring in outsiders except on sites

where there is no organised Committee and where tenants cannot get their act together where we would ask neighbouring allotment Committees (again such as yours) if they would take over the running of dysfunctional sites

We intend for allotments to become truly Community run, there is no suggestion of "privatisation"

So what is emerging is a future in which the council plays almost no part in the management of allotments. They want local societies to be responsible for

- the issuing and the termination of tenancy agreements
- all the maintenance at the sites, including buildings, fences, roads, paths and gates
- the payment of all charges, including those for water
- the collection of rents, all of which are to be retained by the society
- the establishment of local rules, consistent with any rules set by the council
- the enforcement of the rules
- the setting of rents at an level appropriate to undertake these tasks and pay the bills

Only if a site were to become completely neglected, would the council step in. Otherwise, since no rents will go to the council, it will not have the funds to support allotments, so there will be no officers to deal with allotment matters. There will be no additional funding or any other services from Barnet.

Brook Farm allotments are mentioned and, to date, it is the only one of the approximately 50 allotment sites in the borough that has yet entered into discussions with Barnet. This is a site whose society already has a lease from the council and has limited formal management responsibility, including the issue of tenancy agreements and the collection of rents, but is not responsible for the maintenance of buildings, roads or boundaries. It is believed that they are being offered a variation of the lease that will include all the aspects of management listed above.

CHAS has yet to be approached by Barnet; however a meeting/workshop was convened on January 18 by council officers, to which each site was asked to send two representatives. We were told in advance that its purpose was "basically a scoping exercise to set the scene, identify absolute musts, issues, best practice models, opportunities and interested parties", and that they "have been tasked with devolving the allotment management and we need to work something up to make this happen within the current options available to us".

At the workshop, we were told that within the existing legal restraints, the most important of which is that the council cannot issue new leases, there appeared to be three approaches that they might take

- To amend existing leases to transfer all responsibilities to the currently leased sites.
- To negotiate management agreements or licences with named responsible individuals.
- To appoint allotment managers from the ploholders, as allowed for by Allotments Act 1908.

As things stand, the first of these is irrelevant to us, since no new leases can be created; the second is unattractive since it gives no security of tenure and potentially imposes unacceptable liabilities on individuals; the third also provides no security of tenure, and is also unattractive, since the law requires managers to be Barnet council-tax payers, which for a site like ours would mean that participation in management would be restricted to about 40% of ploholders.

So, while there is considerable political pressure in the council to move to the new management arrangements by April 2011, the officers responsible for implementing them have very little idea as to how to go about it and want the sites to help in devising them. At the meeting there was an overwhelming view, expressed by a vote with about 95% in favour, that, rather than negotiate with individual societies, the negotiations should be with the Federation of Barnet Allotment and Horticultural Societies (<http://www.barnetallotments.org.uk>), acting on their behalf. The Federation has already taken the lead in the collation and

dissemination of information and advice for societies, and has officers who are up to speed on the practical and legal issues around devolution. The council is to write to all societies to ask whether or not they support the Federation's acting in this way.

It is our view that we have no real option but to proceed on the basis that the ploholders will take on the full management at Child's Hill. As discussions progress we will keep you informed of developments. When and if we reach a point where we believe that what is on offer is in the interests of us all and is workable, we shall call a special general meeting at which the membership as a whole will be asked whether or not to agree to it. If there is no agreement with the council, then it is very likely that the council will employ a third party management organisation to manage the site and ploholders will have little or no say in how this is done

In the meantime, we need to think about what a new management arrangement of this kind might mean for us. It is clear that it will require much greater involvement of members of the society in the day to day running of the site than there is at present. Indeed, it must be emphasised that the site will be managed by a committee but by the ploholders collectively, who will be responsible for setting policy, agreeing rents, devising rules, etc. with the day to day activities being delegated to elected officers. If we don't get away from the present "them and us" situation and move to one in which ploholders are fully committed to the idea that the management and running of the site is the responsibility of everybody, we are unlikely to succeed in the long term.

Increase in allotment rents.

You might be aware that Barnet is proposing to increase allotment rents by about 200%, and possibly for some by 400%. The exact amount is not entirely clear, but it seemed originally that they wanted to charge Barnet residents £17 per pole and non-residents £34 per pole. The 50% discount for the first 10 poles of plots of over 60s was not mentioned, so it is assumed that it will remain.

When we heard of the proposals, we sent an email to all the members of Barnet's Cabinet Resources Committee, which included the following.

"In the case of allotment rents it is hard to believe that a 200% increase represents a true reflection of the cost to the council of administering and maintaining its allotment estate, and must therefore be interpreted as a revenue raising exercise. Furthermore the excessive increase is in percentage terms much greater than those proposed for other council charges, so it would appear that allotment tenants are being singled out for special treatment. It is indeed quite probable that the proposed charges are illegal, since allotment rents are required by law to be reasonable and case law exists to the effect that a tripling of rents is unreasonable and that any increases should be in line with those for other council recreational services."

Councillor Coleman replied as follows:

"We are currently subsidising allotments in the Borough to the tune of £100,000 a sum that the Barnet taxpayer can no longer afford.

Of course if you adopt the Council's new policy and run your own affairs you can set whatever rent level you like and manage your own budget

I can confirm that increases will come into effect immediately"

On further checking, the figure of £100,000 was found to be not the current annual subsidy, but the amount by which the expenditure in the five years 2005 to 2009 exceeded rental income and that, in the two most recent years, rents slightly exceeded expenditure. So the allotment budget would appear already to be under control and hence there is no obvious justification for an increase in rents.

The reference to our running our own affairs is probably what lies at the heart of the proposed increases, since they are powerful inducement to us to move to a position where we can set our own rents.

Then there is the question of the timing. We all have tenancy agreements with the council, which are legal contracts, in which it says that 12 months notice of changes to rents must be given, and we all received letters from the council in March last year saying that the rent from April 2011 is to be £5.90 per pole, whether or not we live in Barnet.

So we asked Cllr Coleman to explain the question of the subsidy and to clarify the meaning of immediate, but no reply has yet been received. However when the council's budget group met on January 14, it was confirmed that the new charges would come

into effect in April 2012. Also the higher charges for non-residents had disappeared from the list, but no final decision on charges will be made until February 14.

Meanwhile the Federation is looking into ways of challenging the proposals on legal grounds.

It should be noted of course that if management were to be devolved to us by April 2011, we would be able to set our rents and the council's proposed charges would be irrelevant.

Greater participation by members.

At the last AGM, the following were elected to serve on the committee: Hushang Balyuzi (Chair), Hilary Burden (Secretary), Richard Clerk (Treasurer), Jane Bell (Lettings Officer), John Lankford, Brian Rance, John Ricks, Martin Stevenson. There were no other nominations, so the committee is seven short of the maximum allowed by the constitution.

While the committee has sufficient members to deal with the basic site management – lettings, rent collection, plot inspections, running the shop, etc. – there are not enough of us to do much more than that. Furthermore, we are likely to be even more stretched in the next few months when we enter into negotiations with Barnet over the future management of the site.

Increased participation is not, however, something for the future; it is needed now. To start with, we simply need more committee members, in particular to broaden the representation of the membership. It is not uncommon for us to be accused of being out of touch with the members or unaware of their concerns, so we need more of you to get involved, including newer and younger members. At the last AGM the constitution was amended to allow the committee to use co-option to increase its membership up to the maximum allowed size. So, if you think that you have something to contribute to the running of the society and the management of the site, and would like to be considered for co-option, please let us know. Anyone co-opted will be a full member of the committee until the next AGM in June, when the entire committee must submit itself for re-election.

Already several non-committee members assist with the running of the site, including the

organisation of deliveries of compost and wood chippings, but what we urgently need is help with site maintenance. It can't have escaped anyone's notice that the roads and boundary fences are deteriorating. While their maintenance is strictly the responsibility of Barnet council, it is quite clear that we are going to get very little help from that quarter. We are sure that among the membership there are people with much greater knowledge than we have of how best to maintain the roads and fences, as well as the skills needed to organise and undertake the work.

We also need volunteers to help with the maintenance and hiring of rotavators, mowers and the other machinery owned by the society. At present, the hiring is looked after by Paul Edkins, but he cannot always be available so a couple of people are needed to assist him. As for maintenance, we currently have nobody to look after that side of things. All machines require routine maintenance as well as repairing when they break down. At present, this is simply not getting done, so valuable equipment lies idle and plotters are frustrated.

If our negotiations over self management with Barnet are successful, the society will need to enter into a legal agreement with the council. It is vital that this is drawn up in such a way as to ensure that the society's rights, liabilities and responsibilities are clearly and unambiguously defined, as well as those of the society's officers. It is therefore essential that the society obtains proper legal advice; it will be no good relying on the council's lawyers to look after our interests. So if any of you are qualified to advise us or you know of people who might, please let us know.

Improved communication with members

The quickest and most efficient and fastest way of getting information to you is by email, and much of what has been written here about recent developments has been sent in that way to those of you for whom we have email addresses. Unfortunately we have them for only about a third of the membership. So could we ask all of you who have email addresses to tell us what they are by sending an email containing your name, address, telephone number and email address to chair@childshillallotments.org.uk with a copy to secretary@childshillallotments.org.uk

We realise though that not all of you have access to email, so we shall always write to inform you of important matters, to give notice of general meetings, etc., but it is both time consuming and expensive to do so. For example, to send this letter to all by second class post will cost the society about £55, plus the printing costs. Notice boards are of course a cheap way of providing information, and we will continue to use them, but do you actually stop to read them?

Wood chip deliveries

Regular deliveries of wood chips are made to the site by Custom Cutters. Their staff know where they should drop the wood chips on the site, either beside the road to the north car park where it turns the corner or by the north car park itself. The deliveries are organized by Ken Moth and the company has been given a key so that it can deliver without the need for anyone to be present to admit them.

Recently other companies have arrived at the site with wood chippings and have asked to be admitted. Quite reasonably, ploholders have assumed that they are from the usual company and have let them in. They have not been given permission to bring wood chips to the site and are in fact doing so to avoid having to pay for disposal so are in effect fly tipping. In addition, by dumping the chips in the north car park and blocking the drains, they are making it likely that the north end of the site will flood if we get exceptionally heavy rainfall.

We can get all the wood chips that we might possibly need from Custom Cutters and Ken makes sure that there are always adequate stocks on site. So,

- If you are asked to let lorries with wood chips onto the site, please refuse to do so. Legitimate drivers will have their own key.
- Make sure that the entrance gate is properly locked at all times to prevent these and any other possible fly-tippers from getting in.

Compost fair shares

About every six weeks the London Waste company delivers about 14 tons of compost to the site. The deliveries are usually made to the hard standing beside the middle car park, though occasionally in the past there have been

some to the north car park. Unfortunately, recently, the drivers have been reluctant to take their trucks to the north car park in case they get damaged, and they have been supported in this by their managers. We have tried to meet their concerns by cutting back the vegetation, but as yet to no avail. We shall continue to discuss the matter with London Waste to see what further work might be done to address their concerns.

When the compost is delivered, it is very quickly taken by ploholders and often it all disappears within a day. This has led to frequent complaints of unfairness from those who are unaware of a delivery or who cannot get to the site in time to get any before it has all been taken by others. So we have tried to calculate what might be considered to be a fair share. Given the number of plots and the volume of compost delivered, this works out to be roughly three wheelbarrow loads per 10 pole plot per delivery. To enforce this would be well nigh impossible, so all we can do is appeal to the goodness of your hearts.

Skips, rubbish and scrap

In the past, Barnet council provided us with a skip whenever we asked for one, but for the last couple of years they have limited the supply to just three skips per year. A rough calculation shows that this is sufficient for each ploholder to dispose of just one bin bag of waste per year. We have therefore decided that it is no longer practical to get skips for ploholders' general use, but only to do so when there is a particular requirement to clear communal areas or a derelict plot. So, if you have rubbish, please remove it from the site yourself. We have, however, set up a point for collecting scrap metal, since we might persuade a scrap dealer to collect it and possibly even pay us for it. Also, most boroughs, including Barnet and Camden, routinely collect green waste, so we suggest that you use these services to dispose of material that is not suitable for composting on site – in fact it will end up with the London Waste company so might return to us as usable compost.

The composting toilet project

Those of you who attended last year's AGM will remember that there was a proposal to install two composting toilets on the site, one

to be paid for from society funds and the other using funds from Awards for All England, a Big Lottery small grants scheme, which makes awards of between £300 and £10,000 for various community projects. In the event, the meeting decided that, because of the possibility of the society taking on the complete management of the site, it would be better not to spend society funds in case they were needed in the future to pay for site maintenance. So it was agreed that in the first instance we should install a single toilet and seek external funding to pay for it.

Unfortunately it soon became clear that in order to apply for funding, it would be necessary to demonstrate that the future of the allotment was assured for something like ten years. In the current state of uncertainty about future management, this is simply not possible. Therefore, the project has been set aside until such time as the future management status is clear.

Water supply

As most of you know the society has been trying without success to persuade the council to improve the water supply. Over the years various schemes have been proposed but nothing has happened. We understand that recently Thames Water has told Barnet that if any changes were made to the system, they would require major works to install non-return valves at the points where the supply entered the site, the lagging of all standpipes and the replacement of taps by tanks with ball valves, so that only watering cans may be used. For that reason Barnet has taken no further action, and it is virtually certain that they will do nothing until the site management issues are finalised. After that, if we are managing the site, it would be up to us to decide what to do.

On a related matter, we heard recently that the bill paid by Barnet last year for the water used on our site was about £1000 more than we paid in water charges. So if the system is improved, the use of water will inevitably increase and so will our water charges.

Shop

A reminder that the shop will be re-opening on February 6, when this year's seed potatoes and onion sets will be on sale, alongside the usual range of seeds, fertilisers, composts, canes, etc. Three long-standing shop helpers, Gordon

Davie, Christine Guedalla and Philippa Fraser are stepping down and we thank them for the many years of help both in the shop and as members of the committee. We are glad to say that we have recruited a number of new volunteers to take their place.

And finally - a special offer

The Allotment Source Book by Caroline Foley has recently been published and the Federation has secured a discount price for members. The wide-ranging book covers most aspects of managing an allotment, and is designed for newcomers as well as experienced gardeners. The cover price is £20 before discount and is available from New Holland Publishers (ISBN 9781847736642) at www.newhollandpublishers.com. Enter the discount code BFAHS at the checkout to receive 20% off and free P&P. (Offer valid until 31st March 2011.) (Cheaper than Amazon!)

CHAS Committee January 21, 2011