

KIRKBURTON PARISH COUNCIL

LAND & PROPERTY COMMITTEE

MINUTES OF THE MEETING ON THURSDAY, 3 MARCH 2016 AT 8.45 pm AT BURTON VILLAGE HALL

Present: Cllr B Armer in the Chair

Cllr P Brook, R Burton, J Cowan, P Cunnington, R Franks, B McGuin and D Million.
In attendance: Mrs L Gardner

Apologies were received from Cllr S Beresford, the reason for which was accepted.

**LP34 Apologies and
Declarations of
Interest**

The following personal interests were declared:

Cllr B Armer in the item relating to issues on Shepley Allotments, as the tenant is known to him and in the items on Grange Moor Allotments, as he knows some of the tenants. Cllr J Cowan in the item relating to issues on Shepley Allotments, as the tenant is known to him. Cllr B McGuin in the items on Grange Moor allotments, as a tenant is known to him. Cllr D Million in the item relating to issues on Shepley Allotments, as the tenant is known to him.

A member of the public and tenant on Grange Moor allotments addressed the Committee on the subject of the Grange Moor Allotments.

**LP35 Public
Participation**

Resolved: To hold the meeting in the public session with the exception of the item on the issues at Shepley allotments as the discussions would disclose information about living individuals and is exempt under the Freedom of Information Act 2000.

**LP36 Admission of
the Public**

Resolved: To move discussion of Public Seats, the Risk Assessment Schedule and Shepley allotments to the bottom of the agenda to enable discussion of Grange Moor allotments to be taken in the presence of the member of the public.

**LP37 Change of
business**

Members noted the schedule comparing the Terms & Conditions of Grange Moor, Shepley and Kirklees Allotments highlighting differences between Shepley & Grange Moor Allotments and differences between Kirkburton Parish Council Allotments & Kirklees Allotments.

**LP38 Allotment
Agreements**

The Assistant Clerk advised that some of the differences between the Parish Council's agreements and those of Kirklees Council were due to the legislation which governs Parish Council allotments and that any recommendations to amend the current Kirkburton Parish Council leases and/or Conditions of Use would be subject to legal advice to be received in advance of a Council decision.

Members focused specifically upon differences between the Grange Moor and Shepley allotment Conditions of Use. The following differences were identified:

- Grange Moor Conditions of Use requires a refundable deposit of £100 when a tenant leases a plot and a further £100 refundable deposit if the tenant wishes to erect a permanent structure on the plot. Shepley's does not require deposits.
- Fences are permitted on Grange Moor allotments and not permitted on Shepley allotments.
- Reference to pesticides and weed-killer is absent from Shepley's Conditions of Use.
- Grange Moor Conditions of Use does not allow new tyres to be introduced and Shepley's permits up to 10 with provisos.

Recommendation: That the following amendments are made to the Conditions of Use, subject to legal advice being received in advance of a Council decision and subject to the Council receiving costs for past clearance of plots to ensure that the deposit levels suggested are appropriate.

- To amend the deposit amount required at Grange Moor to £50 per plot and £50 per structure for new tenants.
- To introduce the same level of deposits into the Shepley Conditions of Use for future tenants.
- To bring the Shepley Conditions of Use into line with the Grange Moor's regarding the fences (see above).
- To add the clause from the Grange Moor Conditions of Use about pesticides and weed-killer to Shepley's.
- To bring the Shepley Conditions of Use in line with Grange Moor's in relation to tyres.

Members considered a tenant's request for the path in the allotment gardens to be tarmacked.

LP39 Grange Moor Allotments Path

Recommendation: Not to tarmac the path in the allotment gardens.

Members received a report on the progress on the formation of a Tenants' Association at Grange Moor Allotments.

LP40 Tenants' Association at Grange Moor Allotments

Recommendation: That the Assistant Clerk writes to all tenants to facilitate the establishment of a fully constituted Tenant's Association.

Members considered which seats are to be refurbished over the summer months. It was noted that no seats had been highlighted as needing attention prior to the meeting.

LP41 Public Seats

Recommendation: That if/when a Councillor or member of the public notifies the Clerk that a seat requires a repair due to damage and/or safety concerns, a repair or replacement can be arranged with delegated authority granted to the Clerk. Where a councillor or member of the public suggests a seat for refurbishment, this will be considered by the Committee on a case by case basis.

Recommendation: To note the Risk Assessment / Health & Safety Schedule 2015 and to adopt it without amendment for 2016.

LP42 Risk Assessment Schedule

Resolved: To hold the discussions of the following item in the private session as it would divulge personal information and is exempt under the Freedom of Information Act 2000.

Members noted correspondence received from a tenant on Shepley Allotments and the subsequent legal advice received.

LP43 Shepley Allotments

Recommendation: To give the tenant one month's notice that the pond is to be filled in and the land reinstated, or the Council will re-enter the allotment.

Resolved: That the Chairman and the Clerk will liaise on the date of the next meeting.

LP44 Date of Next Meeting

The meeting then closed.