

Statement to Alderbury Parish Council 11th May 2022

1. My name is John Turley and I represent the allotment holders on the Southampton Road site. As you will know, the Council licences the site from the landowner; last year the land was sold by Longford Estate to a development company, and you agreed a new Licence, identical to the one previously held with the Estate. This process was led by the joint Chair of this Council and the SRAA.
2. The Council meetings in October and April covered the events, but did not provide full details. We want to ensure that you know everything, so that you can make informed decisions about the future.
3. As allotment holders, we believe very strongly that we should have been consulted about the sale, as it did not meet the terms of the Licence, nor did it conform to the Allotments Act in requiring Government approval for the sale; the conditions specified in the Act have not been met. We therefore believe that selling the allotments' part of the site should not have been allowed, and should now be reversed.
4. Equally concerning is that the SRAA Chair stated in an email to Longford Estate that she would have to consult with SRAA members about signing a Licence with the new owners. The sale was announced at your 7th October meeting, but in November the new Licence was signed without any consultation with SRAA members, not even with the two committee members. In October, we were all invited to sign and pay for our annual contract with the Council, but were oblivious to the sale and re-licensing process. Even new occupants since then have not been told of the site's change of status and its uncertain future.
5. It may surprise you that the first a committee member became aware of the sale was in December when he approached an unknown person (in fact a surveyor) on the allotment site who was measuring and assessing its potential for the new owner! At no time before the new Licence was signed, nor after the Chair was approached to confirm the sale, have all SRAA members been informed and explained the implications. Since the first surveyor was seen, several other visitors have been noted by members who look over the site. There is a coded lock on the main gate, so the surveyors must have been given the code to allow access. Requested meetings of the SRAA Committee to discuss the issues were refused.
6. Allotment Holders were incensed by these events and we therefore met on 3rd April to discuss the situation. Before then, I had requested all documents from the Council under the FOI Act; all credit to your Clerk for sending these very quickly. These documents showed the sequence of events, but also revealed the Licence details, which had never been circulated, even to the committee. Under Clause 5.1, the owner must give 6 months' notice to change the status of the site; under Clause 5.2 they are required to find an alternative site if necessary; neither of these clauses was enforced. In fact, Clause 5.1 does not meet the statutory requirement to give 12 months' notice of a change of status, so both the previous and new Licences are invalid.
7. The Allotments Act prohibits a public authority who have control of an allotments' site to allow its sale without referring it for approval to Central Government; it lays down

conditions which have not been met. This highlights the sale's illegality and shows the Council's failure to conform to the statutory requirement.

8. Opinions expressed by the Chair about the site's future are misleading: it is simply not true that "nothing will happen before 2026", the Licence's renewal date, since the illegal 6 months' notice clause allows the new owner to use that to evict us. Under the Act, 12 months' notice must be given for the termination of contracts. Also we cannot "wait for the planning application", that will be too late to overturn the illegal disposal. We also believe that the new owner's unwritten assertion that they want the allotments to continue is a cynical tactic to ensure that they can offer our allotments to buyers on their housing development, which will enhance the planning application's chance of success, also presenting a significant competitive advantage over other developers in making purchases more attractive.

9. Following our meeting on 3rd April, we were invited to work with the Council to correct the errors made since the sale was announced. We have canvassed SRAA members and we have three teams ready for this: a Main Coordination Team, a Stay on Current Site Team and a Contingency Move to New Site Team. After your April meeting, we received an encouraging email from your Clerk; a summary was shown on the pdf circulated before this meeting. The email assured us that the Council would take the following actions swiftly, and had been approved by your Chair:

- Seek to retain the existing site, access and parking area... to agree the freehold gift of that land in negotiations regarding the development;
- If the developers, or the SRAA, decide to terminate the licence and move the allotments, the Council would seek a 'like for like' replacement as a bare minimum on a larger, secure site with utility services and improved amenities; a freehold would be sought... and phased transfer during winter to prepare for the spring growing season...to minimise the impact on tenants;
- The Council will seek to achieve all of the SRAA aims from the 3rd April meeting – compensation arrangements and the amended licence terms included; but note that only "reasonable" compensation is shown in the pdf, this was not specified in the email;
- As the Licensee and statutory planning consultee.... we will pursue our shared position with the developers and planners... using our considerable leverage, after we see the developer's planning application.
- We will take legal advice if and when needed.... We would not want SRAA to spend its limited funds on legal challenges – the Council will take that up, should it be required.
- The Council agrees that negotiations need to begin urgently. The intention is to provide this position statement to the new owners to kick-start the negotiations... we will press for a variation of the existing license to provide 12 months' notice of termination. We hear very clearly concerns over lack of communication....we sincerely apologise for that. We need to do a lot better and we will.

10. Disappointingly, there has been no action to take this plan forward; the reason given is that the proposed actions have to be agreed by you as the elected councillors. I trust that this meeting will agree the plan, as SRAA members were led to believe that it was already approved at your April meeting. The promise of urgent negotiations with the new

owner is called into question. The lack of communication continues, as we had to ask about any progress since the April Council meeting; the recent Fountain article misled its readers – no full explanation of the facts, no apology to the allotment holders, just that we have criticised the sale.

11. Please note also that the SRAA would face a huge task if we have to move to an alternative site, to including ploughing, clearing, drainage, manuring, fencing, access route and car park, plus personal costs of new sheds, compost containers, replacement trees and bushes; which will not mature for 12-24 months. The overall site costs would again fall to the Council, 11 years ago you funded these for the current site; if the Council's actions last year had been correct, and if they are undone now, you will save much unnecessary expenditure.

12. From the allotment holders' viewpoint, the mention of reasonable compensation is naïve: during the past 10 years, we have constructed sheds and compost containers, tree frames, greenhouses; we have planted fruit trees and bushes, perennial plants like rhubarb, vines, flowers; we have constructed anti-vermin fences around our plots, we have installed drainage at one end, digging through the clay underneath the topsoil, and we remove vegetation continuously around the outer fence because it encourages the ingress of vermin, including rats and rabbits. Ten years ago we found that the ploughing pre-occupation had turned the wild vegetation back into the soil; it took several months of back-breaking work to remove this, then to dig each plot, and we were ten years younger then! Therefore we will fight hard to avoid relocation to repeat this process. No amount of financial compensation would suffice.

13. Moving from the site would have another significant impact. Sadly the SRAA lost its first Warden Keith Whitmarsh in 2017 after a sudden illness. We were all deeply affected by his passing, and raised funds from current and previous members to erect a storage shed, commemorative bench and undeveloped garden on the site. We feel very strongly that any desecration of this would be a travesty and would anger those who knew and respected his enormous help and commitment.

14. In summary we find the actions by this Council totally inadequate and unreasonable, thus our determination to take matters forward, ideally by combining our Teams with Council members so that our needs are acknowledged. I will hand a petition to the Clerk today, which expresses our feelings and disappointment at the situation the SRAA now faces.

15. Finally I am not sure how many of you have actually seen the allotments' site, but I believe that a visit would increase your understanding of the situation. Can I therefore suggest that the Clerk and I agree several dates for escorted visits, which can be at whatever time of day suits you? Thank you for your time today.