



**CABINET**  
**Tuesday, 03 October 2023**

<b>Subject</b>	To transfer land on a concessionary basis to Bucklesham Parish council for continued use as allotments.
<b>Cabinet Member</b>	Councillor Paul Ashton Cabinet Member with responsibility for Corporate Services - Digital, Customer Services, HR, and Assets
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<b>Director</b>	Andrew Jarvis Strategic Director <a href="mailto:andrew.jarvis@eastsoffolk.gov.uk">andrew.jarvis@eastsoffolk.gov.uk</a>

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	Orwell & Villages

## Purpose and high-level overview

### **Purpose of Report:**

The purpose of this report is to outline the Freehold disposal of the allotment site off Green Crescent Bucklesham to Bucklesham Parish Council. The Parish Council intend to continue the use as allotments

### **Options:**

There are two options for consideration by Cabinet:

Option 1 – For East Suffolk Council (ESC) to continue to own and manage the allotments.

The allotments are current managed by asset management with minimal intervention other than the transfer of licences.

Option 2 – To dispose of ESCs freehold interest in the allotment site to Bucklesham Parish Council.

The Parish council wish to take over management will secure use and enable a more hands on approach.

### **Recommendation/s:**

1. That it be agreed to transfer the Council's freehold interest in the allotment site to Bucklesham Parish Council.
2. That authority be delegated to the Strategic Director, in consultation with the Cabinet Member with responsibility for Corporate Services - Digital, Customer Services, HR, and Assets to complete the disposal.

## Corporate Impact Assessment

### **Governance:**

The management of this asset is currently overseen by the Council's Asset Management Team. Any disposal of the asset would be via dedicated surveyors within the team with assistance from Legal Services.

### **ESC policies and strategies that directly apply to the proposal:**

East Suffolk Local plan Policy SCP 8.1

### **Environmental:**

The continued use as allotments preserves the natural barrier of the village edge.

### **Equalities and Diversity:**

The change of ownership and management is not deemed to affect the diversity or equality of use of the allotments.

**Financial:**

There will be a small loss of income to the Council (Cira £450 Pa) from the transfer. Asset management will realise a small management saving offsetting the legal costs of the transfer.

**Human Resources:**

Not applicable.

**ICT:**

Not applicable.

**Legal:**

The asset is held freehold by ESC under Title Number SK285467 (part).

Asset Management will instruct Legal Services in the disposal of the Freehold. Conditions will be added into the transfer documentation to ensure the assets continued use as an allotment site.

**Risk:**

The primary risk is if Parish Council does not have the money or resource to manage the site long term. In this event alternative arrangements will need to be found to ensure continued use as allotments.

<b>External Consultees:</b>	Bucklesham Parish Council
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T02</b>	<b>Enabling our communities</b>		
P06	Community Partnerships	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being, and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education, and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
<b>How does this proposal support the priorities selected?</b>			
The passing of the allotments to the Parish supports local control of local assets and gives them the opportunity work with holders for the best future use of the site.			

## Background and Justification for Recommendation

1 Background facts	
1.1	The allotments at Bucklesham are the only remaining allotments that East Suffolk Council still have direct responsibility for. All other allotment sites across the district have been transferred to various town and parish councils at differing times.
1.2	Bucklesham Parish is a very small Council, with a very low precept and therefore previously was reluctant to take on the responsibility for the allotments when demand for them was limited.
1.3	Previously attempts to set up a voluntary group to run the site directly have not been successful with only limited interest from the occupiers, many being of retirement age and not wishing for the additional commitment.
1.4	The site forms part of a larger asset owned by the Council; the remainder will remain in the council's ownership. The remainder of the site is currently leased for horse grazing . Because of this the entrance to the site will be retained whilst providing full access to the allotments.
1.5	<p>The site is shown in Appendix A and comprises twenty large allotments. The income received from the allotments is low totalling circa £450 per annum.</p> <p>Any new licences for an allotment are offered on a fixed rate of £40 per annum, giving a potential future income for the site of up to £800 per annum. The site does not have a mains water connection.</p>

2 Current position	
2.1	ESC was recently approached by Bucklesham Parish Council with a request to transfer the freehold ownership of the allotments to them to manage on behalf of the local community.
2.2	Historically, these allotments, apart from the licencing and transfers of sites, have largely been self-managed with intervention from ESC only when local issues have arisen. The allotments are protected by legislation under the Allotment Act 1925 Section 8 requiring Ministerial consent for any loss of facilities . There is no proposed loss of allotments which will continue in their current use.

3 How to address current situation	
3.1	<p>To address the current situation, it is considered there are two options:</p> <p>Option 1 – For ESC to continue to own and manage the allotments.</p>

	<p>Asset Management are not set up to manage allotments on a day-to-day basis and passing them to the Parish is in line with planning objectives (SCLP8.3) to protect and support allotments where demand remains.</p>
3.2	<p>Option 2 – To dispose of ESCs freehold interest in the allotment site to Bucklesham Parish Council.</p> <p>All other allotment sites across the district have been previously disposed to various Town and Parish Councils.</p> <p>Following Bucklesham Parish Councils approach to ESC, Asset Management has worked with them to structure a suitable disposal offer.</p> <p>Following discussions with the Parish the following terms for a disposal of the asset have been agreed:</p> <ul style="list-style-type: none"> <li>➤ <b>Freehold</b> – To pass to Parish council for continued use as allotments.</li> <li>➤ <b>Consideration</b> - Nil</li> <li>➤ <b>Costs</b> –ESC will cover both parties’ legal costs.</li> <li>➤ <b>Future income and expenditure</b> - All future income and expenditure will become the responsibility of the Parish.</li> <li>➤ <b>Access.</b> – The access to the site and the adjacent paddock will be retained by East Suffolk Council but full rights of passage to and from the allotments will be included. See appendix A</li> <li>➤ <b>Restrictions</b> – the site will be restricted under planning and contract for the continued use as allotments.</li> </ul> <p>Concessionary transfers of land to local communities are sometimes passed to Parishes with a financial settlement, however since there is an income from the allotments it is not deemed necessary in this instance. Due to the small nature of the Parish with its low precept, meeting their reasonable legal costs was deemed appropriate.</p>

#### 4 Reason/s for recommendation

4.1	<p>It is therefore the recommendation of Asset Management, to transfer the allotments to the Parish Council, in line with similar previous transfers, with the view to protecting their best use as allotments.</p> <p>And that Cabinet delegates authority to the Strategic Director with the Cabinet member for corporate Resources to complete a transfer of the freehold on terms as outlined.</p>
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## Appendices

<b>Appendices:</b>	
<b>Appendix A</b>	Site map and access

<b>Background reference papers:</b>	
Local Plan SCLP8.3 - Allotments (page 143)	