The Hungerford Allotments Holders Association
Extraordinary General Meeting – 11 January 2016

British Legion Hungerford – 7.30

Present:

John Stanley, Chris Tout, Kerry Taylor, Henry & Betty Jefferies
Alison Russell, Ed Sexton, Julie Davies, Andy Dowdell, Jerry Bray
Gill Rowlands, Vi Diewe, Tony Lavers, Martyn Bright, Jamie Hieatt
Ann Prestoe, Neal Pike ,Jane Pike, Jim Sugden, MartinCrane, Paul Hewer, Ted Angell, Belinda Robinson, Geoff Greenland, Zoe Hindle, Forbes Stephenson, Declan Baraclough, Des Reardon, Sandy Waldie

1 – Welcome - Geoff Greenland
Welcome to all the HAHA members and Paul Hewer of WBDC and John Garvey of NWN.
By maintaining the Allotments ourselves (HAHA) have saved the council about £ 25,000.00. Our aim is to get a secure Allotment Tenancy at Marsh Lane or somewhere similar.
Thanks to all that have supported the Town Council (HTC) campaign to change West Berkshire District Council (WBDC) Development Plan Document (DPD) to align better with HTC 's proposals which has helped us to get a further 12 month extension. Our comments received by WBDC will be sent to the Planning Inspector who will pass judgement later this year.
This evening we will be talking **only** about **"the development plan process"**
The reference HUN001 is a plot of land off Smitham Bridge Road.
Owned by Frank Clothier and the Developer is Donnington Homes.

2 - Apologies: Dennis Bennyworth, James Podger, Richard Benyon

Our Goal – Secure long term tenancy at Marsh Lane (or similar)

3 - The Current Position and How We Got Here

3.1 Ted gave a short background on the history of the Hungerford Town Council (HTC) lease for the March Lane site. There had been 3 leases since 2009, the current one being a two year extension of the 2010 – 2014 lease. This ends on 30 April 2016. This two year extension had been finally agreed in 2013 following a previous

communication from the developer (Mark Norgate, MN)) on behalf of the landowner (Frank Clothier, FC) that there would be no extension beyond 2014.

3.2 He went onto outline the activities and discussions that had taken place since the formation of the two year extension. During the autumn and winter of 2014 there had been a number of discussions between HTC, MN and HAHA about the future of the allotment site at ML. MN was supportive and had said he 'saw no reason why there should not be an extension' but this would be informed by the outcomes from the WBC Housing Development Plan due to be released in Dec 2014.

The release of the WBC Housing Development Plan was delayed, finally being released on 5 November 2015. This did not include FC/MN's site to the south of Smitham Bridge Road (aka HUN001). Nor did it embrace HTC's recommendation for a 'scatter' approach to housing in Hungerford.

Once the plan was released, HTC wrote to FC and MN asking for clarity on the ML position after 2016. On 27 Nov 2015, MN informed HTC that he and FC were extremely disappointed in the outcomes and that there would no further extension to the ML lease. However he went on to state if HUN001 was included in WBC's plans then they would have the ability to offer the ML land in return for that – this was an 'incentive'. HUN001 site has also been one part of HTC's (and NWAONB's) submission to WBC.

So whilst ML had always had a link with development through MN's investment, ML now became directly entangled in the development proposals for Hungerford.

3.3 Given the timescales, HAHA decided to raise awareness of the issue – through local media (NWN and others, BBC Radio Berkshire – including a letter to, and subsequently a meeting with Richard Benyon (MP) who said, that whilst he could not get directly involved, he would ensure that communication lines were kept open.

3.4 There continued to be correspondence between HTC and MN – and a meeting involving HTC, MN and HAHA shortly before Christmas at which MN indicated that an additional year may be given if there was support for a variation to the WBC proposals as part of the submission process. MN indicated that he was hopeful that WBC would make what was known as a 'focussed change' to include HUN001.

Formal submissions of response to the WBC plan were to be made by 24th December 2015. These are due to be considered by the independent Inspector in the autumn of 2016 who will decide if the WBC process and proposals are sound. Individual members of HAHA were encouraged to make submissions to this process as they felt appropriate.

3.5 On 4 January 2016 MN wrote to HTC informing them that he and FC had agreed to a further one year extension to April 2017 because of the response to the

proposals and repeating the incentive of a 'permanent' ML site if planning was achieved for HUN001.

3.6 There followed a general discussion clarifying the details that Ted had outlined.

4 - Staying at Marsh Lane

a. The Smooth Journey – HUN001 gets planning permission

It has been mentioned that we may be "gifted" Marsh Lane as a permanent site as part of the whole process. Which is good news. This would only occur if planning approval was given to HUN001. We should be able to carry on occupancy of Marsh Lane under some kind of lease given to HTC before it ever actually gets gifted. This would remove the annual uncertainty that we currently suffer.

b. The Bumpier Journey – HUN001 doesn't get planning permission

The good news is that this will not affect our tenancy until may 2017. The bad news is that an aggressive planning application may well be made for HUN001 even ahead of the Planning Inspectors judgement in the autumn.
Which means continuing uncertainty. We are just pawns in planning dispute.
A question was put to the attendees. If the gate were locked for whatever reason and a growing season was lost, who would return to their plots?
The response was unanimous, all would return.
It was noted that Marsh Lane is a leased plot of land as apposed to a Statutory Allotments where different rules apply.

c. The Legal Journey – compulsory "hiring" (leasing) or purchase

Through our West Berks Councillors we've gained some legal advice that arrived earlier today. In summary:

- The Small Holdings and Allotment Acts 1908 to 1950 apply.
- These Acts provide for the compulsory hiring or purchase of land for use as allotments, with West Berks exercising that authority on behalf of Hungerford Town Council.
- The hiring period must be for at least 14 years but no more than 35

years.
- The process for either hiring or purchasing is likely to take at least 12 months and will incur legal and compensation costs

We have just joined the National Allotment Society so we can also get access to their legal adviser who clearly has specialist knowledge on allotment law. We will map out a route for possible compulsory hiring or purchase of Marsh Lane based upon the legal advice we receive.

The whole process is between Hungerford Town Council the landowner/ developer and West Berkshire District Council.

5 - Alternative Sites

Ted pointed out that, if other options for ML were unsuccessful, there needed to be what he referred to as 'Plan Z' which would have a focus on alternative sites.

At the time leading up to the end of the last ML lease, through the end of 2013 and the beginning of 2014, a group of 5 representatives of HTC and HAHA worked informally to identify whether there was any alternative land that could provide a suitable allotment site.

This work was completed in Spring 2014. Copies of this work were available at the meeting. These were to be treated with care because the report was now two years old. Land ownership (including that of HTC) has changed within and around Hungerford and attitudes from landowners may have changed as a result of WBC's Housing Development Plan. There may also be sites that were discounted at that time that could now be included.

During the last six months of 2014, Mark Norgate's approach became far more supportive of the ML allotments so the focus remained on the ML site and this work was put on one side.

There was a general debate on the contents of the 2014 report. It was pointed out that there was land and other landowners that were not included – such as the Town and Manor. Ted agreed that this was the case and it was important that this research was updated. HTC had also acquired land since that time. He expected that the next HTC Recreation and Amenities Committee (to be held on 19 January 2016) would ask that this work be completed. Any approach to landowners has to be led by HTC – HAHA does not have the authority to make such contacts. In addition it was important to develop some robust criteria for the suitability of any other site – not only just for HAHA but also for the landowner and any other 'interested parties'.

It is the Town Council's responsibility to find alternative sites, we are the management contractors. We manage the Allotments on behalf of the Town Council.

6 - Close

HAHA has delivered on its part of the bargain. We believe that entitles us all to a much greater security of tenure than we currently suffer.

Thank you for your support.