

East Herts Council Non-Key Decision Report

Date: 14 October 2024

Report by: Anne Osborne, Assets and Estates
Manager

Report title: Transfer of Two Allotment Sites to Hertford
Town Council

Ward(s) affected: Hertford Castle and Hertford Sele

Summary

- The Council has agreed terms, subject to formal consent to transfer the freehold interest in two allotment sites at West Street and Norwood Close, Hertford to Hertford Town Council for continued use for allotments purposes only for £1.

RECOMMENDATIONS FOR DECISION: That:

- (A) The Council transfers the freehold interest in the allotments at West Street and Norwood Close, Hertford, shown outlined in red on the plans in Appendices A and B to Hertford Town Council on the terms agreed; and**
- (B) That the transfers will include a covenant restricting the land to allotment purposes only.**

1.0 Proposal(s)

- 1.1 The freehold interest of the two sites be transferred to the Town Council for £1 for the continued management of the land as statutory allotments.
- 1.2 That the transfers be for £1 and contain restrictive covenants that the land be used for allotment purposes only.

2.0 Background

- 2.1 The provision of statutory allotments sites is a function that sits with town and parish councils. However historically the Council

owned and managed a number of allotments across the district that were created on the residue of land acquired for other purposes. Many of these sites have since been transferred to the relevant town or parish council but there are a small number that are still owned and managed by this Council.

3.0 Reason

- 3.1 The Council has been in discussion with Herford Town Council and agreed that two sites in West Street and Norwood Close, Hertford, that are managed as statutory allotments should be transferred to the Town Council as this function properly sits with them. Statutory allotment sites are protected and can only be used for alternative purposes in very limited circumstances. Terms have been agreed on the basis that the freehold interest in the two sites be transferred to the Town Council for £1 with the use of the land restricted to allotment purposes only to provide a further measure of protection. Both sites will be transferred in their existing condition with no works undertaken prior to the sale or any payment made towards costs of future maintenance.

There are 48 allotments across the two sites which generates a total income of just over £1,000 p.a. The average cost of grounds maintenance and utilities for both sites over the last 3 years was £1,100 p.a.

4.0 Options

- 4.1 Retain sites and continue to manage the allotments as statutory allotments. However, they should properly sit with the Town Council, and it is an opportunity for the Council to reduce some financial liability for the cost of maintenance and management of the sites which exceeds the amount of income received.

5.0 Risks

- 5.1 None

6.0 Implications/Consultations

- 6.1 As below

Community Safety

None arising from this report.

Data Protection

None arising from this report.

Equalities

None arising from this report.

Environmental Sustainability

Yes – there are multiple direct and indirect benefits of urban agriculture in general, allotment gardens contribute to a sustainable environment: sustainable food production, green spaces, water conservation, and waste management (composting).

Financial

Yes – despite the modest income received the outgoings exceed this income and if the title transfer is not agreed then the Council will incur maintenance, utility and management costs in the future. There are no financial benefits to retaining the land.

Health and Safety

Yes. If the land is not transferred, then an annual health and safety inspection will be required as well as any maintenance arising from that inspection. This may incur additional cost not currently included in the grounds maintenance contract.

Human Resources

Yes. Retention of the land will cause minor increases in workload for the Property Services team and the Leisure and Parks client officer to ensure that the council's responsibilities for health and safety and public liability insurance are carried out. All of these activities would be in relation to a class of asset that properly sits with a different local authority tier.

Human Rights

N/A

Legal

The report has been approved by Legal.

Specific Wards

Local members have been consulted on the proposal and have no objections to the proposal.

7.0 Background papers, appendices and other relevant material

7.1 Plans included at **Appendices A and B.**

Contact Member

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