

# KETTERING TOWN COUNCIL

## REPORT FOR DECISION

Item No:- 22/043

|                  |                               |
|------------------|-------------------------------|
| Committee:-      | Council                       |
| Date:-           | 19 <sup>th</sup> October 2022 |
| Author:-         | Martin Hammond, Clerk         |
| Report Title:-   | Lease, South End Allotments   |
| Wards Affected:- | St Michaels and Wicksteed     |

### 1. Purpose of Report

To seek approval to a renewed lease for the South End Allotments

### 2. Recommendations

**Council is recommended** to agree the attached draft lease for signature.

### 3. Information

- 3.1. The South End Allotments located off Whiteford Drive, Kettering belong to the Town Council by virtue of the Kettering Borough Community Governance Order 2020 which created the Town Council and transferred all the allotment land in Kettering to it from April 1<sup>st</sup> 2021.
- 3.2. At that point, the existing 10 year lease to the South End Allotment Association had already expired in 2020. At a meeting with the Association in January 2022, the Finance and Governance Committee agreed several things
  - a) To renew the lease on similar terms to that which had expired
  - b) To vary the boundary so that the lease no longer covered the highway verge on Whiteford Drive
  - c) To seek NNC agreement that two parcels of land which had never been included in the current allotment site but which sat almost wholly within the wider site boundary should be transferred to the Town Council and included in a new lease
  - d) That various improvements needed to be made on site, in particular the renewal of the foot bridge over the Slade Brook.
- 3.3. Agreement in principle has been reached with NNC about the transfer of the two parcels of land mentioned in 3.2 (c) above and NNC have agreed to resume management of the highway verge along Whiteford Drive. Consequently, discussions with the Allotment

Association about a new lease were opened and the attached draft at Appendix One has been agreed with them.

3.4. The principal changes between this lease and the previous one are highlighted in red on the draft and concern

- The inclusion of the two plots of land at the point that the transfer between NNC and the Town Council is complete and how they are to be managed .
- Clauses which allow for future tree planting within the overall site
- Clauses which allow the Association to deal with dead or dangerous trees or branches
- Changes to the term of the lease and the annual payments to KTC.

3.5. The two new plots of land are marked on the plan attached to the draft lease. The land is not suitable in places for the creation of new allotments because of its history as a construction site for the houses backing on to it, and because the depth of soil is very shallow. The lease therefore allows the Association to use them for community and recreational purposes, which is currently how they are used – informally – now.

#### **4. Consultation and Engagement**

The Allotment Association have been consulted on and have indicated that they agree the terms of the draft lease, subject to approval by the Association in due course.

As there is no intended change to how the land within the overall site is to be used, no wider consultation has been carried out

#### **5. Finance, Legal and Resource Implications**

It is proposed that the Association has the benefit of a 15 year lease, with an annual rental payment of £125. It was previously £100. This level of rent brings it closer to the average paid across Kettering for allotment sites, given the size and quality of those different sites.

The Lease would be backdated to 1<sup>st</sup> April 2022. No provision in the Council's budget for this year was made for the first annual rental payment.

#### **6. Policy Implications**

The Council's corporate plan says

“The Council will, within its own remit, strive to protect, restore and enhance our local biodiversity and the natural world that surrounds us and of which we are all a part and will strive to take the most sustainable approach to the design and delivery of its own services “

“Ownership of five allotment sites throughout Kettering, with nearly 500 allotment plots in total. The Council will engage with the allotment societies which manage them, review the condition of the sites, and explore how it can support the creation of new allotment plots to meet rising demand.”

## Background Papers

Correspondence with NNC about land ownership

Correspondence with the Allotment Association about the draft lease

Kettering Borough Community Governance Order 2020

Minutes of the Finance and Governance Committee 20<sup>th</sup> January 2022 (FC21/63)

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6.1.