



## WISBECH TOWN COUNCIL

### ENVIRONMENT AND PUBLIC SPACES COMMITTEE

27 JANUARY 2025 – 7.30 pm

#### MINUTES OF MEETING

**Present:** Councillor Imafidon, Chairman; Councillors Edwards, Human, Read and Tanfield.

**Apologies:** Councillors Hoy and Meekins.

**Public Participation:** None requested.

The minutes of the meeting of the Environment and Public Spaces Committee held on 16 September 2024 were confirmed and signed.

#### **E8/24 Allotments**

Members considered issues in relation to the operation and development of the council's allotment sites.

#### **General**

Members were informed by the Clerk that the council continues to receive enquiries in relation to plots at the council's allotment sites.

The point was made by the Clerk that, because of the impact that the cost-of-living crisis is having upon people's lives, new tenants had been extremely grateful for the opportunity to rent allotments from the council, to enable them to grow their own fruit and vegetables.

The Clerk informed members that there had been reports of horsetail (mare's tail) weed on Waterlees Road and Dowgate Road allotments sites. His understanding is that roots of established horsetail plants can grow to 2 metres in depth and spread rapidly. The opinion was expressed by the Clerk that this is likely to dissuade potential tenants from taking on these plots. He expressed the opinion that this committee may wish to consider allowing a rent-free period of one year in relation to renting any affected plots to enable new tenants to tackle the situation to prevent further spread.

Members were reminded by the Clerk that some tenants at Cox's Lane and Halfpenny Lane sites had requested upgrades to the entrance barriers at these sites to become full gates and that the matter had been considered by this committee at minute E3/24. At minute E3/24 it had been decided that officers would obtain quotations for the manufacture and installation of gates at those sites. The Clerk mentioned that quotations are still awaited but officers are "chasing" the contractor.

The Clerk reported that the annual tenancy "renewals" process was undertaken last autumn, and new plots had been marked-out at Mile Tree Lane and Southwell Road allotment sites. He mentioned that viewings are being undertaken, with the aim of letting the plots at these sites. Following completion of this, the vacant plots at Halfpenny Lane, Dowgate Road and Waterlees Road would be re-let. Re-letting of plots at Southwell Road, Waterlees Road, Cox's Lane and Halfpenny Lane are almost complete. There remain some plots at Southwell Road, Mile Tree Lane and at Waterlees Road; some of the plots at the latter site are affected by the horsetail weed. Many plots are extremely overgrown, which is putting-off people from renting them, particularly with no bonfires allowed, as clearing these is a big job. Viewings of vacant plots at the Dowgate Road allotment site will commence this week.



Mention was made by the Clerk that some badly kept plots are proving difficult to “sell” to applicants and it is probable that the council would have some permanent vacancies unless it arranges for those plots to be cleared and levelled. There is no budget for that in the current financial year; however, with the rents doubling for 2025/26 (estimated income increasing from £7,000 in 2024/25 to £14,000 in 2025/26), it should be possible to fund such works. Members acknowledge that it may be necessary for the council to incur expenditure in clearing some of the overgrown plots.

Members were informed by the Clerk that works to fill the potholes on the access road to the Dowgate Road allotment site had been completed from the main road to the council’s storage containers. The rest of the roadway still needs to be done. Cox’s Lane has had its final topcoat of plainings laid.

## **Rents**

The Clerk reminded members that this committee had decided, at minute E3/24, that allotment rents be increased (from £0.06 per square metre) to £0.12 per square metre per annum with effect from October 2025. He mentioned that the necessary notice of the increase had been given to existing tenants at the time of the “renewals” process.

The Clerk informed members that, on the basis of the increase in rents with effect from October 2025, the council’s budget for the financial year 2025/26 shows estimated income increasing from £7,000 in the financial year 2024/25 to £14,000 in 2025/26 and a spending allocation increasing from £2,000 in 2024/25 to £5,000 in 2025/26).

## **Bonfires**

Members were reminded by the Clerk that, because of complaints that had been received over the summer of 2024 regarding unauthorised burning of household items on certain allotments sites, this committee had reviewed, at its meeting on 29 July 2024, the council’s policy in relation to bonfires on allotment sites (minute E3/24 refers).

The Clerk reminded members that this committee had decided (at minute E3/24) that, with immediate effect, the lighting of bonfires at allotment sites be no longer allowed. Although the banning of bonfires had generally been accepted by most tenants, officers had received written representations, opposing this change of policy, from some tenants.

The Clerk had circulated to members, in advance of this meeting, a schedule of those representations. Mention was made by the Clerk that the council currently has 122 allotment tenants, 22 of whom had submitted a representation.

Members were reminded by the Clerk that, in reaching the decision to ban bonfires on allotment sites, they had been mindful of comments that he had made at 29 July 2024 meeting of this committee:

*“Almost every time that a bonfire is lit on an allotment site, it results in complaints to the council from nearby residents about the smoke impacting adversely upon their amenity. Also, it is suspected that waste other than that resulting from cultivation of allotment plots is being burned on some occasions. Furthermore, it is known that some tenants have left bonfires unattended or allowed them to smoulder”.*

The Clerk invited members to review the decision in the light of the representations received.

In terms of the impact that a bonfire on an allotment plot could have upon the amenity of residential properties, the Clerk made the point that three of the allotment sites (at Cox’s Lane, Halfpenny Lane



and Waterlees Road) do not have residential properties in close proximity), whereas the other three sites (Dowgate Road, Mile Tree Lane and Southwell Road) do.

The Clerk expressed the opinion that a valid point had been made by some tenants about people taking-on new overgrown plots, as they then need to clear them and dispose of the vegetation. This may be deterring some new tenants who hadn't then gone on to cultivate when they realise just how much work is involved in not only clearing the land but removing the vegetation from site.

### **Application to build a structure**

Members considered a retrospective application from an allotment tenant to erect a "play fort" on one of the allotment plots.

Members were informed by the Clerk that, on finding that this structure had been constructed, council officers had invited the tenant of the allotment plot to seek permission retrospectively. The Clerk had circulated to members, in advance of the meeting, a photograph of the "play fort" which had been constructed by the tenant in the absence of permission from the council.

Mention was made by the Clerk that council officers had witnessed the family at the plot in the summer; the tenant of this plot takes his children there to play whilst he and his wife tend to the allotment.

The point was made by the Clerk that applications that the council usually receives for the building of structures on an allotment plot relate to sheds, greenhouses, polytunnels and similar "agricultural" structures. This is the first time that the council had been asked to consider allowing the construction of "play equipment" on an allotment plot.

The Clerk invited members to decide whether permission be granted in respect of this structure, and it be allowed to remain, or whether it must be dismantled and removed by the allotment tenant.

Members decided that

- (1) the current situation in general be noted;
- (2) a rent-free period of one year be allowed in relation to renting any plot that is affected by the horsetail (mare's tail) weed;
- (3) the retrospective application from an allotment tenant to construct a "play fort" on the plot that he rents from the council be refused, as approval would set a precedent for the erection of other "non horticultural" structures on allotment plots;
- (4) the ban on the lighting of bonfires at allotment sites (agreed at minute E3/24 and included as Rule 37 of the "You and your allotment" document) be withdrawn and that tenants of all allotment plots be permitted to burn waste material arising from the cultivation of that plot during the last two weeks of March and the first two weeks of November each year; such burning may take place between the hours of 9.00 am and 5.00 pm.

The burning of such waste materials shall not take place on the ground in the open air but in an incinerator bin or equivalent container.

Such burning activities are allowed for the burning of materials from the tenant's allotment plot only; nothing must be brought onto the plot from elsewhere for burning.



When burning materials on an allotment plot, the tenant must

- burn only dry material
- never burn household waste, rubber tyres or anything containing foam, paint or plastic
- never use any substances (such as meths or petrol) to light or encourage the fire
- not leave any burning activity unattended or allowed to smoulder
- not cause a nuisance to neighbouring residents or other plot holders
- ensure that all burning has been extinguished before leaving his/her plot.

If burning takes place on an allotment plot in a manner which contravenes the situation described above, it shall be deemed as a breach of the Tenancy Agreement between the council and the tenant;

- (5) a “replacement” Rule 37, which reflects the situation described at (4) above, be included in the “You and your allotment” document.

### **E9/24 Land at Somers Road, Wisbech**

Further to minute E5/24, the Clerk informed members that he is still seeking to secure renewal of the lease (with Cambridgeshire County Council) for the area of land, off Somers Road, adjacent to the Queen Mary Centre, which is leased by Wisbech Town Council for the purpose of increasing the amount of car parking provision in the town. The Town Council’s solicitors had received from the County Council’s solicitors a final version of the lease and had sent to Fenland District Council the licence element (see below) for signature.

The Clerk reminded members that, in accordance with this committee’s decision at minute E10/22, this site had been in use since 5 June 2023 by Fenland District Council’s contractor (the original period of use had been agreed for a period of 77 weeks (i.e., until 25 November 2024)) as the works compound in association with the re-development of 24 High Street, Wisbech. That arrangement is covered by way of a licence agreement between Wisbech Town Council (as lessee of the land) and Fenland District Council (as the client for the re-development scheme) and will be referenced in the new lease between Cambridgeshire County Council and Wisbech Town Council.

Members were informed by the Clerk that the contractor which is using the land off Somers Road as a works compound will, before “handing-back” the land to Wisbech Town Council, ensure that it is in no worse condition than it had been at the beginning of that use.

The Clerk informed members that there is some “slippage” on the programme of re-development works at 24 High Street, which means that this land will be needed as a works compound for a period longer than the 77 weeks originally proposed; likely to be continuing until April 2025, as opposed to concluding in November 2024.

Members were reminded by the Clerk that Fenland District Council (FDC) had paid to Wisbech Town Council (WTC) a sum of £5,000 for its contractor to use this site for the period 5 June 2023 to 25 November 2024. That equates to a sum of £64.93 per week. FDC has committed to pay to WTC a sum of £65 per week/£260 a month for the overrun period (from 25 November 2024 onwards).

Members decided that the situation be noted.



## **E10/24 Wisbech Park Pavilion**

Further to minute E7/24, members considered the current situation regarding operation and management of this building.

Members were reminded by the Clerk that the council's Resources Committee had decided at minute R13/23 that Wisbech Town Council would take-on the operation and management of the new pavilion at Wisbech Park. The formal handover of the pavilion, from the construction contractors to Fenland District Council, and the "opening" of the building by Councillor Meekins, in his capacity as Chairman of Fenland District Council, had taken place on 22 January 2024.

The Clerk informed members that he is still awaiting a formal lease between Fenland District Council (as landlord) and Wisbech Town Council (as tenant) in respect of this building; hence, the Town Council is still operating under a Tenancy at Will.

Members were reminded by the Clerk that the Heads of Terms of a lease between Fenland District Council and Wisbech Town Council and the subsequent draft lease allow Wisbech Town Council to "hire-out" both the community room and the office. The fixing of hire/rental fees had been considered by this committee at minute E6/23, at which it had been decided that the fee for hire of the community room be £20 per hour and the fee for rental of the office be £325 per month. With regard to rental of the office, the council had, ideally, been looking for a "permanent" user; not looking to hire-out for ad-hoc "hot-desking".

The Clerk mentioned that the community room at the pavilion is receiving bookings; there are currently bookings for every Wednesday and Thursday evenings by local groups. The room had also been used for ad hoc meetings and a small number of parties.

Members were reminded by the Clerk of this committee's decision, at minute E7/24, that, given the absence of interest in renting the room and the fact that there is a lack of storage space in the building, the small room next to the community room should no longer be considered as an office for rental but as a storage space associated with the use of the community room. The Clerk informed members that the storage use had commenced.

The Clerk reminded members that the opening of the café at the pavilion had taken place on 26 March 2024, the operator of the café being Crazy Cow Catering Limited.

Members were reminded by the Clerk that this committee had considered, at minute E7/24, issues in relation to the operation of the café at Wisbech Park Pavilion, including the relationship between Wisbech Town Council and Crazy Cow Catering Ltd. The committee had decided, at that minute, that the Tenancy at Will between Wisbech Town Council and Crazy Cow Catering Ltd be terminated. Crazy Cow Catering Ltd had ceased trading at the café, after being given notice, on 21 October 2024.

The Clerk informed members that, to seek to attract a new operator for the café, an Expressions of Interest notice had been published by the council on 9 October 2024. Those who had expressed an interest in becoming the operator of Wisbech Park Pavilion café had been sent a bid/application form. The closing date (and time) for the council's receipt of completed bid/application forms had been 25 October 2024 (at 5.00 pm). However, because of the low number of bids/applications received by 25 October, the deadline for the council's receipt of completed bid/application forms had been extended until 1 November 2024 (at 5.00 pm).



Members were informed by the Clerk that, as at 1 November 2024, there had been two viewings of the café. Both of those parties submitted a bid/application. A third bid/application had been received from a party which viewed the building in January of last year. In addition to the three formal bids, a proposal had been submitted by the County Council (but subsequently withdrawn).

With the consent of the Chairman of the Environment and Public Spaces Committee and the Leader of the Council, an additional interested party was subsequently invited to visit to the café. That visit took place on 14 November 2024. However, that visitor subsequently decided not to submit a bid/application.

The Clerk informed members that the Chairman and Vice-Chairman of the Environment and Public Spaces Committee, the Leader of the Council and he had “interviewed” the bidders/applicants on 9 January 2024. Consequently, one of those bidders/applicants has been selected to operate the café and the necessary documentation had been issued by the Clerk. It is anticipated that the new operator, which will trade under the name of Wisbech Park Café, would re-open the café at some point during the month of February 2025.

Mention was made by the Clerk that there had been several “teething troubles” with the building – following recent works to replace the drainage and flooring, and the toilet itself, in the changing places toilet facility, there are currently no outstanding issues. A “snagging sign-off” meeting, involving officers of Fenland District Council (FDC) and FDC’s contractor had taken place on 15 January 2025. All future repair and maintenance issues will be the responsibility of Fenland District Council (as landlord) or Wisbech Town Council (as tenant).

Members decided that the situation be noted.

**Meeting finished at 8.10 pm**

Signed.....

Dated.....