

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 28/11/2017

Title:

LEASE OF ALLOTMENT LAND, WEYBOURNE ROAD, FARNHAM

**[Portfolio Holders: Cllrs Tom Martin and Kevin Deanus]
[Wards Affected: Farnham Weybourne and Badshot Lea]**

Summary and purpose:

Authority is sought for the grant of a long lease of the land shown outlined on the attached plan to Farnham Town Council for the purposes of management of allotments.

How this report relates to the Council's Corporate Priorities:

Value for money: These are the only allotments Waverley manages. The remainder of allotments in Farnham are already managed by Farnham Town Council (Farnham). By transferring these allotments to Farnham, Waverley removes the cost of managing the allotments while that Farnham is able to absorb them within their existing budget.

Leisure and Lives: Allotments provide their holders with an active lifestyle and fresh air. According to the National Society, an allotment can supply a family's need for fresh fruit and vegetables for the year at a fraction of the cost of supermarket produce. Allotments tend also to promote socialising and camaraderie.

Environment: In an urban environment, allotments provide a haven for wildlife and biodiversity.

Financial Implications:

The 2017/18 cost of allotments is £2,000. The financial implications mainly relate to the saving in officer time managing the allotments.

Legal Implications:

Each party will meet its own costs in the preparation of the long lease.

Introduction

1. Waverley owns the area of land shown outlined on the plan at Annexe 1. It is managed in-house as allotments. Land acquired by Waverley's predecessors as statutory allotments were transferred to the relevant town and parish councils in the 1974 Local Government reorganisation. However, there were

a few areas of land held under different powers but used as allotments that Waverley continued to hold.

2. As Farnham Town Council was not established until after 1974, the statutory allotments in Farnham remained in Waverley's ownership, though they were managed by Farnham. These were the allotment areas off Morley Road Recreation Ground and those adjacent to West Street Cemetery. In 2001, Waverley transferred the freehold of these allotments to Farnham. Waverley retained the Weybourne Road allotments as these had always been managed in-house and it was thought that the land may be required for alternative uses in the future.
3. There is a cost to Waverley in managing the allotments that the nominal sums charged for them barely cover. Legal advice has indicated that, given the length of time the land has been used for allotments, it should be treated as if it were statutory allotments. Government guidelines on allotment disposal are strict and Waverley would need to overcome significant hurdles to be able to change the use of this site, assuming that it is possible.
4. Farnham own and manage the majority of allotment land within their boundary and they are agreeable to taking over the Weybourne allotments.
5. In order to avoid the necessity of obtaining Secretary of State's permission for the transfer of allotments, it is recommended that Waverley transfers the allotments to Farnham on the basis of a long lease that restricts the use of the land to allotment only. Legal advice recommends that the lease should require Farnham to use Waverley's present allotment licence and comply with Waverley's current policies on allotment management.

Recommendation

It is recommended that Waverley gives a long lease for the allotments at Weybourne Road, Farnham to Farnham Town Council for a peppercorn rent, with other terms and conditions to be negotiated by the Estates and Valuation Manager.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

CONTACT OFFICER:

Name: Ailsa Woodruff

Telephone: 01483 523459

E-mail: ailsa.woodruff@waverley.gov.uk