



## **Caerphilly East allotment Federation & Committee meeting**

### **Meeting Room, Ty Bargoed, Bargoed**

**31.03.2025**

#### **Attending:**

Hannah Scott	Allotments Officer, (Chair)
Todd Rawson	Solicitor (Legal team)
Kevin Eadon-Davies	Green Space Strategy and Cemeteries Manager
Liam Way	Area Officer, Cemeteries, Allotments and War Memorials
Lisa Middlemiss	RDP Administration Officer (Minutes)

Phill Fiander, Secretary, Woodland Terrace  
Dave Summers, Secretary Lewis St, Federation Secretary (acting)  
Rod Nichols, Secretary, Federation Treasurer  
Anthony Parry, Secretary Ashfield rd.  
Bill Harding, Secretary, Ravenswood, Risca  
Helen John, Secretary, Warne Street Federations Chair (acting)  
Robert Cook  
Lisa Ward, Malvern Terrace, Risca

John Terry, Secretary, Ynysddu  
Mark Kidner,

Byron Hale, Chair, Ashfield rd.

Martin Turner  
Richard Smith. Malvern Terrace, Risca

#### **Apologies:**

None given

### **1.Welcome and introductions**

Hannah Scott welcomed everyone to the meeting and thanked them for attending. Attendees introduced themselves.

### **2.Federation Concerns and Discussion**

Hannah Scott explained the purpose of the meeting was to create a way forward for Caerphilly County Borough Council (CCBC) and the federation with open lines of communication allowing a uniform cohesive approach to allotment support and management within the borough. HS continued explaining that the agreement between the Federation and CCBC had lapsed in 2019, and it was a priority to ensure that a new agreement is in place as soon as possible.

*Robert Cooke & Martin Turner entered the room.*

Hannah Scott opened the floor to members to discuss areas around disputes, data sharing or pre-existing concerns prior to talks regarding the new agreement.

Clarification was requested regarding the Federation Chair, Treasurer and Secretary, if they could identify themselves.

Helen John advised the meeting that she was acting Chair, Dave Summers advised the meeting he was Acting Secretary, a new vote would be held at the CAEF AGM.

*Examples of the allotment handbook were distributed to attendees.*

Rod Nichols enquired if the allotment handbook was an update or previous version.

Hannah Scott informed the group that the handbook is a work in progress based on the 2017 version with minor amendments made to allow consultation with the Federations. HS offered contact details so that members could have time to read and make suggestions.

**Action - Helen John to forward Hannah Scott's contact information and / or electronic version of handbook if requested by members.**

Rod Nichols enquired if the handbook applicable to Rhymney Federation.

Kevin Eadon-Davies clarified that the handbook is currently a consultation exercise taking best practice from the former document with the addition of current thinking. KED pinpointed the dispute process as a possible change from the previous version. Phill Fiander advised the meeting that it had been presented to CAEF by the former allotments officer and was signed off at the last CAEF AGM, this document included a shorter notice period. Hannah Scott asked if the sped-up process works better or presented more challenges.

A general discussion took place whereby it was agreed that the shorter process works well although it might be extended as plot holders try to implement requests. Currently around three months,

Kevin Eadon-Davies gave context to the change in CCBC, and positions held by him, Hannah and Liam and explained how the current information has been collated. KED underlined the need for all allotments within the borough to operate safely as well as keeping the Federations safe from challenge. Todd Rawlings has been asked to review procedures and processes with the view of whether they are fit for purpose. KED asked Tod Rawlings to explain further and include the key considerations when going through a dispute process whether it be to put right or to remove and re-let the plot.

Todd Rawlings advised that a review had taken place late 2024 with HS. The main concern was the 30 days' notice to quit which may not be lawful. The case law points to a forfeiture notice whereby tenants are given notice of infractions and time to rectify. Should this not happen, termination is then an option. This needs to be reflected in the handbook allowing continuity. An immediate vacation notice, no time period to address issues, could result in justifiable challenges to the allotment association.

Martin Turner outlined the current practice whereby a discussion is held with the party concerned to resolve the issue and come to an agreement. Should an agreement not be reached, the committee will make a decision. Then there is a 28-day period for resolution and if they have been unable to comply then a committee meeting is held to terminate and CCBC legal department is notified,

Phill Fiander agreed that this was the old process but not the current one. The current process was agreed at AGM 2024 and still has stages.

Hannah Scott enquired if this was 14 warning period rather than 28.

Phill Fiander agreed and continued explaining that most sites will still issue warning letters throughout the year giving potholders incentive to maintain. Some sites take a bond which is repaid after a length of time if no warning letters have been issued. Phill Fiander felt it unlikely that members would use a 30-day termination notice but would use a warning letter instead.

Rod Nichols suggested that a termination notice should be available for gross misconduct.

Many agreed.

Todd Rawlings advised that if it was tied to their obligations to the tenancy, it's possible. TR explained that he wanted to ensure that allotment associations were shielded from challenges that arise from ambiguity which could lead to court proceedings.

Rod Nichols asked about the official line on gross misconduct and highlighted the need for a fast-track solution to addressing major infringements.

Tod Rawlings suggested that his belief might be based on the wording of documents

Phill Fiander countered that he did not feel any sites issued 30-day termination notices and all sites worked with tenants, helping them to the best of their ability.

Tod Rawlings continued highlighting the difficulty ending leases at various sites as some are federation, some not, some have plot agreements, some operating without.

*Lisa Ward and Richard Smith entered the room*

A general discussion was had regarding what would be useful to the associations in the handbook. Suggestions included monitoring determination and how it sits with the allotment acts, leases, case law, templates for

minimum level tenancy agreements, notice template with issuing guidance, dispute procedures in general and contact details.

It was noted that there is a greater focus in law on the equality act which needs to be taken into account. Hannah Scott enquired if there were any other questions.

Helen John requested risk assessment guidance and templates for COSH (storage and use of chemicals), communally held equipment and legally required scheduled maintenance, CCBC safe working practices.

It was agreed that everyone using the same information would benefit all sites.

Liam Way suggested there might be training available.

Rod Nichols highlighted that if trained, that person might be seen as liable

Hannah Scott enquired if training would be required.

After discussion it was agreed that as members are volunteers, this was not appropriate. General good practise and common sense had to prevail on site.

Kevin Eadon-Davies agreed and supported the decision adding that the suggestions put forward were beneficial for him and the allotments team: A practical document that includes information, outlining the agreement for using the land leased or made available by the council, committee responsibilities and personal responsibilities. KED added that as there is a corporate responsibility CCBC has for its landholdings, there will be a need, because of the agreements made, for checks to be made as a landlord to make sure all is in place on site.

Helen John requested good practice should be disseminated throughout the borough and the handbook could be a good vehicle for it. Phill Fiander agreed and cautioned against it becoming a book of regulations, keeping it informative and helpful. Hannah Scott said it could be used in tandem with individual sites rules and regulations. It was agreed that as the handbook will give standardised templates and advice, auditing should be easier, lax practices ended, and gaps can be filled. Hannah Scott advised that at yearly audit is a goal. Kevin Eadon-Davies added that both CCBC and allotments have a vested interest in keeping the information relevant in the handbook, especially when there are committee changes. Phill Fiander suggested that as a positive it'll give a benchmark to show where sites may need support, or if they choose to ignore it would be known that there may be an issue.

Kevin Eadon-Davies asked Todd Rawlings if that would be acceptable from a legal standpoint. Helen John read 3.5 of the previous agreement '*The federation committee shall, ensure that each association complies with allotment legislation enforced during the term of the agreement*' and stated that that is acceptable when all information is known. This is an ongoing project, and requests are now to be made annually for proof of site insurance, a tenancy list, how many plots on site, how many are empty as this information is not available.

### **3. Agreement discussion.**

Hannah Scott suggested that discussion was held regarding the agreement. Kevin Eadon-Davies clarified that this was the agreement between CCBC and the Federation and individual allotments which have site agreements. Helen John asked if the previous agreement had been found and if there were any copies.

*Copies of the agreement was shared with the meeting.*

Hannah Scott advised that the previous agreement will be the starting point to allow accountability of individual sites. Acknowledging the time already given by volunteer committee members the aim is to have a realistic expectation of what you are willing to participate in. It would be beneficial for members to raise their concerns allowing for an open discussion, which in turn will give a better fit for all involved.

Helen John asked whether risk assessments would be more beneficial if carried out by an exterior body. This may flag up items unknown to site users and give conformity over the 30 sites. Hannah Scott agreed and suggested it may be completed in conjunction with CCBC health and safety. HS stressed that she is in post to help allotments.

Hannah Scott opened the floor to questions.

Martin Turner raised a query over a boundary tree report; nothing had been done. Hannah Scott asked for details to be sent to her to chase up. John Terry also requested help with boundary issues, should have been resolved but hasn't.

**Action – Hannah Scott to follow up boundary / tree queries.**

Byron Hale asked for clarification of responsibilities regarding boundaries. Hannah Scott stated that it was dependant on whether there is an agreement or lease in place. Todd Rawlings advised that responsibilities are generally specified with the lease or agreement.

Hannah Scott requested that if a site doesn't have information on their lease or agreement then they should contact her so that one can be sent.

Byron Hale enquired who the lease and agreements would be with and the difference.

Tod Rawlings described the differences between a one year rolling lease and a 25-year lease. Helen John asked if all details are given to HS whether she could supply leases. HS agreed, if there is one available. HJ queried how a lease is renewed. HS advised that property services would negotiate with the association regarding the type of agreement to put into place with Legal and the allotment team being involved at a later date.

Byron Hale suggested that the lease renewal process be added to the allotment's handbook as a guide and asked whether new committees must reapply.

A general discussion took place regarding leases, and an audit of leases was suggested. Helen John confirmed that this was ongoing.

Todd Rawlings informed the meeting that property services, due to budget cuts, has adopted the position that the user (the allotment) will now pay for the renewal of the lease and advised members to budget accordingly. The figure given was £1400.00

There was a general expression of disbelief from the Federation members.

Kevin Eadon-Davies clarified that this was for leases not agreements and explained that other measures have been explored but not yet found.

Rod Nichols asked if a 25-year lease can be switched to a year agreement so that fees will not be charged.

Todd Rawlings suggested that the focus be set on the lease and the fact that there will need to be a payment and that a 25-year lease will allow funding. HS suggested a minimum price increase to cover the lease cost. PF highlighted the additional costs with insurances and that it may be too much. HJ said it was unfortunate but if want to keep the plots/ sites and not have the built in, we will have to be realistic.

Hannah Scott enquired whether there were any questions regarding the agreement.

Helen John informed the members that a digital copy was available and confirmed that it would also be available at the AGM. HJ asked whether this is the expired version that would be the basis for the new agreement, it was confirmed it was. Hannah Scott explained that this document was to serve both CCBC and allotmenters, a level of service that could be agreed and mutually beneficial. Phill Fiander agreed that this would be a service level agreement and very useful going forward.

A discussion was held over terminology, reporting, responsibilities. An issue regarding peppercorn rent was raised and how the council is involved in fee setting. Further discussion ensued regarding fees.

Tod Rawlings read section 3.26 *'The Federation will, in consultation with the council set the fees'* and suggested that this does not show that the council will be active in setting fees.

Helen John pointed out that a specific plot size has been stated which might not apply to all sites.

Rod Nichols asked if grant funding will continue.

Tod Rawlings highlighted the need for greater detail and transparency regarding spend as it is always possible that a freedom of information (FOI) request could be made.

Rod Nichols had the understanding that the Welsh Government funded the allotment grant, Kevin Eadon-Davies advised that this was not the case. The money was part of a block grant from the Welsh Government to the council's core budget; in addition, there is an allotment improvement grant which has just been announced (-5% this year). The improvement grant is for health and safety and encouraging new plots so comes with guidance. A discussion will be had regarding what the Welsh Government require and what the allotment federations need, usually key health and safety / insurances. KED allowed the insight that the maintenance budget for all CCBC allotments is under £10,000. It is important to collaborate going forward regarding spend so that priorities are met and work is not duplicated.

Helen John enquired whether CCBC can take over boundary and public space maintenance. Hannah Scott advised information is in the site agreement but if there is no agreement to get in contact for a discussion.

Kevin Eadon-Davies gave the opinion that it is usually more cost effective to source own contractors than you use internal CCBC staff as recharge costs can be high.

#### **4. Future Meetings**

Hannah Scott asked if members were happy with the general agreements, and whether to set another meeting with the immediate federation to continue with the discussion. All agreed. Kevin Eadon-Davies suggested that all

members receive an update which will allow comments to be fed into the next meeting. Helen John agreed and asked whether Rhymney would be joining. Phill Fiander agreed that a joint meeting would be beneficial.

**Action – Hannah Scott to arrange follow up meeting.**

## **5. Any Other Business**

Rod Nichols asked for clarification on funding. Helen John explained that no funds will be issued until a new agreement has been set. It should be distributed in May.

Kein Eadon-Davies enquired if the administration of the Federation was fit for purpose. Helen John replied that the transfer of information had been sporadic. However, there should be a marked improvement before the AGM in May. The online application form may not be state of the art but that can be checked. HJ asked that a copy of any requests be sent to site secretaries and enquired about tool servicing.

A discussion was held, and it was felt that it was a site issue

Rod Nichols enquired whether meetings had to be as regular. Hannah Scott answered that the initial meetings were because of the need for knowledge and discussion but as more challenges are solved, the intervals will become longer.

Timescales on issues unfortunately must be fluid because of issues that may crop up but are planned to be as quick as practicable. Helen John sought clarification regarding the old disputes process. Tod Rawlings confirmed that he had received it and would feed back to Hannah Scott for circulation, with his perspective and variations if necessary. All agreed that it would be good to start with everything reviewed. HS that all information regarding the Federation would be gratefully received allowing a more complete background to be achieved.

Hannah Scott thanked everyone for attending and closed the meeting.