

## **The History of Drinkstone Allotments**

This text was copied from an e-mail written by Richard Edmondson and circulated to Councillors on 14<sup>th</sup> October 21.

This e-mail was circulated to provide background to Agenda item 7. "Discuss how the Parish Council wishes to proceed with the management of the lands which fall under the Charity in totality".

There have been a few recent enquiries regarding the governance of our parish allotments. I thought it might be useful to review this subject, using Parish Council records History (Based on a Parish Council discussion document prepared in 2010 by Moira Goldstaub, Chairman of the Council). The present allotments in the parish, situated at the junction of Gedding Road and Chapel Lane, and the land under the same ownership in Rattlesden Road, were 'allotted' to the then village authority in 1851 under the Inclosure Act of 1845. These two parcels of land, became known as the Green Allotments Trust. Under the same Act the village common land, known as Drinkstone Great Green, was divided up between local farmers. The award of the allotments was to the churchwardens and overseers of the parish. The Inclosure map of 1851 at Bury Record Office shows the awarded land as fields 19, 33, and 38, totalling two acres, and is the allotment land we have as a parish amenity today\*. In 1894 the Local Government Act passed the parish property of the churchwardens and overseers to the newly created creature of statute, the Parish Council (PC). From this time several Parliamentary Acts have imposed a duty on local authorities such as parish councils to provide allotments if there was a demand for them. These Acts stipulate that the parish Council is entitled to appoint two trustees, each holding office for four years, to replace the churchwarden and the overseer who previously held this role. The Parish Council acts as the allotment authority. However the Trust under which the allotment was originally held remains in force. The allotment authority (PC) may improve the land by draining, fencing etc. Under modern statutory rules allotments cannot be sublet and the rent is to be set at what a tenant can reasonably be expected to pay. The allotment authority may make rules which are binding on all persons; these may contain provisions defining the length of notice to quit and the conditions of cultivation and rent. In 1980 there was an application to purchase part of the Gedding Road allotments by an adjacent householder. This was probably the stimulus that led to the Green Allotment Trust being registered as a charity, finalised in 1987, to further protect its integrity: Charity Commission No. 295860, Allotments for the Labouring Poor. Drinkstone Parish Council and the Green Allotment Trust (Notes prepared in 2010 by Councillors Moira Goldstaub and Daphne Youngs summarising Drinkstone Parish Council minutes 1895-1968) From early on it is clear that the PC was appointing trustees of the various trusts in the village, including the Green Allotments Trust. Two trustees were appointed at public meetings for a four-year period. The chairman of the PC was often one of the trustees. The rules and regulations that applied to governance of the allotments over the years appear to have been lost. The Gedding Road site was divided into allotments typically of 250 square yards but the occupancy was variable - there were only three tenants in 1997 each paying £2 p.a. Since at least 1947 the whole of the Rattlesden Road site had been pasture under a single tenant.

Recent developments. In 2010 there was a waiting list for tenancy of an allotment and this coincided with the Rattlesden Road tenant relinquishing the tenancy of half their plot. The PC took this opportunity to create seven 125 square yard plots at Rattlesden Road and to clear unused land at Gedding Road to create more capacity. The cost of the works which included fencing and water supply was met by securing substantial external funding with no cost to the parish. The PC brought the rules of governance of the allotments up to date. New rules of tenancy were drawn up. The previous practice of the trustees being appointed by the PC every four years was reaffirmed with the requirement that one trustee be a parish councillor. The PC continued to set the rents, issue annual rental invoices and hold an allotment account separate from other council funds. The trustees submit an annual report to the Charity Commissioners

The role of the trustees as was handed down to Richard Edmondson by Christine Lambert is that they are in place to protect tenants interests and ensure that the land is maintained for the purposes for which it was given unless agreed by the Village to whom it was given originally.