

# 260113 – Item 17 - Allotment

## Disclaimer

This report has been produced using NALC's AI tool (NORA - NALC Online Resource Assistant), which is currently in BETA testing. The clerk has been asked to trial this tool as part of NALC's development process. The content of this report has been reviewed, checked, and verified by the clerk before being presented to the council.

Please note that while NORA provides information based on NALC resources and guidance, it should be used as a support tool only. All responses have been verified against trusted sources to ensure accuracy.

## 1. BACKGROUND

1.1 The Council owns the allotments at Ford Street.

1.2 At its meeting on 6<sup>th</sup> October, the Council resolved to award the Allotment Boundary Hedge and Plot Reinstatement Works Contract to Ellis Plant.

1.3 These works were commissioned to enable an existing plot to be reinstated and address the Allotment Association's overgrowth concerns.

1.4 The works were completed on 28<sup>th</sup> November 2025.

## 2. UPDATE ON WORKS COMPLETED

2.1 The plot is now ready for letting, subject to matters outlined in section 5 below.

## 3. CORRESPONDENCE RECEIVED

The Council has received the following correspondence:

### 3.1 Complaint from Allotment Holder

- Date received: 16/12/2025
- From: Allotment holder

*Dear Parish Council*

*Along with many other people in Moreton, I am quite upset by the hedge destruction which happened recently along the divide between the allotments and Maggie Pipe's land, with not a single tree left standing. I'm concerned about the devastation for wildlife as that hedge has provided shelter and food for all sorts of creatures including pied flycatchers which are now extremely vulnerable.*

*I have some thoughts and questions:*

- *My understanding is that the Parish Council (i.e., all Parish Councils) have a commitment, a statutory duty, to increase biodiversity.*
- *Has the Council signed up to the Biodiversity Action Plan?*
- *I understand that some saplings may be planted but nothing replaces what has been lost. We need to be treasuring every tree we have, surely.*
- *I appreciate that when a job is being quoted for, the temptation is to go for the cheaper price. But any time something is cheap there is always a cost elsewhere and that tends to be thrust*

*upon nature. This happens in food production, industry, everything. And it just happened with that hedge. The cost is to nature.*

- *Another thing, there is now nothing to break the wind that periodically howls through the allotments.*

*I appreciate that you all work hard, but I am just unutterably sad about the loss of that hedge and all the shelter it offered.*

### **3.2 Complaint**

- Date received: 06/01/2026

- From: Member of the Community Allotment

*Dear Moretonhampstead Parish Council*

*As a member of the community allotment I'm writing about the cutting of the hedgerow and its attendant trees in the allotment. I would like you to issue a rationale as to why the cut was done in such a way as to leave nothing, stripping back even beyond the base, with no apparent thought given to good practice in tree and hedgerow management, in terms of biodiversity, or habitat. Removing more than one-third of plant growth in a single session shocks the plant, leading to sparse patches or permanent dieback. The One-Third Rule in hedgerow management advises reducing the height and width gradually over 2–3 years rather than all at once to avoid shock. You could also have considered high pollarding of the trees.*

*Having now lost an effective and protective tree barrier, the allotment is now exposed to wind and other inclement weather conditions.*

*In the interests of transparency, could you please publish the brief you gave to the contractor, and any agreements signed off by the Allotment Committee with respect to the cut.*

*It does appear that no thought was given to nature protection and conservation, and it is important to register objections to this negligent approach given the nature crisis we are experiencing.*

*Moretonhampstead Parish Council needs to take this more seriously.*

Draft responses to complaints attached at **Appendix A**.

### **3.3 Offer from Trees in Time**

- Date received: 18/12/2025

- From: Trees in Time (local volunteer group)

*I hope this finds you well. A while back Rob and I discussed the Allotment hedge, along the lines of Trees In Time possibly replanting it after some work had taken place. I had a second and better look today.*

*Trees in Time do have a lot of oaks which can be planted, and we have a few other trees from Wellmoor which can be used (7).*

*The hedge would benefit from hazel as the roots will help bind the earth.*

*We don't have any hazel, but we do have £35,00 from book sales we can use to buy in some whips.*

*We also have some free eco tree guards and stakes . These come from the National Trust. We can also use some cut hazel sticks if we run out of sticks.*

*We will need to remove a lot of plastic and glass from hedge which is easy to do.*

***These are my questions:***

*When can we start planting? If the oaks aren't needed, I'd like to pass them onto various land owners in the Teign Valley through the Teign Tree group, who do want the trees asap but I've held off in case they are needed on allotment.*

*If we can have a date even a rough one , I can order in the hazel before they run out in nurseries.*

*The £35.00 we have probably won't buy enough hazel needed. Is there any way the Parish Council could provide £30? If not, we can raise more next year for whips . Whips are currently £1.29 from Hedges Direct on sale*

**3.4 Bank Collapse Notification**

- Date received: 28/12/2025

- From: Trees in Time

*We have taken a closer look at the hedge about 10% has fallen inwards, allotment side, so needs possibly rebanking on this side and stones re setting. We can plant on top but it's not very stable due to collapsed hedge in the middle. My suggestion would be to mend this part before planting. The rest can be planted once litter of glass and plastic has been removed which we are happy to do.*

**3.5 Metal Detecting Request**

- Date received: 03/01/2026

- From: Resident

With regards to the "NEW" allotment that has emerged from the hedge regeneration I was wondering if I could have permission to metal detect the new plot to see if there is anything there that would be of local interest before it is allocated to its new plot owner, obviously I follow all the rules for metal detecting and will disclose all if any funds that I make

**4. PHOTOGRAPHIC EVIDENCE**

**4.1** Photographs showing the condition of the hedge and plot before and after the works are attached at **Appendix B**.

**4.2** The photographs clearly show:

- The overgrown condition of the hedge before works commenced
- The extent of the works undertaken
- The current condition of the reinstated plot
- [If visible] Evidence of bank instability

**5. CONSIDERATIONS**

**5.1** Response to Complaint

The complaint should be treated as a matter against the council's body corporate. The Council should respond professionally, explaining the necessity of the works and outlining plans for the site's future management.

Relevant guidance: NALC advice note on Handling Complaints  
(<https://www.nalc.gov.uk/resource/handling-complaints-england.html>)

## 5.2 Bank Stability and Safety

The notification of bank collapse raises potential health and safety concerns. As landowner, the Council has a duty of care to ensure the land is not in a condition which might cause injury or damage to persons who could reasonably be expected to use it.

Considerations:

- The bank should be assessed by a qualified professional to determine the extent of instability
- Any remedial works required should be identified and costed
- Replanting should be delayed until the ground has stabilised (typically 6-12 months)

Relevant guidance: NALC advice note on Responsibilities of Councils as Landowners

(<https://www.nalc.gov.uk/resource/responsibilities-of-councils-as-landowners.html>)

## 5.3 Hedge Replanting Offer

While the offer from Trees in Time is generous and demonstrates community engagement, it may be premature to accept at this stage given the bank stability issues. The Council should:

- Thank the group for their offer
- Explain the need for the ground to settle
- Indicate the Council will reconsider the offer once stability is confirmed

## 5.4 Metal Detecting Request

The request to metal detect before letting raises both opportunities and considerations:

Opportunities:

- May identify items of historical or community interest
- Demonstrates good practice before significant ground disturbance
- Community engagement opportunity

Considerations:

- Requires written agreement with appropriate safeguards
- Insurance and indemnity requirements
- Time limits to avoid delaying the letting
- Ownership of any finds
- Requirement to leave land in good condition

## 5.5 Insurance Notification

Given the complaint and the bank collapse issue, the Council should notify its insurer as there is potential for claims relating to:

- Personal injury if the bank collapses
- Damage to property
- Any formal complaint that might escalate

## 5.6 Communication with Allotment Community

The Council should consider whether a statement to all allotment holders would be appropriate to:

- Explain the works undertaken and reasons
- Acknowledge the bank stability issue
- Reassure holders of the Council's commitment to site management
- Maintain transparency and good relations

## **6. FINANCIAL IMPLICATIONS**

**6.1** Budget provision for the completed works: [to be determined]

**6.2** Potential costs arising from this matter:

- Professional survey of bank stability: [to be determined]
- Remedial works to bank: [to be determined]
- Hedge replanting (if not undertaken by Trees in Time): [to be determined]

**6.3** These costs were not anticipated in the current year's budget. The Council will need to consider using reserves or vireing from another budget heading.

## **7. LEGAL/POLICY IMPLICATIONS**

**7.1** The Council has statutory duties as a landowner to ensure land is safe and properly managed.

**7.2** Any agreement with the metal detector should be in writing with appropriate legal safeguards.

**7.3** The Council's insurance policy requires notification of potential claims promptly.

**7.4** The Council's Allotment Agreement with the Association states:

### **3 THE Council shall**

(a) Ring-fence all rental income received from the allotment site for maintenance on the allotment site.

(b) be responsible for the maintenance of the boundaries of the allotment site

## **8. RISK ASSESSMENT**

Risk	Likelihood	Impact	Mitigation
Bank collapses causes injury	Medium	High	Commission professional survey; undertake remedial works; restrict access if necessary
Complaint escalates to formal claim	Low	Medium	Respond professionally; notify insurers; seek advice if needed
Replanting undertaken prematurely leads to further instability	Medium	Medium	Delay replanting until professional advice confirms stability

## **9. RECOMMENDATIONS**

It is recommended that the Council:

**9.1** Notes the completion of the hedge cutting and plot reinstatement works.

**9.2** Notes the correspondence received as detailed in section 3.

**9.3** Reply to the allotment holder who raised concerns, explaining the reasons for the works and outlining the Council's plans for future site management.

**9.4** Authorises the Clerk to thank Trees in Time for their offer to replant the hedge, but to advise that this cannot be progressed until the bank has had time to settle (approximately 6-12 months) and a professional assessment confirms stability.

**9.5** Authorises the Clerk to commission a professional survey of the bank stability at a cost not exceeding £[?], to be funded from reserves.

**9.6** Authorises the Clerk to notify the Council's insurers of the bank collapse and the complaint received, given the potential for claims.

**9.7** Agrees in principle to the metal detecting request, subject to:

- A written agreement with appropriate indemnities
- Proof of adequate public liability insurance (minimum £1 million)
- A time limit of four weeks for completion
- Agreement that any finds of potential historical significance are reported to the Council
- Agreement that the land is left in good condition and suitable for cultivation
- The Clerk being authorised to finalise the terms of the agreement in consultation with the Chair of Open Spaces

**9.8** Authorises the Clerk to issue a statement to all allotment holders updating them on:

- The completion of the hedge works and reasons for undertaking them
- The bank stability issue and timeline for resolution
- The Council's ongoing commitment to site improvement and safety

**9.9** Authorises the Clerk to write to the Allotment Association advising that:

- The hedge cutting and plot reinstatement works have been completed
- The new plot will be available for letting following [the metal detecting exercise/bank stability assessment/specify timing]
- Updates on the bank stabilisation will be provided as information becomes available

**9.10** Receives a further report on bank stability and remedial works once the professional survey has been completed.

## **Appendix A: Draft Response to Correspondence from Allotment Holder**

Dear [Resident Name],

Thank you for your correspondence regarding the recent hedge maintenance work at the allotments. The Parish Council appreciates your concern for biodiversity and understands your disappointment at the removal of the hedge. We would like to provide some context and explain the actions we are taking to address this matter.

### **Background to the Work**

The hedge in question had been in a deteriorating condition for some time and had not been routinely managed. The Allotment Association approached the Council to ask us to undertake necessary maintenance work on this hedge, which forms the boundary between the allotments and neighbouring land.

During our assessment prior to the works, we identified that the hedge contained several trees affected by ash dieback disease, which posed a safety risk and required removal. Additionally, the hedge was largely composed of holly. While holly does offer evergreen cover and can provide some benefit to wildlife, a hedge dominated by holly has a lower overall ecological value than a mixed native hedgerow. Holly supports relatively few insect species and produces limited nectar and pollen compared with native hedgerow plants such as hawthorn and blackthorn. As a result, it provides fewer feeding opportunities for invertebrates and for insect-dependent birds during the breeding season. In addition, holly's dense, evergreen growth can suppress other plant species, reducing the structural variety and plant diversity that are key to supporting a wide range of wildlife. For these reasons, holly-dominated hedges generally support less biodiversity than diverse, traditionally managed native hedgerows.

### **Discovery During Works**

Importantly, during the course of the maintenance work, it was discovered that the base of the hedge was unstable. We are grateful that this structural issue has now been identified, as it could have presented safety concerns if left unaddressed.

### **Our Response and Future Plans**

The Parish Council takes its responsibilities toward biodiversity very seriously. We recognise the vital role that hedgerows play in supporting wildlife and providing ecological corridors within our community.

We are now taking the following steps:

1. Stabilisation works: The Council will undertake necessary work to stabilise the hedge base to ensure it is structurally sound
2. Reinstatement plan: Once stabilisation is complete, the Council will develop a plan to reinstate and enhance the hedge with appropriate native species that will provide greater biodiversity value
3. Partnership support: We are pleased to have received offers of assistance from Trees in Time, who can help with replanting efforts to restore habitat for local wildlife

### **Parish Council and Biodiversity**

You raised an important point about parish councils' commitment to biodiversity. While parish and town councils do not have a specific statutory duty to increase biodiversity in the same way as principal authorities, we recognise our crucial role in promoting and protecting biodiversity within our community. Parish councils across the country are taking action through habitat preservation, green space management, tree planting strategies, and community engagement on environmental matters.

Whilst we have not formally signed up to a specific Biodiversity Action Plan, the Council is committed to considering biodiversity in all our decisions regarding green spaces and will explore developing our own local biodiversity policies.

We understand that replanting cannot immediately replace what has been lost, and we share your view that existing mature habitats should be treasured and protected wherever possible. However, we hope you will appreciate that the combination of disease, structural instability, and the request from allotment holders meant that action was necessary. Our focus now is on ensuring that the

reinstatement work creates a hedgerow that will, in time, provide greater ecological value and better serve both the allotment users and local wildlife.

We also acknowledge your concern about wind protection for the allotment plots. This will be a consideration in our replanting plans.

The Parish Council is committed to learning from this experience and to ensuring that future management of hedgerows and green spaces in our parish fully considers biodiversity implications from the outset. We welcome continued engagement with residents who share our concern for the natural environment.

If you would like to discuss this matter further or would like to be involved in the replanting efforts, please do not hesitate to contact the Clerk.

Yours sincerely,

[Name]

[Clerk/Chair of the Parish Council]

### **Appendix B: Before and After Photographs**



