

# 260203 – Item 16 - Allotment

## 1. BACKGROUND

1.1 At its meeting on 13<sup>th</sup> January, the Council resolved to

- **Approve** the response to the complaint drafted by the clerk and delegate final amendments to Cllr Fileman-Wright.
- **Authorise** 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).
- **Leave** the hedge to settle and review the bank stability in 6 months.
- **Agree** 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.
- **Authorise** the Clerk to issue a statement to all allotment holders updating them on the completion of the hedge works and reasons for undertaking them and the Council's ongoing commitment to site improvement and safety.
- **Authorise** the Clerk to write to the Allotment Association advising that the hedge cutting and plot reinstatement works have been completed and the new plot will be available for letting following the metal detecting exercise if applicable.

## 2. UPDATE ON AGREED ACTIONS

2.1 The agreed response was sent to the two complainants.

2.2 Trees in Time have been thanked for their offer and advised that the bank cannot be replanted for 6-12 months.

2.3 The metal detectorist has been informed of the council's decision.

2.4 The clerk has issued a statement to all allotment holders via the Allotment Association, as the council does not hold individual plot holders contact details.

2.5 The Allotment Association has been informed that all works have been completed and that the new plot will be ready for letting following completion of the metal detecting exercise.

## 3. CORRESPONDENCE RECEIVED

The Council has received the following correspondence:

3.1 Feedback on agreed response to Allotment Holder

- Date received: 17/01/2026
- From: Allotment holder

*Dear Parish Council*

*Thank you for your thoughtful email. Yes, of course I'd like to help with tree planting*

### 3.2 Subsequent Feedback

- Date received: 18/01/2026

- From: Allotment Holder

*Dear Parish Council*

*I had another think about this, and a chat with someone else who was equally shocked about the loss of the hedge. You didn't mention the oak tree that was cut down, there was nothing wrong with it, and it must have been getting on for 100 years old. I don't understand why that was removed and stand by my feelings that this was wrong. I also don't remember many ash trees along there but as I'm not sure, I'm not in a position to comment. I'm just so sad about the loss of trees. I appreciate the hedge needs to be rebuilt and then replanted but it will be many years before much wildlife is living there. So, I am still very disappointed, but very willing to help with tree planting.*

Draft response to complaint attached at **Appendix A**.

### 3.3 Complaint

- Date received: 18/01/2026

- From: Allotment Holder / member of Trees in Time

*Dear Moretonhampstead Parish Council*

*I am contacting you about the hedge at the allotment which I understand cost £6,600 approx. This is a lot of money for the job done. I'm aware that the average daily rate for hand held hedge cutting varies, in this area between £120 - £200 per day. This would have been a lot cheaper than the mechanised method and much more wildlife friendly.*

*Best practice for hedge cutting on Dartmoor is between January - Feb. The hedge on the allotment was cut before this time period. January - Feb is better for birds in terms of food access.*

*There was substantial burning of wood from the hedge. Was this part of the agreement?*

*Was an application made to Rural payments or similar for payment of the hedge cut?*

*What are the plans to address the middle of the bank which has collapsed?*

*Was a survey of the hedge undertaken prior to the cutting? If so, can I have a copy of this? There are a number of ecologists / tree surgeons or similar in Moreton who do free / reduced price for hedge / tree surveys? Devon Hedges also offer this facility. Whilst there was some ash die back in the hedge the majority of the boundary trees were healthy.*

*What was the reason for the cutting down of the old oak tree which could have been spared? This was where the local owl rested each night. I know this as it flew over the dale most nights. The owl has now ,moved elsewhere. It's profoundly sad that the owl has lost its perch in a town area which purports to be wildlife friendly. Holly too has its place in a Devon hedge and could have been more carefully cut back.*

*Trees in Time remain committed to replant however I feel I have to speak out about the cost value of the hedge, the quality of the of the work undertaken and that the work has had an adverse impact on wildlife. There were trees in the hedge which did not warrant such brutal removal. Every bird and every tree should be carefully considered in our decision making, especially at a time of wildlife destruction in the world . I feel we have unnecessarily destroyed trees and removed bird habitats unnecessarily in the management of the allotment hedge. The oak will not come back to his aged height in our life time.*

*If the hedge was the responsibility of the Parish Council, what is happening to the wood which has a monetary value?*

Draft response to complaint attached at **Appendix B**.

### **3.4 Feedback from Trees in Time**

- Date received: 16/01/2026
- From: Trees in Time (local volunteer group)

*Dear Sam, this is fine. Trees in Time may not have funds for all the trees but we will plant what we have in 6 - 12 months' time and put in up to £35.00 worth of trees plus the one we have grown.*

## **4. METAL DETECTING**

### **4.1 Metal Detecting Agreement**

- Date signed: 26/01/2026

**This Agreement** is made on 26<sup>th</sup> January 2026 between:

**Moretonhampstead Parish Council** ("the Council") of Green Hill, Fore Street, Moretonhampstead, Devon, TQ13 8LL  
and

**[Name of Metal Detectorist]** ("the Detectorist") of [Address].

#### **1. Purpose**

The Council agrees to permit the Detectorist to carry out metal detecting only on the new allotment plot at Moretonhampstead Allotments, Ford Street, Moretonhampstead ("the Land") for a period of four weeks from the agreed start date, subject to the terms of this Agreement.

#### **2. Conditions of Use**

The Detectorist agrees to:

- a. Conduct all activities safely and responsibly, in a manner that does not cause damage to the Land.
- b. **Reporting of Significant Finds:** Any finds which may be of historical, archaeological, or treasure significance must be reported immediately to the Council. Finds classified as Treasure under the Treasure Act 1996 must be reported to the local coroner within 14 days, and other items of potential historical interest should be reported to the Council and, where appropriate, the Portable Antiquities Scheme. No items of potential significance may be removed from the site without the Council's agreement.
- c. Leave the Land in a condition suitable for cultivation at the end of each session.
- d. Complete all activities within the agreed four-week period.
- e. **Restriction of Area:** Metal detecting is strictly limited to the new plot described above. Detecting on any other part of the allotment land is prohibited.

#### **3. Insurance and Indemnity**

- a. The Detectorist shall maintain public liability insurance of at least £1,000,000 for the duration of the activity and provide a copy of the certificate to the Council.
- b. The Detectorist agrees to indemnify and keep indemnified the Council against any claims, damages, losses, or costs arising from the Detectorist's activities on the Land.

#### **4. Compliance with Law**

The Detectorist shall comply with all relevant laws, regulations, and codes of practice relating to metal detecting, including the reporting of any finds under the Treasure Act 1996.

#### **5. Termination**

The Council may terminate this Agreement immediately if:

- a. The Detectorist fails to comply with any of the terms above.
- b. The Detectorist's activities cause damage to the Land.

## **6. Agreement Execution**

This Agreement represents the full understanding between the parties. Any variation must be in writing and signed by both parties.

**4.2** The clerk has been provided with membership insurance documentation.

## **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 Communication with Allotment Community**

The Council should consider whether to meet members of the Allotment community in person to discuss any concerns.

## **6. RECOMMENDATIONS**

It is recommended that the Council:

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

**6.2** Reply to the Allotment holders who raised concerns as detailed in appendix A and B.

**6.3** Consider holding an in-person meeting with allotment community

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

Dear [Allotment Holder],

Thank you for taking the time to share your thoughts regarding the recent hedge works. We appreciate your concern for the trees and wildlife at the allotments.

We would like to clarify the situation regarding the oak tree. The Council's intention was for the oak tree to remain in place, as we recognise its value to the local environment and as a perch for wildlife. Unfortunately, due to a misunderstanding between the pre-work meeting and the final contract issued to the contractor, the oak tree was mistakenly included in the works and was removed.

We regret this error and fully understand the disappointment it has caused. This has been a learning point for the Council, and we are reviewing our internal processes to ensure that any future works clearly reflect intended tree retention and environmental considerations.

We remain committed to enhancing biodiversity on the site, including reinstating and improving the hedge with appropriate native planting. We also appreciate your offer to assist with tree planting and would welcome your involvement when the replanting takes place in due course.

Thank you again for your feedback and for your continued support of the allotments.

Kind regards,  
[Clerk/Chair, Moretonhampstead Parish Council]

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

Dear [Allotment Holder],

Thank you for your correspondence regarding the recent hedge maintenance work at the allotments. The Parish Council greatly appreciates your concern for biodiversity and your ongoing support through Trees in Time. We welcome your feedback and would like to provide context and outline the positive steps being taken.

### **Background to the Work**

The hedge had been in a deteriorating condition and had not been routinely managed. The Allotment Association requested that the Council carry out necessary maintenance to ensure the safety and usability of the allotments.

During our assessment, several trees affected by ash dieback were identified, posing a potential safety risk that required removal. The hedge was largely composed of holly, which, while evergreen and providing some cover for wildlife, supports fewer insect species than a mixed native hedgerow. Managing the hedge now allows us to plan for a more diverse and wildlife-friendly boundary in the long term.

### **Timing of Hedge Cutting**

The Council understood that the best time to undertake the works was from November during the winter months, when disturbance to wildlife is minimal and practical site management can be safely undertaken. The work was therefore carried out in line with this timing.

<https://www.gov.uk/guidance/hedgerow-management-rules-cutting-and-trimming>

### **Oak Tree**

The Council's intention was for the oak tree to remain, recognising its value to wildlife and the local community. Unfortunately, due to a misunderstanding between the pre-work meeting and the final contract issued to the contractor, the oak tree was mistakenly included in the works and removed. We regret this error and understand the disappointment it has caused. This has been a learning point for the Council, and we are reviewing internal processes to ensure future works clearly reflect intended tree retention and biodiversity considerations.

### **Contractor and Process**

The contractor was selected as the lowest bid meeting the Council's tender specifications. The tender documents, which outline the agreed scope and requirements, are available to view at: [Council Meeting – 6 October 2025](#).

### **Wood Disposal**

We understand your concern regarding the burning of hedge material. The Council instructed the contractor to chip the wood, not burn it, and was disappointed that burning occurred.

### **Survey**

A visual inspection was undertaken prior to the hedge works, and the Council relied on the expertise of the contractor.

### **Hedge Stability**

While carrying out the maintenance, it was discovered that the base of the hedge was unstable. The Council is confident that, once the bank has had time to settle (approximately 6–12 months) and the roots take hold, the area will stabilise naturally, preventing potential future safety concerns. The bank stability will be reviewed in 6 months' time.

### **Positive Outcomes and Future Plans**

This work has allowed the creation of an additional allotment plot, directly benefiting those on the waiting list and supporting the local allotment community.

Looking ahead, the Council is taking steps to enhance the hedge and surrounding area:

- **Reinstatement:** Developing a plan to replant and enhance the hedge with native species to improve biodiversity.
- **Partnership Support:** Working with organisations such as yours to restore habitat for local wildlife.

### **Parish Council and Biodiversity**

The Council takes its responsibilities toward biodiversity seriously. We were one of the first parish councils to sign a Climate and Ecological Emergency Commitment, demonstrating our ongoing dedication to environmental protection. While parish councils do not have the same statutory biodiversity duties as principal authorities, we consider biodiversity in all green-space decisions and aim to enhance habitats wherever possible.

We hope you will see that, although the hedge looks different at the moment, the combination of regrowth, reinstatement, and new planting will result in a healthier, more diverse hedgerow and allotment area in the months to come.