

# Sheffield Allotments Story

## A MANUAL FOR IMPROVEMENT

Dedicated to Edie and Liz

### *LIBEL DISCLAIMER*

*None of the views and opinions herein are knowingly false.  
Most of the evidence was provided by the accused  
and is in the public domain.*

*The guilty party has seen the substantive elements and had many  
opportunities to respond, threatening to go to law at one point.*

I am motivated firstly by self-preservation,  
the fact that my life has been threatened.  
Secondly, I am legion, everyman with a conscience,  
so many people have been damaged by this regime.  
It's as if Organics has been taboo  
and institutionally discriminated against.

Sheffield's heritage and inheritance of access to  
land for the common people is something we should  
be proud of and celebrate. The travesty described  
in this document is an absolute insult to the City's  
proud tradition of enlightened public provision.

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# Occupied

## To the 'new' tenants

These two plots are already occupied, paid for and in use.

The City Council has mistakenly let them to you.

Please ring the Allotment Officer, John Martin, to confirm [0114 273 4528]. You'll be receiving letters to telling you that the plots have been let to you in error this week.

This mistake has caused upset to us after many years of reclaiming the site from complete neglect and will no doubt to you after you find that the efforts you have made over the last few weeks have been wasted.

Can you please refrain from uprooting any more plants that you think are 'weeds' or any other vegetation. The sleepers don't need to be returned to the pile in which they were delivered but please don't move them around anymore.

Regards

The Tenants

Over the past five years, hundreds of existing tenants have been threatened with eviction or been evicted. This policy has been short-sighted because there are just going to be more people on the waiting lists, but mostly has back-fired because for many people their allotment is what gives meaning to their lives and they are of course, prepared to fight back. (evidence Walkley Bank) This means that the allotments office has progressively antagonised

and alienated the very party which can improve allotments, the current tenants.

In this case, two plots had been let to new tenants, who spent two weeks working on the site before the existing tenants came back from holiday and realised they had been usurped. This completely breaks the DUTY of CARE, which the Council should always uphold

In another case, after six months establishing a derelict plot, the tenant was told that because the plots had been numbered wrong, he would have to start all over again on another site. After a struggle he managed to convey the common sense and remained, the number was changed and a new tenancy issued.

Hundreds of tenants have experienced attempts to evict them over the past 5 years, in a desperate attempt to reduce waiting lists by eradicating current tenants. The case of the mass eviction of the majority of tenants on the top area of Morley St produced masses of protest in response and has definitively not helped to renew the site.

This story begins when we started having conflicts with John Martin the Sheffield Allotments Officer, 4 or 5 years ago.

We have in fact known each other nearly 15 years from when my friend Richard and I approached the council about a change in use for an area of allotments that had long been derelict. (Fifteen years on that site is still abandoned). We arranged to meet the Planning Officer and John Martin and declared we intended to develop appropriate environmental projects.

Almost 10 years from that time both Richard and I had our own organisations with strong interests in the allotments. With Richard it was many diverse growing projects and for me it was waste recycling compatible with typical allotment activities, notably composting. The scale of composting undertaken by SOFI was up to 5 tons of leaves annually and for RECYC 20 tons of compost annually on our respective allotment sites.

We had some initial encouragement from the Council especially for largescale leafmould composting in 2000. Thereafter I found John Martin quite obstructive and I never understood why he would dismiss our plans when the object was to introduce thousands of pounds of funding. It would have brought a lot of improvements without altering the fact that the sites would still adhere to the object of cultivation. I assert that all those activities carried out in the interim benefited the allotments generally and I seldom received any complaints and none were substantive. I took the rules and more importantly the principles of the allotments to heart.

There came a time when the tenancy of an allotment held by a friend called John Mortimer was threatened with eviction. The allotment site was a shared project like so many others on the sites. In disputed circumstances, the allotment was lost and John Mortimer did not want to pursue the matter. This episode on top of previous disputes bothered a few of us and I wrote a poem about it. By happenstance I could write about John M and John M having a verbal dispute about keeping unfeasible rules and they both 'lose the plot' as it were. Months went by and I produced a small booklet of poems with that unnamed poem in it.

Johnny, Johnny, Quite Arbitrary,  
How does your garden grow?  
Some you like and some you don't,  
But mostly we don't know.

John M John M; You've lost the plot.  
How high should privet grow?  
The rule states 5 feet high  
"...But also 5 feet low."

John M, John M, Quite Arbitrary  
How can we keep the rules,  
Draughted in 1908.  
You must think we're fools.

John M, John M, ...about these Trees.  
Everyone has got them growing.  
'Your position is untenable.  
Its time you should be going.'

Some months after that I heard that a BBC film crew with Monty Don was coming to film on our allotment site Wednesday July 12 for Gardeners World and everyone was very excited. The reason for coming was that our site on Marsh Lane was seen as a good example for the city. Many allotment holders were busy like I was, tidying up their plots. My plot is open with no locks on the gate or shed. In the middle of the shed, I placed 3 booklets 'Poems for Friends' under a poster of Monty Don I kept from the days I was employed to promote composting.

When I next returned on the following Sunday I was told that my allotment was filmed for the program with perhaps even a mention of my glorious Gooseberry Bush. My neighbour Bernard Clarke had been the star performer as he showed off his Kalaloo and sweet potatoes. A very big moment for him. I however, was greeted on my allotment site by the horrible sight of my bright yellow booklets smeared into a big shit on the middle of a chair in the shed. The smell of shit was very strong as it was sitting a few days in the hot sun. It was still wet enough to make the thought of disposal, revolting I showed Bernard and Steve Marshall who were with me to confirm that it could not be an act of a drunkard, vandal or animal.

I lit a fire outside the shed and I burnt the lot, chair and all and it was all ashes in a few hours. It was a completely unbelievable insult to me after enjoying the allotment without trouble for seventeen years. I believe it was done as a statement. Nothing else was touched and there was no other indication of any wonton acts.

Now, I must think who would do this? What message am I to get?

After a few days after talking to some friends about this I phoned the police. (Crime Number 1305). I didn't share my suspicions at that time except to say that such acts could be repeated in more dangerous ways and nobody should be going around shitting on shed furnishings to intimidate people. I would report the incident to the Officer in charge of Allotments but He is the one who I suspect to have had a hand in this.

I believe the poem damages John Martins reputation even though it was done in fun and I wouldn't mind if he had read it. I also think he would be very angry to see it seen in print. I have felt in the next few days that I would find it extremely hard to approach him and maybe he knows this but I believe I know a few other things about the person who did this. I don't think it is the act of a person who had premeditated it. The shit would have been a spur of the moment thought by someone in a particular mood resulting in this gross act.

I had a chance to see him at the Sustainability Scrutiny Panel a few days later. I had previously shared my concerns to Bernard Little, the Green Party Councillor, and we were both able to sit and observe the Committee while they discussed allotment management proposals. I wanted to present John Martin with an edition of Poems for Friends but I felt I should not do it in the end. He did know I was there but he never made eye contact. I had had some advice to do nothing regarding the whole situation.

The next day, however, I distributed the poem to the pigeon holes of the Councillors on the Scrutiny Panel.

**At the moment I am planning to reprint the poem and distribute it at various allotment sites around the city. It is not a question about fair comment because it is about my friend John losing his allotment and his many quality trees in an arbitrary fashion and that's simply not right. ...and all that was in part because of what has been growing into a serious feud outside any normal rules of behaviour.**

**Barry New**

**August 20, 2006**

## ORCHARD ALLOTMENT TIME-LINE

|                      |  |
|----------------------|--|
| 1 / 04               | Letter to erect fence. Showed done = physical threat + threat to remove fruit.   |
| 6 / 04               | Letter to J Mort to clear plot – Cleared + hedges = No action  |
| 12 / 05              | Bob Chowdry cut / removed half. Stopped. J Martin on site in 10 mins. Threatened to “vandalise other half. RC response – “how can we work together?” ‘new tenants’ present |
|                      | BBC radio contacted RC and interviewed. Broadcast at 7.15 am not repeated due to Council intervention.   |
| 29/1/06              | Contradicted Fed President (“not happy with 53 events” K McMaster meeting)   |
| 16/4/06              | M Taylor verbal threat to “evict from all allotments in Sheffield”   |
| 5 / 06               | Police presence at Crookes Quarry  |
| July /06             | Submission to Scrutiny Board via Green Councillor B Little   |
| 12 <sup>th</sup> Aug | 20 CQ let to Patrick   |
| 15 / 9               | Meeting + M Bagley at 20 CQ – offer to resolve 53 - JM/RC/SOFI   |
|                      | MB letter - Not to J Mort / RC / SOFI - Remove by end Nov<br>- Police because moved fence / new wanted to plant Blackberries ( 8 already present on site)                  |
| 8/11/06              | Call to Mark Ellis – Let 53 rather than destroy  |
|                      | MB instruction to MT / JM to let to new tenant   |
| 28/11/06             | Request to A A for Appeal /Review<br>– response laughter / should come from Fed.   |





**Hedge Hassle** In January 2004, I cut down a 15 foot long stretch of the internal hedge on plot 53 Hagg Lane. I had been responsible for cutting it for the past 12 years because the neighbouring plot had not had a tenant for that period. I cut the hedge using loppers down to about 4 foot, so that future maintenance, when the hedge regrew, would be easier for myself and/or my neighbour.

I was shocked to receive a letter from the Allotments Department instructing me that I had cut the hedge too low and should erect a fence. I fully accept and abide by the rule that external hedges should be cut down to 5 foot to allow inspection ( e.g.by police), but had never heard of a case where hedges had to be kept up to 5 foot. Many hedges on surrounding plots have been 8-10 foot high for years. I complied with this request within 2 days to the best of my abilities to avoid further action by the Allotments Dep't.

On the 19<sup>th</sup> January, I was on this plot when the Allotments Officer entered the plot and began haranguing me for having cut the hedge too low. I explained that the hedge would re-grow and I had responded swiftly to the instruction to erect a fence. The Allotments officer told me I had 'gone too far and would not get away with this'. I asked him to leave my plot as he had entered without my consent. He said he had a 'right to enter any plot at any time' and raised his fists in an aggressive manner, which I backed away from. He then said that he could 'evict me from these plots whenever he liked because I had planted fruit trees'. I explained that there was no prohibition on planting fruit in allotments law and left the site.

To me this illustrates the Allotments Officer intervening to create a dispute between neighbours where none existed before. Shortly after this, an 8 foot high wooden fence was erected on my neighbour's side of the fence, paid for and erected by the Council, which is still there and makes it hard to cut the hedge at this point. The whole of this internal hedge is now at 5 foot.

I hoped that this was the last I would hear about this – the hedge would obviously regrow and surely the Officer had better things to do. But two years later, he has now carried out his threat to evict and used tax-payers money and valuable allotment resources to destroy part of this once beautiful orchard allotment.

19<sup>th</sup> January 2004



5<sup>th</sup> Jan 2006

Dear Gail,

I am writing to you in your capacity with the Ranger Service. I imagine that this enquiry is covered by the Freedom of Information Act.

I am hoping you can clarify matters and reassure me.

I enclose an account of an appalling event, which I am still finding hard to believe or come to terms with.

I have to state unequivocally that in no way do I hold either you or Bob responsible for what happened. And I only feel the need to contact you now to prevent such a catastrophe happening again, which has been threatened.

- 1) I would like you to confirm that you are actually the line manager for the Ranger who carried out this work.
- 2) Could you also give me some reassurance that in future, Rangers working on allotments will be encouraged to report to their line manager when they are given instructions which they question?

Please call me for more information.

*Richard Clarke*





was capable of producing 200 lb / 100 Kg of fruit in a good year! Four large trees have been cut at ground level – 2 Walnuts / a Cherry / a Gage. Eight smaller trees ( Hazlenuts / Medlar ) have been dug out. They would have been burnt but were saved for replanting.

No doubt there has been a huge rise in demand for allotments. The solution to this is not to evict current tenants. Within half a mile of this site, in Rivelin valley, Sheffield City Council has more than 500 empty allotments.

The tenant who has been evicted without his knowledge would very much like to maintain his 10-year tenancy. If he had been given the opportunity, he would have been able to explain that any lack of maintenance this year was because of crippling Gallstone attacks which led to his hospitalisation for a month. He was actually in hospital for surgery when the orchard was being cut down.

He has reported his displeasure to the Allotments Officer, but was not informed of any systems for appeal or complaint.

The “new” tenants, who had signed a tenancy agreement according to the Officer, wanted it precisely because it had established fruit trees growing on it. The Allotments Officer justified cutting the trees down because other prospective tenants had rejected the plot ( or possibly because they recognised that it was still being used).

The worker who actually chopped the trees down, who is actually part of the Ranger service, explained that he had been reluctant to remove what were obviously healthy and productive fruit trees and questioned his instructions, but had been ordered to proceed. He explained that he would only clear a site if it was untenanted and that the Allotments Officer had told him that the rent had not been paid and the eviction process had been completed, neither of which were the case. He described the position he had been put in as “political” and that it made him feel like a “nazi”.

The Allotments Officer stated that the bill for the plot had not been paid. The tenant did pay his rent for the year, as he has done for the past ten years. He did not sign the card notifying the Council that a tenant wishes to terminate the tenancy. The Allotments Officer stated that there was no right of appeal and neither did he explain any complaints procedure.

Geoff Stokes of the National Society for Allotments and Leisure Gardens explained the relevant legal points. The Council is expected to have a reasonable eviction process which must take into account the tenant's personal circumstances. If the Notice of Eviction has not been received by the tenant, the procedure is not reasonable and therefore invalid. For this reason, his judgement was that it sounded like 'criminal damage' had been committed in this case. The 1922 Allotments and Smallholdings Act, which is the most recent relevant legislation, states that plots should be cultivated with '*vegetable or fruit*' crops, which means that a plot which is only fruit is perfectly legal.

Sharing allotment plots has been an established as a precedent when co-tenants co-operate. In this case, the Allotments Officer was sent a letter requesting that in the event of the death of one tenant, would it be possible for the other to have first refusal, so that the whole double plot could be kept intact. He had also visited the combined plot several times and should have understood that the two plots had been combined into one, by mutual consent of the two tenants.

This episode has been exacerbated by ineffective communication. The situation could have been avoided by a phone call or simple letter direct to the tenant or to the co-operative neighbour. The standard letter most tenants have experienced threatens eviction but does not explain what action must be taken to avoid losing the plot.

For many tenants, this is the only contact they have with the Allotments Department, which creates much concern and misunderstanding.

In previous years, the established procedure included the posting of the Notice to Quit at the allotment itself. This means that if someone had moved house, they would still have the opportunity to discover that eviction proceedings were underway. That did not happen in this case.

Tenants are not treated as customers. They have experienced a culture of fear and discrimination in their dealings with the Allotments office for many years. Innumerable tenants have complaints against the Department, but are either intimidated by the threat of retribution or are sceptical that anything can be achieved by pursuing this option. The Local Authority need to acknowledge that allotments are primarily a HUMAN system, which

After complaining to the Parks Dep't, I made a formal complaint to the full Council, which just referred me back to the same place for a formal response and an informal threat to "remove me from all of Sheffield's allotments".

[illegible]

GM Taylor  
Community Resources Team Manager

12

# Orchard Allotment Matters arising – Fruit / Evictions / Customer Service

- The orchard allotment had been in existence for 10 years. All the plants on site had been there for that long.
- This plot was not cultivated for ten years prior to our taking it in 1995.
- It is a boggy site, a very difficult soil to grow annuals in, fruit most appropriate.
- The system for informing tenants that they need to do something to improve the state of their plots failed in this case. Letter is unclear about what to do.
- In this case, that letter was sent more than a year before action was taken, during which time the tenant paid the rent.
- It was a reasonable assumption that the actions taken that year (cutting internal and external hedges and weeding) were sufficient to satisfy.
- The tenant was not contacted to improve his plot in 2005.
- The tenant did not receive Notice to Quit or Notice of Eviction.
- No notice was posted on the gate at the plot.
- No effort was made to contact the tenant, who lives at the same address with the same phone number as he has done for the past ten years.
- There is no appeals procedure available for decisions made by an individual.
- New tenants are put into a difficult situation, knowing there is an ongoing dispute.
- Maintenance. Most of the site was covered with ground-covering perennials, such as Strawberries, Blackcurrant, Loganberries, Boysenberries, Arctic Raspberry, Creeping Comfrey, Sage.
- The tenant found it hard to do his usual maintenance because he was suffering from gallstone attacks and was actually hospitalised two weeks in Apr
- The tenant was recovering from an operation to remove his gall bladder when he found out about the destruction of the fruit trees. When he called the Council office to complain, he was told that he had been evicted and therefore had no rights in the matter. He was not informed of a complaints / appeal procedure.
- Allotment law states that tenants may grow vegetables OR fruit.
- The “new” tenants wanted the plot precisely because it had established fruit.
- The trees were destroyed without asking the “new” tenants.
- There were and still are fruit trees growing on both the neighbouring plots.
- The plants which were dug up and chopped down were the property of Richard Clare and he has receipts to prove it. The Council is legally obliged to compensate tenants evicted without good reason. Compensation should be due for the replacement value of the fully grown trees.
- The two tenants of these two plots ( for ten years) had notified the Allotments office in writing, in 1999, that they wished it to be understood that they were effectively sharing both plots. The Council officer was fully aware that the two tenants shared these plots. Council policy is to accept that people share plots, as when a husband and wife share, but this needs to be formal, not arbitrary.
- Other long-term tenants have been evicted without a reasonable process.

## FACTUALLY ACCURATE RECOLLECTIONS Feb 2006

I have found it necessary to create a diary record of events, so that I can develop a clear picture of what's going on.

My first comment is on the level of mental stress entailed, which would be 20 % of the time I am conscious of the issue and distressed by it...

Mike Taylor sent two very similar letters one week apart, presumably in responses to:

- 1.meeting counsellor Jillian Creasey and
2. my Feedback to the Council, which requested protection from the threat to "evict me and vandalise" the other half of the orchard allotment.

- Mike says first that he is responding to letters I have written to him.

I have had NO communication with him and have made NO complaint at this stage

- The letters claimed that there were willows, which there categorically were not. This is an established obsession of the Allotments Officer, but he is wrong in this case and his manager has just accepted what he has been told.
- These letters state in black and white that the Council proceeded to evict John Mortimer AFTER they had established that he was ill. This makes the Council seem rather soul-less, but is again UNTRUE.
- The Allotments Officer was shocked when Mr Mortimer phoned him to complain and had obviously been unaware that Mr Mortimer had only just been in hospital to have his gall-bladder removed.

Mike quotes the 1908 Allotment Law prohibiting tenants from growing anything which occupies the soil for more than one year. As a response to my request for protection from the allotment officer's threat, this simply confirms that I have a Sword of Damocles hanging over my head. If Council policy is applied consistently, a large proportion of present tenants should be living in fear of the same action!



On Sunday 29<sup>th</sup> January 2006 I had a very pleasant and constructive meeting with Kim McMaster, the new Chair of the Allotments Federation.

Her attitude seemed to be that she was the democratic representative and that the Allotments Officer should be fully accountable to the Fed.

She specifically reassured me that the Federation was not happy with what had happened to the orchard allotment and would continue to pursue the matter since it was obviously not yet concluded.

I phoned the office of the Head of Department to request to be able to make a short presentation about Permaculture in Sheffield. This was meant as a positive way to rise above the immediate issue and focus on the future.

On Thursday 2<sup>nd</sup> Feb at 4.30, I received a call direct from Mary Pagley.

She insisted that she was well-versed in Permaculture and was keen to promote community orchards. I was impressed because she knew of the Ponderosa.

She did concede at one point that managing 3000 tenancies was a big job for one person and explained the financial allocation (c. £ 6 per plot).

I explained that SOFI had attracted £20,000 into allotments for the Green Gym and the Womens' Organic Community allotment. I also mentioned that I had helped LEAF to become a £30,000+ community project and Greenfingers a £300,000+ investment in allotments. I did not mention the problems I know LEAF has had nor the allotment officer's suggestion to Greenfingers to buy their own piece of land nor the 9 month delay for the Sure Start allotment on Firth Park, just to mention a few recent issues...

She was keen to resolve the orchard vandalism issue and explained that according to reports from her officers, the matter was now at a close. I pointed out that the reality on those allotments was that the matter was far from closed and that Council officers communications had, if anything, exacerbated the problem.

She then mentioned that I was still tenant of two allotments, as if this was some kind of consolation. I did not remind her that there is no limit on the number of allotments one individual may hold.

She also enquired about my relations with neighbours, to which I explained that I have more than 100 friends and allies who have allotments.

I did not say that this sounded like an attempt to smear my character and why would officers who had acted properly need to convince their line manager that I am somehow guilty of something. At the very least this is an admission that they are defending themselves by attacking me.

I have been in situations where the victim has been criminalized by the offender to justify the offence, but surely this would appear so obvious to anyone.

She understood that the version of events she had been presented with was not accurate, because I told her that there were no willows as stated, and because she had been told that the Allotments Federation had accepted that the matter was resolved, which Kim McMaster had specifically contradicted only 4 days before.

Mary had been informed by her officers that I had mounted what sounded like some kind of media and political campaign. In fact, in the absence of any established appeals procedure, I had gone to the Green Party councillor who agreed to represent me, understanding how upset I was by the matter. Radio Sheffield contacted me in response to a letter from someone who'd heard about the vandalism. Lucy Ashton from Sheffield Star was very interested and thought there was a story, until the Council told her that because I wasn't the tenant, there was no story.

I tried to reassure her that I was currently and had been very restrained and had not contacted any further media so far.

I explained that I had worked in collaboration with the allotments officer and the Council for ten years and had consistently contributed to allotment culture and the community sector.

She said she would get back to her officers for further clarification.

I had to request and then insist on being permitted to send my papers describing events, so that my side of the story would be represented by my own words, rather than relying on the imperfect version presented by the Council officers. Mary told me that she was very ecological and would prefer if I did not waste any more paper sending her my version of events. This seemed cruelly ironic, trying to save 12 sheets of A4 paper when those fruit trees would have

produced hundreds of pounds of fruit. However it was also a very gentle attempt to deny me a fair hearing.

At the end of the conversation, which lasted approximately 40 minutes, I blurted out that as an individual, I was still fearful of what may happen next. Then I explained that this was partly founded upon the threat of physical violence that the officer had displayed on 29<sup>th</sup> Jan 2004, when he was telling me off for cutting an internal hedge too low and also when he issued the original threat to evict and cut down fruit trees on the orchard allotments.

I knew this was a mistake as soon as I said it , because she suddenly became very decisive and stated that this was something she would have to investigate. I explained that I had no evidence and requested that she should not take this issue any further.

If she does, she will simply be met by more accusations against me, and may be joining in with the option of criminalizing the victim to try to gag me.

In one sense, I believe this would be a breach of confidentiality, because in the other sense it makes me more fearful of further vindictive action simply to justify the previous offences.

Now I want to send all this to Bob Kerslake, partly as some kind of insurance in a paranoid bureaucratic world that I don't really (want to ) understand. I want to ask him if he can save Nicky Campbell and the Watchdog team the effort by intervening and revising the Council's policy to approval rather than butchery of fruit trees.

Surely this original fact of biocidal vandalism still stands and would be an obvious scandal to anyone.

It's still a potential PR time bomb.

# Funding Application: 'Access to Allotments'

## VOLUNTEER ACTIVITIES

- Members of the general public who are interested in the health benefits of organic food growing will be offered the opportunity to visit the allotment sites of active SOFI members to find out more about the subject. This will operate as a signposting and networking service to promote allotments and the health and therapeutic benefits available.
- They will also be informed about the visiting speaker programme, which will extend their interest and knowledge of the subject and related issues.
- If visitors are willing to join in with practical activities, they will be able to arrange to volunteer to do practical activities on these allotments. Many people are excluded from participating in allotments culture because it can take several years to obtain an allotment. This scheme will provide the chance for prospective allotmenters to find out more about the practical realities of food growing on allotments and hopefully lead on to them taking up tenancies on empty allotments.
- Established and regular volunteers will act as guides and mentors to new visitors, explaining the nature of the activity and encouraging them to participate in exercise and nutritional activities. SOFI has an existing base of volunteers qualified in care work and mental health, who will be available to mentor new volunteers.



## Publicity / Information Costs – itemised list

SOFI already possesses computer and printing facilities which will be used to reproduce publicity and information materials for distribution to visitors and volunteers.

| ITEM                                     | COST    £ |
|--|-----------|
| Printer Cartridge for Brother Lazerjet   | 60        |
| Stationery - Paper x 4 Reams + Envelopes | 20        |
| Postage – Stamps                         | 20        |

### Speakers and Tutors

SOFI has access to a variety of experts who are interested in contributing to a programme of talks and presentations. This would be publicised and used as a means of encouraging more people to attend the visiting and volunteering opportunity on Sunday afternoons. This element has been budgeted for at £50 per speaker, but we should be able to extend the range of speakers, by requesting that they accept a £30 fee and some may be willing to waive their fee.

| Speaker Name          | Area of interest  |
|-----------------------|---|
| 1. Janet Alton        | Medical Herbalist   |
| 2. Darrell Maryon     | Horticulture tutor at Heeley Farm                                       |
| 3. Sally Goldsmith    | Singer ( did Plotters CD about allotments in Sheffield)                 |
| 4. Matt Black         | Poet  |
| 5. Stephen Watts      | Local food foraging   |
| 6. Diane Cocker       | Support worker at LEAF project Parsons Cross                            |
| 7. Helen Warburton    | Manager of the Greenfingers Therapeutic Gardening project at Burngreave |
| 8. Georgia Litherland | Yoga teacher  |
| 9. Brane Zilovich     | Biodynamic Nutritionist at Freeman College, Merlin Theatre              |
| 10. Matt West         | Beanies Wholefoods  |
| 11. Sue Bodnar        | Runs Meersbrook Community allotment                                     |





Although I knew I was “public enemy No.1”, having presented enough evidence to get the Officer suspended in any reputable organisation, I still wanted recognition that this was the case. I submitted this bid knowing that it may be refused by the Officer, but wanted to make the point that the community-oriented policy which I had been part of in the ‘90’s was still an effective solution to the log-jam in lettings, so that someone could join a group tomorrow instead of waiting 10 years on the Council lists

## April 2006 Positive Publicity for Growing and Allotments

### A growing passion for a vegetable plot

INTEREST in gardening is booming with more young people leaving than ever to produce herbs, fruit and vegetables at home or on an allotment. But how do you get started if you have the enthusiasm but lack the knowledge? Health writer Kate Lathin reports.

RICHARD Clave has spent 20 years as an organic gardener in Sheffield, teaching allotments in Crookes and gardens in the Upperthorpe and Netherthorpe areas.

Over the years the 40-year-old has acquired a detailed knowledge of how to produce all sorts of unexpected delights such as green beans and celeriac and many more, which are rarely ever found in the shops.

But Richard doesn't want to keep the knowledge he's acquired to himself and is passing on his skills to those who share his enthusiasm, but lack the know-how about getting started.

He's been involved in many community projects, including the planting of an orchard at Pendennis, off Crookes Valley Park, 10 years ago.

He's also helped people in France, China and elsewhere in the city to make their own greenhouses and more pleasant to live in.

Now he's teaching a selection of both theoretical and practical classes for beginners who want to learn how to grow organic food.

The popular, classroom-based course, which includes theoretical, practical, growing, sharing, and giving away plants to encourage his students' enthusiasm.

Richard's idea was to start an outdoor course this month to show how to tackle the practical side of growing. Participants will be able to get their hands dirty as he is offering starting-up meetings to be held on an allotment.

"There is a growing interest in gardening. A lot of people have a go and try it," said Richard. "You can specialise in herbs, fruit and vegetables, try about having it in a pot and taking the next step forward."

**Garden guru: Richard Clave**

He wants to give people the benefit of his experience as he says while books can help they don't always answer all the questions or relate to local soil and growing conditions.

Sometimes it's just about seeing someone who's been there and done that about how to tackle a problem, such as how to deal with pests without using chemicals.

On his own allotment Richard will be the help of volunteers who are inspired by putting in some time and are rewarded by being given free produce to take away at the end of the day.

"It is nice to give something tangible," said Richard. "It's also about stepping into their enthusiasm."

He expects his greatest achievement has been to train people in gardening who've later moved on to get full-time jobs.

He also says that growing your own food can help you to save money and give you a sense of achievement.

It's a way of getting variety in the diet, which helps boost health, even in a small way.

"Even if you just grow some salad leaves and then use them to make a sandwich you're doing yourself some good," said Richard.

In fact he says that for the most part, the mental and spiritual benefits of being close to nature are the most important.

At Richard's Wednesday evening class in Wilkie's, it's clear that he's inspiring the group mostly in their late 20s and 30s, who take a keen interest in his talk, with a session on growing and using herbs.

Some have come along to the course as they want to know how to make better use of their back gardens, while others have recently taken on allotments or are involved in community gardening projects and want to gain the knowledge to understand the subject better.

Mary Booth, who lives in Wilkie's, has helped out on her parents' allotment and is keen to learn more and learn how to make the most of her own garden.

The 28-year-old said she's enjoying the course and that she's started a lot, which she's now keen to put into practice. "I'm enjoying it and I want to learn more," she says.

Sandy Wright, 28, from Crookes, is taking on an allotment with friends, as he wants to grow his own fruit and vegetables and learn about how to get started. "The course is great and I have learned a lot," he adds.

For more information on Richard's practical courses, which start after Easter, contact him on 0114 280071.

### Green fingers: Andy Wright of Toyne Street, Crookes checks out his organic weeds. He is taking on an allotment with friends

**Picture: Gary Richardson**

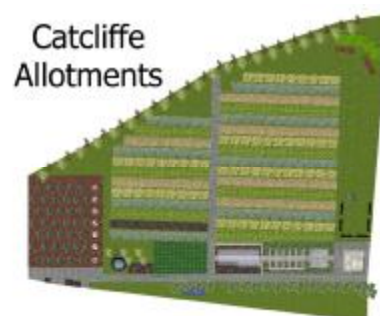
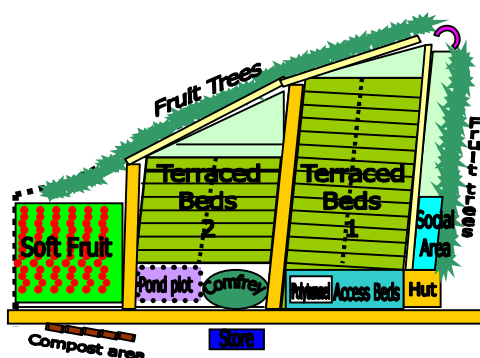


# DESIGNING AN ALLOTMENT SITE

I shall remember 2006 as the year I got my dream job, designing a whole allotment site. I've spent the last 20 years working my way up the organic horticultural ladder to the point where I had sufficient experience and wisdom to provide authoritative consultancy to a community partnership.

My unique selling point is that I've always combined genuinely sustainable organic practices with community and therapeutic benefits. My focus has always been on food because this has the greatest potential to engage people in the process of growing.

Approaching the study reminded me of the dozens of plots I've helped to clear and develop over the years. You learn to read the landscape of allotments, their history and archaeology, and know from first-hand experience what techniques are most efficient, the path of least resistance.

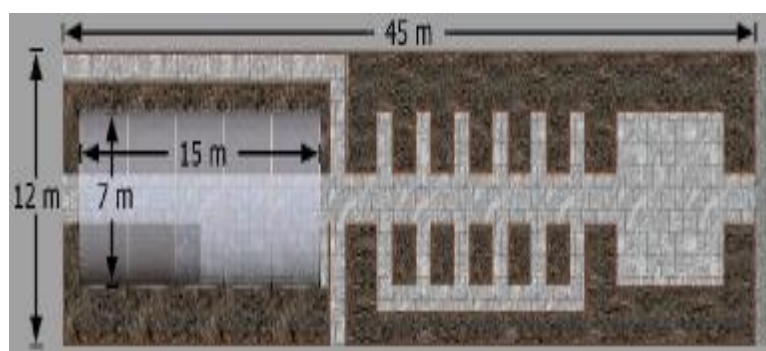


The current and ongoing crisis of allotment provision in Sheffield, where hundreds of plots have been derelict and deteriorating for decades and hundreds of people are on long waiting lists, has created a situation where it is now necessary to open up new allotment sites. Attempts have been made to force more people onto viable sites but this caused much disruption to existing communities.

This made me realise that my next customers might be farmers, landowners and developers who could see the actual market opportunity in providing allotment sites. Depending on the level of investment and what people are prepared to pay, I predict that the model for these could range from a caravan site to a country club.

People often compare allotment rents to the cost of housing and are therefore prepared to pay a lot for a plot. The market equivalent can be judged relative to a proportion of people's food budget or what they are prepared to pay for a similar leisure opportunity, such as gym membership.

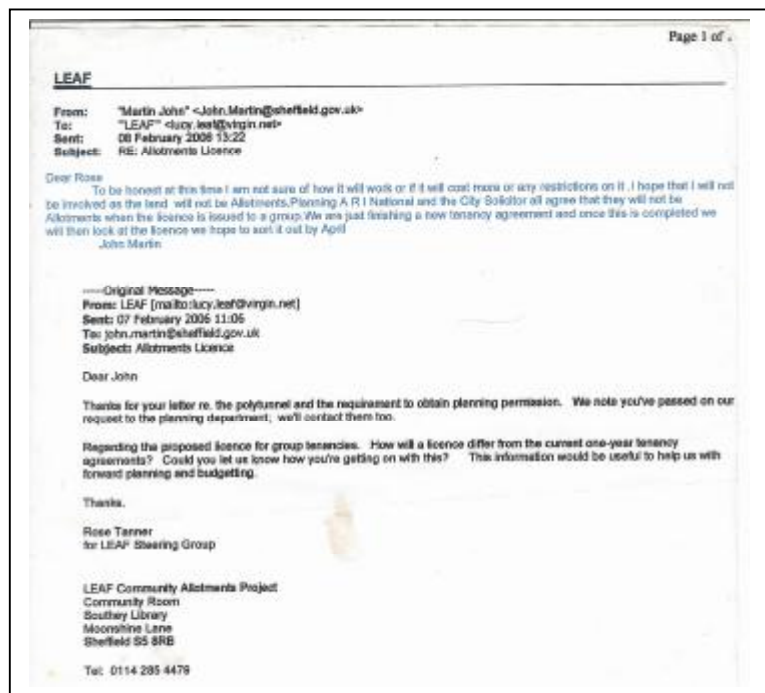
I really appreciated being able to collaborate with specialists such as Elm Farm Organic Research who provide soil testing services. I was also able to employ a 3-D graphic artist to generate a virtual representation of the design and detailed diagrams of features. This helped to realise what was in my imagination and communicate it to community and funders alike.



# THE LICENSING ISSUE.

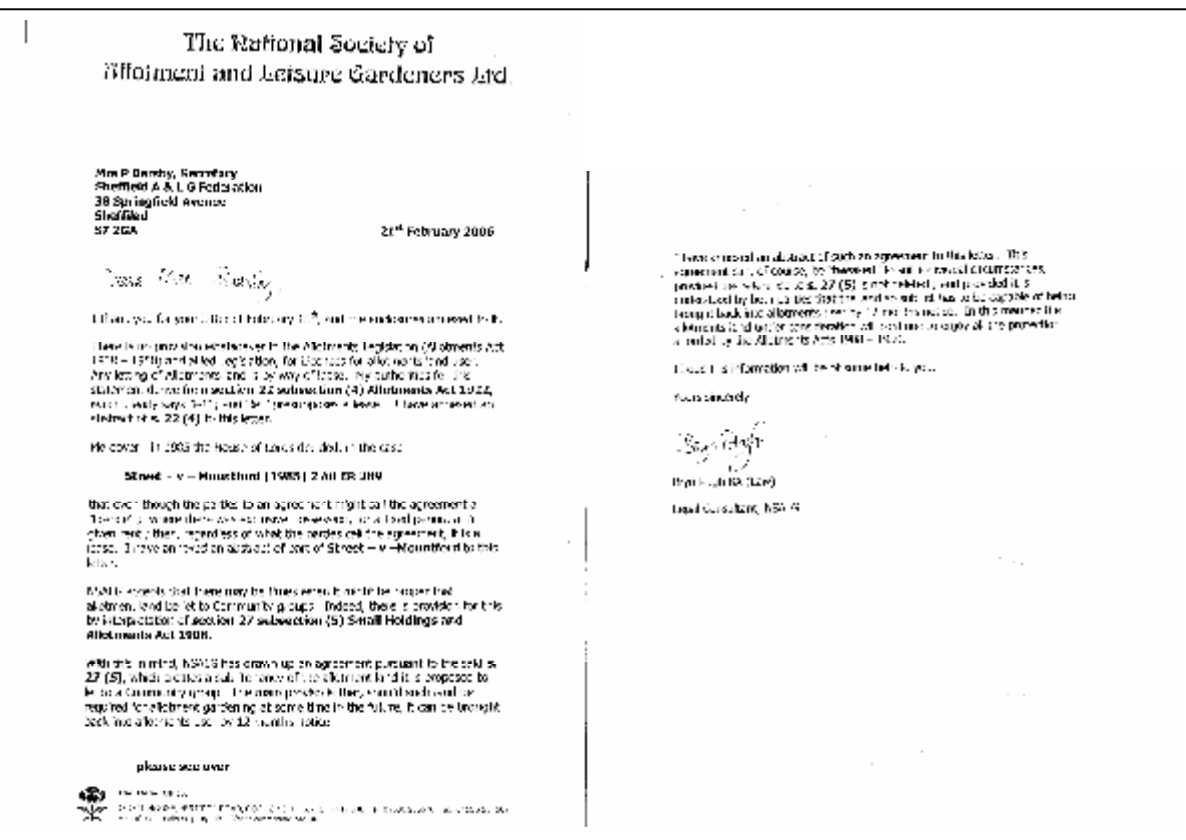
A license could legitimise group activities and formalise the sector. The document presented was a series of petty Prohibitions, not the basis for productive collaboration and co-ordination.

Although touted as a launchpad for groups, the issue is unresolved more than ten years' discussion and has effectively closed down any recognised community sector.



In order to operate a group, land would have to be taken out of Statutory control, by the Secretary of State..... This was an attempt to equate running a group with housing development, the main threat to allotments in the past.

The best legal advice in the country was that there is no precedent for Licensing groups and that the whole idea is legally meaningless.



# THE TENANCY

**Much of this document directly contradicts national law and legal precedents.**

**It is a catalogue of the obsessions and psychopathology of one individual, based on a career founded on exploiting the vulnerable and bringing the public service into disrepute.**

**How could any tenant ever be expected to understand the 3 ½ thousand words it contains? Despite 5 years' supposed community 'consultation', no amendments were accepted.**

AGREEMENT BY THE SHEFFIELD CITY COUNCIL FOR LETTING AN ALLOTMENT GARDEN – DRAFT 7

THIS AGREEMENT is made the                      day of                      2006

BETWEEN

- (1) The Sheffield City Council ("the Council") and
- (2) (name of tenant) of (address) ("the Tenant")

NOW IT IS AGREED as follows:

## 1.0 AGREEMENT TO LET

The Council agrees to let and the Tenant agrees to take the Allotment Garden (numbered) in the register of Allotment Gardens kept by the Council and containing in the whole approximately                      metres ("the Allotment Garden") on a yearly tenancy from (date) [subject to the exceptions and reservations contained in the lease under which the Council holds the land] at the yearly rent of £                      payable [quarterly] (in advance) and at a proportionate rent for any part of a year over which the tenancy may extend.

## 2.0 DEFINITIONS

- 2.1 Allotment Garden/s means any land dedicated by the Council as an Allotment Garden under the Small Holdings and Allotments Act 1908 and 1950.
- 2.2 Allotment Site means any Allotment Garden or grouping of Allotment Gardens whether or not served by a path causeway balk walk or road dedicated by the Council for use as Allotment Gardens under the Small Holdings and Allotments Acts 1908 to 1950.
- 2.3 Amenity Charge means the charge levied by the Council in accordance with clause 3.2 of this Agreement.
- 2.4 Authorised Officer means any Officer of the Council duly authorised by the Director of Parks and Countryside.
- 2.5 Agent means any Agent authorised by the Council.
- 2.6 Barbed wire means any barbed or razor wire or any similar wire or product used to secure the Allotment Garden or deter persons from entering the Allotment Garden.
- 2.7 Business means any trade or business whatsoever whether or not carried out with a view to making a profit and further includes making use of the Allotment Garden Site for the purposes of supplying goods services or produce from the Allotment Garden to a business or for sale to an individual. Trade or Business shall be construed to include use of the Allotment Garden or Allotment Site as a Market Garden.

- 2.8 Building means a permanent or temporary removable structure of a type, size and design approved from time to time by the Director of Parks and Countryside.
- 2.9 Director of Parks and Countryside or reference in this Agreement or associated correspondence to the Director means the Director of Parks and Countryside or such other officer of the Council who may in the future assume responsibility for Allotments and allotment tenancies or an Officer of the Council authorised to act on behalf of the Director under the terms of this Agreement.
- 2.10 Market Garden means use of the Allotment Garden or Allotment Site or any part thereof for any Business or Trade and in particular the growing of fruit or vegetables for sale to the general public.
- 2.11 Special Conditions has the meaning given to it by Clause 3.23.
- 2.12 Words imparting the masculine shall be deemed to include the feminine and neuter and vice versa.

### 3.0 TENANT'S AGREEMENTS

The Tenant agrees with the Council to observe and perform the conditions and obligations set out below. The Tenancy is subject to the rules made or to be made by the Council under the Small Holdings and Allotments Acts 1908 to 1950.

#### 3.1 Rent

The Tenant must pay the rent of \_\_\_\_\_ per annum a maximum of 9 months in arrears and a maximum of 3 months in advance within 14 days of a written demand to the Director of Corporate Resources at the Town Hall on the first day of January in each year or such other date as the Director may from time to time decide.

#### 3.2 Amenity Charge

With the intention of recovering the cost for the time being incurred by the Council in providing certain amenities for the benefit of the Allotment Gardens of which the said Allotment Garden number [ ] forms part which amenities are more particularly referred to in the Schedule hereto a further amount (hereinafter called "the Amenity Charge") shall be payable by the Tenant in accordance with the following conditions:

- (i) The Amenity Charge shall be payable a maximum of 9 months in arrears and a maximum of 3 months in advance within 14 days of a written demand therefore made on or about the first day of January in each year by the Director of Corporate Resources for the time being of the Council or some other duly authorised person.
- (ii) The Amenity Charge so payable in accordance with clause 3.2 [1] above shall represent the actual and estimated cost of the provision for the year ending on the first day of April next following the date of the aforementioned demand. The Council may on written demand a balancing payment within a maximum of 3 months prior to the end of the tenancy if the estimated cost proves to be not sufficient to recover the Amenity Charge.
- (iii) The Council shall in its absolute discretion have the right to vary the amenities provided and by a reasonable period of notice vary the charge in respect thereof.

#### 3.3 Use

The Tenant must use the Allotment Garden as an Allotment Garden only and for no other purpose.

#### 3.4 Cultivation

The Tenant must keep the Allotment Garden clean, free from weeds and well manured and otherwise maintain a minimum of eighty percent [80%] of it in a good state of cultivation and fertility and good condition, and must keep any pathway balk walk or cart track included in or abutting to the Allotment Garden (or, in the case of any pathway, balks, walk or cart track, abutting on the Allotment Garden and any other Allotment Garden or Allotment Gardens, the half width of it) reasonably free from weeds and in good serviceable condition to the satisfaction of the Director of Parks and Countryside. In the event that the Tenant fails to cut down and remove any docks thistles or noxious weeds specified by the Council within one week after receipt of a written Notice is served on the Tenant an employee of the Council may enter the Allotment and carry out this work. The costs shall be recoverable as a debt from the Tenant plus interest at a rate of 8% per annum.

#### 3.5 Provision of Water

Where mains water is provided the Council shall in its absolute discretion have the right to turn off all mains water supplies in during

the month of October each year and turn on the mains water supply in April each year. The Council may without notice in its absolute discretion vary the dates detailed above or turn off the mains water supply provided.

The tenant shall not attach a hose pipe to the water stand pipe except for the express purpose of filling water butts and troughs. No sprinkler or other irrigation system or device shall be attached or fixed to a hose pipe. The prolonged use of a hose pipe is strictly forbidden and the Council may serve a notice on a Tenant specifically prohibiting the use of a hose pipe in any circumstance.

### 3.5 Nuisance

The Tenant must not cause or permit any nuisance or annoyance to the occupier of any other Allotment Garden or the surrounding neighbourhood, or obstruct or encroach on any pathway, balks, walks or roadway set out by the Council for the use of the occupiers of the Allotment Gardens.

### 3.6 Legal Obligations

The Tenant must at all times during the tenancy observe and comply fully with all enactments, statutory instruments, local parochial or other bye-laws, orders or regulations affecting the Allotment Garden or the reasonable requests of the Director of Parks and Countryside made in writing to the Tenant.

### 3.7 Alienation

The Tenant must not sub-let, under-let, assign, part or share with possession of the Allotment Garden or any part thereof without the written consent of the Council.

### 3.8 No Profit

The Tenant must not cut or prune any timber or other trees, or take, sell or carry away any mineral, gravel, sand (earth) or clay without the written consent of the Council and subject to any further conditions that may be wish to impose.

### 3.9 Boundary Structures

The Tenant must keep every hedge that forms part of the Allotment Garden properly cut and trimmed to a maximum height of 1.5 metres [5'] and all ditches properly cleaned, maintain and keep in repair any fences wall and any gate on the Allotment Garden, and use his best endeavours to protect any other hedges, fences, walls or gates in the Allotment Site of which the Allotment Garden forms part or in adjoining land and any notice board which has been or may at any time during the tenancy be erected by the Council on the Allotment Garden or the Allotment Site. The Tenant shall not erect any fence wall or similar structure on an Allotment garden without the express written permission of the Council. In the event that permission is granted for the erection of a fence wall or similar structure the Tenant shall be responsible for its maintenance and the Council may in its absolute discretion require the fence wall or similar structure to be taken down and removed from the Allotment Garden or repaired to the satisfaction of the Council.

### 3.10 Buildings

The Tenant must not suffer the erection of any Building on the Allotment Garden without the written consent of the Council, such consent not to be unreasonably withheld to the erection of a garden shed or greenhouse to a maximum size of not exceeding 3 metres x 2.4 metres [10' x 8'] and a polytunnel to a maximum of 4.3 metres x 3 metres [15' x 10']. All authorised buildings permitted to be erected on an Allotment Garden or Allotment Site by the Council shall at all times be maintained by the tenant in good serviceable repair to the satisfaction of the Director and subject to compliance with any separate terms conditions or restrictions as the Director may from time to time impose on the tenant under separate Agreement. The Tenant shall takes steps to insure and at all times during the tenancy maintain a certificate of insurance obtained from an insurer acceptable to the Council to cover the cost of replacement of the building and injury to an officer of the Council or person approved by the Council to enter the Allotment who may enter the Allotment and buildings erected and injury to any third party. The Council reserve the absolute right to serve notice on the Tenant to remove the building within the period prescribed in the notice. On termination of the tenancy the Tenant must unless he agrees with the Council that the Building may be left on the Allotment Garden remove any Building erected on the Allotment Garden. If the tenant fails to remove the Building the Building shall become the absolute property of the Council and the Council may deal with the Building without claim in its absolute discretion.

### 3.11 Barbed Wire

The Tenant must not use barbed wire or any similar barbed or razor-edged wire for a fence, wall or hedge adjoining any pathway, walks road or balks set out by the Council for the use of occupiers of the Allotment Gardens except with the express written consent of the Council.

### 3.12 Long Term Crops

The Tenant must not plant any trees or fruit bushes, or any crops requiring more than 12 months to mature without the written consent of the Council and subject to any conditions that the Council may wish to impose. If a Tenant executes any of the following improvements with the written consent of the Council:

- (a) Planting of standard or other fruit permanently set out
- (b) Planting of fruit or fruit bushes permanently set out
- (c) Planting of strawberry plants
- (d) Planting of asparagus rhubarb or other vegetable crops productive for two or more years

the Tenant may remove the trees bushes crops or plants before the determination of the tenancy levelling the surface of the land and restoring the same to a proper state and condition and making good any damage caused by the removal.

Within the object of protecting the Council for claims for compensation the following improvements are to be treated as prohibited for the purpose of Section 47 of the Small Holdings and Allotments Act 1980:-

- (a) Planting of standard or other fruit permanently set out
- (b) Planting of fruit bushes permanently set out
- (c) Planting of strawberry plants
- (d) Planting of asparagus rhubarb or other vegetable crops which continue productive for two or more years.

### 3.13 Refuse

The Tenant must not deposit or allow other persons to deposit on the Allotment Garden any refuse or any decaying matter, except manure and compost in such quantities as may be reasonably required for use in cultivation, or place any matter in the hedges, ditches or dykes in the Allotment Site of which the Allotment Garden forms part or in adjoining land. The Allotment Garden must be kept free materials hazardous to health [eg. Broken Glass asbestos scarp metals discarded chemical containers, etc].

### 3.14 Dogs

The Tenant must not bring any dog into the Allotment Site on which the Allotment Garden forms part, or cause one to be brought in, unless the dog is held on a leash. The Council reserve the right to exclude any dog from any Allotment Garden or Allotment Site. No dog may be left unattended on an Allotment Garden or the Allotment Site at any time. For the avoidance of doubt no dog may be kennelled on the Allotment Garden or Allotment Site at any time.

### 3.15 Livestock

The Tenant must not keep any animals or livestock of any kind on the Allotment Garden, except hens or rabbits to the extent permitted by the Allotments Act 1950, section 12 with the express written approval of the Director of Countryside.

### 3.16 Pesticides and Fertilisers

When using any pesticides or fertilisers, the Tenant must:

- 3.16.1 Take all reasonable care to ensure that adjoining hedges, trees and crops are not adversely affected, and must make good or replant as necessary should any damage occur, and
- 3.16.2 So far as possible select the use of chemicals, whether for spraying, seed dressing or for any other purpose whatsoever, that will cause the least harm to members of the public, game birds or other wildlife, other than vermin or pests, and
- 3.16.3 Comply at all times with current regulations and the advice of the Director of Parks and Countryside.

### 3.17 Advertisements

The Tenant must not erect any notice or advertisement on the Allotment Garden.

### 3.18 Admittance

The Tenant agrees that the Council or any Authorised Officer of the Council shall have the right to refuse admittance to the Allotment Garden to any person, other than the Tenant or a member of his family, unless accompanied by the Tenant.

### 3.19 Disputes

The Tenant agrees that any case of dispute between himself and any other occupier of an Allotment Garden in the Allotment Site shall be referred to the Council, whose decision shall be final.



- 3.20 Change of Address
- The Tenant agrees to inform the Council immediately in writing at the Allotment Office of any change of his address.
- 3.21 Yielding Up
- The Tenant must yield up the Allotment Garden at the determination of the Tenancy as created by this Agreement in such condition as shall be in compliance with the agreements contained in this Agreement.
- 3.22 Inspection
- The Tenant agrees that any Authorised Officer or any Agent of the Council may enter and inspect the Allotment Garden at any reasonable time or when so directed by the Council.
- 3.23 Special Conditions
- The Tenant must observe and perform any Special Condition the Council considers necessary to preserve the Allotment Garden from deterioration of which notice is given to the Tenant in accordance with clause 5 below.
- 3.24 Lease Terms
- If the Council is a tenant, the Tenant must observe and perform all conditions and covenants that apply to the Allotment Garden contained in any lease under which the Council hold the land.
- 3.25 Illegal or Immoral Use
- The Tenant must not use the Allotment Garden or any part thereof or permit or suffer the same to be used for any illegal or immoral purpose.
- 4.0 DETERMINATION OF THE TENANCY
- 4.1 Determination on death
- This Tenancy shall determine on the 6<sup>th</sup> April or the 29<sup>th</sup> day of September next after the death of the Tenant.
- 4.2 Determination on Termination of the Council's interest
- If the Council is itself merely a Tenant of the land, or has entered on the land under its statutory power to enter on unoccupied land, this Tenancy shall determine on the day on which the [tenancy or right of occupation] of the Council determines.
- 4.3 Determination by Notice
- This tenancy may be determined by either party giving to the other 12 months previous notice in writing expiring on or before the sixth day of April or the 29<sup>th</sup> day of September in any year.
- 4.4 Determination where Allotment Garden Appropriated
- This tenancy may be determined by a re-entry by the Council at any time after giving three months previous notice in writing to the Tenant on account of the Allotment Garden being required:
- 4.4.1 For any purpose other than use for agriculture, for which it has been appropriated under any statutory provision or
- 4.4.2 Building, mining or any other industrial purpose, or for roads or sewers necessary in connection with any of those purposes.
- 4.5 Determination by Re-entry or Default
- This tenancy may be determined by re-entry by the Council at any time after giving one month's previous notice in writing to the Tenant;
- 4.5.1 If the rent or any part of it is in arrears for not less than 40 days whether legally demanded or not;

- 4.5.2 If it appears to the Council that there has been a breach of the conditions and agreement on the part of the Tenant contained in this agreement, and provided that, if such breach is of the conditions or rules affecting the cultivation of the Allotment Garden, at least three months have elapsed since the commencement of the tenancy;
- 4.5.3 If the Tenant becomes bankrupt or compounds with his creditors.
- 5.0 Special Conditions
- 5.1 The Tenant shall not use the Allotment Garden or any part thereof for any Trade or Business purposes or Market Garden.
- 5.2 The Tenant shall not seek or permit any person to sell refreshments of any kind on the Allotment Garden or Allotment Site or in any Building thereat without the express permission of the Allotment Officer.
- 5.3 The Tenant shall keep all water butts and other water receptacles on the Allotment Garden covered up and secure.
- 5.4 The Tenant shall not use or cause or permit to be used any building erected or which may hereafter be erected on the Allotment Garden for the purpose of living or sleeping.
- 5.5 Unless the Council specifically prohibits the burning of rubbish on the Allotment Garden the Tenant may burn rubbish accumulated only from the Allotment Garden in such a manner and at such a time not to cause annoyance or nuisance to any other Allotment Garden Tenant or the occupier of any adjacent or other land or property or so as to contravene section 16 of the Clean Air Act 1956 and the appropriate provisions of the Environmental Protection Act 1990 or any subsequent legislation which replaces the above detailed provisions. If the Tenant elects to burn rubbish on the Allotment Garden the Tenant shall be personally liable for any damage caused by the act of burning the rubbish. The Tenant shall at all times be present on the Allotment Garden when rubbish is being burned and must ensure that the fire is fully extinguished before leaving the Allotment Garden. For the avoidance of doubt the Tenant shall be liable for any and all claims for other tenants, occupiers of adjacent or other land or property and from the Council as Landlord as a result of the setting of a fire on the Allotment Garden or Allotment Site and shall indemnify and keep indemnified the Council for all claims and costs made against it as a result of the setting of a fire by the Tenant of the Allotment garden or Allotment Field.
- 5.6 The Tenant shall not make any well or permit or suffer any well to be made in or on the Allotment Garden.
- 5.7 The Tenant shall not bring onto or store on the Allotment Garden or Allotment Site any asbestos or product containing asbestos.
- 5.8 The Tenant shall not bring onto or store on the Allotment Garden or Allotment Site tyres of any size or dimension except without the express written permission of the Council and subject to such further conditions as the Council may wish to impose.
- 6.0 Notices
- 6.1 Any Notice required to be given by the Council to the Tenant may be signed on behalf of the Council by a (designated officer) and may be served on the Tenant either personally or by leaving it at his last known place of abode or by registered letter or letter sent by the recorded delivery service addressed to him there or by fixing the same in some conspicuous manner on the Allotment.
- 6.2 Any Notice required to be given by the Tenant to the Council shall be sufficiently given if signed by the Tenant and sent in a pre-paid post letter to the Allotment Office, Meersbrook Park Offices, Sheffield.

**Much of this document directly contradicts national law and legal precedents. It is a catalogue of the obsessions and psychopathology of one individual, which would not stand up in a court of law.**



Councillor Bernard Little delivered the following to the Scrutiny Committee, with a guarantee that I would remain anonymous.

**Submission to Scrutiny Board    20 / 7 / 06**

**Item 7    3.45 – 4.30 pm**

Allotments:

**Devolution of Management & Community Development**

Would it be possible to draw members attention to the existence of the charitable and community sector on allotments. The Council has a record of working with, supporting and co-operating with these initiatives.

There are many and varied projects whose activities are based on allotments in Sheffield. These projects provide social and therapeutic horticulture. Some also deliver courses in horticulture.

These projects employ more than a dozen workers.

They have a combined turnover in six figures.

(Details available from Smartwork study for Sheffield Community Economic Development Unit - December 2005 )

Also, there is a fully self-managed allotment site in Sheffield at Infield Lane, which could provide a model for other sites.

# Who ... allotments ?

The following was submitted to the DEL Scrutiny panel 20 July as evidence. John Martin told me in 1990 that he produces this list whenever he wants to fend off interest in or difficult questions about allotments. He is still using the same version he's used for this purpose before. That's why there's still a reference to "spraying" with weedkiller, which is of course now illegal and has not been council policy for more than a decade. I believe this shows utter contempt for the Council.

Who are the parties to the agreement?  
What is the term of the agreement?  
What are the conditions for early termination?  
What are the implications of early termination on externally accessed funds?  
What are the procedures for amendment?  
Who has responsibility for day-to-day administration?  
Who determines rent levels?  
What is the basis for determining rent levels?  
What are the limits on rent levels?  
What concessions exist?  
Who defines concessionaries?  
Who collects rents?  
Who spends the revenue income from rents and how?  
Is there a right to charge a membership subscription?  
Who determines the membership subscription?  
What use and other fees can be charged?  
Who determines use and other fees?  
Who pays utility charges (eg. Water and electricity)?  
Who sets restrictions on utility use?  
Who pays/organises utility maintenance?  
Who pays/organises utility improvements?  
Who manages lettings?  
What are the conditions for offering tenancies and how are they determined [eg. equal opportunities]?  
What is the content of tenancy agreement and how can it be varied?  
Who maintains the register of tenants?  
Who has access to the register of tenants?  
Who maintains the record of rent income?  
Who has access to the record of rent income?  
Who maintains the record of expenditure on site management?  
Who has access to the record of expenditure on site management?  
Who is responsible for setting the standards of cultivation and compliance?  
Who is responsible for controlling the standards of cultivation and compliance?  
Who serves notices of non-compliance?  
Who determines whether the terms of the notice have been met?  
Who serves any notice to quit?  
Who undertakes any legal procedures required to enforce a notice to quit?  
Who maintains the waiting list?  
What data are recorded on the waiting list?  
Who is responsible for undertaking major maintenance tasks?  
Who is responsible for informing the council when tasks falling within the council's maintenance duties arise?  
Who gives consent for structures?  
What are the constraints on structures (size, design, type, materials etc)?  
What are the reporting requirements to the council (eg accounts, general report, frequency)?  
What is the council's contribution to the society's expenses?  
Who is responsible for physical site security (fences, gates etc)?  
  
What expenditure limits exist for physical site security (fences, gates etc) ?  
Who provides tenancy agreement and other stationary?  
Who sprays or covers vacant plots to prevent weed growth?  
Who provides/maintains mowers and strimmers?  
Who provides/maintains rotovators etc?  
Who provides/maintains the equipment shed?  
What are the rights of re-entry by the council for inspections/repairs?  
Who bears the liability for damages consequent to re-entry by the council for inspections/repairs?  
Who bears the responsibility for insurance?  
What items are to be insured (eg. public liability, equipment shed)?  
What memberships are required of relevant bodies (eg NSALG)?  
What are the terms of the society's constitution?  
Who will act as arbiter in disputes between the society and plotholders?  
Who will act as arbiter in disputes between the society and local residents?  
Who will act as arbiter in disputes between the society and the council?  
Who risk assesses activities on the site?  
Who carries out environmental impact assessment on the site?

## Official Council business this response is total nonsense

20<sup>TH</sup> JULY 2006

### REPORT TO THE CULTURE, ECONOMY AND SUSTAINABILITY SCRUTINY AND POLICY DEVELOPMENT BOARD ON THE POTENTIAL FOR THE DEVOLVED MANAGEMENT OF CITY COUNCIL ALLOTMENT SITES.

#### 1. PURPOSE OF REPORT

To inform members of the matters associated with the potential of devolving the management of allotment sites.

#### 2. BACKGROUND

This Scrutiny Board has asked for a report on the potential possibility of some of the City Councils Allotment sites becoming self-managed.

According to the Government's Select Committee report *The Future For Allotments*<sup>1</sup> cited in QED "There is little doubt that, when successfully implemented, self-management schemes ensure greater control of a site by allotment holders and tend to work to the benefit of the site". The Report recommended, "that all local authorities examine the potential for self-management of their allotment sites" and noted the comment made by the Parliamentary Under-Secretary of State for the Environment in her oral evidence, that "self-management at that very local level is almost always a good idea". The Report also recommended, "that the Department of the Environment, Transport and the Regions should draw up an appropriate model agreement that can be used by local authorities formally to devolve responsibilities to allotment societies". The Government came to the view in its Response that "arrangements for devolution to allotment societies is best determined at a local level according to local circumstances".

Allotment tenants have already had to organise themselves to answer many of these questions as well as the real-life challenges of vandalism and ignorance.

The list of unanswered questions overleaf is part of the response, which ignores the dozen or more workers and six-figure sums which the community sector has invested in allotments.

***The only relevant question for tenants is the management of lettings***

According to figures in the same response,  
81 % of Sheffield's allotments are tenanted...(???)

So there are at least 2600 allotmenters.  
Surely they are the best chance of answering the questions.

And allotments cost the ratepayer 11p a year!



**Richard Clare  
2006**

**1<sup>st</sup> August**

**Sheffield Organic Food Initiative  
C/o 41b Burns Road  
S6 3GL**

Dear Mary,

I am writing to enquire about your progress in investigating the complaints I made earlier this year and to inform you of further problems.

As you will recall, we last talked after you phoned me to try to resolve the issues arising after the illegal eviction and destruction of fruit trees on an allotment rented by John Mortimer, a trustee of SOFI charity. Mr Mortimer does not want to pursue a private legal action for criminal damage, but has expressed that he would be willing to be reinstated as rightful tenant. This allotment has now been left vacant and derelict for 8 months. Two mature Walnut trees which were cut down have now re-grown. I would like you to consider reinstating the displaced tenant as a means of resolving this situation.

Our last phone-call ended when I mentioned that I had been threatened with physical violence by the relevant officer. You seemed more concerned by this than by the original complaint about the destruction of trees. I was left with the impression that you intended to investigate this matter, but have heard nothing further.

I have had to stay silent about this, because I was phoned at 4.20pm on 16<sup>th</sup> April by the line manager, Mike Taylor, who informed me that if I continued to talk about the orchard allotment issue, I would be "evicted from all the allotments in Sheffield". This response seemed disproportionate, but in the absence of any complaints procedure in this department, I decided to keep quiet although the issue is obviously not yet concluded.

I wish now to inform you of further developments, where established council policy has either been disregarded or directly contradicted.

In March I applied for a small Healthy Living grant of £500 to support an Allotments Access project, intended to introduce new participants to allotment culture and introduce them to good organic food-growing practice. There were no other applications for allotments and this bid was turned down because the new License has not been ratified, because the new tenancy has not been accepted. I have been running groups and volunteering opportunities on allotments for more than ten years, and have proceeded to run a group this year, funded by the charity without the support of the grant or any hope of collaborating with the Council department

On the 15<sup>th</sup> July 2006, I was told that the Council's Scrutiny Board would be considering Self-management of allotments at its meeting on 20<sup>th</sup> July. I requested a copy of the papers for this meeting from Jason Deitsch and was surprised to find that information about the community sector's activities had been completely omitted. I was also amazed to hear that Kim McMaster, Chair of the Federation, had not been informed by the Allotments Officer about this review.

As a public duty, I submitted the following to the committee:

***Submission to Scrutiny Board    20 / 7 / 06***

Unfortunately, the Allotments Officer subsequently found out that I had submitted this information, which has resulted in him pursuing the following retribution against me. On Monday 31<sup>st</sup> July, a nice young man called Patrick approached me on an allotment I have tenanted for 18 years to tell me that he had been told that this was the only allotment available on the site and that he had been told by the council that he was the new tenant. This action was directly and causally linked to my submission of information to the Scrutiny Board. I have reported these events to the Scrutiny Board.

It also shows complete disregard for the proper legal process of eviction and makes a mockery of the waiting lists (reportedly 40 people on this site).

I'm sure that if you enquire, you will be told that this is just an administrative error, but you can understand the message that is being sent. John Martin is on record as expressing his jealousy of funding going into the community sector and suggested that the Greenfingers group in Burngreave should buy their own site instead of using allotments.

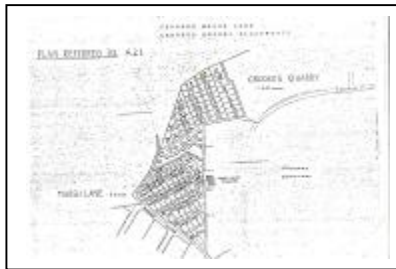
I know that you are aware of my commitment to the community sector in Sheffield for more than 15 years and my ongoing connections to many horticultural therapy groups based on Sheffield's allotments. I have worked closely with the Allotments department, co-ordinating the Healthy Gardening Grants scheme and raised £ 8000 funding for allotments from Joint Finance in 2001.

I hope that you will be impartial in your consideration of these matters, since I know that I have been grossly misrepresented and not had any kind of fair hearing.

I am dedicated to this sector because I have experienced and provided high quality care and educational services to the people of Sheffield.

I would like to extend an invitation to you to visit the allotments that SOFI has been using for more than ten years to experience some of the joy which has helped us gain public funding and win national awards for our work.

Yours Sincerely,



Following my submission to the Scrutiny Board, my main allotment was let to someone called Patrick who now has a plot on Hagg House

**Development, Environment and Leisure  
Parks and Countryside**

Director of Parks and Countryside: Mary Dayley  
Marshbank Park, Brook Road, Sheffield S10 5PF  
Tel: 0114 255 7766 Fax: 0114 255 2876  
Email: mary.dayley@sheffield.gov.uk

Your Ref:  
D/R/Ref: M/ETH  
Date: 31<sup>st</sup> August 2008

Mr R. Clare  
47b Burns Road  
Sheffield  
S6 3GL

Dear Mr Clare

**Various Issues Re Allotments**

Thank you for your letter dated 1<sup>st</sup> August 2008 concerning various issues you have written reports to the Allotment Society. I am sorry I have written my responses to you in the same order as you presented them in your letter.

**John Madlins's former plot**

I believe that Mr R. Taylor provided you with a full explanation of how and why Mr Madlins's plot was let to his tenant in his letter to you dated the 18<sup>th</sup> January 2008. Our assessors have found that the allotment has not been let since and doubt for 6 months as you claim but has been let to a new tenant.

However, the new tenant and his wife have experienced such difficulties with you, especially regarding the plot, asking for and entering their new plot to plant trees, that they have now asked to be moved. These difficulties became so severe that we were obliged to inform Sheffield Council.

I would ask you to remove any trees that you have planted on Plot 53, Hagg Lane, that you wish to retain in order that the plot can be re-let. Once re-let I would ask that you do not interfere in any way with the new tenant's use of the plot.

**Threat of Physical Violence**

This is a very serious accusation against a Council Officer and one which we should investigate. You can give me details of the time and place I can make further enquiries.

Please call to Mike Taylor on 16<sup>th</sup> April 2008

The phone call was regarding your continuing to trespass onto an allotment plot at Hagg Lane, which you were not the tenant of, and that you were causing an ongoing problem to the new tenant.

Large print versions of this letter are available by telephoning 0114 273 4681

Phone call to Mike Taylor 16/04/08

In addition, other complaints relating to the Crookes Quarry allotment site have been received. You were advised that a number of tenants had written to complain about your behaviour.

This contravenes the terms and conditions which you signed for your two allotment plots. You were given a warning that if this behaviour continued you would leave us with no alternative but to terminate your two tenancies. Please see Section 5 of the attached copy of your Agreement.

**Scrutiny Board - Devolved Management**

The report on devolved management was not about the community garden activities on allotments, but whether tenants were Allotment Societies or Associations who wished to take on some responsibility for helping to manage or fully manage their allotment site. Although a Kim McMaster did not attend the meeting in person the Allotment Federation was well represented by their Secretary who made both a written submission and also spoke at some length to the Scrutiny Board members on the Sheffield Allotment and Community Gardens Federation's views on devolved management.

**Your Submission to the Scrutiny Board and Retention**

Your claim that your submission to the Scrutiny Board has resulted in the Allotment Officer pursuing retribution against you, I believe is unfounded.

Our records show that you are the tenant of a plot at Crookes Quarry and a plot at Hagg Lane. It would be helpful if you would kindly clarify which plot it is that you claim to have tenanted for 18 years and that you now feel has been let to someone called Patrick.

The only plot which has been re-let in recent months at the Crookes Quarry area is plot 25 following receipt of a letter from the previous tenant who wrote formally to the Allotment Officer requesting to terminate their plot as at the 31<sup>st</sup> March 2008, well before your submission to the Scrutiny Board.

At Hagg Lane a number of tenancies were terminated in mid June. These were all for non-payment of rent, and again well in advance of your submission to the Scrutiny Board.

All the works of the strategic transect are being undertaken with due regard to the Allotments Act and the Terms and Conditions of the Tenancy Agreement.

**Waiting Lists**

The current situation with regards to waiting lists is as follows:

|                    |                    |
|--------------------|--------------------|
| Crookes Quarry     | 22 on waiting list |
| Crookes Marsh Lane | 49 on waiting list |
| Hagg Lane          | 14 on waiting list |

**Development, Environment and Leisure**

**Parks and Countryside**

Director of Parks and Countryside: Mary Dayley

Marshbank Park, Sheffield, S10 5PF  
Tel: 0114 255 7766 Fax: 0114 255 2876  
Email: mary.dayley@sheffield.gov.uk

Your Ref:  
D/R/Ref:  
Date: 31<sup>st</sup> October 2008

Mr R. Clare  
47b Burns Road  
Sheffield  
S6 3GL

Dear Mr Clare

**Re Allotment Issues**

Further to our recent meeting at your home, then to a day you feel have not been discussed with Mr John Madlins, and I respect of Plot 53, we should now be able to confirm that we have reached a mutual understanding.

Therefore, the new tenant is to be let to the new tenant, as stated in the letter to the new tenant, and the new tenant is to be let to the new tenant, as stated in the letter to the new tenant, and the new tenant is to be let to the new tenant, as stated in the letter to the new tenant.

Finally, your new tenant is to be let to the new tenant, as stated in the letter to the new tenant, and the new tenant is to be let to the new tenant, as stated in the letter to the new tenant, and the new tenant is to be let to the new tenant, as stated in the letter to the new tenant.

This is really desperate – two complete strangers have been knowingly set up as foot soldiers to reclaim the orchard allotment from me, their new neighbour. This is the opposite of Duty of Care.

Don't worry, four years later, the orchard allotment is recovering, but it has no official tenant and no rent has been paid on it.

**Richard Clare**

**31<sup>st</sup> August 2006**

**Sheffield Organic Food Initiative**

**C/o 41b Burns Road**

**S6 3GL**

**Response to letter from Director of Parks and  
Countryside, dated 21<sup>st</sup> August, received 31<sup>st</sup> August.**

I wrote as a complainant. The response makes it appear that I am the accused! That is neither an explanation nor a defence of the issues I raised.

The information I supplied on 1<sup>st</sup> August was meant to explain a series of failings within the Allotments department. I explained that this was serious enough for me to also report it to the Chief Executive's office and the Compact between the Voluntary and Community sector and the Council.

The response seems to accuse me of many things I was unaware of before I received this letter.

I am writing to comprehensively rebut all the allegations and lies contained in this letter of 21<sup>st</sup> August. There is no substantive written evidence to support these allegations.

Firstly, can I ask for confirmation that prior to December 2005, the department had made no communication to me to explain any ongoing issues relating to me? Apart from two identical letters from Mike Taylor on 18<sup>th</sup> January and your letter 31<sup>st</sup> Aug, I have had no other written communication from your department this year.

I have been a tenant on Sheffield City Council allotments since 1988.

I have worked on and improved more than 100 plots over the years, including several local community projects. I helped set up the Healthy Gardening Group which distributed funds from the Health sector to allotment projects in Sheffield. For 3 years I co-ordinated SRB / ERDF-funded projects on allotments. The courses I teach on Organic Food Growing have attracted more than 200 students including many workers in the community horticulture sector and also Council employees. This year, I was employed as a consultant to design a whole allotment site in Catcliffe.

Why have I now been portrayed as some kind of pariah or even criminal, only since I dared to speak out about the allotment officer's malicious and illegal destruction of the fruit trees, which I bought and planted ten years ago?

1. PLOT 53 HAGG LANE I submitted a complaint to the Council in January 2006, which was meant to inform them of a case of maladministration in the Allotment Department. I had already attempted to resolve the issue informally with Mary, but she had already been misinformed, as I pointed out at the time. For instance Mary was told that I had contacted local radio, which is untrue – they contacted me.

I was also able to make my concerns about this issue known to Bob Kerslake at the celebration event for NUCA at Cutler's Hall on 2<sup>nd</sup> March 2006.

Mike Taylor's letter did not give any explanation how or why due process of eviction had been fulfilled for John Mortimer (or myself as the owner of the fruit planted on plot 53 Hagg Lane). As Mary already knows, Mr Mortimer was in hospital twice during 2005, including for major surgery at the time the trees were being destroyed in December. I believe, from a humane perspective, anybody can understand why this life-threatening illness made him reticent about re-claiming his allotment, which he had paid the rent on for the year 2005. Maybe he already understood the way the department has been administered for the past 20 years and therefore realistically concluded that he had no hope of justice in this case.

Mary's investigation could not have included a visual inspection of the site which has obviously been completely untended this year by the "tenants" who replaced the former tenant. I would urge her to consider that these new tenants have been logical in their response to the situation, because they were being coerced by the council officer into participating in an illegal eviction. Also they had due grounds for a complaint against the same officer who ordered the destruction of what were, at the time in his understanding, their fruit trees.

The only contact I have had with the replacement tenants was when they stopped the destruction by Bob Chowdry, a ranger who



was at the time funded through Community funding and actually managed by Gail Griffiths, (a student on one of my courses in 2005). They requested that the council stop destroying the fruit trees, which is why Bob was able to stop half way through. They were also witness to the Allotments officer's verbal threat to "come back and vandalise the other half next", referring to plot 54.

As tenant of plot 54, I would have been happy to build a mutually acceptable relationship with the new tenants, as I have with dozens of neighbours, friends and fellow allotmenters, but they did not visit or use the plot to the best of my knowledge.

In fact, I only visited 54 Hagg Lane 2 or 3 times due to the traumatic impact of the destruction on my morale.

I am concerned that you claim to have informed the police of incursions onto that plot, partly because I was only informed (verbally, John Martin said, "if you set foot on that plot again I'll evict you from the other half", meaning plot 54) after the remaining trees were marked in red in April, which caused me to enquire of you whether the remaining trees would be destroyed, but also because I was not told that the police had been informed until now, 30<sup>th</sup> August 2006. In fact the police would only intervene if they considered it to be a criminal matter. They did not intervene.

I was also saddened to see this mention of the police because this could be interpreted as a scare tactic meant to intimidate me.

I received no written information about any of the "complaints" mentioned until now. I don't believe that it is valid to try to retrospectively convict me of these historical events, when there is no evidence that I have been informed of them or been given a chance to explain or defend myself. It might also appear that Mary's letter with my tenancy for plot 54 attached is an attempt to fulfil the requirements of due process retrospectively.

## 2. THREAT

I reported the threat of physical violence to Mary when she called me on 2<sup>nd</sup> February 2006 and thought she committed to investigating the matter. I explained to her then that I was reticent to even mention the matter and that I specifically did not want her to investigate the threat of violence because I was afraid of further action. I was so unsettled by this call that I made a written record of the call at the time. This records that I felt that my confidentiality

had been violated and my belief that I might be put in more danger by investigating the matter.

I have photographic evidence that the officer was present on my plot, 54 Hagg Lane, on the 19<sup>th</sup> January 2004. I have a picture of him, dated 19<sup>th</sup> January 2004, taking a picture of me on plot 54. He said he would report me to the Allotments Advisory committee, presumably showing them the pictures he took that day, but I never heard anything more about the issue and nothing happened as a result.

I had immediately obeyed a written directive to erect a fence over an internal boundary hedge which I had cut the previous week. The officer entered my plot without my permission or foreknowledge, claiming he had the right to enter any plot at any time. He removed my temporary fencing and later replaced it with 8 foot high wooden paling, which is still there now and contravenes the recommended regulation hedge height of 5 foot. He lifted his fists to me after I requested that he leave. When he refused to leave, I then stated that I was leaving and proceeded to exit and lock my gate. At this time, I believed the officer's threat to destroy my fruit trees would not be fulfilled. I could not believe that such a petty and irrational issue could have any consequences, despite knowing the character of the individual involved, having worked with him over a period of more than ten years.

Council worker time and community support funding have been misused to pursue this individual's grudge. Now management time is being wasted trying to cover up mistakes and misinformation.

### 3. CALL FROM MIKE TAYLOR 16<sup>TH</sup> April 2006

I did not phone Mike Taylor as stated. He phoned me, just after 4 pm on 16<sup>th</sup> April, as both our phone records should show.

He definitely did not mention trespass or any problems to new tenants.

His main message was that if I continued to talk about the orchard allotment issue, i.e. to Mary, I would be evicted from "all allotments in Sheffield". Although I was aware how unfeasible this threat was, I was also aware of the political situation within the department, that Mike was due to retire in the near future, and so made the decision not to report this flagrant abuse of power to Mary, because I understood that this might result in Mike trying to carry out his threat.

Although I didn't endorse it in any way, I obeyed Mike's instruction when I appeared on Radio Sheffield talking to Rony Robinson for an hour on my allotments and also when I had an article publicising my courses in the Star (April 2006).

I was unaware that "the new tenant" had been caused any problem until this letter arrived today, 31<sup>st</sup> August 2006.

Mary states that I was advised that a "number of tenants had written to complain about your behaviour". Again this is the first I have heard about it. I have received nothing in writing to explain anything about this. Describing what I've done wrong as "behaviour" without specifying an action or actions, is meaningless.

As a local authority committed to resolving problems, there is an obligation to inform me if anybody has a problem with any action I may have taken which someone might object to, so that I have a chance of explaining or resolving the issues. By not acting at the time and instead choosing to retain this information and then suddenly bring it to light in this context illustrates that the officers involved are more interested in protecting their own backs than providing the public service of improving the quality of life for the allotmenters involved.

I was not served or provided with any kind of "warning" about any of this. Now Mary has specifically instructed me to enter plot 53, "I would ask you to remove...", in direct contravention of the "warning" she claims Mike Taylor made on the phone.

Please give me a written reassurance that this will not result in eviction from the two plots I rent.

#### 4. SUBMISSION TO SCRUTINY BOARD

According to Jillian Creasey, the Green Party councillor who raised this issue for the Scrutiny Board to consider, the remit was obviously to include all parties who had already contributed or might be capable of contributing. Sheffield Organic Food initiative has a record of working in collaboration with the Council (Google on SOFI and you'll see) and contributed to the current Allotments Strategy.

I would have thought it obvious to all that existing allotment projects in the community sector are already stakeholders in this process of devolution and are valuable as models of progress.

I do know that Ms Creasey was highly perturbed by the fact that this consideration was timetabled to coincide with her annual

leave because she wrote to me to draw it to my attention and encouraged me to contribute in her place.

I also know that it was only because Councillor Creasey wrote to Kim McMaster, Chair of the Federation, 5 days before the meeting, that she was aware that this issue was coming before the Scrutiny Panel.

It could appear that some of the major stakeholders in this process were excluded.

I was conscious that my contributing to the Scrutiny panel could be perceived as further infringement, so submitted some basic and constructive points through the other Green Party Councillor, Bernard Little. Unfortunately, a copy of my submission was supplied to the Allotments Officer by Liberal Councillor, Brian Holmes, the week before Patrick was sent with a letter saying he had been offered the tenancy of the allotment I have rented since 1988.

Surely the Allotments Department must have the records both of the letter they sent to Patrick and the number of my plot .

As with the other points, I would have hoped that any investigation of them should have included myself and given me the chance to present the evidence I am accumulating. This event was not a feeling as is implied, but an actual fact for those involved.

The possibility that a member of the general public should suffer any kind of consequences simply for contributing to the democratic process is scandalous.

For Patrick, who was informed by letter that he was getting an allotment, the disappointment is minimal. But this shows further disregard for due process. There is a proper process of eviction, which has been ignored. The waiting list has been disregarded. Two members of the public have been put in a potentially difficult situation as a result of these abuses of power.

Finally I would have to refute your claim that transactions were within Allotments law, based, as you know, on the advice I have been given by Geoff Stokes, legal advisor to the National Society of Allotment and Leisure Gardeners.

I would ask Mary to re-consider the stance she has adopted in the light of these facts.

Her letter ignores all the positive content I included in my letter.

I was shocked that her letter was so antagonistic and partial. I believe she has been manipulated into defending the incompetence and maladministration which has characterised this department in recent years.

As a representative of the community, I cannot understand why she would not want to build a constructive relationship with established members of that sector.

I will also repeat ( for the third time) my polite offer to her to visit some of the allotment sites which the charity I run, Sheffield Organic Food Initiative, have used to run social and therapeutic horticulture projects, which helped us win the Soil Association's award for "best Community Initiative" in the Organic Food Awards (2001).

15 09 06

Meeting between RC and MB accompanied by Mark Ellis

Introduced in attendance: - Rhu Minnie Tuala Clare Margaret  
Diane Steve Stephen Spirit Stella

Plans to get funding to appoint over current

Suggested way forward. Offer 53 to J Mortimer Or RC Or SOFI +  
volunteers clear an empty

Interested in developing organic site – suggested CQ

Policy contradicts practice

Reassured NOT out to get me

Wanted shake hands resolution

Mistakes Mistakes Mistakes

Had brought more “evidence”

Heard explanations – Peter / Clayden

Tried to contradict point, failed, gave up

Concerns

Impact on individual's whole life

Dispossessed disaffected e.g. Freer 80 arsons

Doris in Dore (Liberal Co) Enforced subdivision

Shown empty 26 – adjust bureaucracy to reality

CQ Name map – unwilling to join

Midway

Mentioned ombudsman as only next step if evicted

Sharing imposed = forced subdivision (without informing)

Distortion of potentially helpful idea

Green Food Map

e-Forum – all your people - I'm not an organisation

Plotters £10 / Anne-Marie's

Shared aims

Stephen Guardians

Value of trees separate from legal ownership

Mark to Di – never realised that anybody cared so much about  
allotments

# My friend Rhu was moved to protest, appeal for common humanity.

58 Highton Street  
Sheffield S8 9FL  
20.11.08  
11th November 2008

Director of Services  
Parks & Countryside  
Meersbrook Park  
Sheffield  
S8 9FL

Dear Mary Bagley

I've just read in the Sheffield Star the allotment at the end of the street. It was good to hear that the allotment was not closed and that the allotment was not closed.

I am writing because I was a really big fan of the allotment and was very disappointed that the allotment was closed. I was really big fan of the allotment and was very disappointed that the allotment was closed.

I have just looked at the allotment and I am very disappointed that the allotment was closed. I have just looked at the allotment and I am very disappointed that the allotment was closed.

Page 1 of 11

Welcome to Allotments...

Do you fancy growing your own fresh fruit, flowers, herbs and vegetables?

I think this gives the impression that Sheffield people are encouraged to grow fruit on allotments. If they are interested in growing fruit on allotments, they should be encouraged to grow fruit on allotments. If they are interested in growing fruit on allotments, they should be encouraged to grow fruit on allotments.

I think that allotment users to be encouraged to grow fruit on allotments. I think that allotment users to be encouraged to grow fruit on allotments. I think that allotment users to be encouraged to grow fruit on allotments.

If it is decided the allotment can't remain with the SOEL group the allotment in my mind should be passed on to someone wanting to produce top fruit. What a bonus to have an allotment full of valuable trees that will produce a good crop for many years to come.

I was lucky enough to share in the harvesting of some of the fruit on Richard's other allotments at the end of this summer and I hope you know he shares this fruit out to all that have helped on his allotments over the year and to many other allotment holders that have neighbouring plots.

I think it is wrong to cut down 10 year old fruit trees. If such a site was handed over to someone who wanted to grow vegetables I hope they would be given assistance to remove the extensive root system as well as the tops of the trees. Again I will say if this proposal is available I will be used to clear up the allotment. When so many people are working to improve local food production surely we can find a way to save these trees rather than replanting them which would be virtually impossible to do and maintain current cropping.

I look forward to sending a reply to this letter in due time. You can contact me at the address given above or by email: rhualred@yahoo.co.uk. Thank you for your time.

In the case of the allotment in the allotment 'What are the benefits' of having an allotment. One of the reasons it exists is: 'They are a good way of producing healthy delicious fruit and vegetables at a relatively low cost and you could produce them organically if you wanted too.'

You are working for an allotment and that is a big profit. You are working for an allotment and that is a big profit. You are working for an allotment and that is a big profit.

Another question is whether it could be put in place so that on sites where plots are often available there would be a system to grow fruit on allotments. Another question is whether it could be put in place so that on sites where plots are often available there would be a system to grow fruit on allotments.

Another question is whether it could be put in place so that on sites where plots are often available there would be a system to grow fruit on allotments. Another question is whether it could be put in place so that on sites where plots are often available there would be a system to grow fruit on allotments.

I would love to see a way to grow fruit on allotments. I would love to see a way to grow fruit on allotments. I would love to see a way to grow fruit on allotments.

Development, Environment and Leisure  
Parks and Countryside  
Director of Parks and Countryside: Mary Bagley  
Meersbrook Park, Sheffield, S8 9FL  
Tel: 0114 273 4285 Fax: 0114 255 2375  
E-mail: mike.taylor@sheffield.gov.uk

Your Ref: MT/TH  
Our Ref: 21 November 2008

Rhu Alred  
58 Highton Street  
Sheffield  
S8 9FL

Dear Rhu

I refer to your letter dated 11th November 2008, concerning the growing of fruit on Sheffield allotments.

Currently a revised Tenancy Agreement is being drafted in consultation with the Allotment and Home Gardeners Federation, part of the intention is to remove the ambiguity in the wording of the existing Tenancy Agreement.

The situation is that fruit can be grown as well as vegetables, herbs and flowers. The reason for the wording in the current Tenancy Agreement is to prevent ex-tenants making compensation claims for longer term crops such as top fruit, soft fruit, rhubarb, strawberries and vegetables (such as asparagus) which are cropped over a period of years. The Tenancy Agreement does not provide long term security of tenure i.e. The tenants may be asked to vacate the plot for failing to maintain it as per the Tenancy Agreement.

A Tenant who is vacating a plot, who has planted such long term crops currently has the choice to take the plants with them (usually given 28 days to remove) or leave them for the next tenant. Once the tenant has left, any property that remains on the plot becomes the property of the Sheffield City Council. I agree with you that restrictions could be imposed on the planting of top fruit, other than perhaps on dwarf rootstock and these could be detailed in the new Tenancy Agreement.

With regard to the plot at the Hagg Lane site which has recently caused problems, Council policy is that any vacant plots are re-let to the next person on the waiting list. Hagg Lane has a waiting list and John Martin as Allotment Officer did let the plot to a new tenant.

The new tenant wanted to grow vegetables and the fruit trees and willow trees were removed, including the root systems. Additional top soil was then imported onto the plot to make up shortfalls and to fill in a hole (possibly a pond) that had been dug by the previous tenant.

53  
Walnut  
in  
willows





## Proposals to the Allotments Advisory 28<sup>th</sup> November 2006

Based on existing examples of good practice  
In a modern setting and context

Richard Clare (Federation Executive member)

- Lettings organised on a local basis by federated groups.
- Customer service standards - communication and consistency
- Double the percentage of the Council tax rate for allotments
- Allocate to local societies
- Set up a forum to represent all stakeholders in allotments  
e.g. co-opt and second representatives of relevant council  
departments  
§ VCF sector / Planning / Tourism / Health / Care / Education
- Organise a conference to engage community support
- Rewrite tenancy as practical and comprehensible document
- Signal change for the future –  
publicise reviewed / new policy targets
- Accept subletting to groups within existing legislation

## Summary of findings

Meeting with John Mothersole 11am 1<sup>st</sup> December 2006

*Evidence of Maladministration submitted 31<sup>st</sup> August 2006,*  
indicative of long-standing and ongoing procedural crisis and entrenched malpractice within the "Allotments Department" ( John Martin / Mike Taylor)

- | Generating rather than resolving conflict
- | Intimidation as response to communication
- | Verbal and physical threats
- | Cover up minor with major infringement
- | Legal processes ignored
- | Practice contradicts policy
- | Arbitrary and inconsistent decisions
- | Break rules and regulations ("discretion"?)
- | Line manager supports without question
- | No Appeals / Complaints procedure
- | Avoiding and evading accountability
- | Accusation and conviction without informing or providing evidence
- | Retrospective accusations and convictions
- | Failure to investigate complaints
- | Abuse of Confidentiality
- | Knowingly putting tenants into adversarial relationship / at risk
- | Misleading co-workers / line-managers
- | Extraordinary measures and waste of resources
- | Ignores and contradicts views of Federation
- | Undermine democratic process of Federation
- | Lobbies and instructs tenants to prevent set up of federated group
- | Suppression and exclusion of Community Sector
- | Ongoing antipathy to Community groups (negative expectations)
- | Tenancy / Licence = Preventing progress / refusal to progress
- | Ignored and excluded stakeholders and contributors
- | Contempt for Scrutiny Panel
- | Exclude democratic representatives from Scrutiny process
- | Misuse of Police time and resources
- | Misleading and deceiving executive manager
- | Insubordination – refusal to obey written orders from superior

Dear Kim,

I wanted to report to you so you are up to date. I think I've made some progress and hope that this will make things easier for us all from now on.

Pat was kind enough to phone me on Wednesday morning to explain her reaction at the Advisory on Tuesday. She expressed fears about statutory status and losing plots to development. I reassured her that I was conscious of these concerns. I also reminded her that I had not set out to make an enemy of John Martin. She knows more than most how committed I've been and she maintained good relations I established when Annette Setterfield was president in the '90's.

The Advisory was much as I imagined it would be – the public face of an ongoing stitch-up and fundamentally undemocratic. I was pleased to get through most of the meeting without too much antagonism: John avoided eye-contact with me throughout. I was appalled by their response to my request for a review of the orchard allotment issue – they giggled at each other like naughty schoolboys - in a public meeting!

It was this expression of contempt and derision which stimulated me to contact John Mothersole, the Deputy Chief Executive of SCC, and request a meeting to discuss issues I'd first raised in September. He seemed quite keen to meet and arranged a time for Friday 11a.m.

Quite by chance, this week, the "Orchard City?" article, was printed in the Wildlife Trust quarterly magazine. This was very timely since this week's confirmation of the new permissive ruling on fruit and perennials on allotments. I think this happened because Mary Bagley could see the common sense arising from the destruction of the orchard allotment and has made a firm ruling. I hope that this article announces to the world in general that perennials are now permitted, but most existing allotmenters will still remember 20 years of restriction and removals unless they are formally informed of the changes.

John Mothersole was personable and honest. I first established my credibility and contribution over the years. He understood my credentials and said he thought I was “one of the good guys”. He appreciated the Green Food Map and the Allotments songs CD. Also he’d had an allotment in Newcastle and understood the practical challenge.

I explained that I had detailed evidence based on one individual issue, but was also representing the wider allotment community and indeed the interests of the Council and its democratic processes.

He readily acknowledged and accepted the points I made which are summarised on the attached sheet. He acknowledged and admitted that he was aware of ongoing concerns about the administration of allotments.

He confirmed that Mary’s appointment was meant to produce a change of culture. He explained that this process may take a time and there may be slips back to old practices.

John asked me what I wanted. I explained that the evidence I’ve accumulated was very serious and that we need a signal that things will be different in future.

I suggested that Mary needs more support.

I explained that the community needs reassurance.

My recommendations were based on existing examples of good practice, like if local Fed groups have responsibility for lettings, the benefits of sharing and the function of community allotments in weaning people onto sites – everything we already do without official recognition.

I also mentioned positive ideas like a conference and forum to generate wider debate and engage more interested parties. I explained that I could be a catalyst and had many useful contacts who could contribute.

He liked these ideas and explained that he wanted the Council to be **progressive**.

He said that the council will apologise to me, look for constructive resolutions and commit to a positive future for allotments.



The Local Biodiversity Action Plan for Sheffield has recently been praised for including domestic gardens in its remit.

The City has a huge hidden asset in the form of all the fruit trees both on public space and also in private gardens and allotments. It Would be great to record the range of varieties and even map them to know where to find them.

The presence of all these fruiting trees in Sheffield represents a continuous tradition of self-sufficiency and reminds us of the independence of spirit which has characterised its inhabitants. In the current upsurge of interest in local food, many more people are planting fruit / edible perennials .

### **CATEGORIES**

#### **1. Public Open Space**

e.g. Community Orchard on the Ponderosa in Netherthorpe.

Popularity and usage judged by the fact that local people have established a network of desire lines around and between the fruit trees as they check and pick the crops. Medlars “retting” ( starches turned to sugars by frost.) e.g. Sweet Chestnuts from Ecclesall Woods.

**2. Orchard Allotments** - On certain allotment sites, such as where the soil is heavy clay and the land slopes to the north, the sensible option is to plant perennials which means the soil doesn't need to be cultivated each year.

e.g. Barry New's Hazlenuts as featured on BBC 1 Gardener's World in August.

e.g. Hagg Lane – the 'executive allotment'. Once established, a standard plot of 1/8 th acre is capable of producing up to 500 lb / 250 Kg of fruit each year.

#### **3. Forest Gardens**

e.g. Highcliffe site. Disguised from the road by overgrown plots.

So many of the tenants have planted fruit that the whole site is developing the feel of an extended “forest garden” (ref. Robert Hart). Ancient plantings of Rhubarb, Raspberries, Blackcurrants and Gooseberries have survived since the heyday of allotment use back in the 1950's.

#### **4. T.P.O.'s on Specimen Trees**

e.g. Eucalyptus in the centre of Hagg Lane site.

e.g. Row of mature Oaks down middle of Hangingwater site.

#### **5. Designate Derelict allotment sites as Woodland**

e.g. Rivelin Valley – a beautiful new café and heritage park rather spoilt by derelict allotments.

e.g. Clough Fields where Sheffield Environmental Training have established paths and clearings around an allotment site which was abandoned in the 60's

A selection of some of the 30 rare and exquisite varieties of apple which Richard Clare from Sheffield's Organic Food Initiative has grown on local allotments.

## A Monograph

### Brief History of Allotments in Sheffield

#### Inditement

It is quite clear to anyone who takes an interest in Sheffield's allotments that all is not well. This is highlighted by comparisons with other towns and cities.

As a service to the people of Sheffield, allotment provision has been a basket case for decades. Now that the popularity of allotments has risen, the long-term problems with the service have been exacerbated and resulted in a complete crisis.

There are approximately 1000 empty and untenanted allotments. There must be at least 1000 people on the waiting list. There is demand and there is supply but the two don't match.

One person has effectively held and wielded excessive power over another 2000 lives without scrutiny or accountability.

Recent events have brought the situation to a head, but a brief historical review shows that negative patterns have characterised the whole term of office.

Over the years, this officer has picked fights with many influential figures, which has been detrimental to allotments as a whole.

- o Tried to forbid the leader of the City Council in the 1990's from growing strawberries.
- o Chopped down fruit trees on the plot of a head of the Planning Department.
- o Poisoned plants on a plot rented by a leading figure in the community sector.

One result of these confrontations is that allotment provision as a whole has lost out. By consistently showing contempt for individuals who had some thing to contribute to allotments, much potential goodwill has been squandered.

Nobody wants to think of themselves as victims of these petty persecutions. Every case where someone articulate and competent



has been harassed creates complicity in subsequent crimes. If all the cases where bullying has happened knew about each other and acted together, there would be immediate justification for the officer's suspension and dismissal.

## How to corrupt the system

Established departmental practice has been to aggressively deny any complaints and even accuse the complainant to pretend they are in the wrong.

Institutional cover-up and hush-up may be what you'd expect from a council as a body, but the cumulative effect is to sanction illegal practices so that they become the norm. There has been a domino effect whereby a minor transgression at a low level is then covered up by the line-manager and even department heads are coerced into defending the infringement by being misinformed.

At the time of the appointment of the current departmental head, the allotments section was renowned for its patriarchal and dictatorial culture. There was a hope that the new boss might address and remedy this. However, she was immediately implicated in the negative culture by signing a mass of eviction notices, many of which were not legally served on tenants. This led to much disruption and grief for community groups and people with mental health needs amongst others.

Several horticultural therapists have concluded that the current system is not safe for their vulnerable clients and even constitutes a threat to their mental health. This means that this sector has been suppressed and is under-represented in Sheffield.

## How to alienate the community

Many Organic growers have been picked upon over the years due to the fundamental ignorance of modern horticulture.

However, the whole community suffers as a result of incompetence.

Even the most loyal and subservient plot-holders experience the anomalies, such as the builder on Marsh Lane who was flagrantly abusing the regulations by burning plastic and using a plot as a commercial property. Instead of being removed, he was rewarded by being allocated a second plot on the same site.

The effect of the officer's meddling in the lives of local people setting one perceived group against another has created an atmosphere of paranoia and mistrust. Again, this has been exploited by the officer to misrepresent plot-holders as divided and squabbling.

People on the waiting lists have recently been used as cannon fodder to try to remove tenants who are perceived to be a threat to the officer, i.e. anybody who knows too much about the endemic corruption within the department.

## **Consistency**

As any individual interested in Sheffield's allotments will know, official policy has often been self-contradictory. Changes have not been communicated to tenants, who suddenly find that what was permitted one year is then deemed illegal the next.

For instance, after much negotiation with Sheffield Markets amongst others, the sale of produce grown on allotments and sold off-site was sanctioned, because it was economically negligible. Two years later this was officially contradicted.

As ever when it suits these regulations are again flouted by the very authority that should uphold them. An allotmenter who sells commercially recently took part in a BBC feature. After this he could sell his produce "as seen on T.V."!

## **"Policing Allotments"**

Vandalism has been the biggest external problem for the past 30 years, contributing to the abandonment of whole sites. This has been exacerbated by the break-down of relations between the allotments office and their police liaison, due to abuse of the system.

The police have been misled into pursuing the officer's personal grudges. By wasting police time and resources, allotments as a whole are then not taken seriously.

## **Blame Culture**

The pressure from vandalism has been continually cited as the main reason for the state of allotments and the demoralisation of the allotment community. Equally, but not so openly, the tenants themselves have been blamed, for their poverty and infirmity.

## **Macho Culture**

As a Council Department, Parks has been one of the least open to change and modern working practices. This could be illustrated by the fact that despite its immense land holdings (40,000 acres), Sheffield gets only ¼ of the budget of other metropolitan boroughs.

This has meant that entrenched and embattled cultures have persisted long after they have been addressed and remedied in larger departments such as housing or waste management. There have been attempts to improve and modernise the allotments service, but these have simply been rejected and stymied.

A new head of department was brought in from outside with the specific remit to change the aggressive and confrontational culture which the allotments department has earned a reputation for.

## **P.R.**

In the past year there has been an attempt to cover up the problems. The pretence that the service has been competently delivered is utterly unsustainable and does not stand up to scrutiny.

Anyone can see at a glance that a variety of “rules” have not been effectively applied for many years: -

- Many plots have massive trees growing, which have been there for many decades. Perennials, whether fruiting or ornamental, are present on more than 90 % of plots.
- Hedges are often not kept at a uniform 5 feet, either by tenants or by the council.
- Many permanent structures, built during the last 50 + years exceed the official recommendation in size.

## **Arbitrary application of rules**

Any objective observation of allotment sites will reveal that different rules and standards are applied on different sites.

## **Established practices**

For the past 20 years, tenants were compensated for taking on derelict and untidy plots by being given a year's tenancy rent-free.

The standard explained by the allotment officer was that as long as you pay your rent and cut the external hedge, you would be okay.

## **Practice contradicts policy**

A variety of issues can be identified where stated Council policies have been directly contradicted by practices common in this department.

For instance, the ban on 'any crop which occupies the ground for more than 12 months' is taken from the 1908 Act of Parliament but is directly contradicted by the 1922 Act which permits the cultivation of 'vegetables OR fruit', as advertised on the council's website.

## **Reversals of policy**

Policies have been known to change and then be reversed. For instance selling produce was and is now not permitted. However, for 2 years, 1999-2000, it was allowed.

These self-contradictions are not communicated effectively and many innocent and well-meaning souls then find themselves in breach of the current regulations.

This is especially damaging for community projects, which have responsibilities both to clients with needs and as employers of allotment workers. Projects, which were actively encouraged in the 1990's, have since been abandoned or suppressed.

## **Threat of eviction**

As a new tenant, the first and probably only contact you will have with the department has been a letter informing the tenant that their allotment is in breach of the rules in the tenancy and that they will be evicted if nothing is done about it. Many tenants have been worried because nothing is specified. Recently pictures have accompanied to explain what needs doing. Sometimes these pictures do not relate to the plot referred to.

Eviction is a blunt and highly coercive tool, so the effect of these letters is to alienate tenants and create a permanently bad impression of the landlord.

## **Regressive mentality**

Modern approaches to allotments such as Organics and Permaculture have not been understood. Such practice has been actively rejected and even destroyed.

## **Abuses of Power**

Recent cases should be perceived as an exacerbation of long-term patterns. Over the years, the officer has

## **Condoning illegality**

Faced with an intractable tenant who was terrorising Meersbrook, the officer was reported as recommending that other tenants should “beat ‘em up and burn ‘em out”. The officer himself has been reported as threatening tenants with physical violence.

## **Financial mismanagement**

The department has consistently swallowed up funds, which were meant to be allocated to and run by community groups. Most recently, £60,000 was raised by the Federation, but spent by the department without community involvement.

Other funds have been effectively expropriated from community groups, including £8,000 from Joint funding in 2001.

## **Dividing Communities**

The officer has continuously waged campaigns to try to direct and influence what should be independent democratic processes. He is exploiting allotment tenants' respect for authority by instructing those he sees as “loyal” to undermine those he sees as threats to his own position.

## **Case Studies**

1. The LEAF project have been hosting visits by small groups of children from Chaucer school for more than a year without any problems or consequences for other plot holders on their site. When Yewlands School wanted to set up the same arrangement, tenants were instructed by the officer to petition to stop school visits.
2. Tenants in Crookes have been instructed not to join a Federated group because the officer believes this group will want to make their site self-managing.
3. The officer is trying to replace the present Chair of the Allotment Federation.

## Community groups targeted

Several locally-funded community groups have been harassed and intimidated by being forced to operate to the letter of allotment law (1908 version).

One group has had the funding for a polytunnel for more than 2 years. They need sheltered space to accommodate groups of up to 12 clients (schoolchildren or people with care needs). The Planning Department state that there are no restrictions because polytunnels are classed as "temporary structures".

## Community Sector Exclusion

20 years ago, Heeley Farm took on 3 allotments to expand their capacity for therapeutic and productive horticulture, but were then banned from using them.

The Wildlife Trust have also been refused access to allotments in the past although they manage allotment land in Norfolk Park and the Manor.

In the 1990's, groups of all kinds were helped and encouraged to use allotments. Their presence and activities were perceived as being beneficial both for the public perception of allotments and to justify the use of tax-payers' money.

## Hijacking Democracy

As a civil servant representing the local authority, the officer should not involve himself in what can only be described as a series of political assassinations.

## Playing politics

As the main opportunity to contribute to local democracy, the council's Scrutiny Committee were asked to review policy on allotments in July 2006. Evidence submitted to the committee by the allotments department was evasive and misrepresented the true state of affairs, thereby showing contempt for the democratic process.

## Bullying

Fear of speaking out for fear of retribution. Perhaps the worst victims of the regime have been the many co-workers who have been abused and traumatised by John Martin's brutality.

By misleading management and executives, the local authority as a whole could be perceived as complicit in corruption.

False representation

## Illegal evictions

In the past year, there have been an increasing number of cases where tenants, who have paid their rent and are actively cultivating, have found themselves displaced without their knowledge. This means that the statutory process for eviction, which includes informing the tenant by registered post and notice on site, has not been followed.

1. In one case, a tenant with registered mental health problems was very disturbed by finding that he had lost a site after 7 years. As compensation (an admission he had been wrongly evicted), he was later provided with another plot and could start again.
2. Meersbrook Blind and Partially-sighted allotment group had planted 12 types of willow, which they intended to use for occupational therapy (basketry). This plot was cleared and re-let.
3. A lady in Dore was told that her plot would be sub-divided and she would have to share with a stranger.
4. After 8 years, two tenants on Highcliffe found that they had been displaced. In this case, the "new tenants" took 2 weeks off work and spent the time clearing crops and a herb collection before the actual tenants realised what was happening

The council response to these cases has been to explain them away as "mistakes" and bureaucratic "errors". So far, these errors have not resulted in claims for compensation against the local authority or physical damage to either of the parties, who have been put in an adversarial position by their local authority.

## Maladministration

One recent and ongoing case has highlighted the escalation of problems caused by trying to defend an indefensible action, instead of admitting a mistake.



# ***CUSTOMER SERVICE***

## **Appeals procedure**

Practically there is no process to appeal against the decisions of the officer. This means that issues can only be dealt with outside the Section, by involving managers at executive level.

## **Complaints procedure**

If you dare to raise a complaint against the department, you are likely to be accused of breaking some rule or even an attempt will be made to criminalise you, just to silence the critic.

Complaints made against allotment holders have not been addressed, unless and until it is in the perceived interests of the department ( i.e. to defend themselves against a complaint against them).

In certain cases, however, a lot of worker time has been devoted to intervening in neighbour disputes, which distorts them and blows them out of proportion. No central system where one person is responsible for managing more than 2000 human relationships can have sufficient information to effectively micro-manage complex situations.

## **Making sense of it**

The rational mind tries find some sense in what appears to be total confusion. The generally accepted theory is that the officer has been trying to create sufficient problems that his employers will find it easier to offer him redundancy... i.e. his actions could cost the authority so much either

1. in terms of executive time responding to appeals    or
2. in cash terms for compensation for illegal acts    or
3. in publicity terms, Sheffield's media image could be damaged

....that it is effectively cheaper to pay him off.

## Common Knowledge

Rony Robinson, BBC Radio Sheffield, explained the legal constraints the media operate under by referring to the Doncaster-Donnygate scandal where local media (and people) knew there had been corruption but could not broadcast until the conclusion of the official investigation.

Many other individuals and departments are well aware of the deficiencies of the allotments service, but no one seems to have had the clout to act.

Quite how long can this lamentable state of affairs be allowed to continue?

Inevitably, there will be many more individuals and organisations interested and involved in allotments in the future. This paper has been compiled to try to save them the grief which has typified allotment life in Sheffield for the past 20 years.

The solutions are simple:

e.g. devolution of lettings and investment in local communities' organisational capacity.

But because this state of affairs has been allowed to deteriorate for so long, the effort of remedying it has become proportionately greater.

Allotments and the communities that use them need due process and clear rules so that they can be included in the mainstream of society and can deliver the full contribution they are capable of making.

**Development, Environment and Leisure**

**Parks and Countryside**

Director of Parks and Countryside: Mary Bagley

Meersbrook Park, Brook Road, Sheffield S8 9FL  
Tel: 0114 273 4528 Fax: 0114 255 2375  
e-mail: john.martin@sheffield.gov.uk

Our Ref: JM

Mr R Clare  
41B Burns Road  
Sheffield  
S6 3GL

Date: 18 April 2007

Dear Mr Clare,

At the last allotment advisory meeting you highlighted your concerns that a tenant on the Crookes Marsh Lane site was using his huts on his plots as a workshop in conjunction with his businesses.

I have contacted the city solicitor about your accusations and he has indicated that we require you to furnish us with evidence as proof of this. We require this in writing so that we can progress your complaint and I can look further into it.

If you require any further information please contact me at the Allotment office.

Yours sincerely



John Martin  
Allotment Officer



Another desperate attempt to stir up trouble for me, he told people I was trying to get rid of this builder, when I was simply pointing out that this abuse of the system had been sanctioned by the Officer, i.e. the exact opposite of what is written.

Two letters in two days, both on official paper, in the name of the Head of Department!

I must be important to warrant all this precious bureaucratic time!

**Development, Environment and Leisure**

**Parks and Countryside**

Director of Parks and Countryside: Mary Bagley

Meersbrook Park, Brook Road, Sheffield S8 9FL  
Tel: 0114 273 4528 Fax: 0114 255 2375  
e-mail: john.martin@sheffield.gov.uk

Our Ref: JM

Mr R Clare  
41B Burns Road  
SHEFFIELD  
S6 3GL

Date: 19 April 2007

Dear Mr Clare,

**Crookes Quarry Allotments**

We have received numerous complaints from members of the public who use the roadway from Mulehouse Road to Marsh Lane.

The complaints are regarding the speed of your driving and the inconsiderate way that you use the road. Pedestrians, especially parents with prams and the elderly, feel intimidated.

I look forward to your comments on the above and would ask that you drive on the shared roadway with care and at no more than 5 MPH and with due consideration to other users. Please do not cause a nuisance to other people who have every right to use this shared roadway.

If you require any further information please contact me at the Allotment office.

Yours sincerely



James Barnes  
Acting Head of Community Services



This letter arrived rather suspiciously the day after, another from the hand of Mr Martin, impersonating the Police, in this case.

Poor Mr Barnes was then obliged to receive absolute evidence that this agenda had already had criminal repercussions and cast the authority in rather poor legal light, having been demonstrated to be inciting mob rule.

Over twenty years there have been a constant stream of people whom John Martin has used and disposed of, or they've caught on and avoided him.

Large print versions of this letter are available by telephoning (0114) 273 4528.

We aim to ensure that you fully understand the contents of this correspondence. We welcome any feedback you may have on how we can improve our communication with you.



INVESTOR IN PEOPLE

4<sup>th</sup> May 2007

I am already aware of the issue referred to because, as I pushed my wheelbarrow along the track, at about 2.30 pm on Tuesday 13<sup>th</sup> March 2007, someone stopped me and told me he had heard (not seen) that I drive too fast.

I began to explain the care and attention I take, but he immediately became abusive and then threatened to smash my car windscreen.

I went away to recover, but thought I ought to get some evidence, just in case he carried out his threat.

He objected when I tried to take his picture by hitting me with his stick.

I explained that I had visual evidence of his assault and presumed that he would not want to pursue the matter.

As I left the site at 7.30 pm on Wednesday 21<sup>st</sup> March, I noticed that my car's wheels were making an irregular sound. I seemed to have got two slow punctures. Tyre-pressures were 12 and 14 p.s.i. After re-inflating and double-checking, I realised that both had been deflated to the point where I could still drive, but would have lost control cornering or at speed.

Because my life had been threatened, I reported the threat of criminal damage and the deflation of the tyres to the police – Incident Number 935/21/3. They confirmed that it sounded like the two incidents were connected. I explained that I had visual evidence if anything else happened but that I did not want to take the matter any further.

I did not explain that the image identifying my attacker also incriminated him of assault. But I couldn't understand his excessive zeal.

I discovered that he was called Dave and that his nick-name is "Patience" because he is notorious for having a short temper. I left it at that and have not seen him since.

I thought he meant "heard" my engine. Now I understand that he meant heard from somebody else.

I know that The Allotments Officer has been telling ridiculous lies about me to allotmenters on Marsh Lane and Hagg Lane, instructing them for instance to stop me starting a federated group for Crookes Quarry last year because he told them I wanted "Self-Management". I also know that it is his established practice to divide one part of the community against another, such as his instruction to Norwood tenants to petition against school visits.

I couldn't see any direct connection between Dave and The Allotments Officer though, until SCC Parks and Countryside letter arrived on 19<sup>th</sup> April, when it became obvious. And I also discovered that Dave had been a colleague of The Allotments Officer, working for SCC Parks and Countryside as a Dog Warden.

The balance of probability is that The Allotments Officer has incited or encouraged complaints about me, which Dave must have taken as his justification for his threat of criminal damage, physical assault and possibly the sabotage to my car.

I believe The Allotments Officer has been motivated by his objection to my attendance of the SCC Allotments Advisory Panel.

I also believe that he may have been influenced by reading an historical record of Sheffield's allotments, *Plots and Plottings*, which the Federation Secretary might have passed to him some time after 13<sup>th</sup> Feb 07.

I myself cannot prove that the attempted manslaughter is directly linked to John Martin, but there is a definite possibility that he may have inadvertently encouraged life-threatening vigilante violence.

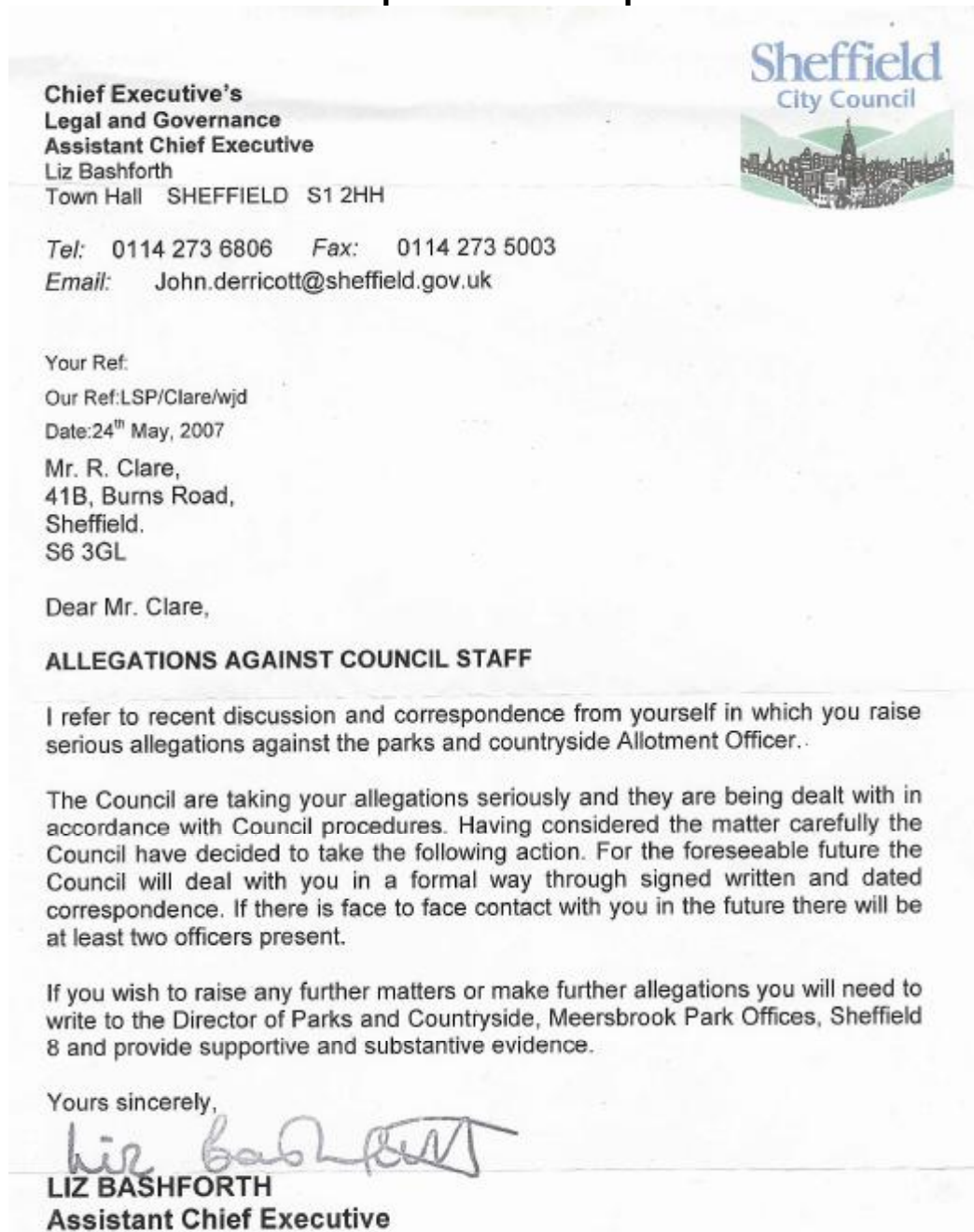
In light of this, I would expect **absolute confidentiality** in dealing with the investigation of this matter.



# GET-OUT-OF-JAIL-FREE CARD?

This letter gave me reassurance that the Council as a legal body were aware of the doubtful service I had received and set in place this provision, which was reiterated by the Head of Dep't (11 / 07) and is still in place today.

Although this meant that John Martin could not use his powers as a Council worker to prosecute / persecute me formally any more.



However, this simply meant that he resorted to covert manipulation and went outside the law.

The patterns of corruption and abuse which I have experienced personally are currently being perpetuated and need to stop before the City of Sheffield can progress.



PLEASE NOTE THAT PRIOR TO THE MEETING, THERE IS TO BE A VISIT OF  
INSPECTION OF VARIOUS ALLOTMENT SITES, LEAVING THE TOWN  
HALL AT 9.30 A.M. AND NOTE THE TIME OF THE MEETING

ALLOTMENTS AND LEISURE GARDENS ADVISORY GROUP

Meeting to be held on 18th September 2007 at 2.00 p.m.  
In the Town Hall

A G E N D A

1. APOLOGIES FOR ABSENCE
2. MINUTES OF PREVIOUS MEETINGS  
To consider the minutes of the meetings held on 28th May, 2007  
(None hereafter)
3. MATTERS ARISING  
Director of Parks and Countryside to report.
4. SHEFFIELD ALLOTMENTS AND HOME GARDENS FEDERATION -  
ITEMS OF BUSINESS:  
(a) Old Haywards Allotment Site, Davenport  
(b) Pedestrian entrances to Runwold Allotment Site  
(c) Non-cultivation of plots and borders to Club  
(d) Projected work on Allotment Sites 2007-2008
5. ANY OTHER BUSINESS
6. DATE OF NEXT MEETING  
To note that the next scheduled meeting of the Group is to be held on 27th  
November, 2007 at 1.30 p.m. in the Town Hall.

This was when it became unavoidably obvious that the minutes were being rewritten in John Martin's words. He was not in the meeting although he was present in the building, avoiding me as a reaction to Liz Bashforth's letter.

Although he was absent, the minutes for this meeting were still written by him!

My punishment for exposing the fact that the minutes of the committee were being fiddled was this rather blunt threat to exclude me from the process. No wonder people are sceptical about democracy.

The guy who signed this was not at the meeting referred to. He believes that if allotments were productive, it would be a threat to greengrocers. I am always offended when people call me a gardener.

Telephone: 0114 276 2642  
Fax: 0114 276 2645  
Email: [garry.weatherall@sheffield.gov.uk](mailto:garry.weatherall@sheffield.gov.uk)

Website:  
[www.sheffield.gov.uk](http://www.sheffield.gov.uk)

Date: 14 September 2007



Councillor Garry Weatherall  
Cabinet Advisor for  
Parks, Woodlands and Countryside

Town Hall  
Sheffield  
S1 2BH

Mr R Carr  
413 Burns Road  
Sheffield  
S9 3G1

Dear Mr Carr,

I am writing to inform you that following a meeting of Councillors from the Allotment Advisory Group, regrettably a decision has been made to issue you with a final warning concerning your conduct at Allotments Advisory Group meetings and towards the Council's Allotments Service.

This decision has been made in light of your uninvited and unsubstantiated allegations regarding Council Officers and in light of your admission that you have been recording Council meetings which is against Council Standing Orders. This behaviour and conduct is considered unacceptable and is the reason for the final warning. Should you continue to act in this way I will have no choice but to exclude you from future meetings of the Allotment Advisory Group. I shall be writing to the Sheffield Allotments Federation informing them of our decision.

It is regretful that we have had to make this decision but it has been made in the best interests of the Allotments Advisory Group.

This warning should not be seen as a reflection on the positive work you have carried out in the promotion of organic gardening, and I hope we can work together to ensure the allotment provision within the city continues to develop to meet the needs of all its communities.

Should you have any concerns regarding the Service, please could you put them forward to Mary Bagley, Technical Parks and Countryside.

Yours sincerely,

Cllr Garry Weatherall  
Chair Allotments Advisory Group

**Information supplementary to evidence supplied to SCC Deputy Chief Executive December 2006, as sufficient to go to local government Ombudsman.**

**RC - £1 million into economy, including contribution to NWICA / NUCA (£50 M)**

- Allotment project support  
(LEAF / SAGE Greenfingers)**
- Member of Sheffield Allotment Federation Executive Committee**
- Positive publicity for organic allotments –  
e.g. Green Food Map / Plotters / press / radio / TV**
- Research project + Sheff. Univ. Plant Sciences**
- Research project + N E Derbyshire Mental Health**
- growsheffield.com**

**Over the past 20 years as an allotment tenant, activist and worker, according to the evidence communicated to me by the Allotments Officer, I have been accused of the following:**

- 1. Cutting an internal hedge  
shorter than 5 foot in January 2004**

**and**

- 2. Driving above 5 miles per hour on a track  
which has a 10 mile an hour speed limit.**

**That's it!**



3 I received a letter from the Chair of Allotments Advisory Committee on the 17<sup>th</sup> September, which I opened at 8 pm in the evening after the Advisory Committee meeting, which I did not attend.

I was never informed of any Standing Orders or Code of Conduct governing these proceedings.

I recorded only one meeting and explained that I had done so at the next meeting.

I would have expected that there should be no restrictions on recording .

- | The Chair of the Committee should distribute Standing Orders to all members.

### 3 Copy of last Allotments Advisory Committee minutes

I have been aware that the minutes of these meetings have been doctored , not just because I'm a literature graduate who studied Semiotics, but because they included remedial factual errors and obvious distortions of the truth.

For instance when I reported that there had been many fires as a result of new tenants clearing 20 years of woodland from plots on the Hagg House site in Rivelin and suggested providing a chipper to dispose of this material without generating smoke( as I remember Sheffield was designated a smoke-free city in 1979), this fact was reported as if it were hypothetical.

However, the last minutes seem to have been tampered with by John Martin, who was not actually present at the meeting. For instance, I did not mention and have never had any knowledge of any boot fairs.

- | Patrick Burns should not have compromised his professional integrity by permitting a transparent departure from the truth.

### 3 Letter requesting information about builder on Marsh Lane

I stated at the A A meeting that I knew nothing more. My point was that John Martin was already aware of this matter and had

already intervened before the Gardeners' World visit to the site last year. His letter claims ignorance of a matter he was well aware. He was also reported by tenants on Marsh Lane as saying I was trying to cause trouble for the builder, as if he might then have a go at me. I am now chided for being un-co-operative in this matter!

- 3 Police Incident number 935 / 21 / 3 – Wednesday 21<sup>st</sup> March 2007
- 3 Letter from the Allotments Officer 27<sup>th</sup> April 2007
- 3 My evidence submitted on Friday 4<sup>th</sup> May 2007
- 3 Letter from SCC Legal and Admin

Garry Weatherall should not have known anything about the evidence I showed to James Barnes and his assistant on Friday 4<sup>th</sup> May 2007, after an assurance that my confidentiality should be respected, witnessed by my friend Rhu Alred, because I believed my life had been put at risk. I did not mention the matter at the A A meeting in May.

I am being punished for letting the matter rest and not pursuing a civil action against the individuals involved.

- ┆ Send copy of Liz Bashforth letter to Chair and Councillors.

- 3 Correspondence about 19 Crookes Quarry June – July 2007
- 3 Correspondence about Walkley allotments September 2007

A seemingly endless stream of Complaints have been reported to the Council by intimidated tenants and their political representatives. These seem to have been ignored.

In many cases, complainants are actually upstanding contributors to society, who have records of service to the community. For instance, Jude W, who has tended the same plot for 35 years, is a national figure in the community recycling sector.

- ┆ Standard Council procedures for acknowledging and processing Complaints should be adopted.
- ┆ An independent Customer Service Survey should be commissioned.

## Request action on bulleted points:

options ... need a strategy from SCC...?

### ask for Protection before next problem

(presented to Bagley as threat – met under unpleasant circumstances)

Fear another attack whether I speak out or not, because I remember.

Whistle blower - too many other victims

Leverage > politics

Crisis Management > ongoing or escalating crises

### J Mothersole to suggest / recommend Chris Heeley consult me (informally and without interference)

### I would like the immediate suspension of the Allotments Officer and a formal investigation of the issues presented, because he has misled other council workers and councillors. I believe his actions are a corrupting influence.

This request reflects the need to signal that change is possible to the allotment population at large, in order that co-operative partnership working can be possible.

The Allotments Officer was heard this week to blame allotment tenants' "human nature" instead of understanding the reasons for their positions and accepting responsibility for the system which defines their actions.

### Tenancy

After a 3 year period of supposed consultation, no substantial changes were made. The Tenancy Agreement was pushed through the committee stage without the consent of the Federation after Mike Taylor's departure and before the appointment of his replacement. The new incumbent now has a document foisted upon him which is highly anachronistic, a throwback to the original 1908 law, but imposes many more stringent requirements on tenants, such as the prohibition on composting vegetable wastes or the power to enter a plot, remove weeds and bill the tenant for this service.

John Derricot, SCC Solicitor, said he would follow the example of City Centre Licensing, which meant he would aim to achieve 99% conformity. In the very different context of allotments, 99% of plots would currently not conform.

Implementation would put landlord and tenants in a permanently adversarial (legal) position.

The recent (2 year) campaign to intimidate tenants into yielding their plots has succeeded in removing many weak and vulnerable people, but many of us are also highly qualified professionals who are able to defend ourselves, individually and collectively.

## **License**

Instead of simply accepting that a constituted group is a legitimate legal entity as has always happened with the trading huts, community horticulture groups have had to use plots rented in an individual's name. This has deterred investment and increased uncertainty in the sector.

The next step is to proceed with a "License", which is actually a series of prohibitions. This document has been completely rejected by existing community groups, who have thrived or at least survived for years under the present arrangements. Presented as a breakthrough in promoting community groups, the current version could destroy established groups and deter future developments.

## **| Litigation**

I understand that a member of a well-established community group is suing for injury compensation. Although I cannot judge this case, it seems to indicate the break down of a constructive relationship and could be the logical response to litigious governance.

This unique case should be a reminder of the historical good-will of tenants (in not suing), taking into account the realistic state of some plots let to members of the public.

## **| Insurance**

Historically, the council has made an annual financial contribution to the Federation. As I understand it, no payment has been made for at least the last two years, although the usual arrangement for this period was agreed by Mike Taylor before he retired.

This money ( at least £2,500 ) would be enough to pay for public liability insurance for nearly all (50 @ £50 each) individual sites. If this was administered through the Federation, this would also serve to reform its city-wide purpose and function or encourage the establishment of representative groups for all sites.

## Policy

Chris Heeley has echoed the principle that policies should be developed.

Current and historical practice has contradicted both internal allotment or departmental policy and also wider council or policing policies.

Needs to be allowed to do his job without interference / distortion.

### Development, Environment and Leisure Parks and Countryside

Director of Parks and Countryside: Mary Bagley

Meersbrook Park, Sheffield, S8 9FL  
Tel: 0114 273 4285 Fax: 0114 255 2375  
E-mail: christopher.heeley@sheffield.gov.uk

Your Ref:  
Our Ref: CH/TH  
Date: 12 October 2007



### Plot 20 – Crookes Quarry Allotments

I am writing to you in regards an event that is being publicised on the Grow Sheffield website. "Allotment Soup" is being advertised as an "eclectic mix of sounds, sights and sensations responding to the vitality of SO-FI's allotments at Crookes Quarry Allotments" and is due to take place this Sunday 14<sup>th</sup> October between 1 and 4 p.m. I am very sorry that my first contact with you and your organisation is such a negative one. As a Parks and Countryside Service this is an event that we would wish to support due to its capacity to contribute to a number of cross cutting themes. I would have been happy to offer the support of my events team to aid in the smooth running of the event, unfortunately the first I was aware of this event was yesterday when I was contacted by a member of the public.

This event is to include live performance art and music, and these activities under the Licensing Act 2003 require a licence. I am not aware that a licence has been obtained for this event but if it were to proceed without one then the organisers/tenant may be liable to prosecution with a fine of up to £20,000 and/or 6 months imprisonment.

In addition to the licensing requirement, your event is being staged on statutory allotment land, the act governing the provision of statutory allotment land does not allow for the provision such events on allotment plots. This issue is a minor one in comparison to the licensing requirements but is nevertheless an issue that we would need to resolve prior to the event taking place.

I must reiterate the need for a licence for this event and again highlight the possible consequences should you proceed without such a licence. Also as landowner we have not given our permission to proceed with this event due to the legal conditions that are still to be met and the need for appropriate insurance.

I understand that cancelling the event at this late stage will be extremely unpopular with yourself, your performers and your invitees. As a result I would like to offer you the use of either the Poncerosa Open Space or Hillsborough Walled Garden for the event on Sunday. Both these sites are licensed and public liability insurance can be provided through the Council. Hillsborough Walled Garden in particular would be an appropriate venue due to its horticultural interest, community involvement and public transport. Should you wish to take up this offer of an alternative site please contact me on the mobile number below as soon as possible.

I hope that we can improve communication in the near future, enabling us to work in partnership in a more constructive way. Please feel free to contact me on 07703 768 769 or should you have specific question relating to Licensing Laws please contact our general licensing section on 0114 2734264 / 2734880.

Yours sincerely

Chris Heeley  
Community Services Manager  
Parks and Countryside

## Parks and Countryside

Director of Parks and Countryside: Mary Bagley

Meersbrook Park, Brook Road, Sheffield S8 9FL  
Tel: 0114 273 4285 Mobile: 07703 768769 Fax: 0114 255 2375  
e-mail: christopher.heeley@sheffield.gov.uk

Your Ref:

Our Ref: CH/SW

Date: 22<sup>nd</sup> October 2007

Mr R Clare  
41B Burns Road  
SHEFFIELD  
S6 3GL

Dear Richard

Thank you for your telephone message that you left on Friday night (12<sup>th</sup> October). I am sorry that you feel so aggrieved by the letter that was left on your allotment plot on Friday and as stated in the letter I am saddened that my first contact with Grow Sheffield was such a negative one.

Your message makes a number of points, which I would like to address. Firstly you state that this was a harmless, private, invitation only event that was about positive use of allotments. I agree this event had very good intentions and was aimed at bringing the benefits of allotments to a wider audience. As stated in my original letter I believe this is an event that Parks and Countryside should be supporting. Your statement that this was a private and invitation only event, I would take issue with. The event was advertised on the Grow Sheffield website and encouraged people to print off the invite and come along to the event. Even if the event were "private" the Council would have an interest in it as it was taking place on Statutory Allotment land.

Your message makes reference to "threats" made by myself regarding the event. That you view my letter as a threat concerns me, it was intended to inform you of the legal requirements of such an event and to be constructive in offering alternative venues that would have both satisfied the licensing laws and the need for appropriate insurance. The letter was the end product of nearly a full day of trying to resolve the issue and should not be regarded as a threat.

A large proportion of your message makes reference to me being set up by my Allotment Officer John Martin. You also refer to him as my "underling." I object to this term being used as it has particular negative connotations and in no way

*"We aim to ensure that you fully understand the contents of this correspondence. We welcome any feedback you may have on how we can improve our communication with you."*

Large print versions of this letter are available  
by telephoning (0114) 273 4285



relates the way I view anyone under my line management. I would also like to point out that you are mistaken in your assumption that my action was influenced by John Martin. I was contacted because I said the day on Thursday the 11<sup>th</sup> by both a member of the public and a Councillor who specifically asked me if such an event required a licence. As I had no prior knowledge of the event, I looked up the advert for it on the Grow Sheffield website. The advert listed both live music and theatrical performances or exhibitions, both of which require an entertainment licence. I sought the opinion of the Council's Licensing Section who confirmed my assessment. I was then obliged to ensure that Anne Marie as organiser of the event was aware of the potential consequences of progressing with the event without a licence. I directed Anne Marie to Street Linc (Licensing) as she is more qualified to talk on the intricacies of licensing law than I am. I did not discuss this with John at all and in fact he was not invited to leave on Friday the 12<sup>th</sup>, the day I spent trying to resolve this issue.

Your message indicates a possible misunderstanding with our service and I have we can resolve this in the near future. I can assure you that my actions regarding the event were in no way influenced by the nature of the event or by the fact that it was taking place specifically on your allotment. As a Parks and Countryside Service we have found the new licensing laws very frustrating particularly as we support many community groups in running events across our sites. I would like to share many of your and Anne Marie's frustrations but I do have a duty to operate within the law. With over 8000 allotment plots I can't honestly say that there have never been events held on other's allotment plots that should have had a licence but I can assure you that if I knew about an event and believe it needs a licence I would not in the same way as I have regarding the Allotment Soup event.

You state that you have requested a meeting with me through John Witherspoon and Mary Bagley. I was unaware you had requested a meeting, however Mary did inform me that you have requested a response to previous correspondence from our service. Mary has also stated she is keen to resolve the concerns you have with our service and to improve our relationship with you onto a more positive footing. I will ensure you get to a response as soon as possible but as the allegations you mention are very serious I hope you will understand if I take some time to ensure our response is thorough as possible. I would also state that if you want to meet we have plenty of places to use the numbers or e-mail on the side or to contact me directly.

Once again I'd like to express that I have found this whole incident very frustrating, especially because I believe this event is one that the Council should be supporting and that we will be able to do so once your phone call has been contacted. I would be happy to discuss this matter any further.

Yours sincerely

Chris Heeley  
Community Services Manager

Dear Anne-Marie,

I am writing to you in regards on event that is being publicised on the Grow Sheffield website. "Allotment Soup" is being advertised as an "eclectic mix of sounds, sights and sensations responding to the vitality of SDP1's allotments at Crookes Quarry Allotments" and is due to take place this Sunday (14th October) between 1 and 4 p.m. I am very sorry that my first contact with you and your organisation is such a negative one. As a Parks and Countryside Service this is an event that we would wish to support due to its capacity to contribute to a number of cross cutting themes. I would have been happy to offer the support of my events team to aid in the smooth running of the event, unfortunately the first I was aware of this event was yesterday when I was contacted by a member of the public.

This event is to include live performance art and music, and these activities under the Licensing Act 2003 require a licence. I am not aware that a licence has been obtained for this event but if it were to proceed without one then the organisers/tenant may be liable to prosecution with a fine of up to £20,000 and/or 6 months imprisonment.

In addition to the licensing requirement, your event is being staged on statutory allotment land, the act governing the provision of statutory allotment land does not allow for the provision such events on allotment plots. This issue is a minor one in comparison to the licensing requirements but is nevertheless an issue that we would need to resolve prior to the event taking place.

I must reiterate the need for a licence for this event and again highlight the possible consequences should you proceed without such a licence. Also as Landowner we have not given our permission to proceed with this event due to

the legal conditions that are still to be met and the need for appropriate insurance.

I understand that cancelling the event at this late stage will be extremely unpopular with yourself, your performers and your invitees. As a result I would like to offer you the use of either the Ponderosa Open Space or Hillsborough Walled Garden for the event on Sunday. Both these sites are licensed and public liability insurance can be provided through the Council.

Hillsborough Walled Garden in particular would be an appropriate venue due to its horticultural interest, community involvement and public transport.

Should you wish to take up this offer of an alternative site please contact me on 07703 768769 as soon as possible.

I hope that we can improve communication in the near future, enabling us to work in partnership in a more constructive way. Please feel free to contact me on the number below or should you have specific question relating to Licensing Laws please contact our general licensing section on 0114 2734761/ 2734880.

Yours sincerely

Chris

Chris Heeley  
Community Services Manager  
Parks and Countryside  
Sheffield City Council  
Meersbrook Park, Brook Road  
Sheffield, S8 9FL

Further to your letter received at 5.30pm on Friday 13 October I would like to inform you of my decision re your concerns about the Allotment Soup event and the Licensing Act 2003.

It is unfortunate that the council Allotment department has not taken up the opportunity to discuss the event until two days before the event despite repeat attempts to discuss this and other Grow Sheffield events with the department over the last 3 months. Following legal advice and a detailed conversation with Stephen Conna at the Sheffield City Council Licensing department I feel that our event does not fall within the category of Regulated Entertainment for which a license is required. The event is focused on and motivated by food growing, organic growing and other related issues such as seed saving. The majority of the artists and performers who have volunteered their time and energy to participate in this project have all visited the site and are responding directly to the site and its purpose as a place of cultivation and food growing with sensitivity and interest. The ones that haven't visited the site already make work that is suitable for this setting. The wider context is a festival and celebration of harvest, which as I mentioned on the phone, is something that people have been doing for thousands of years.

Our event is much more akin to a garden fete as Stephen Conna suggested on the phone. There is no charge for entry, all participation is voluntary, the main aim is to promote food growing and celebrate harvest. The event is anticipated, as I told your events team, to attract 40-50 people over 3 hours - that is about 15 people per hour.

As I said on the phone, I have sent a number of emails and left a number of phone messages for various members of the department which have expressed my desire for a

Allotment Soup. I am sure that you will see by this that the event was an extremely sensitive and well thought through with quality artists (including ones of international standing) and ones that would not be considered disruptive by passers by or other allotment users.

I have considerable experience in organizing allotment based events across the country including events in Nottingham and Derbyshire as a consultant with Groundwork East Midlands. In July 2006 I organized a symposium and action research project on allotments and art in partnership with Nottingham Trent University, Groundwork East Midlands and Groundwork Greater Nottingham and Babbersmill Allotment site. This was called Hidden Worlds and involved 18 artists in creating new work for an allotment site with a public event of food, drink, sculpture, recorded music, video, poetry reading, performance and theatrical performance. It was not deemed necessary by Groundwork East Midlands to have this event licensed by Nottingham City Council. I also devised and mentored the Community Award winning Harvest Moon arts and harvest event in Kirk Hallam Derbyshire and I am aware of many other projects in other parts of the country that run arts related activities, events and celebrations on their sites.

This is by way of background to say that I am really surprised by the negative response to this event voiced by Sheffield City Council prompted perhaps by uninformed or possibly belligerent complainants when events that others and I have been involved with have been so fully supported in the past and have become models of good practice in an urban regeneration context. I hope that we can look at how we can offer the event in full, in partnership in the future and further the creative and full use of allotments in Sheffield by the people of Sheffield for the benefit and enjoyment of all.

conversation or even a meeting to discuss how we can work together to promote allotments, urban food growing and local food issues that I imagine and hope we have in common.

The wider framework for this and my work at Grow Sheffield is always the issue of Climate Change and the wider imperatives of exploring the possibilities of increasing local food interdependence as we approach peak oil conditions and we attempt to decrease our fossil fuel use. I imagine that these are also issues and of interest to a responsible council department.

My aim has always been to work with the council on this project. I have therefore revised the event and removed elements that could be said in any way not to conform with the strictest reading of the licensing act. This has written off many hours of creative hard work by many volunteers and artists who have given their time and professional expertise out of conviction and interest in the project for free. I have taken the precaution of removing any elements of the project that could be considered as dance, live music, recorded music, theatre performance (this is well over 50% of the original content). Thus I feel confident that I am in no way violating the Licensing Act 2003 which was the, I think, unfounded fear mentioned in your letter.

I am also very pleased that you are interested in working in partnership on such an event in the future. There are a great number of people interested in performing and participating in this context and visiting and finding more about allotments and I think this is a fantastic way to promote food growing to a wider audience when done in a sensitive way. The artists involved through distress and disappointed are keen to run the event in the future.

I am very happy to talk through with you, act by act the range of activities and performances that were planned for

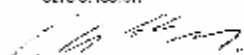
reflects the way I view anyone under my line management. I would also like to point out that you are misquoting in your assumption that my action was influenced by John Martin. I was contacted towards the end of the day on Thursday the 11th by both a member of the public and a councillor who specifically asked me if such an event required a license. As I had no prior knowledge of the event, I looked up the legislation for the Grow Sheffield website. The advert listed both live music and theatrical performance as attractions, both of which require an entertainment license. I sought the opinion of the Council's Licensing Section who carried my assessment. I was then obliged to ensure that Anne Marie as organiser of the event was aware of the potential consequences of progressing with the event without a license. I directed Anne Marie to Steve (on his licensing) as he is more qualified to talk on the intricacies of licensing law than I am. I did not discuss this event with John at all and in fact he was on another leave on Friday the 12<sup>th</sup>, the day I spent trying to resolve this issue.

Your message indicates a great deal of mistrust with our service and I hope we can resolve this in the near future. I can assure you that my actions regarding this event were in no way influenced by the nature of the event or by the fact that it was taking place specifically on your allotment. As a Parks and Countryside Service we have found the more growing have very frustrating part of our job as we support many community groups in running events on their own sites. I therefore share many of your and Anne Marie's frustrations but do have a duty to operate within the law. With over 6000 allotment plots I can't honestly say that there have never been events held on other allotment plots that should have had a license but I can assure you that if I knew about an event and believe it needs a license I would act in the same way as I have regarding the Allotment Soup event.

You state that you have requested a meeting with me through John Mackintosh and Mary Bagley. I was unaware you had requested a meeting. However, Mary did inform me that you have requested a response to previous correspondence with our service. Mary has also stressed she is keen to resolve the concerns you have with our Service and to move our relationship with you on to a more positive footing. I will ensure you get this response as soon as possible but as the allegations you make are in no way very serious I hope you will understand it takes some time to ensure an as thorough as possible. I would also state that if you want to meet with me please feel free to use the numbers or e-mail on this letter to contact me directly.

Once again I do hope to express that I have found this whole incident very frustrating, mostly because I believe this event is one that the Council should be supporting and I hope we will be able to do so next year. Please feel free to run an event and if you want to discuss this matter any further.

Yours sincerely

  
Chris Hedley  
Community Services Manager



Dear Chris,

Many thanks for your constructive letter.

Although it was late at night when I received your other letter, I would stand by my response.

I would like to meet to discuss:

1. My submission to John Mothersole, 21<sup>st</sup> Sept
2. Mary Bagley's suggestion about allotment courses, 1<sup>st</sup> Oct
3. "Allotment Soup", 14<sup>th</sup> Oct

I can make time for a meeting on a Tuesday or Wednesday. Please call me to arrange.

As far as I remember, we did have a positive first contact when you acknowledged my common sense suggestions about communication (explain hedge-height as safer for tenants and appeal for plots by explaining the high demand) on Jude Warrender's plot at the Advisory visit to Morley St, Walkley.

That day, she was hiding in fear on a nearby plot. She has since informed me that you have reassured her. I would like to express my gratitude for putting her mind at rest.

Ref: I. Mary mentioned that yourself and James Barnes were investigating. I would like to supply you with the pieces of evidence which are bulleted I. In my submission, a copy of which is attached to this e-mail.

This demonstrates that all three sectors of the Council (administrative, executive and political) have been corrupted by misinformation.

Please note that I had a very constructive professional relationship with the Allotments Officer from 1991, when he helped me set up Crookes Quarry Special Needs allotment, until 2001, when Sheffield Organic Food Initiative won the Soil Association's Award for Best Community Initiative. During this time I held open days for the HDRA, initiated the Healthy Gardening Group, which administered the GROW Grants scheme in collaboration with Healthy Sheffield, and commissioned the Green Food Map of Sheffield, which mapped a network of allotment-based projects. We

worked in collaboration on many matters, including a bid to the Soil Association's Food Futures project, in 1999, and the recycling of leaves delivered to allotment sites.

I have long felt and already stated that the only rationale to the officer's conduct to me is that he has been trying to get his employer to offer him redundancy or early retirement.

I hope you appreciate that I have been patient in this matter, more accurately "long-suffering", and tried to remain composed and diplomatic (ref. Findings 12.06, also attached).

**Development, Environment & Leisure Services**  
**Culture: Arts**  
**Director of Culture: Dr Ann Gosse**

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Anne-Marie Culhane  
89 Southview Crescent  
SHEFFIELD  
S7 1DG

6 December 2007

Ref. SW/LW/MDS/mts

Dear Anne-Marie

**Off the Shelf Festival of Writing & Reading-11 October-1 November 2008**

We are writing to thank you for your part in organising the 'Renga Ramble' which took place as part of this year's Off the Shelf Literature Festival. The Ramble seemed to go really well and although attendance figures were disappointing all those attending seemed to really enjoy it and benefit from the experience. It was one of my personal highlights particularly sitting in Richard's Greenhouse enjoying the fruits and vegetables from his allotment.

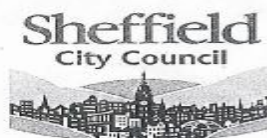
The Festival has been very well received with positive feedback from performers, publishers and audiences alike. Thank you again for all your hard work. I was particularly impressed with the toilet!

Best wishes.

Yours sincerely,

*Susan Walker*

Su Walker/Lesley Webster/Maria de Souza  
Community Arts Officers





4 12 07

### 3 LEVELS

1. Major – Climate Change / Civil defence / Media / Public Relations
2. Disrepute / Governance (Lack of Objectivity / state within state)  
– Fed / Tenancy / License / Planning / Policing
3. Protection – personal and charitable achievements (10 yrs +)

Effective intervention could have restricted or prevented further problems

- 1 1/12/06 immediately followed by solicited “complaints” (dated 12/06)
- 21/9/07 corruption spread to disrepute Admin / Exec / Political (AA)
- 21/11/07 compromised line manager / Legal and Governance (CH had already been co-opted and compromised impartiality)

### UPDATE

I petitioned last year because I had suffered first the loss of 10 fruit trees and then encountered multiple malpractice during my attempts to resolve. And because the consequent fear and tension have caused me to lose sleep and are damaging my career.

Our meeting seems to have triggered an escalating continuation which now constitutes an ongoing corrupting influence on the Council as an institution and is bringing the Council as a whole into disrepute.

Soon after, reports from the general public on a cluster of dates in Dec 06. Presented as evidence to me 4<sup>th</sup> May 07.

I also believe that the same matter had already been referred, without previously informing me, to the Police, who stationed a car and two officers at Crookes Cemetery over a period of two weeks during May 06. Following Mike Taylor’s verbal threat to evict me from all allotments in Sheffield” (16<sup>th</sup> April 2006) - No action resulted.

Issue connected to verbal and physical assaults + threat of damage to property + attempted manslaughter . Vigilante perpetrator link to Council – (Dave Wilcox appeared on TV to publicise Dog Warden Scheme).

My defence interpreted as “allegation”, “investigated” and concluded “unfounded” then used as reason to warn / exclude me from AA.

## REPORT SINCE 21<sup>ST</sup> SEPT

1<sup>st</sup> October. I was told by MB that my concerns were being taken seriously and were being investigated by CH and JBarnes. She also expressed an interest in commissioning an educational course about allotments.

I was concerned that this could just be an attempt to placate me.

I requested meeting + CH to discuss both.

Oct 14<sup>th</sup> my colleague A-MC had arranged, as part of growsheffield, a cultural event at a variety of allotments at Crookes Quarry.

CH letter (12/10) financial + criminal penalties + consequences for allotment.

Licensing reassured about legal conformity (12/10)

+ cancelled theatre / song.

CH demonstrated partiality / embarrassed apology / admitted responsibility

(because A-MC had repeatedly approached to collaborate.)

7<sup>th</sup> Nov - Delivered hard copies of my submission 21/9 to CH and MB with letter summarising issues and requesting to submit same evidence as to you

21<sup>st</sup> Nov - I had a very constructive meeting with Mary and Chris, in the sense that I could both highlight our shared positive agenda and also present a wide-ranging impression of the negative and illegal practices the allotment community have experienced.

MB repeatedly stated she wanted "honesty"- stated "No pretence the service is being delivered properly" – didn't want me to report to J Mothersole.

CH accepted need to communicate Standing Orders to AA members.

CH admitted AA minutes re-written by A officers.

CH explained he had called extraordinary AA meeting.

He had already been investigating my response to 19<sup>th</sup> April and stated this was ordered by Legal and Governance.

CH did not understand this disqualifies him from judging the current issue.

CONTRADICTS L BASHFORTH (– described as just a “holding letter”;

- CH justified warning to allow A Officer to attend AA meeting
- AO didn't need to be absent from May AA (“2 officers” – presumably expected me to put 4<sup>TH</sup> May response to AA)
- Concludes “unfounded” without consulting evidence

CH understood that he had only just then (21<sup>st</sup> Nov) had a chance to see my evidence of either issue, 4<sup>th</sup> May or 21<sup>st</sup> Sept

CH was aware his actions breached my confidentiality

CH still thought I wanted him to investigate 4<sup>th</sup> May (allegation of conspiracy to manslaughter)

23<sup>rd</sup> Nov – phone-call + CH – Restated my concerns.

CH explained that it was also Legal and Governance that had instructed him to call extraordinary AA meeting. Didn't want to refer direct to LB...(?) Committed to a written response within the week. None forthcoming.

+ unspoken complaint from P Barsby (Fed Sec) without referring to Fed

number of plots / courses – same pattern (Qui bono / why now?)

e.g. Pat B visited plots many times since 94, knows I rent 2 and help others.

N.B. Confirms aim to reduce / exclude me from allotments

(MTaylor May 05 –> ASBO attempt / Patrick after Scrutiny)

i.e. Other victims (assumed were just me) - J Mortimer / Sue (28) / David (25) / D Kershaw / A & D Congreve (no response to complaints – alienated / demotivated).

On 21<sup>st</sup> Sept, I asked for meeting + new officer CH before his view of me could be distorted, as had happened with MB. He had already been nobbled!

I can't understand why and do not believe that L & G would order

either CH “investigation” into my “allegations” without informing me or recommend warning and excluding me from AA.

## PATTERNS

- | “Evidence” & Guilt concluded without informing or attempting resolution
- | Primary function of management to cover up and protect AO
- | AO deceiving management (e.g. MB evictions / checking 19 & 30)
- | Repeated punishment for reporting to MB / JMother
- | Tribal (feudal) / Stazi syndromes (informants)

## CONTRADICTIONS

- è CH Soup letter / MB positive about Forest Gardens
- è SCC Rangers have plot (not allowed to admit)
- è Manor & Castle Development Trust refused community plot

## CONCLUSIONS

Process of “investigation” reveals more evidence of corrupting influence

(line manager and L & G), derived from and benefiting one officer.  
Fed used by officer – Common Knowledge for allotment community  
Hostility to independent sector - Record of under-investment will continue.

i.e. Rose Tanner (LEAF) / Helen Warburton (SAGE Greenfingers)  
Applying failed policies harder will not help.  
MB detached - exposed to much new information.  
Understands enough to justify dismissal i.e. misusing her authority (tenancy)

## OFFICER Functions: -

- 1.Reduce waiting list by evicting / intimidating present tenants
  2. Emphasize negatives to justify security funding
- Tenants = problem (> asset) rather than admitting AO responsible  
Co-opting / Corrupting
- | Members of Public
  - | Co-workers
  - | Line manager
  - | Departmental Head
  - | Federation
  - | Administration
  - | Executive and
  - | Political
  - | Legal and Governance
- ( Evidenced by SCC correspondence / admission )

## ONGOING CONSEQUENCES

- è “no-sacking” e.g. JMartin + Quinn ( + Barsby )  
(Chair Fed SCC employee = stitch-up ‘Growing Together’ – embezzlement?)
- è Campaign of Hate

## CONFIRMED ANECDOTAL EVIDENCE

I’ve restricted myself to substantial evidence, but I have also received a mass of even more serious and damning testimony from dozens of others.

E.g.

- ┆ Discrimination – Gender and Disability (Fed members)
- ┆ Inciting vigilante violence (Butler brothers on Meersbrook)
- ┆ Territorial marking – Barry / 25 / Herries Rd – (Who...)

## ACTIONS / INTERVENTIONS / IDEAS

- ┆ Protect 20 / 24 Crookes Quarry + 54 / 53 / 2 ( Hagg Lane )
  - i.e. 24 / 2 rented by S.O.F.I. (as Society trading huts)
- ┆ Change administration to reflect reality ( rather than opposite)
- ┆ Negotiate + AO – i.e. retire instead of sanction (?)
- ┆ Investigation - by L & G
- ┆ Review Tenancy / License + genuine consultation / involvement process
- ┆ Reform - AA / Fed / P & C procedures - Co Creasey Chair of AA?
- ┆ Pay annual allocation to Fed to restore representation to all sites
- ┆ Local Food Taskforce (?)  
(Environment/Planning/Community/Health/Education)
- ┆ Restructure budget – acknowledge independent sector investment / turnover (i.e. LEAF Green Bond £8K / Tradebase £180K)

Final Conclusions – Facing up to the inevitable  
My personal case illustrates wider practices

MB - don't go to Mothersole...  
CH - not Liz Bashforth....

Don't want the whole Council to be a protection racket for corrupt officer

Barry's Shit in Shed as option to dismiss on medical grounds  
- knows about / didn't

Bringing the Council into disrepute

Campaign of Hate + running scared (guilty / knows he's done wrong)

Corrupting / Co-opting: -

- | Members of Public
- | Co-workers
- | Line manager
- | Departmental Head
- | Federation
- | Administration
- | Executive and
- | Political
- | Legal and Governance (! For God's sake!)

Fed. Raises issue of "maintain 8 plots" (rent 2 + help others) = explains why Amanda Congreve and Dave Kershaw evictions

Dec 06 reported concerns to J Mothersole -> "complaints" about driving  
->

M'sole 21 sept 07 asked for protection first

Bagley 21<sup>st</sup> Nov – first chance to present evidence -> wants to bury / forget

- upset if her name used to push Tenancy through committee (rather than substance of doc)

C Heeley instructed by Legal & Governance to prosecute me (?!)

Concluded “unfounded” before evidence / contradicts Bashforth letter

(reassurance of proper process)

I had assumed he was new / independent / objective, then found he’s worked for SCC since ... c.1998

Offer to run course = buy me off

Contradicts / undermines Council Policies – allot strategy / due process

## BIGGER ISSUES

- | Evict current tenants to reduce waiting list / increase negative impression of sites to access funding for security fencing (e.g. Meersbrook)
- | Policy / Strategy – progressive >regressive
- | New Tenancy regressive - commits future to punitive / legalistic
- | License unprecedented / restrictive / prevents community
- | Abnegated Duty of Care – e.g me / new tenants on 53 /
- | Human cost – e.g. lost tenants / Ted Talbot’s “breakdown”
- | Embezzlement (QUINN) / Hijacked Fed for own purposes
- | Discrimination Vs Women / Disabled

Darrell Maryon believes Freemasonic ?

## VICTORY (?)

As a result of my third meeting with John Mothersole, this response was enough to satisfy me, although it did confirm for me that C Heeley was partial and that I could not trust a word he said. As with Mary Bagley's offer / commission to run a course, I was aware that to pursue the matter would generate more aggression and put me in danger.

elopment, Environment and Leisure

### Parks and Countryside

Director of Parks and Countryside: Mary Bagley  
Moorsbrook Park, Brock Road, Sheffield S8 9FL  
Tel: 0114 273 4285 Fax: 0114 255 2376  
e-mail: christopher.heeley@sheffield.gov.uk



6th December 2007

Mr. R. Clara  
41B Burns Road  
Sheffield  
S6 3GL

Dear Richard,

Thank you for meeting with Mary Bagley and myself on the 21<sup>st</sup> November. I hope you found the meeting productive and positive first step in achieving a more constructive relationship. We spoke on the phone on the 23<sup>rd</sup> November and you raised further concerns regarding the Parks and Countryside Service in particular. We both agreed that I would write to you to confirm the specific points that I would be investigating, as there seemed to have been a lack of clarity previously in this regard. This letter is therefore a confirmation of the issues that I will look into and is based on your submission to John Mothersole dated the 21<sup>st</sup> September 2007.

1. Clarity regarding the prevention of recording meetings under Council Standing Orders and the knowledge of Standing Orders amongst the Allotment Advisory Group.
2. Allegation that minutes of the Allotment Advisory Group have been doctored, in particular those of the meeting in June 07 by John Martin.
3. Claim that John Martin's letter to you regarding the builder on Marsh Lane is stating ignorance of the issue, when he was clearly already aware of the problem.
4. Your concern that Cllr Gary Weatherall knew about the incidents on the 13<sup>th</sup> and 21<sup>st</sup> March when you had asked for confidentiality when investigating the matter.
5. Clarity on the current status of the investigation regarding the involvement of the Allotments Officer in the incidents on the 13<sup>th</sup> and 21<sup>st</sup> March 2007.
6. Claim that an endless stream of complaints regarding the Allotment Service have been ignored.
7. Claim that the new tenancy agreement was pushed through during the period between Mike Taylor leaving and the new Community Services manager starting, with no substantial changes and without the consent of the Federation.

Large print versions of this letter are available by  
telephoning (0114) 273 4130



8. Claim that the service has had a 2-year campaign to intimidate tenants into violating the rules.

9. Your concern over the development of a licence to formalise the use of allotment and by a variety of groups

10. Your request for the Council to pay for public liability insurance for allotment sites through the Allotment Federation.

I hope this provides the clarity you require with regard to the issues I intend to investigate and respond to. I am sure you will appreciate that there are significant issues here that require time to give an informed response. I would not want to confirm these issues and delay any response by adding further items to be investigated at this time. However should you feel that there is a major omission in this list please could you respond in writing.

I feel it is appropriate to respond in this letter to a couple of points that you raised in your submission. Firstly you asked for clarification before the next problem. I believe that was explained at our meeting that the letter sent to you on the 24<sup>th</sup> May from the Council's Legal and Governance Section, gave you the protection you require. That letter states that we would communicate with you through signed and dated letters and that when we did meet with you there would always be two officers present. We agreed that this arrangement should be kept in place.

Secondly you asked for the immediate suspension of the Allotments Officer, during the investigation of the above points. This is a very serious request and one I am unable to agree to. Suspension is normally only considered in the most serious of disciplinary circumstances and only then when there is a concern that the presence of the officer would be detrimental to the investigation. I do not believe this applies in this instance and in addition a number of your services are used relate to the Council as a whole rather than to individual officers.

Finally I would like to comment on your recording of our meeting on the 21<sup>st</sup> November 2007. Our meeting began at 10:30 and you did not inform either Mary Bagley or myself that you were recording our meeting until 12:50. Can I assure that in future, I will endeavour to make a recording of meetings with council employees that you ask their permission at the very beginning of the meeting. I would also like to point out that such recordings are considered data under the data protection act and should not be provided or distributed to a third party without all parties consent.

I will endeavour to respond to all the points above as soon as possible. However if I am unable to do so within the next month I will keep you informed in progress.

Yours sincerely

Chris Heeley  
Community Services Manager  
Parks and Countryside  
0114 273 4285  
07733 788769

At this stage, I am a whistle-blower who might expect protection from the investigating official.

Mr Heeley concludes with a threat of legal action against me for the very act of informing the Chief Executive which triggered the investigation!



# "War" over allotments



Celebration: Liz Hewett, Susan Adams and Joan Croft after the allotments at Kaye Meadow were given the go-ahead

**SHEFFIELD STAR** Published Date: 19 May 2008

A ROW over plans to create allotments on green belt land is dividing a village on the outskirts of Sheffield. Kaye Meadow, off Church Street, Oughtibridge, has been chosen for the development after a three-year campaign by dozens of residents who want to grow their own vegetables.

But the scheme has angered others who believe the land - classed as an area of high landscape value and a site of special interest - should be preserved for conservation.

Liz Hewett, of Oughtibridge Allotment Society, said: "Twenty-eight people have signed up to grow their own vegetables here. They will be able to benefit from the exercise and healthy lifestyle of using allotments and have totally home grown food.

"Demand for allotments remains high within the city, with five or 10 year waiting lists in some places, so residents are extremely pleased to see their wish is coming true."

She added: "There are other environmentally-sensitive sites around the village such as Sensical Park, an area of woodland, which are being neglected. We've drawn up a plan to leave the edges of the field for wildlife, put in extra plants and rushes. It'll be fantastic."

Bradfield Parish Council approved the site for allotments last month, despite an original plan to turn it into an extension of an adjoining nature park.

Not all villagers are celebrating, however. Oughtibridge residents Nick and Susan Bush and Lynette Jackson, chairman of Loxley Valley Protection Society, want the meadows preserved for conservation and are backed by Sheffield Wildlife Trust.

Lynette said: "Ecological surveys and reports on Kaye Meadow all say it should be retained as a nature site. We are not against allotments but they should be put on a different site as this tranquil, lovely place is going to be destroyed.

"The plans have been pushed through and the bulldozers are due to move on site at the end of May."

Another campaigner is Dr Ian Rotherham, an environmentalist working at Sheffield Hallam University, who said: "I am appalled by this situation.

"This is a wonderful site, irreplaceable and the type of area that should be available to everyone on their doorstep. "Local councils could find themselves in breach of wildlife protection laws with regard to breeding birds and the impact on the water course.

"The extent of the proposed landscaping, in my opinion, would need planning permission which I do not think has been granted."

He said the site is a good habitat for threatened water voles, badgers and bats and is a thriving butterfly meadow. Sheffield Council has been approached by Bradfield Council to manage the allotments. Director of parks and countryside Mary Bagley said: "We are looking into the legal agreements, security and the site biodiversity before deciding whether or not to take on the management."

Marsh Lane is one of the few sites where John Martin was still able to coerce and co-opt a few tenants, as shown when this site featured on Gardeners' World (which gave a misleadingly optimistic or one-sided view of Open Space provision in Sheffield). He promised them a fence in return even if there was no planning permission, funding and the local community were unanimously opposed.

### Fencing Fears



Following recent proposals to erect a 2.5m high fence along the perimeter of Marsh Lane for the purpose of protecting the allotments from further vandalism and the closure of the allotment footpath, a meeting to allow allotment holders and local residents the opportunity to discuss the issues, was arranged for the 9th July at Stephen Hill Church. Chairman Ian Hague, welcomed everyone to the meeting and asked them to speak concisely and relevantly about this issue.

John Martin (Allotment Superintendent) gave a brief history of the problems recent vandalism had caused to greenhouses on the site and theft of items amounting to £2-3,000. In an attempt to mitigate losses, an Allotment Watch had been set up in Nov 07, similar to the very successful scheme started at Meersbrook, where the site is now being fenced to protect it further. As Sheffield is unique in having allotments open to passers-by, and being divided by individual hedges or fences, all the 70 sites in the city are being considered for fencing. Mr. Martin went on to say that at Marsh Lane the funding had not been identified yet. Rebecca Maddox (South West Area Panel coordinator) agreed, saying the South West Area Panel had no money earmarked for this at the moment, so whatever happened with local opinion this could not take place in the near future. In the event of any proposals there would be proper consultation, planning permission applied for and letters sent to everyone concerned.

Police Support Officer Whittaker spoke about his "public duty to investigate" the reports of vandalism he had received about this site, and the keenness of the local people to join Allotment Watch. His feelings were that a fence would 'eradicate the potential of nuisance youths'.

Speaking about the second issue, that of attempting to prevent vandalism by removing public access to the site following the closure of the footpath from Marsh Lane through the allotments, Terry Howard (local historian) said that this path has been in constant use for over 40 years, and has only latterly received a notice saying it is not a Right of Way but a Permissive footpath. Under common law "once a highway, always a highway so in order for this path to be closed it would need a formal closure notice to be served. On being asked whether this particular path was dangerous, he replied this path is in the same condition it had ever been in, and the area has far more dangerous paths – on Den Bank, Bell Hagg, and Valleyside etc. All footpaths have an element of risk in a semi-rural area. He pointed out that the new Sheffield Development Framework, parks & open spaces people, and modern health strategies are all keen to encourage local people to walk around their communities, and closure would erode such policies. Allowing criminal activities to close paths is an easy way for the police to sort out the issue – a "cop-out" – it would be better to increase their use so more eyes were available. He was applauded.

Speaking from the floor, one lady raised concerns about the possible closure of other footpaths from the Crosspool area to Crookes, in particular the "cobbly path" that runs adjacent to the allotments. Rebecca assured her that this one is a Public Right of Way and thus protected.

Rebecca went on to say that she had spoken to the R of W officer & been told that there are Health & Safety Concerns with the path going through the allotments. Although it is perceived as "permissive", there is a form that people can complete to lobby for it to be adopted as a Public Right of Way.

Mr Martin replied to a question about the proposed length of the fence to say he doesn't know yet whether the whole site would need to be enclosed. It might be done in phases, suggesting that Marsh Lane & the kissing gate/cobbly path bit could be done first, then later the cemetery side.

Several people at the meeting felt the proposed fence would make the area look like a prison, whilst others liked the fence idea but felt it was not needed along Marsh Lane. Terry Howard mentioned that criminal activity comes in waves (as per his experience with the school playing fields) but the fence would be a permanent fixture that would damage the look of the whole area. Ian Hague read out two letters he had received from residents, asking him to bring up their opinions. One local lady, who was unable to attend the meeting due to being housebound and who had lived in the area for over 65yrs, expressed her "vehement opposition" to the fence idea, but another gentleman (Roger Marsden) talked in his letter of the recent vandalism, burglary of equipment, arson & greenhouse destruction that he had suffered after 20 years as an allotment holder.

Mr Martin said he had sent a questionnaire to all the city allotment holders, and their "wish list" was to have fencing and locked access gates, so to date 60% of the sites have these as a Council policy. He mentioned, however, that at least one Meersbrook resident objected to the fencing.

There was a general feel that not all allotment holders in Marsh Lane agreed over the need for a fence. Rebecca wound up by re-iterating that the area panel had no money for such work at the moment, and that she would put in writing to the Parks & Countryside people that they were not looking for funding for this work as yet. The way forward is for all those present to exchange contact details, and form a group to discuss the issues of the footpath and fencing. Closing the footpath has seemed to alleviate the problem so that may be all that is needed. One allotment owner disagreed, citing the recent throwing of bottles & stones to smash his greenhouse panes. The idea of a dawn to dusk path was felt to be worth pursuing, and the extension of Allotment Watch to include local residents. A gentleman suggested building one large lock-up for all expensive garden equipment. Everyone was aware that any solution would be a compromise between security and local amenities. There was generally a great deal of respect & feeling for the allotment people, but the fence might be a step too far; all avenues need exploring first.

Ian thanked everyone for their contribution to the meeting and stressed that residents and allotment holders should endeavour to talk with each other about the issues of concern.

This issue polarised the local community and resulted in more bad publicity for allotments. It also meant there is no chance the site will get a fence!

**Be Ins**

To find the perfect gift....  
To plan the perfect party....

**494 Fulwood Road,**  
**a-woodmancy@supanet.c**

We are the definitive source for balloon  
cater for all your needs at any venue la  
from do it yourself packages to

Mary Bagley asked if I could teach a course and commissioned it. Chris Heeley is looking into funding. That was over a year ago...

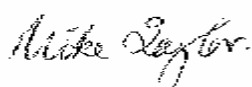
## INTRODUCTION TO ALLOTMENTS COURSE OUTLINE

|     | Title                | Description  |
|-----|----------------------|--|
| 1.  | Introduction         | Motives – What do we want from allotments?<br>How Organic? Examples of Best Practice       |
| 2.  | Plots                | History and Archaeology<br>Development and Design  |
| 3.  | Soil                 | Ecology and Improvement<br>Nutrition   |
| 4.  | Inputs               | Resources / Infrastructure / Structures<br>Fertility – Bulky Organic Matter / Concentrates |
| 5.  | Cultivation          | Processes<br>Techniques  |
| 6.  | Understanding Plants | Botany – Range of Crops<br>Biology – Lifecycle of plant                                    |
| 7.  | Plant Health         | Pests, Diseases and Problems<br>Watering   |
| 8.  | Propagation          | Growing Media<br>Herbs / Companion Planting  |
| 9.  | Growing Systems      | Rotations / No-Dig<br>Bio-dynamics / Permaculture  |
| 10. | Harvest              | Surplus<br>Seeds   |

For your information Richard Clare is currently the legal tenant of two allotments at Crookes Marsh Lane and one at Hagg Lane.

Finally, thank you for your interest in our service.

Yours Sincerely



G M Taylor  
Community Services Manager

I still get criticism because of the rumour put about by John Martin that I have ten allotments for myself. I help others and have many friends who have collaborated for years.

SOFI is a charity and has a record of delivering benefit to the people of Sheffield in a number of ways. We run on a goodwill system whereby participants allow communal usage of their plots. They are still the tenants. This co-operative scheme is simple, cost-free and infinitely replicable.

# STATEMENT to South Yorkshire Police 29<sup>th</sup> April 2008

**RICHARD CLARE**, 13/11/64 41b Burns Rd, S6 3GL 2686727  
Tenant of allotment number 20 Crookes Quarry since 1998  
Local Authority Horticulture Tutor  
(with John Lewis / Derek) apprehended Micheal Freer (18 months)

## CIRCUMSTANCES

**Inspection.** Door and gate ajar on plot 20 at 5.45 pm when I arrived, as if someone had been looking round .

**Time of Day.** Incident occurred during daylight. Arson usually happens at night, under cover of dark.

**Timing.** I left the allotment some time between 6.30 – 6.45pm. The Fire Brigade were informed at 7.57 and arrived shortly after. Suggests use of accelerant.

**Two fires.** Structures were 3 foot / 1 metre apart. Wind blowing from East to West, from long to small structure. Small structure most burnt. Seems like both were fired at the same time rather than one fire spreading from one to the other. Fire Officer agreed.

**Other disturbances.** Several other disruptions were recorded on Crookes Quarry site which must have happened at the same time. But they don't fit with the arson. Plot 15 – window in greenhouse smashed. Plot 22 – Tray of plants pushed over. Plot 24 – Wooden shaker from plot 22 thrown over hedge. I believe these acts were done as a distraction to make it seem like kids.

I have been the tenant of plot 20 for 20 years and have never experienced a malicious attack. Joy-riders burnt out a car circa 1990, which destroyed previous hut and damaged wall.

### Why 7-8 pm on 21<sup>st</sup> April 2008?

Coincides with first time AO has met with Allotments Federation in 2 years. I believe he expected me to give him a hard time at this meeting, in Norfolk Park. I never intended going to the meeting, but the time when I left Plot 20, 6.30 – 6.45 pm, might have seemed like I was going to go to it. I believe the arsonist must have seen me leave and started the fires as soon as I'd gone.

**Alibi.** I believe that Pat Barsby, Secretary of Federation, would be willing to perjure herself by offering an alibi, although she would not know what she was defending.





## SOFI Charity HQ

Re-built 2005

Destroyed by  
Double Arson  
committed by  
John Martin  
on  
21<sup>st</sup> April 2008



Since I last met with John Mothersole, Deputy Chief Executive at Sheffield City Council, in December 2007, I have had no contact with anyone from SCC Parks Department. I directly requested his protection and have had a lovely quiet time until now.

As a result of the information I supplied to John Mothersole, several changes seem to have been enacted,

1. AO Line-manager, Chris Heeley, sent me a letter informing me that he was investigating the AO on ten points which I had raised, including Crime No. 935 / 21 / 03, which I had explicitly and repeatedly asked him not to. He has not contacted me since and has not requested any evidence of the issues he decided to investigate.

although I have not been informed directly:

2. Tenants have not been informed about a new version of the Allotment Tenancy Agreement, which the AO worked on for more than 3 years.

3. A policy forum has been announced, which the AO stated was unnecessary at Federation meeting on 21<sup>st</sup> April 2008.

4. I believe the AO must have been warned as a result of my information and that his working remit has been changed, which he may view as effective demotion.

I suggest that the inconvenience caused to the AO by my interventions might constitute motive for this crime.

During this time, I have done nothing to antagonise the AO. He may have thought that I am still "out to get him", because another party distributed another issue in a public e-forum (Crime No. 1305)

## PREVIOUSLY

I was advised that crime No. 935 / 21 / 03 was a civil rather than criminal matter (probabilities rather than absolute proof). My view was that 'Dave' was an innocent dupe who had been misled by the AO.

Letter from Liz Bashforth, Chief Executive of SCC Legal and Administrative Department, instructed that AO should be accompanied in any communication with me. As a consequence AO was absent from a meeting of the SCC Allotments Advisory committee in May 2007, although other officers of the Council were present throughout (James Barnes).

At a meeting with Head of Department, Mary Bagley, 22<sup>nd</sup> November 2007, she expressed sympathy with victims of crime and renewed this measure.

# HOW TO RENEW AN ALLOTMENT SITE

(i.e. increase the number of active members)

## 1. SITE MAP

First Names of tenants

(to create a sense of community)

## 2. Identify:

(pooling knowledge)

VACANT – uncultivated / disused

TENANTED (?) – underused / neglected

## 3. CONTACT people on WAITING LIST

via Area Panels

Invite to meetings and/or respond to Questionnaire

(Let empty plots / Join Groups)

## 4. SHARING (Co-workers)

Current / existing shares

Arrange /trial / match-up

## 5. COMMUNITY ACTIVITY

Involve Groups –

Visits / Open Days / Events / Courses

Each stage of this process will double the number of people who benefit from a site and also be guardians who take care of it.

Presented to Councillor Creasey      November 2008

## COINCIDENCES?

- Ashram shop window smashed when SOFI info on display
- Car tyres deflated when bogus complaints failed.
- Malicious arson destroys venue of Allotment Soup - coincided with Allotment officer's first attendance at a Federation meeting in more than 2 years ( he was prevented because he had committed fraud (embezzlement) with the previous Chair of the Federation, K Quinn).
- Mel the new allotment ranger was encouraged to join my course but had left the job the week after.
- Staff retention within the Allotments office has been appalling – reportedly six different staff in one year.
- Temporary office staff have won complaints cases brought against the Allotments officer.
- Abundance fruit store arson two days after Stephen's appearance on Channel 4.

Elizabeth Simpson compares her experience of horticultural therapy in two different contexts. Liz has a long history of psychiatric problems, nearly twenty years on tricyclic anti-psychotic drugs with the attendant institutionalisation and, more recently, care in the community. In the last year, Liz has also been diagnosed with and treated for breast cancer, which was in remission, but has now spread to her bones. In this article, she draws some comparisons between a mainstream non-organic allotment project, run by a mental health day-care service, and an independent organic food growing project, run by Sheffield Organic Food Initiative.

#### **LIMBO VERSUS LIVING:**

##### **THE BENEFITS OF ORGANIC ALLOTMENTING FOR HEALTH.**

*"Limbrick Limbo, the magazine of the Prozac Prose Creative Writing Group" proudly announces the blurb. Indeed, Limbrick is almost a form of limbo, a kind of waiting for better things to arrive. Lipservice is paid to the autonomy of users, but the common experience is one of being ignored, not being taken seriously, marginalised and sidelined, merely being contained and entertained. It is an exercise in how to protect the psychiatric patient from society and vice-versa.*

*Nowhere is this more evident than in the gardening group. 'How does the group make decisions?' a curious student researching community gardening wondered. 'Oh, that's easy,' came the reply, 'Frank (another user) tells us.' Wherever this was repeated, there were wry smiles and agreement. The gardening group is run not by consensus, but by two very dominant males whose main aim in life is not only to subdue and tame the allotment, but to work a slow poisoning of the environment as well. Bonfires, slug pellets, Miracle Gro, artificial biocides, nothing is too hazardous for these guys.*

*'Do you know that slug pellets contain aluminium, which has been linked to Alzheimer's disease?' I lectured. 'Oh, I'm half way there already', commented one Mr Dim Dominant.*

*I did, in fact, half believe him!*

*Enough of the bile, What of the other gardening group, run by S.O.F.I.'s Richard Clare? Without making too simplistic a contrast, this experience could scarcely be more different.*

*This experience has been not of an institutional removal of autonomy, but of empowerment. Not only has Richard been inspirational and encouraging in his enthusiasm for the subject and skillfulness of teaching, but I have also found a friendship with many like-minded individuals who have been both tolerant and supportive. In such company, it is easier to blossom and reach full potential. It is also a deeply satisfying feeling to harvest crops one has planted, watered, fed and protected from slugs and disease. Confidence is gained by the learning and application of new skills, and good health promoted by the consumption of fresh food, free from contamination.*

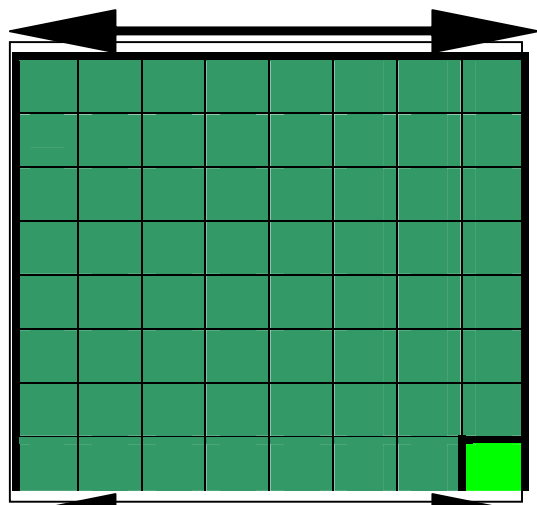
*In conclusion, I would like to draw in the experience of walking in the town centre and being assaulted on one side by tinny music from a shop. Nearby was a solitary blues guitarist busking with a passion, rawness and authenticity entirely lacking from the slick performance of the well-rehearsed popular song. I could only draw an analogy between a pre-packaged, tasteless meal, packed with monosodium glutamate and a meal created from scratch with fresh, local, organic ingredients. One barely fills, while the other nourishes.*

This case study illustrates many of the wider conflicts which have been common in horticultural care work over the past thirty years. It seems obvious that unless organic techniques are the foundation of this type of activity, clients will be subjected to mental and even physical dangers which could exacerbate their problems.

Our conclusion is that it is counter-productive and even immoral to expose vulnerable clients to the dangers of agrochemical fertilisers and biocides. By contrast, good organic methods are relatively safer and produce greater nutritional benefits in the food grown and consumed by clients.



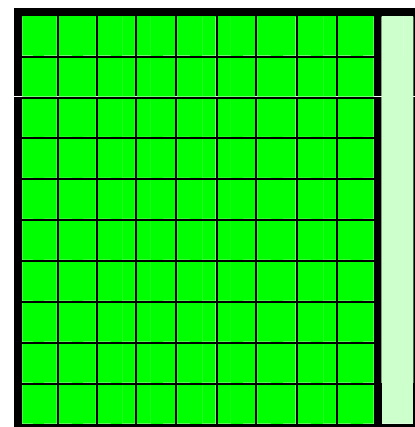
# One MILE = 5120 Plots



= Eight Furlongs

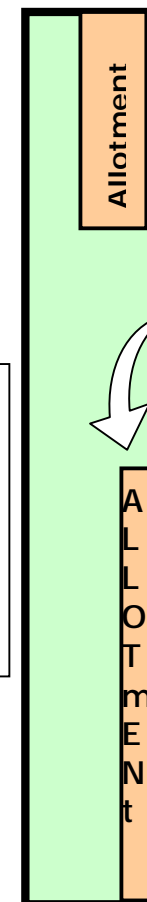
One Square Mile  
= 640 Acres

One FURLONG  
(Ten ACRES)



= Ten CHAINS

One Acre =  
One Furlong  
x  
One Chain



CHAIN

Rod  
Pole  
Perch  
Lug

|            |                                |                         |                          |              |                   |           |
|------------|--------------------------------|-------------------------|--------------------------|--------------|-------------------|-----------|
| One Mile = | 8 Furlongs =                   | 80 Chains =             | 1,760 Yards =            | 5,280 Feet = | 63,360 Inches     |           |
|            | One Furlong =                  | 10 Chains =             | 220 Yards =              | 660 Feet =   | 7920 Inches       |           |
|            |                                | One Chain =             | 22 Yards =               | 66 Feet =    | (8 Inch per Link) | 100 Links |
|            |                                |                         | One Yard =               | 3 Feet =     | 36 Inches         |           |
|            | One ROD / POLE / PERCH / LUG = | 5 ½ Yards =             | 16½ Feet =               | 198 Inches   |                   |           |
| One Acre = | One Furlong X One Chain        | 4840 Yards <sup>2</sup> | 13,520 Feet <sup>2</sup> |              |                   |           |

if One Allotment = 1/8<sup>th</sup> Acre ( = 605 Yd<sup>2</sup>/1815 Ft<sup>2</sup>), 8 x 10 x 64 =5120 per sq. mile