

Appendix 6

The Clerk to Menheniot Parish Council

In reply to your email I make the following points.

I gather from your reply that the council has refused to assist in keeping the boundary of the allotments in Menheniot in good order, instead passing this duty of care on to the tenants of each plot that abuts the boundary.

This in my opinion is discriminatory as not all allotment holders have part of the boundary hedge by their plot. Of the 26 plots only 14 have part of the boundary. Had the boundary been a wall or a wire mesh fence would you still have expected those plot holders adjacent to the boundary to take responsibility?

A number of people who have plots by the boundary are either retired, older or have conditions that would preclude them from climbing. Therefore keeping the hedge clipped to reach height is the only possible method available to them.

I now come to the disposal of a large amount of hedge wood and foliage, in most cases this is not possible as fires are frowned upon and considered a nuisance to neighbours. The only recourse would be to transport it to a recycling centre which would not be possible to some plot holders.

I also ask that the Parish Council look at the Occupiers' Liability Act (1957) which places a common duty of care on anyone involved in allotment management to ensure their allotment site(s) is run in as safe and appropriate manner as possible. I would argue that this does not give the Parish Council the right to pass the maintenance of the site boundary to some of its tenants.

D F Kemplen