

Organic Orchard Vandalised in Sheffield (call Richard Clare 01142686727)

At a time when there is so much interest in local and organic food, how can it be possible that:-

The current Allotments system seems to sanction the destruction of fruit and nut trees. 12 mature organic trees have been destroyed on an orchard allotment in the Rivelin Valley. This was an irreplaceable asset for the city of Sheffield and has been regularly been used to show visiting local and national groups a demonstration of Permaculture, a system of cultivation using productive perennials.

Existing allotment tenants are being evicted without their knowledge. New tenants are being allocated plots and then discovering that the existing tenants have been deprived of their allotments against their will.

The site in question was left uncultivated for at least ten years before being developed as an orchard in 1996. The site has very heavy soil with a stream running down it in the winter which makes annual cultivation difficult. Clearing and planting was carried out by groups of friends and volunteers. Another allotment next door was joined together with this by removing the hedge to create one unified site of ¼ acre. 12 fruit and nut trees were planted in 1996, paid for using money inherited after the death of a relative, intending this to be a memorial garden.

The site was used as a therapeutic garden for volunteers from the local Healthy Living Centre for 5 years. Many local and national groups have visited the site, including the Community Compost Network, one of whom, Eric Hoyland, described the allotment as the best example of a Permaculture / Forest garden he had seen.

All the trees that have been removed were 15 years old and were just reaching their mature size and productivity. The Oullin's Golden Gage alone 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 on his gall bladder 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 have been offered the tenancy, 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 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 valid. 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 legal.

Sharing allotment plots is an established 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 should be managed in a humane way. In the most recent survey of allotment provision in Sheffield, 75% of tenants defined themselves as either disabled or disadvantaged. There is a very real danger that Sheffield could be perceived as having discriminated against this vulnerable community.

The Council should make a formal policy statement that growing productive perennials is permitted on allotments and that there will be no more destruction of existing fruit. This would reassure all the other many hundreds of tenants who have fruit growing on their allotments. Tenants who have been evicted without due process should be reinstated and apologised to at the very least.