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31st August 2006

**Response to letter from Director of Parks and Countryside,
dated 21st August, received 31st 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 1st 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 21st 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 18th January and your letter 31st 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 2nd 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, 30th 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 2nd 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 19th January 2004. I have a picture of him, dated 19th 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 16TH April 2006

I did not phone Mike Taylor as stated. He phoned me, just after 4 pm on 16th 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, 31st 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).