

Subject: Allotment and Garden Lets Policy **Status:** For Publication

Report to: Policy Overview and Scrutiny **Date:** 6th October 2009
Cabinet 25th November 2009

Report of: Head of People and Policy

Portfolio

Holder: Portfolio Holder for Finance and Resources

Key Decision: No

Forward Plan General Exception Special Urgency

1. PURPOSE OF REPORT

- 1.1 To approve an Allotments and Garden Lets Policy for the Borough confirming areas of responsibility in relation to the administration and management of allotments and review the charges associated with Allotments.
- 1.2 Agree to the development of a strategy with a view to increasing the number of Allotments and Garden Lets.

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report impact directly on the following corporate priorities:-
- Delivering quality services to our customers
 - Encouraging healthy and respectful communities

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 There are no specific risk issues for Members to consider arising from this report.

4. BACKGROUND AND OPTIONS

- 4.1 Rossendale Borough Council has a statutory duty to provide allotments. There is a complex network of legislation relating to allotment administration, which is governed by statute and law. The legislation is known collectively as the Allotment Acts.
- 4.2 The Council administers three none statutory allotment sites and sixty eight Garden Lets. Allotment sites are usually larger pieces of land split into individually measure plots. Garden Lets tend to be smaller pieces of Council land and may comprise just one garden.
- 4.3 The three none statutory sites contain a total of seventy one plots. The allotments reside on Council owned land and are used for the purpose of allotments rather than land purchased under the Allotment Acts legislation. Their locations are as follows:
Free Lane, Haslingden – 52 plots
Kirk Hill, Haslingden – 11 plots
Prinny Hill, Haslingden – 8 plots
There is a waiting list at the following sites: Free Lane 62, Kirk Hill 36, and Prinny Hill 36. However, it is recognized that some individuals are on the same lists.
- 4.4 The responsibility for the allotment sites largely resides with the allotment tenants. However, the collection of rents and the responsibility for dealing with customers resides with Administration Officer located within the Communities Team at Stubblelee. The responsibility for administration of Garden Lets resides with the Property Team located at Futures Park. In addition, queries from members of the public in relation to the use of Council Land for the development of additional allotments resides with the Property Team.
- 4.5 In order to ensure that members of the public can be properly signposted and that relevant Teams have their responsibilities clearly defined, an Allotments and Garden Lets Policy has been developed which addresses the administration and management of Allotments and Garden Lets within the Council.
- 4.6 Further, the proposed Policy would establish the Council's position in relation to the following:
- (i) The Council's commitment to the provision of land for the use of gardening and the growing of vegetables.
The last few years have seen a revival in "growing your own", in line with current thinking on healthy eating, organic food and exercise. The Department for Communities and Local Government is responsible for national policy on allotments, and recognizes the unique role of allotments as places which bring together all sections of the community together and provide opportunities for people to grow their own produce and promote health and well being.

(ii) The process whereby Community Groups identify potential land which could be used for allotment purposes.

A number of requests are submitted to the Council and there has been a need for clarity in relation to the process to be followed where Community Groups wish to utilize Council land for allotment purposes.

(iii) The Council's support for the devolved management of allotment sites. Currently allotment tenancies are provided for a period of twelve months. Such short-term tenancies prohibit allotment associations, communities and the Council from applying for funding to invest in allotment sites. Adoption of the Policy would enable associations to apply for longer term tenancies subject to Council approval. This would prohibit the land from being used by the Council for the period on the lease.

(iv) Clear responsibility for liaison with customers, updating of the website and dealing with enquiries.

(v) Revision of some of the associated Allotment Charges.

Allotment tenants pay an annual rental of 0.25p per square metre which is comparable to other local authorities. In addition, Rossendale charges £115 per tenancy for the completion of the tenancy agreement. A review of Allotment Charges across the region indicates that some authorities' charges range from £15. However, it is proposed that that with the implementation of the new policy, the charge be revised to £40.00 as this represents a more reasonable charge which covers the administrative process.

Option one: £40.00

Option two: £115.00 [As now]

The final rent/license fee for a Garden Let in based on the rental value for the land.

4.7 It is proposed that following the adoption of the Policy that further work is undertaken to develop an Allotments Strategy for the Borough which would include:

- Identification of the customers who are in receipt of the allotment service and an evaluation of that service with a view to improving customer satisfaction. This will include a Community Impact Assessment.
- Exploration of external funding streams with a view to increasing the number of allotments within the Borough.
- Exploration of further possible sites to increase the number of allotments. Edgeside Park and Maden Recreation Ground have been suggested but further consultation is required to fully explore the options.

An officer from the Property Team has to be involved in relation to using Council land for the provision of allotments.

An officer from the Communities Team would support Community Groups within their Neighbourhood who wished to pursue an allotment.

4.8 It is proposed that the revised fee of the Tenancy Agreement be implemented with effect from the 1st September 2009 when consultation commenced.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

- 5.1 The reduction in administration fees proposed at paragraph 4.6(v) above will not have a significant impact upon the overall income of the legal department due to the low turnover rates of these tenancies.
- 5.2 Should a further Allotment Strategy (4.7) be considered, then the ongoing costs/revenues for the associated options must be weighed against the community benefits and any one-off set up grants available.

6. MONITORING OFFICER

- 6.1 Rossendale Borough Council has a statutory duty to provide allotments if there is an opinion that there is a demand for allotments and to provide a sufficient number of allotments, and let them to residents desiring to take them.

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

- 7.1 There are no Human Resources implications arising from the report. There are Equality issues arising from the report. A Community Impact Assessment has been drafted this will be completed following the receipt of customer satisfaction and monitoring data.

8. CONCLUSION

- 8.1 The Allotments and Garden Lets Policy will establish clear lines of responsibility and accountability in relation to the provision of Garden Lets and Allotments. In addition, the Policy would confirm the Council's Policy in supporting the allocation of land for the purpose of growing vegetables.

9. RECOMMENDATION(S)

- 9.1 The Allotments and Garden Lets Policy be agreed
- 9.2 Any further changes to the Policy are delegated to the Head of People and Policy in consultation with the Portfolio Holder.
- 9.2 An Allotments Strategy for the Borough be developed which will include an assessment of the feasibility of increasing the number of allotments and an exploration of external funding opportunities.
- 9.3 The charge for the tenancy agreement to be reviewed with effect from 1st September 2009:
Option One: £115 [As now]
Option Two: £40

10. CONSULTATION CARRIED OUT

- 10.1 Free Lane Allotment Association
Property Team
Communities Team
Planning Team
Legal Team
National Society of Allotment and Leisure Gardens
Overview and Scrutiny Committee Policy
Portfolio Holder
- 10.2 Further consultation will be carried out with Allotment holders as part for the development of the new strategy.

11. COMMUNITY IMPACT ASSESSMENT

Community Impact Assessment required Yes

The Community Impact Assessment has been drafted and will be completed following the completion of Equality Monitoring and Customer Satisfaction

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No

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Background Papers	
Document	Place of Inspection
Growing in the Community : Local Government Association	People and Policy, Stubbylee