

# **BDC Allotments Task Group Report**

**Presented to Council 18 February 2008**

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# **BDC Allotments Task Group Report**

## **Executive summary**

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## Overview - Key Findings

### 1. The role of Allotments

- **Origins:** Council, community or privately owned allotments have existed in the majority of local authority areas for at least 150 years. Numbers grew to over one million in the middle of the last century, but have now declined and stabilised to around 300,000.
- **Current numbers:** In the early 21<sup>st</sup> century shifting trends in leisure interests, concerns about health and the environment are promoting a resurgence of interest in growing one's own vegetables. Growth in numbers of people living in relative "compact" accommodation often with very small gardens or none at all, plus huge popularity of TV and radio gardening programmes are further issues re-igniting interest in allotments. Nationally there are reputedly 13,000 people on five or ten year waiting lists.
- **Key functions provided by allotments include:**

- Fresh, often organic, fruit and vegetables. Although plot holders do not always cultivate for cheaper food, many do.
- Allotments provide physical exercise.
- Recycling can be encouraged for example through composting.
- Green spaces are preserved, especially in urban areas.
- Allotments can be integrated into local public health strategies.
- Educational, in particular where an allotment plot is run with local children. Various mental health benefits.
- Provides a garden to flat dwellers.

- **Links with national and Council Policy Areas**

In the context of national priorities, allotments play a role in priority areas including Sustainability, Education, Social Inclusion, and Well Being.

For Braintree District Council Policy Priority Areas 2004 - 2008 , inter alia, under:

**Create a Cleaner & Greener District:** *Allotments provide a sustainable food source with lowest possible carbon footprint*

**Help People to Feel Safe & Well** *Supporting allotments can make a real difference to the health of our residents, working with Parishes and Allotments Groups.*

**Better Place to Live, Work & Play** *allotments provide a means to improve and provide facilities and activities that enable all ages to enjoy their leisure time*

## 2. Audit of total allotment provision within the BDC area

A quantitative audit was conducted across the 54 parishes of the BDC area. In addition, a qualitative sample audit was conducted on allotment condition and tenant experiences

### Some Key facts emerging

#### Numbers and distribution

- There are at least 57 allotment sites throughout the BDC region, split BDC (27), and the reported remainder (at least 30) privately owned or owned by the PC, church, or horticultural association.
- These comprise at least 803 plots, with main concentrations with over 100 plots per parish, at Braintree, Halstead, Witham, Coggeshall, and Hatfield Peverel.
- Plot uptake is generally very high (100% for BDC sites) and there is a very strong recorded waiting list (nearly 400)
- There are 14 definite reported parishes, out of the 54 BDC parishes (normally small rural parishes) without allotment provision,
- Allotments are in use in the local parishes representing at least 75% of the 140,000 BDC residents
- There has been a net reduction of 22.83% in the area of allotment land for BDC allotments in the last decade, as land has been sold off or transferred. This includes recent transfers to Greenfields Community Housing
- There is strong anecdotal and recorded growth of demand

#### Condition of BDC allotments

- Key areas of tenants concerns focused upon security and vandalism, access, water provision, sheds, clarity of agreements, damage to sites by contractors, and fly tipping

#### Financial and management issues

- BDC total allotment income for 2008/9 is £4331
- Administration expenditure is around £6000

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- Allocated upkeep budget is nil, but around £6000 is vired from the Parks budget for emergency measures
- Halstead BDC allotments are managed by Halstead Town Council which subsumes all administration and upkeep costs for these allotment sites
- There is current uncertainty and possible complications regarding management of allotments transferred to Greenfields Community Housing
- Excellent exemplars of well locally managed allotment provision was examined through visits to Halstead, and also at Harlow (Harlow Allotment Association)
- The benefits of locally managed allotments associations were also in evidence with large privately owned allotment sites, such as at Hatfield Peverel
- There are clear benefits from allotments societies having membership of the National Association of Leisure Gardens and Allotments

### 3. Legal Responsibilities

- **The allotment legal framework:** is complex enshrining Allotments Acts spanning from 1908., with later Acts requiring local authorities to recognise the need for allotments in any town planning development. This act established 'statutory' allotments which a local authority could not sell or convert to other purposes without Ministerial consent. (6 of the remaining BDC allotments sites are statutory)
- **BDC legal responsibility re allotment provision**  
Under the 1908 Act an "Allotments Authority" (a district council meets this criteria) has a duty to provide allotment gardens if the demand for such is unsatisfied i.e. there is a demand for allotments in their area, and a sufficient number of allotments have not been provided. The act specifies, "...the council *shall* provide a sufficient number of allotments

However, in England, a district council cannot provide allotments in areas where there is a parish council or meeting who possess powers in relation to allotments and their provision. There is an implication that BDC might have a legal obligation under the 1908 Act, however the situation is by no means clear, and at the time of completing this report the Group have been unable to get confirmation of BDC's legal obligations.

## 4. Recommendations

### 4.1 Review of role of status of allotments in BDC's support of leisure, recreation and green agenda and in healthy living agendas,

Currently allotments have been a relatively neglected element of BDC community provision. Thus:

- 4.1.1. Steps should be taken to ensure that allotments form an important feature of leisure provisions and this should be reflected within BDC's Leisure Strategy and Local Agenda 21 initiatives, as well as within policies for environmental sustainability, and healthy living agendas
- 4.1.2. Appropriate specific budget provision should be allocated for the upkeep and maintenance of infrastructure of existing BDC allotments, covering capital and revenue elements.
- 4.1.3 An audit of all present council owned sites, plus ideally newly transferred GCH sites, should be made and provision should be made to bring them up to standard: access, security, parking, water storage and other facilities where appropriate.
- 4.1.4 A particular funding priority should be made for bringing **site security** up to standard urgently.
- 4.1.5 Steps should be taken to encourage schools and youth groups to take up allotment tenancies.
- 4.1.6 BDC should publish annually details on their allotments and also year- on-year statistics, providing transparency of allotment policy (as recommended in the Government Select Committee on allotments)
- 4.1.7 A leaflet showing the key findings and outcomes of the Group to be made available to the public

### 4.2 Review of BDC's allotments management model

- 4.2.1. Asset Management: A review is required to verify ownership and asset use description, as it is unclear, for some sites which are owned by BDC of CGH (e.g. Church Street Bocking site), also some land is described as allotment land when it is clearly not (e.g. 71,823 m<sup>2</sup> of land to the East of Coldnailhurst Avenue, Braintree). In addition we would recommend that, just as Halstead Town Council is undertaking a land survey of allotments to verify status, a similar exercise is conducted across the remaining BDC allotments.
- 4.2.2 A BDC allotment management model should be introduced allocating clear resources to the management of allotments, with clearly articulated job

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descriptions and responsibilities. In particular, there is a need for an adequately supported BDC Allotment Management Officer.

- 4.2.3 BDC should draw up Best Practice regimes and examine the potential for self management of sites such as exist at Halstead, and encourage the use of volunteer wardens
- 4.2.4 BDC should map and keep an up-to-date record of the full extent of *all* allotment provision within the BDC area
- 4.2.5 There is an urgent need to ensure the continuity of allotments usage of newly transferred GCH allotment plots
- 4.2.6 BDC Allotments services should consider joining, and benefiting from the National Society of Allotment and Leisure Gardeners
- 4.2.7 Local BDC councillors should be encouraged to take an interest in allotments within their wards.

### 4.3 Planning policy and allotment allocation

- 4.3.1 Allotment land should be considered as part of leisure and amenity land in new development of residential building planning applications, in a similar way to children's play areas, and where appropriate be considered for section 106 agreements
- 4.3.2 Steps should be taken to ensure that allotment planning is incorporated into formulating local development frameworks
- 4.3.3. There is growing national interest in tenanting allotments, and very strong demand was indicated in the audit with numbers on official recorded waiting lists extending to almost as many as current allotment tenant numbers. **It is probable that BDC has a legal responsible to provide additional allotments - see 5.2. BDC should set a specific target to increase the number of allotment sites. A more detailed survey should be carried out to identify priority of need across the region.**
- 4.3.4 A central working criteria for securing suitable allotment land. Should be developed.
- 4.3.5 Tenure of allotment land should be secure. At Halstead the lease duration of BDC allotments should be revised from the current 20 years to 50 years.
- 4.3.6 A robust liaison process should be developed with Parish Councils and other allotment land owners. It is recommended that this function, and overall monitoring of allotment policy should be undertaken by a standing committee of the BDC.

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## **1. National role of allotments**

### **1.1 Historical background**

Allotments have existed since at least the middle ages where landowners bequeathed plots to be cultivated by poor countrymen. Origins of modern "allotment gardens" span from private Acts of Parliament in the 17<sup>th</sup> and 18<sup>th</sup> centuries with the allocation of small parcels of land to individuals in compensation for rights to graze a cow or a few geese on the former common field of the village or township. From these beginnings the word "allotment", by the end of the nineteenth century, had come to be used in Acts of Parliament as signifying a small parcel of land to be used for cultivation that would be, at the time, entrusted to the "labouring poor".

The Industrial Revolution, and subsequently the co-operative movement, brought new ideas and by the end of the nineteenth century the need for more breathing spaces and remunerative forms of outdoor recreation was being felt. The Allotments Act 1887 and Allotment Act 1890 made the provision of allotments compulsory on any local authority where a need was shown to exist. This original legislation has been modified in Acts of Parliament from 1908 to 1990 affecting the obligations of local authorities, protection of allotment tenancies, less stringent limitations on the use of allotments- including for livestock keeping and commercial aspects in relation to site shops. In particular, the 1950 Allotments Act was passed in consequence of the Report of the Allotments Select Advisory Committee, though not all of the recommendations were implemented in the statute. Some particularly cogent recommendations of the Select Committee include:

- National Government should clarify the role it sees for allotments and provide guidance and support to local government
- Local authorities should clarify designations of their allotment sites
- Local authorities should draw up Best Practice regimes and examine the potential for self management of sites
- Allotments should form an important feature of leisure provisions and this should be reflected within a local authority's Leisure Strategy and Local Agenda 21 initiatives

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- Local authorities should publish annually details on their allotments and also year-on-year statistics, providing transparency of allotment policy

### **1.2 Statutory and non statutory allotments**

#### **Statutory allotments**

Statutory allotments are parcels of land acquired or appropriated by the Local Authority specifically for use as allotments. These sites cannot be sold or used for other purposes without the consent of the Secretary of State for Communities and Local Government.

#### **Non-statutory allotments**

Non-statutory allotments are on land which is allocated for other uses but leased or rented by an allotments authority. Non-statutory allotments are not protected from disposal in the same way that statutory allotments are.

#### **Selling a statutory allotment site**

If a local authority wishes to sell a statutory allotment site it must have the consent of the Secretary of State for Communities and Local Government.

The Secretary of State will first want to be satisfied of the following conditions.

- The allotment is either not necessary and is surplus to requirements.
- displaced plot holders have been given adequate alternative sites, unless this is not necessary or is not practicable.
- The number of people on the waiting list has been taken into account.
- the availability of allotment sites has been actively promoted and publicised and the National Society of Allotment and Leisure Gardeners has been consulted

Government guidance also requires the local authority to consult with plot holders before application for disposal. If the application goes ahead, it will be dealt with by the respective Government Office for the Region.

If the application is successful, and allotment holders are displaced, the local authority is expected to provide one or more suitable alternative sites which should not normally be more than three-quarters of a mile from the centre of demand. They must be suitable for spade cultivation.

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If the authority ends a tenancy, the plot holder is entitled to compensation for crops growing on the land in the ordinary course of cultivation, manure applied to the land, and up to one year's rent.

The Secretary of State's consent is not required for the disposal of non-statutory allotment sites, but the local authority would usually be required to give plot holders 12 months' notice to quit before the land can be used for any other purpose.

### **1.3 National statistics and trends**

Over the last century the allotment movement has been influenced by factors including:

- Further industrialisation, growth of towns and cities, and drift from the countryside
- Growth in number of private allotments and formation of local allotment societies
- World Wars 1 and 2 and in relation to the latter the imperative to "Dig for Victory"
- Increase in number of council houses from 1950s with gardens led to drop in demand for allotments
- Increase in convenience foods

The trend in official allotment numbers shows a growth from 800,000 to 1,100,000 from 1939 to 1950, but a decline since to 860,000 in 1960, 533,000 in 1970, 480,000 in 1978 and the last official figures show 296,923 allotments in 1996. The decline from 1996 to 2004 seems to have slowed significantly judging by a figure of 167 total of statutory allotments only sold off nationally during that time (Office of Deputy Prime Minister reply in Lords debate April 2004. (Hansard). It is estimated that in 2007 there are around a quarter of million allotments nationally

It should be noted that these national figures appear to account only for local authority allotments and do not include private allotments (ref Lords debate in Hansard April 6<sup>th</sup> 2004). There are no figures available for private allotment numbers, but from the audit taken across the Braintree District Council area if the distribution between council and non council allotments is reflected nationally, conservatively there could be an addition of 25% for privately owned allotments, giving a national total estimate of around 310,000 or so allotments.

A key feature is what proportion of these are let/ under cultivation. From the BDC audit, and anecdotal evidence suggests that a number of factors, illustrated in the next section, are driving demand for allotments, with more previously unused allotments coming back into cultivation and several reports of longer waiting lists. Other media factors that have also roused further interest in allotments include TV media personalities including Monty Don and Hugh Fearnley Whittingstall.

Other sources of current estimates of current numbers of, and demand for allotments include the BBC: "Around the country there are 13,000 people on five or ten year waiting lists for the 300,000 existing plots. There's even a newly established Allotment Regeneration Initiative, which provides grants to reclaim derelict sites. And it is often women who are spearheading the Grow Your Own movement"

(source: [http://www.bbc.co.uk/radio4/womanshour/2004\\_12\\_thu\\_03.shtml](http://www.bbc.co.uk/radio4/womanshour/2004_12_thu_03.shtml))

#### **1.4 Appraisal of allotment functions/ benefits**

So what prime functions and benefits do allotments provide both to the individual and to society in general? Prime driving factors in the first half of the last century stemmed from a prevailing climate of austerity for the War years and aftermath, food scarcity with its consumption of relative high proportion of the household budget, and typical relative frugal way of life. Thus, allotments provided a fundamental domestic financial benefit and contribution to reduce imports of food. Almost inevitably, in more recent years rising prosperity, diversions of other wider leisure pursuits, cheaper food and more having access to growing food in their own gardens led to a decline in demand for allotments. The selling off of valuable allotment land for development was a further factor, typically arising from development constraints from extending parish building boundaries - with allotment land being an easy target.

More recently shifting trends in leisure interests, concerns about health and the environment are promoting a resurgence of interest in growing one's own vegetables. Growth in numbers of people living in relative "compact" accommodation often with very small gardens or none at all, plus huge popularity of TV and radio gardening programmes are further issues re-igniting interest in allotments.

The range of plot-holders has broadened over recent years. More people under 50 years old are now plot-holders and the proportion of women plot-

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holders is increasing. The Local Government Association has predicted that there will be an increased demand for allotment provision in future years.

Allotments can be used in different ways. Traditionally, a single person or family used a plot. However, over the last few years groups of people have gardened a plot. This can be, for example, a youth or other community group

**Specific benefits:** Anecdotal evidence, augmented by interviews with BDC allotment holders, elicits the following perceived benefits from being an active allotment holder:

- Satisfaction of growing one's own food
- Quality of produce - fresh, often organic, fruit and vegetables
- Exercise and promoting a healthy lifestyle
- Sense of community, mutual support, and learning
- Relaxation, peace and quiet, fresh air, and having opportunity for a "green" leisure time base away from home
- General increase in biodiversity
- Contact with nature and wildlife
- Saving money: although plot holders do not always cultivate for cheaper food, many do
- Experimentation with new crops - growing and swapping
- Benefits arising from membership of allotment societies such as social events, talks, visits and opportunity to buy seeds and requisites at discounted prices
- Recycling can be encouraged, for example through composting.
- Green spaces are preserved, especially in urban areas.
- Localised food production also brings environmental benefits by reducing the use of energy and materials for processing, packaging and distributing food
- Allotments can be integrated into local public health strategies



- Educational, in particular where an allotment plot is run with local children.  
Also various potential mental health benefits.
- Provides a garden to flat dwellers

## **1.5 Links with national and Council Policy Areas**

### **National Priorities**

#### **Sustainability**

Many local authorities link allotments to Local Agenda 21 (LA 21) initiatives. (Note: LA 21 focuses upon sustainable development helping to ensure a better quality of life for everyone, following an economic, social and environmental agenda, and encouraging better, more efficient practices). The link of allotments within Agenda 21 initiatives has drawn support from central government and Parliament as well from LA 21 campaigners. The Local Government Association has recognised the value of encouraging the linkage and sees possibilities to form new partnerships between allotment groups and members of the environmental health, teaching, and health visitor professionals.

#### **Education**

There is opportunity to link allotments with both children and adult education. Many schemes have been initiated where authorities work with schools to encourage children to take an active interest in growing food. The benefits include children developing a better understanding of what vegetables are, where food comes from and an understanding of the environment.

#### **Social inclusion**

Major areas where allotments have linked to social inclusion are through involvement of ethnic minority communities, mental health and disability issues. Schemes run with ethnic minority groups have centred around growing specific culturally defined crops as well as meeting community needs. Allotments can provide a setting for those with mental health problems and physical disabilities to interact, achieve and succeed together with providing fresh nutritious and local food.

#### **Well Being**

Allotments can improve well being by providing cheap good food, healthy outdoor exercise and social interaction. The benefits of growing food can be linked to other areas such as biodiversity and community cohesion.

A further example of an ongoing series of initiatives from the Government is a new cross-Government strategy launched by the health secretary on 25<sup>th</sup> January 2008 which signals that the planning system will have a major role to play in improving the nation's health.

## **BDC Priority areas**

### **Braintree District Council Direction & Ambition 2004 - 2008:**

#### **1. Create a Cleaner & Greener District**

- ◆ Provide attractive and cleaner streets, neighbourhoods and open spaces so that they can enhance the well-being and quality of life for residents and visitors.

*Allotments provide a sustainable food source with lowest possible carbon footprint.*

#### **2. A Better Place to Live, Work & Play**

- ◆ Provide leadership on community issues.

*This Scrutiny Group has identified an area that is currently under-resourced and worthy of a higher level of investment*

- ◆ Improve and provide facilities and activities that enable all ages to enjoy their leisure time.

*Working on allotments appeals to all ages and we should be providing further allotment facilities and improving those we have*

#### **3. Help People to Feel Safe & Well**

- ◆ Achieve better health for those who live and work in the District, in conjunction with partners and appropriate agencies.

*Supporting allotments can make a real difference to the health of our residence, working with Parishes and Allotments Groups.*

- ◆ Reduce levels of crime and fear of crime in the District by working with partners.

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*Allotment holders have a real issue with vandalism and security and better fencing and support for user groups should be a priority.*

### **2.Task Group activity**

**2.1 Membership:** Cllrs John Baugh, David Bebb (Chair), Bob Evans, Tony Everard  
Lene Shepherd, Jackie Pell, and Doug Rice

### **2.2 Terms for reference**

- conduct an analysis of the provision of allotments in the District (BDC and other providers),
- ascertain the legislative framework under which allotments are provided,
- collect evidence from allotment holders about key issues from their perspective,
- make recommendations to promote the provision of allotments in the District, and
- consider the financial implications.

### **2.3 Meeting Activity summary**

**Pre-meeting:** Chair and Support Officer - 30 August 2007  
**Group Meetings:** 18 September 2007  
16 October 2007  
13 November  
28 November  
12 December  
15 January  
29 January

**Report to Overview & Scrutiny Committee - 30 October  
- 23 January**

Site visits: local to group members: October 2007  
Exemplar allotment sites: November 2007

Telephone survey, shared among group members: November and December 2007

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**2.4 Summary of initial planned key actions -**

<b>Task</b>	<b>By Whom</b>	<b>Timescale</b>	<b>Progress</b>
Canvass key issues from allotment holders			
<ul style="list-style-type: none"> <li>Advertisement in the B &amp; W Times</li> </ul>	Linda Morgan	12/14.9.07	done
<ul style="list-style-type: none"> <li>Further adverts in B &amp; W Times and South Suffolk local press</li> </ul>	Linda Morgan	30.10.07	done
<ul style="list-style-type: none"> <li>Identify one large and one small allotment site to visit in local area, contact allotments holder/manager and invite other members to attend.</li> </ul>	Task Group to arrange by e-mail, LM to co-ordinate for members without e-mail	Sept/Oct 07	Visits to Harlow and Halstead took place
<ul style="list-style-type: none"> <li>Compose questionnaire/checklist for Members' use on site visits</li> </ul>	Members to contact LM with suggestions	25.9.07	done
	LM to make copies of questionnaire available to members	28.9.07	done
Gather key facts and background papers	ALL		
<ul style="list-style-type: none"> <li>circulate copies of BDC allotment holders agreements</li> </ul>	LM	28.9.07	done
<ul style="list-style-type: none"> <li>circulate copies of contact details for task group members and copy of BDC webpage on allotments to group</li> </ul>	LM	21.9.07	Attached

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<ul style="list-style-type: none"> <li>compose a questionnaire and write to parish clerks and BDC members to find out about non-BDC allotments in their ward/parish and any issues they may have had with them</li> </ul>	Chair & LM to compose questionnaire, Members to contact PCs to ascertain allotment provision in parishes	21.9.07	done
<ul style="list-style-type: none"> <li>Group visit allotments in their area and to share any information on allotments issues in their area with LM and rest of Group.</li> </ul>	All	November/December	done
<ul style="list-style-type: none"> <li>Information to be found on what the statutory commitment is to allotment provision; whether any allotments will transfer to Greenfields Housing; if income from allotments has to be used in a specific way.</li> </ul>	LM and Group members	As soon as possible	Asset Management have provided information. Some allotments currently in use have been transferred
<ul style="list-style-type: none"> <li>Ascertain the level of staff and capital resources BDC allocates to allotments</li> </ul>	LM	Jan 08	Approx £6000 capital and £6000 staffing costs
<ul style="list-style-type: none"> <li>This is one of the first Scrutiny Task &amp; Finish Groups. Feedback to Overview and Scrutiny Committee what went well and any learning points for the future</li> </ul>	LM	On completion of the Group's Report	

**3. Audit of allotment provision in BDC area of Essex**

### **3.1 Methodology of audit**

#### **Allotment Holdings Data**

Having sourced data on BDC allotment sites and utilisation the Group were concerned that some initial data was found to be at variance, some highly significantly, with data supplied from other BDC Departments. There was a particular issue on accuracy of numbers and areas of land allocated to allotments site. In one instance a very large specific site of 71,823 m<sup>2</sup> shown on Asset Management records as allotment land proved not to be allotment land. The Group were also concerned about misleading information about transfers of allotment land to Greenfields Community Housing. Before the housing transfer in November the Group sought assurances and were informed that no currently used allotment sites would be transferred. In reality, it later transpired that 8 sites, (nearly one third) had been transferred, involving 24 plots. This was also a surprise to the BDC Parks Officer with responsibility for allotments. At the time of writing this report there is still lack of clarity regarding whether some sites have been transferred to GCH or not, as records supplied are at variance.

#### **A more comprehensive survey**

As Council allotments form just part of total allotment provision, and with the approval of the Chair of the BDC Monitoring and Scrutiny Committee, the Task and Finish Group resolved to endeavour to audit total allotment provision within the 54 BDC parishes. Accordingly, the work was distributed and each member of the Task and Finish Group undertook a telephone survey, with initial contact with parish clerks. The survey focused upon logging, for each parish, how many allotment sites there are, if any, how many plots, plot uptake, waiting lists if any, and also allotment co-ordinator contact details. Whilst in some cases it was not always possible consistently to "dig out" the allotment status for some parishes, nevertheless this original work for the BDC does reveal a broad picture and some interesting trends and intense pockets of allotment interest and activity.

### **3.2 Current status of BDC land ownership, utilisation and demand**

See Table 1

In addition to the listed 27 BDC sites, interestingly information provided by parish clerks in the survey also suggests that the BDC *may be* the owner of some allotments in use in Panfield.

In addition to these 27 BDC sites the survey revealed at least a further 30 sites that are privately owned or parish or church owned allotment sites. In general,

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these private/local community owned sites are particularly thriving and enjoy very high uptake.

### 3.3 Transfers and sales of BDC allotment land

A key objective that the Task and Finish Group set itself was to ascertain the extent of attrition of BDC allotment sites and plots, including the extent of sell-off of allotment land. In addition, officers were also asked for details of allotment land lost in the recent transfer of BDC housing to Greenfields Community Housing. Data provided by officers reveals the following reductions of BDC allotment land over the previous 10 years and including the transfer of housing to GCH on November 14<sup>th</sup> 2007:

### **BDC Allotment Sites disposal 1997-2007**

Site:	Area (Sq.m):	Number of Plots:	Number of Plots in use:	Statutory / Non-Statutory	Comments:
<b><u>BRAINTREE AREA - TRANSFERRED</u></b>					
1 Hillside Gardens, Braintree	852	4	1	Non-Statutory	Identified for disposal
2 Boleyns Avenue, Braintree	607/951	15	1	Non-Statutory	Identified for disposal
3 Byron Close, Braintree	519	4	4	Non-Statutory	Development potential
4 Church Street, Bocking	220	2	2	Non-Statutory	Development potential
5 Vicarage Avenue, White Notley (the other BDC (main) site in Vicarage Road remains in BDC ownership)	735	0	0	Non-Statutory	Identified for disposal
6 John English Avenue, Braintree	208	0	0	Non-Statutory	Land now licensed as garden land
<b><u>ALLOTMENT SITES - SOLD</u></b>					
7 Holmes Road, Halstead	3322				Sold 23/03/2006
8 Tenter Close, Braintree	1422				Sold 16/06/2004
9 Bartrams Avenue, Braintree	16024				Sold 22/09/2000

Total loss	24,255 m2
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This represents a loss of 22.83% of BDC allotment area over 10 years

### **3.4 Key findings and trends re non BDC allotment sites**

Whilst data could not be elicited from 6 parishes it is clear that at least 24 parishes, and probably around 50% of BDC parishes in all, have private or Parish Council or Church owned allotments serving their community. These 30+ allotments sites ( as some parishes have more than one site) provide for each community a range from a mere handful of plots in some smaller villages, but typically 10-25, to 100+ plots for communities such as Coggeshall, Hatfield Peverel, and Halstead (re latter- in addition to BDC owned allotments).

Members of the Group visited a few of these non BDC allotment sites as part of their earlier visits for gathering general opening appraisal issues. Some of these allotments sites are extremely well managed and have very high uptake. In the case of the Hatfield Peverel allotments they are privately owned but managed by the thriving village Allotment Association, with the Parish Council keeping a watching brief and collecting the rents to pay over to the landlord.

In some parishes these allotments sites continue to exist because of the altruism of a local landlord. A key factor, however, in the continuing success of these sites is the on-going enthusiasm of allotment holders and particularly espoused though a local "champion(s)" who co-ordinates the allotments. This champion is typically appointed/elected by the Parish Council, Parochial Church Council, or local allotment association. In a handful of cases with a small privately owned site it is co-ordinated by a local volunteer (normally an allotment tenant) on behalf of say a local farmer. In one parish in the north of the BDC region a well used site is in existence with unknown ownership and no rent is paid, with the operation continuing happily on "commune" basis.

Whilst the survey did not penetrate on every detail, discussions with local allotment co-ordinators did not elicit concerns about any threats of impending loss, although a private allotment site was lost in Finchingfield a few years ago. In this case, as in a number of other parishes, it was picked up from parish clerks that there are on-going, and in some cases accelerating, inquiries for availability of local allotments. Uptake of existing sites, in general seems to be very high. In one parish the waiting list is many years, and in some cases allotment tenancies are handed down to the next generation.

The key factor for the success of these non council sites appears to be that they are co-ordinated, ands issues "owned", on a local community basis.

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There was a report that a new allotment site has been earmarked for Great Notley village, and space for 7 plots cleared. However, as local householders objected the project has been shelved and the site is currently overgrown.

A full log of the telephone survey of parishes and questionnaires are compiled in a portfolio of evidence held by the Scrutiny Officer for further reference, together with details of some case studies.

### **3.5 Summary of total allotment status across the BDC district**

	No. sites (in use)	No. recorded plots	Plot uptake	Current logged waiting list
<b>BDC</b>	<b>27 (22)</b>	<b>377</b>	<b>377</b>	<b>278</b>
<b>NON BDC</b>	<b>31</b>	<b>474</b>	<b>378</b>	<b>121</b>
<b>Total</b>	<b>58 (52)</b>	<b>851</b>	<b>755</b>	<b>399</b>

There are at least 58 allotment sites throughout the BDC region, split BDC (27), and the reported remainder (at least 31) privately owned or owned by the PC, church, or horticultural association. Main concentrations of allotments, with over 100 plots per parish, are Braintree, Halstead, Witham, Coggeshall, and Hatfield Peverel. Plot uptake is generally very high (100% for BDC sites) and **there is a very strong recorded waiting list**. The waiting list belies an inevitable larger pool of aspirant allotment holders who have not formally recorded their interest in tenancing an allotment

There are 14 definite reported parishes, out of the 54 BDC parishes without allotment provision, though there could be a handful more as it was impossible to elicit information from every single parish. These parishes are normally small rural parishes- where much of the local housing incorporates gardens -some large enough for vegetable production. It is evident thus, that there are allotments in use in the local parishes representing at least 75% of the 140,000 BDC residents. There has been a net reduction of 22.83% in the area of allotment land for BDC allotments in the last decade, as land has been sold off or transferred. It is evident that there is growing demand for more allotments, and certainly in the larger concentrations of population.

### **3.6 Detailed Case Study**

One of the members of the Group conducted an in depth case study of 3 BDC allotment site, 2 in Braintree and one at White Notley, providing more detailed evidence. A copy of this Case Study is provided separately together with data

records compiled by the group from the telephone survey; this is all available upon request from the Scrutiny Manager.

### **3.7 Catering for Demand - expanding allotment provision**

Clearly there is a conflict of diminishing supply, with loss of allotment land over the past years, yet proven strong and growing demand (100% of all BDC allotment plots used and nearly as many on official waiting lists as there are allotment tenants). Demand is further rekindled by media and personal aspirations to grow ones own food, keep healthy, and wider perceived benefits of allotments, as listed earlier. Amongst these is the significant shift in new housing, with for instance, apartments forming 15% of total planning applications 5 years ago increasing now to 45%. When translated through into numbers of new dwellings there is a major implication regarding the proportion of new home dwellers not having access to gardens. A further contributing factor is demographic change, with more retired citizens with leisure time, and with imperatives to keep fit, healthy, and stretch their retirement income.

There is thus a strong rationale for BDC to extend its allotment provision, with allocation of new allotment sites, following a more detailed demand survey to identify pockets of highest need. At the same time there is an implied need to "market" allotments more widely to the community in a similar way to other leisure services.

Finding suitable land for additional allotments need not be daunting. With appropriate lateral and imaginative thinking opportunities exist through such conduits as reuse of existing redundant housing and unused/ closed allotment land, section 106 conditions for new housing to provide land for allotments, in appropriate cases diversion of small portions of larger park/ open spaces, and possible acquisition of farmland just outside parish development boundaries.

## **4. Key issues emerging from site visits**

### **4.1 Summary of main issues from BDC site visits**

#### **Public Awareness of the work of the T & F Group**

In order to elicit public interaction an advert was placed in the Braintree and Witham Times giving details of the setting up of the Task and Finish Group and asking for the public to contact the BDC with views/ concerns and any other relevant information. Similar adverts were placed for the other 3 T & F Groups. It was only the Allotments Task and Finish Group advert that elicited any responses. These were mainly allotment tenants of BDC allotment sites - focusing upon

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problems encountered at the Cut Throat Lane allotment site in Witham. For each letter or e-mail received the Group Support Officer, Linda Morgan, made a prompt reply, and specific concerns were followed up.

### **Main concerns arising from feedback from advert, sites visits, and other sources**

Key areas of tenants concerns focused upon security and vandalism, access, water provision, sheds, clarity of agreements, and damage to sites by contractors.

**Security and Vandalism:** This was a particular issue for Witham, but also Braintree. Indeed, some Witham tenants at the Cut Throat Lane site expressed deep concerns about on-going vandalism and security issues which had not been addressed by BDC, and as a result have a low opinion of BDC's responsiveness and moral obligations as allotments landlord. Examples were given of produce being stolen or trashed and sheds burnt down. One of the Group, Cllr Dr Bob Evans who is also a Witham BDC Councillor, invested this site. He and the Group strongly recommend that the security fence plus the gates are upgraded/ repaired as a matter of urgency. It is also recommended that the site might be linked up to the new town security camera system about to be installed at Witham.

A survey of other allotment sites is urgently required on security provision and a ranked in urgency of need, with emergency works carries out as soon as practicable.

**Contractor damage:** The Witham Cut Throat Lane site was also the centre of one tenant's extreme anguish, with resultant media publicity, in relation to contractor damage. Without any notice a contractor had dug up one allotment to lay a power cable for a local supermarket. Again Cllr, Dr Bob Evans intervened and has elicited an apology and compensation for the tenant. There are a number of lessons to be learnt from this in terms of local management, including the possibility of a local site co-ordinator/ champion.

**Water provision:** Many of the BDC sites appear not to have water laid on, and with a particularly dry climate locally, this is a key concerns for many tenants, despite valiant water harvesting attempts collecting modest quantise from run off from allotment shed roofs. The key issue inevitably is the cost of water installation but also consumption cost and consumption regulation. It was noted, however, from some site visits that those with water laid-on make the system work, e.g. not using taps but dipping tanks with ball valve filling, and cost , e.g. for some private sites, does not appear to be an issue.

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**Tenancy Agreements:** In some cases longer standing tenants do not appear to have always held a copy of the BDC allotment tenancy agreement, clarifying their rights, obligations and security of tenure. In one instance (White Notley) tenants were under the impression that sheds are not allowed on the site. It is recommended that tenancy agreements are reviewed, with assistance from this Group, and reissued to all tenants, and issues, for example, about rights to have sheds are clarified.

**Adequate access:** for a few sites tenants complained that they were unable to bring their vehicles conveniently near their allotment plots, or had difficulty in gaining vehicle access to bring in manure

**Fly tipping and debris clearance:** for some sites dumped rubbish was a problem, especially for new plot holders about to clear and dig their newly allocated plot. Plot holders would appreciate a BDC rubbish collection service - particularly for new allotment tenants

### **“Head Starts” for newly taken on allotment plots:**

New allotment tenants comment that they would appreciate some help from the BDC in clearing and preparing their site. In some cases, such as at Halstead, Landscape staff are allocated to assist with this function.

## **4.2 Summary of good practice gleaned from visits to Halstead allotments and to Harlow Allotment Association**

Two Group site visits were made in November to two exemplar allotment site groups - one representing probably the best practice within the BDC area, and the other probably best practice within Essex.

The Halstead visit, co-ordinated by one of the Group members, Cllr Jackie Pell, scrutinised the management of the BDC allotments sites at Halstead that are managed by Halstead Town Council. Key issues emerging:

- HTC manage all 6 BDC sites, comprising around 169 plots.
- At Halstead there are also 3 other non BDC allotment sites, including one owned by the Horticultural Association.
- All BDC sites are currently on a 20 year lease, which is giving concern re the longevity of allotment land availability
- The Group were very impressed with the high standard of management and upkeep of the HTC managed sites, and due credit goes to Sheena and Mandy who hosted our visit. The Group were also impressed with Steve Tullett, the allotments warden, who has been a prime mover in effecting good management

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and support of allotment holders. There is a very high uptake of plots, with remarkably few problems. The typical allotment holder profile is reported to range from older long standing tenants to new comers from newer estates.

- A survey is currently being conducted of Halstead BDC plots
- Asked what improvements the HTC team would like: - numbered plots, good fencing, water provision on some sites, and more budget to facilitate bringing in a contractor to clear areas.

The group also visited the Harlow Allotment Association at the Izzards site, Potter Street, Harlow. The Harlow Allotment Association currently runs 17 of what is believed to be 32 sites in Harlow as a self management scheme. The "Harlow" Council run the rest. The Management Committee comprises the "Site Agents" comprising highly dedicated and affable chairman, secretary and treasurer, who appear to input at least half their week to running the association/ managing the allotments on a fully voluntary basis. The Association has a very useful website.

The key issues emerging:

- It was clear the sites were very well run, showing great "community spirit".
- It is believed all the Harlow sites were originally owned by Harlow Council Housing Department and there was a big "stand" made by the allotment holders to save some of what was being quickly lost to Housing Development and certainly a great deal from Section 106 money to provide infrastructure, roads, parking, disabled plots, compost bays.
- The Harlow Council provide main infrastructure such as storage, office, telephone, water, fencing and some equipment and immaculate toilets.
- On the Association run sites the Association collects rents of £11 per plot. Some of this goes to self sustaining and a proportion goes to the council.
- The Association buys fertiliser, chemicals, seeds and other requisites and sells to its members at advantageous prices through an on site shop, which also offers power tool hire
- Their office management includes computer based record keeping, as well as managing their website and e-mail communications.
- There was evidence of immaculately kept allotments and excellent infrastructure, including hard car parking.
- There is a long waiting list to join.

## **5. Legal issues**

### **5.1 Allotment legal framework**

The legislation relating to allotments is quite complex. The areas that are relevant to local authorities are summarised here:

### **Small Holdings and Allotments Act 1908**

Consolidated all previous legislation and laid down basis for all subsequent legislation.

Placed duty on local authorities to provide sufficient allotments, according to demand. Also makes provision for local authorities to purchase compulsorily land to provide allotments. Established the framework for the modern allotments system.

### **Land Settlement Facilities Act 1919**

This Act was mainly to assist returning servicemen and opened up allotments to all, not just 'the labouring population'. Made metropolitan borough councils allotment authorities for the first time.

### **Allotments Act 1922**

This Act was established to provide allotment tenants with some security of tenure. It also provided tenants with greater compensation at the termination of their tenancy and limited the size of an allotment to one-quarter of an acre, specifying that it should be used mostly for growing fruit and vegetables.

### **Allotments Act 1925**

Required local authorities to recognise the need for allotments in any town planning development. Established 'statutory' allotments which a local authority could not sell or convert to other purposes without Ministerial consent. This Act was intended to facilitate the acquisition and maintenance of allotments, and to make further provision for the security of tenure for tenants.

### **Allotments Act 1950**

This included:

- Amendment of the provisions relating to rents that may be charged for allotments;
- Extension of period of notice to quit to 12 months for allotment gardens;
- Compensation payable to plot holder at whatever season of the year a tenancy terminates;
- Making plot holders who have allowed their plot to deteriorate through neglect liable to pay compensation on quitting; and
- Allowance of certain forms of livestock (hens and rabbits) to be kept although this can be, in some cases, restricted by local by-laws.

### **Other legislation**

The Local Government Act 1972 amended the allotments legislation in a number of matters of detail, for example, removing the requirement upon local authorities to

establish allotments committees (contained in Section 12 of the Allotments Act 1925).

Other Acts which have impacted upon allotments include the Town and Country Planning Act 1990, the Local Government Planning and Land Act 1980 and the Acquisition of Land Act 1981.

### **Work by other Local Authorities on developing Allotment Initiatives**

#### **LB Croydon: Cultural Services Allotments Business plan 2002 - 2005**

The Cultural Services Department of London Borough of Croydon is committed to developing good quality open spaces including allotments. In line with many other authorities their strategic management framework has been developed to ensure that the department contributes to the Council's overall vision. The business plan highlights how allotments fit into the wider Council vision. The Croydon business plan can be viewed on the London Borough of Croydon website:

<http://www.croydon.gov.uk/sportsdocuments/plan.pdf>

#### **Cambridgeshire County Council Allotment Action Plan**

The plan gives a brief outline of the history of allotments and identifies how their current and future use contributes to Local Agenda 21 priorities. They not only provide green areas but also biodiversity with up to 30% more diversity than that found in urban parks. The food links to Local Agenda 21 are highlighted, which include organic cultivation, links with schools, special needs and adult learning, and improved health through the availability of fresh produce and exercise.

The full plan can be seen on the Cambridgeshire County Council website:

<http://www.cambridgeshire.gov.uk>

**Further useful links are included in the references at the end of the report**

### **5.2 BDC legal responsibility re allotment provision**

The National Association of Leisure Gardeners and Allotment Holders provide the following advice on their website:

" Each allotment authority decides for itself how much of its resources to devote to allotments. However, if an authority believes there is a demand, it has a statutory duty to provide a sufficient quantity of plots and to let them to people living in its area. If local people feel there is a need for allotments which is not being met, they

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can get together a group of any six residents who are registered on the electoral roll and put their case to the local authority".

The following has been supplied by BDC Legal Department in relation to BDC's legal responsibilities:

"According to the Small Holdings and Allotments Act 1908 s23 (1) Certain Councils i.e. an Allotments Authority have a duty to provide allotment gardens if the demand for such is unsatisfied i.e. there is a demand for allotments in their area, and a sufficient number of allotments have not been provided. The act specifies, "...the council *shall* provide a sufficient number of allotments".

If a district has a population of 10,000 or more, the duty is limited to the provision of allotment gardens not exceeding 20 poles - s9 (b) Allotments Act 1950.

Braintree District Council falls within the definition of an Allotment Authority because of the Local Government Act (LGA) 1972 and the LGA 1992. Reorganisation under these Acts resulted in District councils (both metropolitan and non-metropolitan) in England becoming allotment authorities.

However, in England, a district council cannot provide allotments in areas where there is a parish council or meeting who possess powers in relation to allotments and their provision.

There is an implication that BDC might have a legal obligation under the 1908 Act, however the situation is by no means clear, and at the time of completing this report the Group have been unable to get confirmation of BDC's legal obligations. The Group recommends that this issue is clarified.

### **5.3 Allotment Holder Tenancy Agreement re tenants rights and security**

Concern has been expressed by the Halstead Town Council allotment co-ordinator about the short term of the lease appertaining to BDC owned allotments at Halstead, which is restricted to just 20 years. It is recommended that this should be revised to, say 50 years, signifying BDC's endorsement of the need and continuance of allotments at Halstead, which continues as a particular intensive "hot spot" of allotment activity and good practice with a strong waiting list.

Copy of BDC Allotment Tenancy agreement can be found on page 31.

## **6. Financial issues**

### **6.1 Allotment rentals and collection**

Allotment charges revealed in the Group's survey and site visits appear to range from as little as £5 to £35 per plot. BDC allotment rents are collected directly, whilst for some private/ local community allotments a third party is sometimes used for this activity, eg the parish council on behalf of the owners.

Allotment rental income for BDC allotments is £3468 plus £863 for Halstead Town Council managed BDC allotments, giving £4331 in total.

### **6.2 Costs of administration**

One of the attractions of locally run allotments is that central overhead costs of administration are minimised or subsumed by local volunteers, whereas for allotments administered by BDC direct or through Halstead Town Council there is an inevitable hidden staff/ office overhead cost. However, it can be argued that this cost is no different than similar costs incurred anyway by the Council in administering other elements of leisure/ parks facilities for the benefit of the community. However, in reality the total analysed staff administration costs for BDC allotments is only £5950 for 2008/9, Halstead Town Council do not charge BDC for their administration costs in managing BDC allotment sites. ( Their estimated time cost, otherwise would be around £5000)

### **6.3 Capital provision for allotment upkeep**

An early key issue revealed that currently there is no BDC direct budgetary provision for allotment upkeep. Consequently the BDC Parks Officer with responsibility for BDC allotments management, Nick Day, has to resort to creativity in allocation to his Parks Budget and deployment of his staff to attend to all but emergency works. In the past year Nick estimates that around £6000 has been vired from other budgets to carry out emergency security work. It is to his credit that the BDC allotments have not fallen into complete disrepair. It is clearly evident from feedback received by the Group from BDC allotment tenants that for several sites they do not feel adequately supported and that lack of adequate spend on such measures as fencing, security, access, water supply are frustrating them.

Halstead Town Council currently spend around £2000/ year on upkeep of BDC allotments managed by HTC, and do not reclaim this from BDC.

### **6.4 Opportunity costs**

In cold financial terms, non statutory BDC allotments technically occupy land that in some cases might be possibly released for housing development and releasing

valuable financial assets. However, the same could be argued for other leisure/ park/ gardens facilities and would anyway work against the proven growing demand for more allotments, which are an increasingly valuable asset for neighbourhoods.

## **7. Allotment management**

### **7.1 BDC allotment management model, and issues emerging**

For all but the Halstead BDC allotments, which are managed by Halstead TC, the remaining BDC allotments are co-ordinated by a Parks Officer, Nick Day, part of whose wider job role is to manage allotments ( around 10% of his total working week), plus a part time administrator (around 15% of her working week). Consequently, there is an inevitable conflict of time required, and as stated in 6.3 above Nick also has no direct budget allocated for allotment upkeep. Nick impressed the Group by his ability over recent months on how he has tackled problems, resolving what he can and juggling with compromised resources. Clearly it is evident to the Group that the BDC allotments management model urgently requires review and overhaul, with appraisal of time inputs required and job descriptions, and not least to allocation of appropriate earmarked budget in order to service a vital BDC asset.

The (unexpected) transfer of some allotment sites to Greenfields Community Housing is a management complication, not least that possibly some of the let plots will not be held by GCH housing tenants. Clearly GCH will have an initial obligation not only to their own tenants but also other interested parties who may wish to apply for tenancy of these plots. It is apparent at the time of writing this report that Nick Day has not yet been approached regarding BDC taking over management of these newly transferred and now GCH plots

### **7.2 Halstead model**

The Group were most impressed with the effectiveness of the Halstead allotment management model, where 2 part time Halstead TC staff have a close handle on day to day allotment management issues and liaison with tenants, with ability to direct landscape staff and spend HTC provided funds to help maintain infrastructure. Another key issue in the success of these allotments is the deployment of an allotment steward/ ranger who is also an allotment holder himself

### **7.3 Allotment Associations: examples within the BDC region, effectiveness, and typical activities/ support.**

The Group saw working evidence of some excellent allotment associations, such as the Halstead and also Hatfield Peverel Allotment Associations. Associations, not

only provide group support and advice, but visits, and also often facilities to buy seeds at discount rates, as well as social events such as barbeques and cheese and wine parties, all helping to foster good community relations and a healthy lifestyle.

#### **7.4 Role of the National Society of Allotment and Leisure Gardeners Ltd (NSALG) ([www.nsalg.org.uk](http://www.nsalg.org.uk))**

Representing allotments and allotment gardens nationwide, the National Society of Allotment and Leisure Gardeners Ltd (NSALG) provides membership to allotment societies and allotment gardeners, with principle aims are to protect, promote, & preserve allotment gardening.

NSALG's objects are to help all, both nationally and internationally, to enjoy the recreation of allotment and leisure gardening, and thus to promote their education and community fellowship.

NSALG collects, disseminates and exchanges information relating to the above with other bodies with similar objects specifically but not exclusively.

NSALG encourages the formation of local associations, district federations, area, county and regional bodies, assisting with registration, model rulebooks, tenancy agreements, administrative services, insurance, advice relating to legal matters and protects members' interests by lawful means

NSALG thus aims to:

- protect, promote and preserve allotments for future generations by monitoring allotment law and other relevant legislation
- provides advice and information in respect of sites under threat
- is part of the official consultation process of the allotment disposal procedure

NSALG encourages a healthy lifestyle by promoting 'Grow Your Own' and is a registered Industrial and Provident Society, is a not for profit organisation and is strictly non-political, non-sectarian and non-racial.

There is an Essex branch with quarterly meetings held in Chelmsford, also with summer visits organised.

## **8.Recommendations**

### **8.1 Review of role of status of allotments in BDC's support of leisure, recreation and green agenda and in healthy living agendas,**

Currently allotments have been a relatively neglected element of BDC community provision. Thus:

- 8.1.1. Steps should be taken to ensure that allotments form an important feature of leisure provisions and this should be reflected within BDC's Leisure Strategy and Local Agenda 21 initiatives, as well as within policies for environmental sustainability, and healthy living agendas
- 8.1.2. Appropriate specific budget provision should be allocated for the upkeep and maintenance of infrastructure of existing BDC allotments, covering capital and revenue elements.
- 8.1.3. An audit of all present council owned sites, plus ideally newly transferred GCH sites, should be made and provision should be made to bring them up to standard: access, security, parking, water storage and other facilities where appropriate.
- 8.1.4. A particular funding priority should be made for bringing **site security** up to standard urgently.
- 8.1.5. Steps should be taken to encourage schools and youth groups to take up allotment tenancies.
- 8.1.6. BDC should publish annually details on their allotments and also year-on-year statistics, providing transparency of allotment policy (as recommended in the Government Select Committee on allotments)
- 8.1.7. A leaflet showing the key findings and outcomes of the Group to be made available to the public

### **8.2 Review of BDC's allotments management model**

- 8.2.1. **Asset Management:** A review is required to verify ownership and asset use description, as it is unclear, for some sites which are owned by BDC of CGH (e.g. Church Street Bocking site), also some land is described as allotment land when it is clearly not (e.g. 71,823 m<sup>2</sup> of land to the East of Coldnailhurst Avenue, Braintree). In addition we would recommend that, just as Halstead Town Council is undertaking a land survey of allotments to verify status, a similar exercise is conducted across the remaining BDC allotments.
- 8.2.2. A BDC allotment management model should be introduced allocating clear resources to the management of allotments, with clearly

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articulated job descriptions and responsibilities. In particular, there is a need for an adequately supported BDC Allotment Management Officer.

- 8.2.3 BDC should draw up Best Practice regimes and examine the potential for self management of sites such as exist at Halstead, and encourage the use of volunteer wardens
- 8.2.4 BDC should map and keep an up-to-date record of the full extent of *all* allotment provision within the BDC area
- 8.2.5 There is an urgent need to ensure the continuity of allotments usage of newly transferred GCH allotment plots
- 8.2.6 BDC Allotments services should consider joining, and benefiting from the National Society of Allotment and Leisure Gardeners
- 8.2.7 Local BDC councillors should be encouraged to take an interest in allotments within their wards.

### **8.3 Planning policy and allotment allocation**

- 8.3.1 Allotment land should be considered as part of leisure and amenity land in new development of residential building planning applications, in a similar way to children's play areas, and where appropriate be considered for section 106 agreements
- 8.3.2 Steps should be taken to ensure that allotment planning is incorporated into formulating local development frameworks
- 8.3.3. There is growing national interest in tenanting allotments, and very strong demand was indicated in the audit with numbers on official recorded waiting lists extending to almost as many as current allotment tenant numbers. **It is probable that BDC has a legal responsibility to provide additional allotments – see 5.2. BDC should set a specific target to increase the number of allotment sites. A more detailed survey should be carried out to identify priority of need across the region.**
- 8.3.4 A central working criteria for securing suitable allotment land. Should be developed.
- 8.3.5 Tenure of allotment land should be secure. At Halstead the lease duration of BDC allotments should be revised from the current 20 years to 50 years.
- 8.3.6 A robust liaison process should be developed with Parish Councils and other allotment land owners. It is recommended that this function, and overall monitoring of allotment policy should be undertaken by a standing committee of the BDC.

## References

- [The Future for Allotments: Fifth Report of the House of Commons Environment, Transport and Regional Affairs Committee](#). Volume I. London: The Stationery Office, HC560-I, June 1998, p. xxii
- **Allotments in Local Agenda 21:**  
A Brief Prepared for the Local Government Association's Working Group on a Best Practice Regime for Allotments, Richard Wiltshire, QED Allotments Group Dartford Kent, December 1998
- **The Law of Allotments**, 5<sup>th</sup> edition Paul Claydon, Shaw and Sons
- **Further useful web links:**

- [www.foodvision.gov.uk/pages/allotments](http://www.foodvision.gov.uk/pages/allotments)

- The Local Government Association (LGA) has published a booklet *Growing in the Community*. **It is aimed at those responsible for managing local authority and other allotments.** This guide is based upon extensive research into good practice in the management of allotments in England and Wales and is used by many local authorities. Website: <http://www.lga.gov.uk/Publication.asp>

**The LGA also has an allotments section on their website. An article "A new Local Authority Approach to Allotments" explores the way allotments can make connections across strategic policy agendas. These include:**

- **Local Agenda 21/Community Planning**
- **Healthy Living**
- **Sustainable Food Production**
- **Community Development and Education**

The links on this page include the LGA paper "A New Future for Allotments", published in October 2000. <http://www.lga.gov.uk/lga/allotments/advocacy1.PDF>

- *The Office of the Deputy Prime Minister (ODPM)* has published *Allotments: a plot holders' guide*: <http://www.communities.gov.uk> It is aimed at anyone who rents, or is thinking of renting an allotment plot. There are many useful contacts listed.

- *The Quality Environment for Dartford (QED)* have a web site for allotment

## Allotment Task Group

associations or community gardens involved in a Local Agenda 21 initiative anywhere in the UK <http://www.btinternet.com/~richard.wiltshire/potshed1.htm>  
The site is primarily provides further links to local allotment group websites around the country. In December 1998 a "Brief for the Local Government Association on 'Allotments in Local Agenda 21'" was prepared by QED. <http://www.btinternet.com/~richard.wiltshire/lga3.htm> It expands on how allotments fit into LA21 activity.

- *The Allotments Regeneration Initiative (ARI)* is a partnership between several organisations interested in promoting allotment cultivation. It has lots of very useful publications on its website. <http://www.farmgarden.org.uk/ari/>

- *The Federation of City Farms and Community Gardens (FCFCG)* is a UK organisation and represents groups involved in community led projects to develop open space through locally managed farming and gardening. The website <http://www.farmgarden.org.uk/> provides links to websites of FCFCG member projects.

- *The National Society of Allotment and Leisure Gardeners (NSALG)* aims to build co-operation between agriculturists and the organisation of smallholdings and allotments. The site gives advice to gardeners and encourages the creation of gardening associations. <http://www.nsalg.org.uk/>

- *Thrive* is a national horticultural charity that exists to enable disadvantaged, disabled and older people to participate fully in the social and economic life of the community. Thrive has had over 23 years experience of how gardening can be used to help vulnerable members of society increase their quality of life. <http://www.thrive.org.uk/index.html>

- *Allotments UK* has a directory listing many allotment web sites. <http://www.allotments-uk.com/> These include sites providing specific practical advice on gardening an allotment and links to some local allotment associations.

- *Garden Organic* is the new name for the Henry Doubleday Research Association (HDRA) <http://www.gardenorganic.org.uk/> It is dedicated to researching and promoting organic gardening, farming and food. Their website provides educational materials on organic issues, a network for school organic gardens and outlines practical and topical information on organic gardening.

**TABLE 1**

**BDC Allotments Status January 2008**

<b>Location of site</b>	<b>Name of site</b>	<b>Statutory/ non statutory</b>	<b>Status</b>	<b>Ownership</b>	<b>Area (m2)</b>	<b>No of Useable Plots</b>	<b>Plots in use</b>	<b>Plots vacant</b>	<b>No on waiting list</b>
Black Notley	John Ray Gardens	Non statutory	In use	BDC	1727	5	5	0	18
Braintree	Bailey Bridge Rd	Non statutory	Closed	BDC	6658				
Braintree	Boleyns Avenue	Non statutory	Not in use	GCH	1566				
Braintree	Bunyan Road	Non statutory	In use	BDC	1686	7	7	0	16
Braintree	Byron Close	Non statutory	In use	GCH	519	4	4	0	0
Braintree	Dukes Road	Non statutory	In use	BDC	3710	17	17	0	26
Braintree	Hillside Gardens	Non statutory	Not in use	GCH	852				
Braintree	Marks Farm	Statutory	In use	BDC	2230	8	8	0	31
Braintree	Rose Hill	Statutory	In use	BDC	3362	21	21	0	31
Braintree	Station Field	Statutory	In use	BDC	6779	20	20	0	36
Bocking	Church Street	Non statutory	In use	GCH?	220	2	2	0	5
Earls Colne	Queens Road	Non statutory	In use	BDC	1279	12	12	0	4
Feering	The Green	Non statutory	In use	GCH	782	4	4	0	7
Kelvedon	Dowches Gardens	Non statutory	In use	GCH	783	1	1	0	8

Footnote for Table 1 - This information is correct as far as the group has been able to ascertain as to 29.1.08.

Shalford	Clifffield, Shalford	Non statutory	In use	GCH	861	7	7	0	4
Silver End	Silver Street – 1 & 2	Non statutory	In use	BDC	4118	28	28	0	5
Steeple Bumpstead	North Crescent	Non statutory	In use	GCH	999	6	6	0	8
White Notley	Vicarage Avenue	Non statutory	In use	BDC	2698	12	12	0	7
Witham	Blackwater Lane	Non statutory	Closed	BDC	6446				
Witham	Cut Throat Lane	Non statutory	In use	BDC	11013	74	74	0	22
Witham	Conrad Road	Non statutory	Not in use	BDC	2910				
Witham	Powershall End	Non statutory	Closed	BDC					
Halstead	Holmes Road/ Tidings Hill	Non Statutory	In Use	BDC/ HTC managed	15206	41	41	0	17
Halstead	Fenn Road	Statutory	In use	BDC/ HTC managed	2808	11	11	0	3
Halstead	Parsonage Street	Statutory	In use	BDC/ HTC managed	18512	49	49	0	13
Halstead	Harvey Street	Statutory	In use	BDC/ HTC managed	1300	11	11	0	2
Halstead	Colchester Road	Statutory	In use	BDC/ HTC managed	7213	37	37	0	15
<b>Totals</b>	<b>22 sites in use plus 5 not in use/ closed</b>	<b>Incl 7 statutory</b>		<b>Incl (now) 7 GCH sites</b>	<b>106,237 (&amp; 87,805 in use)</b>	<b>377</b>	<b>377</b>	<b>0</b>	<b>278</b>

Footnote for Table 1 - This information is correct as far as the group has been able to ascertain as to 29.1.08.

## BRAINTREE DISTRICT COUNCIL

### ALLOTMENT AGREEMENT

SITE

PLOT NO.

An agreement made the ..... day of .....  
Between (1) BRAINTREE DISTRICT COUNCIL of Causeway House, Bocking End,  
Braintree, Essex ("Council") and (2) ("Tenant")

#### Letting

1. The Council agrees to let and the Tenant agrees to take the allotment garden numbered and situate at ("Allotment Garden") on a yearly tenancy from ..... and continuing thereafter from year to year until the tenancy is determined in accordance with Clause 4 below

#### Tenants Agreements

2. The Tenant agrees with the Council:
  - 2.1 to pay the Council the Rent of £ annually in advance
  - 2.2 to use the Allotment Garden as an allotment garden only and for no other purpose
  - 2.3 to keep the Allotment Garden clean and in a good state of cultivation and fertility and in good condition
  - 2.4 to keep every hedge that forms part of the Allotment Garden properly cut and trimmed; to keep any ditches properly cleansed and maintain and keep in repair any fences gates or sheds on the Allotment Garden
  - 2.5 not to cause any nuisance or annoyance to the occupier of any other allotment garden or obstruct any path or roadway set out by the Council for the use of the occupiers of the allotment gardens
  - 2.6 not to underlet assign or part with the possession of the Allotment Garden or any part of it without the written consent of the Council
  - 2.7 not to cut or prune any timber or other trees or take sell or carry away any mineral gravel sand or clay without the written consent of the Council
  - 2.8 not to erect any building on the Allotment Garden without the written consent of the Council
  - 2.9 not tie up or let out any animal on the Allotment Garden without the written consent of the Council
  - 2.10 not to bring or cause to be brought onto the Allotment Garden any dog unless the dog is held on a leash
  - 2.11 not to deposit or allow to be deposited on the Allotment Garden any refuse or 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 or ditches on or adjacent to the Allotment Garden

3. It is agreed between the parties hereto that:
  - 3.1 A duly authorised Member or Officer of the Council shall be entitled at any time to enter upon and inspect the Allotment Garden
  - 3.2 The Council may review the rent at yearly intervals
  - 3.3 Any dispute between the Tenant and any other occupier of another allotment garden shall be referred to the Council whose decision shall be final

Termination

- 4 This tenancy may be determined in any of the following ways: -
  - 4.1 by either party giving to the other 12 months previous notice in writing expiring on or before the 6<sup>th</sup> April or on or after the 29<sup>th</sup> September in any year
  - 4.2 by 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 for building or any other industrial purpose or for roads or sewers necessary in connection with any of these purposes
  - 4.3 by re-entry by the Council at any time after giving one months previous notice in writing to the Tenant
    - 4.3.1 if the rent or any part of it is in arrears for not less than 40 days whether legally demanded or not
    - 4.3.2 if it appears to the Council that there has been a breach of the conditions and agreements on the part of the Tenant contained in this Agreement or rules affecting the cultivation of the plot and at least three months have elapsed since the commencement of the tenancy
    - 4.3.3 if the Tenant shall become bankrupt or compound with his creditors

Notices

5. Any notice to be given to the Council shall be delivered by hand or sent by post to the Head of Planning Services at the last known address of the Council. Any notice to be given to the Tenant shall be delivered by hand or sent by post to the Tenants last known address

Signed on behalf of  
Braintree District Council

By \_\_\_\_\_

Designation \_\_\_\_\_

in the presence of (Witness) \_\_\_\_\_

Signed by the said \_\_\_\_\_

in the presence of (Witness) \_\_\_\_\_