

Report of the Overview and Scrutiny Task Group – Allotments

November 2010



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1. PREFACE

The Scrutiny inquiry into Allotments was requested by two members of the public.

We collected evidence from a number of different sources including allotment holders, the Community Growing Officer for the Council and consulted the Chorley Disability Forum.

A site visit of allotment sites was undertaken by the Group and documentation was analysed that included current Tenancy Agreements and a report on Allotments and Community Growing that had been approved by the Executive Cabinet, outlining current allotment provision and arrangements.

The recommendations have the capacity to increase revenue and minimise running costs with no major budget implications to the Council, some are organisational and will establish best practice.

I would like to thank the Task Group Members for their deliberations, the Officers and those who made a contribution to this report.

Councillor Julia Berry
(Chair)

2. EXECUTIVE SUMMARY

At the request of two members of the public, the Overview and Scrutiny Committee asked the Task Group to undertake a scrutiny inquiry to look at Allotments in Chorley.

Objectives

1. To assess current provision and demand for allotments within Chorley
2. To examine the content of the tenancy agreements and rules governing occupation.
3. To assess the current monitoring and inspection procedures of allotment sites.
4. To review the current charging mechanism against the cost of administration.
5. Encourage community growing/partnership working across the Borough.
6. To consider the potential for forming Committees and User Groups within individual allotment sites to give tenants greater control and allow them to cover some of the functions currently carried out by officers.

Desired Outcomes

1. Increase the provision of allotments through standardisation of existing and future plots and fairness of allocation.
2. Improve management controls to enforce higher standards on allotment plots, which in turn will improve their overall appearance.
3. Ensure charges for allotments are fair and reflective of other authorities and where possible cover the management costs.
4. Introduce guidance and education of residents on the waiting list to encourage growing on alternative sites/shared facilities or at home.
5. Encourage future self management of the Allotments

Task Group Membership

Councillor Julia Berry
Councillor Anthony Gee
Councillor Marie Gray
Councillor Alison Hansford
Councillor Harold Heaton
Councillor June Molyneaux

Officer Support:

Lead Officers

Martin Walls	Head of Streetscene Services
Andrew Brown	Parks and Open Spaces Officer (Development)
Alan Bothamley	Streetscene Co-ordinator (Grounds Maintenance)

Democratic Services

Dianne Scambler Democratic and Member Services Officer

Meetings

The meeting papers of the Group can be found on the Council's website:

www.chorley.gov.uk/scrutiny. This includes the inquiry project outline and other relevant information on policy and procedures.

Contribution of Evidence

The Task Group would like to thank all those who have provided evidence and contributed to the Inquiry, including:

Miss Eleanor Smith,

Mrs Iris Smith,

Mr Bill Taylor, Chair of Chorley Allotments Society

Eileen Bee, Chorley Disability Forum

Jennifer Moore, Head of Planning Services, Chorley Council,

Steve Aldous, Enforcement Officer, Chorley Council,

Sarah Turner, Community Growing Officer, Chorley Council/PCT,

Lindsey Ralston, Assistant Parks and Open Spaces Officer, Chorley Council

Recommendations

The Executive Cabinet is asked to consider the following recommendations:

Provision and demand for allotments

- That applicants apply annually to the Council for an allotment.
- That vacant plots from within existing allotment provision be offered to applicants who have been on the waiting list the longest.
- That applicants on the general 'any site' waiting list only be allowed refusal of one plot, then placed on to the relevant Neighbourhood Area list.
- That any new sites be allocated by a 50/50 split between the Neighbourhood Area applicants and the general 'any site' applicants to support Neighbourhood Working.
- That Chorley Allotments Society be consulted on the Site Allocations Development Plan Document.
- That the Council considers the provision for allotments when negotiating Section 106 monies.
- That the Head of Planning Services, Chorley Council be requested to develop a set of guidelines and good practice for use by private allotment owners.
- That the Chorley Allotments Society working in partnership with the Council be encouraged to facilitate an exchange scheme across all the sites.

Tenancy Agreement and monitoring and inspection procedures

- That the Tenancy agreement be reviewed to include:
 - Appropriate rules and conditions to promote higher standards of maintenance
 - Definitive guidance on non compliance issues, to protect the Council's position.
- That the Council provide suitable perimeter fencing on all its new sites that will be adequately maintained.
- That the Council be responsible for the delineation of the actual plot, but that the allotment holder be then responsible for defining their boundaries, using safe and suitable materials.

- That subject to consent, the allotment holder be responsible for erecting structures on the plot for the purposes of storage and cultivation using safe and suitable materials within a total floor space (to be determined)
- That the new Tenancy Agreement be implemented on all new sites and when an existing allotment is occupied by a new holder.

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Allotment charges

- That the annual charge of £39.50 be increased annually on 1 April in line with inflation.
- That the concessionary rate be phased out over the next two years, 75% of rental to be charged in 2011/12 with the full rental being charged in 2012/13.
- That the annual charge should be regardless of plot size.
- That it be Council policy to reduce the larger plots as and when they become available, dependant on the site and demand for that location. This would be monitored and the work undertaken, according to need.
- That the present mains water provision be maintained on the two sites but at cost neutral to the Council.
- That the allotment holders be charged for the water provision based on the usage of the previous rental year. The charge would be implemented in 2012/13 based upon water usage in 2011/12.
- That the provision of a free water butt for all new allotment holders be withdrawn or offered at cost.
- That information help and guidance be provided to new allotment holders on the sustainability agenda.

Community Growing

- That the Council be encouraged to continue working closely with Lancashire Wildlife Trust over the next three years, sharing information, staff time and resources to ensure the success of the Community Food Growing Action Plan.

Community Management of Allotments

- That allotment holders on any new site be supported and encouraged to pilot a community based management arrangement.
- That the Council would endorse the value of its allotment holders joining the Chorley Allotments Society through the contract and other associated paperwork.
- That User Groups be established as and when required for the purposes of consultation.

3. METHOD OF INVESTIGATION

Evidence

The Group received and considered several reports and documents, these included:

1. Allotments and Community Growing Report
2. Existing Allotment Tenancy Agreement
3. Current Charging details
4. Details on the current Allotments Waiting List
5. Feedback from Chorley Disability Forum

Witnesses

The Task Group interviewed:

Mr Bill Taylor, Chair of Chorley Allotments Society and member of the public that requested a review of allotments.

Miss Eleanor Smith, (represented by Mrs Iris Smith) a member of the public that requested a review of allotments.

Sarah Turner, Community Growing Officer, Chorley Council/PCT

Jennifer Moore, Head of Planning Services, Chorley Council

Steve Aldous, Enforcement Officer, Chorley Council

Site Visit

On 16 July 2010, the Group visited a number of different allotment sites:

- Private allotment site – Brown House Lane, Wheelton
- Council allotment site – Crosse Hall Lane, Chorley
- Comparative neighbouring authorities site – Plank Lane, Leigh

4. FINDINGS AND RECOMMENDATIONS

Objective 1: To assess current provision and demand for allotments within Chorley.

Chorley Council currently has 147 plots on seven sites with differing levels of provision and management methods, all are occupied. It is impossible to calculate accurately how long people would have to wait before being offered an allotment but on average it is estimated that this would be 7 years assuming the current level of plot turn around and growth of the waiting list continued.

Recent measures have been taken to increase the number of allotments in Chorley over the past few years. When larger plots are handed back, they are divided to create a more manageable size. In 2009 a further 33 plots were created in this way and the Council is currently in the process of looking to develop new allotment sites in the Borough.

The Astley Park Walled Garden was created in 2008 and is a community space enabling Chorley residents to learn about, watch or get involved in growing fruit and vegetables. There are two large plots and four raised beds for use by all. There are also a great number of established growing schemes, mainly in primary schools but there also some private allotment sites across the Borough.

It was recognised that the overall layout and access to allotments was crucial for disabled people. Wheelchair users need accessible parking that is reasonably close to their allotment, with level, smooth (definitely not cindered), unobstructed pathways and raised beds. Unobstructed pathways are also important for people with visual impairments. The provision of smooth (tarmac) footpaths and car parks would greatly increase costs and reduce the number of sites that could be developed. However, the Council are required to consider these issues in the future, to ensure the development of sites that are reflective of need.

The Council would also look to secure external funding for this provision and regular inspections and enforcement of good housekeeping standards through the implementation of the revised Tenancy Agreement would ensure that pathways are kept clear and accessible.

Officers were presently working in partnership with the Chorley Allotments Society, and various equality groups on different ways of working on allotments and community growing initiatives by assessing the needs of the individual.

At the start of the review Chorley had a waiting list of around 400 applicants and Members were shown various statistics on how this figure had increased since 2003, with the last couple of years providing the biggest increases. The popularity of food growing has greatly increased primarily due to publicity on television gardening shows, the environmental sustainability agenda and the current financial climate.

There are currently no fixed procedures in place to assess the present accuracy of the waiting list and Members were of the opinion that the onus should be upon the individual to inform the Council yearly of their intention to remain on the list.

The Group expressed a view about the importance of implementing Neighbourhood Area waiting lists to support the Neighbourhood Working agenda and considered that any future applicants should be allocated to their relevant area. Any applicants still wishing to remain on the waiting list for acceptance of a plot on any of the sites would only be allowed one opportunity for refusal, and then be placed on the relevant Neighbourhood Area list.

Thought was given to how the plots should be allocated when they become vacant. It was considered that available plots on existing sites would be allocated to applicants who had been on the waiting lists the longest. For all new allotment sites, the Group proposed a 50/50 allocation split between applicants on the relevant area list and the general any site list.

The Council are currently producing a Local Development Framework (LDF) that will replace the Local Plan. The LDF will be made up of a number of documents including a Site Allocations Development Plan Document (DPD) which will allocate land for various uses such as housing, employment and leisure. As part of this document there will be a review of current leisure allocations, including allotments, to identify which sites should continue to be allocated and protected and to identify whether there is a need to allocate more sites. The Chorley Allotments Society were invited to be part of the consultation process.

A request was also made for the Council to consider allotment provision when negotiating Section 106 monies in relation to planning developments across the Borough.

There was a view that more private landowners would be prepared to develop allotments if planning policy allowed them and the Group acknowledged that there seemed to be some confusion over planning permissions on private allotment sites. To this end, the Head of Planning Services at Chorley Council offered to develop a set of guidelines and good practice that would be aimed specifically at avoiding enforcement actions and applying for planning permissions on sites.

Recommendations:

- That the applicant apply annually to the Council for an allotment.
- That any vacant plot from within existing allotment provision be offered to applicants who have been on the waiting list the longest.
- That any applicant on the general 'any site' waiting list only be allowed refusal of one plot, then placed on to the relevant Neighbourhood Area list.
- That any new sites be allocated by a 50/50 split between the Neighbourhood Area applicants and the general 'any site' applicants to support Neighbourhood Working.
- That Chorley Allotments Society be consulted on the Site Allocations Development Plan Document.
- That the Council considers the provision for allotments when negotiating Section 106 monies.

- That the Head of Planning Services, Chorley Council be requested to develop a set of guidelines and good practice for use by private allotment owners.
- That the Chorley Allotments Society working in partnership with the Council be encouraged to facilitate an exchange scheme on all the sites.

Objective 2 – To examine the content of the tenancy agreements and rules of governing occupation and Objective 3 – To assess the current monitoring and inspection procedures on allotment sites.

All tenants must sign up to a Tenancy Agreement when they take up occupancy of a plot. It is this document that sets out the rules and conditions that must be adhered to.

The present Tenancy Agreement had been updated around eighteen months ago to include a condition about the keeping of chickens and rabbits on the plots.

Members were keen for these controls to be tightened in order to facilitate effective management and enforcement procedures and to avoid subjectively being applied when considering further action.

Presently Chorley has no restrictions on what can be allowed on the plots in terms of sheds and fences etc. This has led to a fairly informal arrangement. Where the plot holders have an open rein to erect what they want. This has led to some sites looking untidy as the types of sheds and fences are never uniform.

Although it was agreed that imposing such restrictions the site would look a lot tidier and easier to maintain, there was also a view that the plot holders should be allowed to recycle materials if able, in order to drive through the sustainability agenda. It was felt that the plot holder could define their own boundaries using suitable materials to erect suitable structures for storage and cultivation, subject to consent and a defined maximum floor space (to be determined)

If the allotment holder uses any materials that the Council consider to be unsafe or hazardous they will be asked to remove them from the plot and this standard will be enforced through the Tenancy Agreement.

Members acknowledged that perimeter fencing was very important for allotment holders in terms of security and that the Council should maintain this fencing more frequently. It was however recognised that 'too much' security may promote attractiveness to crime.

Recommendations:

- That the Tenancy agreement be reviewed to include:
 - Appropriate rules and conditions to promote higher standards of maintenance
 - Definitive guidance on non compliance issues, to protect the Council's position.
- That the Council provide suitable perimeter fencing on all its new sites that will be adequately maintained.

- That the Council be responsible for the delineation of the actual plot, but that the allotment holder be then responsible for defining their boundaries, using safe and suitable materials.
- That subject to consent, the allotment holder be responsible for erecting structures on the plot for the purposes of storage and cultivation using safe and suitable materials within a total floor space (to be determined)
- That the new Tenancy Agreement be implemented on all new sites and when an existing allotment is occupied by a new holder.

Objective 4 – To review the current charging mechanism against the cost of administration.

The current charge for an allotment is £39.50 per year with a 50% reduction for old age pensioners. This currently generates an income of around £6000 and does not currently cover the costs of administration and management of the allotments, which includes the provision of water on two of the sites.

The Chorley Allotments Society considered that an adequate size for a plot should be 125sqm, this would provide 4 X 15m beds to work the rotational system, plus 1 X Shed, 1 X Greenhouse, 2 fruit trees and paths.

The Council aims to provide a standard plot size of 100 – 120sqm on any new site, however this size could be reduced or increased to reflect the location and demand in an area.

Members agreed that the existing annual rental charges needed to be reviewed. Some consideration was also given to the differing sizes of the plots and whether or not this should be reflective of the price.

At present two of the sites have clean piped mains water on site. This is not controlled and open to abuse. In addition the high cost of supply impacts directly on the overall running costs to the service. On newer sites the provision of butts to encourage plot holders to take a more sustainable approach had received a mixed response, the scheme is at considerable cost to the Council and the allotment holders deem them to be too small in size.

Officers advised Members that the cost of installing clean piped mains water to the remainder of its sites, would generate high costs and it was accepted that this was not a feasible option in the current financial climate.

It was however recognised that although the present water provision should remain, this needed to be cost neutral to the Council and Members considered charging the allotment holders for this amenity. This view had also received support from the Chorley Allotment Society and there seemed to be an expectation that tenants would be prepared to pay more for the level of amenity they received.

Members considered the implementation of a new water provision charge in 2012/13. Allotment holders would be notified in April 2011 that the charges would be based on the water usage on site in 2011/12, this would allow time for any further views and feedback and it is hoped that this will encourage the allotment holders to take a more sustainable approach and promote good housekeeping and self management on site.

Members also discussed ceasing the provision of water butts. Instead new allotment holders will receive help and guidance about the sustainability agenda, advice on suitable water collection and contact details for suppliers.

Recommendations:

- That the annual charge of £39.50 be increased annually on 1 April in line with inflation.
- That the concessionary rate be phased out over the next two years, 75% of rental to be charged in 2011/12 with the full rental being charged in 2012/13.
- That the annual charge should be regardless of plot size.
- That the plot size on new sites be 100 – 120sqm unless location or demand dictates a different size.
- That it be Council policy to reduce the larger plots as and when they become available, dependant on the site and demand for that location. This would be monitored periodically and work undertaken, according to need.
- That the allotment holders be charged for the water provision based on the usage of the previous rental year. The charge would be implemented in 2012/13 based upon water usage in 2011/12
- That the provision of a free water butt to new allotment holders be withdrawn or offered at cost.
- That information, help and guidance be provided to new allotment holders on the sustainability agenda.

Objective 5 – Encourage community growing/partnership working across the borough

In 2009, NHS Central Lancashire led on and commissioned a feasibility study on Community Food Growing (CFG), and the findings were presented to the Chorley Partnership – Health and Well Being Thematic Working Group. A multi stake-holder task and finish group was established to drive forward the recommendations for Chorley.

Chorley Council are working in partnership with NHS Central Lancashire, Public Health Directorate, Lancashire Wildlife Trust and the Chorley Partnership Health and Well Being Thematic Group to deliver national, regional and local targets through a co-ordinated and integrated partnership approach.

The Primary Care Trust (PCT) has invested resources for the next three years on the promotion, co-ordination and pump priming initiatives that support CFG. Lancashire Wildlife Trust has taken the lead role to write and oversee the delivery of a Community Food Growing Action Plan for Chorley, and a Community Food Growing Officer, based at the Council offices has been employed for three days a week to implement the plan.

Recommendations:

- That the Council be encouraged to continue working closely with Lancashire Wildlife Trust over the next three years, sharing information, staff time and resources to ensure the success of the Community Food Growing Action Plan

Objective 6 – To consider the potential for forming Committees and Users Groups within individual allotment sites to give tenants greater control and allow them to cover some of the functions currently carried out by officers.

The Chair of Chorley Allotments Society commented that this group had only just started to take off and did not feel that they would be in a position to take on board this role at the present time due to a lack of resources from within. They presently have 85 members; with some being private allotment holders and already have difficulties maintaining a Committee.

The Group recognised the value and importance of the Chorley Allotments Society and wanted to encourage more allotment holders to join.

It was pleasing to learn that relations between the Council and the Society have recently improved, but an acceptance that the partnership need to be strengthened before the feasibility of such a scheme could be further explored. In the meantime Chorley Allotments Society has expressed an interest to be consulted on and become more involved.

Members and officers were also supportive of the idea of forming User Groups that were committed to the principles of inclusivity, for consultation purposes.

Members considered that allotment holders on new Council sites should be encouraged to pilot a community based management arrangement with a view to, if successful, rolling out to other sites in the future.

Recommendations:

- That allotment holders on new Council sites be supported and encouraged to pilot a community based management arrangement.
- That the Council would endorse the value of its allotment holders joining the Chorley Allotments Society through the contract and other associated paperwork.
- That User Groups be established as and when required for the purposes of consultation.

5. CONCLUSION

The Council recognises that the provision of allotments is a valuable facility for the community, providing an excellent opportunity to grow your own fruit and vegetables, meet new people and get plenty of fresh air and exercise. They are sustainable; reduce the carbon footprint of the food that we eat and the impact on our environment.

It is acknowledged that the Chorley Allotments Society provides a valuable contribution to the promotion of community cohesion by supporting all allotment holders with help and guidance to develop their plots and improve environmental sustainability and the Council will endeavour to continue working in partnership with the Society to build on our existing relationship.

The recommendations will allow for the effective management and maintenance of the Allotments and the Council are committed in continuing to look at ways of increasing provision in line with current and future demand.

Chorley Council



2008-2009
*Transforming Services:
Citizen Engagement
and Empowerment*



2009-2010
Cohesive and resilient communities



2009-2010
Better outcomes for people and places