



Grounds and Environmental Services Committee

Date: 10th June 2019

Title: Allotments

Purpose of the Report: To receive an update on the waiting lists for our Allotments and consider ways to proactively clear the waiting list.

Contact Officer: Ian Haynes, Head of Grounds and Environmental Services

Corporate Objective/s	None	
Implications:		
Financial	√	Within existing budget
Human Resources		
Operational/Service delivery		
Procedural/Legal	√	Statutory obligations under the Small Holdings and Allotments Act 1908
Risk/Health and Safety		

1. RECOMMENDATIONS

Should members be minded, the proposals are:

- 1.1 To note the report.
- 1.2 To Consider and Allocate up to maximum of £5,000 from earmarked reserve 9106/950 Allotments with available funds of £6,549 to help clear vacant allotment plots.
- 1.3 To Endorse the process as set out in section 5 below.

2. BACKGROUND

- 2.1 The law on allotments appears in several Acts of Parliament, some more than

a century old. The Small Holdings and Allotments Act 1908 imposed a duty on councils – which remains in force, to provide allotments if six or more people say that they want them. However, there is no legal time limit to obtain an allotment.

- 2.2 The Town Council has two statutory allotments, one at Weston Avenue with circa 168 plots and one at Alwins Field with circa 80 plots.

3. LEGAL CONSIDERATIONS

- 3.1 Parts of the Small Holdings and Allotments Act 1908 are still in force. In particular, section 23 of this Act lays a duty on certain councils to provide allotments.

23(1) If the council of any borough, urban district, or parish are of opinion that there is a demand for allotments...in the borough, urban district, or parish...the council shall provide a sufficient number of allotments, and shall let such allotments to persons...resident in the borough, district, or parish, and desiring to take the same

23(2) On a representation in writing to the council of any borough, urban district, or parish, by any six registered parliamentary electors or [persons who are liable to pay an amount in respect of council tax] resident in the borough, urban district or parish, that the circumstances of the borough, urban district or parish are such that it is the duty of the council to take proceedings under this Part of this Act therein, the council shall take such representation into consideration.

- 3.2 Where the population of a district or parish, according to the last published census, is under 10,000, the council's duty is limited to the provision of allotment gardens [Allotments Act 1950 s9(a)]. Where the population is 10,000 or upwards, the council's obligation is limited to the provision of allotment gardens not exceeding one-eighth of an acre [Allotments Act 1950 s9(b)].
- 3.3 The council may improve the allotment land but is under no statutory obligation to provide a particular level of services such as water or electricity.

4. MANAGEMENT OF THE WAITING LIST

- 4.1 Currently a waiting list is maintained by the Town Council and is operated on a strict allocation by order of inclusion principle.
- 4.2 This means that, the first person on the list will be the first person allocated a plot when one becomes available.
- 4.3 There is an expectation that tenants shall keep their allotment plot in a good

state of cultivation, and free from perennial weeds. Allotment holders will also be expected to abide by the terms of their allotment tenancy agreement and allotment rules as determined by the Council and as considered necessary. Non-compliance will render their tenancy agreement terminated.

4.4 The total number of people waiting for an allotment plot is;

Alwings Fields	16 (Longest time anyone has been waiting 1yr 9months)
Weston Avenue	23 (Longest time anyone has been waiting 11months)

4.5 The national average is 52 people waiting for every 100 plots available, this information was collected in 2013 by The National Allotment Society.

5. ALLOCATIONS OF FUTURE PLOTS

5.1 The current process for the allocation of allotments and the management of the waiting list could be improved in order to provide more clarity and therefore set clearer expectations for those awaiting an allotment.

5.2 It is proposed that allotment site inspections, plot terminations/re-allocations and review of the waiting list will now be undertaken three times per year within set timeframes.

5.3 It is proposed that these timeframes will be August, October and March each year. Inspections will be undertaken in week one of each month followed by clearing and re-allocation or covering by the end of that month.

5.4 This will allow the waiting list to be proactively managed meeting the expectations of residents. Those who have an interest in taking up a plot will be made aware of the said process.

6. RECOMMENDATIONS

6.1 There are a number of vacant plots on both allotment sites that require clearing. Their condition is too poor to allocate (as it is believed that the task to clear the plots to a suitable level of cultivation is an insurmountable task for an inexperienced allotmentee).

6.2 Clearing all vacant plots will allow the waiting list to be managed effectively and will in turn demonstrate our continued statutory duty to provide allotments.

6.3 The introduction of a structured approach to plot allocation is similar to that of our Grants application process, which is considered to be fit for purpose and makes operational sense to replicate.

7. CONCLUSION

- 7.1 In conclusion, the Town Council's waiting list for allotments is considered fair whilst compared to national averages. The health and wellbeing benefits in having a plot are known and as a provider, the Town Council will continue to do everything it can to meet demand in a timely, effective and efficient fashion. It is anticipated that by introducing an established framework for monitoring and managing the process, this will provide those with an interest in obtaining one with a high degree of certainty.