

## Grounds and Environmental Services Committee

**Date:** 6<sup>th</sup> September 2021

**Title:** Allotments Update

**Purpose of the Report:**

To receive an update on the waiting lists for town council owned allotments.

**Contact Officer:**

Ian Haynes, Head of Grounds and Environmental Services

<b>Corporate Objective/s</b>	To provide great public open spaces with varied opportunities for sport and leisure and to exceed expectations in delivering cemetery and allotment services.	
<b>Implications:</b>		
<b>Financial</b>	No	
<b>Human Resources</b>	No	
<b>Operational/Service delivery</b>	No	
<b>Procedural/Legal</b>	No	Statutory obligations under the Small Holdings and Allotments Act 1908
<b>Risk/Health and Safety</b>	No	
<b>Environmental Aims</b>	No	

### 1. RECOMMENDATION

Should the Grounds and Environmental Services Committee be minded:-

1.1 To note the report.

### 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 as of 26<sup>th</sup> August 2021 is;

Alwins Fields	104 (Longest time anyone has been waiting 2yrs) an increase from 16 since 3 <sup>rd</sup> March 2021.
Weston Avenue	107 (Longest time anyone has been waiting 1yrs 9 months) an increase from 1 since 3 <sup>rd</sup> March 2021.
No Preference	14 (Longest time anyone has been waiting 1yrs 5 months) an increase from 7 since 3 <sup>rd</sup> March 2021

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.

4.6 Our waiting list is higher than the national average for first time in recent years (albeit the national average collected in 2013 is a pre-pandemic statistic). Over the last year in particular, the demand for plots has increased dramatically with demand partly attributed to the pandemic.

## **5. RECOMMENCEMENT OF PLOT ALLOCATIONS**

5.1 The recommencement of plot allocations started in line with HM Government's Covid-19 Response Spring 2021 – (second stage of Step 1 on 29<sup>th</sup> March to ensure that most of the traditional spring season can be utilised).

5.2 It remains our objective to get allocated as soon as we can. As a statutory function, we will continue to work hard toward meeting the needs of our residents as soon as plots are made available.

## **7. CONCLUSION**

7.1 In conclusion, the demand for allotment plots is high and is currently outstripping available supply. However, the Town Council will continue to do everything it can to meet demand.

**End.**