



Scottish Allotments and Gardens Society

HAVE YOUR SAY ON ALLOTMENTS

Leading on from the Community Empowerment Act (Scotland) 2015, <http://www.legislation.gov.uk/asp/2015/6/contents/enacted>, the Scottish Government is now consulting interested parties on the role of local authorities regarding allotments, how they should be provided, managed and organised. Responses from the consultation will be used to develop guidance for local authorities and this guidance will influence what happens on your allotment. **It is therefore important that everyone with an allotment or who wants an allotment in Scotland makes his or her views heard by responding to this consultation. The deadline for comments is 17 November. This is a link to the consultation: <http://www.gov.scot/Publications/2017/08/5347>**

It is essential the guidance that the local authorities follow is in the best interests of the whole allotment movement - ploholders, people on waiting lists and all sites, whether they are directly managed by the local authority, self-managed on publicly owned land or totally independent. Scottish Allotments and Gardens Society (SAGS) have looked at the consultation document in detail. Our suggestions for answering the questions in the Consultation are:

1) **Section 110: Offer to lease an allotment**

The Act says that the standard size of an allotment plot is 250 sq.m. This has long been established as the size of plot required for a family to be reasonably self-sufficient in fruit and vegetables.

It is important that local authorities respect this legal right.

Some people do not want a plot as big as 250 sq.m. and it is possible to accept a smaller allotment by agreement.

A standard allotment plot should be as close as possible to 250 sq.m. given the physical limitations of the site.

People should also have the right to move from a smaller plot to one of 250 sq.m. (or from a 250 sq.m. plot to a smaller one) if their needs change in the future.

2) **Section 111: Duty to maintain a list**

The Act requires that all local authorities maintain a list of people waiting for an allotment plot.

This should include where people would like their plot to be, as this will help the local authority when planning additional allotment provision.

Independent sites should also be encouraged to link in to the centralised list both to ensure that everyone wanting a plot is counted and to maximise the choice offered to people looking for a plot.

3) Section 112: Duty to provide allotments

Local authorities have a duty to try and provide allotments where there is a demand and they must take reasonable steps to make sure than no-one who wants a plot waits more than five years.

Additional clarification is required on what constitutes reasonable steps.

Reasonable steps must include the analysis of future long demand, identification of land suitable for growing, the preservation of sufficient land to meet future demand and the incorporation of growing spaces in all planning briefs for regeneration and new development.

4) Section 114 : Access to Allotments and Allotment Sites

We agree with the statement in the Consultation

5) Sections 115 and 116: Allotment site regulations and further provision

It is important to have well managed and well-regulated sites. There are many ways to run and manage an allotment site and it is important that local authorities work with the allotment community to achieve a structure that meets the community's requirements.

Local authority regulations should be very light touch and should focus on aspects such as equality, data protection and complying with legal and environmental requirements. In other words, regulations should be a framework to guide associations towards their obligations in law only. Within this broad framework, individual allotments sites should be allowed to develop the rules and regulations that specify how they manage their site on a day to day basis.

Consultation with the allotment community before developing regulations should be as wide as possible and the allotment community must be actively involved in the drafting and implementation of the regulations.

6) Section 119 : Duty to Prepare a Food Growing Strategy

The management of waiting lists is a local authority function that relates specifically to allotments and not to other forms of community growing and therefore can only be used to assess demand for allotments. The demand for other forms of community growing needs to be assessed and quantified separately.

7) Section 120 : Duty to Review a Food Growing Strategy

Local authorities must not substitute non-allotment provision in an attempt to meet allotment demand. Demand for allotments should be met by the provision of additional allotments and the demand for other forms of community growing should be evidenced separately.

8) **Section 123 Delegation of management of allotment sites**

What is not clear in this question is the liabilities and responsibilities that can potentially be taken on by exercising this right. Further guidance and clarification is required on all aspects of delegated management to ensure that all parties involved are fully aware of the liabilities, responsibilities and risks that are involved in the various management models. Local authorities have a duty of care to people considering delegated management to ensure they are fully aware of the issues involved.

Local authorities should also be obliged to have a procedure for resolving complaints and disputes, including a mediation service available to plot-holders, site associations and local authority officers, to resolve any disputes that do occur in as amicable a manner as possible.

9) **Section 124 Promotion and use of allotment expenditure**

It is important that everyone involved with allotments understands how they function and the culture of the allotment movement. SAGS feel that it is important that as well as training for plot-holders, the Scottish Government funds training for local authority officers who have responsibility for allotments, but who may not have much experience of working with them, so that they can learn from best practice elsewhere in Scotland.

A national on-line forum should be set up to enable local authority officers and allotment association members to share relevant information and best practice. This is relevant for independent sites as well as local authority ones.

22 October 2017

Ian Welsh
President
Scottish Allotments and Gardens Society
www.sags.org.uk