

Highland Council Allotment Policy

1 Introduction

- 1.1 Allotment gardening offers the benefit of a healthy lifestyle all year round that is active, sustainable and socially inclusive. The Highland Council is committed to working with all stakeholders in order to increase the provision of allotments in line with demand across the Highlands. In doing this, the Council aims to achieve the following:
- **Aim 1: to increase the provision of allotments across the Highland Council area.** Performance towards this aim will be measured by the number of new allotment sites established and the maintenance of existing sites. Our target is to establish at least 4 new sites and have identified suitable land for a further 4 sites by April 2014.
 - **Aim 2: to improve local environments through increased biodiversity.** New allotment sites will provide an increased diversity of habitats. This policy encourages planting of new hedgerows to further enhance biodiversity. Baseline measurements of hedgerow length will be performed on new allotment sites and reviewed annually.
 - **Aim 3: to promote the social inclusion and health benefits of allotments.** To assess performance towards this aim, Allotment Associations will be asked to participate in using the Warwick-Edinburgh Mental Wellbeing Scale to measure any difference in wellbeing before and after allotment sites are established. The Council will seek to work with existing community groups to promote the development of allotments in areas of concentrated multiple deprivation.
 - **Aim 4: allotment sites are well used and effectively managed by empowered community groups.** Performance will be measured by the number of interventions needed from the Council regarding site management and by the level of allotment plot usage. Targets are that there will be no interventions needed, and at least 90% of available allotments are in use.
- 1.2 The purpose of this policy is to establish the principles which will guide the partnership between the Council, community groups and other organisations in establishing and managing allotments in Highland. It will define the responsibilities of each party.
- 1.3 In order to promote an inclusive policy and to encourage widespread involvement in allotment gardening, the following individuals and groups will be considered eligible to apply for allotments:
- Any individual or family resident in the Highland Council area
 - Community groups
 - Voluntary sector organisations and charities Page 2 of 10
 - Statutory organisations (e.g. Schools, Health Centres, etc.)
- 1.4 Promoting and enabling allotment gardening contributes to 7 of the 16 local outcomes in the Highland Single Outcome Agreement (SOA). These are summarised in the table below:

Allotments support the Highland Single Outcome Agreement

Highland Council Allotment Policy	Local Outcome 3: Our communities take a greater role in shaping their future	This policy empowers and enables communities to establish and manage their own allotment sites, with support from the Council
	Local Outcome 5: Our natural heritage is protected and enhanced enabling it to deliver economic, health and learning benefits	Allotments provide opportunities to protect and enhance biodiversity whilst also delivering health, economic and learning benefits
	Local Outcome 6: Carbon emissions are reduced and communities are protected from the consequences of changing weather patterns	Reduced carbon emissions, both in terms of less produce transported from producers to shops, and fewer journeys to buy produce. By providing local allotment sites, we will minimise travel needs
	Local Outcome 7: The impact of the recession is limited and sustainable economic growth is supported	Allotments provide an opportunity for economic food production
	Local Outcome 11: Healthy life expectancy is improved especially for the most disadvantaged	Through the combined benefits of health exercise in cultivating allotments and healthy eating of the produce, along with improved mental wellbeing from meaningful activity, health and life expectancy will be improved
	Local Outcome 12: The health and independence of older people is maximised	Allotment gardening provides health benefits which, because they can be gained at one's own pace, are well suited to the needs of older people.
	Local Outcome 14: The impact of poverty and disadvantage is reduced	Lower cost food production and less dependence of transport to gain access to healthy food will reduce the impact of poverty and disadvantage

2

General

- 2.1 The Council (Ward Managers) will consider applications for development of new allotment sites, working with groups to support their ambitions wherever practicable. The Council will also work with existing Allotment Associations to promote high levels of allotment uptake where appropriate.
- 2.2 The Council will keep a record of all expressions of interest received and will keep a register of allotments under its direct management (Housing & Property). It will require all Allotment Associations managing sites on Council land to do the same and to make those registers available to the

Council.

- 2.3 The Council (TEC Services) will ensure that all land intended for use as allotments is suitable for such use, in accordance with the Environmental Protection Act 1990.

3 Allotments on Council Land

- 3.1 Where Council-owned land is identified for provision of allotments, the Council (owning service) will lease the land to an Allotment Association which is properly constituted and governed, following the guidance available from the Scottish Allotments and Gardens Society (SAGS). Allotment Associations will be required to take legal advice regarding their constitution with regard to whether they become incorporated to limit public liability. The Council will also produce a pro-forma constitution clause which will be appended to this policy and must be included in an Allotment Association's constitution before a lease can be signed. An economic rent will be agreed between the Council (owning service) and the Allotment Association, at a level which covers the Council's costs in providing the land without yielding income from it.
- 3.2 The Council (Ward Managers) will provide guidance in establishing an Allotment Association. This will include facilitating an initial public meeting to gauge interest in forming an Association. The Council will also provide a guidance pack including information on funding sources and on forming an Association.
- 3.3 The Allotment Association will be responsible for the works undertaken to establish the allotments. This will include, but not be limited to, the division of the land into allotment plots, fencing, creating pathways, water supply and toilet facilities. The Allotment Association will also be responsible for raising funds for the establishment and running of the allotments (but see also 3.2), allocation of plots, collection of rents, management of waiting lists (see 3.5), keeping of accounts and ensuring proper usage of plots.
- 3.4 The Allotment Association will be required to maintain a register showing details of tenancy, acreage and rent of each allotment, and any unlet allotments. It will also be required to provide annual statements of accounts. These must be made available to the Council on demand, to enable it to comply with the requirements of the Allotments legislation.
- 3.5 Waiting lists will be maintained by the Allotment Association, separately for each allotment site. Applications must be renewed annually and allotments associations will publish the waiting list annually and invite renewals.
- 3.6 The lease between the Council (owning service) and Allotment Associations will be based upon the Council's model lease (documented separately). No access will be allowed to the land until the lease is signed by both parties. To provide security of tenure as an enabler of funding applications, the term of the lease will be at least 10 years. The Allotment Association will be required to engage independent legal advice in respect of the lease agreement.
- 3.7 The Council (Planning & Development) will implement statutory

consultation for all planning applications which might affect existing allotments. Where a planning application is approved which will remove allotments, provision must be included to establish alternative allotments of at least the same number and size as those displaced, within 0.5Km of the displaced allotments, subject to availability and suitability of land. Any costs involved in doing this will be borne by the applicant, including costs to establish the new site to the same standard and with equivalent facilities as the old site.

3.8 The Council's aim is to provide allotments within walking distance of as many residents as possible. Whilst it will not always be possible to achieve this aim, allotments will be located with due regard to journey times and, where possible, to enable access without the necessity of car use.

3.9 Allotment Associations will be required to perform a baseline measurement of existing hedgerow lengths when establishing new sites and to repeat this measurement annually. Allotment Associations are to report these measurements to the Council's Ward Manager.

4 New Housing Developments

4.1 Within the planning process, developers of new housing developments will be required to follow the guidance in the Highland Council's Open Space in New Residential Developments: Supplementary Guidance. In it, a standard of 1 sq m per person of allotment space is specified.

4.2 The developer will be encouraged to follow the provisions for allotment associations in 3.1 and 3.3 and the Council (Chief Executive's Service) will be prepared to assume the responsibilities described in 3.2

5 Allotments on land owned by other bodies or people

5.1 The Council is committed to working with its public sector partners and with private landowners to identify land for allotments. That land might be owned by the Allotment Association itself, or leased directly to an Allotment Association by the owner. Alternatively it might be leased or sold to the Council (Chief Executive's Service) and then sublet to an Allotment Association. The Council's preferred position is that the land is leased directly by the owner to the Allotment Association, although it will respect the owner's established policies in this regard.

5.2 Where the Council is leasing land from a third party and subletting it to an Allotment Association, the provisions in section 3 of this policy will apply. In such cases, the costs to the Council of buying or leasing the land will be passed on to the Allotment Association and will be kept to as low a level as is possible.

5.3 Where the land is leased directly between a third party body and an Allotment Association, the Council will recommend that the provisions in section 3 of this policy should apply as appropriate. In such cases, where the terms of the lease empower the lessor to intervene in the event of ineffective management, misuse or disuse of allotment sites, the Council (Chief Executive's Service) will agree to intervene on behalf of the lessor if requested.

6 Small Sites

- 6.1 Where demand for allotments is not substantially satisfied from allotment sites which are large enough to be managed through an Allotment Association, the Council will consider establishing and managing smaller sites itself. This will only be done where it is possible to secure external funding for the associated costs and/or the costs can be passed on to plot holders. In these cases, plots will be allocated, rents collected and a waiting list maintained by the Housing and Property Service (Housing Management Officer).

7 Suitability of land

- 7.1 Land that is known or suspected to be contaminated will be considered for use as an allotment site if it can be demonstrated through investigation that the land will not present an unacceptable risk to human health or the environment as a result of its previous use, in accordance with the Scottish Government's "suitable for use" approach as set out in Planning Advice Note 33 ("Development of Contaminated Land"). Advice on potential contamination associated with previously-used land shall be sought from The Highland Council's Contaminated Land Team. All proposals for allotments made under the provisions of this Policy shall be reviewed by the Contaminated Land Team, who will give advice in accordance with the PAN33 "suitable for use" approach. Where appropriate, conditions will be attached to planning consents for allotment developments in order to ensure that sites are brought to a standard suitable for use in accordance with PAN33.
- 7.2 The Council will aim to ensure that allotment land is suitable for growing. For example, excessively stony land or land with poor soil or poor drainage will be avoided where possible, to reduce the effort required to make it suitable for cultivation.

8 Minimum standards and recommended practices

- 8.1 The following minimum required standards and recommended practices are arranged together for readability. The minimum required standards are then summarised together in section 8.7
- 8.1.1 Parking facilities will be designed to meet the needs of the allotment site users and to avoid inconvenience to residents through congestion of neighbouring roads. As a minimum, parking facilities for at least 1 car per 10 allotments must be provided, with a minimum provision of 2 spaces and it is recommended that secure cycle storage facilities are provided.
- 8.1.2 Any provision of mains water should be used only to supplement primary use of collected rainwater. Any buildings, sheds or glasshouses must incorporate rainwater collection systems, where this is feasible.
- 8.1.3 Paths and gateways giving access to allotments must comply with the requirements of the Equalities Act 2010. Wherever possible, it is recommended that paths are built using reclaimed materials. Equality of access should be considered when designing the site layout and any

communal facilities, including provision of raised beds for people with access issues.

- 8.1.4 Glasshouses and any other covered areas must be no more than 30% of the area of each allotment plot, with the remainder of the allotment being available for outdoor cultivation, erection of a shed and composting.
- 8.1.5 Sheds must be limited to one per plot, no more than 8 feet by 6 feet in size. A larger shared site hut may be erected on a communal plot, subject to the provisions of section 8.1.4.
- 8.1.6 The Council promotes waste awareness and encourages the principles of "Reduce, Reuse, Recycle". Composting should take place on all sites, either communally or by individual plot holders. All other waste should be reduced to a minimum and be taken home or to the Council recycling centre for disposal.
- 8.1.7 It is recommended that toilets are provided, except where there are Alternative public facilities within 500 metres. Composting toilets are recommended as both the cheapest solution and that with the least environmental impact. On small sites (see section 6) where it is not feasible to provide toilets, distance from home should be considered when letting allotment plots.
- 8.1.8 Allotment plots may only be used for horticultural purposes, plus the keeping of up to 6 poultry and 2 beehives per plot. Poultry must be housed in an enclosed run. Beehives must be sited with regard to safety of the public.
- 8.1.9 Genetically modified organisms (GMOs) must not be grown on allotments.
- 8.2 The site must be secure. Site security considerations will depend on local factors. Sites bounded by housing may require less security than those in more open, unsupervised areas. Fencing must be designed to meet local needs on a site-by-site basis. Where possible, hedge planting is encouraged to support biodiversity and to provide shelter and privacy. Any fencing erected must allow for continued public access where this is protected by the Land Reform (Scotland) Act 2003.
- 8.3 The following recommended practices should be adopted wherever possible:
- Allotments should be designed to fit well into the landscape
 - Where space allows, a communal garden area will help to support the social inclusion and community cohesion benefits of the allotments.
 - Sustainable technologies should be used wherever possible, for example building design and construction, waste water and energy sources.
 - Cultivation techniques, and in particular the use of pesticides, herbicides and fertilizers, should bear biodiversity and environmental quality in mind. Where used, pesticides, herbicides and fertilizers must be applied in a way that avoids contamination of surrounding ground and other allotment plots.
 - Where commercial composts are used, these should be peat-free.
 - Both the Council and Allotment Associations should promote the benefits of allotment gardening, especially where there is under-use of existing allotments or significant demand.

- Associations are recommended to consider affordable plot rentals for families on low incomes.

8.4 Plot sizes will vary according to the physical characteristics of the site. As a guideline, the following allotment sizes may be considered as a standard:

- For a full plot, 18m x 9m
- For a small plot, 9m x 9m
- For a community plot, 18m x 18m

8.5 A sign must be displayed at the allotment site, giving details of the ownership & management of the site, details of how to apply for an allotment plot and emergency contact phone numbers.

8.6 In establishing and managing the site, allocating plots and managing it's waiting list, each Allotment Association must ensure that good practice is employed to ensure equality of access. Allotment Associations will be required to provide equalities monitoring information to the Council so that equality of access to allotments can be verified.

8.7 Summarised from the sections above, these are the minimum required standards for allotment sites on Council land:

- As a minimum, parking facilities for at least 1 car per 10 allotments must be provided, with a minimum provision of 2 spaces
- Any buildings, sheds or glasshouses must incorporate rainwater collection systems where this is feasible
- Paths giving access to allotments must comply with the requirements of the Equalities Act 2010.
- Sheds must be limited to one per plot, no more than 8 feet by 6 feet in size
- Glasshouses and any other covered areas must be no more than 30% of the area of each allotment plot
- The site must be secure
- A sign must be displayed at the allotment site, giving details of the ownership & management of the site, details of how to apply for an allotment plot and emergency contact phone numbers
- Allotment plots may only be used for horticultural purposes, plus the keeping of up to 6 poultry and 2 beehives per plot. Poultry must be housed in an enclosed run. Beehives must be sited with regard to safety of the public.
- Genetically modified organisms (GMOs) must not be grown on allotments.

9 Process for New Allotment Sites

9.1 The following process will be followed to address requests from groups for new allotment sites and where there is demand for individual allotments that cannot be satisfied from existing sites:

1. Application is made to the Council by a constituted community group, for a new allotment site to be established. Alternatively, individual applications are received from residents.
2. If requests can be met from existing allotment provision, applications are passed to the appropriate allotment association or Council department managing the site.

3. If a new allotment site is needed to satisfy the requests, Ward Manager will engage with interested parties to support them in forming an Allotment Association, if this has not already occurred. Ward Managers will consult with local Members from this point onwards. This will include facilitating an initial public meeting to gauge interest in forming an Association. If there is enough interest, a guidance pack to assist in forming a group, producing and adopting a constitution, electing a committee and applying for funding will be provided through the Ward Manager.
4. Examine any potential sites owned by Highland Council identified by the community group to determine ownership and any conflicting interests (Housing & Property and Planning & Development facilitated, if necessary, by the Ward Manager).
5. Determine whether any other Council-owned land might be suitable and support the group to liaise with other Public Sector bodies (Housing & Property, facilitated by the Ward Manager if necessary).
6. Help the group verify suitability of any land identified (soil, drainage, contamination). (TEC Services, Planning & Development and, where appropriate, SEPA. Facilitated, if necessary, by the Ward Manager).
7. Support and guide the group in engaging with local members and residents as appropriate.
8. Help the group verify whether planning permission is required and make application (Planning & Development facilitated, if necessary, by the Ward Manager).
9. Support the group to access any training and guidance necessary to help them secure funding and develop a management plan for site.
10. Support the group to coordinate lease agreement between owner and allotment association (possibly sub-leased via Council from other public sector body).

Appendix 1 – Definitions

Term	Definition
Allotment Association	A community group which takes responsibility for establishing and managing an allotment site. It will be constituted according to the guidance available from the Scottish Allotments and Gardens Society (SAGS) and prevailing requirements of Highland Council. The group will be required to manage waiting lists and accounts which are available for public scrutiny in accordance with allotments legislation and the terms of any lease agreement with the Council.
Allotments legislation	The Allotments (Scotland) Acts of 1892, 1922 and 1950. The Land Settlement (Scotland) Act 1919.
Allotment plot	An individual allotment within an allotment site (guidelines to plot sizes are in section 8.4). A plot may be held by one person, family or group, alternatively it may be subdivided into 2 half plots which are held separately.
Allotment site	A group of allotment plots located together and managed by a single allotment association, or by the Council.