

Cheltenham Borough Council
Cabinet 18 March 2014
Update on Allotment Demand

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| Accountable member | Councillor Roger Whyborn, Cabinet Member Sustainability |
| Accountable officer | Adam Reynolds, Green Space Development Manager |
| Ward(s) affected | All |
| Key Decision | No |
| Executive summary | To update on current levels of allotment demand in Cheltenham and note current priorities with regard to allotment provision |
| Recommendations | <p>That Cabinet</p> <ol style="list-style-type: none"> 1. Note recent changes in allotment demand and the legacy of several years of very high demand, particularly in the south of the Borough 2. Approves the authority continuing to explore opportunities for new allotments in the south of the Borough through the planning process 3. Approves the authority continuing to explore the possibility of providing statutory allotments at Priors Farm instead of Elmfield Playing Field as soon as land is available for this purpose, with a view to subsequent development of about 40 plots 4. Approves the authority continuing to work with the Parish Councils to consider arrangements and procedures for allotment applicants from parish areas where there is no current allotment provision in parished areas 5. Approves the virement of £50,000 from the original £600,000 allocation from proceeds of sale of Midwinter land to fund postponed site improvements at Midwinter allotment site. |

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| Financial implications | <p>In line with the Council decision on 22nd February 2013, the Cabinet has set aside (ring fenced) £600,000 of the unapplied capital receipts from the sale of Midwinter allotments towards funding potential future allotments. It is proposed that £50,000 of this sum be used to fund site improvements at the Midwinter allotment site.</p> <p>Contact officer: Paul Jones, paul.jones@cheltenham.gov.uk, 01242 775154</p> |
| Legal implications | <p>As part of its application to the Secretary of State for consent to sell statutory allotment land at Midwinter, the council stated that it would re-provide some of the allotments from Midwinter at Elmfield Playing Field. Before the council decides to provide these allotments elsewhere, the council must establish whether further approval of the Secretary of State is required.</p> <p>The council is permitted to spend the proceeds of sale from the Midwinter site on improving allotments as Section 32 of the Smallholdings and Allotments Act 1908 prescribes that proceeds of sale of statutory allotments must be spent on discharging any debts or liabilities in respect of allotment land or acquiring, adapting or improving land for allotments. Any surplus can then be spent on local authority capital expenditure.</p> <p>Both Parish Councils and District Councils are Allotment Authorities. Due to Schedule 29 Part 1 Paragraph 9 of the Local Government Act 1972, Cheltenham Borough Council is prohibited from exercising its allotment functions in parish areas. Therefore the council is required to consider and provide for demand in allotments as set out in the Allotments Acts in relation to non-parished areas and Parish Councils are required consider and provide for demand in their areas. If the Council wishes to agree with Parish Councils that, in the event of there being no demand from non-parished residents, that residents in parished areas can rent a Cheltenham Borough Council allotment, detailed procedures for allocating allotments will need to be agreed.</p> <p>In order for allotments at Priors Farm to be designated as statutory allotments, the land will need to be appropriated by Cabinet to be held for that purpose. As the land is used for the purposes of public recreation, Section 122(2A) of the Local Government Act 1972 will need to be complied with which requires that notice of the proposed appropriation is to be placed for two consecutive weeks in the local paper. Any objections must be considered by Cabinet before it decides whether or not proceed with the appropriation. The council carried out consultation and placed these notices in August 2013. Consideration will need to be given as to whether to repeat the consultation before Cabinet makes the decision whether or not to appropriate the land.</p> <p>Contact officer: Donna Ruck, donna.ruck@teWKesbury.gov.uk, 01684 272696</p> |
| HR implications (including learning and organisational development) | <p>None</p> <p>Contact officer: Richard Hall, richard.hall@cheltenham.gov.uk, 01242 264355</p> |

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| Property and Asset Management implications | Should Elmfield Playing Fields be required for allotment provision then CBC will have to provide an alternative playing field nearby. Contact officer: David Roberts , david.roberts@cheltenham.gov.uk, 01242 264151 |
| Key risks | See Appendix 1 |
| Corporate and community plan Implications | Allotment gardening is known to have beneficial effects on health and well-being and is important in enabling people to lead healthy lives. There is a statutory obligation to provide allotments. |
| Environmental and climate change implications | Allotment gardening promotes local food production and the environmental benefits thereof and is likely to have a beneficial impact on carbon emissions. Allotment sites have a higher level of bio-diversity than the majority of managed green spaces in Cheltenham. |

1. Background

- 1.1 Cheltenham Borough Council currently owns and manages 800 allotment plots. There is a 20% annual turnover of plots. This equates to 160 plots becoming available each year.
- 1.2 In 2013, there were 161 applications for allotments, therefore in 2013, the number of applications roughly equated to the number of plots available to offer.
- 1.3 However, from 2006 to 2011, much higher levels of demand existed with 312 applications in 2008 alone and approximately 200 applications for each of the following three years.
- 1.4 New allotments were created by re-instating and renovating Hayden Two allotment site and a flood-prone and long-derelict area of the Midwinter allotment site, Approximately 140 additional plots were created and waiting lists in the north of the Borough were significantly reduced, to the extent that there are currently 55 people waiting for allotments in the north of the Borough and the wait for a plot is under 6 months.
- 1.5 These new allotments were funded out of the Allotment Improvement Programme (funded from the sale in 2006 of the disused Welch Road allotment site). Midwinter site improvements were postponed until the wider area would be developed. These improvements, to be funded out of the proceeds of sale of Midwinter land, remain to be undertaken and the cost to re-instate the roadway (following the site boundary change), provision of toilet and creation of a new parking area is estimated to be in the region of £50,000.
- 1.6 In addition, the original Bloor development plans for the Midwinter area included relocation of allotments onto the Elmfield Playing Field and there remains a planning condition on the Playing Field to develop allotments in stages, should levels of demand significantly increase. With strong local opposition to this prospect, a piece of land at Priors Farm has been identified as a probable suitable alternative for the statutory designation of allotment land (although an allotment site would only be developed there if sustained future demand was assured). CBC has previously undertaken a consultation, the results of which were generally favourable, suggesting that a recommendation may come back to Cabinet at a later stage for approval.
- 1.7 In the south of Cheltenham, there has been no large-scale creation of new allotments and lower turnover of allotments than in the north. The result is a significant lengthening in the waiting lists, so that there are 245 people currently waiting for a plot and the average wait stands at 5 years. This situation is unlikely to change unless there is a significant drop in the number of allotment applications or additional provision is made for the south of Cheltenham.

- 1.8 The provision of 200 half-size plots over the next 5 years would reduce waiting lists in the south of Cheltenham to about 100 applicants, or a more reasonable 15-month wait. This would be phased, with demand re-evaluated after each tranche. Although it is envisaged that there could be a surplus of plots in the north in the next 5 years, applicants in the south have already signalled their reluctance to commute. Waiting lists in the south would also be largely unaffected by new provision of e.g. 40 plots at Priors Farm where the demand is specific to the location (apart from a small number who would move from the Asquith Road list).
- 1.9 Options to develop Council-owned land in the south of Cheltenham for allotment purposes have been explored, particularly in 2012, and the resulting enquiries led to a clarification of the roles of Borough and Parish Councils in the provision and management of allotments, in particular that the Council does not have powers to provide statutory allotments in areas where there is a Parish Council. The Council has clarified the situation for those residents who live in a parish where there is no current allotment provision (Leckhampton with Warden Hill and Up Hatherley) and is also exploring opportunities for additional allotments via the planning process. The Council has written to both parish councils explaining that from 2nd September 2013 applications for allotments in their areas will be referred back to them, except to the extent that the Council may be able in future to offer plots in the north of the town to the applicant.

2. Reasons for recommendations

- 2.1 In 2015, a new allotment strategy will be written and this will prompt more detailed analysis and report on the future of allotments in Cheltenham. In the interim, it was felt that it would be useful to clarify short-term objectives and priorities.

3. Alternative options considered

- 3.1 A number of authority-owned pieces of land have been assessed and considered as potential allotment sites, in accordance with the methodology outlined in the allotment strategy 2010 (appendix 3 – Ground Works). The land at Priors Farm is considered the most suitable and has the most local support of the options considered.
- 3.2 In terms of use of proceeds of sale of allotment land, it has been assessed that provision of additional allotments is of a higher priority than further site improvements, given that the majority of site improvements (with the exception of those for Midwinter site) had been undertaken and funded from a previous sale of allotment land at Hester's Way in 2006.

4. Consultation and feedback

- 4.1 Members of the Scrutiny Allotments Task Group visited the site at Priors Farm in 2012 and subsequently recommended to Cabinet in their report that the authority considers the possibility of using the land for allotment purposes. A consultation was undertaken in summer 2013 to ascertain local views on the proposal, the results of which were generally favourable.

5. Performance management – monitoring and review

- 5.1 The allotment strategy was reviewed by the Scrutiny Allotments Task Group in 2012 and found to be fit for purpose. The requirements regarding allotment provision are reviewed regularly by officers of OneLegal, Property and Asset Management, Green Space Development Team, Group Director and Cabinet Deputy via the Allotment Strategy Group, which deals with the authority's statutory obligations for allotment provision and use of proceeds of sale of allotment land.

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| Report author | Contact officer: Fiona Warin, fiona.warin@cheltenham.gov.uk, 01242 774672 |
| Appendices | <ol style="list-style-type: none"> 1. Risk assessment 2. Narrative: Summary of Allotment Demand and Provision 2005-2014 |
| Background information | <p>Allotment Strategy 2005-2015</p> <p>Five Year Review of Allotment Strategy Cabinet Report October 2010</p> <p>Scrutiny Task Group Report Allotments Review January 2013</p> |

| The risk | | | | Original risk score (impact x likelihood) | | | Managing risk | | | | |
|-----------|---|---------------|-------------|---|----------------|-------|---------------|---|----------|---------------------|------------------------------|
| Risk ref. | Risk description | Risk Owner | Date raised | Impact 1-5 | Likelihood 1-6 | Score | Control | Action | Deadline | Responsible officer | Transferred to risk register |
| | If demand is fully met we may later experience over supply, especially in the north of town | Adam Reynolds | 6/3/14 | 1 | 4 | 4 | Accept | Introduce plots in small tranches and continually monitor changes in demand | On-going | Adam Reynolds | Yes |
| | The Council fails to meet its statutory obligations with regard to allotment provision or use of proceeds of sale of allotment land | Adam Reynolds | 6/3/14 | 3 | 4 | 12 | Reduce | Follow methodology and recommendations in allotment strategy action plan | On-going | Adam Reynolds | Yes |
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