

**Agenda Item:**

**Report to:** Overview and Scrutiny Committee for Services

**Date:** 19 March 2007

**Title of report:** **ALLOTMENTS POLICY – STATUTORY STATUS**

**Purpose of report:** To report the findings and conclusions of the Policy Project Team on Statutory Status of Allotments.

**Recommendations:** **Cabinet is recommended that Bos Field Allotment Site be given Statutory Status**

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## **1.0 Background to the Project**

1.1 At the Cabinet meeting on 5 June 2006, two petitions were heard from Bos Field Allotments and the Allotment Federation requesting statutory status for all Council managed allotment sites with non-statutory status. These sites are:

- Bos Field
- Harley Shute
- Upper Clive Vale
- Lower Clive Vale

Cabinet decided to invite Overview and Scrutiny to look at, in more detail, the statutory status of these allotment sites in the town and report back to them.

1.2 The petitioners wanted statutory status for these sites as it would mean that any change of use for the land would have to be referred to the Secretary of State for a decision as opposed to a decision taken locally. The petitioners felt that this would give the tenants a greater degree of protection.

1.3 At the Annual meeting of the two Overview and Scrutiny Committees, a work programme for 2006/07 was formulated and the Services Committee accepted Cabinet's invitation to look at the statutory status of allotments more closely.

1.4 Nominations for members of the project team were sought and Councillors Fawthrop, Soan and Webb were appointed. Officers leading and supporting the project team were Peter Mead, Amenities Manager and Katrina Strong, Scrutiny Officer.

## **2.0 Terms of Reference**

2.1 At the project team's initial meeting on 20 July 2006, the Terms of Reference (TOR) for the project were agreed, together with the appointment of Chair of the project, Councillor Fawthrop.

2.2 The TOR set out clear objectives to the project team with regards to scope, constraints, assumptions and delivery. The TOR can be found at Appendix A.

2.3 The TOR also set out a background to the Scrutiny Review of Allotments that took place in 2003. To date, a number of aims and objectives from the action plan have been achieved, but progress has been slow. It could be assumed that this was a factor in the submission of the two petitions to Cabinet in 2006.

## **3.0 Research**

3.1 The project team held meetings between July 2006 and December 2006. Witnesses were called to the project meetings to aid research, these included

Dr Judy Clark, Chair Hastings and St Leonards Allotment Federation, Harvey Ells, Chair Bos Field Allotment Association and Councillor Peter Finch as the Lead Member for Leisure and Cultural Development.

- 3.2 Dr Clark and Mr Ells attended one of the project meetings together to put forward their case in support of statutory status. They suggested to the project team that allotment tenants would feel more secure knowing their plots were given this additional protection. They also explained that there were waiting lists for some allotment sites, however this was not the case with all. It was the view of Dr Clark and Mr Ells that to secure statutory status on these allotment sites would increase the amount of tenancies.
- 3.3 Mr Ells produced, at the request of the project team, minutes from the Allotment Site Secretaries meetings and the Hastings and St Leonards Allotment Federation meetings. These minutes dated as far back as 1998 and showed that the two organisations had been seeking statutory status since that time.
- 3.4 In order to provide a balanced view, the project team requested a meeting with Councillor Finch, Lead Member for Leisure and Cultural Development. Councillor Finch's view was that securing statutory status for allotments would, in effect, stymie any future decision made by elected members. Councillor Finch also re-iterated that, as with the previous administration, the current leadership was supportive of allotments and there were no plans to decrease the number of sites.
- 3.5 A round up meeting was held in December 2006, with Dr Clark and Councillor Finch in attendance. This was an opportunity for all parties to re-iterate their views in an open forum, thus providing a basis for the project team to reach their conclusions.

## **4.0 Key Findings**

### **4.1 Assessment**

- 4.2 The project team found that all four allotment sites have different needs and concluded that they would consider these sites individually.

### **4.3 Bos Field**

- 4.4 Bos Field allotment site is considered to be worth approximately £1.5 million in development potential. The other three sites are of nominal value in comparison. There is also nothing to exclude a potential developer from making a planning application on a site to assess for building viability.

### **4.5 Harley Shute, Upper and Lower Clive Vale sites**

- 4.6 Members found that the Harley Shute, Upper Clive Vale and Lower Clive Vale were of considerably less monetary site value than Bos Field. There were other implications that also excluded these sites from being at risk from a potential change in use of land.

#### **4.7 National Requirement of Allotment Sites**

4.8 The project team found that Hastings has almost double the national requirement of allotment sites. This is mainly due to the type of properties in the town, the majority being Victorian and Edwardian terraces. These properties lack suitable garden areas for residents, thus the demand for allotment plots are higher. The project team felt this needed to be taken into account when coming to a conclusion, as the Secretary of State could make a decision on any potential developments based on these criteria.

#### **4.9 Status Discussion**

4.10 The project team found that the question of statutory status for temporary status sites has clearly been debated for many years with no definite outcome. Members felt that this should not be ignored.

#### **5.0 Conclusions**

5.1 The aim of the project was to determine if any or all of the four non-statutory allotment sites (Bos Field, Harley Shute, Upper Clive Vale and Lower Clive Vale) should be given statutory status.

5.2 The project team found that there is a waiting list for some allotment sites in the town, but concluded that these are, for the most part, on sites that already have statutory status as this gives tenants a greater degree of security.

5.3 Members concluded that Bos Field would be the main allotment site at risk from a potential change in use of the land. Also impacting on this is the Bos Field open space, which is regarded as having strategic importance, due to the relative deficiency of space in the area.

5.4 Members concluded that Harley Shute allotment site is landlocked and offers little development potential and therefore not be regarded at risk.

5.5 Members concluded that Upper Clive Vale is also unlikely to be at risk as there is only one tenanted plot out of a potential thirteen. There has also been a request to turn this allotment site into a site for community use.

5.6 Members concluded that Lower Clive Vale would also be unlikely to be at risk from a change of use. When last inspected, the plots had not been cultivated.

#### **6.0 Recommendations**

6.1 Members of the project team are recommending to Cabinet that they provide statutory status for Bos Field Allotment Site only.

6.2 The project team feel that the other three sites do not require statutory status as they are less at risk from a change in use of the land.

## **7.0 Policy implications**

Equalities & Community Cohesiveness	<input type="checkbox"/>
Crime and Fear of Crime (Section 17)	<input type="checkbox"/>
Risk Management	<input type="checkbox"/>
Environmental issues	<input checked="" type="checkbox"/>
Economic / Financial implications	<input checked="" type="checkbox"/>
Human Rights Act	<input type="checkbox"/>
Organisational Consequences	<input type="checkbox"/>

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### Appendices

Appendix A Terms of Reference

### Background Documents

Cabinet Report and Minute (5 June 2006)

Allotment Strategy 2003

Allotments Scrutiny Review 2004

Allotments Site Secretaries meetings (Minutes from 1998 to 2004)

Hastings and St Leonards Allotments Federation (Minutes from 1998 to 2004)