

Report of Director of City Development

Report to Executive Board

Date: 20 June 2012

**Subject: Deputation to Council – Leeds and District Gardeners’ Federation
Regarding Allotment Provision in Leeds**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Rothwell	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. Allotments are an important resource for the city, with associated benefits. There are 97 allotment sites in use under the overall management of Parks and Countryside, with almost 63% of these sites self administered. The Council works in partnership with the Leeds and District Gardeners Federation to promote allotment gardening.
2. The Council is keen to support opportunities for food growing generally and in particular to increase allotment plots available for rental. Over the last 5 years 310 plots have been brought into use, with a further 22 planned in the near future, overall equivalent to nearly 8 hectares of allotment land thus making a contribution to meeting the considerable demand for plots.
3. With regard to Victoria Pit Allotment, the Council is seeking to put in place a new 10 year tenancy with a fixed term of 5 years in order to secure the future of the site, meaning that notice of vacant possession could not be served until this period had elapsed.
4. Reservoir Allotment is still subject to negotiation with regard to establishing a new lease agreement with a fixed term of tenure and rental value, and subject to a satisfactory outcome, could remain leased to the Council and thus remain as allotment land. Further options under consideration include a land swap to the landowner, provide an alternative allotment site for the existing plot holders, or compulsory purchase of the existing land. A further potential option to consider a community right to bid is also outlined.

Recommendations

5. That members note the response to the deputation from the Leeds and District Gardeners’ Federation with regard to allotment provision in Leeds.

6. That members are supportive of community proposal to put forward allotments as 'Assets of Community Value'.

1 Purpose of this report

- 1.1 This report considers the matters arising from the deputation to Council on the 28th March 2012 by the Leeds and District Gardeners' Federation regarding allotment provision in Leeds.

2 Background information

- 2.2 In the deputation to Council on 28th March 2012, The Leeds and District Gardeners' Federation made the following points which are considered in turn within this report:

- The benefits of allotment gardening
- Current provision and management
- Sites and plots brought into use
- Promoting allotment gardening
- Planning issues
- Victoria Pit and Reservoir Allotments in Rothwell

2.3 The Benefits of Allotment Gardening

- 2.3.1 Allotments are an important resource for the city, and there are many benefits associated with providing allotments as well as to each plot holder. These benefits include the following:

- Health
 - Gardening is a good form of exercise with the reward of home-grown food
 - It provides a chance to escape the pressures of modern living and helps reduce stress and generally promotes health and wellbeing
 - It is a cheap source of fresh seasonal fruit and vegetables, and therefore helps form a healthy diet
- Education
 - Allotments can support learning in many school subjects through all the Key Learning Stages, and some schools in Leeds have allotment plots
 - Children can learn about food growing and where food comes from
 - Many allotment holders have considerable knowledge that they are able to share with those new to allotment gardening
- Environmental
 - Allotment gardens provide green lungs particularly in high density urban areas
 - They provide green spaces and are havens of biodiversity with many sites being sanctuaries for endangered species
 - Many allotment holders grow organic produce which are also wildlife friendly
 - There is a reduction in food miles, both locally and nationally
 - Planting native species adds to the conservation of local heritage
- Social and Community
 - Allotments provide a good opportunity to meet like minded people

- Self-administered sites in particular offer wider opportunities to get involved beyond the confines of each plot
- Allotments attract people from all sections of society
- Projects for disadvantaged people support social inclusion
- Organised events attract interest from those who are not allotment gardeners and can help promote a wider interest in gardening

2.3.2 The Leeds and District Gardeners' Federation and allotment associations provide voluntary support and commitment, and are a key element in helping to realise these benefits in Leeds.

2.4 Current Provision and Management

2.4.1 The Open Space, Sport and Recreation Assessment for Leeds published in July 2011 identified a total of 143 allotment sites in Leeds. There were 35 of these in private ownership, leaving 108 in Leeds City Council ownership. There are currently 97 allotment sites in use under the overall management of Parks and Countryside. Almost 63% of these sites (61) are self administered by allotment associations, who are voluntary organisations who promote allotment gardening locally as well as administer plot allocation and deal with other management issues on each site. The Council seeks to encourage and support the formation of allotment associations to self administer allotment site at every opportunity. The remaining 36 sites not self administered are directly managed by Parks and Countryside.

2.4.2 Allotment holder surveys were conducted in 1999 and more recently in 2007. The results of the 2007 survey demonstrated a shift in demand for allotments as well as some emerging trends, highlighted as follows:

- The 2007 survey demonstrated the increase in take up of allotments since 1999 with a 14% increase in new allotment holders
- The overwhelming majority use allotments for growing fresh fruit and vegetables
- Nearly 80% used compost and farmyard manure, thus demonstrating the importance of organic growing
- There was a shift towards younger people taking on allotments
- Over 35% of plot holders were female

2.4.3 Allotment charges are agreed via the Allotments Working Group (a consultative group representing allotment holders) and a full years notice is given to plot holders of any planned increase. Any increases in allotment rent have been kept in line with inflation and the following outlines the charges applicable since October 2011:

- Full plot (250 sq m): £35.00
- Half plot (125 sp m): £17.50

2.4.4 On sites managed directly by Parks and Countryside, plots with water supply are an extra £16 per year for each full plot and £10.50 per year for each half plot. Water charges at self administered allotment sites may be different to these charges.

3 Main issues

3.5 Sites and plots brought into use

3.5.1 Demand for allotments has increased over recent years and there are considerable waiting lists in some areas of the city particularly in the Outer West, Outer North West, and Inner North East, with a total of 1,855 people identified¹ as at October 2011. The Open Space, Sport and Recreation Assessment for Leeds published in July 2011 identifies the need to increase the quantity of allotments to meet demand from 0.19 hectares per 1000 population (average current provision) to 0.24 hectares, equivalent to bringing nearly 39 hectares more allotment land into use. A summary of this study is provided in section 3.8 below.

3.5.2 The Council is keen to support opportunities to bring more allotment plots into use, and indeed to bring whole sites into use where this can be accommodated. Since 2007, a total of 192 plots at 18 sites have been prepared and offered for rental as set out in the following table:

Site	No. of Plots
Bandstand, Meanwood Road	6
Bickerdike, Kippax	3
Bridge Street, Morley	6
Calverley	3
Cave Lane, East Ardsley	12
Cobden Road, Wortley	22
Common Lane	3
Old Lane, Beeston	2
Osmondthorpe	20
Red Road, East End Park	9
Roundhay, Soldiers Field	14
Shafton Lane, Holbeck	20
St. Annes, Headingley	3
Stanningley Road	6
Tofts Road, Pudsey	6
Victoria Pit, Rothwell	25
Victory Gardens	30
Westfields, Allerton Bywater	2
Total	192

Table 1: Plots brought back into use since 2007

3.5.3 The 3 plots identified at Calverley were raised allotment plots specifically designed for people with mobility difficulties. The 6 plots at Bandstand, Meanwood Road were brought back into use in partnership with the probation service as part of the Community Payback scheme.

¹ It should be noted that some people put their names down on more than one waiting list

3.5.4 In addition to the above, a total of 140 plots at 5 sites have been prepared and offered for rental (or are in process), as set out below:

Site	No. of Plots
Brookfields, Rodley	22
Church Lane, Kirkstall	75
Laith Gardens, Cookridge	8
Springfield St, Rothwell	29
Westover Road, Bramley	6
Total	140

Table 2: Sites brought back into use since 2007

3.5.5 From the tables above, 310 plots have been brought into use, with a further 22 planned in the near future, overall equivalent to nearly 8 hectares of allotment land, thus making an important contribution to meeting the increased demand for plots.

3.5.6 From a legal perspective, Leeds City Council is not the allotment authority for the whole of the metropolitan district. Therefore in relevant areas, responsibility lies with Parish and Town Councils as allotment authorities to develop further land for allotment use. Parks and Countryside are working in partnership to help identify suitable land and for example Alwoodley Parish Council are currently looking for a site to accommodate 32 plots in their area.

3.5.7 More generally, site improvements tend to be done by 'working parties' made up of existing plot holders. More recently, Parks and Countryside have encouraged more people to take part in volunteering, and for example the service have supervised volunteers at Woodhouse Moor refurbishing the allotment, and Lady Pit Lane where additional site security has been undertaken. There are further opportunities which are being considered to involve local businesses in improving allotments and bringing more plots into use through organisations such as Leeds Ahead and Business in the Community.

3.6 Promoting Allotment Gardening

3.6.1 The annual allotment competition was originally established in 1917 and is organised by the Leeds and District Gardeners Federation in partnership with Leeds City Council, and entries are taken from all allotment site across the city. Judging takes place in July each year and there has been an increase in plots entered over the years. Whole sites and individual plots can be entered for the award, and prizes are awarded for best sites and plots and also best newcomer and best plot on a city controlled site.

3.6.2 An allotment training day was held at Pudsey Civic Hall in February 2012. The aim of this training was to invite all new committees of self managed sites and new site representatives from city controlled sites to help them with the running of the site. However, all committees were invited and a number of established committees attended the event. The speaker was from the National Society of Allotment and Leisure Gardeners and a handout was given out at the end of the day. The feedback from this event was that it had been very informative.

3.6.3 In addition to the many individual ploholders throughout the city, a number of organisations also have allotment plots which reflect some of the benefits highlighted above. These include from the education sector, Thomas Danby

College, Leeds East Academy, 6 primary schools and 2 nurseries, along with Swarthmore Education Centre, a centre for lifelong learning offering community, education and leisure based part time courses. Adult Social Services have 2 plots used by Bramley Day Services and Moor End Day Services. Organisations that promote health also recognise the importance of allotments and Active for Life, part of Leeds Cardigan Centre whose aim is to improve the health of local people working with communities in the Burley, Hyde Park, Little London, Woodhouse and Kirkstall areas have an allotment plot. Other organisations that have allotment plots include those involved in mental health services, including Seacroft Hospital, work with homeless people and a range of other community and charity groups including the Bangladeshi Community Centre.

3.7 Promoting Community Food Growing

- 3.7.1 Allotments are clearly a key element to support community food growing. However, in recent years a lot of interest has been developed in wider community food growing projects. A report to Executive Board in May 2012 highlighted the fact that a number of organisations in Leeds support and undertake food growing, harvest produce or process food for sale.
- 3.7.2 There is a proposal to establish a community food growing network that would bring partner organisations together to develop a website and undertake marketing activity, and importantly identify more land and projects for food growing. This will include opportunities to bring more allotments sites and plots into use, but also consider other ideas for bring land into food growing use, including encouraging people to use their own gardens.
- 3.7.3 There is increasing interest in providing edible flower beds that are not only aesthetically pleasing, but enable fruit and vegetables to be grown, combined in a way that naturally controls weeds and other pests, whilst attracting beneficial insects and birds. Such beds can be incorporated into public displays and combine flowers, herbs and vegetables to support and encourage community food growing.
- 3.7.4 The Council's plant nursery, based at Red Hall is growing fruit and vegetables, (including tomatoes, chillies, lettuce, peas/sweet peas, lettuces, and sweetcorn), fruit bushes and herbs with a view to encouraging more community food growing. This includes a starter pack with seeds, pots, compost and information on growing, as well as demonstrations on how fruit and vegetables can be combined with non-edible plants to provide aesthetically pleasing displays.
- 3.7.5 Parks and Countryside intend to create a 'Community Food Growing Officer' post to not only manage allotments but also help co-ordinate the work of the network and generally raise the profile of allotments and food growing as well as support and encourage specific community food growing projects in parks. This post will be funded from efficiencies within the service and it is hoped that this post can be released and recruited during the summer. It is hoped that developing a food growing network will increase awareness of all the options available to people interested in food growing, including renting allotments and developing more land for allotment use.

3.8 Planning Issues

3.8.1 The deputation makes reference to relaxation on planning laws as a contributory factor in enabling allotments to be sold for development.

3.8.2 National planning guidance changed in March 2012 and is now contained in the National Planning Policy Framework (NPPF). At paragraph 74 of the NPPF, the general direction is that open space, sports and recreation buildings and land should not be developed. The full wording is below:

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *The development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.*

3.8.3 Previous to this, national policy was contained within Planning Policy Guidance Note 17 (PPG17), ‘Planning for Open Space Sport and Recreation’ published in July 2002. PPG17 required local planning authorities to carry out an assessment of needs and opportunities to set locally derived standards for the provision of open space, sport and recreation facilities. The NPPF requires a similar assessment to be undertaken at paragraph 73. The Leeds assessment was prepared to fulfil the requirements of PPG17, but will also satisfy the more up-to-date requirements of the NPPF. Chapter 8 of the study (available on the Council's website) concerns allotments.

3.8.4 The study concludes that there is an overall deficiency of allotment supply across the city. Current supply of all allotment sites is 0.19 hectares per 1,000 population. The study proposes a minimum district wide quantitative standard of 0.24 hectares per 1,000 population, an increase of nearly 39 hectares. It should be noted that a growth in population is anticipated and therefore an increase in provision would be necessary just to sustain the current level of provision. In order to achieve the provision standard of additional allotment land will therefore need to be at a greater proportion to population growth.

3.8.5 Local planning policy is determined by the Leeds Unitary Development Plan (UDP). Planning Policy N1A protects land currently used as allotment gardens, as follows: *“Development of land currently used as allotment gardens will not be permitted for purposes other than outdoor recreation, unless the need in the locality for greenspace is already met and a suitable alternative site for allotment gardens can be identified”*. In addition, the preamble at the end of paragraph 5.2.8 of the UDP states that policy N1A *“...will be applied to all allotments which are the subject of a formal tenancy or licence agreement”*.

3.9 Victoria Pit and Reservoir Allotments in Rothwell

- 3.9.1 The deputation makes specific reference to two allotments sites in Rothwell which have recently been sold. The sites in question are Victoria Pit Allotment and Reservoir Allotment which until recently were in the ownership of the same private landowner and subject to a lease agreement with the Council. A decision was taken by the landowner to sell these areas of land.
- 3.9.2 Victoria Pit Allotment has 59 plot holders and the site has been in use for an allotment over 100 years. The Council put in a bid to purchase the site consistent with the view of the market valuation but unfortunately was unsuccessful. This site remains the subject of a lease to the Council and under the terms of the current lease, the landlord could put the Council on 12 months notice to quit on or before February 2013. However, to secure the future of the site, the Council is seeking to put in place a new 10 year tenancy with a fixed term of 5 years meaning that notice of vacant possession could not be served until this period had elapsed. This should ensure that this site will remain in allotment use for the foreseeable future.
- 3.9.3 Reservoir Allotment has 14 plot holders and has also been in use as an allotment for over 100 years. Under the terms of the existing lease, the new landlord has given notice to quit in order to secure vacant possession by 2nd February 2013. The site is however still subject to negotiation with regard to establishing a new lease agreement with a fixed term of tenure and rental value, and subject to a satisfactory outcome, could remain leased to the Council and thus remain as allotment land.
- 3.9.4 If a satisfactory outcome cannot be achieved following negotiation, then options that could be considered are to offer a land swap to the landowner, provide an alternative allotment site for the existing plot holders, or compulsory purchase of the existing land. A further potential option to consider a community right to bid is also outlined.
- 3.9.5 Alternative sites in the area are being considered and checked for suitability. It is anticipated that a suitable site of sufficient size can be found either to consider as a land swap or to accommodate existing plot holders. Clearly there would be issues around moving existing allotment holders and this would only be considered as a last resort.
- 3.9.6 From a planning perspective, the council would find it difficult to utilise local policy N1A to prevent redevelopment of the allotments as it only protects sites currently in use. If notice is given and the site is cleared it is no longer currently in use as an allotment, therefore, the policy provides no protection as it does not apply.
- 3.9.7 With regard to the PPG17 study, the city was broken up into 10 analysis areas for the purposes of the study. The Outer South in which Rothwell is located has an existing quantitative supply of 0.25 hectares per 1,000 population of allotment sites in use. Despite this level of good supply, which satisfies the minimum standard, the South Outer area has a waiting list of 119 as at January 2011. Demand for allotment plots has been increasing and as at October 2011 the waiting list was 197, an increase of nearly 66%. Based on this evidence, the council could argue that the sites are not surplus and the area is in deficiency when compared with need i.e. the waiting list for plots. This could prevent the site being used for other purposes without the need for alternative allotment provision.

- 3.9.8 With regard to compulsory purchase, following legal advice the Council does have powers to compulsory purchase land for the purpose of providing allotments. It is however necessary to establish that there is a compelling case in the public interest which justifies the acquisition. It would be necessary to be certain that the landowner does not intend to continue to allow the land for allotment use and also determine that the loss of land would result in a shortfall of provision. The Council would also need to be in a position to fund the acquisition and it should be noted that a CPO could take some considerable time to process and in the meantime plot holders could be forced to leave the site following notice served.
- 3.9.9 The deputation makes specific reference to adding these allotments to the new list of 'assets of community value'. The Community Right to Bid allows community organisations to register land and property as assets of community value. To be eligible the community organisation must be able to show that the asset furthers the social interests or social wellbeing of the local community. If the landowner decides to sell, the community is given a period of up to six months to raise funds and put a bid together to purchase the asset, safe in the knowledge that the owner cannot sell to anybody else in the meantime.
- 3.9.10 Right to Bid nominations can be made by Parish Councils, Neighbourhood Planning Forums, constituted community groups and unconstituted community groups with 21 members who live in the local area and who are registered to vote. Nominations will be assessed by the Council's Asset Management service. Community Right to Bid is expected to come into force in July. Detailed regulations have not yet been published by Government, but when they are we will make more information available on the Council's website. In the meantime any group wanting further information can contact righttobid@leeds.gov.uk.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.11 The Allotments Working Group is a consultative group representing allotment holders across Leeds. The group currently meet on a quarterly basis to discuss issues relating to allotments and allotment use. Minutes of these meetings are recorded and published on the Leeds City Council Allotments Page. In addition, due to specific issues with two sites in Rothwell, monthly meetings continue to take place with plot holder representatives from both sites affected, along with members of the LDGF and Ward Members with the objective to secure both sites for future allotment use.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 As this report is a response to deputation it is not relevant to complete an equality impact assessment at this stage however an EIA was completed on the increase in fees for Allotments in February 2012. Plans are in place for a workshop in September 2012 where all current allotment holders will be invited including representatives from each sector of allotment use. The workshop will focus on equality issues along with an equality, diversity, cohesion and integration impact assessment on the allotments service provision. In addition an equality monitoring questionnaire is being prepared and will be sent out over the summer to all current plot holders in preparation for this event.

4.3 Council policies and City Priorities

- 4.3.1 National planning guidance changed in March 2012 and is now contained in the National Planning Policy Framework (NPPF). At paragraph 73 and 74 of the NPPF, the general direction is that open space, sports and recreation buildings and land should not be developed.
- 4.3.2 Previous to this, national policy was contained within Planning Policy Guidance Note 17 (PPG17), 'Planning for Open Space Sport and Recreation' published in July 2002. PPG17 required local planning authorities to carry out an assessment of needs and opportunities to set locally derived standards for the provision of open space, sport and recreation facilities. The Leeds assessment was prepared to fulfil the requirements of PPG17, and chapter 8 of the study (available on the Council's website) concerns allotments.
- 4.3.3 In the Parks and Green Space Strategy (2009) allotments are noted as a way of providing opportunities for those people who wish to grow their own produce as part of the long-term promotion of sustainability, health and social inclusion. Additionally, they are recognised as promoting healthy eating, recreation, exercise and links with education.

4.4 Resources and value for money

- 4.4.1 Subject to negotiation, there are potential revenue implications to the Council associated with a new tenancy agreement at Victoria Pit Allotment along with associated legal costs. At Reservoir Allotment there are potential revenue implications dependant on the outcome of negotiations, and further potential costs associated with alternative options that are being considered. If a Compulsory Purchase Order becomes necessary, then there will be capital implications associated with the purchase of the land.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 With regard to compulsory purchase, following legal advice the Council does have powers to compulsory purchase land for the purpose of providing allotments. It is however necessary to establish that there is a compelling case in the public interest which justifies the acquisition. It would be necessary to be certain that the landowner does not intend to continue to allow the land for allotment use and also determine that the loss of land would result in a shortfall of provision. The Council would also need to be in a position to fund the acquisition and it should be noted that a CPO could take some considerable time to process and in the meantime ploholders could be forced to leave the site following notice served.
- 4.5.2 The Community Right to Bid allows community organisations to register land and property as assets of community value. To be eligible the community organisation must be able to show that the asset furthers the social interests or social wellbeing of the local community. If the landowner decides to sell, the community is given a period of up to six months to raise funds and put a bid together to purchase the asset, safe in the knowledge that the owner cannot sell to anybody else in the meantime. Nominations will be assessed by the Council's Asset Management service. Community Right to Bid is expected to come into force in July.

4.6 Risk Management

- 4.6.1 If a satisfactory outcome to negotiations with regard to Reservoir Allotments is not achieved, then there is the potential that existing allotment holders would be expected to vacate the site. This would not only cause considerable upheaval to allotment holders, but would also likely involve considerable publicity with the associated reputational risk to the Council. The Council is therefore making every effort to seek a resolution to this issue which will avoid existing allotment holders vacating the site.

5 Conclusions

- 5.1 There are 97 allotment sites in use under the overall management of Parks and Countryside. Almost 63% of these sites (61) are self administered by allotment associations.
- 5.2 Demand for allotments has increased over recent years and there are considerable waiting lists in some areas of the city particularly in the Outer West, Outer North West, and Inner North East, with a total of 1,855 people identified as at October 2011. Since 2007, 310 plots have been brought into use, with a further 22 planned in the near future, overall equivalent to nearly 8 hectares of allotment land thus making an important contribution to meeting the increased demand for plots.
- 5.3 The study conducted in Leeds is consistent with the requirements and guidance of both Planning Policy Guidance Note 17 (PPG17) and the NPPF. The study identified a need for additional allotments in the city.
- 5.4 With regard to Victoria Pit Allotment, the Council is seeking to put in place a new 10 year tenancy with a fixed term of 5 years in order to secure the future of the site, meaning that notice of vacant possession could not be served until this period had elapsed.
- 5.5 Reservoir Allotment is still subject to negotiation with regard to establishing a new lease agreement with a fixed term of tenure and rental value, and subject to a satisfactory outcome, could remain leased to the Council and thus remain as allotment land. Further options under consideration include a land swap to the landowner, provide an alternative allotment site for the existing plot holders, or compulsory purchase of the existing land. A further option to consider a community right to bid is also outlined.

6 Recommendations

- 6.1 That members note the response to the deputation from the Leeds and District Gardeners' Federation with regard to allotment provision in Leeds.
- 6.2 That members are supportive of community proposal to put forward allotments as 'Assets of Community Value'.

7 Background documents²

- 7.1 The Open Space, Sport and Recreation Assessment for Leeds (published in July 2011).
- 7.2 Parks and Green Space Strategy, endorsed by Executive Board in 2009.

² The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.