

Review of Allotment Provision 2023



Green Spaces and Amenities Unit

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Section 1: Context

Burnley's Allotment Review

Burnley Borough Council has produced this Allotment Review with the aim of guiding the management, administration, development, promotion and funding of allotments in Burnley.

This review describes the background and issues relevant to the provision of allotments and makes recommendations that will be implemented over the next 10 years.

The review has been prepared following guidance contained in 'Growing in the Community' published by the Local Government Association.

What is an allotment?

The Allotment Act of 1922 defines the term 'allotment' as:

"An allotment not exceeding forty poles in extent which is wholly or mainly cultivated by the occupier for the production of vegetables or fruit crops for consumption by himself or his family"*

*A pole is the distance from the back of the plough to the nose of an ox.

A brief history of allotments

Allotments evolved as a consequence of the early Enclosure Acts which forced landless poor into abject poverty, relying on the parish for support. Against a backdrop of civil unrest, the General Enclosure Act (1845) empowered parish wardens to let up to 20 acres as allotments for the poor.

Later in the 19th Century there were some private initiatives (led by Quakers) to provide allotment gardens on the outskirts of cities, such as Birmingham and the growing demand for allotments eventually led to the Small Holding and Allotments (1908) which required local authorities to supply them if demanded.

By 1913, there were 600,000 allotments rising to 1,500,000 at the end of the First World War as large areas of unused urban land were requisitioned to provide allotments to increase food supply.

The number of allotments fell in the 1920s as the requisitioned land was returned to its former owners, but in the early thirties there remained strong support for allotments for the unemployed, including some provision of allotments for the keeping of animals. On the outbreak of the Second War, there were about 740,000 individual plots and the 'Dig for Victory' campaign created a further 1.4 million unofficial allotments. By 1944 the Government estimated some 10% of food production came from allotments.

The Allotments Act 1950 restated the requirement that local authorities should have a duty to provide garden allotments. However during the later years of the 20th century the number of allotments fell to 300,000.

After years of decline allotments are now enjoying a renaissance as people recognise the value of growing cheap, healthy food for themselves, especially during the present economic downturn.

Vision and Aims

The Council's vision for allotments in Burnley:

The council aspires to meet demand for allotments, at a fair rent and to manage allotments in a way that makes a positive contribution to the community and the environment.

The Council's aims, which will be achieved through implementation of the Allotment Review, are to:

- **Ensure allotments contribute to the Council's vision of making Burnley a better place to live, work and play.**
- **Enable allotments to be provided in locations where there is demand, within the resources available.**
- **Manage allotments efficiently so that they are self-financing but can be offered at a 'fair rent'.**
- **Work with other allotment providers including parish councils, voluntary organisations and private individuals to increase provision and raise awareness of sustainable gardening practices.**
- **Enable allotment tenants and partner organisations to participate in the management and development of allotments and establish an Allotment Forum.**
- **Ensure that allotments contribute to environmental sustainability and promote biodiversity.**
- **Provide allotments that are more inclusive and provide a safe and friendly environment that encourages all sections of the community to use them.**
- **Improve health & wellbeing**
- **Promote and protect biodiversity**
- **Contribute to carbon neutrality by 2030**
- **Deliver improvements through an Allotment Improvement Plan.**

National Planning Context

The Government does not provide a formula for local authorities to determine the number of allotments they should provide.

In terms of the duty to provide under section 23 of the Small Holdings and Allotments Act 1908, If a council decides that there is a demand for allotments; they should provide a sufficient number of plots and to let them to persons residing in its area who want them. However, there is no time limit for provision once it has been established that there is a demand.

Local Planning Context

Allotments are included under in [Burnley's Local Plan 2018](#) under Local Plan Policy IC5: Protection and Provision of Social and Community Infrastructure, which states that:

- 1) The Council will, where possible and appropriate:
 - a) Safeguard existing social and community infrastructure, subject to a continued need or likely future need or demand for the facility in question; and require alternative comparable or improved provision where a development scheme would result in the loss of important social and community infrastructure;
 - b) Require the provision of new social and community infrastructure where a development would increase demand for it beyond its current capacity or generate a newly arising need;
 - c) In circumstances where new social or community infrastructure is required, ensure that this is provided close to the need arising, or where it is a larger facility which serves a wider population, in locations with good accessibility by walking, cycling and public transport;
 - d) Require high quality and inclusive design of social or community infrastructure;
 - e) Promote the co-location and multi-functionality of social or community infrastructure.

Allotment gardens within the urban area are identified as protected open space, which means that they can't be developed for housing, etc..

Burnley's Green Spaces Strategy

The Green Spaces Strategy audited provision of different types of green spaces including allotment land. The audit considered the quantity, quality and accessibility of allotments in Burnley.

The audit identified current provision of 0.15ha per 1,000 population of allotments and the Green Spaces Strategy established a local standard of 0.18 hectares per 1,000, which

would require an additional 2.7 hectares of allotment land in Burnley and provide approximately 90 'standard' 250m² size allotments, or up to 270 compact allotments.

The Green Spaces Strategy also set a local standard for accessibility of allotments, based on a 15-minute walk time equivalent to 1.2 kilometres.

Allotment Law

Allotment law is set out in various statutes that were passed during the period 1819 to 1950.

The key functions that a local authority should perform are to:

- Assess the demand for allotments
- Provide sufficient number of allotments to meet demand
- Keep and manage waiting lists for the allotments they provide
- Provide a tenancy agreement with a compensation clause

Local authorities have powers to acquire land for the provision of allotments. However, there is no time limit placed on the Councils to meet demand and there are no specific standards, such as provision of water, minimum size of allotment, etc. that Councils must fulfil.

Types of Allotments

- **Statutory allotments** are parcels of land that are formally designated for use as allotments. These sites cannot be sold or used for other purposes without the consent of the Secretary of State. The Council's allotment sites are in this category.
- **Temporary allotments** are on land which is allocated for other uses but leased or rented by an allotment authority. Temporary allotments are not protected from disposal in the same way that statutory allotments are.
- **Privately** owned land can also be let for use as allotments. These plots have the same legal status as temporary allotment sites, but the Council has no control over them.

Size of Allotments

There is no statutory size for an allotment although since 1908 the 'national standard' size has been established as 250m² (300 sq yards). In Burnley the average size is 336 m² with allotments ranging in size from 97m² to 1400m².

Many people find that a whole allotment is too large an area to fully cultivate and in a survey of allotment tenants conducted for this review only 64% assessed their own plots as being well cultivated.

Permitted uses of allotments

The permitted uses are defined in the 1922 allotment Act:

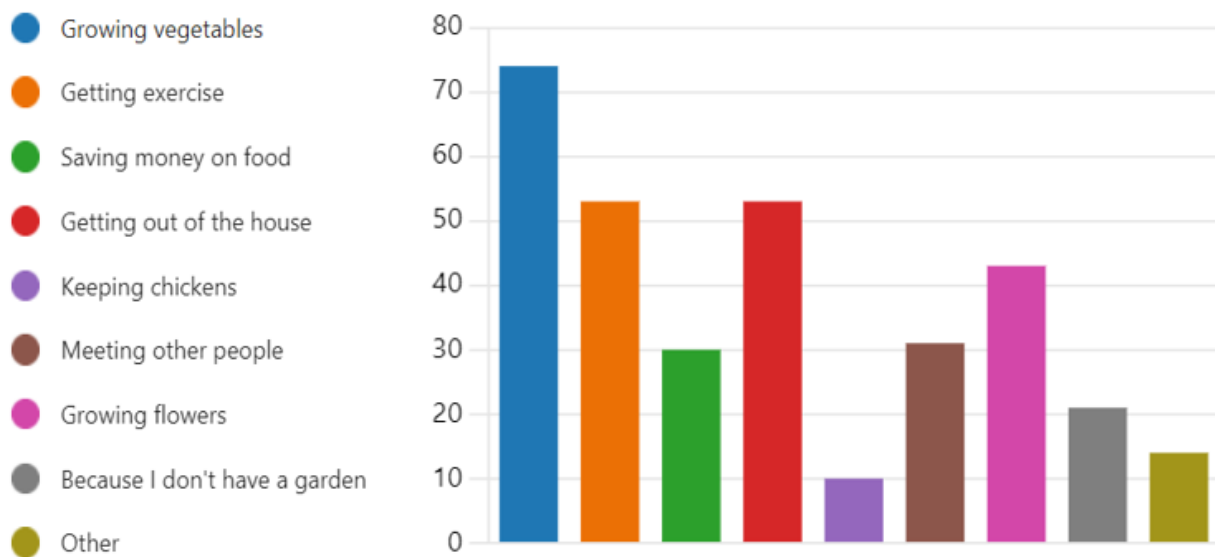
“An allotment not exceeding forty poles (1200 m²) in extent which is wholly or mainly cultivated by the occupier for the production of vegetables or fruit crops for consumption by himself or his family”

This description remains important as it defines the permitted uses of an allotment. Provided it is used mainly for growing vegetables or fruit, part of the land can be used for growing flowers, as a leisure area or for keeping poultry (where permitted) and surplus can be shared with others.

The Benefits of Allotments

Allotment gardening is an activity that provides significant benefits to individuals and to the quality of people’s lives, through exercise, healthy eating, social contact, purposeful activity etc. Gardening is the single biggest leisure activity undertaken by the public in the UK.

A survey of allotment holders (spring 2023) asked: **Why do you keep an allotment?**



Whilst growing vegetables is the primary reason for having an allotment, ‘getting exercise’ and ‘getting out of the house’ were also identified as particularly important.

Growing healthy food

Successive governments have promoted the importance of eating fruit and vegetables through the ‘5-a-day’ and other campaigns. Poor diet contributes to ill health and diet-related chronic disease is estimated to cost the NHS +£7 billion a year.

The popularity of ‘grow-your-own’ has risen significantly over recent years. An estimated 33% of people already grow or intend to grow their own vegetables. Allotments provide opportunities for those living in houses without gardens to grow vegetables.

Getting exercise and relaxation

Not only can allotments encourage people to eat more healthy vegetables, it takes a good deal of healthy exercise to produce them. A survey by the National Allotment Society identified that respondents spent an average 203 hours per year working on their allotments, equal to 4 hours per week. This exceeds the Government's minimum recommendation of 2.5 hours per week and a majority (55%) of Burnley's allotment holders also walk to their plot, so they get a double helping of exercise! Outdoor exercise is proven to reduce the risks of obesity, coronary heart disease, strokes, high blood pressure, high cholesterol, diabetes, osteoporosis, cancer, depression and improve overall fitness and well-being.

Allotment gardening also reduces levels of self-reported stress, depression and loneliness and so the service saves local health providers and the wider economy considerable sums of money in primary care costs.

Saving money on food

This is important for 70% of people on the waiting list and 37% of existing plot holders. Allotments were originally established to benefit the poor and the production of cheap food remains an important reason for having an allotment. A survey by the National Allotment Society identified that a well-tended standard size allotment could produce fruit and vegetables with a value of up to £1,300, although a more typical annual yield might be up to £200 - £500.

Once established, the volume of food produced from an allotment can make a contribution to a family's needs and surplus produce will often be shared with family and friends. There may also be opportunities to encourage sharing of surplus produce to local food banks and the Council will work with allotment associations to encourage this..

Getting out of the house and meeting people

Allotment gardening can be a socially inclusive activity and brings together people from different backgrounds whose knowledge of gardening can be shared. Allotments allow people to enjoy a sense of being in a strong community and the benefits of allotments in promoting community cohesion are increasingly recognised and promoted as an integral part of cultural strategies. High fences between allotments can discourage social interaction and where plots are being split to create new smaller allotments, 1.2m high fences will be the maximum allowed.

Saving the planet

Allotments contribute to environmental sustainability at both a local and global level. They are valuable as habitats for wildlife, supporting up to 54 times more bees and pollinators than traditionally maintained amenity green spaces. Insects and birds are attracted by a wide range of vegetables and flowers and many allotment holders actively encourage threatened species such as bees.

Locally grown fresh food cuts out waste, un-necessary packaging and the environmental cost of transporting food over long distances (food miles).

Section 2: Review of Current Provision

Allotment sites in Burnley

Burnley Council administers 431 allotment plots on 11 sites as identified in the table below.

At the time of the 2012 Allotment Review, the Council administered 312 allotment plots. This has now increased by 119 to 431 plots. This has been achieved largely by implementing the policy of splitting larger plots as they become vacant or following the issue of notices to cultivate on neglected sites.

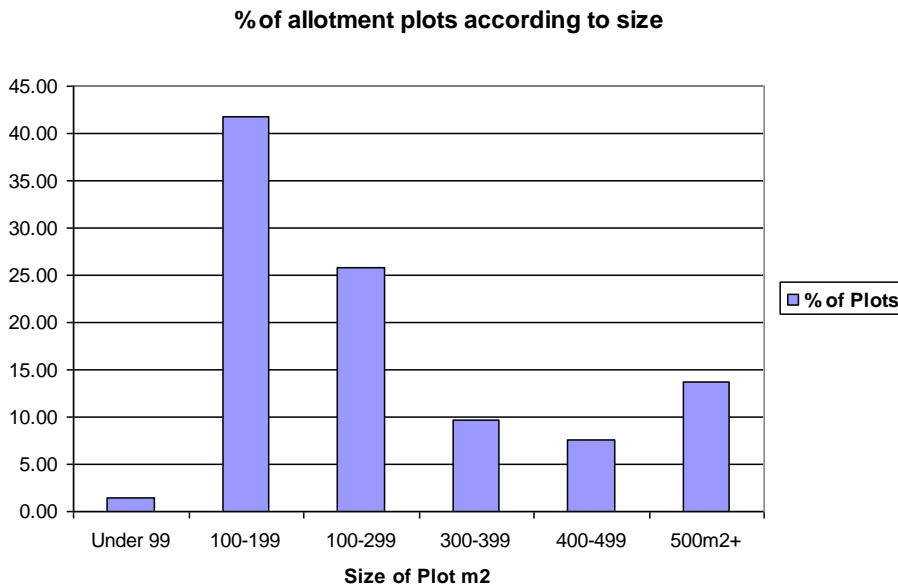
Council Allotment Sites

Allotment Site	Area of site (ha)	Number of Plots	Average size of plots m ²	Minimum size of plot m ²	Maximum size of plot m ²
Reedley	2.43	95	256	91	385
Heasandford	1.55	68	228	167	167
Fennyfold	5.36	120	447	125	1446
Woodgrove Road	0.41	16	256	125	533
Whitegate	0.43	18	239	63	422
Victoria Rd/ Lumb Quarry	0.58	21	276	188	480
Lawrence Street	0.44	17	259	213	350
West Street	0.26	10	260	160	592
Garden Street	1.39	42	331	255	1073
Palace house	0.32	13	246	100	516
Harold Street (Chicken Hill)	0.2	11	182	94	260
Total	13.37	431	310		

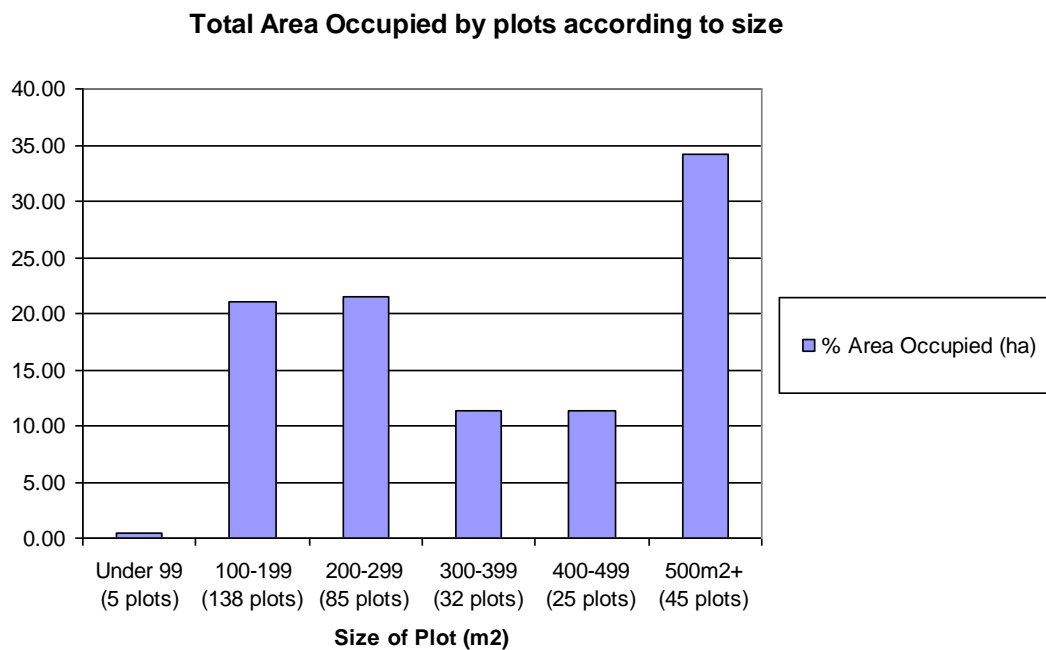
Size of allotment plots

The table above shows that the Council currently provides 13.37 hectares of allotment land containing a total of 431 plots, with individual plot sizes ranging from around 100m² to over 1000m².

The average area of plots is 310 m², but if the larger grazing and animal pens plots at Fennyfold and Quarry St are excluded, the average size of cultivation plots is 245m², equivalent to the size of the 'national standard' allotment plot which is 250m².



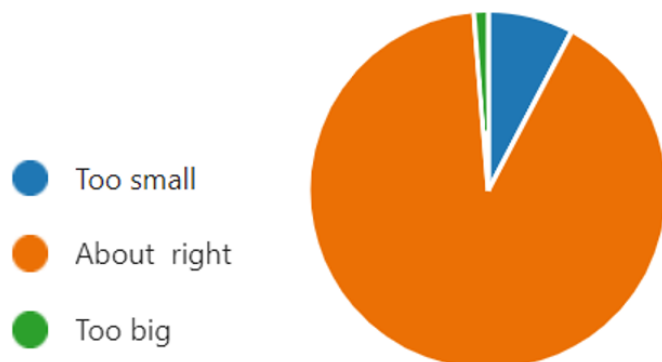
The graph above shows the distribution of allotments according to size. The majority of allotments (67%) are in the size range 100 – 300m². However, as shown on the graph below, the largest 500m²+ plots account occupy nearly 35% of the total allotment area.



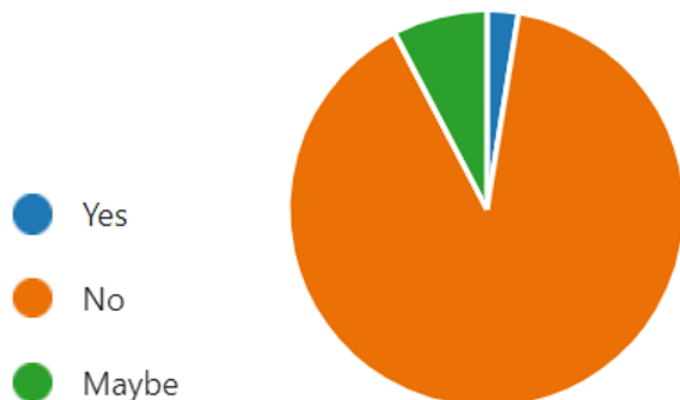
This indicates that one way of meeting the demand for new allotment plots could be achieved by splitting larger plots and reducing the number of larger animal plots. This is discussed in more detail later in this report.

When existing tenants were asked for their view on the size of their plots, nearly 91% of tenants identified that their plot was about right and when asked whether they would be willing to split their plot, 11% of respondents said maybe or yes.

Is your plot the right size for your needs?



Would you be willing to consider splitting your plot?



Quality of allotment sites

Allotment holders were asked what improvements (if any) they would like to see carried out on your site?

In descending order of frequency, the areas of concern identified by allotment holders are:

1. Condition of roads and internal paths

Improvements to internal paths are needed at a number of sites where they have become potholed and muddy. This is work that can be undertaken by GS&A staff and Community Payback during winter at modest cost.

2. Access to water

Plots at Reedley Hallows, Heasandford are provided with water and there is an additional charge of £16.15 per plot is made for this facility. These sites account for

42% of sites. New water connections are expensive, but the Council will support any allotment society that seeks grant funding for water supply connections.

3. The Council should act more quickly on the condition of neglected plots

The Green Spaces staff inspect allotments but have limited capacity. The employment of a part-time allotment officer for 1 or 2 days per week would enable more frequent inspections and closer liaison with allotment holders, leading to an improvement in cultivation and faster turnround when plots become vacant.

It is proposed that the current (informal) practice of issuing two notices to cultivate before a notice to quit is too time consuming, taking 3 months to remove a tenant. This should reduce to one warning (notice to cultivate) then a notice to quit (as set out in the tenancy agreement).

4. Provision of toilet facilities

No sites currently offer toilet facilities, except Fennyfold community allotment, and the cost of providing and maintaining conventional toilets is extremely high. However, a number of firms supply composting toilets for allotments, that are significantly cheaper to install and it is proposed that the Council will support individual allotment associations that wish to raise funds to provide such facilities, prioritising larger sites such as Reedley Hallows, Fennyfold and Heasandford first.

5. Skips for rubbish

Skips are provided by arrangement with allotment committees on the larger sites. Skip costs are currently £2,000 per year.

6. Security/vandalism

This is an ongoing issue, but one that is difficult to manage and the Council will continue to liaise with associations.

7. Overhanging trees/removal of mature trees

Where the trees are growing on Council land, the tree team will undertake work considered necessary, taking account of the need to avoid heavy shading of allotments.

8. Perimeter fences

At a number of sites the perimeter fences are in poor condition. These perimeter fences are currently the responsibility of the Council and repaired on an ad-hoc basis as the need arises. New tenancy agreements will set a clear standard for perimeter fencing and require tenants to maintain.

9. Poor drainage

At Reedley hallows problems of flooding and poor drainage are due to a collapsed culvert that is owned by Network Rail and progress is (hopefully) being made for the rail company to make repairs.

At other sites there are more localised drainage problems on low lying plots, which are difficult to resolve and some wet plots may be better taken out of use for cultivation and managed for bio-diversity or planted with willow for use as bean poles.

Allotment provision by parish council and private landowners

In addition to the Council managed sites, a number of Parish Councils manage allotment sites and there are also a number of privately run allotments as detailed in the table below:

(more details to follow);

Location	Owner	number of plots
Cliviger	Cliviger P.C	10
Hapton Recreation Ground	Hapton P.C.	11
Briercliffe Recreation Ground	Briercliffe P.C.	42
Gorple Road Worsthorne	Worsthorne P.C.	50

Management of Waiting Lists

Waiting lists are maintained for each site and when a plot becomes vacant at a particular site, it is offered to the person that has been on the waiting list the longest for that site .

Individuals can register on the waiting list for more than one site and this is common practice with many local authorities.

Fennyfold Allotment Association manages its own waiting list but uses the Council's list and principles.

Due to high levels of demand, there are few un-tenanted plots, except a number at Reedley Hollows that suffer from flooding and which can't currently be let. However, the process of offering plots to successive people on the waiting list can be time consuming and the process will be reviewed to speed it up.

The total number of individuals on waiting lists for a plot is currently 1,095 and a further 590 people who were on waiting lists failed to respond to requests to confirm that they still want a plot.

A significant number of people have applied for plots since 2020, during the COVID19 lockdowns and subsequently. These recent applicants are being contacted to confirm that they wish to remain on the waiting list.

Work is ongoing to clean up the list to ensure that it includes only those who currently want a plot and those who have not responded are being given a further opportunity to confirm that they wish to remain on the list.

The process of offering plots also needs to be speeded up as 50% - 70% of those on waiting lists either don't respond or don't take up the plot offered. The proposed Allotment Officer post will facilitate this.

Name of Allotment Site	Number of Plots	Longest waiting since
Reedley	95	2018
Heasandford	68	2016
Fennyfold	120	2018
Reedley Hallows	98	check
Woodgrove Road	16	2010
Whitegate	18	2013
Victoria Rd/ Lumb Quarry	21	2015
Lawrence Street	17	2014
West Street	10	2013
Garden Street	42	2016
Palace house	13	2013
Harold Street (chicken Hill)	11	2013
Total	431	

New tenancies

When plots do become vacant, they are often those that have been neglected and, for someone who is new to allotment gardening, taking over a large and neglected plot is a challenge.

Providing help with clearing plots and preparing them for cultivation supports new tenants and this assistance is provided through the Probation Service's Community Payback programme and use of Green Spaces staff.

During the winter of 202/23, additional revenue funding of £15,000 provided by the Council has brought 42 plots into use (when all are complete and tenanted) by clearing 17 vacant and neglected plots and splitting them to create 42 plots. The budget was used

to meet labour costs (£6,000) for clearing neglected plots and tipping costs (£9,000) for disposal of waste. A growth item will be submitted for the 2024/25 budget onwards, to support the programme of plot clearance and splitting.

Splitting larger plots into smaller ones would also help and this is considered in more detail in Section 4, and also the creation of small starter plots, where people who are new to allotment gardening can 'have a go' before moving onto a larger plot.

There is a high drop-out rate for new tenants, and this is common across the country. Offering prospective tenants a short half-day allotment course in partnership with Offshoots. But note that Fennyfold allotments report a much lower drop out rate due to continuous support for new tenants.

A Facebook group Burnley Allotments will be set up to facilitate mutual support.

Recommended Actions

- AR1 An Allotment Improvement Plan should be prepared in consultation with allotment societies/tenants and implemented as resources allow.**
- AR2 Continue the programme for clearing vacated plots ready for new tenants using Community Payback teams to remove un-wanted buildings and greenhouses, treating overgrown plots with herbicide to kill perennial weeds and splitting large plots into smaller ones to help reduce the waiting list.**
- AR3 Submit a growth item to the Council's budget to establish a modest annual budget to help meet the costs of clearing neglected allotments plots**
- AR4 Develop a compulsory half-day introduction to allotment gardening training course with Offshoots (Towneley) aimed at people at the top of the waiting list who are about to be offered a plot.**
- AR5 Work with Heasandford and Reedley Hallows allotment associates to establish community allotments and micro allotments for people wishing to begin allotment gardening.**
- AR6 Support allotment committees to secure funding for provision of toilets on Heasandford, Reedley hallows and Fennyfold.**
- AR7 Work with allotment associations to enable any surplus produce to be distributed to food banks.**
- AR8 Work with allotment associations at Heasandford and Reedley Hallows to develop community allotment plots that provide opportunities for people to experience allotment gardening.**
- AR9 Set up Burnley Allotments Facebook group.**

Administration and management of allotment sites

Allotments are administered by an admin officer in Green Spaces and Amenities. Duties include managing the waiting list, showing plots to new tenants, preparing tenancy agreements and issuing notices to cultivate/quit, dealing with general enquiries and supervising work undertaken by Community Payback, etc.

The largest allotment site, Fennyfold is not directly administered by the Council. This site has been under a delegated management agreement since 2004. The Fennyfold Allotment Association undertakes site inspections and offers plots to new tenants and receives rent income which is used for site improvements, provision of skips, etc. However, the Council retains responsibility for holding tenancy agreements and issuing new tenancies, notices to quit and for collecting allotment rent.

There are allotment associations at Heasandford and Reedley Hallows but these do not (currently) play a formal role in managing the sites on behalf of the Council. The issue of devolved management is discussed in more detail in Section 5.

Tenancy agreements for all plots, including the self-managed Fennyfold site, are kept on file and in electronic format. There are minor variations in the tenancy agreements between sites, to reflect specific aspects of individual sites, such as keeping of chickens. There are variations between tenancy agreements on the same site, as agreements have been modified over time, with some oldest agreements dating back 30 years or more.

Generally, the tenancy agreements are out of date and do not address issues such as burning waste, accumulation of unsuitable materials on site, nuisance behaviour, arrangement for co-workers, etc. It is recommended that all existing tenancy agreements should be terminated (giving the required period of notice) and tenants issued with new, up-to-date agreements.

Allotment inspections and termination of tenancies

By their very nature, allotments can be untidy in their appearance. Sheds and fences are often constructed of recycled materials and some tenants neglect their plots compared with others. In managing tenancies, the Council needs to strike a balance between the need to ensure that they are being used properly, against the need to leave tenants to enjoy their allotment without overly bureaucratic control.

Plot inspections are undertaken by the Green Spaces Manager & Parks Officer. The frequency is limited by the time that they have available. To improve the frequency of inspections and reduce the time taken to issue new tenancies, it is recommended that a post of part-time allotment officer, working between 1 and 2 days per week, should be considered. The post holder would undertake allotment inspections, issue notices to cultivate, carry out follow up inspections and show plots to new tenants. This would improve the quality of cultivation, increase the availability of new plots (by splitting larger ones) and will enable the Green Spaces Manager to devote more time to implementing an Allotment Improvement Plan and supporting associations to progress to devolved management and help them to secure grant funding, etc.

Also, the allotment officer would be able to identify plots falling into disrepair or lack of cultivation far earlier when visiting sites. This would enhance the improvement plan as an early warning mechanism.

Notices to cultivate and quit

There is a written procedure in place to inspect sites and plots to ensure compliance with the tenancy agreement. Usually these issues involve the neglect of a plot or untidy condition. Enforcement involves serving the tenant with a Notice to Cultivate which allows the tenant 3 weeks to comply with the notice. This is followed by a further inspection which can lead to the issue of a Final Notice to Cultivate. If the plot remains uncultivated and there is no good explanation, such as illness, the tenant is issued with a Notice to Quit. It is proposed to reduce to one notice to cultivate followed by a further one month period after which a notice to quit would be issued.

With so many people waiting for allotments it is important that those who have an allotment use them effectively. Whilst the majority of plots are well used, many are neglected or under-cultivated by their tenants. Where these plots are inspected and a notice to cultivate/quit would normally be issued, an alternative is to agree with the tenant that the plot will be split into two or more smaller allotments. This will increase the utilization of valuable allotment space and help reduce waiting lists.

Allotments at a number of sites including Garden Street and Palace House plots are largely uncultivated and used for keeping chickens. Progress is being made to split these larger plots.

Keeping Poultry

The keeping of poultry and rabbits on allotments is permitted under section 12 Allotments Act 1950 and on some allotment sites such as Garden Street, Palace house are referred to locally as pens and the keeping of poultry is the predominant use. Other sites are designated in tenancy agreements as 'poultry not allowed' allotments. These include Lawrence St, West St, Victoria Road, Woodgrove Road and most plots at Reedley. T

Recommended actions:

- AR10 Tenancy agreements should be updated for all new tenancies, ensuring that issues such as cultivation of plots and the permitted size of green houses and sheds are adequately addressed. There also needs to be clauses relating to nuisance and ASB.**
- AR11 The option to terminate all existing tenancy agreements (giving requisite notice) and issue of the new updated tenancy agreements should be investigated and implemented on a site-by-site basis, beginning with Fennyfold allotments.**
- AR12 Submit a growth item to the Council's budget to employ a part-time Allotment Officer for 1 or 2 days per week, to undertake allotment inspections and follow-up actions, issue of new tenancies and tenant liaison.**

AR13 At the discretion of the Green Spaces Manager, notices to quit for non-cultivation of allotments may not be issued if the tenant agrees an alternative option of splitting the plot and retaining a smaller part with a requirement to cultivate 80% of the smaller plot.

AR14 Notice to quit should be issued after a single notice to cultivate.

AR15 Provision will be made for plots to be cultivated by co-workers through co-worker agreements, which exclude the right for co-workers to take over tenancies as this can be used as a means of shortcutting waiting lists.

Finance and Allotment Rent Policy

Allotments are currently charged at a rate of 30 pence per square metre (2023/24).

Concessions of 50% are given to people over sixty.

Allotments at Heasandford and Reedley Hallows (42% of all plots) are charged extra for water (£16.17); this does not quite meet the full cost of water charges.

Allotments Income & Expenditure 2022-23

	Budget 2022/23
Expenditure	£
Ground Rents & Wayleaves	975.00
Water Charges	3,096.00
Grant to Fennyfold	5,910.00
Software	1,748.00
Accountancy Services	60.00
Debtor Services	1,181.00
Skips	2,059.00
	<u>15,029.00</u>
Income	
Allotment Rents	(23,513.00)
Net Cost	<u>(8,484.00)</u>
2022/2023 development budget	15,000.00

The item for 'Grants' reflects the rental income collected for Fennyfold Allotments and paid over to the Fennyfold Allotment Association (less any costs).

Invoicing

Annual invoices are sent out through the Council's Sundry Debtor system in March of each year and allotment fees are reviewed each year.

Where invoices remain unpaid for longer than 1 month a reminder is sent and if rent remains outstanding for a period of more than 3 months the tenancy is terminated.

Charging Policy

Comparisons have been made with the charges of allotments within Penine Lancashire as detailed below.

Authority	Cost per m2 in pence	£ Cost for typical 250sqm plot	Number of allotments plots
Rossendale	25	63	71
Blackburn	27	68	Not available
Burnley	30	75	431
Preston	34	85	561
Hyndburn	36	90	850
Pendle	36	90	Not available
Average	31	78	

Burnley's charge (per m2) is just above the local average.

The law requires that Councils charge a fair rent but not necessarily a subsidised rent.

Allotments were originally established to help alleviate poverty by offering a means of producing cheap food and to provide healthy exercise. However, whilst the Council offers a concession to persons aged over 60 regardless of their income, no discount is offered to those who are on low incomes. It is recommended that the age concession should be phased out.

Proposed stepped charging policy

It is proposed that allotments up to the traditional 250m² allotment size should be charged a standard rate and every square metre above this should be charged at a higher rate (to be agreed when fees & charges are set).

The effect of this stepped charge would be to encourage the tenants of larger plots to consider to splitting them, so creating new allotments for those on the waiting lists.

Stepped charges could be phased in over a number of years to allow allotment holders with large plots to make arrangements to split their plot.

Age concession

There is currently a 50% concession for tenants aged 60+

It is proposed that this should change to reflect the current pension age.

To make this adjustment, the age at which this concession will apply will increase by one year, each year, starting from October 2023, as such, the age-related concession will apply to tenants aged 61, or over, on 1st October 2023, for those aged 62, or over, on 1st October 2024 etc.

This annual increment will continue until it reaches the State Pension age (currently age 67).

Investment requirements

Consultation has identified improvements, such as water supply, provision of toilets, fencing and access improvements, that are required on a number of sites. These will be costed, prioritised and included in an Allotment Improvement Plan that can be used to secure any external grant funding (with support from allotment societies) that may be available, together with assistance from Community Payback and voluntary work by allotment holders themselves.

Capital funding would be required for the provision of any new allotments. External grant funding sources and S106 contributions from developers may be available and will need to be investigated for any sites that are progressed together with funding applications to the Council's capital programme.

Recommended actions

AR16 Introduce stepped charging with the aim of encouraging larger plots to be split into smaller ones, phased in over a period of years.

AR17 Phase in an adjustment to the age at which age related discounts are applied from 60 to 67 over a period of 7 years

AR18 Investigate funding for new allotments sites including use of S106 contributions from developers.

Devolved Management of Allotment Sites

The publication 'Growing in the Community' published by the Local Government Association identifies five different models of devolution according to the extent of duties to be devolved.

Dependence: the local authority manages the site with neither the plot holder nor societies playing any practical role.

Participation: Associations participate in management of the site; plot holders accept responsibility for minor maintenance works;

Delegation: a properly constituted allotment society accepts formal responsibility for a range of duties under license – a proportion of rental income is released for this purpose e.g. society arranging tenancies and maintenance but the local authority carries out repairs, pays for overheads such as water;

Semi-autonomy: the allotment society leases the site from the Council, arranges tenancy agreements and reinvests revenue (which it manages) on maintenance, repairs and capital items. Depending on the terms of the lease, the tenants may become tenants of the society rather than the local authority;

Autonomy: the allotment society owns the site and operates independently.

Devolved management needs commitment from the authority, the allotment societies and individual plot holders. The capacity for an allotment society to take on and succeed with devolved management will depend in part on the duties to be devolved – this depends on the type of delegation.

Capacity also depends on the leadership abilities of present and future tenants and both the willingness and ability of plot holders to take on voluntary community effort. Any allotment society has to be democratically elected and must operate with fairness and accountability. Their performance has to be monitored as the Council is likely to remain the owner of sites leased out under devolved management and has a statutory obligation to provide equal access for all residents to allotment land.

The table below illustrates the position of Burnley Borough Council’s allotments in respect of devolved management.

Name of Allotment Site	No Plots	Dependency	Participation	Delegation	Semi-autonomy	autonomy
Fennyfold	120					
Reedley	74					
Heasandford	59					
Woodgrove Rd	14					
Whitegate	17					
Victoria Rd	15					
Lawrence St	16					
West Street	10					
Garden Street	16					
Palace house	8					
Harold Street	7					

Advantages of Devolved Management

- Less time spent inspecting allotments and administering sites.
- Increased tenant participation leading to better managed sites.
- Ability to access external grants funding.

Disadvantages

- Lack of democratic accountability
- Volunteer managers can be easy targets for dissatisfied plot holders.
- Lack of capability to manage tenancies and finances
- More management time may be needed to provide ongoing support/monitoring

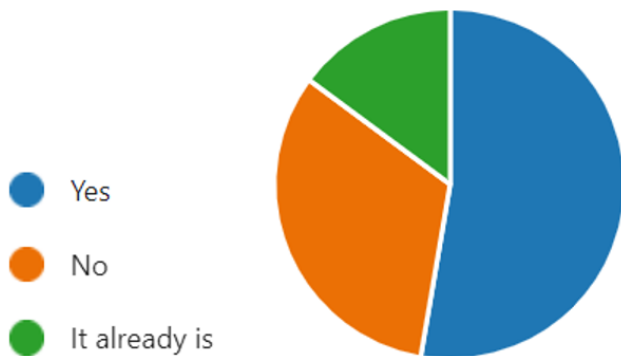
Progress with devolved management

Fennyfold Allotment Society were given delegated management responsibilities for the site in 2004. The Council has retained responsibilities for managing tenancy agreements and collecting rent on behalf of the society and maintaining the waiting list. The society receives the allotment rent income (less any costs) and has used this to make significant improvements to the site over recent years.

Heasandford and Reedley Hallows allotment societies are established and will be supported to move towards delegated management, if they wish to do so.

Efforts have also been made to encourage allotment tenants at individual sites, including Garden Street and Victoria Road to form allotment societies, so that they could access external grants, but there has been little (so far) enthusiasm from tenants and they remain firmly dependant.

The recent survey asked: **Would you like your site to be directly managed by tenants if it meant that rent money could be used to improve the site?**



60% of tenants of Council managed sites indicated that they would like their site to be directly managed by tenants.

There are some risks with autonomous management, if an allotment society responsible for managing the allotments does not administer the tenancies properly. In these circumstances the Council, as landowner, would eventually be responsible for sorting out problems, which could be costly and time-consuming.

These risks can be reduced if the Council works with associations to improve the standard of husbandry and the issue of new tenancy agreements, helps to develop the capacity of allotment societies and provides a pathway for the associations to progressively take over management of sites.

Recommended Actions

AR19 The Council will support allotment committees that wish to progress towards devolved management.

Section 3: Future Provision

Duty to provide allotments

This review has established that the Council has a duty to provide allotments where demand is known to exist. The Government gave the following response to a petition organised by the National Society for Allotment and Leisure Gardeners which called on the Government to provide more allotments.

“if an allotment authority is of the opinion that there is a demand for allotments in its area, it is required under Section 23 of the Small Holdings and Allotments Act 1908, to provide a sufficient number of allotments and to let them to persons residing in its area who want them. There is no time limit for provision once it has been established that there is a demand.”

It is not known whether any legal action has been brought against a Council in respect of Section 23 of the Small Holdings and Allotments Act 1908.

Demand for allotments

Demand for allotments has increased significantly in recent years with the waiting list increasing to 1,095, which exceeds the total number of number of plots available (431).

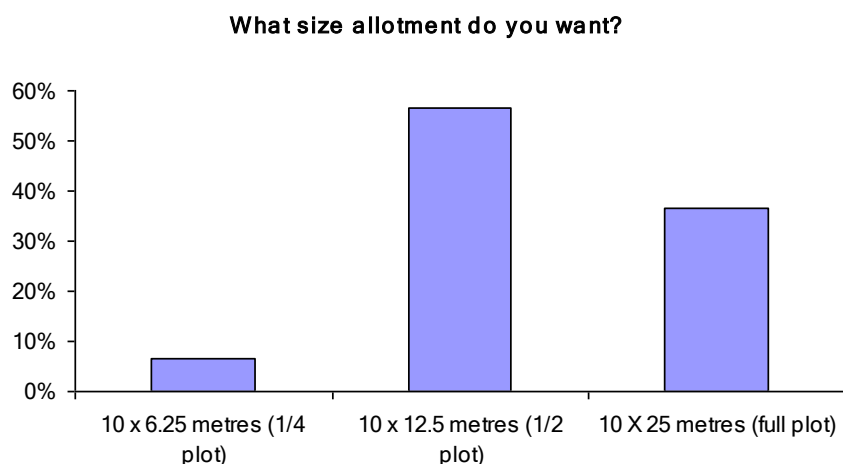
There may also be latent demand, from people who would want an allotment but are put off from adding their name to a waiting list when they hear how long they may have to wait.

The other aspect is that for many people, an allotment is an aspiration and they register for an allotment online, but some who take on allotments are put off by the amount of time and hard work it takes. It is proposed to investigate running half-day ‘introduction to allotments’ courses in partnership with Offshoots at Towneley to provide people at the top of the waiting list a better idea of what is involved.

Consultation with people on the waiting list

Size of allotments

The ‘standard’ allotment is 250m², however when asked the majority of respondents identified they would prefer a half plot; 125m².



It is recommended that 125m² should be adopted as the standard size plot and that ¼ (75m²) plots should also be created by splitting larger plots. Other authorities, such as Preston City Council have introduced 125m² plots as the standard size.

Location

The location of allotments is important as 66% of existing tenants live within 1 mile of their allotment, 64% visit daily in summer and 67% walk there.

The local standard that was adopted for allotment provision in the Green Spaces Strategy 2017 identified a travel distance of 1.2 km.

Analysis of a plan showing the location of people on the waiting list, shows high demand close to all of the existing sites which the Council has sought to address by splitting plots to increase the number of allotments available on these existing sites.

Demand also exists in areas of the borough where there is currently no provision including Gannow, Rosegrove, Trinity, Whittlefield, Brunshaw, Queensgate and Lanehead. Priority should be given to identifying locations for new allotments in these areas of the borough.

Meeting demand for allotments

There are a number of ways in which the demand for allotments can be met, either by increasing the number of plots on (or adjacent to) existing allotment sites or by creating new allotment sites.

1. Splitting existing plots as they become vacant

This can be achieved at relatively low cost and approximately 119 new plots have been created since 2012. However, not all plots are suitable for splitting, due to access or in some cases there may be large shed and greenhouse on a site. Splitting plots that have been neglected can involve significant work in clearance of buildings and rubbish before new tenants take over.

2. Splitting existing tenanted plots that are under cultivated

It is important that existing allotment plots are well used, However, some allotments are neglected by their tenants. This is frustrating for people who want an allotment and yet see some that are under-used. It is proposed that plots where the uncultivated area is equivalent of a new small plot may (at the discretion of the Head of Green Spaces and Amenities) be issued with Notices to Cultivate that will be withdrawn if they agree to split their plot. This could produce new plots relatively quickly and at low cost.

3. Introducing stepped charging for allotments

The introduction of stepped charging (outlined on page 22) could encourage the tenants of large plots over 250m² to agree to split their plots. There are more than 100 plots that are larger than 250m² and these account for a significant proportion of the total allotment area.

Stepped charges would provide an incentive for tenants to agree to split their plot to avoid higher costs, with the greatest incentive targeting the largest plots. It is recommended that higher charges should be phased in. This option would produce new plots relatively slowly, over the next few years, but at low cost.

4. Creating new sites from Council owned land that is currently used for other purposes

The Green Spaces Strategy identifies that the Council will consider options for the change of use of 'amenity' green space in parts of the borough where there is a surplus.

A 'long list' of sites that may be suitable for change of use to allotments has been prepared. The next stage will be to undertake a more detailed assessment of each site, taking account of criteria such as whether the site is listed on the contaminated land register, whether there is an adequate depth of well drained topsoil suitable for cultivation, access and parking, etc. and consultation with planning regarding whether an application for change of use is likely to be acceptable.

It should be noted that, whilst the Borough does have a lot of amenity green space, much of it has been reclaimed following the clearance of industry and housing. Consequently these apparently 'greenfield' sites are little more than a thin layer of grass and topsoil over brick and concrete rubble and are unsuitable for cultivation as allotments.

It is proposed that any new allotments would be developed as 'model' allotments with strict controls on the appearance of the sites; no internal boundaries, permitting only standard 8' x 4' sheds and green houses, preventing the accumulation of recycled materials, such as plastic, metal sheeting, etc. on site and ensuring an attractive external appearance using hedges and close-boarded fencing.

Capital funding would be required to develop any new plots.

5. Other public and private allotments

Provision of allotments by others landowners is a means by which the waiting list can be reduced.

There is nothing to prevent private landowners from seeking planning consent for change of use of their land and elsewhere in the country a number of private allotments have become established having obtained planning consent.

Recommended actions

AR20 The local standard size allotment plot should be set as 125m² with a minimum size of 75m² for plots.

AR21 Work with Heasandford and Reedley Hallows allotment associations to develop a community allotment and small starter plots.

AR22 A travel distance of 1.2 kilometres will be kept as the access standard for allotments.

AR23 When any plot becomes vacant it will be divided into smaller plots unless there is a good reason why this can't be achieved.

AR24 Notices to Cultivate that would normally be issued to tenants of plots that are neglected may (at the discretion of the Head of Green Spaces and Amenities) be withdrawn if the tenant agrees to split their plot.

AR25 Priority will be given to creating new allotment plots on existing sites by splitting vacant and neglected plots.

AR26 Sites for new allotments will be identified with priority given to areas where high demand exists, including: Gannow, Rosegrove, Trinity, Whittlefield, Brunshaw, Queensgate and Lanehead.

AR27 Offer an 'introduction to allotments' training course in partnership with Offshoots.