



Scrutiny

22 February 2022

Report of: Councillor Rob Bindloss - Portfolio Holder for Growth and Prosperity

Update on allotments

Corporate Priority:	Delivering sustainable and inclusive growth in Melton
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	N/A
Exempt Information:	No

1 Summary

- 1.1 The Chair of the Scrutiny Committee has requested a report providing an update on the allotment service provided by the Council.
- 1.2 The report summarises the location of allotment sites, condition and accessibility, occupancy levels, current charging structure, income from fees and expenditure. It outlines the process for creating a new allotment site or decommissioning an existing site. And finally, it identifies future considerations for members of the Committee to provide steer on.

2 Recommendation(s)

That Committee:

1. Notes the contents of this report
2. Provides comments and steer for future considerations.

3 Reason for Recommendations

- 3.1 The legislation states the Council shall provide allotments where there is a demand.
- 3.2 Allotments provide important community facility with proven social, physical health and mental health and well-being benefits to the residents of the borough.
- 3.3 Providing quality allotments to our residents aligns with two key priorities identified in the Corporate Plan 2020-24:
 - Providing excellent services positively impacting on our communities

- Delivering sustainable and inclusive growth

4 Background

4.1 Allotments are an important service provided by the Council. This report provides a status update on the level of service provided to the residents.

5 Main Considerations

5.1 Currently, the allotments are managed by the Corporate Property and Assets team as part of the wider portfolio of non-HRA (General Fund) assets owned by the Council. There are 92 full plots (250 sq mts) and 101 half plots (125 sq mts) within the borough, all with access to water.

5.2 Locations:

5.3 The Council owns five allotment sites as per the table below:

Name	No. Full Plots	No. Half Plots	Occupied plots	Vacant plots	Managed by
Lake Terrace	30	16	39	7	Melton Borough Council
Redwood Avenue	7	14	21	0	Melton Borough Council
Doctors Lane	44	20	60	4	Melton Borough Council
Victoria Street	1	25	26	0	The Victoria Street Allotment Association
The Crescent	10	26	36	0	The Crescent Allotment Association

5.4 The two managed sites are formally leased (The Crescent from 1st August 2016 for 10 years, and Victoria Street on a lease that is to be renewed) to the allotment associations who collect the income which is used towards the management and maintenance of the allotment sites as per their constitution. No rent or monies are paid to the Council from the managed sites.

5.5 The three council managed sites have information noted on the council website where the enquirer can fill out an online form requesting an allotment and join the waiting list. When a plot becomes vacant, the Council contacts the next person at the top of the list and offers the opportunity to take the vacant plot. If they do not respond after 14 days, the plot is offered to the next person.

5.6 Occupancy levels:

5.7 We understand that COVID-19 has had significant impact on people's ability to use the allotments. Talking to our tenants, we are aware that some plot holders had to shield due to the pandemic and this meant they were unable to tend to their plots. Subsequently, some have chosen to give them up due to the work required to bring it back in to use or due to their own health concerns.

- 5.8 The occupancy rate for the allotment sites is high with number of vacant plots being relatively low. The majority of the vacant plots are due to their overgrown condition and reluctance to be taken up by those currently on the waiting list.
- 5.9 Currently there is approximately 90 people on the waiting list which indicates the provision is in high demand. However, due to the high occupancy rates at present, and low availability of plots, the turnover of plot holders is low. As and when plots are returned to the council, they are offered to the next person on the list, though some waiting on the list are particular about the location and size of plot they require so they may remain on a waiting list for a longer period of time. The current waiting period is around 18months – 2 years, but it can be longer if someone is not willing to take vacant lot due to their preference on a particular size, location within the site.
- 5.10 The Council has recently written to plot holders as part of a review to identify any unused plot(s) and is beginning the process of clearing underused and overgrown plots in order to offer them to those on the waiting list. Where appropriate and subject to capacity, the Council's ground maintenance team helps with this work.
- 5.11 At present we do not hold any further information on plot holders save for names and addresses but a survey could be undertaken, in line with the Equalities Act 2010 to gain more insight in terms of user profiles, user needs etc.
- 5.12 **Condition and Accessibility:**
- 5.13 While most plots are in good condition, there are a few vacant plots that are in need of works in order for them to be brought back to use. The Council recently completed a condition survey of the allotment sites which highlighted works required in the next 1 to 5 years. These surveys identified a potential of £4.5k spend on replacement fencing at Lake Terrace, A circa £25k cost to replace fencing and gates at Doctors Lane and £13k for fencing works at Redwood Avenue.
- 5.14 A budget will be identified based on the priorities set out in the condition survey, which will be reviewed annually, and submitted for approval, as part of the annual budget setting, over the next 5 years. Any small emergency and reactive repairs are undertaken using the repair and maintenance budget annually.
- 5.15 The Council does not presently provide any accessible allotment plots due to lack of demand for such plots. A plot holder may undertake work to create a raised bed, as some have done, for their own requirements.
- 5.16 Any plot that became available can be adapted to accommodate a raised bed, but it will not be truly accessible unless the paths leading to that plot are constructed, widened and re-surfaced to appropriate standard. The most accessible plots on site are near the main entrance and already occupied. This would result in at additional cost and require the reduction in some existing plot sizes to allow for an accessible route.
- 5.17 At Doctors Lane, Melton Community Allotment group near the entrance of the site provide a shared use of an allotment to council tenants who may need easier access.
- 5.18 **Charges, income and expenditure:**
- 5.19 The summary of income and expenditure from allotments over the last 6 years is as below. These costs include annual maintenance and repair costs but exclude officer time spent on managing the sites, any grounds maintenance costs for tidying up unused plots and customer interaction.

	2020-21	2019-20	2018-19	2017-18	2016-17	2015-16
Expenditure	1,133	1,256	632	2,359	9,378	5,130
Income*	-5,058	-5,073	-4,363	-3,329	-5,847	-5,690

*Arrears owing from 31 January 2022 were £822.30. Reminder letters are sent for unpaid sums, and there is a process of escalation if debts remain unpaid, which could result in the Council taking steps to repossess the plot.

5.20 The current pricing agreed in April 2022, of plots is noted in the table below, together with a comparison with other local authorities in the borough and county.

*All costs per annum	Melton Borough Council	Scalford Parish Council	Harborough District Council	Asfordby Parish Council	Leicester City Council	Charnwood Borough Council	North West Leicestershire District Council
Half Plot	£30.60	£6.00 - £7.50		£8.00		£33.90	£17
Full Plot	£51.00	£12.00 - £15.00	£47.64	£23.00	£6.25 - £25.00	£67.80	£29
	Less 33% for those on Pension credit.		Lower rate of £23.82 for senior citizens				

5.21 A review of the fees and charges is due in April 2023 (every 3 years). This is to minimise the administrative burden as a result of meeting the necessary notice requirements. The existing terms and conditions between the council and tenants requires a minimum of 3 months' prior notice if an increase in rent is stated. The CPA team will calculate any increase by September 2022 and advise tenants of any increase, which will take effect from April 2023.

5.22 **Process for establishing a new allotment site or decommissioning a current one**

5.23 The Council may purchase either the freehold or leasehold land or even lease land or convert any suitable land in the Council's ownership that is surplus for service operation to allotment land use. The Council can acquire land within their own areas and, with the consent of the Minister, can also acquire land outside their areas if it can be shown that eventually the land will be needed for allotments (S.5 Allotments Act 1925). This land can be used for other purposes in the meantime provided that it is not a purpose which is in conflict with the idea of an allotment.

5.24 When land is purchased the Council must obtain consent from the Minister including any borrowing to make the purchase. No planning permission is required for actual allotments as the use of land for allotments falls within the agricultural land definition. However, if sheds or a car park are being built on the site, the Council should obtain planning permission for those works.

5.25 Should the Council decide that the allotment land (whether freehold or leasehold) is superfluous to requirements, or that more suitable land is available for allotments, it may sell or exchange the land with the consent of the Minister. The consent may be given unconditionally or subject to conditions (S.32 Small Holdings & Allotments Act 1908).

5.26 **Future considerations:**

5.27 While currently the allotments are managed as part of other corporate assets, it is recognised that there are wider community benefits of this service.

- Use of allotments for building on social capital and community values
- Health and well-being initiatives for residents and allotment plot holders
- Allotments as tool for engagement and empowerment of our local communities- partner with community organisations for future maintenance, enhancement and promotion?
- Link with local food bank/ community kitchen project- link with 'rural capital of food' branding
- Improve accessibility, condition, compliance and attractiveness. Volunteers led event to clear up overgrown and unused plots.
- Communication with plot holders near the entrance for a swap to create accessible plots.
- Promotional events/ competitions/ festivals.
- Consider increased provision or reducing plots.
- Consider shorter term of licence to allow for more people to have access to allotments.
- Financial sustainability of future investment options.

5.28 The above mentioned issues are raised to generate discussion with members and receive steer for direction of travel in future. Any comments received from the members of this committee will be presented to the Cabinet for their consideration.

6 Options Considered

6.1 NA

7 Consultation

7.1 Any amendments to the service provision going forward will be subject to consultation with current and future users and members.

8 Next Steps – Implementation and Communication

8.1 Discussion and steer from Scrutiny committee

8.2 Firm up proposals if any for consideration by the Cabinet

9 Financial Implications

9.1 As per para 5.19

9.2 The allotments are a special expenses item and therefore the costs are met from the Special Expenses Melton Mowbray budget and are paid for by town residents only.

Financial Implications reviewed by: To follow

10 Legal and Governance Implications

10.1 There are no legal implications arising from this report. The Council is can provide allotments where there is a demand as laid down in s.23 of the Small Holdings and Allotments Act 1908. The Allotment Acts allow the Council to acquire more land for allotment use however, it would need the consent of the Secretary of State to do so.

10.2 The Council also has the power to lease its allotment land to associations set up for this purpose.

Legal Implications reviewed by: Monitoring Officer

11 Equality and Safeguarding Implications

11.1 Accessibility to all will be considered as part of any amendments to current service provision.

12 Community Safety Implications

12.1 NA

13 Environmental and Climate Change Implications

13.1 NA

14 Other Implications (where significant)

14.1 NA

15 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	Cost of the service is higher than the income	High	Critical	High Risk
2	Accessibility of plots for all users cannot be achieved	Low	Marginal	Low Risk
3	Council not able to meet the demand and reduce the waiting list	High	Marginal	Medium Risk

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High		3	1	
	4 Significant				
	3 Low		2		
	2 Very Low				
	1 Almost impossible				

Risk No	Mitigation
1	Expenditure is kept under review as part of annual budget process
2	Demand for such plots is kept under review
3	Steer from members is sought for additional sites

16 Background Papers

None

17 Appendices

None

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