

## Appendix 4

# The Moray Council Allotment Policy

## Introduction

Allotments can provide the people of Moray with a number of benefits and can contribute to a number of the objectives of the Moray Council and its partners. It provides a healthy activity that can produce good quality food locally grown and will contribute to food security planning and in reducing carbon emission associated with importing foodstuffs from outwith the area. It provides a healthy activity and the produce can assist in developing healthy eating and help tackle obesity. It also contributes to the partnership aim of building strong and sustainable communities by encouraging community engagement and developing the capacity of local communities to contribute and respond to health, food security, environmental and community issues. There has been a growing interest from local community groups supported by the Community Planning Partnership and the Council are determined to respond to this demand positively.

The Moray Council will work with all stakeholders to develop allotments. In doing this, the Council aims to develop allotments which are:

- valued and valuable local green spaces, which protect and
- enhance the environment, promote improved biodiversity and
- provide amenity
- easily accessible to all users
- well maintained
- well used, with a high rate of occupancy
- fit for purpose, with appropriate facilities\*
- managed consistently and well, in collaboration with empowered community groups
- community-led
- economically sustainable for the Council
- suitable for use, considering previous land use

Allotments contribute to the national outcomes identified by the Government and will contribute to making Moray a greener, smarter, safer, healthier, wealthier, fairer and stronger community.

## Aims of the Policy

The aim of this is to establish the principles which will provide guidance for the partnership between the Council, community groups and other organisations in establishing and managing allotments in Moray.

The policy sets out to clarify the responsibilities for each of these.

### 1 Scope of the Policy

- 1.1 In order to promote an inclusive policy and to encourage widespread involvement in allotment gardening, the Moray Council will work with constituted community groups and associations, voluntary sector

organisations and charities and statutory organisations (e.g. Schools, Health Centres, etc).

## 2. General

- 2.1 The Council will consider applications for development of new allotment sites on council owned sites, working with groups to support their ambitions wherever practicable. The Council will also work with existing allotment associations to support the development of allotments.
- 2.2 It will require all allotment associations managing sites on Council land to keep a record of all expressions of interest received and keep a register of allotments under its direct management and to make those registers available to the Council. These registers will be available for public inspection.

## 3. Allotments on Council Land

- 3.1 Where Council-owned land is identified for provision of allotments, the Council will lease the land to an allotments association which is properly constituted and governed, following the guidance available from the Scottish Allotments and Gardens Society (SAGS).
- 3.2 The allotments association will be responsible for the works undertaken to establish the allotments. This will include, but not be limited to, the division of the land into allotment plots, parking, fencing, creating pathways, water supply and toilet facilities. The allotments association will also be responsible for raising funds for the establishment and running of the allotments (but see also 3.4), allocation of plots collection of rents, management of waiting lists (see 3.5), keeping of accounts and ensuring proper usage of plots.
- 3.3 The allotments association will be required to maintain a register showing details of tenancy, acreage and rent of each allotment, and any unlet allotments. It is also responsible for obtaining all necessary consents. It will also be required to provide annual statements of accounts. These must be made available to the Council on demand, to enable it to comply with the requirements of the Allotments (Scotland) Act 1922.
- 3.4 The Council will be responsible for guidance and assistance in establishing an allotments association. This will include facilitating an initial public meeting to gauge interest in forming an association. The Council will also provide guidance regarding funding sources and applications, and on the association's constitution.
- 3.5 Waiting lists will be maintained by the allotments association, separately for each allotment site. Applications must be renewed annually and allotments associations will publish the waiting list annually and invite renewals.
- 3.6 The lease between the Council and allotments association will be based upon the model lease in **Appendix (a)**. No access will be allowed to the land until the lease is signed by both parties. The allotments association will be required to engage independent legal advice in respect of the lease agreement.
- 3.7 The Council will implement statutory consultation for all planning applications which might affect allotments. Where a planning application is approved which

will remove allotments, provision must be included to establish alternative allotments of at least the same number and size as those displaced, within 0.5km of the displaced allotments, subject to availability and suitability of land. Any costs involved in doing this will be borne by the applicant.

3.8 The Council's aim is to provide allotments within walking distance of as many residents as possible. Whilst it will not always be possible to achieve this aim, allotments will be located with due regard to journey times and, where possible, to enable access without the necessity of car use.

3.9 The Council will identify land for allotments that have a water supply, car parking, proximity to a population and access for large vehicles to deliver soil manure, remove waste bins etc.

#### **4. New Housing Developments**

4.1 The possibility of the Council seeking developers contribution towards the provision of allotments will be explored.

#### **5. Allotments on land owned by other bodies or people**

5.1 The Council is committed to working with its public sector partners and with private landowners to identify land for allotments. That land might be leased directly to an allotments association by the owning body. Alternatively it might be leased or sold to the Council and then subleased to an allotments association. The Council's preferred position is that the land is leased directly by the owning body to the allotments association.

5.2 Where the Council is leasing land from another public sector body and subleasing it to an allotments association, the provisions in section 3 of this policy will apply. In such cases, the costs to the council of buying or leasing the land will be passed on to the allotments association and will be kept to as low a level as is possible.

#### **6. Suitability of land**

6.1 Moray has a historic legacy of contamination caused by industrial and other uses and the Council has a duty to ensure that a site of any proposed development, which is subject to a planning application, is suitable for its intended use. It also wishes to ensure that any land will not present unacceptable risk to human health or the environment as a result of contamination from any previous use. Advice on potential contamination associated with any proposals for allotments, made under the provisions of this policy, shall be provided by the Moray Council. All proposed sites for allotments will be reviewed by the Council's Contaminated Land Team, who will give advice in accordance with Statutory Guidance.

6.2 The Council will aim to ensure that allotment land is suitable for growing. For example, excessively stony land or land with poor soil or poor drainage will be avoided where possible, to reduce the effort required to make it suitable for cultivation.

#### **7. Minimum standards and recommended practices**

- 7.1 The following minimum required standards and recommended practices are arranged together for readability. The minimum required standards are then summarised together in section 7.6
- 7.1.1 Parking facilities will be designed to meet the needs of the allotment site users. As a minimum, an audit of parking needs to be undertaken in each site based on :
- Proximity to public transport
  - Location of the site
  - Provision of secure facilities on site
- Please **see appendix (b)** with recommended minimum parking standard and it is also recommended that secure cycle storage facilities are provided.
- 7.1.2 All sites must have mains water provision, but this should be used only to supplement primary use of collected rainwater. Any buildings, sheds or glasshouses must incorporate rainwater collection systems.
- 7.1.3 Paths giving access to allotments must comply with the requirements of the Disability Discrimination Act 1995. Wherever possible, it is recommended that paths are built using reclaimed materials.
- 7.1.4 Glasshouses and any other covered areas must be no more than 30% of the area of each allotment plot, with the remainder of the allotment being available for outdoor cultivation, erection of a shed and composting.
- 7.1.5 Sheds must be limited to one per plot, no more than 8 feet by 6 feet in size. A larger shared site hut may be erected on a communal plot.
- 7.1.6 The Council promotes waste awareness and encourages the principles of "Reduce, Reuse, Recycle". Composting should take place on all sites, either communally or by individual plot holders. All other waste should be reduced to a minimum and be taken home or to the Council recycling centre for disposal.
- 7.1.7 It is recommended that toilets are provided, except where there are alternative public facilities within 500 metres. Composting toilets are recommended as both the cheapest solution and that with the least environmental impact. Where it is not feasible to provide toilets, distance from home should be considered when letting allotment plots.
- 7.2 The site must be secure. Site security considerations will depend on local factors. Sites bounded by housing may require less security than those in more open, unsupervised areas. Fencing must be designed to meet local needs on a site-by-site basis. Where possible, hedge planting is encouraged to support biodiversity and to provide shelter and privacy.
- 7.3 The following recommended practices should be adopted wherever possible:
- Allotments should be designed to fit well into the landscape
  - Where space allows, a communal garden area will help to support the social inclusion and community cohesion benefits of the allotments.

- Sustainable technologies should be used wherever possible, for example building design and construction, waste water and energy sources.
  - Cultivation techniques, and in particular the use of pesticides, herbicides and fertilizers, should bear biodiversity and environmental quality in mind. Where used, pesticides, herbicides and fertilizers must be applied in a way that avoids contamination of surrounding ground and other allotment plots.
  - Both the Council and allotments associations should promote the benefits of allotment gardening, especially where there is under-use of existing allotments.
- 7.4 Plot sizes will vary according to the physical characteristics of the site. As a guideline, the following allotment sizes should be considered as a standard:
- For a full plot, 18m x 9m
  - For a small plot, 9m x 9m
  - For a community plot, 18m x 18m
- 7.5 A sign must be displayed at the allotment site, giving details of the ownership & management of the site, details of how to apply for an allotment plot and emergency contact phone numbers.
- 7.6 Summarised from the sections above, these are the minimum required standards for allotment sites on Council land:
- As a minimum, parking facilities **see appendix (b)**
  - All sites must have mains water provision. Any buildings, sheds or glasshouses must incorporate rainwater collection systems
  - Paths giving access to allotments must comply with the requirements of the Disability Discrimination Act 1995
  - Sheds must be limited to one per plot, no more than 8 feet by 6 feet in size
  - Glasshouses and any other covered areas must be no more than 30% of the area of each allotment plot
  - The site must be secure
  - A sign must be displayed at the allotment site, giving details of the ownership & management of the site, details of how to apply for an allotment plot and emergency contact phone numbers
- 7.7 Individual allotment holders may keep up to a maximum of 6 head of poultry per 251m<sup>2</sup> plot provide appropriate shelter but Allotment associations must ensure that the welfare and security of the animals is maintained and that consideration is given to the impact on neighbours for example the noise factor of cockerels etc Separate guidelines on the keeping of poultry will be produced
- 8. Process for New Allotment Sites**
- 8.1 The following process will be followed to address requests from groups for new allotment sites and where there is demand for individual allotments that cannot be satisfied from existing sites:
1. Application is made to the Council by a community group for a new allotment site to be established.

2. If requests can be met from existing allotment provision, applications are passed to the appropriate allotment association.
3. If a new allotment site is needed to satisfy the requests, Community Support Unit Staff will engage with interested parties to support them in forming an allotment association, if this has not already occurred. This will include facilitating an initial public meeting to gauge interest in forming an association and provision of a guidance pack regarding funding sources and applications, and on the association's constitution.
4. Examine any potential sites identified by the community group to determine ownership and any conflicting interests (Community Support Unit Staff, Estates, Planning & Development working together).
5. Determine whether any other Council-owned land might be suitable and liaise with other Public Sector bodies (Community Support Unit staff, Estates, Planning & Development working together).
6. Verify suitability of any land identified (soil, drainage, contamination). (Estates, Planning & Development, Transportation, Contaminated Land and, where appropriate, SEPA)
7. Verify whether planning permission is required and make application (Community Support Unit staff, Planning & Development).
8. Community Support Unit staff will work with allotment association to help them secure funding; develop constitution, and management plan for site.
9. Community Support Unit staff will coordinate lease agreement between owner and allotment association (possibly sub-leased via Council from other public sector body).