

Report To:	PRINCIPLE SELECT COMMITTEE
Date:	20 MARCH 2025
Heading:	ALLOTMENT SITE RULES (REFRESH)
Executive Lead Member:	CLLR HELEN-ANN SMITH, DEPUTY LEADER AND EXECUTIVE LEAD MEMBER FOR PARKS AND ENVIRONMENTAL SERVICES
Ward/s:	ALL
Key Decision:	N/A
Subject to Call-In:	N/A

Purpose of Report

To seek comments from the Principle Select Committee on the proposed changes to the Council's 'Allotment Site Rules' applicable from 1st May 2025.

Recommendation(s)

That Principle Select Committee:

1. Review and comment on the proposed changes to the existing Council 'Allotment Site Rules'.
2. Advise officers of any additional amendments that they would like to see reflected within the Council's 'Allotment Site Rules'
3. Note that officers intend to develop a new Allotment Strategy for 2025 – 2035 to be approved by Cabinet.

Reasons for Recommendation(s)

The Council's current Allotment Strategy is dated 2016 - 2020 and is due to be refreshed during 2025.

As part of the Allotment Strategy, the Council produced a comprehensive set of 'Allotment Site Rules' that were last updated in 2019. It is important that the existing documents are maintained and updated at regular intervals, to ensure that the Council's Allotment Strategy remain fit for purpose.

However, whilst officers redraft the Allotment Strategy, it is important that the Allotment Site Rules are updated to ensure that allotment users and those impacted from allotment activities, have a clear set of guidance, that officers can regulate activities against.

Alternative Options Considered

(with reasons why not adopted)

Do Nothing – To continue with the existing Council 'Allotment Site Rules' would mean that the documentation remains not fit for purpose until after the redrafting and Cabinet approval of the Allotment Strategy, which is estimated to be October 2025. The Council would still be required to investigate and address local complaints from plot holder or the general public, associated to local environmental and allotment holder practices.

Detailed Information

The current Allotment Strategy is dated 2016-2020 and is in need of a refresh.

Part of the Allotment Strategy is Allotment Site Rules which advise allotment holder on best practice along with specific 'do's and don'ts.

Over the last few years, the Council has received in excess of 45 complaints associated to allotment holders' bonfires illegibly causing a nuisance. These reports are investigated and have on occasion resulted in temporary amendments to the rules for specific sites.

Therefore, as a temporary stop gap until the new Allotment Strategy is produced officers are suggesting changes to the current site rules as set out at appendix 1.

As can be seen below, the current legislation guiding the provision of allotment sites is not straight forward and is captured in lots of different legislation, better known as the 'Allotment Acts'.

The Small Holdings & Allotments Act 1908:

This consolidated all previous allotment legislation. It repeats the duty of local authorities to provide allotments.

Land Settlement (Facilities) Act 1919:

This legislation amended the 1908 Act.

The Allotment Act 1922:

The act provides tenants with a measure of security of tenure. This act has since been amended by the Local Government Act 1972.

Allotment Act 1925:

Requires town-planning authorities to give special consideration to allotments when preparing their town planning and as a consequence is relevant to the Council's emerging Local Plan.

Small Holding and Allotment Act 1926:

Made a number of improvements to the law mostly concerning smallholdings.

Agricultural Land (Utilisation) Act 1931:

This was passed at a time of economic depression and has little impact today.

Allotment Act 1950:

Strengthened the requirements on Councils to provide allotment gardens.

Provisions relating to rents were also affected. This Act included issues relating to notices to quit and compensation.

Town and Country Planning Act 1971:

Planning and Compulsory Purchase Act 2004: Have considerable influence on the forward planning of allotments and are relevant to the Council's Unitary Development Plan and the emerging Local Development Framework.

The Local Government Planning & Land Act 1980 and the Local Government & Planning (Amendment) Act 1981:

Consolidated planning legislation, which has further influenced the forward planning of authorities.

Allotment sites are designated as statutory or temporary. Statutory sites are those that have been acquired by the Council for the purpose of being allotment gardens, whilst temporary sites have been acquired for other purposes and are used as allotments in the interim. Statutory sites are directly protected by the Allotment Acts but temporary sites are not.

Implications**Corporate Plan:**

The details within the report which are set out above, will play a key role in delivering the Council Greener & Cleaner; Climate Change and Environmental Sustainability objectives.

Legal:

There are no direct legal implications of this report.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	There are no direct financial implications within this report. However, feedback will help shape the

	Council's Allotment Strategy, which when developed may identify future revenue costs and impacts.
General Fund – Capital Programme	There are no direct financial implications within this report. However, feedback will help shape the Council's Allotment Strategy for 2025-2035, which when developed may identify future Capital investment requirements.
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
The rules and regs are not issued in April as required.	Rules amended and issued by officers whilst Allotment Strategy redrafted for 2025 -2035.
Allotment users not aware of changes in rules	Notification to allotment users on changes through the issuing of an amended Allotment Site Rules

Human Resources:

No direct implications

Environmental/Sustainability:

Consideration will be given to the development of an environmental and sustainable impact assessment upon development of a new Allotment Strategy.

Equalities:

N/A

Other Implications:

N/A

Reason(s) for Urgency

N/A

Reason(s) for Exemption

N/A

Background Papers

Current Allotment Site Rules
 New (proposed) Allotment Site Rules

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