

Welsh Assembly Government written response to the Sustainability Committee's report on Allotment Provision in Wales

October 2010

Allotment Provision in Wales

The Welsh Assembly Government welcomes the opportunity to respond to the Committee's report.

The Minister for Environment, Sustainability and Housing has the strategic lead on the Welsh Assembly Government's allotment policy and regrets the lack of an opportunity to provide oral evidence to the Committee, which would have given further context and background to the inquiry.

The cultivation of allotments provides a significant contribution to sustainable development as well as providing green spaces in urban areas that often support more biodiversity than urban parks. There's no packaging to the crops produced, and any waste can be used to form compost for the following season.

In addition, the benefits of cultivating allotments are seen as not just growing fresh, often organic, produce and saving money, but as promoting physical and mental health. It is a hobby, a recreation and it provides opportunities for socialising and interaction between all age groups. There can also be community benefits e.g. for schools and the socially disadvantaged. Allotments can help build community spirit and offer an opportunity to meet people from all walks of life. They also provide a hands-on opportunity for children to learn where food comes from.

We have also consulted widely with the many interests in this subject during the development of our Tidy Towns and Local Environmental Quality Improvement Projects grants.

The Welsh Assembly Government has therefore adopted a cross-Government approach to developing its policy in this area.

Appetite for Life, our agenda for improving food and nutrition in schools recognises the importance of equipping children with the necessary skills to make healthy choices and to connect with farming and the food chain. In addition, over 99% of schools are now participating in the Welsh Network of Healthy School Schemes. These schools are required to develop a whole school approach to a range of health issues, including food and fitness. One of the suggested activities is a gardening club, especially if this involves the development of a vegetable garden or allotment.

We are also in the process of developing a new sub-brand under Change4Life - the social marketing component of our broader response to help the people of Wales achieve and maintain a healthy body weight. Dig4Life will be bespoke to Wales.

In addition, the Minister for Rural Affairs recently launched the Community Grown Food Action Plan (July 2010) which covers a broad range of issues including growing on allotments. It is the product of joint working between Welsh Assembly Government officials, leading academics and key stakeholders. A copy of the Action Plan is enclosed with this reply. Many of the Committee's recommendations are addressed in it and this is reflected in the responses below.

Recommendation 1. The Committee recommends that the Welsh Government carries out a mapping exercise of allotment provision versus allotment demand in order to effectively implement and target policies in this area.

Response: Accept

As part of the implementation of the Community Grown Food Action Plan the Wales Rural Observatory will be working with the Welsh Local Government Association (WLGA), individual local authorities and other members of the Community Grown Food Task and Finish Group to map existing allotment provision, assess levels of demand and explore options for the future management of allotments

Financial Implications:

The costs are covered by existing budgets, either that of the Wales Rural Observatory or through using existing grant programmes, mainly Axes 3 and 4 of the Rural Development Plan.

Recommendation 2. The Committee recommends that a standard is established for allotment waiting lists across Local Authorities, to ensure the information which is captured in this area is consistent.

Response: Accept

As part of the implementation of the Community Grown Food Action Plan the Wales Rural Observatory will be working with the Welsh Local Government Association (WLGA), individual local authorities and other members of the Community Grown Food Task and Finish Group to identify local authorities which have a shortage of allotment land or need assistance with improved management. The Action Plan also contains an action to identify local authorities that need a management plan for allotments and to meet those local authorities needing assistance to discuss the issues and suggest workable solutions with members of the Task and Finish Group.

Financial Implications:

The costs are covered by existing budgets, either that of the Wales Rural Observatory or through using existing grant programmes, mainly Axes 3 and 4 of the Rural Development Plan.

Recommendation 3. The Committee recommends that the Welsh Government carries out a thorough review of the existing legislation, to establish what is relevant and what needs to be updated.

Response: Accept

As noted in the Committee's report, Welsh Ministers have very limited powers in this area at present. Those they do have are generally reactive - i.e. limited to confirming an action which a local authority has chosen to inaugurate (e.g. confirming a compulsory purchase). Welsh Ministers do not have intervention powers (e.g. to direct local authorities to provide allotments).

Under the Community Grown Food Action Plan, the Wales Rural Observatory will be conducting a research programme on all levels of community growing in Wales. This is being undertaken to identify needs, barriers, current provision and gaps in provision and will include allotments as well as other areas of community growing. This research project should identify any major legislative barriers. The need for a more thorough review of legislation will then be considered by the Task and Finish Group, subject to the findings of the research programme.

One of the areas for consideration will include how Part 4 of, and Schedule 7 to, the Government of Wales Act 2006 would come into force following a "yes" vote in the 2011 referendum on law-making powers of the National Assembly for Wales.

The National Assembly for Wales would then have power to enact Acts of the Assembly within its primary legislative competence. That competence is set out in Part 1 of Schedule 7 to the Government of Wales Act 2006, in broad policy areas.

Part 1 of Schedule 7 provides that "smallholdings and allotments" would be a policy area that is within the legislative competence of the National Assembly. This means that in that policy area the National Assembly would be able to make provision that could be made by any Act of Parliament.

That could include, for example, conferring powers on the Welsh Ministers and/or amending the Allotments Acts as they apply to Wales.

Financial Implications:

The costs are covered by existing budgets, either that of the Wales Rural Observatory or through using existing grant programmes, mainly Axes 3 and 4 of the Rural Development Plan.

Recommendation 4. The Committee recommends that, following the review of legislation, the Welsh Government seeks the necessary legislative competence to bring forward new legislation for allotments, which includes a time limit for Local Authorities to consider written requests for new sites.

Response: Accept

As referred to in response to Recommendation 3, the Wales Rural Observatory research programme will examine the major legislative issues.

The action to be taken following this research programme will be subject to its findings. The Welsh Assembly Government agrees with the principle of seeking to confer additional powers on Welsh Ministers and/or amending the Allotments Acts as they apply to Wales.

Financial Implications:

The costs are covered by existing budgets, either that of the Wales Rural Observatory or through using existing grant programmes, mainly Axes 3 and 4 of the Rural Development Plan.

Recommendation 5. The Committee recommends that the Welsh Government, in the meantime, issues best practice guidance, after consultation with stakeholders, which defines what a reasonable timeframe is for consideration of a relevant request and provision of allotment land under Section 23 of that Act.

Response: Accept

As part of the implementation of the Community Grown Food Action Plan the Wales Rural Observatory will be working with the WLGA and individual local authorities to provide a list of all the land they currently have available. It is hoped that these lists, where possible, will include future plans for the land in the next 5-10 years. In addition, the results of this work will be used to identify areas of land in a suitable location and condition for growing food.

As a first step towards best practice guidance, the Action Plan also contains an action to identify local authorities that need a management plan for allotments and to meet those local authorities needing assistance to discuss the issues and suggest workable solutions with members of the Task and Finish Group. It is also proposed that an investigation into whether targets for land availability be considered.

Further consideration of the legislative issues, including what a reasonable timeframe is for consideration of a relevant request and provision of allotment land under Section 23 of that Act, will be subject to the findings of the Wales Rural Observatory research programme – as referred to in Recommendation 3.

Financial Implications:

The costs are covered by existing budgets, either that of the Wales Rural Observatory or through using existing grant programmes, mainly Axes 3 and 4 of the Rural Development Plan.

Recommendation 6. The Committee recommends that the Minister examines the potential to increase the supply of allotments by utilising land owned by public bodies and encourages public bodies to look favourably on requests to establish allotments on their land.

Response: Accept

As part of the implementation of the Community Grown Food Action Plan the Wales Rural Observatory will be working with the other members of the Task and Finish Group and Assembly Government officials to explore the possibility of creating a Land Bank of both public and private sector land that would be suitable for use as community growing space, including allotments.

In addition, Tidy Towns and the Local Environment Quality Improvements grants have contributed to the increase in allotments and community gardens supply. Some examples of this are:

- Ely Growing Together project which has taken over a piece of neglected land and is transforming it into a community garden with community plots for residents to grow their own food; and
- Community Allotments at Lluest in Ystradgynlais. The allotments were requested by a local Residents Association and are sited on a former play area that had become disused, neglected and was attracting anti-social behaviour. Tidy Towns supported the replacement of topsoil, water standpipes fencing and tool storage and volunteers worked with local residents to transform the site.

Financial Implications:

The costs are covered by existing budgets, either that of the Wales Rural Observatory or through using existing grant programmes, mainly Axes 3 and 4 of the Rural Development Plan.

Recommendation 7. The Committee recommends that the Welsh Government works with key stakeholders, building on the experiences of the National Trust, to develop guidance for creating private allotments. This guidance should include a suggested period of tenure, and advice on establishing allotment associations.

Response: Accept

This recommendation is a natural extension of the work already in hand around the creation of a Land Bank and we are already working with the National Trust, the National Botanic Gardens and the Federation of City Farms and Gardens to develop a Knowledge Transfer project which would address these issues. In addition, the Welsh Assembly Government will be

working with the Wales Rural Observatory and other members of the Community Grown Food Task and Finish Group to consider the production of a community growing resource pack

Financial Implications:

The costs are covered by existing budgets, either that of the Wales Rural Observatory or through using existing grant programmes, mainly Axes 3 and 4 of the Rural Development Plan.

Recommendation 8. The Committee recommends the Welsh Local Government Association update their guidance with a recommendation that the standard size of allotment plots should be reduced in most instances.

Response: Accept

As referred to in response to recommendation two, as part of the implementation of the Community Grown Food Action Plan the Wales Rural Observatory will be working with the Welsh Local Government Association (WLGA), individual local authorities and other members of the Community Grown Food Task and Finish Group to identify local authorities which have a shortage of allotment land or need assistance with improved management. The Action Plan also contains an action to identify local authorities that need a management plan for allotments and to meet those local authorities needing assistance to discuss the issues and suggest workable solutions with members of the Task and Finish Group.

Financial Implications:

The costs are covered by existing budgets, either that of the Wales Rural Observatory or through using existing grant programmes, mainly Axes 3 and 4 of the Rural Development Plan.

Recommendation 9. The Committee recommends that guidance is issued to all Local Authorities outlining the possible options for allotment provision.

Response: Accept

As referred to in response to recommendation eight, work is underway to identify local authorities that need a management plan for allotments and to meet those local authorities needing assistance.

Financial Implications:

The costs are covered by existing budgets, either that of the Wales Rural Observatory or through using existing grant programmes, mainly Axes 3 and 4 of the Rural Development Plan.

Recommendation 10. The Committee recommends the Welsh Government works with the Local Planning Authorities to explore how the Community Infrastructure Levy can be used effectively to increase allotment provision.

Response: Accept

With regard to the Community Infrastructure Levy (CIL) Regulations 2010, whilst the Welsh Assembly Government does not have any powers to set or collect any levy and the choice as to whether to formulate a CIL for a Local Development Plan is within the remit of a local authority, the Welsh Assembly Government will encourage a local authority to consider if allotments should form part of the CIL charging schedule. Ultimately this is a decision for a local authority to determine.

Financial Implications:

None - Any additional costs will be drawn from existing programme budgets.

Recommendation 11. The Committee recommends that the Welsh Government produces and circulates a planning circular for Local Planning Authorities setting out best practice in terms of when planning permission is required for allotments, and structures thereon, to include if relevant the granting of blanket permission for allotment sites.

Response: Reject

A planning circular would not deliver what is recommended, hence the rejection of this recommendation. Technically, the Welsh Assembly Government cannot issue a planning circular granting a blanket permission as recommended because a circular may provide guidance only, it cannot grant a planning permission (blanket or specific) – that can only be provided through changes to legislation.

It would not be appropriate to seek changes to legislation to grant planning permission for allotments because :

- (a) The use of land as allotments does not, for the purpose of the Planning Acts, constitute development and so planning permission is not required for that use. It would be open to local planning authorities to identify potential allotment sites in their development plans but they would not require planning permission; and
- (b) The current development control system already provides a means whereby allotment holders could find out whether any structures they consider necessary for the working of the allotment(s) would require planning permission – by consulting the local planning authority. Granting a blanket permission would mean that issues such as the size of the allotment(s), their location (open countryside, urban area, Conservation Area), the size of the proposed structure(s), the purpose to which the

structure would be put, the effect of the structure on visual and local amenity could not be taken into consideration. Each case should be considered on its own merits.

The Welsh Assembly Government will clarify the position with planning and allotments in a future revision of TAN 16 “Sport Recreation & Open Space”.

Recommendation 12. The Committee recommends that the information pack prepared by City Farms and Gardens is distributed across Wales to help in the establishment and development of allotments.

Response: Accept

The Federation of City Farms and Community Gardens are members of the Assembly Government’s Task and Finish Group that developed the Community Grown Food Action Plan. One of the actions in the Plan is for the members to work together with officials and the Wales Rural Observatory to produce a resource pack which would include the Federation’s information pack.

Financial Implications:

The costs are covered by existing budgets, either that of the Wales Rural Observatory or through using existing grant programmes, mainly Axes 3 and 4 of the Rural Development Plan.

Recommendation 13. The Committee recommends the Welsh Government works with key stakeholders in developing a suite of guidance and tools for community groups and individuals in starting and maintaining allotments and community growing spaces. This should include information on what planning permission is required.

Response: Accept

As part of the implementation of the Community Grown Food Action Plan the Wales Rural Observatory is working with Assembly Government officials and Task and Finish Group members to develop comprehensive guidance to help people wanting to start growing their own food. In relation to planning permission, see response to Recommendation 11.

The Tidy Towns programme has established a network of support to assist with the provision of allotments across Wales. Funding has enabled the provision of support and advice on allotment provision and to help secure the lease of allotments.

The Garden Exchange Scheme in Ceredigion is another example of support for community gardening. The aim of the project is to link those with underused gardens to those who wish to garden. The scheme is not only a way of bringing underutilised gardens into use for vegetable growing but also

a way of combating the neglected and overgrown appearance of some gardens. The local authority has been liaising with social housing landlords to identify those families who may benefit from assistance in transforming their garden into a usable space and are looking at the possibilities of holding gardening workshops in different gardens, thus providing growing and gardening advice and achieving a garden makeover in the process. Contact has been made with local nurseries and gardening suppliers who have shown interest in donating seeds, small tools and pots for growing to the project as well as their time. Other local authorities are now considering similar schemes.

Financial Implications:

The costs are covered by existing budgets, either that of the Wales Rural Observatory or through using existing grant programmes, mainly Axes 3 and 4 of the Rural Development Plan.

Recommendation 14. The Committee recommends that a fund for establishing community growing spaces along the model of that established by the National Trust.

Response: Accept

I accept in principle the recommendation to provide funding to support allotments and community grown food. In fact, funding mechanisms are already in place. For example, the Tidy Towns funding programme, which is very much community led, has taken forward over 400 allotment related projects including the creation of or improvements to allotments and projects relating to the access and security of allotments such as the creation of footpaths or providing disabled access. As part of the implementation of the Community Grown Food Action Plan the Wales Rural Observatory, working with Assembly Government officials and the other members of the Task and Finish Group, will be assessing the wide range of funding already available to support community growing and identifying gaps in provision. It is not sensible to consider introducing a fund until that work has been completed.

Financial Implications:

None - Any additional costs will be drawn from existing programme budgets.

Recommendation 15. The Committee recommends that the Welsh Government actively promotes the benefits of allotments and community growing as part of the wider health and well-being agenda.

Response: Accept

The links between community grown food, including allotments, and the health and well-being agenda are already firmly established through the Health,

Social Care and Wellbeing Strategies as are the links to education through the Welsh Network of Healthy Schools. In fact, a new sub-brand under Chage4Life – Dig4Life - has recently been created for Wales as an outcome of the Community Grown Food Action Plan. We are also exploring the potential of joint working with LANDSHARE, a site designed to bring together people with land and those who want to use it for community growing, that has its roots in the 'River Cottage' TV programmes.

Financial Implications:

None - Any additional costs will be drawn from existing programme budgets.

Recommendation 16. The Committee recommends that the Welsh Government indicates how it will take into account the role of allotments in dealing with any potential issues arising from Peak Oil.

Response: Accept in principle

The Welsh Assembly Government will consider potential issues arising from Peak Oil as part of the wider work we are undertaking in the production of our new Climate Change Strategy and Food Strategy for Wales. Individuals, communities and organisations across Wales have a crucial role to play in ensuring that Wales can meet its climate change targets, as part of our work towards achieving a sustainable Wales. The strategies set out the direction we will take in supporting the engagement to help the people of Wales understand, accept and undertake the changes needed. Growing more food locally is one of the ways in which people can take action, as individuals and communities.

Financial Implications:

None - Any additional costs will be drawn from existing programme budgets.