



Report to: Environment Committee, 2nd November 2021

Report of: Corporate Director, Operations, Homes and Communities

Subject: REVIEW OF THE DELIVERY AND MANAGEMENT OF ALLOTMENTS

1. Recommendation

That the Committee:

- 1.1 Note the contents of this report, and in particular the consultation feedback summary attached at Appendix 1**
- 1.2 Approves the proposed changes to the draft Tenancy Agreement at Appendix 2**
- 1.3 Recommends to Income Generation Committee the approval of changes to the Allotments Concession Regime as set out within this report in preparation for 2022/2023 Fees & Charges**

2. Background

- 2.1 At its meeting of 25th May 2021, this Committee noted the Allotment Task & Finish Groups endorsement to progress further work in respect of Option 2 (appointment of a dedicated Allotment Officer) of the National Allotment Associations Review Report and directed Officers to undertake this further work, including further engagement with key stakeholders and interested parties.
- 2.2 It was also agreed that a review of the Tenancy Agreement be undertaken, and an updated version produced. It was also agreed that the existing Concessions regime be reviewed and updated. The roles of the Forum and of the Site Representatives to be considered and the role of the new Allotment Officer was to be communicated to stakeholders.
- 2.3 Furthermore, on 20th July 2021, this Committee noted that further engagement work with key stakeholders and interested parties had commenced and was ongoing with a view to presenting a report to Committee in November 2021 detailing this work.
- 2.4 This report intends to inform Members of the outcome of the engagement work which included the undertaking of a consultation exercise, a summary of which is included at **Appendix 1**.
- 2.5 The engagement exercise sought views on a draft Tenancy Agreement and the role of Allotment Officer, Site Representative and Allotment Forum. It also included reference to several proposed changes to how concessions are applied to existing and prospective allotment holders.

2.6 Having undertaken this engagement work a revised draft Tenancy Agreement is attached at **Appendix 2** and which Committee are asked to approve.

3. Information

3.1 As part of the engagement work it was agreed that allotment holders and those on the waiting list be consulted on any proposed changes and that existing tenants be provided with a copy of the report from the National Allotment Society (NAS). This was distributed during July 2021.

3.2 Further consultation has taken place; a number of documents were sent to current allotment holders by email and post and by email to prospective allotments holders who are on the waiting list and have provided an email address, these documents were as follows:

- A draft of the proposed new Tenancy Agreement,
- The proposed changes to the Concession Regime,
- The proposed role of the Allotment Officer,
- The proposed role of the Site Representatives, and
- The Proposed Relationship with the Forum and Allotment Engagement Meetings.

3.3 An on-line survey was created and an electronic link to this was provided to all existing and prospective allotment holders who have email addresses. Hard copies of the above documents and questionnaire were sent by post to those existing allotment holders who do not have email addresses.

3.4 158 surveys were responded to on-line with 5 being returned through the postal system. In addition, three drop-in sessions were organised at the Guildhall on the afternoon of 27th September, the evening of 29th September and early evening 13th October. A total of 47 current allotment holders and prospective allotment holders attended these sessions.

3.5 A summary of the engagement feedback is included at **Appendix 1** but in summary

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- From the feedback received it was clear that a significant number of responders found the draft Tenancy Agreement to be an improvement and fair. A number of proposed conditions within the Tenancy Agreement were supported but helpfully we were also informed of several that would prove impractical.
- As mentioned in the previous bullet point a number of conditions within the Tenancy Agreement were raised with us from the point of view of practicalities and these included retrospective enforcement, water charges, social gatherings, tree height, hard surfaces, responsible use of plastic for weed control, parking and sheds.
- Very few responders put forward any additional proposals for a new Tenancy Agreement and those that did suggested improvements to the process of electing/re-electing Site Representatives, rules for poly-tunnels, limit on pond size and use of horticultural polypropylene.

- Almost 80% of responders confirmed that they found the proposed changes to the concession regime to be fair or very fair. When asked about any elements they would like to change, the vast majority of responders confirmed 'no', with a small number of responses polarised between abolishing concessions and applying them only to new tenants.
- The proposed role of the Allotment Officer was received positively by the majority of responders and was recognised as an investment in the Allotment Service by the Council and the day to day improvements this would bring particularly as single point of contact for Site Representatives. A further question confirmed that over 50% of responders thought recruitment to this role to be very beneficial or beneficial. Over a third of responders to this question did not offer an opinion and anecdotal feedback is that this group will reserve judgement on the success of this post preferring to see it in action first.
- When asked about whether any changes or additions should be made to Allotment Officer role, the vast majority of responders replied 'no' with a few comments raising points around communication, importance of a clear complaint procedure for tenants, pre-announce site visits and undertake site visits with tenants' present, organise Site Representative elections, support site development, mediate tenant disputes, encourage good allotment practices and ensure consistent messaging to noticeboards.
- In respect of questions relating to the proposed role of Site Representative then the majority of responders found the proposals to be supportive of Site Representatives and acknowledged that they recognise the crucial role they play. Suggestions as to changes included a review of the election process (including term served), more promotion of community events, attendance at meetings and mowing of access roads.
- Finally, in respect of the proposed relationship between a new Allotment Engagement Meeting and the existing Allotment Forum, the development of an Allotment Engagement Group was widely welcomed with feedback including the need for broader attendance than just Site Representatives, the distribution of minutes to all sites and that it should work towards common goals.

3.6 With overall feedback being generally positive no element of the proposals have been dismissed although several changes have been made to the draft Tenancy Agreement at Appendix 2.

3.7 In addition to outward engagement, two Environment Committee Briefing Meetings were held on 17th August and 20th October prior to and following the engagement exercise which afforded Members an opportunity to comment on the range of draft documents that supported the exercise.

3.8 The proposed changes to the charging regime focus around the following –

- All concessions will be removed for those plot holders living outside of the City boundary as of 1st October 2022;

- It is intended to introduce a concession for those on low-income, to be applied in line with other similar concessions across other Council services;
- It is intended to raise the age related concession to state pension age (currently 66 years for men and women) year on year, so for example this concession would apply to all those 61 years of age as at 1st October 2022, 62 years of age as at 1st October 2023 and so on until reaching state pension age;
- It is intended to remove the current concession applying to those plot holders who have held their plot prior to 2008.
- Only one concession per person will apply

These amendments are being proposed to ensure there is consistency across plot holders regardless of how long you have held your plot, and secondly recognising that the provision of allotments is a Worcester City Council subsidised service and we need to ensure that City residents are benefitting including those that without concession support may struggle to afford an allotment plot.

4. Preferred Option

- 4.1 This report recommends that Committee approve the draft Tenancy Agreement at Appendix 2 following amendments that have been made which have considered feedback received from survey responses and in-person consultations.
- 4.2 Furthermore, the report requests that Committee approve the proposed changes to concession payments, to Income Generation Committee for approval at a future meeting that will enable these changes (subject to approval) to be formalised within the Councils Fees & Charges 2022/2023.
- 4.3 It is intended to issue the new agreement to existing tenants from 1st January 2022, with changes becoming applicable from 1st June 2022, thereby allowing 5-months before any changes would affect existing tenants. The new agreement would also be issued to new tenants from 1st January 2022 but with that agreement becoming live instantly. This would seem the most sensible and prudent option as opposed to waiting until September next year to start issuing Tenancy Agreements in line with invoicing of annual fees (October 1st – September 30th).

5. Alternative Options Considered

- 5.1 In broad terms, the alternative option considered was to allow existing tenants to continue with the Tenancy Agreement that they currently have in place, however this would likely lead to on-going confusion as to what rules were applicable on each plot and could be seen as unfair. This was therefore discounted on the basis that it is proposed that no retrospective action will be taken in respect of matters that complied with the previous agreement.

6. Implications

- 6.1 Financial and Budgetary Implications

Approval to create a new post of Allotment Officer was approved by the Managing Director during Summer 2021 having regard to Environment Committee Reports of May 2021 and July 2021 and in consultation with The Corporate Director of Operations, Homes & Communities. This post has been recruited to and will commence from 1st November 2021.

The full year costs of this post are £32,479 and for the remainder of 2021/2022 (£14,210) will be funded from the Transformation Fund. As of 2022/2023 the full year costs will be built into baseline budget. There are no further revenue implications associated with this review of allotments.

With the establishment of an Allotment Officer, part of their role will be to assess the condition of sites on a more proactive basis and to ensure that matters of concern are addressed. Some of these matters may be the responsibility of the Council to resolve and although at this stage no additional capital contribution is requested, it is worth noting that it is likely that some level of capital investment will be required to ensure that basic allotment infrastructure (fencing, gates, signage etc) is maintained in good condition.

6.2 Legal and Governance Implications

Subject to approval of this report, the draft Allotment Tenancy Agreement at Appendix 2 will replace all previous tenancy agreements. In consultation with Legal Services colleagues, a reasonable period of time will be provided to existing Tenants in the switch of Tenancy Agreements and it is intended to bring the new Tenancy Agreement into place for new Tenants as of 1st January 2022.

6.3 Risk Implications

Improving the way in which allotments are managed will help minimise financial, legal and reputational risks to the Council. It will also ensure a greater chance of plot holders wanting to sustain active use of their plots.

The extensive engagement exercise that has been carried out including online survey and face to face consultation has provided opportunity for plot holders and those on the waiting list to share their views. These views have been actively taken into account in developing the draft tenancy agreement at Appendix 2 which in turn have reduced the risk of the Council developing a document that is impractical for allotment holders to comply with.

6.4 Corporate/Policy Implications

Improved management of the provision of allotment services will contribute towards the City Plan; helping to sustain and improve City assets whilst also encouraging users to actively participate in outdoor activity contributing to a healthy and active City.

6.5 Equality Implications

The proposed changes that have led to the development of a new tenancy agreement and a change in how concessions are managed are not considered to have had any negative impact on any one group of protected characteristics.

The engagement exercise did return some feedback from a number of individuals querying the option of the Council providing an alternative to full or half plots, such as quarter plots or raised beds. This alternative provision was seen as helpful to those who may not physically be able to tend to a larger area. This feedback will now be taken into account and the Allotment Officer will be asked to review each of the sites over time to ensure we are working towards best practice accessibility standards and providing alternative opportunities for those who a full or half plot proves unmanageable.

6.6 Human Resources Implications

No human resource implications have been identified in respect of this report.

6.7 Health and Safety Implications

It is extremely important that allotments are well managed in terms of ensuring health and safety for allotment users and visitors. Regular inspections would be undertaken by the Allotments Officer, liaising with the Site Representatives (who will retain a role in reporting issues).

6.8 Social, Environmental and Economic Implications

Allotments have a key role in providing green open spaces for exercise and activity. In addition to physical health benefits there are also the mental health benefits and social benefits from the provision of allotments.

This has been particularly highlighted and important this year during the pandemic where allotment holders have valued the opportunity to be outdoors in open space and also be part of the community spirit that exists amongst allotment sites.

Allotments provide vital patches of green open space within our urban areas that must be well managed to support biodiversity and environmental benefit.

As part of the engagement work undertaken in respect of the review process officers were made aware of the role allotments play in providing food (particularly fresh fruit and vegetables) for plot holders plus their families and friends. Although not quantified it is almost certain that there would be an economic benefit of food production on allotments.

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Background Papers: Allotments Review Report, Environment Committee (October 2020)
<http://committee.worcester.gov.uk/documents/s49023/2020-10-27%20Allotment%20Review.pdf>

Allotments Review Report, Environment Committee (May 2021)

<https://committee.worcester.gov.uk/documents/s50693/Review%20of%20the%20Delivery%20and%20Management%20of%20Allotments.pdf>

Allotments Review Report, Environment Committee (July 2021)

<https://committee.worcester.gov.uk/documents/s51114/Env%20Committee%20-%20Allotments%20review%2020th%20July%202021.pdf>