

Cabinet – 9 December 2020

Walsall Allotments Boundary Review

Portfolio:	Councillor Butler – Clean and Green
Related portfolios:	Councillor Perry – Community, Leisure and Culture Councillor Craddock – Health and Wellbeing
Service:	Economy, Environment and Communities
Wards:	All
Key decision:	Yes
Forward plan:	Yes

1. Aim

- 1.1 Allotments are valuable community spaces that provide people with the opportunity to enjoy regular physical exercise; meet new people in their neighbourhood; and benefit from a healthier diet, regardless of income. They have a positive impact upon both physical and mental wellbeing.
- 1.2 The allotment boundary review provides Members with a current position statement regarding the state of the Council owned allotment gardens across Walsall. Members are asked to consider the allocation of additional one-off funding to secure all sites.

2. Summary

- 2.1 This report follows a request from the Leader of the Council to provide Members with an overview of the security of Walsall allotment gardens.
- 2.2 The Council owns a total of 34 allotment gardens, one of which is derelict which is the subject of a separate report in the private session. A further single site is leased from Rubery Owen. Officers from the Healthy Spaces Team have visited all sites to undertake an assessment of the boundaries.
- 2.3 The detail of the review is provided in **Appendix A – Allotment Boundary Assessment**, in summary:
 - 21 Sites require boundary improvement works to be carried out at an estimated cost of approximately £260k.
- 2.4 A total of 33 sites are currently self-managed by allotment associations, however, only eight have signed a Council lease, giving the association the right to manage the site. One site, Victoria Road, has returned to Council management. The

financial burden associated with taking on boundaries that require investment is one of the reasons associations have cited as to why they will not sign the new lease.

3. Recommendations

- 3.1 That Cabinet approve the £260k improvements to allotment boundaries, as identified in **Appendix A**.
- 3.2 That Cabinet recommend to Council an amendment to the capital programme of £260k to fund the allotment boundary improvement works.

4. Report detail - Know

Background

- 4.1 Walsall Council owns 34 allotment gardens across the borough, of which just one site, Alexandra Road, is derelict and not in cultivation. A further site at Clarkes Lane is leased from Rubery Owen. This lease is currently being re-negotiated for a 10 year period. A total of 1,352 plots are provided across the Borough only 29 of which are currently vacant. Some of these may not be suitable for cultivation as they may have overhanging trees or be subject to flooding. The Covid-19 pandemic has seen a surge in demand for plots. There are currently 252 people on site waiting lists (it should be noted that some of these may be duplicates, where people have registered for more than one site) and this has just exacerbated a known problem. In some areas of the borough, full allotment sites report that people can expect to wait between 5 and 10 years for a plot.

Allotment Leases

- 4.2 In 2015, the Green Spaces Team started a review of allotment leases with Legal and with the support of the Legal and Operations Manager from The National Allotment Society. A significant amount of time was spent creating standardised lease documentation, the product of which is now considered best practice by the National Allotment Society. All sites were issued with Notices to Quit which ended on 31 March 2016.
- 4.3 The Healthy Spaces Team took over the administration of allotment gardens when the team was set up on 1 August 2018. Since this date, officers have continued to work with Legal and the numerous allotment associations to get the new five-year leases, dated from 01 April 2016 until 31 March 2021, signed. Although leased on a peppercorn rent, currently only eight sites have signed a lease. A single site, Victoria Road, has come back into Council Management, leaving 24 that are currently operating on site without a lease in place.
- 4.4 Taking on the lease for an allotment garden requires the association to also take on the repair and maintenance of site structures, including the fencing and access paths throughout the sites. Several allotment associations have expressed concern with taking the lease when work needs to be carried out.

Boundary Review

- 4.5 Concerns were raised to the Council Leader through the Walsall Green Space Forum on the security and quality of allotment boundaries. It should also be noted that during 2020 there have been at least eight break-ins on allotment sites where equipment has been stolen.
- 4.6 A full review of all sites has been undertaken. During the inspections, allotment boundaries have been checked for quality and security. Whilst site visits were taking place, allotment sites were also assessed on quality of access, including gates and access roads, allotment paths and the provision of any additional community areas, such as toilets, etc.
- 4.7 The outcome of the boundary review can be viewed in detail at **Appendix A**. A total of 3,713 metres of fencing needs to be replaced, at an estimated cost of £70 per metre (approximately £260k in total).

Finance

- 4.8 The total budget for allotment maintenance in 2020/21 is £5,500. An additional £9,111 is available to provide grants to allotment associations which are encouraged to identify other sources of funding to support their application. Allotment associations can approach the council for financial support from either of these budgets. As the maintenance budget is extremely limited, works are prioritised and generally only emergency works that will prevent further damage to the site or adjoining properties are carried out. The grant funding is distributed once per annum, with support of the Green Spaces Forum and also focusses on security and access improvements.
- 4.9 Self-managed allotment gardens set their rent level and collect annually from plot holders. This money is used for the day to day running of the site and does not come back to the authority. Few allotment associations have increased rent and are limited in the percentage that they can increase their rent due to allotment regulations. Currently plot rents vary across the borough, but are roughly £60 per year, resulting in a total income across all sites of approximately £80K per annum.
- 4.10 The Healthy Spaces Team has been struggling to get allotment associations to sign their leases. Understandably, many are wary of signing a lease which places repair and maintenance responsibilities with them, when they are not taking on a site that is secure to begin with. As detailed above, once they have a lease, this opens up opportunities for the associations to apply for a wider range of grant funds. It may be that in order to resolve this dilemma, the Healthy Spaces Team has to identify an external charitable organisation that is willing to take on the leases and the management of the Walsall sites. A single site has returned to the management of the team (Victoria Road), and without the support of local volunteers the site will not develop and improve as it could in local management. The Healthy Spaces Team will manage the basics, but it does not have the resources to do more.
- 4.11 It should be noted, that whilst visiting the sites, as well as assessing the boundaries, officers have been made aware of problems with access roads and paths around sites, as well as other site improvement works that are required.

Appendix B provides information on site locations and plot supply versus demand. This is quite different across the borough and has been categorised according to wards. Some wards, such as Palfrey have a very small waiting list but vacant plots within a short distance. Other areas have fewer sites or no allotment sites at all. Wards shown with a bold boundary have over 20 people on their waiting lists.

Council Corporate Plan priorities

4.12 The provision of secure allotment gardens meets the following Corporate Priorities:

People - People have increased independence, improved health and can positively contribute to their communities.

Outcomes for 2020-21

- People live a good quality of life and feel that they belong
- People know what makes them healthy and they are encouraged to get support when they need it

Communities - Communities are prospering and resilient with all housing needs met in safe and healthy places that build a strong sense of belonging and cohesion.

Outcomes for 2020-21

- People are proud of their vibrant town, districts and communities

Risk management

4.13 If investment in securing allotment garden boundaries is not provided, sites will continue to decline and, although there is demand for plots, people will not want one on an insecure site. There are already a number of associations not wanting to sign lease documentation until security issues are resolved and there may, therefore, be an increase in the number of allotment gardens returning to Council operation. This is not in keeping with the Council's inclusive growth agenda, is not good for local communities, and will place further financial burden on the Council.

Financial implications

4.14 This scheme is not included in the capital programme, therefore approval of the recommendations in 3.1 would require an amendment to the capital programme.

4.15 If the proposed investment of £260k were to be funded from Council borrowing this would increase the revenue over the estimated life of the asset by £129k.

2021/2022	£2,990
2022/2023	£8,970 and then ongoing for a further 13 years

Total interest payable will therefore be £128,570.

Principal	£ 260,000
Interest (£2,990 + (£8,970 x 14))	£ 128,570
TOTAL	£ 388,570

- 4.16 The Healthy Spaces Team will submit applications to both the Walsall and Bloxwich Town Funds for allotment improvement works. The boundary improvement values for eligible sites is in the region of £160k for the Walsall Fund and £6k for the Bloxwich fund. If successful, this would reduce the financial burden on the council.

Legal implications

- 4.17 Where boundaries are not the responsibility of the Council they may be placed within the Council land. There are no legal implications of putting fencing within Council land unless it affects neighbouring structures or involves excavations or walls under the Party Wall Act 1996.
- 4.18 Allotment Associations have been advised to seek their own legal advice if they have any concerns regarding the content of the lease, including the liabilities therein. Initial legal advice is available from The National Allotment Society for member organisations and individuals.

Procurement Implications / Social Value

- 4.19 Subject to Cabinet approval of funding, a procurement exercise and associated contract award will be conducted in accordance the Public Contracts Regulations 2015, the Public Services (Social Value) Act 2012 and Walsall Council's Social Value Policy and Contract Rules.

Property implications

- 4.20 All sites, except Clarkes Lane Allotment Gardens, are owned by Walsall Council.
- 4.21 The lease from Rubery Owen for Clarkes Lane Allotment Gardens is currently being renewed for a 10 year period, including allowing the removal of trees which are preventing boundary fencing from being installed to secure the site.

Health and wellbeing implications

- 4.22 Allotments are valuable community spaces that provide people with the opportunity to enjoy regular physical exercise; meet new people in their neighbourhood; and benefit from a healthier diet, regardless of income. They have a positive impact upon both physical and mental wellbeing. Studies show that allotment gardeners are less overweight and score significantly better on self-esteem and mood with less depression and fatigue compared to non-allotment gardeners.

Staffing implications

- 4.23 There are no staffing implications arising from this report.

Reducing Inequalities

- 4.24 Allotment gardening enables people on low incomes to produce their own fruit and vegetables at low cost.

- 4.25 Allotment gardening is open to anyone, however, the current interest in growing your own produce has increased demand. Many sites do hold small waiting lists and may restrict plot ownership to people living in the locality. Should money become available, priority for access improvements would be given to sites located in wards with the highest IMD scores and the highest demand.
- 4.26 A number of sites require access improvement to enable those who are less mobile to participate in allotment gardening on Walsall sites.

Consultation

- 4.27 The review has included site visits and where possible discussions have taken place with site association representatives, however, due to the nature of the problem, staff have not officially consulted with allotment associations prior to bringing this matter to Cabinet.

5. Decide

- 5.1 Cabinet is asked to consider the content of the report and its associated appendix and decide if additional funding can be made available as identified in the recommendations at section 3 of the report.

6. Respond

- 6.1 Subject to Cabinet approval of the recommendations, we will:
- a. Put together a detailed specification for the boundary works.
 - b. Subject to the outcome of a, we will put the relevant works out to tender.

7. Review

- 7.1 Progress will be monitored on a quarterly basis through the Healthy Spaces Team performance management meetings.
- 7.2 Allotment budgets will be scrutinised via existing budget monitoring processes.

Background papers

Appendix A – Allotment Boundary Assessment

Appendix B – Allotment Supply versus Demand

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1 December 2020

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1 December 2020