

WYRE FOREST DISTRICT COUNCIL

CABINET
15TH FEBRUARY 2011

Self Management of Council Allotments

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME:	Stronger Communities
CORPORATE PLAN AIM:	A Well Run and Responsive Council
CABINET MEMBER:	Councillor T L Onslow
DIRECTOR:	Director of Community and Partnership Services
CONTACT OFFICER:	Joe Scully – Ext 2981 Joe.scully@wyreforestdc.gov.uk
APPENDICES:	None

1. PURPOSE OF REPORT

- 1.1 The Cabinet is asked to consider the change in policy for the management of the Council Allotments, from management by the Council to self management through the Allotment Associations by way of a Self Management Agreement with each Association for a period of 15 years with effect from 1st April 2011.

2. RECOMMENDATION

The Cabinet is asked to **RECOMMEND** to Council that:

- 2.1 **Delegated authority be given to the Director of Community and Partnership Services and the Director of Legal and Democratic Services to enter into Self Management agreements with the four Allotment Associations, i.e. West Kidderminster Allotment Society, Aggborough and Foley Park Allotment Association, The Comberton Community Allotments, and FHC Community Allotments Association for a period of 15 years from 1st April 2011.**

3. BACKGROUND

- 3.1 The Council owns and manages a total of 291 allotment plots of varying sizes which are located at 9 different allotment sites as follows:

- Aggborough - 57 allotments
- Chester Road - 12 allotments
- Comberton - 70 allotments
- Cookley - 10 allotments
- Franche - 41 allotments
- Greatfield Road - 65 allotments
- Railway Bridge, Goldthorn Road - 8 allotments
- Rifle Range - 22 allotments
- Salisbury Drive - 6 allotments

- 3.2 The Council has managed and provided allotments in accordance with the Small Holdings and Allotments Acts of 1908 and 1926 and the Allotments Acts of 1922, 1925 and 1950.
- 3.3 Providing allotments includes responsibilities for maintenance of grounds, repairs and maintenance of buildings, other site maintenance, water by meter charges, supplies and services, and the administration of allotment rents. A review of the budget has been completed which resulted in the decision by the Council to increase rents in order to reduce the overall cost of operating allotments and in an effort for the service to become self sustaining.
- 3.4 Rents during the current financial year are charged at £10 per 50 square metres but this is due to increase to £15 per 50 square metres for 2011/12 and to £20 per 50 square metres for 2012/13. In local authorities where self management arrangements have been in place for many years rent increases are kept to a minimum.
- 3.5 When the proposals to increase rents were announced to allotment tenants in February 2009 the alternative option of 'self management' was presented, by way of forming Allotment Associations to take over the management in order to avoid the increase in rents. This would involve the Associations taking on the major part of the management and running of the allotments and would avoid the proposed rent increases necessary if the Council continued to manage them.
- 3.6 Extensive research into self management of allotments was completed with other local authorities and with the National Society of Allotment and Leisure Gardeners Limited. It overwhelmingly demonstrated the management of local authority allotments by Allotment Associations to be a positive and successful change in many ways.
- 3.7 The allotment tenants have all been consulted on the suggestion of self management and formation of constituted Allotment Associations, with agreement to group the allotments into four Associations on the following basis:
- West Kidderminster Allotment Society (87 allotments)
consisting of Greatfield Road and Rifle Range
 - Aggborough and Foley Park Allotment Association (65 allotments)
consisting of Aggborough and Railway Bridge
 - The Comberton Community Allotments (82 allotments)
consisting of Comberton and Chester Road
 - FHC Community Allotments Association (57 allotments)
consisting of Salisbury Drive, Cookley and Franche

4. KEY ISSUES

- 4.1 Management of the day to day running of the allotments including the major running costs would be the responsibility of the Allotment Associations.

4.2 Key items of the Self Management Agreement for the Associations would be as follows:

- Letting of individual plots
- Collection of rents from allotment tenants
- Managing waiting lists
- Compliance with Allotments legislation
- On-site management of plots
- Public Liability Insurance, formal constitution and preparation of annual accounts
- Water consumption
- Service Charges

4.3 The Council will retain responsibility for the following:

- Preparation of formal Self Management Agreement with the Council
- Maintenance of Grounds – main driveways, car parks and mature trees
- External boundaries and “dangerous asbestos”
- S.136 Contributions Allotments (town councils)
- Support Services

5. FINANCIAL IMPLICATIONS

5.1 There are two main budgetary implications to this change in Policy. The budget going forward planned to increase rents until such time as the income from rents matched total costs, this break even point was to be achieved sometime after 2013/14. This proposal recognises that there is a need for a residual cost (of around £2500 p.a.) that will have to be incurred by the Council in order to satisfy its obligations with regards to site maintenance costs.

5.2 Within this proposal, the rents accruing from each plot will be remitted to the appropriate Allotments Association. They in turn will assume responsibility for administrating the plots and some day to day running costs. There is also an implication that the Support costs previously charged to Allotments of around £10,000 p.a. will have to be absorbed elsewhere within the Council and be subject to review.

6. LEGAL AND POLICY IMPLICATIONS

6.1 The Self Management Agreement for the Allotment Associations is in accordance with the District Council’s Asset Transfer Strategy adopted on 2nd December 2009.

6.2 The Self Management Agreements will include terms so that while they continue the District Council will pass its financial obligations in respect of the Allotments management to the Allotment Associations in respect to 4.2 as shown above. However, if any of the Allotment Associations default in their obligations under the Agreements then the Agreements may be terminated, resulting in the management of the relevant allotments returning to the Council (as the freeholder owner of the property upon which the allotments are situated).

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 The Equality Impact Needs Assessment has been undertaken and has no negative impacts in any areas.

8. RISK MANAGEMENT

- 8.1 If any of the Allotment Associations were unable to continue to successfully comply with all of their obligations under the Agreement, and an Agreement is withdrawn, and in the absence of another Association being able to take over the failed Association, the management would return to the Council. The Council would then need to resume full allotment management responsibilities for those sites.

9. CONCLUSION

- 9.1 The Self Management Agreement with the four Allotment Associations would provide quality management of the Allotments, an environment of satisfaction and harmony amongst the allotment tenants, and with the bulk of the work to be completed by the Associations, a more effective and efficient way for the service to be managed which also provides further benefits for the Council.

10. CONSULTEES

- 10.1 Legal and Corporate Services Directorate.
10.2 Resources Directorate.
10.3 Councillor T L Onslow, Cabinet Member for Community and Partnership Services.
10.4 Allotment Holders.

11. BACKGROUND PAPERS

- 11.1 Draft Self Management Agreements.
11.2 Allotment Agreement.