

**Environment and Sustainable Communities
Overview & Scrutiny Committee
10 May 2024**

**Allotments Update
Briefing**



Outline

- Recap.
- Progress so far:
 - Policy & tenancy implementation.
 - Investment impact.
 - Towns & Parishes.
- Remaining challenges:
 - Transition rules.
 - Non-allotment sites.
 - Associations.
 - Policy reviews.
 - Meeting future needs.

Recap

ESCOSC in January 2020:

- Large animals – No longer permitted on allotment plots, with a transition period of 5 years to be adopted.
- Site management
 - All DCC directly managed allotment sites in the county are managed by one DCC service team.
 - To undertake a complete review of allotment sites that are not used for purpose.
- Associations – To encourage establishment of associations where appropriate .
- Town & Parish Councils – Undertake discussions with those that have expressed an interest in taking over the management of allotment sites.
- Co-workers – Reconsider the process for the allocation of plots to co-workers and actively publicise the need for co-workers to register.
- Plot size – That should there be demand, consider the feasibility of providing smaller sized allotment plots.
- Rent review – Considers undertaking a rental review of all DCC allotment sites.

Recap

ESCOSC in November 2022:

- Reconfirmed previous policy recommendations.
- Safeguards – Noted the new policy and tenancy agreement would be include safeguards to:
 - Exclude those sites, which although managed by the allotment service are currently used for other purposes.
 - Provide flexibility for Associations in consultation with the Council to come to bespoke arrangements for their site.
 - Provide a transition period for tenants, to be detailed in future reports to Cabinet.
- Town & Parish Councils – Noted that allotments held by higher tier authorities should transfer to lower tier authorities set up after 2009 and consistent with this, engagement with Parishes to take place.
- Investment – Noted the recent investments in allotments and an infrastructure capital grant scheme.

Recap

Cabinet in January 2023:

- Policy & Tenancy Agreement:
 - Formally accepted the ESCOSC policy recommendations and the resulting updated policy and tenancy agreements.
 - Included the removal of large animals and new co-worker criteria.
 - Safeguards – Exclusion of non-allotment sites pending review, provided flexibility for Associations to come to bespoke arrangements for their site, and provided a transition period for tenants.
- Town & Parish Councils – Agreed the application of the law regarding the transfer of sites to lower tier authorities set up after 2009.
- Investment – Noted the impact of recent investment in allotments.

Progress – Policy and tenancy agreement

Direct let sites – 646 tenants on 41 sites:

- **January 2023** – Initial information letter sent out.
- **March 2023** – Actual transition started:
 - Existing tenants sent new tenancy agreement to start on 1st October 2024.
 - New tenancy agreement used for all new tenants.
- **May and August 2023** – Initial reminded letters sent.
- **September 2023** – 12-month, no fault NTQ issued.
- **January, April and July 2024** – Post NTQ reminders sent out.
- **30th September 2024** – Tenants must have either returned a completed agreement or have vacated their plot.

Currently only **9 tenants** who have not yet returned a completed agreement.

Progress – Policy and tenancy agreement

Association sites – 956 tenants on 25 sites:

- **January 2023** – Initial information letter sent out.
- **January to May 2023** – Associations asked to:
 - choose between lease, partnership, or returning site; and
 - to submit requests for local changes on partnership sites (5 minor requests were received). changes).
- **June 2023** – Actual transition started:
 - Existing tenants sent new agreement to start on 31st January 2025.
 - New tenancy agreement used for all new tenants.
 - Associations issued new partnership agreement and guide.
- **August and December 2023** – Reminder letters sent.
- **January 2024** – 12-month, no fault notice to quit issued.
- **April, July and November 2024** – Post NTQ reminders sent out.
- **31st January 2025** – Tenants must have either returned an agreement or have vacated their plot.

Currently less than **120 tenants** who have not yet returned a completed agreement.

Progress – Policy and tenancy agreement

Other sites:

- Non-allotments (47 sites) – Implementation on hold pending site reviews.
- Stanley (30 sites) – Implementation will not happen due to transfer to STC.
- Grants Houses (1 site) – expression of interest by Horden PC.

Progress – Town and Parish Councils

Stanley Town Council (30 sites):

- Agreement reached on transfer starting on 1st April 2024.
- Phased approach with practical support from DCC Allotments Team for 12 months.
- Covers all statutory allotment sites in the area.
- STC are considering whether to request the transfer of non-statutory sites in their area:
 - 8 sites which have now been moved into the non-allotment process.
 - 1 site which will now be moved onto the new tenancy agreement.

Horden Parish Council (1 site):

- Have expressed an interest in taking over the site at Grants Houses.
- Issue being dealt with through the community asset transfer process and is now subject to the submission of a detailed business case.

Other:

- No other requests have been received so far.
- Continued impact of investment and outcome of rent review may encourage more interest.

Progress – Investment

Association grant scheme:

- Two funding tranches concluded – July 2023 and January 2024.
- 12 bids received.
- £15k awarded so far with a further £9k approved pending further information.
- Examples of projects / activities include – drainage, path repairs, hedge maintenance, fencing, waste removal, heavy duty equipment purchases, tree removal and community plot development.
- Next tranche requires bids by 31 July 2024.

Maintenance team:

- Continuing to undertake a range of works across direct let sites including – fencing and gate repairs, waste removal, building removals, subdivision of plots, etc.

Progress – Investment - Maintenance



West Cornforth
before & after



Horden – Thompson Street
Before and after



Progress – Investment - Maintenance



Delves –
before and
after



Challenges – Transition rules

- Getting the new tenancy agreement signed was the first stage.
- First changes start:
 - 1st October 2024 for direct let tenants.
 - 1st February 2025 for Association tenants.
- Likeliest areas of tension:
 - Work yards, house gardens, and other non-allotments – Immediately (estimated less than 50 tenants).
 - Vehicles – Not until October 2025 / February 2026 (estimated less than 20 tenants).
 - Dogs – Not until October 2025 / February 2026 (estimated less than 30 tenants).
 - Horses and other large animals – Not until October 2029 / February 2030 (estimated less than 10 tenants).

Tenants will have had at least **18 months'** notice that the agreed change is coming

Challenges – Non-allotment sites

Current position:

- Sites requiring review – 47
- Reviews completed – 7
- Resulting sites to be transferred – 7
- Transfers completed – 0

Causes and solutions:

- Staffing to allow reviews and transfers to take place.
- Other corporate priorities.
- Timetabled review meetings.
- 30 'obvious' non-allotment sites identified for potential immediate transfer.

Challenges – Associations

Benefits:

- Local leadership of sites.
- Understanding of local tenants, circumstances.
- Greater community focus.















Issues:

- Vary in how well run:
 - Governance.
 - Finance.
 - Maintenance.
- Reliant on a small number of volunteers.
- Succession planning.
- 7 returned to DCC.

Challenges – Associations

Partnerships:

Formal partnership agreements issued that require:

- Council to manage waiting lists and plot allocations 
- Association to have a constitution (template provided) 
- Association to have policies on financial management and complaints (templates provided) 
- Association to produce forward financial plan to set rent (template provided) 
- Association to ensure the proper maintenance of the site  
- Association to ensure the health and safety of people using the site  
- Association to provide an induction for new tenants  
- Joint working on tenancy enforcement  
- Council to initially direct matters through the Association 
- Council to provide ongoing support (review meetings, advice, guidance, training, funding, etc) 

Estimated expenditure

Annual inflation rate for items of expenditure:

4%

	Current estimated cost	How often (in years)?	2023	2024	2025	2026	2027
Periodic costs							
Full external fence replacement (560m)	£16,800	15	1,120	1,165	1,211	1,260	1,310
Full internal fence replacement (2000m)	£2,200	15	147	153	159	165	172
Hedge / tree pruning	£300	5	60	62	65	67	70
Path / track repairs	£10,000	5	2,000	2,080	2,163	2,250	2,340
			3,327	3,460	3,598	3,742	3,892
Annual costs							
Annual general site maintenance	£500		500	520	541	562	585
Water system maintenance	£300						
Water charges	£1,000		1,000	1,040	1,082	1,125	1,170
Insurance	£250		250	260	270	281	292
Committee expenditure	£200		200	208	216	225	234
Rodent control	£250		250	260	270	281	292
Memberships	£150		150	156	162	169	175
Contingency / non-forecast expenditure	£500		500	520	541	562	585
			2,850	2,964	3,083	3,206	3,334

Expected non-rent income

Current estimated income from item How often (in years)? Percentage increase each year

External grants	£2,500	2	4%	1,250	1,294	1,339	1,386	1,434
				1,250	1,294	1,339	1,386	1,434

Plot information

Number of lettable full plots	72
Expected average plot occupancy rate	95%
Average no. of occupied full plot equivalents	68

Required rent

Total periodic costs		3,327	3,460	3,598	3,742	3,892
Total annual costs		2,850	2,964	3,083	3,206	3,334
		6,177	6,424	6,681	6,948	7,226
Less expected non-rent income		1,250	1,294	1,339	1,386	1,434
		4,927	5,130	5,342	5,562	5,791
Divided by average no. of occupied full plot equivalents		68	68	68	68	68

Annual plot rent per full plot

£72.03 £75.00 £78.09 £81.32 £84.67

Challenges – Associations

Lease:

- To be dealt with under the corporate Community Asset Transfer process.
- 4 Associations have expressed a wish to get a lease (being managed as partnerships in the interim).

None have submitted a formal application so far

New associations:

- Only two of the remaining direct let sites have more than 50 plots.
- Both those have recently come back under direct management following the collapse of previous Associations (Horden – First Street, and Horden – Crossroads).

Future – Rent review

DCC Rents:

- Current rents – £52 to £62 per year for direct let sites (income £57k)
- Annual service delivery costs after 2022 increase:
 - Site management labour and vehicles* – £167,654 (£67 per plot).
 - Other* – £2,500 (£1 per plot).
 - Maintenance labour and vehicles – £173,647 (£123 per plot).
 - Maintenance materials: 58,000m of fencing; 1,412 gates; 9,400m of tracks; and the clearance of vacated plots – £127,118 (£90 per plot).
- Totals:
 - Direct let plots – £288 per plot.
 - Partnership plots – £68 per plot.
- Options to reduce costs:
 - Internal fencing and gates – consider alternatives such as not providing them.
 - Create more Associations (subject to them being effective).

Future – Rent review

Size per sqm	Durham	Sunderland	North Tyneside	South Tyneside	Seaton Valley Council	Hartlepool	Blyth Town Council	Stockton	Redcar and Cleveland
101 - 125	£52.00	£22.95	£65.00	£83.85	£58.10	£50.00	£105.00	£35.00	£35.00
126 - 150	£52.00	£22.95	£78.00	£91.05	£58.10	£55.00	£105.00	£35.00	£40.00
151 - 175	£54.00	£30.70	£91.00	£98.55	£58.10	£60.00	£105.00	£35.00	£47.00
176 - 200	£54.00	£30.70	£104.00	£105.75	£58.10	£65.00	£105.00	£35.00	£56.00
201 - 225	£56.00	£38.35	£117.00	£113.10	£60.80	£70.00	£105.00	£35.00	£62.00
226 - 250	£56.00	£46.05	£130.00	£120.45	£60.80	£75.00	£105.00	£35.00	£69.00
251 - 275	£58.00	£46.05	£143.00	£127.40	£60.80	£80.00	£105.00	£35.00	£75.00
276 - 300	£58.00	£53.55	£156.00	£134.90	£60.80	£85.00	£105.00	£35.00	£80.00
301 - 325	£60.00	£53.55	£169.00	£142.25	£67.60	£90.00	£105.00	£35.00	£86.00
326 - 350	£60.00	£53.55	£182.00	£149.35	£67.60	£95.00	£105.00	£35.00	£92.00
351 - 400	£62.00	£53.55			£67.60		£105.00	£35.00	£97.00
401 - 450	£62.00				£74.30		£105.00	£35.00	£99.00
451 - 999	£62.00				£81.10		£105.00	£35.00	£256.00

Future – Policy reviews

Bonfires:

- Problems:
 - Pollution → climate emergency.
 - Complaints relating to smoke.
 - Things other than allotment waste being burnt.
- Considerations:
 - Allotment waste can't be taken to a HWRC and no green waste refuse collection from allotment sites.
 - Traditionally recommended approach for dealing with diseased plants.
 - Spreading ash on soil traditionally seen as a way of improving fertility.
 - What constitutes a fire:
 - Burning to heat greenhouses and polytunnels to elongate the growing season.
 - Tenants may have family BBQs on their plot or use a wood burning stove to make hot drinks.

Future – Provision

Background:

- Allotments Act 1908 – Duty to provide allotments where 6 or more people ask for them.
- National Planning Policy Framework – Directs that the provision of allotments should form part of decisions to ensure that space is provided to enable and support healthy lifestyles.
- No definitive guidance on where they are to be provided or how many need to be provided.
- Government guidance points to $\frac{3}{4}$ mile as reasonable distance for alternative provision when considering the disposal of existing sites.
- Assessment needs to also consider Town and Parish Council and privately owned sites but no clear picture of where they all are.
- Deemed reasonable to have waiting lists for sites that do exist, but some DCC sites have very long waiting lists.
 - Average expected waiting time – 6 years*.
 - Shortest = less than 1 year, but average of the 10 longest = 24 years*.
- Review of non-allotment sites may increase waiting lists for other sites.

Future – Provision

- Actions:
 - Splitting plots – Already underway as and when plots are vacated.
 - Non-allotment use – New tenancy agreement harmonises terms and along with investment, it will allow us to remove people who don't use the plot as an allotment.
 - Review of provision – Planned for the next 18-24 months
 - Policy – Consideration may need to be given to restricting applicants to one waiting list.

Questions?

