



Glasgow City Council

Environment and Liveable Neighbourhoods  
Committee

Report by Executive Director of Neighbourhoods,  
Sustainability and Regeneration

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**Item 2**

12th March 2024

## ALLOTMENT RULES AND REGULATIONS UPDATE

### Purpose of Report:

To present to committee the updated Allotment Rules and Regulations.

### Recommendations:

It is recommended that Committee notes this report and refers the updated Allotment Rules and Regulations, as set out in Appendix 2, to City Administration Committee for approval.

Ward No(s):

Citywide: ✓

Local member(s) advised: Yes  No  consulted: Yes  No

### PLEASE NOTE THE FOLLOWING:

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## **1 Introduction**

- 1.1 The Community Empowerment (Scotland) Act 2015, hereafter referred to as 'The Act', was brought forward with the aim of empowering communities by enhancing the rights of community bodies and placing new duties and functions on public sector authorities. The implementation of the Act will help increase access to land for food growing purposes, be that on allotments or through any other grow-your-own initiatives.

## **2 Background**

- 2.1 Glasgow City Council's current Rules and Regulations for Allotments can be found [here](#).
- 2.2 The Act requires each Local Authority to make allotment site regulations. It should be noted that the legislation does not extend to allotment sites where these are on land not owned or leased by the Local Authority. In preparing such regulations, Local Authorities should take into consideration any existing allotment site rules, regulations, or constitutions, including those onsite rules drafted by individual allotment associations.
- 2.3 Section 115 of The Act, requires provision to be made in relation to:
- allocation of allotments
  - rent
  - cultivation of allotments
  - maintenance of allotments
  - maintenance of allotment sites, buildings or other structures that may be erected on allotments, the modifications that may be made to such structures and the materials that may or may not be used in connection with such structures
  - the keeping of livestock (including poultry), and landlord inspections
- 2.4 Regulations under subsection (1) of Section 115 may in particular include provision for or in connection with:
- buildings or other structures that may be erected on land mentioned in the definition of "allotment site" in section 108
  - the modifications that may be made to such structures and the materials that may or may not be used in connection with such structures
  - access by persons (other than allotment tenants) and domestic animals
  - liability for loss of or damage to property
  - acceptable use of allotments and allotment sites
  - sale of surplus produce

- 2.5 Beyond the Council's statutory role to ensure that matters set out in 2.4 and 2.5 are included within allotment site regulations, growers have also highlighted as part of earlier engagement that 'good governance and training is vital for successful growing groups'.

### **3 Engagement and Consultation Process**

- 3.1 To allow for a comprehensive review of the rules and regulations, GCC facilitated a series of incrementally more focused engagement processes which can be summarised as follows:

3.1.1 In 2016, tenants' aspirations for Allotments in Glasgow informed the [Glasgow Allotments Says](#) report delivered by Pidgeon Perfect. One of the opportunities emerging from this exercise was for clearer governance processes to better support growers and allotment association committee members in their roles. The specific governance topics highlighted thereafter informed the ongoing consultative process to arrive at the engagement activity set out in 3.1.5 and 3.1.6.

3.1.2 In 2017, the citywide research and engagement process delivered by Here & Now informed the [GoGrow Glasgow](#) report. These drop-in events took place throughout the city. They were held in person, and were an open forum to garner the views of as many growers as possible.

3.1.3 In 2019 Greenspace Scotland were commissioned to facilitate a series of 8 thematic workshops citywide to provide information that was incorporated into the development of the Food Growing Strategy for Glasgow. The summary report from this process can be viewed here: [greenspace Scotland Summary Report](#)

3.1.4 It should be highlighted that there was a pause in engagement activity at this stage due to pandemic restrictions, with other elements of the Food Growing Strategy being developed by the NRS Food Growing Team during this period.

3.1.5 Informed by the above, and by the subsequent publication of Scottish Government Guidance, officers commenced the first of a two-stage engagement and consultation process with allotment association representatives. All twenty-seven allotment associations were invited to participate. Thirteen associations attended as well as representatives of the Glasgow Allotment Forum. The workshops were held in October and November 2022 to develop a collective understanding of existing rules and regulations, constitutions and governance documents utilised by allotment associations to manage sites and to inform an updated set of GCC Rules and Regulations empowering growing communities.

3.1.6 The second stage of the engagement process comprised an online survey with current tenants, those on waiting lists where contact details were available to officers and those appearing to the Council to have an interest. Hard copies and other accessible formats of the online consultation were made available

and opportunities for in person representation were also made available on request. The online survey was open between 5th September 2023 and 30th October 2023, reaching out to approximately 3,000 citizens.

#### 4 2023 Consultation Outcomes.

4.1 Table 1 below provides a snapshot of the qualitative data around the on line consultation and responses received:

<b>Allotment Rules and Regulations Consultation participation at a glance</b>	
Number of emails promoting the consultation issued	3,000
Number of consultation survey responses	269
<b>Written representations</b>	
Number of separate submitted written representations (by individual or association) by the official Consultation closing date	14
<b>In-person representations</b>	
Total requested in-person representations	36
Total (attended) in-person representations	16
Number who attended in person who had previously submitted a written representation	6
Number of (in-person) further written representations	3
Number of (in-person) written representations who had previously submitted a written representation	1
Number of unique responses received (excluding consultation survey)	26

4.2 Collated responses to the online survey are attached as Appendix 1.

4.3 Officers would highlight that a number of responses make reference to matters which are set out within the legislation and are therefore out with the scope of this exercise. Officers would also highlight that a number of responses make reference to matters which are to be considered within future engagement as part of a scheme of delegations between Allotment Associations and Glasgow City Council, or future arrangements for the management of waiting lists, and therefore out with the scope of this exercise. A number of responses suggested minor points of clarity or consistency in wording which have now been incorporated into the Rules recommended for adoption as set out in Appendix 1, along with the amendments to the Rules and Regulations set out in 4.5.

- 4.4 Informed by responses collated within Appendix 1, the following key amendments were made to the Rules and Regulations, in light of views put forward that:
- 4.4.1 There was insufficient basis on which to ask for applicants previous growing experience when requesting a plot, this is now omitted from rule 4.2.
  - 4.4.2 The period of 4 weeks for the family members to collect personal affects after a bereavement was insufficient, with the period now increased to 8 weeks in rule 4.19.
  - 4.4.3 Concession rates should be available where at least 1, and not necessarily both, members of a joint tenancy are eligible to apply for a concessionary rate, with 5.5 amended accordingly.
  - 4.4.4 The requirement for 75% of the plot to be cultivated was too high, with this being reduced to 65% within rule 6:10.
  - 4.4.5 The maximum sizes for buildings or other structures as set out in rule 10 may be too restrictive. Officers note that these are intended to offer guidance which is consistent with other NRS guidance as to garden structures which may be of a scale not requiring statutory consents. In light of this an additional wording has been added at 10.1.1 to clarify that growers may wish to seek their own statutory consents for structures larger than this.
  - 4.4.6 It was suggested that it may be more reasonable for the Council to assess the keeping of livestock, other than poultry, pigeons or bees, on a case-by-case basis, with this wording being added to rule 11.2.
  - 4.4.7 It was suggested that a wording was added at 12.3.2 to describe how arrangements may be made for an Open Day.

## **5 Next Steps**

- 5.1 It is recommended that Committee now refers the updated Allotment Rules and Regulations, as set out in Appendix 2, to City Administration Committee for approval.
- 5.2 In line with feedback received through the consultation process it was determined that the development of Guidance Notes to inform the Rules and Regulations would be of support to allotment associations and their members. This process is ongoing and should be completed by December 2024.
- 5.3 The Act makes provision for the activities allotment associations currently undertake on behalf of Glasgow City Council to be captured within a request for Delegation of Management of Allotment Sites. As Rules and Regulations affect all tenants it is appropriate that these are developed and adopted to provide a suitable framework to inform Schedule of Delegation discussions.

This process has commenced with one association, and we expect all associations to engage with Glasgow City Council in due course.

5.4 Delegation of Management of Allotment Sites requires a person who represents the interests of all or a majority of the tenants to make a request to the local authority that the authority delegate to the person any of the authority's functions in relation to the allotment site which are as follows but not limited to:

- section 109(7) (request to lease allotment),
- section 111(1) (duty to maintain list)
- section 116(9) and (10) (display and copies of allotment site regulations),
- section 124 (promotion and use of allotments: expenditure),

the giving of notice under—

- section 126(1) (notice of termination of lease of allotment or allotment site),
- section 127(2)(b) (notice of resumption),
- section 128(2) (notice of termination: sublease by Local Authority).

5.5 It is anticipated that the specific delegated management arrangements may vary site by site and will build on the approach to community empowerment and capacity building through management of Glasgow City Council owned assets already underway through the People Make Glasgow Communities. The timescales will be informed by the availability of resources from both allotment associations and Council officers participating at each step of the process as other activities associated with the Food Growing Strategy also require input from both allotment associations and Council officers.

5.6 An initial request for delegated functions has been received from Merrylee Allotment Association.

5.7 Further updates in relation to the above will be provided to this committee as part of our annual Food Growing Strategy update.

## 6 Policy and Resource Implications

### Resource Implications:

<i>Financial:</i>	None
<i>Legal:</i>	Recommendations update our Rules and Regulation in line with Part 9 Section 115 of the Community Empowerment (Scotland) Act 2015
<i>Personnel:</i>	None
<i>Procurement:</i>	None

**Council Strategic Plan:** Grand Challenge 1 Mission 3: Improve the health and wellbeing of our local communities - Work with partners to promote and support people in Glasgow to achieve improved physical, mental and emotional health and wellbeing.  
Grand Challenge 4 Mission 1: • Deliver the Food Growing Strategy and increase the number of allotments and community growing spaces across the city.

**Equality and Socio-Economic Impacts:**

*Does the proposal support the Council's Equality Outcomes 2021-25? Please specify.* Outcome 6- Well governed allotments can provide opportunities to tackle social isolation and loneliness

*What are the potential equality impacts as a result of this report?* Potential positive impact

*Please highlight if the policy/proposal will help address socio-economic disadvantage.* Outcome 6- Well governed allotments can provide opportunities to enhance access to affordable accessible healthy food

**Climate Impacts:**

*Does the proposal support any Climate Plan actions? Please specify:* Yes. Contributes to Action 30 : The city will support Glasgow's local food economy by exploring ways for procurement to support local businesses, ethically sourced, sustainable and healthy food. And supports Action 48: The Council works with partner organisations, adjacent Local Authorities, the city's academic institutions to fund accelerated implementation of the Glasgow LBAP, Open Space Strategy Delivery Plan and Pollinator Plan.

*What are the potential climate impacts as a result of this proposal?* Well governed allotments can provide opportunities to reduce food miles, reduce waste and support circular economy

*Will the proposal contribute to Glasgow's net zero carbon target?*

Well governed allotments can provide opportunities to reduce food miles, reduce waste and support circular economy

**Privacy and Data**

**Protection Impacts:** No

Are there any potential data protection impacts as a result of this report

If Yes, please confirm that a Data Protection Impact Assessment (DPIA) has been carried out

**7 Recommendations**

It is recommended that Committee notes this report and refers the updated Allotment Rules and Regulations, as set out in Appendix 2, to City Administration Committee for approval.