

Review of Allotment Provision for Baildon Town Council (2017)

This independent report has been commissioned by Baildon Town Council. It has been written by Allotments/Horticultural consultant and advisor, Lee Senior.

Background

Baildon Town Council is the statutory allotment provider for Baildon. Two sites, Charlestown and Thompson Lane were transferred during 2009 on a freehold basis from City of Bradford Metropolitan District Council, along with existing tenancies.

Both allotment sites are administered by Baildon Horticultural Society. Charlestown site has approximately 100 plots. Thompson Lane has 35 plots. The exact number is subject to change as new plots are sometimes created. The Town Council does not decide tenancy rental fees nor collect or benefit directly from rental income from the allotments. The Horticultural Society pays a nominal yearly rent to the Town Council currently £855pa. The Horticultural Society has a trading hut at Charlestown. From here gardening sundries are sold to plot holders at a profit to the Society.

The review has a number of aims and objectives as stated in bold by the Council.

Aim 1 – Review of the Management Agreement between Baildon Town Council and Baildon Horticultural Society.

I've reviewed the Baildon Horticultural Society "CONDITIONS AND RULES FOR ALLOTMENT TENANTS" (December 2015) document as issued by the Society to new tenants.

Some Key points for the Council to note are:

- All tenants to live within the Baildon Town Council Boundary. Anyone leaving the parish will be required to forfeit their tenancy.
- Rents are charged per square yard rather than per plot.
- New tenants are subject to an initial period of twelve months continual assessment.
- Poultry and Bees only are allowed on site (subject to approval by the committee) with no other animals allowed.
- Subletting not allowed.

- The committee appoints its own officers to inspect the site and plots.
- Fires at Thompson Lane will only be permitted during school holidays and at times determined by the delegated committee officers to minimise inconvenience. Fires at Charlestown are not subject to this ruling, however tenants must be considerate.
- The committee shall enforce the rules of Baildon Horticultural Society.

Objective 1: To identify if the Management Agreement is being adhered to.

The Society seems content and motivated to enforce site rules. There is good evidence to suggest they are “hands on” with regards to the day to day running of Charlestown site. The Society has its own voluntary “allotment officers” who make regular inspections.

At Charlestown a number of hard working Horticultural Society committee volunteers are clearly dedicated to the site. They give up many hours of their own time for no financial remuneration.

The Charlestown site has a healthy number of well-cultivated plots. There are currently only a small number that are not up to scratch. The on-site committee seem to be aware of these and are taking appropriate action as required.

Thompson Lane, appears to have less of a hands on committee approach. It is however a much smaller site and again there are a number of passionate individuals who give up their time for the betterment of the site. Thompson Lane has a different dynamic to Charlestown.

To date, Baildon Town Council has been happy to sit back and leave the running of the sites to the Horticultural Society. Other than informally and irregularly, the Town Council have had minimal involvement.

Historically, there has been a lot of trust bestowed to the Society by the Town Council.

The risk is that as the Society committee members (by their own admission) begin to get older, the potential for problems increases year on year. The Council has been fortunate to have had such an amount of goodwill for approximately ten years.

Objective 2: To evaluate the legality and value for money of the existing agreement.

The Horticultural Society allotment rules are mostly standard and generally fit for purpose.

The individual per square yard, plot pricing structure although fair, is a little unwieldy to implement.

The charges for both Thompson Lane and Charlestown are at the same rate. At the Horticultural Society AGM in December 2017 it was agreed that the charges for 2018 will be fixed as follows; plot rental will be *seven pence* per

square yard. Additionally, water usage will be *four pence* per square yard. These remain at the same rate as 2017.

The total annual rental income for last year was £3,266.80.

The rental rates charged by the Society to tenants are proportionate and offer good value to Baildon residents.

Most local authority run sites operate on a fixed pricing structure with set sizes of plots (small, medium, large etc). This cuts down paperwork and helps with management efficiency and to use an electronic database, with automated printing options.

However there is no reason why the Society can't continue with this current arrangement as long as they have the volunteers.

Presumably the Society has paperwork with individual plot sizes on it.

I have some concerns about the legalities of the Society's Rule, 14a (in italics): *A tenancy will be terminated by the Society after 21 days notice.*

(a) If the rent is in arrears for not less than 21 days.

It should be not less than forty days before eviction takes place on these grounds. This current rule if it were to be ever challenged could compromise the Society and have implications for the Council.

The existing arrangement between the Society and the Council avoids the need for the Council to employ additional part time staff. The downside is that this is the least "hands on" option for the Council, as it offers limited input for Members or Officers. Nonetheless financially it is the cheapest way for the Council to maintain the service.

The Council generally does not have to pay day to day running costs such as water bills. However, the Council has historically paid for some boundary improvements and is also funding the access improvements at Charlestown.

The current arrangement does mean that the total income from the plots is lost to the Council. It also means the Council has no input in the setting of rental charges for its own tenants. This leaves the Council and its elected members, at the behest of a third party (The Society) when deciding charges.

Eg: Should the Society decide to increase rental charges by say 50% in any given year, the Council couldn't overturn this, (even if it wanted to) other than by relying on goodwill or lobbying the Society.

Aim 2 – to review the management of the sites owned by Baildon Town Council for use as allotment gardens.

I have undertaken a site visit of both allotment sites.

Both sites are functioning successfully as working allotments. Both sites are identifying good practise with regards to lettings, evictions and general day to day issues.

Occupancy levels are almost one hundred percent on both sites.

There is some concern with regards to sheep being reputedly kept on one oversized plot, though the plot would be difficult to grow food on it.

Objective 1: To identify good practice for the management of allotments.

As stated previously, it is a quite dated model for plots to be priced individually. Few allotment authorities operate this way. It is reliant on accurate records, is rather time consuming and potentially open to confusion and ambiguity in extreme situations.

The Council and the Society is within its rights to restrict allotment applications to Baildon residency only.

However there is no reason why this could not be opened up to a slightly wider geographical area to say Shipley/Esholt in future.

Many statutory allotment providers do take applications from outside of their parish boundaries. Normal practise in this case is to impose either a rental surcharge and/or to give local residents priority.

Examples of other Management Models.

Some allotment authorities operate in a very similar way to the current Baildon model. There are also some other alternatives as outlined below.

1) Some allotment sites are self-managed by a constituted, local stand-alone, on-site allotment management committee. This does not necessarily have to be part of a Horticultural Society or other body. The committee can have as much or as little power as both they and the Council are comfortable with. A formal agreement is drawn up. The Council retains land ownership.

2) Some Council's encourage partial self-management. Here rents are collected and bills are paid by the Council, but smaller day to day issues are dealt with by the on-site committee.

3) Some Council's operate an individual "buddy system" which can have many variants. One example is where a designated site rep (or buddy) reports to the council allotments or Horticultural Officer who would then deal with the problem officially. The "buddy" then gets reduced rent as a reciprocal gesture.

4) The majority of sites are completely managed directly by the owning Council.

This is the most robust management model as it is not reliant on volunteers. It also takes out a layer of red tape. This is the most proactive option. Problems can often get dealt with quicker.

Here the Council appoints their own paid Officer to manage the site/s for them as dictated by the Council. The Officer is empowered to carry out the decisions made by the Council. The Officer also makes their own day to day management decisions based on the needs and wants of the individual sites.

Objective 2: Options Appraisal of Future Management Models

Option 1- Continue as it is.

The current management model appears to have worked well for ten years. A lot of credit should go to Baidon Horticultural Society for the way they have embraced the running of both Charlestown and Thompson Lane allotment sites to date.

However, towards the end of 2017, the two members of the committee I talked to at length; both said they would happily give up running the sites without question. They envisage future problems of finding younger volunteers with enough time to take on future responsibilities when they inevitably become unable to continue.

Risks: Should the committee hit a sudden shortage of volunteers, the allotment sites could quickly become dysfunctional. The Town Council is particularly vulnerable to this scenario and would ultimately have to pick up the pieces.

However, if enough keen and knowledgeable volunteers can be found, in theory the sites could continue as they are now.

Option 2- Take Full Management away from the Society.

If the Town Council wants to further improve the service and take full management of the allotment provision, then the only way is to assign that role to an officer. Whether it is part of a wider green spaces role or a role just dedicated to allotments, this “in house” option is the driver for moving the service forward.

While there is a cost element to this, it should be remembered that providing allotments is a public service, very few of which make money.

Risk: The cost of the adding staffing hours would need to be weighed against the funds of the rental income to see if it impacts on the precept. A five year management plan should be drawn up, showing aims and objectives. External funding could be sought.

Option 3- A mix of both option's 1 and 2.

The Town Council could remotely manage the sites, including the issuing and collection of rents and provide office administration. This leaves the minor day to day issues to the Horticultural Society.

This would involve providing funding for improvements and repairs, as well as making regular site inspections. This opens the door for closer links with the Horticultural Society. External funding could be sought.

Risk: The lines of communication and authority would need to be clear, so as not to compromise the Society or the Council with regards to decision making.

Aim 3 – To review whether Baildon Town Council should invest in additional allotment provision

Objective 1: Demand for allotment gardens within Baildon.

The length of the waiting lists for the two allotment sites is not excessive when compared with demand nationally. In fact the numbers of people waiting for a plot are lower than I'd expect.

Nationally, demand for plots has currently peaked when compared with the extreme demands of several years ago, which were caused in part by austerity.

Historically there has always been peaks and troughs with demand nationally. There may come a time when Charlestown (due to its size) becomes vulnerable to unfilled plots, with potentially not enough local demand to satisfy availability. This situation hasn't arisen so far in the last decade. Nonetheless it remains a risk due to the unpredictability of allotment demand.

There was a waiting list at Charlestown of five names in November. At Thompson Lane there are four names on the waiting list.

I see no current issues with supply and demand, though it remains a fluid situation.

Objective 2: Land Appraisal within (and outside of) existing allotment sites.

Good practise for almost zero-cost creation of additional plots is to split some of the existing plots as they become available. This has taken place occasionally already.

NB: Not all plots are suitable for splitting.

This action should be based on demands and length of waiting lists. Smaller plots could be charged accordingly.

I would expect that if this policy is implemented on both sites, it would be adequate to cope with reasonable future demand. There is currently no obvious need for the Council to seek additional dedicated allotment space within the town.

During WW1 there were allotments in various other parts of Baildon. Within the town today there are some options that could be explored to provide additional capacity. These may be politically sensitive or require third-party permissions. The locations may not necessarily be universally accepted by everyone. I have made site visits to all of the sites listed below.

Hall Cliffe Community Garden.

This is clearly not suitable for standard allotment plots and it would be inappropriate to consider it. However, there is some potential for growing some additional edible plants informally, perhaps for a group or a school. The

garden charity that helps look after the community garden along with Bradford Council may need to be consulted.

Baildon Peace Garden

This area is well maintained and small sections of it could be used for food growing. If done sensitively this wouldn't spoil the overall ambience of the area. Third-party permissions would doubtless be required.

Baildon Green

Small sensitively chosen pockets of this green space could be converted into use as community growing areas, should future demand be proven. Buildings or fences could be kept to almost zero to avoid too much visual impact.

There may be covenants or historical reasons why this couldn't happen or opposition to this. However if handled sensitively it could be possible in the right area. Third party-permissions would be likely be required.

Other points to note: There are some herbs and edible plants already grown at Bracken Hall. This is already an example of food growing in small places. Food does not necessarily have to be grown in large swathes of dedicated land.

With regards to increasing the number of dedicated allotment sites. Within the town itself, I haven't been made aware of any sites that could be used as fully functioning allotments.

As an aside; Esholt has one thriving allotment site, plus another that has had well-documented difficulties. It may be that it is politically impossible for Baildon Town Council to do anything with these sites due to ward boundaries. However, if there is a way to incorporate these sites into the Baildon portfolio then it would be well-worth an appraisal. I believe the Council was asked for assistance during the floods. Is there a way the Council manage these without owning them? This is a sure-fire way to increase allotment stock. The site behind the well-known village pub is popular indeed.

Overall Conclusions

There appears to be little by way of a formal written legal arrangement between the Council and Horticultural Society. It is rather inexplicably a grey area. This is a significant risk to both the Town Council and the Society.

I am not aware that there is robust paperwork in place to protect both parties. This could leave the Council vulnerable, should a serious incident occur. Having no official direct control would be a questionable defence. As a statutory body, the buck ultimately stops with the Council.

Worst-case scenario is the Council is potentially sued for any Health & Safety (or similar) issue.

If the Council is to continue with the current arrangement, it should be on a more professional footing.

Paperwork needs to be checked by solicitors for both parties and the agreement needs to be formalised. There is too much ambiguity within the current set up which is almost like a gentleman's agreement.

To further protect the Council, it should automatically request:

- Copies of the Public Liability Insurance belonging to the Society (annually). Checks should be made that the Council's own liability insurance is adequate. Are the sites listed on the Council Asset Register?
- That all trades-people working on the sites are competent and have copies of their own Public Liability Insurance and Employers Liability Insurance (where appropriate). Copies should be made available to the Council.
- Regular Risk Assessments should be undertaken (not less than six monthly) by the Council. The Horticultural Society should also provide the Council with copies of its own risk assessments.
- Regular dialogue between the Council and the Society should be established and officially documented.
- Up to date information on the length of the Waiting List. This is essential, to inform the public, where requested.
- Livestock holding/movement numbers/paperwork as required from Defra where a plot holder is keeping sheep/ goats/ pigs or other qualifying animal.
- A record of bee hives on both sites needs to be kept. This should include the contact numbers of who is responsible in the event of a swarm. Swarms are almost inevitable at some stage. Ideally Bee Keepers certification should be obligatory for plot holders wishing to keep bees.

My findings highlight that the Council simply doesn't know enough about its own allotment sites. There is an alarming void at times between the Council and the Society.

There are a number of things seemingly left to chance, or to trust. This isn't a sustainable business model for the future.

This in no way criticises the Society itself nor indeed Baildon Council Members or Officers.

There are signs things are perhaps starting to improve somewhat. This report is a step in the right direction. Encouragingly there does not seem to be a breakdown in relations per se.

I commend the Council for funding the improvements to the access to Charlestown. This makes a good statement of positive intent. Additionally, the suggestion of turning a derelict plot into an auxiliary car park at Charlestown is also to be welcomed.

Final Thoughts

Baildon allotment provision is at a crossroads. The Horticultural Society has done a commendable job of managing the sites over the first decade. They are however, by their own admission finding it harder to continue with each passing year.

At some stage it is almost inevitable the Council will have to partly or wholly manage the service "in house".

LEE SENIOR 04/01/2018

"Protecting green spaces and supporting local initiatives to enhance our public spaces" is a standout line from the Baildon Plan update 2014.

I would like to offer my personal thanks to Lou, Town Clerk, Peter and Don from Charlestown and Louise and Barry from Thompson Lane for their assistance.

Disclaimer: All information is provided in good faith. The writer cannot be held responsible for any inaccuracies or outcomes resulting from the report.

THE END