

Number: WG22211



Llywodraeth Cymru
Welsh Government

www.cymru.gov.uk

Welsh Government

Consultation – summary of responses

Consultation on improving the availability of allotments and community gardens

Date of issue: January 2015





Digital ISBN 978 1 4734 2432 6
© Crown copyright 2015
WG22211

Consultation on improving the availability of allotments and community gardens

| | |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Audience | This document is aimed at all those with an interest in allotments and community gardens. |
| Overview | This is a summary of the responses to a consultation exercise issued by the Welsh Government on the Green Paper on improving the availability of allotments and community gardens. |
| Action required | None – for information only. |
| Further Information | <p>Enquiries about this document should be directed to: Landscape, Outdoor Recreation and Pollinators Rhodfa Padarn Llanbadarn Fawr Aberystwyth Ceredigion SY23 3UR</p> <p>Tel: 0300 062 2246</p> <p>E-mail: Allotments@wales.gsi.gov.uk</p> |
| Additional copies | This document can be accessed from the Welsh Government's website at www.wales.gov.uk/consultations |

Contents

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 1. Introduction | 4 |
| 2. Consultation process | 4 |
| 3. Responses to the consultation questions | 6 |
| Question 1: Do you agree or disagree with the goal of the Welsh Government for allotments and community grown food? | 6 |
| Question 2: What are the key issues and priorities in Wales for achieving this goal? | 6 |
| Question 3: Do you agree or disagree that guidance specific to Wales should be produced? | 7 |
| Question 4: What issues should the guidance cover? | 8 |
| Question 5: What examples of good practice exist in this area that the Welsh Government should build on to help land be released for community grown food? | 9 |
| Question 6: In what key ways could the Welsh Government provide support to farmers to make land available? | 10 |
| Question 7: Do you think that providing guidance on this matter would help provide the clarity needed by plot holders? | 11 |
| Question 8: what should be considered within the scope of this guidance in relation to the types of structures and land management conditions? | 11 |
| Question 9: What should be included in a revised definition of allotments and community gardening? | 12 |
| Question 10: What are the advantages and disadvantages of including, in legislation, provisions which enable the delegation of allotment and community growing from local authorities to a third sector body? | 13 |
| Question 11: How should such a register be compiled and kept up to date? | 14 |
| Question 12: As a part of this should there be a third party right to apply for a site to be registered or deregistered, and how should that work? | 15 |
| Question 13: Existing legislative provisions require that local authorities need to consult the Welsh Ministers if they intend to dispose of a statutory allotment site, and the Welsh Ministers' | |

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| approval would usually require the provision of a compensatory site of similar amenity value. Should this approach be extended to all registered sites? | 16 |
| Question 14: How should waiting lists be compiled and kept up to date? | 16 |
| Question 15: What should be the trigger for the development of a community grown food strategy, and do you agree that the local authority should lead on its production? | 17 |
| Question 16: Under what circumstances, and with what safeguards, should local authorities and communities be able to register and use land that they do not own or lease for community growing? | 18 |
| Question 17: To what kind of areas should this proposal be extended, and what safeguards would be required? | 19 |
| Question 18: How should assessments of suitability for community grown food be undertaken, and what matters should be considered? | 20 |
| Question 19: Do you agree with the proposals above either as a collective package or in part? | 21 |
| Question 20: What are the potential impacts, positive and negative, of the proposals (all together or in part)? | 22 |
| Question 21: In what other ways, other than those proposed above, could the provision of land for allotments and community growing be improved? | 23 |
| 4. Next steps | 24 |
| Annex A | 25 |

1. Introduction

The Welsh Government's Green Paper 'Improving the availability of allotments and community gardens' was published on 14 July 2014. It set out a series of proposals with the aim of:

- providing an assessment of the current state of provision and informing what action might be taken to improve it,
- gathering evidence of what barriers exist to providing suitable land to allow people to grow their own food, and how these may be addressed,
- establishing what lessons can be learned from the wide range of past and current programmes that have been delivered which involve communities in growing and gardening, and
- exploring how provision may be improved through amendments to existing legislation and non-legislative support to allow for increased access to allotments.

The Green Paper, consultation response form, and a young people's version can be accessed from the Welsh Government's website at:

<http://wales.gov.uk/consultations/environmentandcountryside/allotments-and-community-gardens/?status=closed&lang=en>

The consultation period ended on 6 October 2014 with a total of 69 responses received. The list of respondents is at Annex A with anonymity protected where requested.

This document presents respondents' views to the Green Paper.

2. Consultation Process

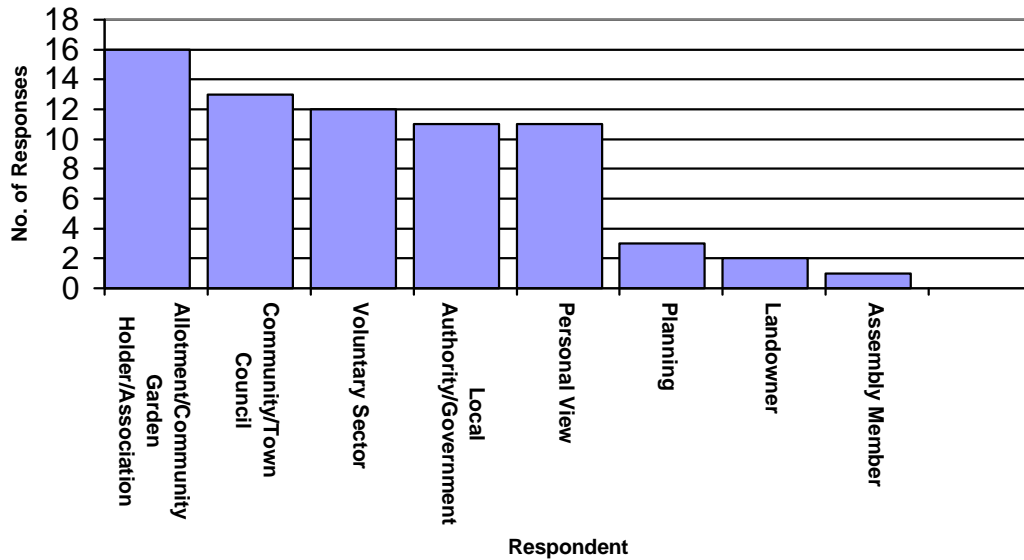
The consultation document published by the Welsh Government on its website asked for feedback on the consultation proposals. The website page had 3,250 views. The consultation exercise was promoted online, through social media and via direct electronic mailing to stakeholders. All consultation documents were issued bilingually, with respondents offered a choice on which language they wished to respond in. A young people's version was also available.

A wealth of information, suggestions and comments were provided during the consultation period. Respondents were invited to consider specific questions about the proposals and were encouraged to make any other points relating to them that they considered necessary. All comments have been considered as part of assessing the results of the consultation.

In total, 69 responses were received for this consultation; this includes 3 responses which were received after the consultation period. These late

responses have also been considered. A breakdown of responses is provided in figure 1.

Figure 1: table to show the breakdown of responses to the consultation.



Of the 69 responses:

- 57 used the consultation questionnaire as a basis to respond to the consultation, though, it should be noted that not all the respondents answered all the questions.
- 12 did not use the consultation questionnaire, but provided comments in various formats.

One of the responses was completed using the young people’s version of the consultation response. One response was received in Welsh.

This document sets out the results of the consultation structured around the responses received to each question. The document does not aim to set out every point raised by respondents, but rather highlight the key issues and themes.

All consultation responses will be published alongside this summary; in the language they were received, except for those who requested to be anonymous.

The consultation asked 21 specific questions on the proposals; with an additional supplementary question at the end of the consultation not covered by the other questions.

3. Responses to the consultation questions

An analysis of the responses to this consultation is set out in the following pages. Quotes are used throughout the report to present examples of the views expressed by a group or to represent a commonly shared view.

Question 1:

Do you agree or disagree with the goal of the Welsh Government for allotments and community grown food?

All respondents who answered this question agreed with the goal of the Welsh Government. Natural Resources Wales (NRW), FlintShare, and Food Cardiff expressed a strong support of the goal.

Cardiff Council expressed *'there is a pressing need to consider a more flexible approach to the creation of opportunities for community growing, ranging from statutory allotment provision to non-allotment sites, in order to extend the range of options available and encourage more people into local food production'*.

Food Cardiff feels that *'it is vital to see growth in the availability and accessibility of land for allotments and community growing'*.

Question 2:

What are the key issues and priorities in Wales for achieving this goal?

The following issues were a common theme and identified by a number of respondents:

- there is a shortage of suitable, accessible and high quality land
- available growing space is not always where demand is highest
- there is a lack of funding for developing land into allotments and for essential amenities
- there is a lack of access to adequate resources e.g. financial, knowledge and skill
- there is a lack of identifying and recording demand and appropriate available land within the public and private sector
- applying for a plot is inconsistent and waiting lists can be too long.

Other issues identified include:

- private landowners are not encouraged to make land available
- encouraging people to grow
- confusing rules and regulations, insufficient/inadequate guidance
- inconsistent development plans and strategies across local authorities
- potential skill/time/confidence/knowledge gaps
- getting the best organisational arrangements for each site
- identifying the reasons why the demographic who are currently not growing, are not taking part
- security of tenure

- complicated planning system.

The following priorities were a common theme and identified by a number of respondents:

- identify alternative sources of suitable growing land and make unused land available for growing
- encourage public bodies to release land in their ownership
- provide guidance that is clear, consistent, robust but flexible
- reduce/remove economic, planning and contractual barriers to using land for community growing
- set up tool banks/libraries for equipment, plants and seeds
- plots need to be a good horticultural quality.

Other priorities identified include:

- introduce protection for growers on private allotment sites
- raise awareness of facilities, promote the benefits and educate to make the idea of growing food part of the mind set
- map current provision, compile up to date waiting lists and ascertain where enquiries are coming from
- produce a more transparent and fairer means of allocating plots
- produce templates for leases, licenses or community asset transfers
- improve protection for existing community land from commercial development
- introduce provision for growers to sell surplus produce
- remove planning restrictions e.g. for sheds and storage space.

Response

The Welsh Government will take on board the key issues and priorities raised.

Question 3:

Do you agree or disagree that guidance specific to Wales should be produced?

96 per cent of respondents who answered the question agree that guidance specific to Wales should be produced. Several respondents stated that it would be useful and help to provide clarity and consistency.

Sully Terrace Allotments Association (STAA) suggests '*this is needed to simplify, make fairer and help more people to be involved*'.

Denbighshire County Council expressed '*at the present time you have to search various sites to find what you require*'.

Audience specific guidance was welcomed (such as for landowners, local authorities and growers) as well as being accessible, circulated widely and available in various formats. It was suggested that the work already produced by The Federation of City Farms and Community Gardens (FCFCG) could be built upon. The involvement of key stakeholders was seen as crucial. One respondent believed that the guidance should be developed in partnership

with the devolved governments across the UK in order to maximise learning and best practise.

An Assembly Member stated *'we have an opportunity in Wales to create a culture where home grown food is commonplace and where the skills and knowledge to do so is shared across the community and down the generations'*.

6 per cent of respondents put forward the view that there is a need to ensure guidance is followed and that some of it should be statutory.

The main opposition to guidance specific to Wales believed:

- current guidance (no details provided) would be ok if it were put into action, there are many guidelines in existence already which are ignored;
- guidance should be specific to community food growing and not necessarily specific to Wales.

Response

In partnership with allotment and community growing representatives and local government, the Welsh Government will develop a package of guidance for a range of audiences, including local authorities, landowners and potential gardeners on a range of matters relating to allotments and community gardens. This will go a long way to addressing the issues raised by respondents and make it easier for work on allotments and community gardens to meet local needs.

Question 4:

What issues should the guidance cover?

Respondents highlighted a number of areas which should be included in guidance:

- roles and responsibilities
 - negotiation
 - partnership working
 - resolving conflict
 - safeguarding
- definitions
- establishment of sites
 - what and where to grow
 - how and where to register interest
 - providing land
 - basic requirements
 - design of growing area
 - what land can be used
 - timescales

- special provisions
- identifying land
- plot measurements and structures

- management of sites
 - cultivation
 - long term care and maintenance
 - biodiversity, sustainability, contamination, pesticides, animals
 - future development
 - selling produce
 - how associations run

- funding and support
 - managing resources
 - available support
 - training
 - contact information

- good practise and case studies
 - schemes for disadvantaged groups

- data collection
 - establishment, management and review of registers/waiting lists

- planning and legal
 - tenure
 - liabilities
 - transfer of land

- frequently asked questions.

Response

The Welsh Government will ensure that the guidance produced covers the range of issues identified during the consultation. This will include roles and responsibilities, establishment of sites, the registration and management of sites, funding and support and the administration of waiting lists. The guidance will be produced in partnership with key stakeholders.

Question 5:

What examples of good practice exist in this area that the Welsh Government should build on to help land be released for community grown food?

Respondents highlighted good practice examples on both public and private land. The following were suggested by a large number of respondents:

- Vetch Veg Swansea
- FlintShare
- Community Foodie project

- Incredible Edible projects
- Community Land Advisory Service
- Brighton & Hove Allotment Association.

Response

It is clear from the responses to this question that there is already excellent work being done to promote innovative ways of enabling community gardening. The Welsh Government wants to build on the expertise already available to help communities across Wales to benefit from increased growing opportunities. The Welsh Government will look at how community growing can be further supported by the Rural Development Plan.

Question 6:

In what key ways could the Welsh Government provide support to farmers to make land available?

Respondents had a number of suggestions with regards to providing support to farmers to make land available.

The National Botanic Garden of Wales put forward that there is a need to *'ensure that making land available to support this does not reduce other payment/subsidy eligibilities'*. Several respondents suggested that farmers could be awarded points under Glastir, or offered subsidies/tax incentives to release parcels of suitable areas. Food Cardiff proposed there should be *'flexibility in Glastir guidelines that promotes use of land for community growing'*.

Several respondents including the FCFCG recommend clear guidance and advice is made available to farmers. This should include information on; benefits, rights of occupation, termination of lease, tenancy, finance, responsibilities, insurance and dealing with conflict. It was suggested that details of support organisations could also be provided.

Cardiff Council expressed *'farmers need provision to ensure that their income could be guaranteed and be able to reclaim land within a specified timescale if needed for other uses'*.

NRW stated *'any support system needs to be developed in the context of the shift to area-based payments, the requirements of the cross compliance system, regulations, the availability of land management schemes and advisory services under the Rural Development Plan'*.

St Dogmaels Allotment Association suggested it could be made clear to farmers that *'the responsibility of, and practise of 'good upkeep' of the land would be the responsibility of the new association'*. (Additional detail about the 'new association' was not provided)

Response

The Welsh Government encourages and supports private landowners to make land available for community grown food. The Welsh Government

seeks to develop a package of audience specific guidance, which will include advice on how landowners can work with those interested in taking up a temporary agreement to cultivate their land. The guidance will also provide people with the information they need to make an informed decision.

Question 7:

[Different rules apply across allotment sites and local authorities on when planning permission may be required for associated structures]

Do you think that providing guidance on this matter would help provide the clarity needed by plot holders?

95 per cent of respondents who answered the question agreed that guidance on this matter would help provide the clarity needed by plot holders. Two respondents disagreed, either believing it is not a priority or that each site should continue to have its own jurisdiction.

Several respondents put forward that the current planning process and approach is confusing and not consistent across counties. National guidance would ensure a consistent approach across the country. An allotment association suggested that a clear set of rules would help everyone to know what is and is not allowed.

Penarth Town Council stated guidance is *'vital to overcome issues of unsuitable/unsightly structures being erected inappropriately'*. FlintShare added it *'still needs to be able to promote informality and community spirit'*. The Vale of Glamorgan Council proposed there should be *'clear, comprehensive advice so that communities can adequately manage their sites in a responsible fashion'*.

Response

Although responsibility for day to day planning control rests with Local Planning Authorities, guidance will be produced as part of the package of guidance noted above. The guidance is intended to assist local planning authorities and support the delivery of planning services at a local level, and allotment holders by providing insight into planning requirements.

Question 8:

(If yes at Question 7) What should be considered within the scope of this guidance in relation to the types of structures and land management conditions?

Respondents highlighted a number of areas which should be included in guidance.

Structures:

- material, size, siting and design

- types of temporary and permanent structures
- removal of structures
- standards of maintenance
- planning requirements
- facilities – compost bins, parking, security fencing, access.

Land Management:

- sustainable land practises and good housekeeping
- irrigation methods
- what can be legally stored on site – fertilisers
- keeping livestock and good husbandry for the wellbeing of animals
- pollutants and pesticides
- conditions under which change of use must be applied for
- duty of care.

Response

The guidance will set out some broad parameters of planning principles for allotment holders.

Question 9:

What should be included in a revised definition of allotments and community gardening?

Respondents had mixed views about whether a revised definition is needed. Three respondents questioned whether an extended definition is needed. Country Land and Business Association (CLA) Cymru considers land could be let under a farm business tenancy.

A number of respondents suggest the definition should be broadened as both allotments and community gardening have a role to play in creating a sustainable and resilient Wales. The Welsh Local Government Association (WLGA) stated *'the current definition is too narrow. Modernising and extending the definition to encompass a broader range of community grown activity will further facilitate progression'*. A revised definition should be flexible to cover the wide variety of models that currently exist and to avoid excluding future options. The City and County of Swansea consider that the *'legislation defining and governing the use of allotments is in need of modernisation and improvement and must allow for greater flexibility and reclamation'*.

The National Society of Allotment & Leisure Gardeners Limited (NSALG) welcomes increased legal protection for all forms of community food growing. This view was shared by several respondents. The FCFCG sees *'no need to redefine community gardens as allotments ... should not receive the same level of protection as it may discourage landowners from making land available for new sites'*. Cardiff Council suggested there is a need to keep the allotments and community garden definition separate.

The Rural Regeneration Unit proposed that *'definitions should allow for commercial marketing of produce and income generation where appropriate'*. Eight respondents noted their support for selling allotment produce to some degree or another, either as surplus food or as a means to raise money for local projects. One respondent stated that selling produce on such a small scale would be unviable.

Response

Responses to the consultation illustrate the varied possibilities and considerations needed. The Welsh Government believes there is more that can be done to improve provision before the legislation is amended.

Question 10:

What are the advantages and disadvantages of including, in legislation, provisions which enable the delegation of allotment and community growing from local authorities to a third sector body?

Respondents identified a number of advantages and disadvantages regarding the delegation of allotment and community growing from local authorities to a third sector body.

Advantages:

- the 3rd sector has the expertise
- the changes proposed in this consultation will place an increased demand on resources within local authorities at a time of reduced budgetary allocation
- there should be no disadvantage to the delegation to 3rd sector subject to legislation and guidance being clear and the 3rd sector having the knowledge and skill to manage
- the 3rd sector may be closer to the community in certain areas
- community groups may feel more inclined to engage with the independent 3rd sector
- there would be a central management of waiting lists and consistent approach to enforcement if it was a centrally managed service
- it would reduce the burden on local authorities
- the 3rd sector has access to funding opportunities
- local authorities currently have little time to devote to managing and promoting allotments and community gardens
- the 3rd sector has a flexibility of management options.

Disadvantages:

- a lack of effective public control could result in badly managed sites and a lack of regard to matters such as knotweed
- local authorities may be reluctant to pay enough for the services to be run properly by a 3rd sector organisation
- 3rd sector organisations may become dependent on financial support from local authorities or have long term viability issues
- limited availability of long term secure funding for 3rd sector

- the stability and capacity of the 3rd sector may be an issue
- it may lead to public bodies providing allotments with no financial support
- local authorities have substantial experience so their role should continue
- it could lead to a lack of accountability and create a democratic deficit – the electorate can hold a local authority to account, but this is problematic with unelected bodies
- there are potential data protection issues – personal information needs to be secure if passed to the 3rd sector.

Response

The Welsh Government notes the comments raised, but there is no intention to legislate in this Assembly Term.

Question 11:

How should such a register be compiled and kept up to date?

Respondents had a mixture of views regarding who should have responsibility for compiling a register and keeping it up to date.

34 per cent of respondents who answered the question consider that local authorities should be responsible for compiling the register. However, some allotment associations feel this would not guarantee consistency across Wales.

There was strong support for a central register, with a lead organisation being responsible for the whole of Wales. A number of respondents suggested local authorities could collect the information for their area and feed it into a central register.

Capita and the City and County of Swansea both propose that it should be whoever deals with the day to day operational matters that should manage the register.

25 per cent of respondents consider 3rd sector organisations should be responsible for compiling the register as they may have more expertise and flexibility. Although NRW noted, *‘if the register is to be managed by a third party, long-term maintenance and access issues will need to be secured and safeguarded should the body close or change remit’*.

Two respondents believe there is no need for a register as it could lead to a reluctance to both private and public bodies offering sites.

NRW recognise *‘there is a need to establish long-term management resources, reliable maintenance processes, quality assurance and public data access issues’*.

Some of the suggestions put forward about the register include:

- it needs to be online, multilingual and open to everyone
- there should be a requirement to provide regular feedback to the Welsh Government and submit the register annually
- it should include the relevant contact details, categories of use, scope and size
- it should include a list and map of all sites, including unused and underused land
- it should use GIS mapping systems.

Response

The Welsh Government will seek to develop a package of guidance that will include advice on the registration of allotment and community garden sites. It is envisaged that the guidance will encourage local authorities to share their registers with their neighbouring authorities so that the availability of land is clear regardless of county boundaries. The guidance will be drafted in partnership with key stakeholders and will be subject to public consultation before being issued.

Question 12:

As a part of this should there be a third party right to apply for a site to be registered or deregistered, and how should that work?

Of the 37 respondents who answered this question, only 12 respondents answered whether or not there should be a third party right to apply for a site to be registered or deregistered. 83 per cent of the 12 respondents stated a third party should have a right to apply for a site to be registered or deregistered. Cardiff Council considered *'if 3rd parties are given the right to apply for registration this may deter landowners from putting sites forward for temporary use'*.

There was strong support that there needs to be a robust system for dealing with registering sites and returning them to other usage. It needs to be user friendly, simple, clear and transparent. It was suggested guidance would be required on the process and why you should register/deregister a site.

An allotment association believes *'once a site has been registered as an allotment, it should be really difficult for an application to be made for de-registration'*. It should be easier to establish a site than to deregister it. The National Botanic Garden of Wales believes *'there should be an ability to highlight concerns and provide comments rather than require de-registration'*. Deregistration is likely to impact on existing allotment holders or others participating in food growing. The NSALG suggests a consultation should take place for any deregistration.

It was recognised by respondents that safeguards would need to be put in place. Examples provided include only allowing landowners to apply for registration/deregistration (with a mechanism for individuals and groups to

lobby site owners for inclusion/exclusion) and placing conditions on projects before they are eligible for funding.

Some respondents suggested a need for a dispute resolution service to be in place to consider appeals and arbitration. The FCFCG proposed a panel of experts from NRW, FCFCG, WLGA and NAS. Other respondents suggested appeals be made to the local authority.

Response

The Welsh Government notes the comments raised.

Question 13:

Existing legislative provisions require that local authorities need to consult the Welsh Ministers if they intend to dispose of a statutory allotment site, and the Welsh Ministers' approval would usually require the provision of a compensatory site of similar amenity value. Should this approach be extended to all registered sites?

75 per cent of respondents who answered the question agreed the approach should be extended to all sites as it gives growers protection. It was suggested a compensatory site is required for any disposal of land.

Respondents who disagree with the approach believe it could reduce the amount of land offered for community growing schemes and jeopardise future developments. Cardiff Council proposed that best endeavours should be used to find an alternative site, however it should not be binding.

Several Respondents such as Cardiff Council, the FCFCG and Food Cardiff suggest a tiered protection system should be considered e.g. statutory allotment site, community growing on public land and community growing on private land.

Response

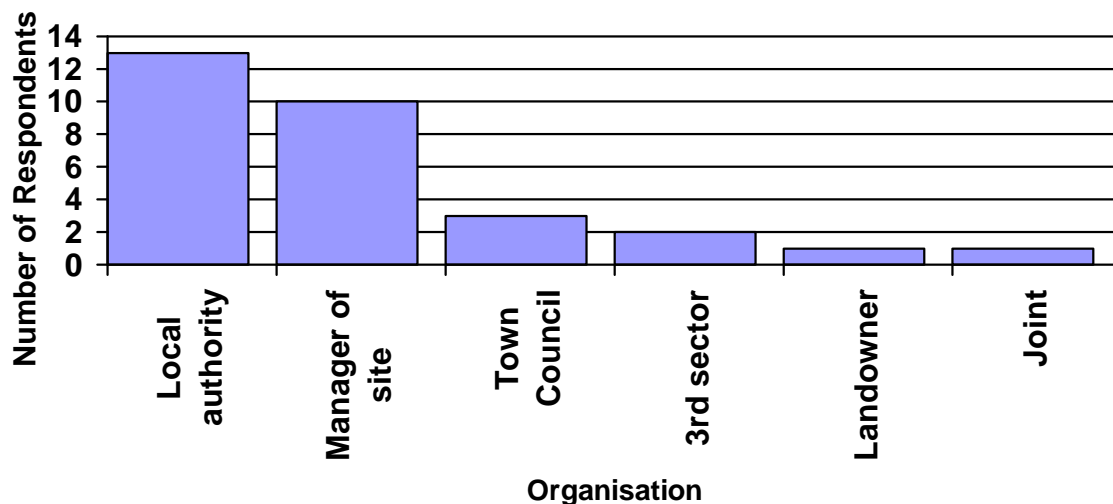
The Welsh Government notes the comments raised.

Question 14:

How should waiting lists be compiled and kept up to date?

A number of suggestions were put forward regarding who should compile the waiting list and keep it up to date.

Who should compile the waiting list?



STAA and the WLGA both propose the waiting list should be updated on an annual basis, with applicants having to re-affirm their interest. Some respondents expressed there should be separate lists for allotments and community growing sites

A number of respondents suggested there should be a requirement to update people where they are on the list. It should be made clear to applicants how and when they will be contacted and that they will be removed from the list should they not notify of changes to information.

There was strong support that waiting list numbers and maps of sites be publicly available online. The FCFCG suggests individuals and groups could apply for an allotment or community growing space in one central place. The Bay of Colwyn Town Council recommended that *'any application pending more than 18 months should be recorded as a failure to meet provision. If this is for more than 6 applicants, further provision should be made'*.

Response

The Welsh Government will seek to develop a package of guidance that will advise on how best to manage waiting lists and may include a template for recording the demand for allotments and community gardens. It is envisaged that the guidance will encourage local authorities to share their lists with their neighbouring authorities so that individuals living in one authority can take up vacant plots in their area regardless of county boundaries. The guidance will be drafted in partnership with key stakeholders.

Question 15:

What should be the trigger(s) for the development of a community grown food strategy, and do you agree that the local authority should lead on its production?

There was a mixed response about what should be the trigger for the development of a community grown food strategy. The FCFCG considers it should be developed by each local authority whether or not it is perceived as providing a good service already. *'It should form part of the Single Integrated Plan so it's embedded across council departments'*. The Vale of Glamorgan Council considers that local demand should be the trigger. An allotment landowner considers there should be clear goals and targets to meet. A number of respondents believe a strategy should be part of all new developments of land.

The FCFCG suggest local maps of provision and demand are needed to show the areas of unmet or under met provision. Without a database, it will be onerous and time consuming to demonstrate that demand is not being met.

There was general support of the view that local authorities should lead on the production of a community grown food strategy. FlintShare considers a *'local authority is generally better placed to respond to local pressures so should lead in the development and implementation of a strategy that takes account of local circumstances and need'*. Local authorities should be encouraged to widen their strategy to cover all community grown food. Local strategies should take account of likely future demand.

Several respondents considered there should be partnership working with local authorities working with specialist advisers and community growers to develop strategies.

Response

The Welsh Government believes better alignment with other Government and external initiatives already employing valuable experience and supporting good practice delivery is crucial. The Welsh Government wants to build on the expertise already out there to help communities across Wales to benefit from increased growing opportunities.

Question 16:

Under what circumstances, and with what safeguards, should local authorities and communities be able to register and use land that they do not own or lease for community growing?

There was general support for local authorities and communities being able to register unused and underused public land.

The following circumstances were identified:

- it must be demonstrated that the land is not being used and there are no clear plans for its use
- all other options must have been exhausted
- it should only include unused public land, not private land
- it should not remove valuable natural habitats, negatively impact on wildlife or reduce amenity land.

The following safeguards were recognised as being required:

- an open consultation should take place
- there needs to be a secure tenancy agreement covering termination, trespass, damage/misuse of land
- a probationary period should be set
- there needs to be a minimum rental period so plot holders can plan their growing
- risk assessments (such as biodiversity and contamination) need to be carried out on sites before the land is used
- the period of time that the land would be in use and that the land must be used for growing must be clear
- there should be a fair and reasonable notice period
- there needs to be clear procedures and guidelines for local authorities and communities to follow prior to being able to register land.

Respondents noted that guidance would be required on the following; identifying land ownership, land use agreements, structures allowed without planning permission and appeal rights.

Response

The Welsh Government will take on board the comments raised. The Welsh Government seeks to develop a package of guidance, which will include advice on what types of publicly owned land could usefully be used for allotments and community growing projects. The guidance will be drafted in partnership with key stakeholders.

Question 17:

To what kind of areas should this proposal be extended, and what safeguards would be required?

The Growing Green Teens Project suggests any green space can be developed if it is properly resourced and managed. Allotments and community gardens can be fitted on to quite small parcels of land.

Several respondents noted that conditions should be placed on new developments where community grown food must be included. Some respondents expressed the proposal should be limited. Development and communal amenity land, along with land with historic and environmental significance should be protected. The proposal also needs to be considered against local authorities other priorities.

Pembrokeshire Local Action Network for Enterprise and Development (PLANED) noted the success of schemes such as 'Incredible Edible' which show that food can be grown almost anywhere. It was suggested the proposal be extended to where demand exists and focus on urban areas where there is a shortage of available and suitable plots.

The following areas were suggested:

- edges of playing fields
- road verges
- woodlands
- town centre landscaped areas
- river banks, canal towpaths
- roundabouts.

The following safeguards were recognised as being required:

- agreement of the landlord
- a public consultation should take place
- a mechanism for reinstatement of the land should the community growing initiative cease
- it should not interfere with other standards to meet such as recreational open space provision or block access to rights of way
- it should be let under licenses or tenancies
- suitability checks should be carried out such as contamination, health and safety
- compensation should be made if the land is required earlier than originally anticipated
- there should be a reasonable length of tenure
- land needs to be free of contaminants and suitable for growing, safely accessible, with limited access to the general public to avoid damage to crops.

Response

The Welsh Government will take on board the comments raised.

Question 18:

How should assessments of suitability [of land] for community grown food be undertaken, and what matters should be considered?

Respondents noted the following matters should be considered:

- the quality of land - any contamination issues, suitability of soil, access to water, land being drained, reasonable levels of sunshine, sustainability of land, invasive species
- the site – it should be safe, accessible (within walking distance of communities or public transport routes), secure, have adequate facilities, be close to households, adjacent land use
- public demand and whether there is the support and desire in the local community to partake in a scheme
- whether there are appropriate resources in place,
- whether there is a waiting list, or underused existing sites
- Environmental Impact and Biodiversity Assessments should be completed for each proposed new site
- whether an association will be established.

Severn Wye Energy Agency suggests assessments should be made by professionals, (including the land owner, FCFCG, CLAS and the local

authority). The process needs to be clear and publicly visible in each local authority. Reports should be submitted, setting out the impacts and any mitigation measures required. Legitimate grounds for refusal of land use should be set out clearly.

A number of respondents consider guidance should be produced on basic maintenance, food hygiene and the types of land that may be used for community growing. It is also recommended the Welsh Government devises a common standard of assessment, where land is excluded from suitability if it does not meet a defined set of conditions. An allotment association believes the Welsh Government should assist local authorities in assessing industrial sites for contamination and dealing with invasive species.

Response

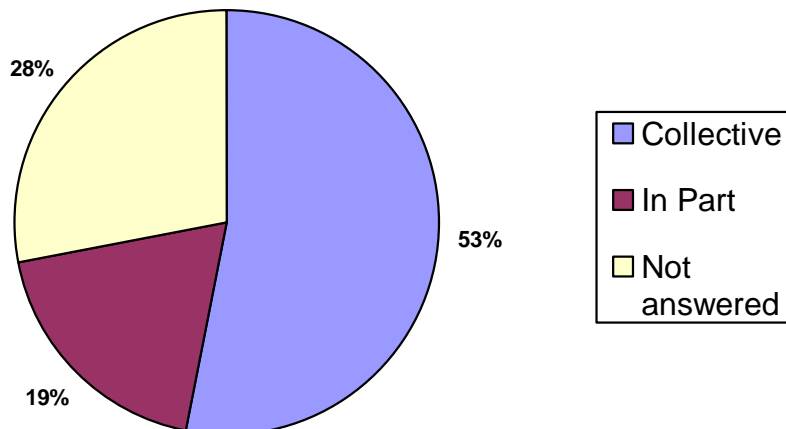
The Welsh Government will take on board the comments raised.

Question 19:

Do you agree with the proposals above either as a collective package or in part?

43 responses were received for this question (although not all respondents directly stated whether or not they agree with the proposals).

Do you agree with the proposals in collective or part?



Respondents who agree with the proposals as a collective, note:

- it ensures a cohesive strategy and policy implementation
- the proposals on their own will be ineffective
- all means to use under utilised land should be considered
- it may require a staged or phased approach
- there should be a clear strategy in place.

Respondents, who agree with the proposals in part, note:

- the detail needs working out to ensure that the needs of both landowners and community groups are met
- a system is needed which can adapt to changing circumstances
- there is a lack of available and suitable land in urban areas near to the population
- allotments and community growing shouldn't be under the same legal framework
- different areas have different needs
- it may lead to individuals demanding all sorts of areas of land
- proposal 6, 7 and 8 may create a more bureaucratic process.

Response

The Welsh Government will take on board the comments raised.

Question 20:

What are the potential impacts, positive and negative, of the proposals (all together or in part)?

Respondents offered a number of positive and negative impacts.

Positive:

- allotments and community growing improves physical and mental health, greater well being, healthy lifestyles
- allotments and community gardens improve the environment, assists wildlife, reduces the carbon footprint
- there's an increasing price to food and the proposals help to address the increasing levels of food poverty
- the proposals deliver a system to make our food system fairer and good fresh food available to all, it increases the local supply of locally grown food
- the proposals will provide more land to grow (as long as there are sufficient resources to develop it) more plots mean that more people can produce their own food
- the proposals would bring uniformity and greater transparency
- it raises the profile of allotments and community gardens which should help to address any inconsistencies
- community groups will potentially gain new skills and there is a chance to create wider opportunities
- the benefits outweigh the minor issues that may arise.

Negatives:

- allotments and community growing could become too legislative, there is a need to be mindful of restrictions versus flexibility and freedom to grow
- if procedures are too complicated or bureaucratic, the results may not justify the extra work and deter people from getting involved
- potential resourcing issues - the cost of land in some areas and the cost to set up an allotment may be too high

- sites may fall into disrepair if there are too many small areas
- there is a potential lack of suitable land
- there is a possible alienation of some landowners and resistance from some local authorities, risk of conflict between existing and potential users of land
- potential new sites will need to be thoroughly researched
- there is a potential risk of loss of commitment to sites and from growers.

Response

The Welsh Government will take on board the comments raised.

Question 21:

In what other ways, other than those proposed above, could the provision of land for allotments and community growing be improved?

Respondents offered a number of suggestions as to how the provision of land for allotments and community growing could be improved.

Resources/Support:

- resources are required to bring existing sites up to an agreed standard, this will reduce waste and incentivise sustainable practises
- there should be small scale funding for start ups to bring more land and schemes into fruition
- there needs to be suitable, sustainable and adequate means of funding, it cannot be assumed that the additional duties and responsibilities can automatically be delivered within current and future financial situation
- there should be funding for training and a toolkit available
- plot holders should be encouraged to be members of a national association to promote high standards and access support
- there should be dedicated champions/ambassadors to promote/develop ideas.

Growing sites:

- full and half size plots should be considered
- organic sustainable practises should be promoted
- land should be attached to schools to allow simple horticulture to be taught
- soil conditions could be improved by utilising food and green waste
- there should be designated projects to assist access for young people, those with disabilities, refugees and older people
- community growing schemes should be eligible for land management schemes
- growing areas on roof spaces, balconies and atriums could be developed in urban areas
- growers should be able to sell surplus produce to local people especially to those who can't grow their own

- local authorities should be required to plant fruit and nut trees when creating new or replacing old street planting.

Guidance:

- how to encourage communities to grow
- how to allow access for community growing
- plot measurements
- managing run off
- use of crop protection products
- complying with Regulations – animal health and welfare, disease control
- food safety
- keeping livestock on sites and owner responsibilities
- how to convert farmland – set up costs, planning, land tenure arrangements, cross compliance, single payment scheme eligibility
- raising awareness and the profile of allotments
- funding sources should be identified within any guidance issued

Response

The Welsh Government will take on board the comments raised.

4. Next Steps

The Green Paper has highlighted that it is not just a matter of finding more land for growing that is required. We need to better manage demand and supply of the sites already available in Wales. The provision of up to date guidance relating to both traditional allotments and community led gardening projects is important and we will look at providing this during the remainder of this Assembly Term. Guidance will be drafted in partnership with key stakeholders and will be consulted upon before being issued.

It is important to build on the expertise already available to help communities across Wales to benefit from increased growing opportunities. The Welsh Government will look at how community growing can be further supported by the Rural Development Plan.

Non legislative proposals will make a real contribution to delivering the objective of increasing the availability of land and growing opportunities. Further consideration will be needed before potential legislative changes can be developed.

Annex A

The Welsh Government would like to take this opportunity to thank all those who responded to this consultation exercise.

Below are all the respondents who have agreed for their comments to be published:

- Cheow-lay
- Gloria Hawkins
- Flint Town Council
- Richard Thomas
- Vicky Moller
- Cyrenians Cymru
- Medwyn Roberts
- Capita
- Cwmni Nod Glas Cyf.
- Owen Jenkins
- Gill Wislocka
- Ian Rees
- Bleddyn Williams
- City & County of Swansea
- Isle of Anglesey County Council
- Delegates to Welsh Region of NSALG
- Llantilio Pertholey Community Council
- Sully Terrace Allotments Association
- Gus Phillips
- Denbighshire Local Authority
- Llandough Community Council
- One Voice Wales
- Federation of City Farms & Community Gardens
- Rural Regeneration Unit
- Mick Antoniw AM
- Bridgend County Allotment Association
- Food Cardiff
- Brecon Beacons, Pembrokeshire Coast and Snowdonia National Park Authorities
- Sarah Sims Williams
- Growing Green Teens Project
- Natural Resources Wales
- National Botanic Garden of Wales
- Gelligaer Community Council
- Cornelly Community Council

- National Society of Allotment & Leisure Gardeners Limited
- Penarth Town Council
- Gwersyllt Community Council
- FlintShare
- St Dogmaels Allotment Association
- RSPCA Cymru
- Egg Seed, Riverside Community Garden
- Jocelyn Kynch
- Allan Evans
- Bay of Colwyn Town Council
- Radyr & Morganstown Community Council
- Lisvane Community Council
- Welsh Land Contamination Working Group (WLCWG)
- Cardiff Council
- PLANED
- RTPI Cymru
- Cwm Harry Land Trust
- CLA Cymru
- Vale of Glamorgan Council
- NFU Cymru
- The Landscape Institute
- Torfaen County Borough Council
- Cardigan Allotments
- Cwmcarn & Abercarn Allotment Association
- Dinas Powys Community Council
- Greener Aberystwyth Group
- Llanhilleth Family Allotments Project
- Watton Allotment Association
- WLGA