

Land reform review group

Submission by the Scottish Allotments and Gardens Society

10th January 2013

Background to Allotments:

An *allotment* is a piece of land which one person or a family grow food on for their own consumption and not for profit. Often excess food grown is given away, shared or swapped. There are examples of allotments providing excess food to food banks and other charitable activities. An *allotment site* is a group of allotments and the people who work on these allotments are a community bound together by their common interest in growing food. Allotments are available to any person regardless of income, age, gender, social class or ethnicity and many allotment sites also have facilities enabling people who have disabilities to participate. Allotments provide healthy exercise, healthy food, and opportunities for people of all ages to learn about food and the environment. Allotments are also places where people develop social skills, establish relationships, and learn about self management and managing land and an organisation such as an allotment association. The term allotmenters is often applied to people who work on allotments. Allotmenters are active in recycling (and upcycling) and creativity is visible on most allotment sites. Allotment gardening promotes respect and care for the soil and the environment. It also and contributes to greenspace and green corridors for the protection of indigenous species. The need to save oil and to promote local sustainability is recognised widely and allotments which are a part of our historical and cultural heritage are also an important element of our sustainable future. For this to continue land must be available for allotments and wherever possible constraints on using land for allotments should be removed.

The Scottish Allotments and Gardens Society:

The Scottish Allotments and Gardens Society (SAGS) is a non profit making organisation whose membership consists of people who either rent or own a plot, those on waiting lists and those who are interested in allotments. Anyone with an interest in promoting or participating in allotments can join SAGS. SAGS provides advice and support to individual allotment holders, allotment associations and groups and also to new and emerging groups who wish to establish allotments. In addition to working directly with and for allotmenters SAGS has established fruitful networks and links with other organisations active in promoting sustainability and growing. SAGS was represented in the Grow your Own Working Group established by the Scottish Government in 2009.

In 2007 an audit of allotments across Scotland was conducted by SAGS, this showed 6300 plus allotments. Since 2007 interest in allotments has grown with many new sites being established to cope with demand. A second audit by SAGS is currently underway and it is expected this will show at least 7,500 allotments and a large growth in interest in allotments. Local authority waiting lists show rising demand across Scotland and waiting lists for non local authority and self managed sites also show rising demand.

Points for the Land Reform Review Group to consider:

1. Equal opportunities/rights for urban and city dwellers.

The Land Reform Act and its provisions should be extended to urban areas. A person living in the centre of a city should have the same right to register an interest in land within their community and to influence its use as a person living in a rural area. The location that a person lives in should not be a factor limiting their opportunity to participate in shaping the land around them. The type of land concerned, whether the land is publicly or privately owned, and the path of events for a community to

gain use or ownership of it may differ in urban areas however the principle of increasing opportunity to become involved should be extended under the legislation to include everyone.

2. Funding, advice and support is needed to support the legislation

The barriers to land redistribution and participation in working the land to grow food are different in urban areas from in rural areas and specifically where land is to be used for allotments. Extending the provisions of the act to increase land ownership and participation in urban areas will be meaningless unless land is available and public bodies and councils, who own large parts of urban land, are incentivised to provide information about land and to work in partnership with local communities. Funding and support to deal with land contamination, to enhance community skills and capacity building and to deal with planning issues are also required. In addition the time periods for registering an interest in urban land should be longer to deal with added complexities. Some of these issues are highlighted in recommendations 2, 4, 6 and 11 of the Grow Your Own Working Group's Report 2010.

The value of land in urban areas is often greater than for rural areas and local authorities facing competing demands and financial pressures are constrained from relinquishing land for allotments where a greater value use may be found. It is necessary therefore to find a way to recognise and add weight to non monetary value, such as health and well being, in decisions about the disposal of public land.

3. Council expertise

Councils and other publicly funded bodies such as Universities, hospitals etc own large amounts of land suitable for allotments in urban areas. They also have expertise within their staff which has been developed through public funds. The land reform act in conjunction with the community empowerment bill should support this expertise being made available to community groups such as allotment groups to facilitate participation and active use of land. For example in addition to establishing a register of interest for urban land there should be some means of registering a need for information from relevant council departments and perhaps specified time periods for this information to be provided. Community groups who are successful in obtaining external funding could buy in the services of council departments.

4. Register

There should be an urban register of interests in land and communities using the land or with an interest in using the land should have the right to be informed in good time of any plans to change current arrangements or sell the land. In the case of publicly owned land the value of the land in terms of health and social benefit should be taken into account alongside its monetary value when decisions about transferring or selling land are being made and a system of first refusal could be implemented for community groups, such as allotment associations, who have registered an interest in the land. For example bids to purchase land could be ranked in terms of overall value rather than solely monetary value.

5. Trusts

There are many old trusts and other historical arrangements in relation to land which councils have subsumed. The land reform act should consider a way of increasing their significance in discussions about land and leases if these support communities in using the land. Appropriate cross referencing to the community empowerment legislation should be developed.

6. Land value

When considering decisions about the value of land, Councils and other public bodies, should take health and well being, environmental benefits and community integration into account to offset the purely monetary value so that communities can purchase the land at a reasonable price. See point 4 above. There is a need to co-ordinate with the CERB and Planning legislation .

7. Long term protection

If councils and public bodies provide land to community groups there must be safeguards to ensure it is community groups that obtain it. If the group, such as an allotment association, do not continue in the long term the land could be returned to the public body for a comparable community use.

8. Ownership or participation?

Long term use and participation in the land is significant to allotment associations. Ownership is one way to secure this however it is not the only approach. Many urban groups, are not in the position to own land. The review group should consider other forms of security for allotment sites in the long term. These could include long term leases with security of tenure guaranteed by the local authority.

Building community capacity, skills and prosperity takes time. In time the ability of communities to purchase land may change. There should be provision in the legislation to allow communities to increase their ownership and responsibility of land assets. For example, secure leases for allotment associations should not exclude ownership at a future date. Such arrangements are probably more achievable where land is owned by public bodies.

9. Long term land use

Short term arrangements such as temporary growing spaces in gap sites have a recognised value and are promoted by other organisations. Growing food however is a long term activity and land must be available on a long term basis for this purpose and to promote sustainable behaviour, habits and lifestyles. The review group should consider if short term land use will generate greater demands for longer term land use from those who have experienced using gap sites. Gap sites may also raise expectations. The review group should consider how the legislation can accommodate increasing demand for land for allotments and other sustainable uses in the future.

10. Information on land

Interest in land and ideas for using land towards community and other sustainable uses cannot progress unless information on land is available to community and voluntary groups and those motivated to take on projects such as developing an allotment or a community garden. Councils should be compelled by the act to compile an audit of land within their council area that the public have access to. This should give simple and easily viewed information on empty land, ownership and suitability for food growing or other activities. The audit should be available readily and should not require any further administrative process such as a freedom of information request. Currently local authorities have responsibilities for auditing land under the EPA therefore systems that are already in place may be adapted.