

Committee Name and Date of Committee Meeting

Improving Places Select Commission – 13 December 2022

Report Title

Allotments Self-Managements Update 2022

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

This report further updates the Improving Places Select Commission on progress towards transfer of operational responsibility for the management of the Borough's allotments from the Council to a community benefit company, Rotherham Allotment Alliance, and supersedes a previous reports made to the IPSC on the 14th December 2021.

Recommendations

Improving Places Select Commission are asked to note the progress of the transfer and comment on any arising issues.

List of Appendices Included

Appendix 1 – RAA Annual Report 2021
Appendix 2 – Carbon Impact Assessment Form

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Cabinet – 09 July 2018

Improving Places Select Commission – 14 December 2021

Council Approval Required

No

Exempt from the Press and Public

No

Allotments Self-Managements Update 2022

1. Background

- 1.1 At the Cabinet and Commissioners' Decision Making Meeting on the 9th July 2018, following which the Council approved the transfer of Council-owned allotments to a new borough wide self-management body and to establish a Community Benefit Society for this purpose.
- 1.2 Rotherham Allotments Alliance (RAA) was established in 2019 and the transfer took place on 1st January 2020. The Council retains the ownership of the land with the responsibility for maintenance and operational management passed to RAA. As part of the agreement a Capital allocation of £100,000 was agreed to support the restoration and maintenance of sites. RAA identifies the works required and this approved in conjunction with the Green Spaces Manager and RMBC Finance who manage this allocation.
- 1.3 Officers were asked to provide updates on the arrangement to Improving Places Select Committee (IPSC) with the first of these taking place on 14th December 2021. A recommendation of this meeting was that officers return a year later with a further update and that consideration be given to how best to reach prospective allotment holders in more languages.

2. Key Issues

2.1 Governance Arrangements

- 2.1.1 The RAA was established in 2019 as an independent organisation to oversee the management of the Council's allotment sites. In line with its constitution and the Service Level Agreement (SLA) with the Council, RAA prepares an Annual Report including statement of accounts and hosts an Annual General Meeting.
- 2.1.2 The second Annual Report from RAA covering the period 1st January 2021 to 31st December 2021 is attached at Appendix 1.
- 2.1.3 Issues raised in the RAA's 2021 annual report have been subject to further work between the Council and RAA during 2022, to find suitable solutions or compromise, this has included:
 - Operating throughout Covid restrictions
 - Improved Website
 - Engagement with Allotment Societies
 - RAA attendance at Rotherham Show
 - Improvement works (as outlined at 2.4)
 - Engagement with Community Payback

2.2 Progress of Community Asset Transfer

- 2.2.1 Under the agreed arrangement with RAA, RMBC retains the freehold but is undertaking a Community Asset Transfer (CAT) of the 21 allotment sites in its ownership to create a lease for the management of these sites.

The Council's Green Spaces Service retains a legacy role as the Statutory Allotments Authority function under the Allotments Act. This function cannot be transferred to RAA and must remain with the Local Authority in non-parished areas.

The lease has been challenging to bring forward due to changes with RAA's solicitor who requested that the lease be renegotiated. Although this has taken longer than both parties expected, this process is nearing a conclusion with a small number of outstanding issues remaining to be resolved including:

- The deed for one site to be shared.
- Indemnity for structures on two sites which could technically be challenged due to covenants.
- Clarity regarding access rights from the adopted highway to the site boundary (1 case).

However, the management and operation of the allotments has not been affected and the RAA and Council Officers have worked to ensure that the spirit of the transfer arrangement has been upheld.

2.3 Staffing Resource

- 2.3.1 The employment of an Allotment Administrator, seconded to the RAA from the Council was initially for a 15 month period but was extended in April 2021 and again in April 2022 with the contract continuing until March 2023, when this arrangement will be subject to further review. The RAA have also worked with the Council to re-grade the Allotment Assistant's post owing to the development of the post during the first two years. This re-grade was completed in October 2022 and the additional cost is met by RAA.

- 2.3.2 The RAA suffered the loss of its Treasurer in April 2021 which led to complication with access to bank accounts. This has now been resolved with a new Treasurer in post and more robust financial access arrangements in place. The Board of Directors at the time of writing includes:

- Chair – Mr B. Steele
- Vice Chair – Mr J. Palmer
- Secretary – Mr J. Taylor
- Treasurer - Vacant
- Member - Mr M Hirst
- Member – Mr M. Suleman
- Member – Ms T. Sheen
- Member – Ms S Jackson

- Councillor Representative – Cllr. D. Sheppard
- Councillor Representative – Cllr. R. Hughes

2.4 Capital Investment

2.4.1 Under the arrangement agreed in 2020 as part of the transfer of management an allocation of £100,000 Capital funding was providing to improve several allotment sites for the benefit of their tenants. This funding is managed by RMBC Green Spaces and Finance with RAA identifying works and making requests against this fund as appropriate.

2.4.2 Improvements have included:

- Removal of asbestos and other waste materials from several sites, allowing new plots to be provided,
- New car parking within the site boundary,
- Improvements to site security at several sites,
- New access paths,
- IT infrastructure

2.4.3 There is a total of £914.17 remaining of the Capital budget.

2.5 Engaging Prospective Allotment Holders in More Languages

2.5.1 At the meeting of IPSC on 8th December 2021 it was requested that the service explores opportunities to engage allotment holders in more languages. The Allotment Alliance website can easily be translated into 76 different languages using 'Google Translate' which is freely accessible on the internet. A link to this service in both Urdu and Polish has also been placed on the RAA website to promote this service.

3. Options considered and recommended proposal

3.1 This report is for information only.

4. Consultation on proposal

4.1 This report is for information only. The original proposal to transfer the allotment service was consulted upon as set out in the report to Cabinet on 9th July 2018 and this report sets out progress on the implementation of that decision.

5. Timetable and Accountability for Implementing this Decision

5.1 Officers in the Council's Green Spaces Service continue to maintain a good working relationship with the Directors of the RAA. Monitoring meetings were suspended during lockdown but have been re-scheduled beginning in November 2022.

5.2 Completion of the Head Lease from the Council to the RAA which supports the CAT process is expected to be achieved by 31st January 2023. The SLA will come into effect once signed by both parties, which is expected to be at the same time as the completion of the Head Lease.

6. Financial and Procurement Advice and Implications (Richard Young, Head of Finance)

6.1 The report is for information only. The allotments are operating on a self-financed basis. Costs for the Allotments Assistant are being met from income collected by the RAA. The approved capital budget is close to being full spent and once fully exhausted the project will be closed down as completed.

7. Legal Advice and Implications (Stuart Fletcher, Service Manager)

7.1 There are no direct legal implications arising from the recommendations within the report. There has been a delay in concluding lease arrangement between the Council and the RAA the reasons stated in the body of the report but it is anticipated that this will be concluded by the 31 January 2023.

8. Human Resources Advice and Implications (John Crutchley, HR Business Partner)

8.1 The Council employs a part time Allotment Administrator who is assigned to the RAA on a secondment basis. Employment of the Allotment Administrator by the Council ensures that both employee and RAA benefit from the Council's employment policies/procedures, terms and conditions of employment and enables the Council to provide HR and Payroll support to the RAA. The Allotment Administrator is managed by the Chair of the Allotment Alliance on a day-to-day basis.

The RAA have recently reviewed the role of the Allotment Assistant and have asked the Council to re-grade the post commensurate with the increased level of duties and responsibilities that the role now undertakes. This request has been actioned through normal procedures for re-evaluation of pay and grading and the role has been re-graded with effect from October 2022.

9. Implications for Children and Young People and Vulnerable Adults

9.1 The provision of allotments enables local communities to meet together, reducing isolation, increasing physical activity and supporting mental health and wellbeing.

10. Equalities and Human Rights Advice and Implications

- 10.1 The RAA is committed within its own company rules to the following statement: “The Rotherham Allotments Alliance will provide, promote and develop allotments in Rotherham so that they offer people of all backgrounds and abilities opportunities to enjoy gardening in safe, secure, accessible and environmentally sustainable surroundings. In doing so, it will make efficient use of available resources to ensure that the service is financially self-sufficient whilst remaining affordable to those who want to use it.”

This same statement also features as an agreed objective within the draft Service Level Agreement with the Council.

11. Implications for CO₂ Emissions and Climate Change

- 11.1 The arrangement with RAA will enable Rotherham to continue its Statutory Obligation in providing high quality allotment provision. Although this will not impact on emissions significantly due to the small scale of the offer, in general the ability to grow food locally and the community of food sharing for surplus produce which is formed around allotments, will all contribute to an overall reduction in food miles and food waste.
- 11.2 Consultation with the Climate Change Team has taken place and a Carbon Impact Assessment has been completed which can be found at Appendix 2.

12. Implications for Partners

- 12.1 RAA is the key partner affected by this arrangement. The ongoing support of the arrangement will provide a sustainable future for this group.

13. Risks and Mitigation

- 13.1 As new communities are developed across the Borough, the requirements for allotments to serve these new and existing communities will also change and develop.
- 13.2 An ongoing dialogue between the Council as Statutory Allotment Authority and the RAA will need to be retained with a mind to adding or removing sites from the RAA portfolio to ensure there is an appropriate level of allotment provision to meet demand.

14. Accountable Officer(s)

Leanne Buchan, Head of Creative Programming & Engagement
Andy Lee, Green Spaces Manager

Approvals obtained on behalf of:

	Name	Date
Chief Executive	Sharon Kemp	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Named officer	Click here to enter a date.
Assistant Director of Legal Services (Monitoring Officer)	Named officer	Click here to enter a date.
Assistant Director of Human Resources (if appropriate)	N/A	N/A
Head of Human Resources (if appropriate)	John Crutchley	10/11/22
The Strategic Director with responsibility for this report	Paul Woodcock, Strategic Director of Regeneration and Environment	21/11/22
Consultation undertaken with the relevant Cabinet Member	Cabinet Member for Social Inclusion - Councillor Shepherd	21/11/22

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