

**DUNDEE CITY COUNCIL  
MINUTES OF DUNDEE ALLOTMENT STRATEGY IMPLEMENTATION GROUP**

**Held on Wednesday 12 August 2015 at 2pm  
Environment Department, 3 City Square, Dundee**

**Present:** Peter Sandwell, Environment Department, Dundee City Council  
Hazel Elder, West Law Allotment Association  
Peter Marshall, South Road Allotment Association  
Andrew Reid, Scottish Allotments and Gardens Society (SAGS)  
Alex Cathro, Ancrum Road Allotments  
Len Jamieson, Stirling Park Allotments  
Helene Millar, City Road Allotment Association  
Rupali Vyas, Environment Department, Dundee City Council

**Apologies:** Alex Gouick, Magdalen Green Allotment Association  
Raymond McGregor, Old Craigie Road Allotments  
Ronald Cant, Kinnaird Allotments  
David Pedder, West Law Allotment Association

**Action**

**Empowerment Bill**

The Empowerment Bill received Royal Assent on 24 July and is now an act - allotments are now Part 9 of the Act, rather than Part 7 - consultation ongoing.

**Current & Future Work**

Consultations : Before Part 9 of the Act comes in to force all the necessary secondary legislation needs to be in place; the areas that this relates to are compensation payable for disturbance, loss of crops and deterioration of an allotment.

A consultation document is currently being prepared.

A Statutory Guidance is also required to be prepared and for this to be consulted on.

Work in relation to transition arrangements, eg how things such as allotments greater than 250 square metres will be dealt with, is being prepared along with ensuring that any outstanding consequentials are taken forward (ie areas of other legislation that might need to be repealed or changed as a result of the Act).

Development of a Food Growing Strategy : Section 119 of the Act requires each local authority to prepare a food growing strategy for its area and that this must be published before the end of a two year period following enactment of this part (Part 9) of the Act.

There may be varying levels of readiness across local authorities to develop the strategy. Additionally, given the breadth of the strategy there is strong benefit in ensuring that the food-growing community (both those who grow food on allotments and other forms of food growing) is engaged in this work.

Consequently, it is hoped to take forward a piece of work to help develop the food growing strategy in collaboration with local authorities. This work will be taken forward in the New Year.

**Compulsory Purchase Orders (CPOs) for Allotments**

The Minister for Environment, Climate Change and Land Reform has given a commitment to review the position on the need for CPOs for allotments (CPOs for allotments is currently excluded from the Community Empowerment (Scotland) Act 2015).

To do this Scottish Government is required to develop a business case to justify interfering with the rights of individuals to the peaceful enjoyment of their own possessions - European Convention on Human Rights (ie whether there's a sufficient level of public interest to justify taking forward these powers).

Local Authorities will be approached to seek information that will help develop such a business case. Following this - should there be an identified need for these powers - they will work with officials across Scottish Government to identify an instrument where these powers may be taken forward.

### **Non-Legislative Work**

Sharing Best Practice : Scottish Government has a key role to play in helping share knowledge of best practice and supporting local authorities in delivering on their responsibilities and as such they will be taking forward some work in this area. This work will be taken forward in the first quarter of 2016.

Tri-Partite Group : The Minister for Environment, Climate Change and Land Reform made a comment prior to the Stage 3 of the Bill to establish and Chair a Tripartite Group that includes members of the Scottish Allotments and Gardens Society Committee and local authorities.

The purpose of this group will be to:

- Provide an opportunity to develop constructive dialogue between allotment holders and those providing allotments;
- Help monitor how the Bill is being implemented and where difficulties are arising to identify how we may work together to develop a way forward;
- The first meeting of the group is expected to take place following initial enactment of Part 9 of the Act and as such will be in February/March 2016.

### **Summary**

There is a large body of work underway to ensure that Part 9 of the Act (allotments) is brought into force (consultations on compensation and Statutory Guidance, preparation of secondary legislation and commencement orders; development of a potential business case for bringing forward CPOs if needed). Additionally, there are a number of areas of work that will be brought forward in early 2016 (development of best practice, Tri-Partite Group).

Scottish Government expect cities to lead. We have not put any to committee is this expected?

Watch affect on demand for allotments. Once clearer will be able to drive group forward.

#### **1. Matters arising from Minutes of 27 May**

- 1.1 Community Allotments: Kirkton and Ardler Community Centre - NHS. Douglas progressing and Potato Patch at Whorterbank. Orchard - same people - other Kate.

#### **2. Remit and purpose of meeting and group**

Look at remit in view of changes / work required by Council.

#### **3. Membership of Group**

Representatives of all allotments, where no Societies present - individuals.

#### 4. Programme of Implementation

- 4.1 Welcome Pack on the website [www.dundee.gov.uk/environment/allotments](http://www.dundee.gov.uk/environment/allotments). Still to update contacts page.

#### 5. Immediate tasks / short term issues

##### 5.1 Fencing

City Road: £30K capital - fencing City Road Allotments - over two years. It was thought the fencing was going all the way around - need clarification where fence going.

**PS/AL**

Capital sum to September Committee. Once completed allotments should take on responsibility of fencing.

Paths within Allotments - John Whyman (01382 434769) to give some advice.

Communal Path - Law Road - Lawton Terrace used to be tidied by Dundee City Council, not done this year. Footpath should get addressed.

Major works on Law by new year.

No word on Kinnaird.

##### 5.2 Leases

South Road progressing.

20 plots - small - income as a site quite small, but still required to maintain same liability insurance as other plots £5m. Recommend trying RHS.

Water issues - standpipes - Scottish Water. Speak Ross Watson / Michelle Glass.

Ensure leaks sorted.

City Road - nothing yet.

##### 5.3 Skips

Rupali / Kenny / Gary / Peter to meet re skips. Reduce amount of skips, these were meant to be for recycling. Kenny vetoed due to fly tipping. Putting together policy showing costs, contingency, put draft through Gary.

Suggestion of Rupali to try two special uplifts per year free of charge, but keep skips.

West Law have given up skips, but have wheelie bins for greenhouse glass, but don't know how to get rid of this. Not aware of fly tipping increasing.

#### 6. Longer term action - Allotment Survey / Audit

##### 6.1 Surveys

Post out surveys to Ancrum Road.

**KR**

#### 7. Group Updates

##### 7.1 West Law

- Problem - want new portacabin - require Planning Permission and need a Certificate from Dundee City Council - speak Michelle Glass / Alistair Kay.

##### 7.2 Stirling Park

- Entrance Gates: nothing happened.

### 7.3 Old Craigie Road

- Gaps between fence and road. Peter to raise with Ally.

**PS/AL**

### 7.4 City Road

- Nothing to report

### 7.5 Ancrum Road

- Grant Orrock has in hand.
- Community Gardens - lots of greenery, not using polytunnel, not as expected. PS to speak to Kate. **PS**
- Alex didn't think the path was litter picked on 6 June, but Peter confirmed it was. Alex thought it was to be more than litter picking. Peter confirmed he would ask for weed spraying to be put on cycle. **PS**

### 7.6 South Road

- Peter Marshall asked if regulations need to be displayed. It was confirmed they do and Peter indicated he will display on a shed.

## 8. AOCB

8.1 Council restructuring - our department will become Neighbourhood Services, incorporating Environment, Communities and Housing with Elaine Zwirlein as our new Executive Director. We will continue working within the Environment Department until the end of this year.

8.2 Len questioned The Piggery - heard someone interested. PS will check. **PS**

8.3 SAGS AGM - 'Care of the Soil', Hutton Institute did talk.

## 9. Date of Next Meeting

Wednesday 25 November @ 2pm  
Meeting Room 1:1, 3 City Square

cc: Ken Laing  
Gary Robertson  
Rod Houston  
Ally Lawson  
Michelle Glass  
Jake Pratt  
Jay Grant  
Jim Wilson  
Sandy Boyd  
John Whyman