

Councillor Mary Jones  
Chair, Scrutiny Programme Committee  
City and County of Swansea

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*Our Ref:* JEB/JW  
*Your Ref:*  
*Date:* 26 February 2018

Dear Councillor Jones

**PRE-DECISION SCRUTINY OF CABINET REPORT: TRANSFER OF MANAGEMENT OF ALLOTMENTS FROM THE CITY AND COUNTY OF SWANSEA TO MANAGEMENT ASSOCIATIONS**

Further to your letter dated 14 February 2018 I will address the issues raised below;

The Committee was concerned about who or what would regulate the activities of Allotment Associations.

To clarify, it is not just a recommendation for Allotment Associations to be members of the National Allotment Society (or similar regulatory / advisory body if approved by the Council) but a requirement of the lease agreement.

Therefore, all Associations MUST be members of the Society and will be bound to follow and abide by their recommended best practices which ensure beneficial and correct behaviour. If it is found that the Societies recommendations are not being followed then ultimately the Council could forfeit any lease and take back the land.

If an Association were to fail then then again control of the land would come back to the Council and the site would possibly close. However, there are numerous options available before closure would be considered, such as other Associations within Swansea being approached to take over from the failing Association, people on the waiting lists being offered plots on the basis that they would have to become involved in running the Association or the opportunity to form an Association being offered to Community Groups, Community Councils, Schools etc.

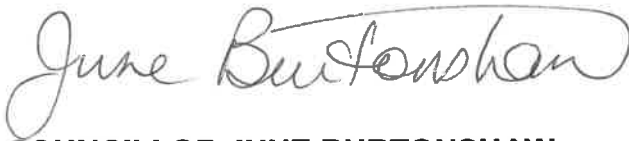
With regard to waiting lists there are currently 273 people waiting for the 5 Council Managed sites. The Council website has information on all 16 sites and an online application form for the Council Managed Sites.

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The current self-managed sites administer their own waiting lists and the current list for the council managed sites will be passed over to the newly formed Associations to control. The Council webpage will still provide information on Allotments within the County but will redirect applicants to the individual Associations.

As an example of the standard to which Associations will be regulated they will have to follow the National Allotment Societies Waiting List Policy which is enclosed.

Yours sincerely



**COUNCILLOR JUNE BURTONSHAW  
CABINET MEMBER FOR FUTURE GENERATIONS**



# The National Allotment Society

National Society of Allotment and Leisure Gardeners Ltd

## NAS Policy 102. Waiting lists

1. The Society recognises waiting lists as evidence that there is an insufficient supply of allotments in the relevant locality, and believes that allotment providers should make every effort to address the shortfall, in accordance with the statutory duty to provide allotments where there is a demand for them.

2. Fair and efficient management of waiting lists is an important part of supporting the right to cultivate an allotment garden. Lists should be maintained using procedures that are transparent and not open to abuse.

3. The Society upholds the traditional practice of offering vacant plots to persons on any waiting list in the strict time order in which their name was entered on the list, as the fairest method of allocating plots until such time as the supply of plots is brought into line with the demand for them. Exceptions to this practice accepted by the Society include:

(i) Where the circumstances of a current tenant in good standing are such that they would be willing to surrender their tenancy voluntarily, to enable the first person on the waiting list to start gardening immediately, in return for the promise of priority on the waiting list should their circumstances change for the better.

(ii) Where existing tenants on other sites under the jurisdiction of the allotment authority are required to relocate as a consequence of a site closure undertaken in full compliance with the law.

(iii) Where the circumstances of the person entitled to be offered the next available plot are such that the provider is willing to exercise discretion, in a transparent and fair manner and in accordance with its own rules, and offer the plot instead to the next person on the waiting list.

4. The Society accepts that providers may wish to prioritise waiting lists according to residential location, whether defined by distance from a site or local authority boundaries, and/or on ground of special needs. The Society encourages providers to be open about their prioritisation rules, and sensitive to exceptional circumstances affecting particular applicants. The Society believes, however, that it is unfair to apply new systems of prioritisation retrospectively to current waiting lists, and both unacceptable and potentially unlawful to use any such prioritisation to apply pressure on existing tenants in good standing to surrender their plots, unless the possibility of such changes taking place in the future was made clear when waiting lists were joined or tenancies accepted.

5. The Society believes that the provider's procedures for notifying prospective tenants of a vacancy should be fair and transparent. The Society also recognises the need for a speedy process if plots are not to become derelict while vacant, and the right of people on a waiting list to know where they stand on the list at any particular time. For these reasons, the Society welcomes measures to ensure the ongoing accuracy of any waiting list.

6. The Society opposes the closure of waiting lists, irrespective of their length, because waiting lists are an important measure of the unsatisfied demand for plots, and thus of the need to expand supply if the allotment provider is to fulfill its statutory duty to provide a sufficient number of allotments.

7. The Society encourages allotment providers with vacant plots and no waiting list to make their surplus plots available to persons resident in other areas, provided that new tenants accepted on this basis are in good standing, and are explicitly advised on the consequences should a waiting list subsequently be opened.