

## Natural Resources Wales Response to Welsh Government Consultation: Improving the Availability of Allotments and Community Gardens, July 2014

Q	Goal and Proposals	Comments
	<p><b>To see that supply of community grown food sites, including allotments meets local need more effectively.</b></p>	<p><b>Question 1:</b> Do you agree or disagree with the goal of the Welsh Government for allotments and community grown food?</p> <p>We agree strongly with the expressed desire of the Welsh Government to increase provision of and opportunities for community food growing in Wales. As part of this initiative, it would be useful to highlight and support opportunities for all scales of community food production – from local allotments to community supported agriculture and social enterprise development and supply chains – linking in with strategies across the Welsh Government. Links can also be made to promote greater understanding of food production, improved diets and nutrition and cooking with fresh produce. These are crucial issues for the Welsh Government’s tackling poverty agenda and improving quality of life.</p> <p><b>Question 2:</b> What are the key issues and priorities in Wales for achieving this goal?</p> <p>A spatial analysis should be undertaken, mapping land availability (and ownership) close to communities most in need of growing opportunities (whether expressed or not), and SMART proposals developed to ensure that opportunities are provided where they have the most potential to deliver multiple benefits. As the consultation acknowledges, the evidence base needs to be strengthened. The report undertaken by the Rural Observatory whilst useful, was research conducted through consultation with <i>existing</i> community growers, not with the demographic who are currently not growing and identifying the reasons why they aren’t taking part. Additional quantitative evidence is needed to support the development of a major new strategy that could impact upon legislation.</p> <p>Specific responsibility for leading on and promoting this work and the opportunities it offers needs to be clearly allocated to an existing organisation (or organisations) along with the targets and clout needed to galvanise action. Local Authorities, Community Councils, Social Registered Landlords will have an important role to play, alongside third sector organisations – but responsible leads need to be designated.</p>

		<p>As local authorities are a local constant with responsibility for long-term planning, they are likely to be the most appropriate for this role. Resourcing this work adequately in the long-term in a time of reducing budgets will be a key issue.</p> <p>Leases or any other agreements entered into locally will need to guarantee long-term interest in sites as far as possible.</p>
1	<p><b>That comprehensive guidance on promoting and supporting community grown food is produced by the Welsh Government.</b></p>	<p><b>Question 3:</b> Do you agree or disagree that guidance specific to Wales should be produced?</p> <p>Yes. Wales-specific guidance will promote national ‘ownership’ of the work, and can be tailored to the Welsh context – e.g. exactly who are the public landowners, how to contact them, what they’ll require, response and service standards, common agreements etc. However, the guidance should be developed in partnership with the devolved governments across the UK in order to maximise learning and best practice and to take into account cross-border issues.</p> <p><b>Question 4:</b> What issues should the guidance cover?</p> <p>The Federation of City Farms and Community Gardens is the leading organisation on this issue and is best placed to advise. Much guidance is already available, and will need brigading to make it as audience specific as possible. Wide ranging but specific information is needed by both landowners and communities involved in developing growing projects, and should be tailored for each.</p> <p>The spatial dataset of available land and ownerships (see above) should be included in the guidance and be publicly available and easily searchable (e.g. using postcodes). Natural Resources Wales has a number of datasets that could contribute to this mapping work.</p> <p>Guidance needs to address the Who? What? Why? Where? When? And How? Of Community Food Growing, and should include, for example:</p> <ul style="list-style-type: none"> <li>• Benefits of community growing for individuals and communities</li> <li>• How to set up a group from scratch – signposting, templates etc.</li> <li>• Securing and managing resources</li> <li>• Roles and responsibilities</li> </ul>

		<ul style="list-style-type: none"> <li>• How to find a site and assess its suitability – what to take into account</li> <li>• Negotiating with landowners</li> <li>• Demonstrating the wide-ranging possibilities - involving all section of the community (equality and diversity issues), schools, GP referrals, access issues</li> <li>• Developing a business plan and becoming a social enterprise</li> <li>• Signposting to business mentors</li> <li>• Frequently asked questions and links</li> <li>• Case studies – from both Wales and beyond</li> </ul>
2	<p><b>The Welsh Government will encourage and support public and private landowners to make land available for community grown food activity.</b></p>	<p><b>Question 5:</b> 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?</p> <p>Natural Resources Wales manages a significant area of land, and receives regular requests from community groups to undertake food growing – particularly on the Welsh Government Woodland Estate – and we are keen to support this wherever possible. Requests are received through our Woodlands and You scheme. Woodlands and You is designed to manage and promote public access to the Welsh Government Woodland Estate (delivering Welsh Government strategic objectives), whilst ensuring high levels of public safety in working woodlands. The scheme is open to groups, social enterprises and individuals and proposals can be made at any time. The woodlands are used for activities and events of all kinds, surveys, training and enterprise ventures, health and well-being initiatives, arts and community regeneration programmes. It is intended that this approach is extended over the next year to include all land owned and managed by NRW. The model could be used and adapted by all managers of public land to facilitate a range of activities and manage risk – including the Welsh Government in relation to its surplus land holdings (details held on the EPIMS database).</p> <p>Over the past two years, we have been working closely with the Federation of City Farms and Community Gardens (FCFCG) and its Community Land Advisory Service (CLAS) initiative. A Memorandum of Understanding is being developed to put the partnership on a firm footing. The Federation and CLAS offer support with issues such as site assessment, group constitution options, project planning and design, and signposting. Successful <i>Woodlands and You</i> applicants enter into Allotment Tenancies – fixed term leases granting exclusive use of designated areas.</p>

		<p>Criteria for site selection and suitability have been developed with the Federation and CLAS. There are currently two allotment tenancies on NRW managed land in South Wales with further sites being actively investigated and developed. The potential for more is considerable, and a scoping exercise in North Wales is planned.</p> <p>A number of successful schemes provide useful case studies and could inform development – for example:</p> <ul style="list-style-type: none"> <li>• Caerau and Maesteg Market Garden</li> <li>• The Community Foodie Project</li> <li>• The work of Cynefin in Newport to establish community orchards on underused public land in urban areas</li> <li>• Development of allotments on community farms in north Wales - e.g. Felin Uchaf, Rhoshirwaun, Pwllheli: <a href="http://www.felinuchaf.org">www.felinuchaf.org</a> have developed a biodynamic community garden from which they sell vegetables; Moel y Ci, Tregarth, Bangor : <a href="http://www.moelyci.org">www.moelyci.org</a> - a community farm</li> <li>• Brighton and Hove Allotment Federation - a large area of allotments and community gardens involved in enterprise and marketing: <a href="http://www.brighton-hove.gov.uk/content/leisure-and-libraries/parks-and-green-spaces/allotments">http://www.brighton-hove.gov.uk/content/leisure-and-libraries/parks-and-green-spaces/allotments</a></li> <li>• Leeds - <a href="http://www.leeds.gov.uk/leisure/pages/allotments.aspx">http://www.leeds.gov.uk/leisure/pages/allotments.aspx</a> - Leeds has a long standing culture of allotments and community growing</li> </ul>
3	<p><b>The Welsh Government will explore ways of supporting and addressing barriers to farmers for providing land for allotments or community grown food.</b></p>	<p><b>Question 6:</b> In what key ways could the Welsh Government provide support to farmers to make land available?</p> <p>Any support system designed to encourage farmers to make land available for community growing will need to be developed in the context of the forthcoming shift to area-based direct payments, the requirements of the cross compliance system and other regulations as well as the availability of a range of land management schemes and advisory services under the Rural Development Plan (RDP).</p> <p>Many farmers are likely to be concerned at the prospect of losing access to direct payments and/or RDP schemes such as Glastir should they make land available for community growing. This is partly because such activity may not be compatible with cross compliance obligations and the prescriptions available under agri-environment schemes, but also because of the difficulties (whether perceived or otherwise)</p>

		<p>likely to be involved in establishing who has control over the land and who is responsible for meeting the requirements of any agricultural support measures applicable to the land in question.</p> <p>A simpler approach would be to use the provisions of the RDP to encourage more farmers to sell or rent their land to community organisations – with the proceeds from such arrangements then compensating for any reduction in agricultural support/agri-environment payments.</p> <p>In particular, RDP mechanisms such as Farming Connect could be used to signpost the role of organisations such as the Community Land Advisory Service (CLAS) in facilitating the establishment of community growing sites. Farming Connect could also be used to provide one-to-one expert advice to farmers including the provision of legal support and the provision of model contracts. Bringing the CLAS into the range of support measures provided under Farming Connect could help to speed up the process of reaching agreement between community groups and farmers, not least through publicising examples of successful projects and making the whole approach seem more mainstream.</p> <p>In relation to the provision of land for community growing under leases/ licences, it will be important to ensure that any moves to increase the level of legal protection available to allotment holders/community initiatives do not result in perverse outcomes (e.g. by reducing the willingness of landowners to make suitable land available on a relatively short term basis). In this context, the kinds of advice and guidance made available during the negotiation of a contract needs to be framed in such a way as to ensure that both parties to any agreement are fully aware of their rights and responsibilities so that the risk of subsequent disputes can be minimised.</p> <p>As an alternative to systems based on renting land for defined periods, it might be possible to use the other parts of the RDP, such as the new Rural Community Development Fund, to support those community groups who are interested in purchasing suitable areas of land from farmers. Those communities in greatest need should be prioritised and all applications for support should be required to demonstrate explicit links with Local Development Strategies and the cross cutting themes of the new RDP; helping to support sound environmental management alongside local supply chains, employment, skills development, equality and diversity.</p>
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4	<p><b>That comprehensive guidance is produced by the Welsh Government for occupiers of plots on a registered community grown food site relating to the erection and maintenance of temporary structures.</b></p>	<p><b>Question 7:</b> Do you think that providing guidance on this matter would help provide the clarity needed by plot holders?</p> <p>Yes – clarity on <i>all</i> planning issues related to community growing is essential.</p> <p><b>Question 8:</b> (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?</p> <p>Provision should be made for the inclusion of community learning and working/produce packing spaces alongside the traditional greenhouses and sheds e.g. yurts, geodomes, gazebos, pergolas.</p>
5	<p><b>To extend the definition of allotments to include community gardens with a more community based ethos where food can be marketed and is grown for collective as well as individual benefit.</b></p>	<p><b>Question 9:</b> What should be included in a revised definition of allotments and community gardening?</p> <p>A revised definition of allotments and community gardening should be flexible enough to cover the wide variety of models that currently exists, to avoid excluding future options for growing for a community benefit. It should also include the right for community growers to market and sell surplus food both individually and as part of a social enterprise.</p>
6	<p><b>To allow local authorities to delegate the delivery of allotment and community growing duties and services to a third sector organisation.</b></p>	<p><b>Question 10:</b> 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?</p> <p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>• Flexibility of management options</li> <li>• expert, specialist third sector organisations can provide a clear support and delivery focus</li> <li>• access to a wider range of funding sources / development funds</li> <li>• community groups may feel more inclined to engage with an independent third sector body</li> </ul> <p>However – local authority involvement and partnership is still required. Specialist, dedicated, actively involved LA officers would still be essential.</p>

		<p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>• limited availability of secure, long-term funding for the third sector – risk of schemes failing in the medium-long term</li> <li>• reduction in engagement of local authorities</li> </ul>
7	<p><b>To establish and then keep under review a map and register of community food growing sites in Wales, to a consistent standard.</b></p>	<p><b>Question 11:</b> How should such a register be compiled and kept up to date? We would be interested to hear in your response whether such a register could form part of any existing land or property inventory, what body should be required to produce it, and who should have access to the register and for what purpose.</p> <p>Whilst this is an excellent proposal which would help in both the monitoring of a community food growing scheme for Wales and act as a development resource, it would be essential to establish long-term management resources, reliable maintenance processes, quality assurance and public data access issues at the outset. Subject to data protection considerations, an on-line register should be publically accessible. Is the WG's own EPIMS database a useful starting point? This work links to the potential site mapping work and land ownerships (see response to Q2). 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.</p> <p><b>Question 12:</b> 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? We are particularly interested to hear your views about how appeals and arbitration could work here.</p> <p>Key principles of any established system should be clarity, openness, transparency and timeliness – with thorough consultation and safeguarding at its heart.</p> <p><b>Question 13:</b> 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?</p>

		Yes
8	<b>To establish and maintain a waiting list for registered community grown food sites to a consistent standard.</b>	<p><b>Question 14:</b> How should waiting lists be compiled and kept up to date? Which body should be required to produce such a list?</p> <p>The locally designated lead should be responsible for this – see response to Q2 above.</p>
9	<b>Where there is clear evidence of demand for allotments or community gardening not being met, a plan should be published, setting out how provision will be increased to address that need.</b>	<p><b>Question 15:</b> 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?</p> <p>The requirement for strategic development plans is a good one. However in terms of the trigger for these, waiting lists only reflect the demand of already well-informed and motivated people aware of community growing opportunities. There’s the risk that wider social and economic factors, such as local health and well-being data are not taken into account. We suggest that a proactive, promotional approach is needed (asking if people are interested in growing, provided ‘taster’ days, involving schools and existing community organisations etc.) to explore the development of community growing provision. Where there is no local history of allotments, people can sometimes not be aware of what’s possible.</p> <p>Local strategies should include take account of likely increasing future demand and should be referenced in single integrated plans and natural resource management plans. .</p>
10	<b>To establish a right for local authorities, community councils, and constituted community groups to register and use (temporarily) unused and underused public land, or land where no owner can be established, for the purpose of</b>	<p><b>Question 16:</b> 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?</p> <p>Advice should be sought from the Federation of City Farms and Community Gardens on minimum lease lengths required for a viable growing scheme. Plots take time to prepare and establish, and investments (both time and money) need to be proportionate.</p> <p>Where a previously developed site is proposed for community growing, a survey of biodiversity should be undertaken if it is possible that the site could contain open mosaic habitats or if the site is likely to contain</p>

	<b>community grown food.</b>	another Biodiversity Action Plan priority habitat. Some sites which appear to be close-mown amenity grassland of no biodiversity significance may contain plants of great importance for pollinators, which have been suppressed, rather than eliminated by repeated mowing. To discover if this is the case the site should be left uncut between early March and late September, and a record of the flowering plants kept during that time by a competent person or organisation. If the competent person or organisation subsequently judges the site to be of low biodiversity value then no objections should be raised to its use for community growing.
11	<b>To allow areas of land earmarked or designated for other purposes to be used for community grown food where it doesn't detract or impact on the designated purpose or other amenity value.</b>	<p><b>Question 17:</b> To what kind of areas should this proposal be extended, and what safeguards would be required?</p> <p>All options should be available (subject to the biodiversity issues highlighted above) and assessed with regard to any existing, but possible not immediately apparent use. Local community consultation about proposals should be an essential part of the process, to ensure that people (including young people who often use green space informally) are engaged, informed and able to comment and take part.</p> <p><b>Question 18:</b> How should assessments of suitability for community grown food be undertaken, and what matters should be considered?</p> <p>Prior to approval of any location for allotments and community gardens, full consideration should be given to the previous use and setting of the land – particularly in relation to contamination. Consultation and discussion with the Local Authority should be undertaken to determine whether the location is suitable for proposed recreation activities, growing and consumption of food. A methodology should be developed to assess whether all or specific sites are considered in detail. This could start with simple site history searches that could be undertaken as part of this approach for site history etc. along with an assessment of potential contaminants on/near road verges and proximity to other sources or background concentrations.</p> <p>Any invasive species need to be identified and control measures agreed. .</p> <p>NRW has agreed the following criteria with the CLAS for sites on land it owns or manages - sites ideally need:</p> <ul style="list-style-type: none"> <li>• To be close to and ideally within 10 minutes' walking distance of communities or on public transport routes</li> </ul>

		<ul style="list-style-type: none"> <li>• Easy access and be as level as possible</li> <li>• A south facing access with limited exposure to prevailing winds</li> <li>• Adequate car parking space to avoid inconvenience to neighbours or road blocking (recognising that some people will drive to any site)</li> <li>• Access to water</li> <li>• To have no adverse impact on wider land management plans and no or few constraints (e.g. Planted Ancient Woodland Sites will rarely be suitable)</li> <li>• To be free from designation as potential development land or with any tenure restrictions</li> <li>• To have full information about any potential contamination issues.</li> </ul> <p><b>Question 19:</b> Do you agree with the proposals above either as a collective package or in part?</p> <p>Collectively.</p> <p><b>Question 20:</b> What are the potential impacts, positive and negative, of the proposals (all together or in part)?</p> <p>Covered above.</p> <p><b>Question 21:</b> In what other ways, other than those proposed above, could the provision of land for allotments and community growing be improved?</p> <p>See our response to Q5 – we would recommend that all land-owning public bodies adopt formal schemes to actively encourage and facilitate access to land – for all community benefit purposes.</p>
	<b>Any other comments</b>	<p>We very much welcome these proposals which would deliver a wide range of benefits – health and well-being, community cohesion and pride, education and skills development, social enterprise. Community growing is an activity that people from all backgrounds, ages and abilities can take part in – wherever they live.</p>

## Appendix 1

# Community Food and NRW

There is a growing demand for allotment sites throughout the UK. As the manager of the Welsh Government's Woodland Estate, NRW is also receiving more requests from communities wishing to use sites at forest margins for growing food. We are keen to receive proposals for such schemes through our *Woodlands and You* programme – soon to be extended to the National Nature Reserves we also own and manage.

To ensure that community food proposals have the best possible chance of success and that specialist development support is available, NRW is pleased to be working with the Federation of City Farms and Community Gardens (FCFCG) and its Community Land Advisory Service (CLAS) initiative. A Memorandum of Understanding is being developed to put the partnership on a firm footing. The Federation and CLAS offer support with issues such as site assessment, group constitution options, project planning and design, and signposting. Successful *Woodlands and You* applicants enter into Allotment Tenancies – fixed term leases granting exclusive use of designated areas.

Criteria for site selection and suitability have been developed with the Federation and CLAS. There are currently two allotment tenancies on NRW managed land in South Wales with further sites being actively investigated and developed. The potential for more is considerable, and a scoping exercise in North Wales is planned.

NRW also works closely with the UK Wildlife Gardening Forum to ensure the provision of advice and guidance to Welsh stakeholders and to support the WG Pollinator Action Plan.