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**REPORT TO: CORPORATE COMMITTEE ON 8 NOVEMBER 2022**

**SUBJECT: LEASE OF PINEFIELD ALLOTMENT SITE**

**BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES & ORGANISATIONAL DEVELOPMENT)**

**1. REASON FOR REPORT**

- 1.1 To invite Committee to approve the lease of the Pinefield Allotment site to the Elgin Allotment Association at a nominal rent of £1 per annum.
- 1.2 This report is submitted to Committee in terms of Section III (B) (22 & 31) of the Council's Scheme of Administration relating to the Council's Strategy, Policy, budgetary and monitoring arrangements and to the approval of new rental concessions up to £50,000 per annum.

**2. RECOMMENDATION**

- 2.1 **It is recommended that the Committee agrees to provide the Elgin Allotment Association with a lease for occupation of the Pinefield Allotment site once developed at a nominal rent of £1 per annum, for as long as the group are undertaking agreed delegated management functions.**

**3. BACKGROUND**

- 3.1 On 15 March 2022 Committee approved the revised Moray Council Allotment Policy (para 10 of the minute refers).
- 3.2 The policy provides guidance and principles that allows the Council to work with all stakeholders to identify and develop allotment sites in line with the requirements of Part 9 of the Community Empowerment (Scotland) Act 2015. It also provides information on responsibilities and guidance to support partnership working between Moray Council, allotment community management groups and other stakeholders in managing allotment provision.

3.3 As per the Allotment policy once the waiting list within a particular community reaches 15 applicants the Council must take reasonable steps to provide allotments including, but not limited to:

- Analysing demand;
- Disseminating information;
- Developing partnership working;
- Identifying all land in the area that is suitable for growing;
- Ensuring there is sufficient suitable land to satisfy future demand;
- Understanding the individual needs of those on the waiting list.

The Allotment Association membership is open to residents of Moray with priority given to those living in Elgin. In Elgin the waiting list for allotments is currently 23 applicants.

3.4 In terms of developing partnership working the policy requires officers to work together with voluntary sector agencies, Community Management Groups and other stakeholders in the design and delivery of new allotment sites and, where they are suitable and willing, to support Community Management Groups to take on management responsibilities for allotment sites.

3.5 The Elgin Allotment Association is a well-established group which currently runs a successful small organic garden share project in Elgin. The Pinefield site was identified for allotments in 2016 and planning permission was secured in 2017. Since the revised Moray Council Allotments Policy was agreed the group has been working with the Council project team (through the Community Support Unit) on progressing the plans for the allotment site. The allotment site works, which are being funded through the Council's Place Based Investment Programme, are due to be completed by March 2023.

3.6 In line with Council policy the Elgin Allotment Association will be supported to take on the lease of the completed site, and the delegation of management responsibilities in line with agreed allotment regulations.

3.7 The market rent of the site has been assessed as approximately £2,700 per annum and a draft lease is being prepared. As the Elgin Allotment Association will be taking on responsibilities that would otherwise be undertaken by Council staff it is proposed that the annual rent is reduced to a nominal rent of £1 per annum, for as long as the Group continues to undertake agreed delegated management functions.

#### **4. SUMMARY OF IMPLICATIONS**

##### **(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

This report supports the LOIP outcomes:

- Empowering and Connecting Communities

And the Corporate Plan Priority:

- Empowering and supporting communities to build capacity

##### **(b) Policy and Legal**

There are no policy or legal implications arising directly from this report.

##### **(c) Financial implications**

If the Committee agree the recommendation in this report the rent reduction will be £2,700 per annum. If the Elgin Allotment Association were not able to take on management responsibilities for the site there would be a requirement for Council staff to provide management oversight. There is currently no capacity within Council teams to provide this service, therefore this would be an additional cost to the Council.

*When the Council approved the budget for 2022/23 on 22 February 2022 (paragraph 3 of the Minute refers) it balanced only by using reserves and one-off financial flexibilities. The indicative 3 year budget showed a likely requirement to continue to make savings in the order of £20 million in the next two years. All financial decisions must be made in this context and only essential additional expenditure should be agreed in the course of the year. In making this determination the committee should consider whether the financial risk to the Council of incurring additional expenditure outweighs the risk to the Council of not incurring that expenditure, as set out in the risk section below and whether a decision on funding could reasonably be deferred until the budget for future years is approved.*

##### **(d) Risk Implications**

The lease agreement and associated allotment regulations will set out roles and responsibilities in terms of the overall management of the allotment site, which reduces risk for the Council and the Elgin Allotment Association. Lease terms are being drafted by the Council and have not yet been discussed in detail with the Allotment Association. However as the proposed lease terms will be standard it is expected that there will be few difficulties in reaching agreement between the parties.

The Council does not own a small area of the designated allotment site and requires to purchase land from a third party. However provisional terms have been agreed and officers are progressing under delegated powers. The risks of this not concluding are considered small.

**(e) Staffing Implications**

There are no staffing implications arising from this report.

**(f) Property**

There are no specific property implications arising directly from this report. The detailed design of the site is in process, with works expected to commence in January and complete by 31 March 2023.

**(g) Equalities/Socio Economic Impact**

The Pinefield allotment site is being designed in accordance with all accessibility requirements. As part of our Community Support Unit (CSU) support to the Elgin Allotment Association officers will provide advice with regard to the inclusion of children, elderly and disabled users.

**(h) Climate Change and Biodiversity Impacts**

The provision of allotment spaces helps the climate emergency by supporting biodiversity and local food growing. Local food growth can support the reduction in carbon emissions associated with importing and transporting food.

**(i) Consultations**

Head of Housing and Property, Head of Economic Growth and Development, Head of Environmental and Commercial Services, Chief Financial Officer, Legal Services Manager, Lindsey Robinson, Committee Services Officer, the Human Resources Manager, the Equal Opportunities Officer and members of the Pinefield Allotment Project Teams have been consulted and the comments received have been incorporated into the report.

**5. CONCLUSION**

**5.1 Committee is asked to consider a nominal rent for the lease of the new Pinefield Allotment Site to the Elgin Allotment Association in recognition of the delegated management responsibilities that will be undertaken by the group and that would otherwise fall to Council staff.**

Author of Report:	Jo Shirriffs, Head of Education Resources & Communities
Background Papers:	
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