



**Cynulliad Cenedlaethol Cymru  
The National Assembly for Wales**

**Y Pwyllgor Cynaliadwyedd  
The Sustainability Committee**

**Dydd Mercher, 21 Ebrill 2010  
Wednesday, 21 April 2010**

**Cynnwys**  
**Contents**

- 3 Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau Introduction, Apologies, Substitutions and Declarations of Interest
- 4 Ymchwiliad i Ddarpariaeth Rhandiroedd yng Nghymru: Sesiwn Dystiolaeth—Cymdeithas Genedlaethol Garddwyr Hamdden a Rhandiroedd a'r Fenter Adfywio Rhandiroedd  
Inquiry into the Provision of Allotments in Wales: Evidence Session—National Society of Allotment and Leisure Gardeners and Allotment Regeneration Initiative
- 16 Ymchwiliad i Ddarpariaeth Rhandiroedd yng Nghymru: Sesiwn Dystiolaeth—Yr Ymddiriedolaeth Genedlaethol  
Inquiry into the Provision of Allotments in Wales: Evidence Session—National Trust
- 26 Cynnig Trefniadol  
Procedural Motion

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.  
In addition, an English translation of Welsh speeches is included.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

|                    |  |
|--------------------|--|
| Lorraine Barrett   | Llafur<br>Labour   |
| Michael German     | Democratiaid Rhyddfrydol Cymru (Cadeirydd y Pwyllgor)<br>Welsh Liberal Democrats (Committee Chair) |
| Irene James        | Llafur<br>Labour   |
| Rhodri Glyn Thomas | Plaid Cymru<br>The Party of Wales  |
| Brynle Williams    | Ceidwadwyr Cymreig<br>Welsh Conservatives  |
| Leanne Wood        | Plaid Cymru<br>The Party of Wales  |

**Eraill yn bresennol**  
**Others in attendance**

|                |  |
|----------------|--|
| John Mason     | Cyd-sylfaenydd, Trawsnewid Bro Ddyfi<br>Co-founder, Transition Bro Ddyfi   |
| Hannah Pitt    | Swyddog Polisi, yr Ymddiriedolaeth Genedlaethol<br>Policy Officer, National Trust  |
| Allan Rees MBE | Cadeirydd Cymdeithas Genedlaethol Garddwyr Hamdden a<br>Rhandiroedd<br>Chairman, National Society of Allotments and Leisure<br>Gardeners |
| Adrian Walsh   | Mentor Cymru, Menter Adfywio Rhandiroedd<br>Allotment Regeneration Initiative Mentor for Wales   |

**Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol**  
**National Assembly for Wales officials in attendance**

|                  |                               |
|------------------|-------------------------------|
| Ryan Bishop      | Dirprwy Glerc<br>Deputy Clerk |
| Meriel Singleton | Clerc<br>Clerk                |

*Dechreuodd y cyfarfod am 9 a.m.*  
*The meeting began at 9 a.m.*

**Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau**  
**Introduction, Apologies, Substitutions and Declarations of Interest**

[1] **Michael German:** Good morning, and welcome to the Sustainability Committee of the National Assembly for Wales. I would first of all like to remind Members and the public that in case of a fire alarm you should leave the room by the marked fire exits, and follow instructions from the ushers and staff. There is no test alarm forecast for today. Please switch off all mobile, pagers and BlackBerrys, as they interfere with the broadcasting system. The National Assembly for Wales operates through both the media of English and Welsh, and headphones are provided for simultaneous translation. They can also be used to amplify the sound; interpretation is on channel 1 and verbatim on channel 0. I also remind you not to touch the microphones, because they are self-operating.

[2] I have received apologies for absence from Karen Sinclair, Joyce Watson and Angela Burns. Andrew R.T. Davies, when he arrives, will be substituting for Nick Ramsay. We are slightly thin on the ground this morning, so I thank those Members who have managed to attend committee.

9.01 a.m.

**Ymchwiliad i Ddarpariaeth Rhandiroedd yng Nghymru: Sesiwn Dystiolaeth—  
Cymdeithas Genedlaethol Garddwyr Hamdden a Rhandiroedd a'r Fenter  
Adfywio Rhandiroedd  
Inquiry into the Provision of Allotments in Wales: Evidence Session—National  
Society of Allotment and Leisure Gardeners and Allotment Regeneration  
Initiative**

[3] **Michael German:** I welcome Allan Rees, who is the Chairman of the National Society of Allotment and Leisure Gardeners, and Adrian Walsh, who is the Allotment Regeneration Initiative mentor for Wales. We have the papers that you provided. Is there anything that you wish to say in introduction, or any remarks that you wish to make to amplify or highlight matters that are in your paper? Then we shall move on to questions.

[4] **Mr Walsh:** I have read over the submission, and I have nothing to add to it.

[5] **Mr Rees:** I think that I really need to point out that, although we are in Wales, we do represent the United Kingdom as well. I am also on the executive board of the international movement. This is not just a local matter; it is an international matter. That should be taken into account as well, because the international committee is supporting the national society in retaining allotments in the UK.

[6] **Michael German:** The legislative competence that we are talking about here, of course, rests with the National Assembly for Wales, but are you saying that we should use national and international experience to aide us? We look to you to be able to provide that national and international experience, since you have helpfully told us about it. When you are answering questions, perhaps you can reflect on what is happening across the globe. I think that that would be very helpful to us.

[7] **Mr Rees:** I should have kept quiet. [*Laughter.*]

[8] **Michael German:** I will start with some interesting overview questions. We have been told that there is an increasing interest in allotments and community growing, and that the demand is growing year by year. Do you think that that is likely to level-off? Is this a trend that has become a growing trend, or is it a fad that will disappear and perhaps decline as the years go on? What sense do you get of the direction of travel?

[9] **Mr Rees:** As a national organisation, we said in 1997-98 that there would be a massive increase in uptake of allotments because people wanted to know what they were growing. That has happened. We were ignored then and we will probably be ignored in the future. If you go back over the years, it is like a fad; everything happens. All of a sudden there is a big surge to do something, then people get tired, fed up, drift away and do something else. These days, as you know, people are working long hours, they enjoy their leisure time by going to different places and are not actually working hard cultivating an allotment or a garden.

[10] We are looking at it from the perspective that it has taken off. It is a lot bigger than we thought it would be; at the moment we have 110,000 members. So, our membership has

gone up almost 40,000 in the last five or six years. There is a massive increase, but is it going to be sustained for the future? We are not sure. We do not think that it will be climbing as much as it has done in past years. It may stay the same, but I cannot see a massive increase unless people, of course, are made aware of the worldwide situation. I understand that the Government has given a directive that, by 2050, there will not be enough land in the world to provide food for us.

[11] **Michael German:** Okay, Adrian, what do you think?

[12] **Mr Walsh:** Just from a local position, being secretary of a local allotment association, the one thing that I have noticed over the last five years is the turnover, which is basically nil. Six or seven years ago you could say that we had anything between 30 and 40 per cent of allotments available, becoming available or people were leaving. What is happening now, unfortunately, is that the only time that allotments become available is if somebody passes on. From a Welsh level, from work with the ARI mentoring, I am probably doing twice as much now as I was two or three years ago.

[13] **Brynle Williams:** Very briefly, if I may, do you see the age profile changing?

[14] **Mr Walsh:** The family is coming onto the site now—locally, certainly. Families are taking over the plots. There is much more interest. They want to bring their children along and teach them. Also, again nationally, the same is true. There is a much younger element in allotments now than there were.

[15] **Brynle Williams:** I am trying to tie it to what you said earlier on about young families being far more concerned about what they are feeding their families. They want to know where it has come from.

[16] **Mr Walsh:** Absolutely, yes.

[17] **Brynle Williams:** I am very, very pleased at the comments that you made about the fact that there will not be enough land by 2050. We are in a very, very serious situation, especially with climate change.

[18] **Michael German:** What are we going to do about the land? The first and second questions are connected. If this is going to plateau, the existing stock of land will provide for the existing numbers but not for the others. If we are going to see an increase, we are going to need more land. Where is that land going to come from and what methods might we try to acquire more land?

[19] **Mr Rees:** This is something that has happened over the years. I think that I put it in my comments about Bridgend County Borough Council selling land recently to Asda. Where has the money from that gone? It has gone back into the coffers to pay for other things. That is not on. It is selling allotment land and has sold it over the years, and now we are in a situation where there is no land central to the community, so we have to look to the outskirts.

[20] I can go through the legislation with you, but local authorities are duty bound to provide allotments. There is a real need for allotments; that is proven by the waiting lists throughout the UK. We do a survey almost every year of certain local authorities in England, and waiting lists have gone up by 10 per cent in the last year.

[21] **Michael German:** Do you know the figures for Wales?

[22] **Mr Rees:** Not off the top of my head. I think that Leanne has done a survey in Wales and you have those figures. Cardiff Council has just over 800 people on the waiting list—it

says that there are over 1,000, but there are double entries, as it were. If you go down to Leckwith, which I visited not so long ago, it is almost derelict. It just needs a little bit of capital to bring it back to allotments properly. There is land available.

[23] You talk about waiting lists. In the Valleys, I know that, in some places, there are short waiting lists, but there are vacant plots. There is land that is not being used. There are derelict allotments in the Garw Valley, for example, at the top end. So, you have to look at the whole picture. Where do you provide allotments? I say that you provide them where there is a demand. You do not provide allotments for the sake of providing allotments. Within the allotment legislation, you can combine all aspects of gardening.

9.10 a.m.

[24] Now, as you have just mentioned, there are community gardens and so on being set up at present. They have no security of tenure. So, if this massive increase in enthusiasm for allotments dies away, that land is then there to be disposed of and you cannot dispose of it. What we are saying is that there is legislation. Let us work within the legislation and get the local authorities to carry out their obligations to provide allotments, and a sufficient number of them, where there is a demand.

[25] **Michael German:** To be absolutely clear, you are saying that there is land available in existing allotments that are derelict.

[26] **Mr Rees:** Yes, according to legislation, the land should be available because you can compulsorily hire and purchase.

[27] **Michael German:** I am just trying to establish whether you think that there are sufficient derelict allotments or land of that sort that could be used to meet demand.

[28] **Mr Rees:** What I am saying is that where there are derelict allotments, generally there is no demand. Where there is a demand, there are no allotments, or there are allotments but not a sufficient number. I am living in Bryncethin at the moment and I am on a waiting list because I have moved. I am on a six-year waiting list for an allotment in Bryncethin. I am, at the moment, negotiating with a local farmer to see if he can provide a piece of land for us to use, but that is only temporary. It is not his responsibility to provide allotments; it is the local authority's responsibility.

[29] Now, there is land available in these areas; it is just that the local authority is not interested. I can go back to 1992, which is when I really got into this because it was frustrating. It took me eight years—from 1984 to 1992—to get Bridgend County Borough Council to realise that there was a demand in the Maesteg area to provide allotments. It did provide those allotments eventually because I threatened the council with legal action. What is the point? We do not want to threaten people; we want to work together, in harmony, to provide allotments for the people who want them.

[30] **Michael German:** Adrian, before I ask Rhodri Glyn and Brynle to come in with supplementary questions, do you have anything to add to this?

[31] **Mr Walsh:** Yes. I quite agree with Allan that there is a statutory requirement for councils to provide allotments. Having said that, it is not always that easy to do it. Besides which, in this legislation, there is no time limit, so a council or an authority can say, 'Yes, we are doing it,' but, when?

[32] The other thing about it is the provision of land and so on. I think that councils need to be educated because there is a lot that they do not know and they are afraid of allotments

inasmuch as they think, 'If we turn over a piece of land to allotments, we will never get it back', which of course is not true. If it is a statutory site, obviously that is something different. There is a lot of land available that is earmarked for x or y that could be leased in the interim period. Land can be made available if people understand the law.

[33] **Michael German:** Just before I ask Rhodri Glyn to come in, I was going to ask whether you feel that that is one of the hold backs for local authorities, that if they find land, that land would not be available for use for a long period of time.

[34] **Mr Walsh:** I think that that is the fear. I do not think that they really understand, but it may be just an excuse.

[35] **Mr Rees:** I would like to put a bit of light on that. The allotment legislation gives 12 months' notice to quit on all allotments. If they are statutory allotments, it has to come to the Welsh Assembly Government to authorise a change of use, under section 8 of the Allotments Act 1925. Other than that, those on private and temporary site will be given 12 months' notice to get off and that is it.

[36] **Rhodri Glyn Thomas:** You have been very critical of local authorities. Is that the general picture throughout Wales or are you referring to specific councils? We have heard of good practice in some local authorities. Could you give us some indication of how many of the 22 local authorities are providing a fairly good service by offering opportunities for people to take up allotments?

[37] **Mr Rees:** Torfaen is a good authority. Bridgend is now becoming a good authority because the allotments are all self-managed—the authority is not doing it; we are. Torfaen is self-managed and Newport is pretty good. Cardiff is getting there—provision is being built up. On Swansea, I do not hear much about Swansea to be honest with you. The provision in the rest of the country is very minimal because there are not many allotments in mid and north Wales at the moment. We have three organisations in north Wales, which are societies, and they do not have an allotment. They are fighting for land there.

[38] Local authorities need intelligence. There are some really good ones. We have 10 that are members of the national society anyway. We take on local authorities as members and, even if they are not members, we will go along and assist them and do everything that we can. Through our solicitors, we also offer legal advice to authorities at no cost to them, if they are not members. However, once we have done that, they generally come on board anyway.

[39] **Rhodri Glyn Thomas:** We had some evidence, Mike, from Wrexham and Conwy, did we not, that gave the impression that there was good practice going on in those counties?

[40] **Mr Rees:** They are not providing. What they are doing might be good practice, but they are not providing. There is demand in that area. I cannot identify it at this moment in time, but when I went to one of the offices up there to give out magazines and leaflets, there were a hell of a lot of people coming in and saying, 'There is no provision. We do not have allotments. They will not provide; they have not got any land or money.'

[41] I am not sure, but I think that the legislation is in sections 25 and 39 of the Small Holdings and Allotments Act 1908: one is compulsory purchase and one is compulsory hire. Compulsory hire is for a minimum of 14 years and a maximum of 35 years. What the heck is wrong with a local authority getting a 14-year lease on a piece of land, compulsorily hiring it for 14 years to see how it goes? If it is good, and if it is substantiated at the end of that period that it is worth looking at a compulsory purchase for allotments, why not do it? It does not cost anything as you will get your money back through rents and other things.

[42] **Michael German:** I think that Leanne is going to ask you some questions about the legislation in a short while, but, Brynle, you may make a short interjection.

[43] **Brynle Williams:** You have partly answered what I was going to ask. You have made reference to the major conurbations in south Wales and the shortage of allotments. Does that issue manifest itself in the same way in the market towns in mid and north Wales? I should imagine that there is the same demand for allotments there. How do we get around this? I will wait until you come in on farm business, tenancies and all that sort of set-up to discuss long-term lets so that allotment users or associations have a securer tenure. However, you say that it is not working in north Wales.

[44] **Mr Rees:** I am in the process of purchasing three acres of land for the organisation in Conwy. The local authority owns the land and I am trying to buy it to put allotments there. How ridiculous is that? I think that this is 7 miles north of Welshpool—I have not been up there yet. They do not want to know about allotments. They are not interested in them because, to local authorities, allotments seem to be a problem. In Maesteg, the swimming pool is subsidised with £185,000 a year. Go and have a look at how much money they spend on allotments: it is pennies; not even pounds.

[45] **Mr Walsh:** Going back to mid and north Wales, I have dealt with allotment associations in mid Wales—in north and south Powys, and in Ceredigion—and most of the associations that I deal with are acquiring or attempting to acquire land privately from farmers who the community know. They have very little joy with the councils. As far as north Wales is concerned, the only thing that stands out about north Wales was the scheme that they were going to bring about whereby they were going to share council house tenants' gardens with possible allotment holders or people who were interested in gardening. Of course, you bring in all these things about paedophilia and all the rest of it.

9.20 a.m.

[46] Anywhere outside the major urban areas of south Wales associations are going to private land owners, albeit those are sometimes organisations such as the National Trust and what-have-you. The other thing is that where councils are sometimes involved they prefer the word 'community' to be in the title of the association. Like Allan said earlier on, it gives them a bit of a cop-out clause, but it also ticks boxes.

[47] **Michael German:** I will just interrupt you there. Leanne will come back to these points, because that is a matter of legislation. So, we will come back to that when we come to Leanne's questions. Lorraine is next.

[48] **Lorraine Barrett:** You have talked mainly about local authorities. I was just thinking about land alongside railway tracks. I am thinking of sidings and so on. When I was growing up in the Rhondda there were huge sidings that could have been used for allotments. I just wonder what work is being done to map out what other land, other than just local authority land, is available. Are there more imaginative ways of finding land and persuading people to release it? I also have a point about people's private gardens. Is there a percentage of people who would be prepared, if the garden is big enough, to give up their garden, or part of it, rather than having it all just as lawn, and turn it over to provide half an allotment?

[49] **Mr Rees:** The land that you are talking about is private land. Private landholders will let the land for whatever rent they can get. The plot holders will only get 12 months' notice to get off the land and do not have any comeback. It is in the legislation. You have 12 months' notice, between 6 April and 29 September in any year, to be removed. You cannot argue the fact. The owner does not have to have a reason: it is just a matter of the owner saying 'off'.



[50] I have stood in front of bulldozers in my time, and retained land for allotments up in Ynysybwll. I stood in front of a bulldozer on private land and told them they were not allowed on there, because, for whatever reason, they had not taken me to court. You cannot do that all the time. I could have ended up in jail, because I was breaking the law. So, there is no security of tenure and there are a lot of people affected now, especially in the Valleys, with these new local development plans coming in, stating where certain developments are to happen in the area. A lot of those cover allotments.

[51] Now, what is going to happen to those private allotment sites if the allotment holders are told to get off? The local authority is duty bound to provide. Eventually, you will run out of private land.

[52] **Michael German:** Okay.

[53] **Mr Rees:** Do you want me to come back on the garden share? I have had experience of that. You did ask the question.

[54] **Michael German:** I am conscious that we have a limited amount of time and you have mentioned the legislation so many times already this morning, and Leanne wants to ask you some specific questions on that matter, because that is an area that we, as a committee, are very concerned about.

[55] **Leanne Wood:** Before I start, I declare an interest as a member of the society. Thank you for the information that you have given us so far; you have mentioned the legislation a number of times and have said that the local authorities are duty bound to provide allotments under the legislation.

[56] What is the problem with the legislation then? We have the legislation, which states that local authorities are duty bound to provide land, yet that provision is not there. Is there a problem with clarification of the law? Does the law need to be changed? Is it just a case of it being implemented? Is it not tight enough to force local authorities to provide land? How should the legislation look, in your view, if it is to be effective?

[57] **Mr Rees:** That part of the legislation, as this Government—that is, the Government at Westminster—and previous Governments have said, is robust. It states quite clearly that local authorities have to provide land.

[58] **Leanne Wood:** Why is it not happening then? Where is it falling down?

[59] **Mr Rees:** It is not happening because I cannot get a local authority to say that it is not going to provide land. If I can get an authority to say that it is not going to provide land it will be in court; we will not hesitate to pursue that. I have £100,000 sitting in a fund for legal action against a local authority that refuses to provide.

[60] The local authorities are coming back—to pick up on what you are saying—and saying, ‘Yes, we will provide’. We have had it. There is no timescale. What we are saying at the moment—we are taking up a case now—is that we think that two years is sufficient. It took me eight years to get on a site, but we are looking now at two years. There is a case coming up now and we may take it on, but we have to win it.

[61] **Leanne Wood:** You mentioned the point about the lack of a timescale in the legislation. Do you think that if a timescale was included, to the effect that a local authority has to provide land, say, within six months, that would help the situation?

[62] **Mr Walsh:** Yes, possibly it would, but, as you know yourself there are always ways

and means of getting out of this anyway. A lot of it started with the Allotments Act 1972, when the obligation for authorities to supply a skilled person, if you like—an allotments officer—was negated. So, you might give them a timescale of six months or whatever but many authorities do not have the skills to supply and manage sites. That is what is also lacking. A timescale certainly might help, but authorities can say, ‘Yes, we are doing what we are supposed to do, but at the moment the land is earmarked for this or that. Perhaps in 10 years’ time we might have land.’

[63] **Leanne Wood:** What is the situation with regard to allotment officers? Is provision patchy throughout Wales?

[64] **Mr Rees:** There is nothing in Wales.

[65] **Leanne Wood:** Nothing at all?

[66] **Mr Rees:** No.

[67] **Mr Walsh:** The only allotments officer I have contacted outside of south Wales is one in Ceredigion, in Aberystwyth. All the rest of the council workers who are supplied to do work with allotments are usually regeneration officers. I have visited one in south Powys, I will not name any councils, where they were giving—

[68] **Michael German:** I think that you just have. [*Laughter.*]

[69] **Mr Walsh:** I have not named the village. The chap who was overseeing it was probably on his first job out of school. Historically, these types of positions are given to newcomers or people sitting out their pensions, not those who are actively interested in and knowledgeable about the matter.

[70] **Leanne Wood:** So, if you were to make some recommendations on these two points, on the legislation and the provision of allotments officers, how would those recommendations look?

[71] **Mr Walsh:** If councils supply allotments officers and have to pay them, at least there is some commitment from them.

[72] **Leanne Wood:** So, every local authority should have a dedicated allotments officer?

[73] **Mr Walsh:** I think so, yes, because there is demand within local authority areas.

[74] **Leanne Wood:** Okay, and what about a change to legislation? Is the legislation that exists good enough?

[75] **Mr Rees:** Yes, if it is implemented, but it has never been tried and tested. We want to test it but we cannot. Local authorities are ignoring the law now. If you add more to it, they will ignore it even more. What we are saying is they have to be tested on this legislation and if the legislation is not working then you can do something about it.

[76] **Leanne Wood:** Well, we know the legislation is not working, do we not?

[77] **Mr Rees:** It is, but they are ignoring it.

[78] **Leanne Wood:** It is not working, because provision is not being made.

[79] **Mr Rees:** Sorry, the Government introduced the legislation, not us; the Government

at whatever level did that. Why is it not going to local authorities and saying, ‘This is our legislation, you are not carrying out your duty and responsibility; if you do not we will cap you, or we will take you to court, or do something about it’? It is the law and they are breaking the law and we are not doing anything about it.

[80] **Leanne Wood:** Well, could that be the change to legislation that is needed then, to place some requirement or a duty upon local authorities to implement the Allotments Act?

[81] **Mr Rees:** Well, they are ignoring it now. If they are ignoring it now and you add more to it, they will ignore it even more. We need a test case as quickly as possible on parts of the legislation. We have recently tidied up some parts and now we are saying there is no planning for sheds.

[82] **Michael German:** I would just like to interject, because what you are saying is the law is not working, therefore, you need a test case because the law is not working. Our job in the National Assembly is to make the law. If the law is not working then you amend the law to make the law work. That is the point, I think, that Leanne is trying to get you to answer, because testing the law is not our job. Our job is to make sure the law works and you are saying the law does not work. So, how would you make it work?

9.30 a.m.

[83] **Mr Walsh:** You have to bring a timescale in somewhere, because that is the way out.

[84] **Mr Rees:** No, you have to put restrictions on local authorities. You have to tell them that, if they do not do something within a certain period—and I do not know whether you can do this—the local authority will be fined. I belong to another organisation: I am secretary of the Whippet Club of Wales. I am a dog person. If I do not get my receipts, invoices and animal returns to the Kennel Club by a certain time, I will be fined £100, so I make damned well sure that I do it, because I do not want to be fined £100. If you were to put something like that to a local authority and say that it had to prove that there was a demand, but if it could not prove that or if it was not providing a sufficient amount under legislation, it might work if it were fined or if some sort of recourse were introduced.

[85] **Michael German:** Leanne, is that okay?

[86] **Leanne Wood:** Yes. I have just one final question on something completely unrelated to the legislation. In the evidence that we received from the Federation of City Farms and Community Gardens, it was suggested that planning fees be waived for community farms and gardens to set up allotments, because they are run on a voluntary basis. What is your view on that?

[87] **Mr Rees:** Allotments do not need planning permission. That is in the legislation. Allotments do not need planning permission. You do not need planning permission to put an allotment down. There has been a test case on it, but I cannot remember the name: cobra-something.

[88] **Michael German:** If you want to provide more evidence on that, you can do so in a note to the committee clerk afterwards, if you want. It would be very helpful.

[89] **Mr Walsh:** I think that there should be some direction from the Assembly Government to planners, because there is such a huge variety of ideas from different planners and authorities. I think that this is in our submission, but, if farmland is turned over to be used as allotments, no planning permission is needed, but it may be needed if it is used for something else.

[90] One thing that I find is that some authorities give land over for use—whether as allotments or community gardens, it makes no difference—but then the planners come along and say that planning permission is needed to do this or that on the site. Sometimes, that is obviously negative. Whether it is on purpose or not, I do not know. You cannot tell whether the authority has said on the one hand that you can have that land and then has taken it away with the other.

[91] **Leanne Wood:** Is there inconsistency between the local authorities as regards who charges and for what?

[92] **Mr Walsh:** Oh yes. Absolutely. That is what I am saying. There should be some directives from the Assembly Government to planners about allotments and community gardens and what have you.

[93] **Michael German:** I want to move on, if I may, because we will not have time to get through all our questions. I want to move on to Brynle who is to talk about barriers and constraints.

[94] **Brynle Williams:** Good morning, gentlemen. What do you believe are the main barriers and constraints regarding allotment provisions?

[95] **Mr Rees:** Local authorities are not providing any. [*Laughter.*]

[96] **Brynle Williams:** You said there is no need for any change-of-use application or anything if virgin farmland is being transferred for use as an allotment. There is no need for any planning application whatsoever, is there?

[97] **Mr Rees:** It is the cobra-something case. I was reading it only yesterday but I cannot remember the full name off the top of my head—

[98] **Michael German:** Well, there is no problem if you want to provide a note to the clerk. That would be helpful.

[99] **Mr Walsh:** As far as I know, there is no need for planning permission to turn farmland into allotment sites. If you are talking about a farmer using his land for allotments, there may be a question in the back of his mind over whether he will lose his grant from the Welsh Assembly Government or Europe, so that type of thing needs to be clarified.

[100] We said in our submission that the National Farmers' Union of Wales, for example, should be invited to these things to talk about their doubts, if you like. Farmland as it is does not need planning permission, but will the farmer do it if he risks losing money?

[101] **Brynle Williams:** Do you believe that more extensive research needs to be done into the benefits of allotments? If so, what approach should such research take?

[102] **Mr Rees:** Everyone knows what the benefits are. Do we have to tell them what they already know? We have advertised it enough. The television programmes are advertising it regularly. I do not think that people really need to know any more. I think that there is quite enough information out there.

[103] **Mr Walsh:** There are some constraints on farmers, as far as this is concerned. If there were a definite scholarly study, there would then be some reason for them to say, 'We will have some funding for allotments because of the study by Mr, Dr or Professor so-and-so'.

[104] **Brynle Williams:** With all the new housing developments in areas—and I can think of one in my region now where there was no provision; it was all council-owned land—authorities could take an acre out of that and say, ‘Right, that is right on the community boundary’. Do you think that we should be pushing more that way?

[105] **Mr Rees:** Absolutely. In the Town and Country Planning Act 1990—section 106, I think it is—there is something about leaving a parcel of land when developing an area, but there is also a section in there somewhere, which we just recently found out about, which says that you do not have to do that if you are building 25 houses or fewer. So, developers are now building 25 at a time, and then coming back about four years later to build another 25. So, we are saying that the planners in Wales should be made aware of that fact so that, if people apply for permission for 25 houses, they should be told to build 30 or they will not get consent, and then when they build 30 houses, they will have to leave 0.5 acre as public open space or allotment provision.

[106] **Michael German:** Okay, do you have any more questions, Brynle?

[107] **Brynle Williams:** No, I am okay, thank you.

[108] **Mr Rees:** May I come back on that?

[109] **Michael German:** Yes.

[110] **Mr Rees:** You do not need planning permission for sheds. If it is agricultural land and has been proven to be such, you do not need planning permission. I just had a case in Maudlam in Pyle, where allotment holders were told that they were not allowed to put up sheds, but I informed them quite nicely—and I was really nice—of the 1950 Allotments Act, and section 12 on the keeping of hens and rabbits. Allotment holders can build a shed to put hens and rabbits in, and they do not need permission from anybody to do that, because they are allowed to keep hens and rabbits.

[111] **Michael German:** That is an interesting point that you make there. Is the legislation not fit for purpose? In other words, if you have to say that, does it not mean that we should have a piece of legislation that says that you are able to put up a shed, presumably provided that it fits a particular size requirement?

[112] **Mr Rees:** Yes, we have got a standard.

[113] **Michael German:** In other words, that is a defect in the legislation.

[114] **Mr Rees:** Not really, because you are talking about livestock. It is really confusing. Like any legislation—and this one is tried and tested—you do not know what it means. We have asked central Government to clarify certain points, but they do not clarify it.

[115] **Michael German:** Well, that is our job. I do not want to go back to the points that Leanne was making, but the crucial thing that you can do today is tell us where the defects are in the legislation so that we can make sure that they are put right. That is the purpose of this investigation. What I am going to invite you to do is this: if you have any thoughts about the legislation, please put them in a note to us. You have just given us an example about hens and rabbits, but you should not need to have to say that you are putting up a shed for hens and rabbits just to get a shed on your allotment. Those are the sorts of things that it would be very important for us to hear, as evidence. I think that it would be very helpful to the clerk if you could provide a note, and if you could do that fairly rapidly, it would be even better. The same goes for Adrian, obviously.

[116] **Mr Walsh:** Allow me to go back to what I was saying to Leanne. We were talking about sheds not needing planning consent, because we know something about it. If you go to a west Wales town that has a parcel of land, the planner will come back and say that permission cannot be granted, because they want to place sheds on the land. It is stopped.

[117] **Michael German:** That is the sort of thing that we can provide clarity about. That is why I am asking for very specific amendments or changes that you would like to see—it does not have to be written in any legal language—to the legislation that now exists. You can do that in a note to the clerk within the next seven days or so. That would be very helpful.

9.40 a.m.

[118] **Leanne Wood:** I would like to ask about the legal side of things. You mentioned section 106 agreements. If there are over 25 houses, additional facilities have to be provided. Do you think that an exception could be made to allotment provision to bring that number down to, say, 10 houses? That is a recommendation that we could perhaps look at.

[119] **Michael German:** Before you answer, is the 25-house rule about open space or allotments?

[120] **Mr Rees:** Open space or allotments; it is whatever you want.

[121] **Leanne Wood:** It mentions community facilities in section 106.

[122] **Michael German:** Community-benefit space.

[123] **Mr Rees:** My personal opinion on this is that, although I want allotments and I want as many as we can get, I have to be sensible and say that 10 would perhaps be too few. Would there be a demand if you put 500 houses there? Would there be a demand? We need to identify where there is a demand. I do not want local authorities putting up land where it is not required. It is difficult. If you have public open space that could be used for allotments in the future, that is what we would like to see.

[124] **Rhodri Glyn Thomas:** I have a point of clarification. With a section 106 agreement, there are a number of categories, one of which is leisure, another is education, highways and so on. There are a number of criteria within that agreement.

[125] **Lorraine Barrett:** Briefly, on sheds, hens and rabbits, that was in the day when rabbits would be bred for the table, perhaps, and hens for eggs. What if you do not have hens and rabbits; does that rule still apply?

[126] **Mr Rees:** You must have permission for other livestock other than hens and rabbits.

[127] **Lorraine Barrett:** The point that I was getting at—and we can have a note on it, perhaps—is that if you are using a law that says that you can build a shed to keep hens and rabbits, what if you only want to keep your gardening tools in it? Do you have to keep hens and rabbits in order to comply with the law?

[128] **Mr Rees:** I said to the clerk of the council that I had told all my members to go out to buy one chicken and build a shed to keep it in, and there is nothing they can do about it.

[129] **Mr Walsh:** I think that the criterion is that it is not a permanent structure.

[130] **Lorraine Barrett:** Okay. I would be a bit worried about one chicken on its own, but there you go. Some of my questions have been covered, Chair, but on the Federation of City

Farms and Community Gardens setting up a new national community land bank, do you believe that something similar should be encouraged in Wales? Maybe I could bring in there the issue of shared gardens, which I raised earlier. Are you aware of much interest in Wales about people giving up half their large garden for allotments?

[131] **Mr Walsh:** Not that I know of.

[132] **Lorraine Barrett:** Is any work done to encourage that or to promote that idea?

[133] **Mr Walsh:** The ideas have been there. It was attempted in north Wales and it was talked about in Haverfordwest at a meeting that I went to. You get this business about Criminal Records Bureau checks—who you are letting into your garden and who you are not letting into your garden—and it gets a bit out of hand.

[134] **Lorraine Barrett:** What about this national community land bank? Are you aware of this project?

[135] **Mr Rees:** We are not opposed to it—that is up to them—but, here we go: there is an opt-out for local authorities, there is your land bank, there are your gardens—community gardens initially—which are now community allotments, believe it or not, for the simple reason that they do not want to be taken to court by the national society if they do not provide allotments.

[136] We have a typical example of this in one of the Valleys. I have put in a bid to buy two parcels of private allotments. The local authority will not do it because there is going to be a community allotment in the Valley, and people from those allotment sites can go there. So, the landowner wants to sell the land—they are only small sites for about 20 to 25 people—and they will then be moved to this community garden. They do not want to go. They want an allotment. They want to grow produce for themselves.

[137] I have very bad experience of this. I used to dig the garden next door to me when I was living in Maesteg for a gentleman who had cancer. I used to grow all his vegetables for this elderly gentleman. When he died, the garden was full of fruit and vegetables and I said to his son, ‘Look, he has died, you are not going to use them, so can I come in to harvest them to give to local people?’—I did not need them; I had plenty—but he said ‘No; there is no way that you are coming on to my land. You keep off.’

[138] I have also had very elderly ladies and gentlemen saying that they do not want people going through the front door to get to the back garden, especially up in the Valleys, given the housing situation there. People do not want that. A lot of people do not want to share their garden, especially given the way crime and everything else is these days

[139] **Lorraine Barrett:** You have talked a lot about legislation and local authorities. What can the Welsh Government do to improve opportunities for allotment provision in Wales?

[140] **Mr Rees:** Other than give local authorities a damn good shaking and say ‘It is your duty’, I do not think that there is much that you can do, other than try to encourage them to carry out their obligation under the legislation, where there is a demand. There is a demand in Bridgend at the moment for 120 plots. I am on that waiting list. Where are the allotments now? We are talking about 120 in Bridgend, which is a big area—there is Porthcawl, Maesteg, the Valleys and Bridgend itself.

[141] **Lorraine Barrett:** That could possibly lead to a recommendation for a mapping exercise.

[142] **Michael German:** Thank you. We have given you a task to send us a note of proposed changes that you wish to see to the legislation. I would be grateful if you could give that some consideration, because this is the area in which we have the most ability to make a difference. Thank you for giving your evidence to us this morning and for helping us and informing us in our approach to this matter. A record of proceedings will be produced, in which you can read what you have said; you can correct any errors but you cannot change what you said. Thank you.

[143] **Mr Rees:** I am insured for what I said. [*Laughter.*]

9.48 a.m.

**Ymchwiliad i Ddarpariaeth Rhandiroedd yng Nghymru: Sesiwn Dystiolaeth—  
Yr Ymddiriedolaeth Genedlaethol  
Inquiry into the Provision of Allotments in Wales: Evidence Session—National  
Trust**

[144] **Michael German:** I suppose that I should declare an interest, in that I pay a subscription to the National Trust. I welcome Hannah Pitt, policy officer for the National Trust, and John Mason, who is the co-founder, I understand, of Transition Bro Ddyfi. Thank you for coming.

[145] We have your papers in front of us today, but it would be helpful if there is anything that you wish to highlight in some opening remarks. Then we will move into questions. Hannah, do you want to go first?

[146] **Ms Pitt:** Thank you. As you will have seen from our paper, we have recently set a target for ourselves of creating 1,000 new growing spaces by 2012. We are just over a year into that and we have already achieved about a third of that target. We have about five new sites in Wales. So, we are quite optimistic that we are going to meet that target and possibly even go further.

[147] While we recognise that this will not help everybody in Wales who is waiting for an allotment, we think that it can help with giving those who want to grow food an opportunity to do so. We also hope that it will encourage other landowners to think about what they can do to offer people space. We like to think that we can highlight some ways in which this could be made easier for landowners also.

9.50 a.m.

[148] In addition to making space available on our land, we have also been working to promote the idea of growing your own food and encouraging people to give it a go. We have run a series of events and activities; we have given away thousands of seeds and produced advice and tips for those who maybe are not so sure about how to get started. We see ourselves as having a role in encouraging people to get involved in growing their own food.

[149] Finally, I would just like to stress that, while I know you are focusing on allotments in this inquiry, there are plenty of other ways that people can be supported, to have a space to grow their own food, some of which I think we have highlighted in our paper. Alternatives to allotments might be suitable for various people, so I think we need to look at a whole range of opportunities really.

[150] **Michael German:** We will certainly cover that point, I think, when we get further into questions. John, do you want to make some opening remarks?



[151] **Mr Mason:** I am John Mason, founder member of Transition Bro Ddyfi. My background is in geology essentially. I have worked in economic geology and in conservation-related geology, which includes anyone from Canadian mining companies to the Countryside Council for Wales and the National Museum here in Cardiff. As an economic geologist, it is quite simple to me that economically extractable natural resources are finite.

[152] Now, the problem coming up at the moment is that a modern economy, which uses cheap energy in very large amounts, is heavily dependent on a continuing supply of crude oil. There is increasing evidence that that supply will peak and go into a decline as soon as within the next 10 years. The United States Joint Forces Command has recently warned that there could be a 10 million barrel a day shortage by 2015. So, if they are worried, I think we should be.

[153] Transition towns began in Ireland in 2005 and spread around the world virally, because a lot of people recognise the impending problems. This initiative seeks to address these problems at a grass-roots level by unlocking genius within the community. Food and allotment provision are just one part of that. An important part of transition is re-localisation of food produce.

[154] We have just seen with the recent airline disruption caused by volcanic activity in Iceland that some of these food supply chains we have around the world are not at all resilient to external shocks, hence the piles of rotting vegetables and flowers in Kenya at the moment. I am new to this, I must say, and quite nervous, and I hope I can be of assistance here.

[155] **Michael German:** Thank you very much, John. Do not worry; you do not have to be nervous. We are after unpicking the information that you have which will be helpful to us in reaching conclusions in this matter.

[156] I will start with the same questions as with previous witnesses, about whether this interest in community growing and allotments is going to increase, whether it is going to decline, or whether we have reached a plateau. Is it just a fad? What is your assessment of what is happening in the growth of this market for people wanting to do these things? Do you want to start, Hannah?

[157] **Ms Pitt:** We would certainly hope that it is not a passing fad, and if we are doing our job properly by convincing people it is a good idea, then it certainly will not be a fad. It does seem to be something that is very much of the moment, and there has definitely been a rocketing interest in the last year or couple of years. Whether that is going to continue at quite the same rate is difficult to predict, however.

[158] A couple of things to think about are that we are probably only seeing the surface of the demand at the moment, because there may well be people who are interested in getting an allotment but, on seeing the size of a waiting list, think it is just not worth the wait, so some of that demand is not being captured.

[159] We certainly think that the trends for greener living and the part that growing your own food plays in that are likely to continue. If you think about the number of children at school now who are being encouraged to try these activities as part of their school curriculum, they are obviously the future growers and, hopefully, their interest will have been stimulated at an early age.

[160] The other thing we have seen in the last year or so is that, with the recession and the economic difficulties, people seem to be returning to what we might call the simple pleasures, that is, getting outside, growing vegetables and that kind of thing. It seems to give them

something that is lacking at the moment and it is perhaps a cheaper way for them to spend their time. Certainly, at the moment, it seems the demand is going to carry on increasing.

[161] **Mr Mason:** I agree with Hannah completely. I actually predict quite a surge in demand in the next five years, and it will only go up. In Machynlleth, for instance, 3 years ago the waiting list was about 30 strong, and it is now getting towards 50, and that is just the people on the list; a lot of people cannot be bothered because, as Hannah said, the waiting list looks impossibly long—I heard of an even longer one in Bridgend from the previous witnesses.

[162] I think there is going to be a real dig-for-victory type mentality, if we can provide a space to do it in.

[163] **Michael German:** Well, you have led me neatly to my second question, which is about the space, the land. I presume you would agree that we are not meeting the current demand for land with the space we have available. How would you see the increase in demand for land being met? How would we go about making sure that there is sufficient extra land available?

[164] **Ms Pitt:** We would like to see people who own land, including public bodies that are responsible for land, looking to identify places that could be made available for community growing. That need not be in the form of a traditional allotment. It could be edible landscaping, raised beds, and those kinds of things. Housing associations and similar organisations also have great potential. Certainly, there is a really good scheme in London that is working with housing associations to encourage them to make places available for growing food.

[165] There are also the private landowners, and perhaps the farm community, too, so that, if it were made easier for people to understand that this is an opportunity that they could consider, and it was easier for them to get on and work with the community or group, there is potential to free up some space there.

[166] **Michael German:** I would like to let John finish, and then I will ask another question.

[167] **Mr Mason:** Several ways have been thought about in the past. Machynlleth is probably one that will be familiar to a lot of councils in Wales, in that publicly-owned land is at a minimum, and publicly-owned land that is suitable for growing vegetables on is a fraction of that again.

[168] They have talked in general terms of a potential compulsory purchase of agricultural land. I think that is a no-no. Compulsory purchase just annoys people, and it is divisive within the community. I would like to see landowners getting incentives to turn agricultural land over to allotments.

[169] **Michael German:** What forms of incentives?

[170] **Mr Mason:** Financial ones, just to help with the set-up. I think that is probably all that is required, although I am still waiting to see from DEFRA how single farm payments will be affected—I have not had an answer to my e-mail of several weeks ago yet. I think that that is the way forward. Many farmers are quite interested in diversification if the numbers add up.

[171] **Michael German:** If you have a question about single farm payments, please inform our clerk, because we can ask the Minister who has responsibility for single farm payments in

Wales.

[172] **Mr Mason:** I will.

[173] **Michael German:** That way, we can get an answer, if you think it would be helpful to our discussion here. Leanne.

[174] **Leanne Wood:** You mentioned the problems of lack of availability and suitability with public land, but the Allotments Act gives rights to people on public land that are not afforded to people on private land. Now, I like the idea that you put forward in your paper about community-supported agriculture, but the reliance on private land for that, I think, is a problem, because people can be evicted within 12 months. We have just heard from previous witnesses that people have no rights on private land.

[175] Can you suggest a way forward for us to enable people to have rights on private land? Have you given much consideration to this question of public and private, and the issue of rights? Do you think there is any way that we can expand the availability of public land for allotments so that people who work that land have some rights to stay there?

10.00 a.m.

[176] **Mr Mason:** On public land within my sphere of experience, which is Machynlleth, there is only so much of it available for various reasons and most, if not all of that, is deemed unsuitable for horticulture. As for private landowners, the guy who I have been talking to, William Lloyd Williams, is a butcher in Machynlleth and also has some ground near the town, and he is actually keen to do something.

[177] He is keen to take the initiative, seize the nettle or whatever you want to call it. I think that in cases like that, where you have got a willing landowner, keen to get something started, you can probably just get into discussions with them and quite fairly say that if someone is going to take the trouble to set up an allotment, they are going to want security of tenure, for at least two years, I would say. I would not want to spend six months putting a garden together and then be told that you have got three months' notice to quit because it is labour intensive and it is expensive. So, yes, we need some kind of framework in which to shape this.

[178] **Leanne Wood:** Could that be done in the form of a contract between the people taking on the land and the landowner, do you think?

[179] **Mr Mason:** I do not see why not, if the landowner is keen to set something up. If the landowner is not keen, I do not think that it is worth proceeding anyway. You have to have a willing partner.

[180] **Michael German:** Did you want to say something, Hannah?

[181] **Ms Pitt:** I think it is a careful balance really because obviously the benefit of using private land is that there may be much more available than if you are waiting for public land to be available, and also it may be able to happen more quickly. So, there are definite advantages there.

[182] I suppose that the difficult thing is making sure that the landowners' interests are protected. They are going to want to form some sort of agreement so that it is not so off-putting to them. However, as you say, those using it have some rights as well. I think that the way that the National Trust has tried to go about it is by building a very good relationship with the community that is going to be using the land. So, you build up the trust and the

understanding, and maybe start with a shorter lease arrangement to see how both parties get on, and then extend it in the long term.

[183] It is very much about working with community organisations and coming to an arrangement that is suitable for both. That is the kind of thing that perhaps the availability of advice, resource packs and guidance model agreements might help to encourage others to do it.

[184] **Michael German:** Rhodri Glyn is going to ask you some questions about the current legislation.

[185] **Rhodri Glyn Thomas:** Dof at y cwestiynau hynny mewn munud, Gadeirydd. Ar sail y drafodaeth yr ydym newydd ei chael, a gaf awgrymu eich bod chi fel Cadeirydd y pwyllgor yn ysgrifennu at y Gweinidog dros Faterion Gwledig, yn gofyn a ydyw hi wedi rhoi unrhyw ystyriaeth i'r posibilrwydd o gynnwys rhandiroedd o fewn y cynllun Glastir newydd? Mae adran ar goedwigaeth, ond buaswn i'n meddwl bod rhandiroedd yn dod o fewn egwyddorion sylfaenol Glastir. Fodd bynnag, nid wyf yn ymwybodol fod unrhyw beth yn Glastir ar hyn o bryd sy'n cyfeirio'n benodol at rhandiroedd.

**Rhodri Glyn Thomas:** I will come to those questions in just a second, Chair. On the basis of the discussion that we have just had, may I suggest that you, as committee Chair, should write to the Minister for Rural Affairs asking whether she has given any consideration to the possibility of including allotments within the new Glastir scheme? There is a section on forestry, but I would have thought that allotments would have fallen within the basic principals of Glastir. However, I am not aware that there is anything in Glastir at the moment that makes particular reference to allotments.

[186] **Michael German:** I think that it would be very useful to do that.

[187] **Rhodri Glyn Thomas:** Hoffwn ofyn cwestiwn penodol i Hannah ynglŷn â'r cynllun sydd gan yr ymddiriedolaeth i drosglwyddo tir ar gyfer tyfu pethau ac yn y blaen. A ydych chi wedi wynebu unrhyw broblemau â'r gyfundrefn cynllunio? A oedd angen caniatâd cynllunio arnoch i drosglwyddo'r tir?

**Rhodri Glyn Thomas:** I would like to ask a specific question of Hannah regarding the trust's scheme to transfer land for growing things and so on. Have you faced any problems with regard to the planning regime? Did you need planning permission for that land transfer?

[188] **Ms Pitt:** The advice that we had from our planning adviser was that it should not require planning permission because it is an agricultural use of land that, therefore, does not require planning permission. There are certain exceptions to that. So, for example, if it is semi-natural habitat, you need to go through an environmental impact assessment.

[189] We have had experience where the advice that we have been given has been that planning permission should not be required to create a new site and the planning authority has come up with a different view. So, it varies really with different planning authorities as to the response you get, but certainly we would see merit in some form of planning circular going out to local authorities in Wales to make it absolutely clear where planning permission is required.

[190] There are certain things that are not exempt. So, for example, if you want to put hard-surface paths down or build sheds, then consent might be required, but it would be helpful, certainly, to have absolute clarity so that we do not have to go through delays and expensive planning applications.

[191] **Brynle Williams:** Would you want this planning exception to be granted to private gardens as well? I have a case regarding a change of use of agricultural land to provide a garden—granted, it is a private garden—and it went all the way to the Planning Inspectorate and it threw it out and said, ‘No, because you are extending the boundary.’ Is there a potential that this could come back to planning?

[192] **Ms Pitt:** That is not something that we have thought about. We have been focusing specifically on allotment-type situations.

[193] **Brynle Williams:** Thank you.

[194] **Rhodri Glyn Thomas:** Gan symud ymlaen oddi wrth gynllunio at y ddeddfwriaeth gyffredinol, a ydych yn credu bod angen mwy o eglurder ynglŷn â'r ddeddfwriaeth? A fydech am newid y ddeddfwriaeth mewn unrhyw ffordd er mwyn hwyluso'r broses o greu mwy o randiroedd?  
**Rhodri Glyn Thomas:** If I could move away from planning to general legislation, do you believe that there is a need for greater clarity regarding the legislation? Would you want to see the legislation changed in any way in order to facilitate the process of creating more allotments?

[195] **Mr Mason:** It would be extremely helpful to all local authorities to know where the land lies on this. There appears to be quite a lot of grey area involved and I think it would be extremely helpful if, as I said, a circular went out to all regional authorities saying what works and what does not work. They would have had it from the horse's mouth then, would they not? As far as I am concerned, agricultural land can be taken into allotments, according to what I have read, but a full clarification on all that sort of stuff would be very useful indeed.

[196] **Rhodri Glyn Thomas:** I was thinking about the responsibility of local authorities in legislation to create allotments.

[197] **Mr Mason:** If you look at the correspondence I have attached to my report, the impression I get is they would love to do it, but they are so stretched for resources that this sort of thing just simply is not possible. Local authorities have many competing demands and fairly limited resources with which to handle the whole lot. Until recently, they regarded allotments as fairly low down on the list of priorities and I have not seen any sort of evidence that that has changed so far.

[198] **Rhodri Glyn Thomas:** Hoffwn symud at gyfrifoldebau awdurdodau lleol. Cawsom, gan y tystion blaenorol, feirniadaeth weddol hallt o berfformiad awdurdodau lleol drwy Gymru gyfan. Beth yw eich profiadau chi yng nghyd-destun hynny? Sut ydych yn meddwl y gallem hwyluso'r gwaith? Yr ydych wedi cyfeirio at y ffaith fod creu rhandiroedd yn weddol isel o ran blaenoriaethau awdurdodau lleol a bod prinder tir ac yn y blaen. Beth allwch ei wneud i sicrhau fod awdurdodau lleol yn cyflawni'r gofynion yn y maes hwn?  
**Rhodri Glyn Thomas:** I would like to move on to the responsibilities of local authorities. We heard from the previous witnesses some quite harsh criticism of the performance of local authorities the length and breadth of Wales. What are your experiences in that context? How do you believe we could facilitate the work? You have already mentioned the fact that creating allotments is quite low down on the local authorities' lists of priorities and that there is a shortage of land and so on. What can you do to ensure that local authorities fulfil the requirements in this area?

[199] **Ms Pitt:** As I said earlier, our experience with local authorities has been mixed and I think there are some very good ones and some are maybe struggling on this. One of the things that we would suggest is that there is a lack of clarity around some of the issues, both planning and others, so certainly some kind of resource pack or information going into local

authorities would be helpful. A really useful tool has been prepared by the Federation of City Farms and Community Gardens and it would be a fantastic resource for local authorities, but, partly because of a lack of resources, it has not been circulated widely in Wales. Things like that would be a great help.

[200] **Mr Mason:** I fully agree with that.

[201] **Rhodri Glyn Thomas:** A oes rhwystr o ran meddylfryd awdurdodau lleol oherwydd eu bod yn poeni y bydd y tir hynny'n mynd yn randiroedd statudol ac na fyddai modd iddynt adfer y tir hwnnw i unrhyw bwrpas arall? A ydyw hynny'n eu rhwystro rhag symud ymlaen ar y mater hwn? Mae hyn wedi ei osod ger ein bron ni fel rhwystr posibl.

**Rhodri Glyn Thomas:** Are there any barriers in the mindset of local authorities because they are concerned that that land will become statutory allotments and that they could no longer use that land for any other purpose? Does that prevent them from moving on in this regard? That has been put forward as a possible barrier in other evidence.

[202] **Mr Mason:** It is not something I have come across personally, but I have not had much dealing with the local authorities on this matter. I would say that we would have to build something into the whole setup that would remove that worry one way or another. There are ways around all these things.

[203] **Ms Pitt:** If that is something that is of concern to local authorities, the option of meanwhile leases may well be something that would help. DEFRA is certainly looking into this in England. It would create an option where land could be turned over for growing on a short-term basis while it is waiting to be developed. So, that might give reassurance that they will not lose this land forever.

10.10 a.m.

[204] **Leanne Wood:** Looking at the correspondence that you have had, John, with Powys County Council about this, I see that one line says that it is clear that allotments are not a high priority for the council. I share your worries about peak oil, as reflected in your paper, and, if those predictions come true, there will be a serious food shortage. The problem is that we cannot say when that will happen. Given that, do you think that allotment provision or growing land provision should be a higher priority for local authorities? If so, how can they make it a priority in this time of cuts, when money is tight in general?

[205] **Mr Mason:** That is a very difficult one to resolve. One problem with the whole peak oil situation is that it is such a big concept. I have talked to town councillors, and I briefed them on it last October with a 40-slide presentation explaining in great detail what the problem was, and only about half of them got it, I reckon.

[206] Powys County Council knows the full magnitude of what peak oil means for our future, and will probably be jumping up and down and buying every bit of land it can get its hands on, but, apart from anything else, it has not got the money to do that anyway.

[207] It is difficult when you are involved in this sort of transition movement to get it across to people how serious this is, potentially, and also how obvious some of the solutions are. If a community can become self-sufficient in food, even on a very basic level, we will not starve. We might have a boring diet at times, but at least we will have food coming in. It is very difficult, as it is a huge concept.

[208] **Irene James:** Good morning to you. I think that my questions have been answered—and quite a lot, in part—but I will still put them to you in case there is anything that you

would like to add. So, in the committee's evidence session on 18 March 2010, it was stated that the publication, 'A Place to Grow', has issues that need to be addressed with local authorities to ensure understanding. So, do you agree with that statement and do you think that there are any particular areas that need to be clarified?

[209] **Mr Mason:** This is in relation to what?

[210] **Irene James:** To barriers and constraints. The law imposes no deadline for eventual provision, and some interested party could seek a judicial review if it was felt that the authority was not working, so perhaps one issue that needs to be addressed with local authorities is giving them an understanding of good practice in that area, so that there is no vagueness around that.

[211] **Mr Mason:** One could argue that local authorities are failing quite badly in their legal duty, although, at the same time, one has to sympathise with them because of their constraints with finances, resources and stuff like that. I am a great believer in carrots rather than sticks, personally. There is no point in beating them over the head with this if there is nothing that they can do about it. That is why I was particularly interested in working with private landowners instead, because, in a town like the one that I come from, there is an awful lot of private land around the town that would be perfect for the job, while public land is not any good for the job at all. So, I understand where the local authorities are with this and, sometimes, we have just got to look at alternative ways around this problem.

[212] **Irene James:** Yet, also in correspondence, you said that there needs to be a legal commitment in relation to the providers of land in the private sector.

[213] **Mr Mason:** On privately rented land, yes. As I said earlier, there is no point in giving someone a lease on an allotment only for them to plant it all up and then be told that they have to get off there again in three months' time. There has to be some kind of time frame that works in a practical way.

[214] **Michael German:** Would you like to give us some example of what sort of time frame you are talking about?

[215] **Mr Mason:** From my own experience, I do not have an allotment; I have a garden swap. It started in February 2009, took a month to clear-fell it, crops started coming up there in July through to about October 2009. I am still picking purple-sprouting broccoli now. I have had it for just over a year now, and I would not have wanted to start that without knowing that I had at least two years in which to plan and grow stuff. That is at least two years.

[216] **Michael German:** So, it is two years as a minimum.

[217] **Mr Mason:** I would envision that a private landowner would not want to go around chasing bits of rent here and there. The most sensible way forward would be for an allotment association to be constituted, consisting of all the people who are renting that ground as individual plots, and then the association leases the land off the landowner for maybe three to five years and sorts out all the admin, including kicking people off who do not do their weeding properly, making sure that they are run sensibly, that the landowner is paid regularly, that the fence is maintained, and so on. I would have thought that three years would be the minimum, realistically speaking.

[218] **Michael German:** That is very helpful.

[219] **Irene James:** Hannah, in the evidence that was received from the National Trust, it

said that there are particular issues for farmers regarding the loss of the single farm payment. What do you believe could be done to alleviate those concerns?

[220] **Ms Pitt:** If land is being used for allotments, it should still be eligible for the single farm payment, as I understand it. It is not that the money will be lost, just that there is this confusion. So, one of the first concerns of private landowners who have thought about making land available for communities is that they will lose the money.

[221] You need to think about the cross-compliance implications. So, whoever is responsible for maintaining the land in a good condition depends on the arrangement that you have for letting the land. If you go for a lease arrangement, the cross-compliance responsibility passes on to the person who is renting the land, but you could use a licence arrangement, which means that the landowner retains more responsibility. You can choose to do it according to how much control you want over the cross-compliance responsibilities.

[222] The fundamental point is that there is a lot of misunderstanding about what the situation is and the implications of giving land over to allotments. It just needs simple advice and clarification to farmers.

[223] **Michael German:** I would just like to clarify a point. Earlier on, you talked about 'meanwhile leases'. That does not necessarily apply to farm land, because it could be any use of land that is waiting for something else to happen to it. Would you like to put a timescale on it? We just heard 'three years' and you did not get a chance to put a timescale on it.

[224] **Ms Pitt:** I agree that you would want a good period in which to establish your garden and get some useful crops from it, so three years sounds about right. Some people might be willing to take on a year lease, you do not know, but three years sounds about the minimum.

[225] **Brynle Williams:** To follow on from that, just as Rhodri Glyn asked for clarification from the Minister on Glastir earlier, would it not be simpler for agricultural land to have five years as a minimum for the same basic agreement to comply with our environmental schemes? With that acre or whatever you are taking out, if you take it out completely, it does not affect it, because the rent, whatever that would be, would more than make up for the loss of the SFP. So, as you say, it is just a matter of simplifying the rules and regulations instead of complicating them. I think that that could be done easily enough. If I may, I now come to the final couple of questions.

[226] **Michael German:** Before that, do you want to say something, Hannah?

[227] **Ms Pitt:** No, I am okay.

[228] **Michael German:** Oh, sorry. I thought that you did.

[229] **Brynle Williams:** What do you believe the Welsh Government can do to improve the opportunities for allotment provision?

[230] **Ms Pitt:** I have already mentioned a couple of things: for example, clarifying certain issues and providing advice and resource packs to local authorities. It has been noted that local authorities are struggling with resources to develop this work.

10.20 a.m.

[231] One thing that has been suggested as a possible solution is to create development officers, perhaps regionally, and they could take on part of the liaison role between landowners and community groups, they could help local authorities to resolve any particular



issues they have, and they would be the experts to resolve issues in areas as they arise. It is the kind of thing that the Federation of City Farms and Community Gardens does, but it is a charity with limited resources. So, either boosting the federation's capacity or adopting that model would be really good.

[232] There are also things that could be done to encourage other landowners to make land available. It would be great if a target for creating allotments on public land could be driven right across Government to include all the bits of land they can influence.

[233] On the other things I have mentioned, about advice and support, as John mentioned earlier, just a small amount of money can be an incentive to getting an allotment established. So, you can do the work to establish the beds, put infrastructure in and so on. Some kind of small grant pot would be fantastic as well.

[234] **Michael German:** Before Brynle goes on, when you talk about Government-owned land, one of the largest landmasses in the Government's ownership here is of course forestry land. I am being careful here, but can you see any potential in that?

[235] **Rhodri Glyn Thomas:** Bit of a job clearing it though.

[236] **Michael German:** Well, there are huge areas of clear fell. So, it may not be as silly as it sounds.

[237] **Leanne Wood:** They are away from populations though, are they not?

[238] **Ms Pitt:** I would not rule it out outright, but there would be certain factors to bear in mind, such as the distance from population and what is there at the moment.

[239] **Mr Mason:** That is right. Again, with reference to Machynlleth, within a mile of the town there are quite extensive areas of either clear fell, partly blown down or standing conifer that is pretty worthless at the moment. A lot of it, however, is on steep slopes or on very thin soil over scree or glacial drift deposits, and much of it is very acidic. You would need to do an awful lot of work to get that into a state where you could actually grow vegetables on it, which means you would be looking at a project with a much longer time frame involved—decades, basically. It would not take decades to get it up and running, but the amount of investment and work you would have to put in would need to be justified by running the project for decades, if not indefinitely.

[240] **Brynle Williams:** Finally, how much funding would you like to see the Welsh Assembly Government dedicate to supporting the provision of allotments?

[241] **Michael German:** You have mentioned a small pot just now. I think it would be helpful to know how small.

[242] **Ms Pitt:** When I say 'small', I mean a pot from which small grants can be given out. It does not take a huge amount of money to establish a site, obviously depending on how big it is. It would be something that is administratively easy for people to apply to that can give them the initial few thousand pounds to get things in place. As to how big the pot itself could be, well, that would be as much as you can give.

[243] **Michael German:** Can you just explain what purposes that pot could be used for in your view?

[244] **Ms Pitt:** We established a fund within the National Trust to help to meet our target. The kind of things that has been funding are materials to make raised beds, clearance work to

get the site ready for growing, buying tools and equipment, water butts, and that kind of thing. Equipment and materials are the focus really.

[245] **Mr Mason:** I have crunched some numbers. Standard allotment plots in the UK are 250 sq m, and that is twice the size of my vegetable garden. I think that that is too big for most people, but if you halve that, you could get 25 to 30 plots per acre, including paths. So, fence off an acre so that rabbits and stock cannot get in, and if that is a square field, you will need 255 metres of running fence. Estimates vary, but you are talking £4 to £6 a metre of fencing. You have got to take water there and bring a road access, even if that is just a gate and a hard standing to pull off the road. I reckon that you can put big dents in the waiting lists for a lot of towns the size of where I come from for less than £10,000. When you consider what that would achieve, I think that it is quite good value. What you do in places like Bridgend, where you have a much bigger waiting list, is another matter, but the figures are going to vary from community to community. Some communities appear to have adequate provision already.

[246] So, what I envisage—which would be fantastic if it is possible—is a pot of money that people can apply to for grants for certain specific projects that tick the boxes that we have identified here this morning.

[247] **Michael German:** Thank you. Are there any more questions, Brynle? I see that there are not. I thank the witnesses for your contribution this morning. You have been extremely helpful and extremely useful. As I said before, there will be a record of what you have said, which you can cast your eye over, not to change the content of what you have said, but to correct anything that may have been incorrectly reported. Thank you very much for coming, and we are most grateful for your evidence.

[248] Colleagues, before we move into private session, I would just to remind you the next meeting of the Sustainability Committee will be on 5 May 2010, when we will be looking at the biomass industry in Wales.

10.26 a.m.

### **Cynnig Trefniadol Procedural Motion**

[249] **Michael German:** I move that

*the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 10.37(vi).*

[250] I see that the committee is in agreement.

*Derbyniwyd y cynnig.  
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10.26 a.m.  
The public part of the meeting ended at 10.26 a.m.*