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**ARGYLL AND BUTE COUNCIL COMMUNITY FOOD GROWING STRATEGY**

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**1.0 EXECUTIVE SUMMARY**

1.1 The purpose of this paper is to seek approval by the Council for adoption of the finalised Argyll and Bute Community Food Growing Strategy by the legally required date of end of April 2020 and to note the Allotment Rules and Regulations. This Strategy will meet the Council's duty under Part 9 of the Community Empowerment (Scotland) Act 2015 which provides a legal framework that promotes and encourages community empowerment and participation in growing food. It can be found in Appendix 1, the Rules and Regulations can be found at Appendix 3.

1.2 To ensure compliance with the Community Empowerment (Scotland) Act 2015 Part 9 - A Cross Departmental Working Group (Development and Infrastructure Services- Development Policy, Customer Services- Legal and Regulatory Support) was established in February 2019 with the following tasks:

- To draft the Argyll and Bute Council Community Food Growing Strategy (which will be referred to as the Strategy) which includes our vision, current provision of growing space, how the Council will meet demand as informed by our Waiting List Register, provide guidance for community groups and how we will carry out monitoring of the Strategy.
- Establish and maintain a Waiting List Register and report annually, for which a dedicated webpage has been developed and is to be managed by Legal and Regulatory Support.
- Draft, consult on and agree Allotment Rules and Regulations, this element was managed by Legal and Regulatory Support.

1.3. The draft finalised Strategy has taken account of

process, Community Food Growing Guidance along with a number of Case studies to inspire others.

1.5. The team involved in the production of the Strategy are officers from Development And Infrastructure-Development Policy (Lead), Customer Services -Legal and Regulatory Support and Communications.

1.6 The Financial implications relate to officer time.

**1.7 Recommendations:**

The Council is as

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**ARGYLL AND BUTE COUNCIL**

**Business Continuity Committee**

**DEVELOPMENT AND ECONOMIC  
GROWTH and LEGAL AND  
REGULATORY SUPPORT**

**16 April 2020**

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## **2.0 INTRODUCTION**

### **2.1 The Community Empowerment (Sco**

4.2 To ensure compliance with the Community Empowerment (Scotland) Act 2015 Part 9, a Cross Departmental Working Group (Development and Infrastructure-Development Policy; Customer Services - Legal and Regulatory Support) was established in February 2019 to implement the various tasks coming from the Act. This report deals with three of these tasks- the draft Argyll and Bute Council Community Food Growing Strategy, maintain a Waiting List register and the Allotment Rules and Re

4.8 The Strategy includes the following content: -

- The legal context of the Act,
- Current provision within Argyll and Bute,
- The planning context,
- An indicative map of the range and location of food growing activities.
- Proposals for monitoring and review of the Strategy.
- Case studies show casing the types of community food growing activities,
- Community Food Growing Guidance information- [https://www.argyll-bute.gov.uk/sites/default/files/community\\_food\\_growing\\_guidance\\_updated.pdf](https://www.argyll-bute.gov.uk/sites/default/files/community_food_growing_guidance_updated.pdf)

The Strategy can be accessed via a Story Map at this link: <https://argyll-bute.maps.arcgis.com/apps/MapJournal/index.html?appid=8b4f54a2f5034d9299bd b11369408dc6>

### **Allotments - Waiting List Register & Rules and Regulations**

4.9 Argyll and Bute Council has three allotment sites (as defined by the Act which are those on Local Authority land) one in Helensburgh and two in Rothesay. They are each managed by allotment associations. Other Community Food Growing Spaces such as community gardens and schools exist within a number of mainland and island sites and they are managed by local dedicated community members and school groups.

4.10 Section 9 of the Act looks to simplify the law regarding allotments. To ensure compliance with the Act, Local Authorities are obliged to manage waiting lists for allotments and take reasonable steps to address high levels of demand. Local authorities also have to report on their allotment provision annually and make allotment site regulations.

4.11 Legal and Regulatory Support have responsibility for the Waiting List Register, which is now open to members of the public and can be accessed by clicking on this [LINK](#). If enough people register in an area where the numbers are viable and suitable land can be found within Argyll and Bute Council ownership that meets the criteria of being local, accessible and fit for purpose, the Council will provide advice and guidance in order to help explore the options.

4.12 At the time of preparing this report 23 individuals had requested to be included on the Register (15 within Bute and Cowal and 8 within Helensburgh and Lomond only). Legal and Regulatory Support have highlighted the demand to colleagues within Commercial Services and Development and Economic Growth and are working together to put arrangements in place to address such requests and provide information on potential growing spaces.

4.13 Legal and Regulatory Support have also prepared Allotment Rules and Regulations which have been prepared in response to the legislative requirements and in support of the Council's commitment to support community food growing. The Register is available at [www.argyll-bute.gov.uk](https://www.argyll-bute.gov.uk) and the Register is available at [www.argyll-bute.gov.uk](https://www.argyll-bute.gov.uk).

consulted stakeholders. The consultation commenced on 24 January and concluded on 21 February 2020.

- 4.15 The consultation approach was largely determined by paragraph 116 (2) of the Act. The Act obligated the Council to advertise in at least one newspaper giving notice of the authorities' intention to make the Rules and Regulations. The Council went beyond this requirement and advertised in various papers (Helensburgh Advertiser, Dunoon Observer, Argyllshire Standard, Oban Times, Campbeltown Courier and Argyllshire Advertiser). The draft Rules and Regulations were also promoted via the Council's website and were also circulated to those registct

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as well as contributing to our biodiversity, the climate change agenda and our excellent environmental credentials

## **6.0 IMPLICATIONS**

- 6.1 **Policy:-**The Strategy will be an adopted policy of the council with the establishment of the Allotment Rules and Regulations are a legislative requirement and will be held in abeyance until such time as the Council directly manages allotments. It is cross referenced in the Local Development Plan- Open Space Policy which safe guards sites for the growing of food.
- 6.2 **Financial:** - None- officer time only. (8 officers involved)
- 6.3 **Legal:** - Meeting our duty to produce a Food Growing Strategy, Allotment Waiting List and Rules and Regulations under Part 9 of the Community Empowerment (Scotland) Act 2015.
- 6.4 **HR-** N/A
- 6.5 **Fairer Scotland Duty:-** this is embodied in the Community Empowerment (Scotland)Act 2015 and taken into account in the preparation of the Strategy.
- 6.5.1 **Equalities** – Yes completed.
- 6.5.2 **Socio-economic Duty**-N/A
- 6.5.3 **Islands:** - the Strategy is all inclusive.
- 6.6. **Risk:** - Failure to progress and adopt the Strategy and Allotment Rules and Regulations will lead to failure to fulfil our duty by April 2020
- 6.7 **Customer Service:** - The Strategy and Allotment Rules and Regulations have undergone a full consultation process and the Waiting List is available for public use.

**Interim Executive Director with responsibility for Development and Economic Growth** - Kirsty Flanagan

**Executive Director with responsibility for Legal and Regulatory Support Services** – Douglas Hendry

**Policy Lead** - Cllr. Aileen Morton

1<sup>st</sup> April 2020

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