

**SUBJECT: ALLOTMENTS – APPLICATION TO DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT**

**DIRECTORATE: DIRECTOR OF HOUSING AND COMMUNITY SERVICES**

**LEAD OFFICER: BRUCE KELSEY, ALLOTMENTS DEVELOPMENT OFFICER**

**1. Purpose of Report**

- 1.1 To consider the details of an application to the Department of Communities and Local Government (DCLG) for the de-statutorisation of the Ermine Allotment site.
- 1.2 To consult on, consider, and agree which parcel(s) of land will be included in the application as replacement land for the lost allotment provision resulting from the 'disposal'.

**2. Executive Summary**

- 2.1 The Council adopted an Allotment Strategy in 2013. The strategy, which comprehensively reviewed the current provision, included reference to many areas of development and improvement within the service, most of which were/are currently unfunded.
- 2.2 The strategy considered utilisation levels and identified the potential to dispose of one or more sites to raise capital funds so as to support the strategy. Ermine allotment site was specifically referenced as the most suitable for disposal.
- 2.3 The Ermine site is still considered to be the most suitable site for disposal owing to the following factors:
  - i) There has been only one active tenant at this site in recent years.
  - ii) The site as a whole is in relatively poor condition and the costs of returning it to viable allotment land are high,
  - iii) There is no waiting list for plots at this site, nor evidence of long term demand for this site,
  - iv) There are viable and suitable alternative sites in the locality within a 10 minute walk catchment area of the Ermine site.
- 2.4 The Executive, at its meeting on 13<sup>th</sup> July 2015, considered and agreed to pursue an application to the DCLG to de-statutorise the Ermine Allotment site. It agreed:
  - i) That the Secretary of State's consent for the de-statutorisation of the Ermine Allotment site be sought.
  - ii) That, subject to permission being granted by the Secretary of State, Property Services be requested to agree sale terms based on the achievement of best consideration and the disposal of the site in accordance with current statutory guidance and legal obligations.

- iii) That, subject to the Secretary of State giving consent for the sale of the site, as much of the capital receipt as was needed be re-invested to address all of the items recommended for action in the Allotments Strategy.
- iv) That officers be instructed to negotiate an acceptable solution with the only remaining tenant of the Ermine Allotment site regarding the ongoing use of his allotment plot, and to report back to the Executive if an agreement could not be reached.

2.5 This report discusses the preferred option(s) for new and alternative allotment sites across the city. Consultation and discussion with officials at the DCLG indicate that they currently seek replacement of areas like for like, and, in this specific instance, have also noted the case for additional alternative provision made, taking into account current and anticipated future demand identified by the recent strategy review. New land will be required to replace the overall loss of provision if the Ermine site is de-statutorised. This will form an essential element of the application to DCLG and will be a significant determinant of eventual success.

2.6 Since the executive sat, it should be noted that the only tenant on the site has now unfortunately past away, leaving the site untenanted.

### 3. Background

3.1 The City of Lincoln Council is currently responsible for the provision of 18 allotment sites across the City. Of these sites, 15 are deemed to be statutory sites, with 3 considered to be temporary sites.

3.2 Councils cannot dispose of statutory allotment land without the Secretary of State's consent. Section 8 of the Allotments Act 1925 states – *"Where a local authority has purchased or appropriated land for use as allotments the local authority shall not sell, appropriate, use or dispose of the land for any purpose other than use for allotments without the consent of the Secretary of State"*.

3.3 The Secretary of State's offices provide clear guidance on what it considers would constitute a reasonable application, and thereby what they would consider meets their requirements for de-statutorisation.

3.4 Additionally, Section 32 of the Small Holdings and Allotments Act 1908 provides the parameters for the sale of sites, and the uses for any income derived (please see the 'legal implications' section below).

3.5 The Ermine allotment site is deemed to be a statutory site. The site was given statutory status in March 1955. It has an area of approximately 0.92ha and nominally contains provision for 21 plots. At the time of drafting the proposal 20 plots on this site were not occupied, and this had been the position for a number of years. The last tenant has now unfortunately passed away, meaning the site is wholly untenanted.

3.6 The site, highlighted green on the plan (attached as **Appendix A**), is located adjacent to Riseholme Road, to the North of the Cathedral quarry site which extracts stone for use in the repair and upkeep of Lincoln Cathedral.

3.7 For the last several years, until only very recently, there has only been one active tenant whose plot backed onto his private garden. The overall condition of the site has therefore deteriorated as a result of the long term vacancies.

3.8 Currently, none of the plots, other than the one tenanted until recently, can be readily

identified, and significant labour and resources would be required to return the plots on this site to a workable condition. It has been estimated that it would cost the authority in the region of £30,000 to bring the site back to a useable condition.

3.9 The 2011 consultant's report, summarised at 4 below, also identified a lack of provision in two primary areas of the City. The SW quadrant – covering the Birchwood/Doddington Park area and the NE quadrant – covering the St Giles and Monks Road area. Of these, the SW quadrant is recognised as a priority given the current lack of provision and the density of population that an allotment site could serve.

3.10 Following approval by the Executive, a draft application to DCLG has been developed. In light of current and anticipated future demand, an essential aspect of the application, and a major determinant of permission being granted in this instance, is our ability to identify an alternative site(s) which replace the area of land lost by the disposal of the Ermine site. (ref: 2.5 above).

#### **4. The Strategic Overview**

4.1 In 2011, the Council engaged external consultants, Mott MacDonald, to carry out a strategic review of allotment provision. The primary aim of the review was:

*“To provide strategic direction and a clear action plan that will deliver a financially sustainable allotment service that meets demand, has a satisfactory standard of infrastructure, and that operates in a transparent way that is fair and equitable.”*

4.2 The objectives of the review were :

- a) To establish a baseline qualitative assessment of sites so as to provide a comprehensive picture of condition and investment needs.
- b) To estimate demand over the next 20 years, assess locality of provision against the forecast local demand, and to make recommendations as to how the Council might best structure its spatial provision.
- c) To consider current operational practices and to recommend changes that improve the efficiency of the service.
- d) To consider the capital investment required for the service, making recommendations as to how this might be achieved.
- e) To consider the revenue resources used in the provision of the service, and to make recommendations as to their suitability in meeting the aims.

4.3 In respect of the Ermine site, the consultants made the following observations:

Area: 0.92ha  
Number of plots: 21  
Number vacant: 20

*The plots on this allotment site do not appear to be being used (although there is one tenant). It is understood that tenancy of this site has not been encouraged as the future of this site has been unclear. This site does have potential but there is a lot of work to be done to get it to the required standard. A proper access track and parking area must be considered and the boundary which is comprised of a hawthorn hedge, wooden gates and a fence needs to be repaired and enhanced. There is also a fair amount of litter on site, although no evidence of fly tipping. If it is agreed that this site is required it would need to be laid out anew.*

## 9.4 Summary

*It is therefore recommended that:*

- The Council uses developer contributions towards the funding of new allotment sites or to assist with refurbishing existing sites;*
- The Council consider the sale of Ermine allotment site or alternatively identify at least 2 acres (0.81ha) of land in the north of the City which it can sell for housing (subject to planning policy) and use the proceeds to pay for improvements to allotments; and*
- If an allotment site is chosen, that the Council then seek permission from the Secretary of State to formally declare the site redundant.*

## 5. **Alternative Allotment Sites**

- 5.1 In order to satisfy government departmental officials of the Secretary of State for Communities and Local Government that our application will not result in net reduction of allotment land, below that required to cater for current and anticipated future demand in accordance with statutory obligations, the application to be made by the City Council should identify alternative land for a replacement allotment site(s) which will then become a statutory allotment site/s in its own right.
- 5.2 The identification of alternative allotment sites, predominantly in areas of the city where there is currently little or no provision, both allows the service to reach new and potential allotment gardeners, and ensures a more equitable distribution of allotment gardening opportunities. This is consistent with the Council's strategic and allotment strategy aims.
- 5.3 Following consideration by the Asset Review Group on 17<sup>th</sup> November 2015, a number of possible scenarios have been identified to provide the required land. Any one, or combination of options (i) to (iv) below, will, if approved, yield the required amount of land to balance the land lost to allotment gardening by the removal of the Ermine site from the portfolio.
- 5.4 At the same time, each option, or combination of options, will retain a strategic fit with corporate and allotment strategy aims.
- 5.5 An analysis of each of the options and the location of the sites that constitute those options is attached as **Appendix B**, and should be read in conjunction with section 6 below.

## 6. **The Proposal**

- 6.1 The recommendation in terms of the specific land to be identified by the Executive is conditional upon a decision to be taken by the Executive relating to its support, or not, for the Birchwood BIG Local project, whose plans will be presented to and discussed by Executive on or after 25th January 2016.
- 6.2 If Executive choose to approve support for the Birchwood BIG Local project, the following is recommended:
- i) A half hectare of land at Melbourne Road Open Space plus

ii) A half hectare of land (to be identified) in the SW quadrant/Birchwood area of the City,

Or

iii) A half hectare of land at the former Wragby Road Allotment site.

If Executive choose not to approve support for the Birchwood BIG Local project, the following is recommended:

iv) A hectare of land at Melbourne Road Open Space,

Or

v) A hectare of land (to be identified) in the SW quadrant/Birchwood area of the City

Or

vi) A hectare of land at the former Wragby Road Allotment site,

Or

vii) A hectare of land comprising any combination of the above options.

6.3 It is proposed that the Executive support the above as suitable options, mindful of the decision yet to be taken in relation to Birchwood BIG, and that consent be given for the formal application to the Secretary of State for Communities and Local Government for the disposal of Ermine Allotment site to be submitted at the earliest opportunity. Subsequently, when the Executive has determined its position in relation to their support for, or rejection of, the BIG Local proposals, the agreed view of the Executive be communicated to the Secretary of State as an update.

6.4 It is further proposed that, should the council receive a supportive decision from the Secretary of State for Communities and Local Government, the Strategic Property Manager is authorised to progress the disposal of the Ermine allotment site.

## **7. Strategic Priorities**

### **7.1 Growing the local economy**

The disposal of the Ermine site has the potential to provide resources that can be re-invested to support the long term sustainability of Lincoln's allotments. This contributes to making Lincoln a better place to live and work, thus enhancing opportunities for the workforce, and encouraging valuable trades/skills sets to move to the city.

### **7.2 Protecting the poorest people in Lincoln**

Allotments are highlighted in the Council's current strategic plan as a key contributor to its anti-poverty strategy. They are seen as one way to help people move out of

food poverty. They offer a more sustainable opportunity than continued reliance on food banks. It is considered that allotments permit access to gardening space to grow food and enjoy a healthy lifestyle where this might not otherwise be available.

### 7.3 Increasing the supply of affordable housing

The disposal of the Ermine site could ultimately contribute to increasing the supply of housing in the city by making land available for the building of new affordable dwellings.

## 8. **Organisational Impacts**

### 8.1 Finance

- 8.1.1 The Council's Executive has agreed that as much of the capital receipt generated from any successful sale of the former Ermine allotment site as needed will be reinvested into improvements on remaining allotment sites as per the allotment strategy.
- 8.1.2 An outline draft capital programme of works was constructed from the works and improvements identified in the Mott McDonald consultant's report. This will need updating in terms of costs and specific works once a capital sum has been received by the Council.
- 8.1.3 An estimated total cost for works in this outline draft programme, produced in 2012, was close to £900,000 before overheads, profits, contingencies and inflation.
- 8.1.4 Ongoing revenue implications associated with capital allotment improvements have not been calculated at this stage.
- 8.1.5 The Council will, as a result of a successful application, be responsible for preparing and potentially managing a new allotment site(s). There may be additional revenue implications incurred to ensure these sites are properly maintained and managed. This may, to a certain extent, be mitigated by the chosen management options adopted at each replacement site.
- 8.1.6 The Council is also due to review its fees and charges for allotments as part of the strategic overview of these services. Members will have opportunity to take account of any additional costs that may arise when determining a revised pricing strategy.
- 8.1.7 Any revenue implications which cannot be mitigated through the chosen management options, or through a review of the pricing strategy, will in the first instance be sought to be funded from within existing budgets or otherwise be considered as part of the annual budget setting process for future years.

### 8.2 Legal Implications

- 8.2.1 The authority must obtain the approval of the Secretary of State to remove the statutory status of an allotment site before disposal can take place.
- 8.2.2 Section 8 of the Allotments Act 1925 states – *"Where a local authority has purchased or appropriated land for use as allotments the local authority shall not sell, appropriate, use or dispose of the land for any purpose other than use for allotments without the consent of the Secretary of State"*.
- 8.2.3 Section 32 of the Small Holdings and Allotments act states:  
  
(1) *'where the Council of any borough, urban district, or parish are of the opinion that any land acquired by them for allotments or any part thereof is not needed for the*

*purpose of allotments, or that some more suitable land is available, they may, sell or let such land otherwise than under the provisions of this Act, or exchange the land for other land more suitable for allotments, and may pay or receive money for equality of exchange.*

*(2) The proceeds of sale under this Act of land acquired for allotments, and of any money received by the council on any such exchange as aforesaid by way of equality of exchange, shall be applied in discharging, either by way of a sinking fund or otherwise, the debts and liabilities of the council in respect of the land acquired by the council for allotments, or in acquiring, adapting, and improving other land for allotments, and any surplus remaining may be applied for any purpose for which capital money may be applied, and the interest thereon (if any) any money received from the letting of land may be applied in acquiring other land for allotments, or shall be applied in like manner as receipts from allotments under this Act are applicable.*

8.2.4 The Council has chosen to allocate all potential capital funding generated from the disposal of the Ermine allotment site to improvements of the remaining allotment sites.

8.2.5 The minute, from the Executive meeting on 13<sup>th</sup> July 2015 relating to this states:

*“That, subject to the Secretary of State giving consent for the sale of the site, as much of the capital receipt as is needed be re-invested to address all of the items recommended for action in the Allotments Strategy”.*

8.2.6 The Council must be prepared to accept that replacement sites identified and agreed as new allotment sites will become statutory allotment sites and will consequently be subject to the above legislation relating to allotment sites.

8.2.7 At its meeting on 13<sup>th</sup> July 2015, the Executive agreed to protect the on-going right of the sitting tenant to garden at the Ermine site. We have recently been informed by family members that the tenant passed away at the end of November and they have indicated that they now wish to relinquish the plot. As a result of this, the application to DCLG can now incorporate the whole site as a single ‘disposal’.

### 8.3 Human Resources

There are no HR implications arising directly from this report.

8.4 Equality, Diversity & Human Rights (including the outcome of the EA attached, if required) – see **Appendix C**.

8.4.1 The adopted Allotment Strategy identified the positive ways that well run allotment services can contribute to the corporate objectives by supporting communities. In particular the aspiration to reduce poverty and disadvantage. This report supports that strategic ambition and identifies a way to release capital funds to deliver on stated objectives.

8.4.2 Any new allotment sites and plots created as a result of a successful application to the DCLG will be established after appropriate consultation with key bodies to ensure the new site is fully accessible to all sectors of the community. Additionally, and as far as is reasonably possible, steps will be taken to ensure that any new provision is appropriately publicised to all residents in the city, is located to encourage use from those who may be economically or socially disadvantaged, and/or from minority communities and groups who may have an interest in allotment gardening.

### 8.5 Significant Community Impact

New allotment sites, particularly in those areas where there is currently no provision will enhance access to low cost gardening for residents local to that area. Depending upon the site chosen, there may be some re-development work required that could impact upon residents most proximate to the site in question.

## **9. Risk Implications**

### **9.1 (i) Options Explored**

#### **a) Preferred option.**

Consider a range of potential alternative allotment sites to replace land lost through disposal, and seek to confirm which site(s) could be included in the application to the DCLG.

#### **b) Alternative option.**

Make the application to DCLG without ear-marking alternative provision:

- If, in the Council's application to the DCLG, no alternative land is identified or offered, or the authority choose to apply without identifying replacement land, it is possible that the application to dispose of the Ermine site could fail.
- The authority can claim exceptions to any or all of the assessment criteria by providing clear reasons and arguments for claiming special or unique circumstances which would explain why the statutory criteria should not apply in this case.
- DCLG officials have indicated that, as a result of recent cases where applications to dispose of statutory allotment land were poorly assessed and scrutinised, the case being made for all future applications will need to ensure that all criteria have been fully answered and that, as far as is reasonably possible, there should be no overall loss of allotment provision in the applicant's area.

### **9.2 (ii) Key risks associated with the preferred approach**

- Dependent on the land in question, certain practical and / or legal processes would be needed in order to bring the land in to allotment use, for example the transfer of privately-owned land or ground survey work. These matters should ideally be resolved as far as reasonably possible ahead of the DCLG application, in order to provide assurance of the Council's commitment to replacing the land. An un-secured commitment may be challenged.

## **10. Recommendations**

10.1 The Executive is asked to confirm the identification of, and commitment to, a suitable replacement site, or sites, to replace land lost by the disposal of Ermine allotment site on the basis set out in section 6 of the report.

10.2 That, subject to the final outcome in relation to 10.1, any requirements in respect of proposed changes of land use be referred back to the Executive for consideration.



**Key Decision** Yes

**Do the Exempt Information Categories Apply?** No

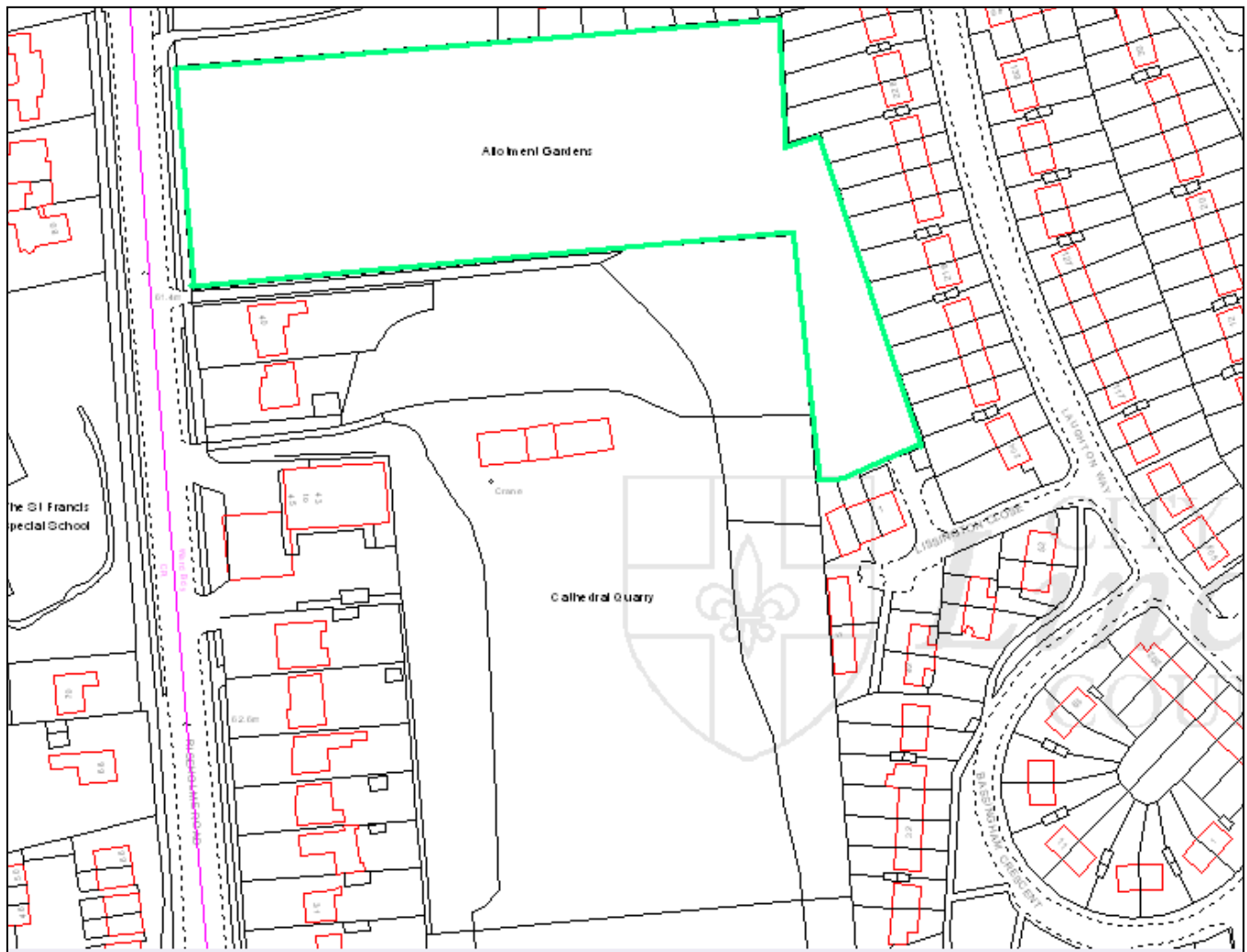
**Call in and Urgency:** Is the decision one to which Rule 15 of the Scrutiny Procedure Rules apply? No

**How many appendices does the report contain?** Three

- *Appendix A – Ermine Allotment - Site Plan*
- *Appendix B – Alternative Site Proposals*
- *Appendix C – Equality with Human Rights Impact Assessment*

**List of Background Papers:** None.

**Lead Officer:** Bruce Kelsey Telephone 873706

**ERMINE ALLOTMENT – SITE PLAN**

## ALTERNATIVE SITE PROPOSALS

### 1. Melbourne Road Open Space – half hectare

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<b>Area(s) of City:</b>	Birchwood & Hartsholme wards
<b>Quadrant:</b>	SW
<b>Area available:</b>	3.15ha
<b>Area required:</b>	0.48ha
<b>No. of potential plots:</b>	approx. 32 @ 150sq/m per plot

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- 1.1 From an allotment development perspective, the most advantageous location for new provision would be the Melbourne Road Open Space. This area of around 3 hectares is located reasonably centrally within the Birchwood residential development.
- 1.2 Access is good for both vehicles and pedestrians. Notwithstanding interest from other parties (outlined below), It would be feasible to identify sufficient land at this site which could be allocated to allotment land.
- 1.3 Before a decision is reached regarding this, it should be noted that there are other parties who are interested developing this space as a Community Park. Their aspirations, outlined below, suggested alternative uses for the site.
- 1.4 The Council will need to decide whether it wishes to support these aspirations or whether it wishes to press ahead with its own plans.
- 1.5 Birchwood BIG local Project**
  - 1.5.1 The Birchwood BIG Local project has developed some significant conceptual plans which seek to re-develop this space into a multi-use community park. These plans include some form of allotment gardens as well as 'community gardening space'. Officers have held informal discussions with members of the BIG local project.
  - 1.5.2 Arising from these discussions the BIG Local project steering group has consulted with residents and has agreed to link our aspirations for a statutory allotments space into their BIG local project plans for this site.
  - 1.5.3 Assuming this were approved, under their current plans, this would provide the authority with an area of approx. 0.48 hectares which would be identified as statutory allotment land and protected as such. This solution would leave a further 0.52ha to be found in other areas.
  - 1.5.4 A schematic layout, developed by Hill Holt Wood (who are working with the BIG Local project group) has been presented to the Council and is reproduced below. The area of proposed allotments is incorporated in the area marked in red.

**BIRCHWOOD FIELDS**  
Community Park

Ridgeway Close  
MELBOURNE ROAD  
MELBODRIVE Close

1 Car Park  
2 Toddlers Play area  
3 Main Play area  
4 Community garden Store  
5 Proposed Community Cafe  
6 Wicker Weave Labyrinth  
7 Community Shared Garden Space  
8 Open Air Theatre  
9 Art Exhibition Space  
10 Bike/toddler track  
11 Community Bike 'Pump' Track  
12 Recreational green Space

•• Main Entrance  
••• Main artificially lit access pathway

Indicative only – not to scale

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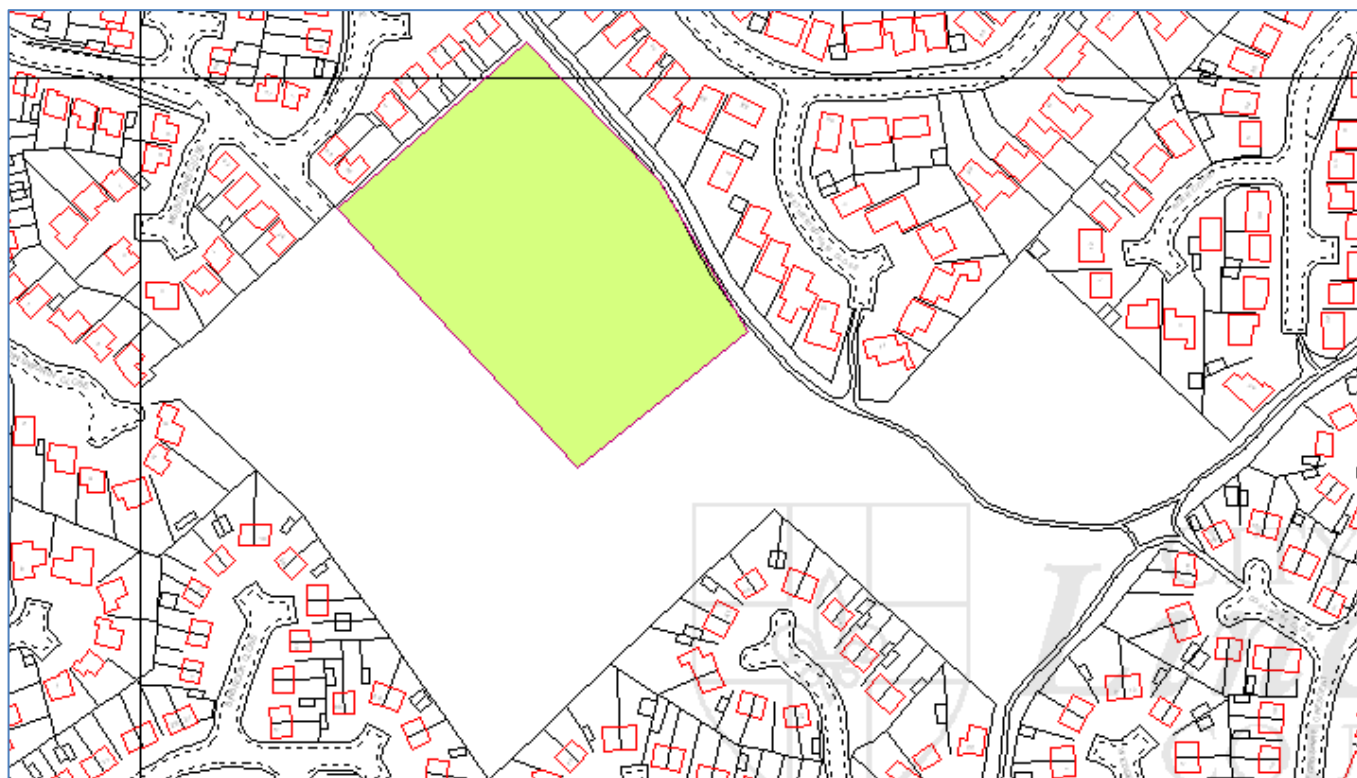
## 2 **Melbourne Road Open Space – one hectare**

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<b>Area(s) of City:</b>	Birchwood & Hartsholme wards
<b>Quadrant:</b>	SW
<b>Area available:</b>	3.15ha
<b>Area required:</b>	1.0ha
<b>No. of potential plots:</b>	approx.66 @ 150sq/m per plot

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- 2.1 Should the BIG Local project plans fall, or fail to find appropriate support, our preference would be to allocate 1ha of this space as statutory allotment land. The outline above is indicative of the size of the space which would be allocated to allotments.



Indicative only – not to scale

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## 3 **Wragby Road (Former Allotment site)**

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<b>Area(s) of City:</b>	Abbey, Glebe & Park Wards
<b>Quadrant:</b>	NE
<b>Area available:</b>	approx.3.4ha
<b>Area required:</b>	approx.0.48ha – 3.4 ha
<b>No. of potential plots:</b>	approx. 40 – 220 @ 150sq/m per plot

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- 3.1 The current Wragby Road Allotment site is bordered, to the North by former allotment land. In principle, this former allotment site, which was de-statutorised in the early 1980's could be returned to allotment use. Given its overall size, anything from a hectare to approx. 3.4 hectares could be utilised as part of the application.
- 3.2 The whole of the current and former allotment site sits over an extensive network of former ironstone mine workings. As a result of detailed engineering assessments undertaken on this site in the 1980's, the area is considered to be undevelopable for significant building projects. There has been no recent assessment as to whether the land would be considered to be safe for the resumption allotment gardening. However, given the low



impact use that allotment gardening will create, it is perhaps fair to recognise that this use would present the lowest risk and would return a piece of ground to formal use.

3.3 Two main options exist for this site.

- i) 0.5ha could be identified which along with 0.5 ha at Melbourne Road (outlined in 1 above), would provide the required amount of additional land.
- ii) If the Council chose not to allocate any land at Melbourne Road Open Space, a full hectare at the Wragby Road former allotment site could be allocated to allotment use. This would be additional to the existing Wragby Road allotment site. The Council could also choose to allocate an amount of this land in addition to any approval to utilise land at Melbourne Road Open Space.

3.4 The costs associated with reinstating allotment land would, depending upon the chosen layout and the amount of land required, need to include:

- The clearance of a number of mature trees adjoining the current allotment boundary fence
- The preparation of the ground to be cultivated
- Modifications and/or extensions to the existing trackways
- Possible provision of a car park
- Relocation of the existing border fencing to incorporate the new plots within the existing site.

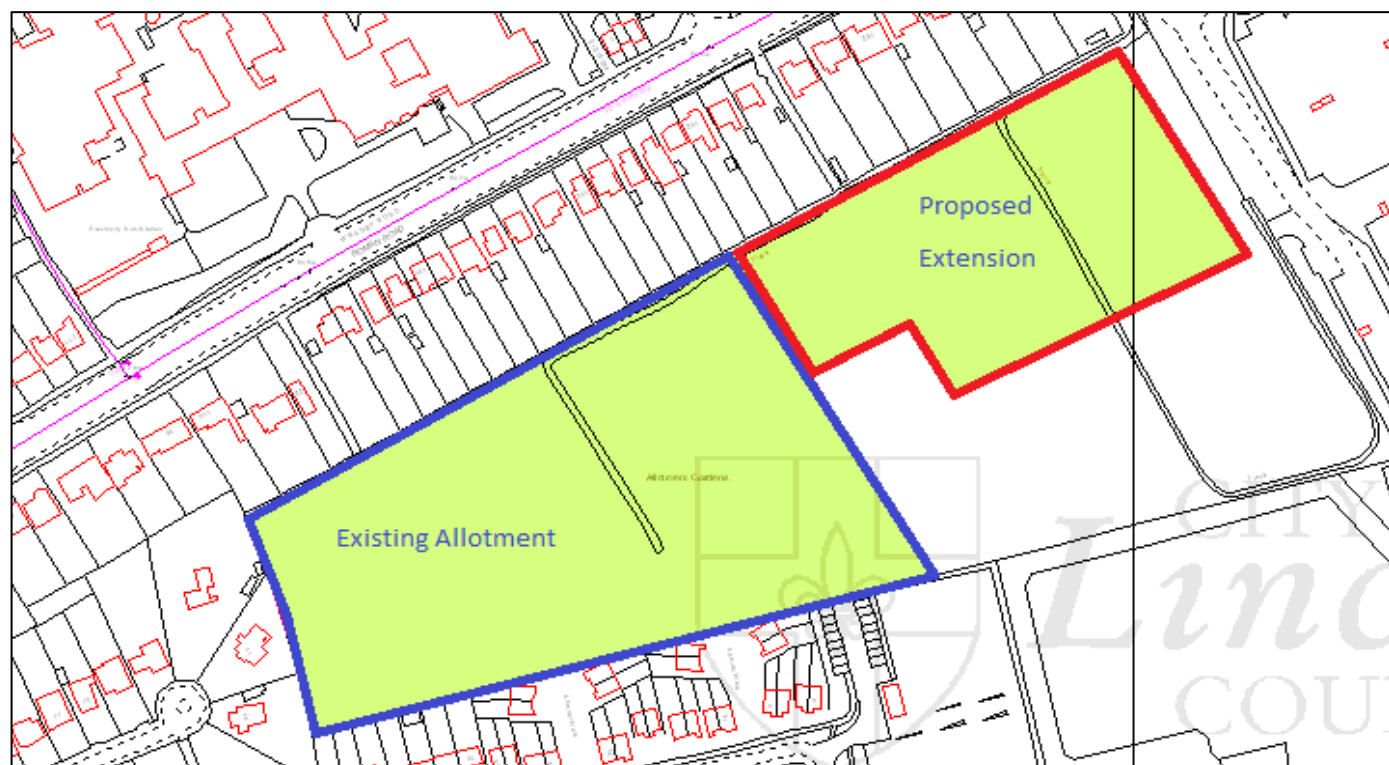
3.5 In addition, if incorporated in the application alongside the Melbourne Road site (1 above), this would allow the application to demonstrate that we are replacing lost land with sites in both highlighted areas and will be supportive of the aims of the allotment strategy.

3.6 This option may well stimulate resistance from local residents, particularly those aligned to the Darwin Wildlife Group and those whose properties back onto this site. In some cases these may be one in the same.

3.7 The map below shows the existing Wragby Road Allotment site with a nominal additional 0.5ha of allotment land within the area of interest, identified in red.



3.8 The map below shows the existing Wragby Road Allotment site with a nominal additional 1.0ha of allotment land within the area of interest, identified in red.



Indicative only – Not to scale

## EQUALITY WITH HUMAN RIGHTS ANALYSIS

## SECTION A

<b>Name of policy / project / service</b>	Ermine Allotment – Disposal of Site/allocation of alternative proposals	
<b>Background and aims of policy / project / service at outset</b>	<ul style="list-style-type: none"> <li>• To consider the application to the Department of Communities &amp; Local Government (DCLG) for the de-statutorisation of the Ermine Allotment site</li> <li>• To consult on, consider and agree which parcel(s) of land will be included in the application as replacement land for the lost allotment provision resulting from the disposal.</li> </ul>	
<b>Person(s) responsible for policy or decision, or advising on decision, and also responsible for equality analysis</b>	Bob Ledger – Director of Housing & Community Services	
<b>Key people involved <i>i.e. decision-makers, staff implementing it</i></b>	Steve Bird	Assistant Director – Housing & Community Services
	Bruce Kelsey	Allotments Strategy Officer

## SECTION B



This is to be completed and reviewed as policy / project / service development progresses

	Is the likely effect positive or negative? (please tick all that apply)			Please describe the effect and evidence that supports this?*	Is action possible to mitigate adverse impacts?	Details of action planned including dates, or why action is not possible
	Positive	Negative	None			
Age	✓			Disposal of this allotment site would have impacted upon the sole tenant who, in certain circumstances, could have been required to quit. The Council had taken appropriate steps to mitigate this risk.	Yes	The current tenant passed away at the end of November 2015 and his surviving family have indicated that they now wish to relinquish the plot. As a result of this, no further action to protect the rights of the sitting tenant now needs to be taken.
Age	✓			The ultimate result of disposal would be the improvement of allotment provision elsewhere in the city, including in areas which are currently not served by allotments. This would benefit a number of city residents who currently have no allotment provision in their immediate area. This will positively impact current and prospective allotment tenants, many of whom are elderly	N/A	
Disability	✓			The Council's allotment strategy identifies opportunities to develop allotments that offer opportunities for people with disabilities.	N/A	
Gender re-assignment			✓		N/A	
Pregnancy and maternity			✓		N/A	
Race			✓		N/A	
Religion or belief			✓		N/A	

	Is the likely effect positive or negative? (please tick all that apply)			Please describe the effect and evidence that supports this?*	Is action possible to mitigate adverse impacts?	Details of action planned including dates, or why action is not possible
	Positive	Negative	None			
Sex			✓		N/A	
Sexual orientation			✓		N/A	
Marriage / civil partnership			✓		N/A	
Human Rights (see page 8)			✓		N/A	

\* Evidence could include information from consultations; voluntary group feedback; satisfaction and usage data (i.e. complaints, surveys, and service data); and reviews of previous strategies

Did any information gaps exist?	Y/N/NA	If so what were they and what will you do to fill these?
	Y	Consultation with sitting tenant confirms his wishes to continue allotment gardening. The Council will protect the tenant's wishes & ensure that these are considered and incorporated into relevant legal documents when these are drawn up.

## SECTION C

### Decision Point - Outcome of Assessment so far:

Based on the information in section B, what is the decision of the responsible officer (please select one option below):

Tick here

- **No equality or human right Impact** (your analysis shows there is no impact) - sign assessment below ☒
- **No major change required** (your analysis shows no potential for discrimination, harassment)- sign assessment below ☐
- **Adverse Impact but continue** (record objective justification for continuing despite the impact)-complete sections below ☐
- **Adjust the policy** (Change the proposal to mitigate potential effect) -progress below only AFTER changes made ☐
- **Put Policy on hold** (seek advice from the E&D officer as adverse effects can't be justified or mitigated) -STOP progress ☐

**Conclusion of Equality  
Analysis (describe objective  
justification for continuing)**

**When and how will you review  
and measure the impact after  
implementation?\***

The decision of the Secretary of State will be known within 16 weeks of the submission of the application.  
If there are any issues relating to the sitting tenant, these will become known during this period.

**Checked and approved by  
responsible officer(s)  
(Sign and Print Name)**

Bruce Kelsey

**Date**

3<sup>rd</sup> December 2015

**Checked and approved by  
Assistant Director  
(Sign and Print Name)**

Steve Bird

**Date**

3<sup>rd</sup> December 2015