



Department for
Communities and
Local Government

[Redacted]
Place Partnership

By email
[Redacted]

Copied to the National Allotment Society

Please
ask for: [Redacted]
Tel: [Redacted]
Email: [Redacted]

Your ref:

Our ref: NPCU/Allot/D1825/77644

Date: 30 May 2017

Dear [Redacted]

Allotments Act 1925 Section 8
Disposal of Allotment Land at Windsor Avenue, Worcester.

1. I am directed by the Secretary of State for Communities and Local Government to refer to your letter 11 April 2017 regarding Worcester City Council's proposal for the disposal of allotment land at Windsor Avenue, Worcester.

2. As you are aware the Government is committed to ensuring adequate protection is afforded to allotments. The Secretary of State's consent for disposal will only be given if he is content that Section 8 (the statutory criteria) of the Allotments Act 1925 is satisfied:

"consent may be given unconditionally or subject to such conditions as the Minister thinks fit, but shall not be given unless the Minister is satisfied that adequate provision will be made for allotment holders displaced by the action of the local authority or that such provision is unnecessary or not reasonably practicable".

3. The Secretary of State's guidance, published 30 January 2014 sets out the assessment criteria against which applications for consent to dispose of statutory allotments are to be determined. These criteria are intended to provide a safeguard against the erosion of allotment sites through pressure on local authorities to provide land for other purposes.

4. The Secretary of State's consent will normally only be given if he is satisfied the following policy criteria have been met:

- i). The allotment in question is not necessary and is surplus to requirements;

- ii). The number of people on the waiting list has been effectively taken into account;
- iii). The council has actively promoted and publicised the availability of sites and has consulted the National Allotment Society;
- iv). The implications of disposal for other relevant policies, in particular local plan policies, have been taken into account.

Considerations

5. In relation to Section 8 of the Allotments Act 1925, the Secretary of State considers that the statutory criteria have been satisfied as the site has not been used as allotments, there are no allotment holders on this site, and as such no one will be displaced.

6. In relation to the policy criteria, the Secretary of State considers that criterion i), has not been met. Although the site was allocated for allotments it has never been cultivated for allotment use, so it cannot be determined whether the site is unnecessary or surplus to requirement. For that reason he does not consider that this criterion has been satisfied. However, the Secretary of State accepts that an exception has been demonstrated. He accepts that the subject site is unsuitable for allotment gardening. He notes that there are 72 cultivated plots on the adjacent site, 62 of which are currently occupied. He notes that there is one person currently on the waiting list for this site and 79 people on the waiting lists for other sites in the Council's area. He further notes that waiting lists remain open, for 25 sites, three of which are self-managed.

7. In relation to criterion ii) The Secretary of State considers that this criterion has been satisfied. He notes that the Council has offered vacant plots on the adjoining site to those on the waiting list and that this offer has been rejected due to the location of the site itself or location of the available plots within the site.

8. In relation to criterion iii), the Secretary of State considers that this criterion has been met as the National Allotment Society, has visited the site, and has considered the disposal against the mandatory and policy criteria. They conclude by saying that they have **no objection** to the disposal. The Council promotes and publicises the availability of their allotment sites via their website. They have displayed posters for this purpose. The National Allotment Society understands that the Council works in partnership with the Worcester Allotments Forum (WAF) in the provision of their allotment services. The website provides a link to the (WAF) website.

9. In relation to criterion iv), the Secretary of State considers that this criterion has been met. The Council has policies within its Local Plan to provide affordable housing in the area to meet local housing needs. Fortis Living has proposed the development of 37 affordable homes which is supported by the Homes and Communities Agency (HCA).

10. The Secretary of State makes decisions with consideration of the relevant policy, unless there are exceptional reasons to justify departure from that policy. In this instance, the statutory criteria have been met. While one of the policy criteria cannot

be said to be met, there is an exceptional circumstance in this case that would justify disposal of the allotments.

11. Therefore in pursuance of his powers under section 8 of the Allotments Act 1925, the Secretary of State gives consent for disposal of the allotment land at Windsor Avenue, Worcester.

Yours sincerely

A large black rectangular redaction box covering the signature and any accompanying text.



Department for
Communities and
Local Government

[REDACTED]
Sunderland City Council
Room 2.76
Civic Centre
Sunderland
SR2 7DN

[REDACTED]
Please
ask for:
Tel:
Email:

Your ref:

Our ref: NPCU/ALLOT/J4525/77510

Date: 2 June 2017

Dear [REDACTED]

Allotments Act 1925 Section 8

Location: Simpson Street and Wellington Lane, Deptford, Sunderland, SR4 6DA

1. I am directed by the Secretary of State for Communities and Local Government to refer to your letter of 8 March and to subsequent correspondence regarding the council's proposal for the disposal of allotment land at Simpson Street and Wellington Lane, Deptford, Sunderland.
2. As you are aware the Government is committed to ensuring adequate protection is afforded to allotments. The Secretary of State's consent for disposal will only be given if he is content that Section 8 (the statutory criteria) of the Allotments Act 1925 is satisfied:

"consent may be given unconditionally or subject to such conditions as the Minister thinks fit, but shall not be given unless the Minister is satisfied that adequate provision will be made for allotment holders displaced by the action of the local authority or that such provision is unnecessary or not reasonably practicable".
3. The Secretary of State's guidance, published 30 January 2014 sets out the assessment criteria against which applications for consent to dispose of statutory allotments are to be determined. These criteria are intended to provide a safeguard against the erosion of allotment sites through pressure on local authorities to provide land for other purposes.
4. The Secretary of State's consent will normally only be given if he is satisfied the following policy criteria have been met:

- i). The allotment in question is not necessary and is surplus to requirements;
- ii). The number of people on the waiting list has been effectively taken into account;
- iii). The council has actively promoted and publicised the availability of sites and has consulted the National Allotment Society;
- iv). The implications of disposal for other relevant policies, in particular local plan policies, have been taken into account.

Considerations

5. In relation to Section 8 of the Allotments Act 1925, the Secretary of State considers that the statutory criteria have been satisfied as adequate provision has been made to displaced plot holders.

6. In relation to the policy criteria, the Secretary of State considers that criterion i), has not been met, as the allotment site cannot be considered not necessary or surplus to requirements while there are 29 people on the waiting list for the specific site, and on waiting lists for other sites across the Council's area. However, the Secretary of State accepts that an exception has been demonstrated by the economic benefits of the Sunderland Strategic Transport Corridor (SSTC), the history of development plan support for the proposal and the lack of objections to the proposal.

7. In relation to criterion ii), the Secretary of State considers that this criterion has not been met as it is not clear that alternative provision has been made for the people on the waiting list for the Simpson Street and Wellington Lane allotment site. The Secretary of State accepts that an exception has been demonstrated due to the economic benefits of the Sunderland Strategic Transport Corridor, the history of development plan support for the proposal and the lack of objections to the proposal.

8. In relation to criterion iii), the Secretary of State considers that this criterion has been met as the Council promotes and publicises the availability of allotment sites, and have consulted the National Allotment Society. The National Allotment Society have conducted a site visit and have no objection to the disposal of the site.

9. In relation to criterion iv), the Secretary of State considers that this criterion has been met as the SSTC has Development Plan support, and the route of the SSTC is safeguarded in the Plan.

10. The Secretary of State makes decisions with consideration of the relevant policy, unless there are exceptional reasons to justify departure from that policy. In this instance, the statutory criteria have been met. While two of the policy criteria cannot be said to be met, there are exceptional circumstances in this case that would justify disposal of the allotments.

11. Therefore in pursuance of his powers under section 8 of the Allotments Act 1925, the Secretary of State gives consent for disposal of the allotment land at Simpson Street and Wellington Lane, Deptford, Sunderland, SR4 6DA.

Yours sincerely





Department for
Communities and
Local Government

[Redacted]
Norwich City Council

Via e-mail only:
[Redacted]

Please
ask for: [Redacted]

Tel: [Redacted]

Email: [Redacted]

Our ref: PCU/ALLOT/G2625/77772

19 June 2017

Dear Mr [Redacted]

Allotments Act 1925 Section 8
Bellacre and Woodlands Allotments, Dereham Road, Norwich

I am directed by the Secretary of State for Communities and Local Government to refer to your e-mail of 2 June and to subsequent correspondence regarding the council's proposal for the disposal of allotment land at Bellacre and Woodlands Allotments. The Secretary of State notes that this request relates to the proposed disposal of part of 11 plots across the two sites totalling 0.0597 ha. The proposal affects 3 plots at Bellacre and 8 at Woodlands.

As you are aware the Government is committed to ensuring adequate protection is afforded to allotments. The Secretary of State's consent for disposal will only be given if he is content that Section 8 (the statutory criteria) of the Allotments Act 1925 is satisfied:

"consent may be given unconditionally or subject to such conditions as the Minister thinks fit, but shall not be given unless the Minister is satisfied that adequate provision will be made for allotment holders displaced by the action of the local authority or that such provision is unnecessary or not reasonably practicable".

The Secretary of State's guidance, published on 30 January 2014, sets out the assessment criteria against which applications for consent to dispose of statutory allotments are to be determined. These criteria are intended to provide a safeguard against the erosion of allotment sites through pressure on local authorities to provide land for other purposes.

The Secretary of State's consent will normally only be given if he is satisfied the following policy criteria have been met:

- i). The allotment in question is not necessary and is surplus to requirements;
- ii). The number of people on the waiting list has been effectively taken into account;
- iii). The council has actively promoted and publicised the availability of sites and has consulted the National Allotment Society;
- iv). The implications of disposal for other relevant policies, in particular local plan policies, have been taken into account.

Considerations

In relation to Section 8 of the Allotments Act 1925, the Secretary of State considers that the statutory criteria have been satisfied as adequate alternative provision has been made for the 9 allotment holders affected by the disposal of part of the 11 plots across the two sites, and for the 4 tenants affected temporarily by the working zone.

In relation to the policy criteria, the Secretary of State considers that criterion i), has not been met as in total across the two sites there are 83 plot holders and 24 people on the waiting lists. A further 218 people are on the waiting list for other sites in the city.

In relation to criterion ii), the Secretary of State considers that this criterion has been met as the waiting lists remain open and the Council is continuing to let plots on both the Bellacre and Woodlands allotment sites.

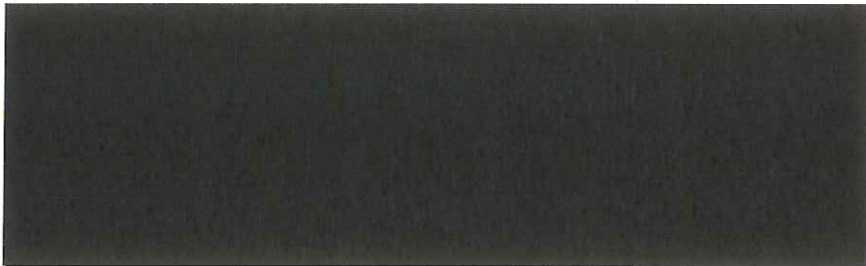
In relation to criterion iii), the Secretary of State considers that this criterion has been met as the Council has consulted with the National Allotment Society ('NAS'). The Secretary of State notes that NAS do not object to the proposal. He has also noted that the Council uses a variety of methods to actively promote allotment sites in the city.

In relation to criterion iv), the Secretary of State considers that this criterion has been met. The Secretary of State notes that the allotment land will be required to facilitate essential highways works identified in the Transport for Norwich document and the Joint Core Strategy for Broadland, Norwich and South Norfolk.

The Secretary of State makes decisions with consideration of the relevant policy, unless there are exceptional reasons to justify departure from that policy. In this instance, the statutory criteria have been met and three of the four policy criteria have been met. The Secretary of State has also gone on to consider if there are exceptional circumstances in this case that would justify disposal of the allotments. He considers that the exceptional circumstances are that the allotment land will be required to facilitate essential highways works identified in the Transport for Norwich document and the Joint Core Strategy for Broadland, Norwich and South Norfolk.

Therefore in pursuance of his powers under section 8 of the Allotments Act 1925, the Secretary of State gives consent for the disposal of allotment land at Bellacre and Woodlands Allotments.

Yours sincerely





Department for
Communities and
Local Government

[REDACTED]
Morpeth Town Council

Town Council Offices
Town Hall
Market Place
Morpeth
NE61 1LZ

Sent via email

Please
ask for: [REDACTED]
Tel: [REDACTED]
Email: [REDACTED]

Your ref:

Our ref: NPCU/ALL/P2935/77519

Date: 4 July 2017

Dear [REDACTED]

**Allotments Act 1925 Section 8 Disposal
Sale of plots at Tommy's Field Allotments**

1. I am directed by the Secretary of State for Communities and Local Government to refer to your letter of 9 March 2017 and to subsequent correspondence regarding the council's proposal for the disposal of allotment land at Tommy's Field Allotments.
2. As you are aware the Government is committed to ensuring adequate protection is afforded to allotments. The Secretary of State's consent for disposal will only be given if he is content that Section 8 (the statutory criteria) of the Allotments Act 1925 is satisfied:

"consent may be given unconditionally or subject to such conditions as the Minister thinks fit, but shall not be given unless the Minister is satisfied that adequate provision will be made for allotment holders displaced by the action of the local authority or that such provision is unnecessary or not reasonably practicable".
3. The Secretary of State's guidance published 30 January 2014 sets out the assessment criteria against which applications for consent to dispose of statutory allotments are to be determined. These criteria are intended to provide a safeguard against the erosion of allotment sites through pressure on local authorities to provide land for other purposes.

4. The Secretary of State's consent will normally only be given if he is satisfied the following policy criteria have been met:

- i). The allotment in question is not necessary and is surplus to requirements;
- ii). The number of people on the waiting list has been effectively taken into account;
- iii). The council has actively promoted and publicised the availability of sites and has consulted the National Allotment Society;
- iv). The implications of disposal for other relevant policies, in particular local plan policies, have been taken into account.

Considerations

5. In relation to Section 8 of the Allotments Act 1925, the Secretary of State considers that the statutory criteria have been satisfied. While the disposal would mean the loss of 0.046 hectares of the allotment, the Secretary of State is satisfied that adequate provision will be made for allotment holders displaced by the action taken by the local authority.

6. In relation to the policy criteria, the Secretary of State considers that criterion i), has not been met. The site covers a total area of 1.6187 hectares, holding 107 plots and is virtually full. The disposal would mean the loss of 0.46 hectares affecting 4 plot holders with a possibility of further plots being disrupted. There are also 20 people on the waiting list for this site. The allotment is therefore necessary and not surplus to requirements.

7. In relation to criterion ii), the Secretary of State considers that this criterion has been met. The Council has stated that there are over 30 people on the waiting list across the area. By way of compensation the Council will gain freehold ownership of 0.506 hectares of land, 0.330 hectares of which is currently farmed, as a replacement allotment site. A local construction firm will provide infrastructure for 24 new half plots. Those affected by the disposal and on the waiting list will have first opportunity to relocate/locate to the new site. The Secretary of State is satisfied that the proposed provision will exceed the plots lost and will go some way to reduce the number on the waiting list.

8. In relation to criterion iii), the Secretary of State considers that this criterion has been met. Allotment sites in the County are promoted on the Council's website, including relevant contact details. The Council has consulted the National Allotment Society. While the Society has raised concerns about the process in which the Council has taken regarding the disposal it does not object to the disposal.

9. In relation to criterion iv), the Secretary of State considers that this criterion has been met. The implications of disposal for relevant policies have been taken into account by the Council. Tommy's Field Allotment site is allocated within the Castle Morpeth Local Plan under Policy C7 Protected Open Space. The Town Council however consider that a roundabout at that location, involving a small amount of allotment land, is essential for highway safety and the continual growth of the town.

The Secretary of State notes that Northumberland County Council supports the proposed roundabout and accompanying allotment re-provision, considers that it would increase the capacity of the existing junction and improve access to St. George's Hospital, the Health Centre, existing strategic development sites and future development sites.

10. The Secretary of State makes decisions with consideration of the relevant policy, unless there are exceptional reasons to justify departure from that policy. The exceptional circumstances cited by the Council are that the disposal of part of the allotment would allow for highway improvement and feel it is essential for the safety and continued growth of the whole town. In this instance, while one of the policy criteria cannot be said to be met, the Secretary of State considers there are exceptional circumstances in this case that would justify disposal of the allotment land.

11. The Council and the Secretary of State have received objections from the site tenants, The Tommy's Field Allotment Association. Their concerns are that; they have not been consulted regarding the loss of the land; the affect the loss will have on the plot holders and the years of fertile garden land; the isolation of the replacement site; inadequate access for disable plot holders on to the alternative site; limited/dangerous access via foot or car; the alternative site does not have Statutory Status. The Council has stated that with regards to disability access, it is committed to ensuring that conditions as part of the land transfer agreement will be met. With regards to other concerns raised by the Association, the Secretary of State feels that these are not matters for him to determine but rather for the parties to negotiate and agree.

Conclusion

12. Therefore in pursuance of his powers under section 8 of the Allotments Act 1925, the Secretary of State gives consent for the disposal of 0.046 hectares of Tommy's Field Allotment.

Yours sincerely



Senior Planning Casework Manager