

## **Council Statement (fifth presentation) Mr Dickens 21 May 2019**

### **Lower Common East Allotment Association**

My name is Mr Dickens, I am a tenant on Lower Common East Allotment and a member of the Lower Common East Allotment Association, which was established in September 2017.

In April 2018 the Council was introduced to the Association and asked to make a routine confirmation that the Association would be treated no less favourably than the other two Allotment Associations already in existence.

In particular, confirmation was sought that the Lower Common East Allotment Association could make use of the Lower Common East allotment site gates and notice board to advertise and promote itself, and could attend the Council's quarterly allotment sub-forum meetings with the other two Allotment Associations where decisions are made that affect Lower Common East Allotment Association members.

The Council has accepted the establishment of the Lower Common East Allotment Association, but has refused to allow it to use the gates and notice board, or attend the sub-forum meetings.

Under current UK and European Law prior approval from a local authority to form an Allotment Association is not required, nor is a local authority able to interfere with the lawful functions and activities of an Allotment Association, nor treat one Allotment Association less favourably than another.

Whilst the Council's 2015 Allotment Management Plan recognises the possible existence of Allotment Associations it does not take proper account of their rights, and this is reflected in the Council's decision.

A reply from the Secretary of State, when taken into consideration with the Council's decision and the rights of the Lower Common East Allotment Association itself, suggests that this matter needs to be brought to the attention of a full Council meeting and this has now been done, for a fifth time.

The Lower Common East Allotment Association is seeking confirmation from the Council, for a fifth time, that it recognises and accepts the Association's right to be treated no less favourably than any other Allotment Association, for a fifth time that it recognises and accepts the Association's right to place notices on the site gates and notice board on Lower Common East Allotment which relate to and promote its activities, and for a fifth time that it recognises and accepts the Association's right to engage with the Council to represent the Association's members where appropriate.

At the last Council meeting, a point of order suggested a vote on the matter. That suggestion was ignored. The leader of the Council stated that there was a letter in the post. There wasn't.

In order to assist the Council, therefore, I have suggested a suitable motion and/or letter for its consideration, both of which are attached to this statement.

Thank you very much.

Addendum to statement regarding Lower Common East Allotment Association 21<sup>st</sup> May 2019

**[Possible motion that could be adopted]**

This Council:

1. Recognises and accepts the right of allotment tenants to form allotment associations.
2. Recognises and accepts the right of allotment associations to be treated equally.
3. Recognises and accepts the common practice of allotment associations advertising and promoting themselves on site gates and site notice boards.
4. Recognises and accepts the right of allotment associations to engage with councils.

This Council therefore:

5. Recognises and accepts the existence of the Lower Common East Allotment Association.
6. Recognises and accepts the right of the Lower Common East Allotment Association to be treated no less favourably than any other allotment association.
7. Recognises and accepts the right of the Lower Common East Allotment Association to place notices on the site gates and site notice board on Lower Common East allotment to advertise and promote itself.
8. Recognises and accepts the right of the Lower Common East Allotment Association to engage with the Council on behalf of the Association's members where appropriate.

**[Possible letter that could be sent]**

Mr A C Dickens  
97, Rosewell Court  
Bath  
BA1 2AH

Date

Dear Mr Dickens,

**Lower Common East Allotment Association**

I am writing to you with regard to your statement read out to the Council meeting on 21<sup>st</sup> May 2019 concerning the above Association.

This Council takes its allotment management responsibilities very seriously and recognises the role that allotments play as a leisure and recreational facility as well as the benefits they provide to the health and well-being of communities, to green spaces and wildlife, and to the production of low cost locally produced food in a sustainable way.

It also recognises the important role that allotment associations play in the everyday activities of allotment sites by enabling tenants to get together to discuss gardening and other matters, to obtain discounts on seeds and equipment and to help and support each other as a community group.

The Council therefore welcomes allotment tenants exercising their right to form allotment associations, whether these associations are open to membership from all sites or just one specific site, and encourages the advertising and promoting of an association's activities on site gates and notice boards, in line with accepted practice across the UK.

The Council is delighted to know that tenants on Lower Common East allotment have indeed formed their own site-specific association and is happy to confirm that the Lower Common East Allotment Association has the right to use the site gates and notice board to advertise and promote itself.

The Council also looks forward to inviting an Association representative to the quarterly meetings held between the other two Allotment Associations and the Council's Allotment Management Team.

Yours sincerely,

For and on behalf of Bath and North-East Somerset Council.