

Community Growing Policy

1. The need for the policy

There is a growing demand for the Council to make underutilised land in its ownership available for the community to grow food. This demand has been created through the lack of available allotment space, prevailing economic conditions and the need to develop more resilient communities.

The Council wishes to support this demand but has to do it in a structured way having regard to legislative constraints. This policy aims to provide a simple process for both the Council acting as landowner and the applicant. It is not intended to deal with applications for large areas of land as these will be directed through the usual disposal process. Instead this policy is meant to provide direction for areas of land to be used for the cultivation of food crops which are less than 0.25 acres and which do not form part of the highways verge.

2. Process

2.1 It is intended that the identification of land and generating community support will be led by the applicant. A leaflet will be produced which will explain which land will be eligible, how applications can be made and how / when they will be determined.

2.2 A key criteria of the policy is that the growing land must be a community initiative that benefits more than one household (so that it does not become a substitute allotment plot). Crops grown on the land will be available for any community member to harvest, regardless of whether they are involved in the scheme or have had any involvement in the cultivation of the crops.

2.3 It will be the responsibility of the applicant to identify an area of land that they consider a suitable site and location for the cultivation of community food crops. To be eligible for this scheme the land proposed must be owned by the Council and cannot be one of the following:

Village Green

Common Land

Highways verge or part of the Highways visibility splay

Larger than 0.25 acres

Cemetery Land

Part of a School Site

Development land

Deemed unsuitable by Monmouthshire County Council

- 2.4 If the land does not fall within any of the above exemptions then the next step would be to generate local community support as the application will need to be made in the name of at least two households wishing to use this site. The applicant will need to keep the details of who they have consulted with as these will be needed in the application form. If the land adjoins any boundary walls the applicant will need to advise the adjoining landowner of their proposal as they will need to ensure that any proposed scheme retains an area of land for the property owner to access the land to undertake maintenance works.
- 2.5 A checklist will be provided which will help the applicant assess the suitability of the proposed land. It will be the applicants responsibility to undertake any additional checks e.g. for ground contamination and where known we have provided details on how to access specialist information via the checklist pro-forma (See Appendix 1)
- 2.6 When the applicant is satisfied that the land is suitable and the proposed scheme involves more than two households wishing to utilise the land an application should be submitted using the prepared application form which will be available electronically and in hard copy, (See Appendix 2). The applications will be managed by a nominated officer within the Councils Sustainability Team and the details of this officer can be found on the application form and the Council's website or alternatively contact the Sustainability Team on 01633 644417.
- 2.7 The application form will require the applicant to provide the following detail:
- Scheme Name and contact details of the scheme sponsor.
 - Names & Contact details of the householders who wish to take part
 - Address, description and approximate size of the proposed site
 - A photograph and map if possible
 - Current use of the land
 - Details on local residents that have consulted (regardless of whether they have agreed to be a member of the scheme)
 - Details of any consultation undertaken with specialists e.g. Bio-diversity officer
- 2.8 When the application has been received by the nominated officer, they will contact the applicant via e-mail (or by letter if they do not have access to an e-mail account) acknowledging that we have received the application and will advise if any further detail is required. We will aim to deal with all applications within 8 weeks of all the information being received.
- 2.9 When we have received the application we will contact the local Ward member and seek their views on your proposal and we will also contact any other internal departments that have an interest in the management of this land. If no objections are received a report will be prepared for the consideration of the Estates & Sustainability Manager seeking approval to enter into a licence agreement with the scheme users.
- 2.10 If the consultation results in the land being identified as unsuitable for the proposed use, the land falls within one of the categories exempt from this scheme (see 2.3) or there is an operational requirement for the land the application will be declined.

3. What happens after approval for the scheme is granted.

- 3.1 If the Estates & Sustainability Manager provides consent for the application to proceed the applicant(s) will be required to enter into a licence agreement with the Council before they can commence cultivation of the land.
- 3.2 The licence agreement will be a rolling annual agreement. The licence will be automatically renewed if the scheme is adhering to the terms of the agreement and the land is not required for an alternative use. The nominated Sustainability Officer will visit the scheme at least once during the year to ensure that it is being cultivated in accordance with the licence agreement and is not creating a nuisance for adjacent land owners.
- 3.3 The licence agreement will be a standard document which will contain the following principle terms:
- The applicant and scheme members will be responsible for the management of the scheme.
 - There will be a break clause which can be exercised by either party upon 3 months' notice.
 - The use of the land will be restricted to the growing of food crops only.
 - No structures can be erected on the land.
 - Should the scheme members wish to erect fencing they will need to obtain the Council's prior written consent.
 - The scheme members will be responsible for ensuring that they implement a suitable health and safety policy and ensuring the safety of scheme members.
 - Any public rights of way through the land will need to be kept clear and free of any barriers.
- 3.4 The applicant will be responsible for indemnifying the Council from any claims arising out of the applicant's use of the land up to a sum of £2,000,000. Further advice on this can be provided by the Council's insurance section.
- 3.5 The Council and the applicant will pay their own costs in the preparation of the licence agreement.

4. Measuring the Success of the Community Growing Policy

- 4.1 The purpose of this policy is to encourage communities to join together and cultivate areas of land that are currently under-utilised. We will need to monitor the success of this policy and to enable us to do this we will be contacting the Scheme promoter each year to confirm the details of the members of their scheme. This will enable us to establish the level of take up and how many households have benefited from this policy.
- 4.2 We will also review at the end of each year any feedback on the operation of the policy and opportunities to improve or broaden it.

Appendix 1 – Proposed Checklist

Before applying to take on a community growing scheme applicants are encouraged to consider the following checklist:

Activity	How	Evidence Needed
Identify an area of land that you would like to use as a community growing scheme	Look around your neighbourhood and find areas of land that you consider to be underutilised and in a good location for members of the community to access. You can check whether the land is owned by Monmouthshire County Council by calling 01633 644867 or email estates@monmouthshire.gov.uk	Take photographs of the land to attach to the application form. Find an address of the land and take approximate measurements. Draw a map or obtain a map that shows the area of land that you wish to use.
Is the area of land eligible to be used for the Community Growing Scheme	The following are excluded from the scheme: Registered village greens, common land, highways verge, highways visibility splay, cemeteries, school playing fields, areas larger than 0.25.	None, the Sustainability Team will undertake an independent assessment when processing your application.
Consult with local residents to establish if they would like to be involved in the community growing project	Visit neighbours and discuss your proposal with them, hold a meeting or produce some leaflets.	Keep the details of the people that you have visited or talked to and record whether they wish to be involved – you will need this for the application form.
Does the land adjoin any boundary walls or houses?	If the answer is yes you will need to make sure that the owner of the wall can still access their property to undertake maintenance so keep a gap between your scheme and the wall, and do not grow anything in this gap.	Highlight on your map the boundary wall and the gap that you have created. If you have spoken to the owner of the wall please provide details.
Is the land suitable for growing?	If you are worried about ground contamination please call Environmental Health on 01633 645449. If you want advice on bio-diversity please call 01633 644684. For details on rights of way please call 01633 644860. For advice on any trees on your proposed site please contact the Councils Tree Officer on 01633 644433. The Councils Commons Land Register can be viewed at County Hall, Usk	Keep a record of any calls that you make and who you have spoken to so that this can be included on your application form.

Appendix 2 – Draft Application Form

Name of scheme

Scheme sponsor
Address
Tel Number
Email Address

- **Name and contact details of individual who wish to take part**

Name	Contact Details

- **Address, description and approximate size of the proposed site**

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- **Please attach photograph and map if possible**

- Please describe current use of land

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- Details on local residents that have been consulted (regardless of whether they have agreed to be a member of the scheme)

Name	Address	Date consulted

- Are you aware of any objections to your proposal as a result of discussions with local residents

If no, move on to the next question

If yes please provide details, if known, of the objection

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- Does the land adjoin a boundary wall or a property?

If no, move to next question, if yes please provide following details

Have you consulted the owner of the wall or adjoin property?	Yes	No
Please explain how you intend to preserve a gap for maintenance of the wall/ property		

- **Details of any consultation undertaken with specialists e.g. Bio-diversity officer**

Name	Specialism	Result

Once you have read the attached checklist and are happy that you have provided all the required information please forward it onto -

Monmouthshire County Council

Estates and Sustainability Officer

FAO Sustainability Community Officer

@Innovation House

Wales1

Magor

NP26 3DG

Once we have received the application form and checked the application against the set criteria for a licence to be granted we aim to reply to you by 8 weeks from the date of receipt.

Many thanks for taking the time to complete this application form.