



Briefing for the Public Petitions Committee

Petition Number: [PE1433](#)

Main Petitioner: John Hancox

Subject: Productive land for landless Scots to grow their own food

Calls on the Parliament to urge the Scottish Government to encourage public agencies such as Forestry Commission Scotland, Crown Estates, health boards, public trusts and landowners, public and private, rural and urban, to make land available for people to plant grow and harvest their own food.

Background

Communities can grow their own food on land owned by a third party under a variety of lease arrangements. Allotments are the most common form of community food growing, however, community gardens, community orchards, landshare, community supported agriculture and workplace growing are included in the Grow-Your-Own movement. Demand for land for local food growing vastly exceeds supply ([Greenspace Scotland 2010](#)).

The 2011 [SNP manifesto](#)¹ made a commitment to look at ways of extending land available for allotments using unused or underused publicly-owned land. The Scottish Government is currently drafting a [Community Empowerment & Renewal Bill](#) which will aim to make it easier for communities to take over underused or unused public sector assets.

Scottish Government Policy

Current Scottish Government [planning guidance](#) states² that Local Authorities have a statutory duty to provide allotments where there is demand. In addition, the Scottish Government Planning Advice Note (PAN) [PAN65: Planning and Open Space](#) describes the economic value of allotments with regards to food production.

Scotland's National Food and Drink Policy – [Recipe for Success](#) – was launched in 2009. It sets out how the Scottish Government plans to link policy actions across a number of food and drink areas including Grow-Your-Own (GYO). The actions needed to deliver the GYO aspects of the Food & Drink Policy are highlighted in the [Community Growing in Scotland Report](#) commissioned from Greenspace Scotland by the Scottish Government.

¹ p.38 of manifesto.

² Paragraph 153.

The Scottish Government established the [Grow Your Own Working Group \(GYOWG\)](#) in December 2009 which is now the main driver behind the allotment and growing spaces strategies and delivery. The Scottish Government's [Growing Spaces Summit](#) (held in May 2010) helped highlight issues which were later developed by the GYOWG into a [report detailing 27 recommendations](#) including guidance to landowners and changes to the law to allow more land to be freed up for community growing.

On 17th May 2012, Stewart Stevenson, Minister for Environment and Climate Change, [announced](#) a £600k package of support to encourage the development of more community growing and launched the [GYO Scotland website](#).

The Scottish Government is currently drafting a [Community Empowerment & Renewal Bill](#). This bill aims to address access issues over publicly owned land and make it easier for communities to take over underused or unused public sector assets.

Other relevant policy areas include land reform and climate change. The [Land Reform \(Scotland\) Act 2003](#) allows local communities to register an interest in and buy land when it comes up for sale. '[Getting the best from our land: A land use strategy for Scotland](#)' was published by the Scottish Government in March 2011 as required by section 57 of the [Climate Change \(Scotland\) Act 2009](#). It gives the principles of sustainable land use and amongst other things highlights the benefits of growing your own food.

Action on the Ground

Forestry Commission Scotland (FCS) runs the [National Forest Land Scheme](#) which gives community organisations the opportunity to buy or lease National Forest Land where they can provide increased public benefits.

There are also some initiatives to lease land which is not state owned. The National Trust (in England) has created a number of [allotments and growing spaces](#) on their land. Their allotments are advertised through [Landshare](#) which was established to connect those who have land to share with those who need land for cultivating food. Frustration with the wasted use of public and private land has also led to direct action through the [Guerilla Gardening](#) network where land is planted with crops or flowers without permission from the landowner.

Scottish Parliament Action

On 25th April 2012, the Scottish Parliament held the Allotment debate ([S4M-01922](#)) which recognised the benefits of allotments including sustainable food supply, promoting healthy eating, activity, improving physical and mental health and its benefits in educational activity and fostering community links.

The Local Government Committee held an [Inquiry into Allotments](#) in 2003 in response to a petition for the Scottish Parliament to recognise the importance and popularity of allotments and to establish an Allotments Working Group.

Relevant Parliamentary Questions:

Question S4O-00422: Jean Urquhart, Highlands and Islands, Scottish National Party, Date Lodged: 23/11/2011 To ask the Scottish Executive how it is encouraging the development of allotments.

Answer by Richard Lochhead (01/12/2011): Through our national food & drink policy, we are committed to ensuring that allotments and grow-your-own projects are developed and supported. For example, we continue to support the work of the grow-your-own working group, whose action plan explores many diverse ways of encouraging the development of allotments and community growing spaces.

Question S4W-01092: Sarah Boyack, Lothian, Scottish Labour, Date Lodged: 22/06/2011 To ask the Scottish Executive what assistance it gives local authorities on producing an allotments strategy.

Answered by Stewart Stevenson (11/07/2011): Local authorities have access to information produced either by organisations commissioned by the Scottish Government or by organisations who have worked closely with local authorities and COSLA to help them formulate their strategies.

Question S4W-01087: Sarah Boyack, Lothian, Scottish Labour, Date Lodged: 22/06/2011 To ask the Scottish Executive what legislation it is considering to allow the sale of surplus produce from (a) allotments and (b) community gardening schemes.

Answered by Stewart Stevenson (14/07/2011): (a) The existing legislation, the Allotment (Scotland) Act 1922, does not preclude the sale of surplus produce from an allotment. (b) In community gardens, the sale of small quantities of surplus produce is not prohibited by specific legislation on community gardens or allotments. However, any Local Authority bye-laws applicable in the area of the allotment and the terms of the lease should be considered and the consequences of the sale arrangement in terms of tax, rates, insurance, health and safety, food hygiene, traceability of produce, designation of land use, potential security of tenure as an agricultural holding and any other legal consequences which may flow from that arrangement should be considered.

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