

Isle of Wight Council - Community Growing Policy

This Policy has been developed to provide consistency and suitable control in the leasing of Council-owned land to community organisations for the purpose of growing fruit, herbs and vegetables.

The Policy was approved by the Council's Executive Committee on 9th September 2014.

The purpose of the Community Growing Policy is to give access to the community to suitable land for the production of fresh produce. This does not include village greens, common land, cemeteries, development land or land considered unsuitable by the council. It is recognised that there may be competing 'uses' for land, for example, for habitat creating and promotion of biodiversity, and the process outlined below will ensure that areas used for community growing do not have a more suitable use. Land will be available at a pepper corn rent on the following terms:

Terms

1. The site can only be used for growing purposes and not for the keeping of livestock.
2. Land will be available on terms to a maximum period of 25 years to allow groups sufficient time to develop soil fertility and establish top fruit (where required). Agreements to occupy the sites will have a 5 year break clause which will be activated if site is not maintained satisfactorily. The agreement can be terminated if the land is not used for the purposes intended or if any of the terms of use are breached.
3. The site must be managed and maintained in compliance with the Council's published Bee Policy, which will restrict the use of pesticides.
4. The occupier is responsible for all costs associated with the establishment and maintenance of the site, including any infrastructure and ongoing costs such as utility bills.
5. No third party occupation will be allowed, although assignment of the benefits may be possible with Council permission.
6. Applicants must have suitable insurance in place to protect volunteers and workers (if applicable) as well as the general public
7. Existing Public Rights of Way and easements must be maintained
8. The applicant will be responsible for determining whether planning permission is required and, where it is required, for securing planning permission before any infrastructure is installed.

9. At the end of the project including activation of break clause or termination, the occupier will be required to return the site to to the Council in a good condition and the Council will have the option at its discretion of allowing the continuance of the plants and materials on the site.
10. Either a lease or licence will be offered by the Council for the use of the site depending on the proposals of the applicant and the site being considered.
11. The Council will not identify sites for use for growing places projects; this will be a matter for the applicant having considered its proposed site against these guidelines (or any as may be updated).

Criteria

1. The proposer of a growing places scheme must be a community group or organisation which has the legal powers to enter into a formal agreement to occupy the Council's land. Land will not be offered to individuals under this policy.
2. The community group or organisation must operate the site on a not-for-profit basis.
3. The applicant will be responsible for carrying out all checks on the suitability of the site for their purposes. The land will be leased 'as seen'.
4. The proposed activity must not prevent any well-established existing recreational uses.
5. The applicant will present a Maintenance and Development Plan as part of its proposals which will:
 - Provide details of the proposed use of the land e.g. site layout, planting plans etc
 - Provide details of who will be working on the land, showing that appropriate skills are available, and who may benefit from the usage
 - Provide details of proposed infrastructure e.g. fencing, water supply, compost bins, sheds, polytunnels etc
 - Demonstrate how the proposed activities will enhance biodiversity on the site
6. The applicant must demonstrate how infrastructure and maintenance costs will be funded.
7. A risk assessment must be carried out by the applicant.

8. The proposal must demonstrate local community support, for example, through the support of the local Town or Parish Council.

Process

1. Land for community growing projects will be identified by the potential applicant.
2. Interested parties will approach the Council in the first instance to check that the land they are interested in is owned by the Council i.e. is in freehold ownership. The Council will check whether there are any existing covenants and consult with colleagues as to the suitability of the site for growing purposes as opposed to other uses. The Council will also check its records to see if the land is potentially contaminated.
3. Final approval will be the responsibility of the Property Disposal and Capital Programme Sub- Committee or any similar Committee established by the Council to authorise the disposal or leasing of Council assets. Each application will be presented to the Sub-Committee with a full report.
4. The process will be managed by the Asset Management Team.
5. More detailed guidance will be published on the council website (iwight.com) once the Policy has been approved.