

# Call-In Sub-Committee

(of Overview & Scrutiny Management Board)

27 March 2024



## Public Forum – Statements

**Public forum statements have been received as listed below (full details are set out on the subsequent pages):**

1. Tom Bosanquet
2. Lorna Lindfield
3. Christopher Faulkner Gibson
4. Ruth Hecht
5. Joanna Mellors
6. Dr Stephen Pill
7. Ed Dyson on behalf of a number of community groups
8. Tim Beasley
9. Neil Bennetta
10. Kirsty Forman
11. Mal Sainsbury
12. Vanessa Harvey-Samuel
13. Ana Sanchez
14. Caroline Dalcq
15. Katy Ladbrook

**Please note:** The views and information contained within these public statements are those of the individuals concerned and not of the Council.





## **STATEMENT 1 – Tom Bosanquet**

The lack of financial clarity around the recent allotments review has been shoddy & shocking. When the consultation went out there was no detail provided about the budgets. The consultation said that rents hadn't been reviewed since 2018 & that costs were rising, but there was no detail given. I don't think any allotmenter was against reasonable rent increases, but extreme increases coupled with an absolute lack of information certainly raised hackles.

It came to light that there were published budgets for previous years via the Allotments Forum (attached below) which showed that budgets largely balanced, give or take. With some rough calculations I was still perplexed as to how a rough 100% increase in income (most income coming from individual plot holders) was to balance - it certainly seemed to give scope for employing an additional Allotment Officer with money left over. As it was all so unclear I emailed Cllr King asking for the proposed budgets - nothing was forthcoming (not even a reply - who are we meant to ask if not the lead councillor?), so I put in a Freedom of Information request. This finally came through LATE & beyond the deadline for asking questions at Cabinet. Ho Hum...

But the week prior to the FOI & Cabinet meeting, various documents had wormed out with some figures - to say it was hard keeping abreast of where everything was would be an understatement! Even if I were working full time on this I'd find it confusing! It certainly didn't engender positive public engagement. It turns out that these figures were finally given to me in response to the FOI.

BUT! These new figures had an opaque & still unexplained £301,000 figure for "Buildings and Infrastructure – annual maintenance, cyclical replacement of water infrastructure, compliance checks" and £55,000 for something called a Corporate Income Target. Roughly 10x the usual annual budget for this in the previous years! We've still not been given any information about what this massive increase may bring to allotments. So, all it feels like is a cooking of the books to make the case that King & Rees seemed to have decided on from the start.

Alongside all this there is the nasty spirit of the whole consultation - overly rules based, burning all the positive energy & good will of people using allotments. Previously there had been collaboration (see Allotments Handbook, containing rules but in nicer terms & drawn up by & for allotment users), but now just a guarded & myopic approach. It is sad & unnecessary, and, thankfully, there was some sense seen so the proposed rule changes were (wisely) shelved.

In essence, a message for King & Rees (who, I imagine, will soon be placed on the compost heap of history) - work WITH people, bring people with you! Your nasty ways did not grow understanding or collaboration and your consultation was flawed from the outset - that is why there was such strong anger & pushback. Though the question remains - will they have taken any of this on board? At least we, the allotmenters, have grown stronger together through this adversity!

15:29


[Inbox](#)

Allotments Forum - m...



## Forum Minutes 20231025 v1.0.docx

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### Allotment & Smallholding Income

INCOME	Financial Years				
	2017-18	2018-19	2019-20	2020-21	2021-22
Item					
Licences	£1,375	£9,338	£1,567	£1,567	£1,167
Allotment direct managed	£187,469	£217,050	£211,809	£221,558	£227,653
Allotment Associations - Lettings only	£15,691	£16,896	£17,015	£57,007	£34,944
Smallholdings	£8,803	£9,108	£7,279	£7,838	£7,292
Commercial	£4,401	£4,401	£4,401	£4,401	£4,401
Capital works income	£0	£5,340	£0	£0	£2,100
<b>Totals</b>	<b>£217,739</b>	<b>£262,133</b>	<b>£242,071</b>	<b>£292,371</b>	<b>£277,557</b>
EXPENDITURE	Financial Years				
Item	2017-18	2018-19	2019-20	2020-21	2021-22
Staff (inc. agency staff)	£92,141	£96,196	£95,750	£98,241	£143,272
Corporate and supporting costs	£30,923	£28,869	£24,053	£27,966	£30,703
Buildings and infrastructure	£67,464	£36,872	£46,288	£37,660	£33,881
Utilities	£41,177	£58,385	£40,326	£62,502	£43,044
Grounds maintenance and trees	£1,072	£31,389	£31,105	£29,686	£29,545
Capital works costs	£0	£0	£84,979	£62,525	£0
Other cost	£415	£4,797	£1,698	£0	£424
<b>Totals</b>	<b>£233,192</b>	<b>£256,508</b>	<b>£324,199</b>	<b>£318,580</b>	<b>£280,869</b>



## **STATEMENT 2 – Lorna Lindfield**

Dear Call In Committee

Thank you for calling in the decision of Bristol City Council to raise allotment rents.

I have advanced cancer and M.E., live without support and am unable to work. As a Disabled person who filled in the Council's consultation questionnaire, I don't feel that my views were taken into account in the Equalities Impact Assessment.

In the Council's report it said that over 75% of Disabled people who filled in the survey disagreed with the rent rises, but the EIA did not identify any potential impacts on Disabled People.

For this reason I don't think the decision taken about the rents took due regard of Public Sector Equality Aims. I also feel demeaned by the experience of having to publicly reveal my current circumstances in order to convey my point to the Council.

Kind regards

Lorna Lindfield

**Statement for Scrutiny Committee, Call-in sub-Committee 27<sup>th</sup> March 2024**

**Increases in Allotment Rents and Water Charges.**

I agree wholeheartedly with all the grounds that Councillors assert in the call-in forms. I believe the consultation process does not accord with the Gunning principles and cannot be legitimately used to justify the decision to increase rents.

In particular:

1. The consultation period was scheduled over the Christmas and New Year period and had to be extended in the face of pressure from tenants. This is clear evidence that the consultation process was flawed from the very outset.
2. The proposed rent increases were included in a very complex set of proposed new rules and fees, making proper consideration and analysis impossible within the given timeframe, even allowing for the short extension. The Cabinet response that the rent increases were separate from the rule changes is untrue - it was originally part and parcel of the same consultation and proved difficult for many to separate.
3. The proposed rent increases have not changed – indicating they were not at a ‘formative stage ‘when issued, in contradiction to the Gunning principles.
4. 78% of respondents to the consultation survey disagreed with the proposals. Proceeding without amendment or consideration of alternatives, (such as a fairer charging regime determined on actual plot size as opposed to a broad sizing band, as suggested by many respondents) indicates that the consultation results have not been taken into consideration, again in contradiction to the Gunning principles.
5. Insufficient information was provided to reach an intelligent conclusion on the proposals. Several Freedom of Information (Fol) requests were submitted to try and ascertain basic facts and figures that should have been provided in the first instance. The delay in obtaining this information also renders the consultation timeframe inadequate.
6. My own Fol request relating to the comparative allotment rents from other local authorities resulted in a different set of figures to those provided to the Scrutiny Committee – the Cabinet’s amended figures gave higher rents, making their own proposals seem more reasonable. Basing a decision of information withheld from the consultation is in direct breach of the Gunning principles.
7. Figures given for proposed spending on allotment infrastructure are not based on any published calculations or costings. Despite repeated requests we are still completely unaware of the basis for these figures, nor have we been given any details as to how this money will be spent.
8. The Equality Impact Assessment (EIA) carried out for the 25% rent increase proposed for 2022 highlighted several groups who would potentially be disadvantaged. The EIA carried out for the current proposals does not identify any groups who might be disadvantaged, despite the increases being far more severe.
9. The latest EIA ignores a substantial number of consultation responses from the very people who will be impacted, yet who are held not to be so.
10. An Fol response seeking clarification on numbers of people in relevant groups indicated that such information is not held – rendering the EIA invalid.
11. I note the response from the Cabinet member responsible. It contains a great many assertions that are simply not backed up by any substantive evidence. I have seen nothing in the response document ‘Appendix E – Executive / Officer response to the Call-In’ that addresses any of the above points, nor any of the other Call-in points with any degree of clarity or substance.

I wholly support the Councillors who called this decision in for scrutiny and would urge you to refer the matter for debate and consideration at Full Council.

With thanks and kind regards

Christopher Faulkner Gibson

Allotment plot holder at Wickham Hill.

## STATEMENT 4

### Statement for Call In Committee re. allotment rents

I would like to thank Officers who produced the Supplementary Information for this Committee because *for the first time* information has been made public which has not been made available before. The problem, of course, is that the consultation and decision making process is over. So whilst this additional information is extremely interesting, it's now irrelevant because it wasn't made available during the consultation period nor for Scrutiny, nor for Cabinet.

This Call In isn't about the decision to raise rents, but about the *process* by which that decision was made. It's thus important to give a specific example of where the information has been so lacking that it fails to adhere to the Gunning Principle of there being 'sufficient information to give "intelligent consideration"' of the matter.

As early as 2<sup>nd</sup> January I submitted a question to Officers (via the Reps' meeting) to make available the figures on which the proposed rental increases were based, because I felt it was impossible to make an intelligent response to the rent rises without seeing previous and projected budgets for the service.

Since then there has been almost no meaningful financial information presented until the papers for this Call In were published on 22 March (after the deadline for questions to this Committee). Before this no historic expenditure figures for the allotment service have been given. After the closure of the consultation, *partial* budgetary information was provided to the Scrutiny Committee in February, including an estimated income of £286k for 22/23. The papers for this Call In Committee *do* show an expenditure for 22/23 - of £271k - but *fail* to give the income figure. Is this because it would show that in the last financial year the service *made a surplus of £15k*? If that figure had been presented at any point during this process, then the decision to raise rents as proposed might have been different, and the projected deficit of £402k questioned in more detail.

It's surely extremely poor practice that officers are not providing all of the figures in the same place at the same time. By presenting information which is partial at best, and at worst deliberately obscuring the facts, both the public and Councillors are left with insufficient information to make considered decisions.

Information about budgets was one of the many subjects which people asked for through FOI requests. Should a consultation exercise really be reliant on people having to find out information by submitting one FOI request after another, because the information provided as part of the consultation process was so incomplete? I think not.

The information which *has* been provided has been sparse, confusing, and hard to interpret. For example the four tables of rent increases were presented in such a way that it was *extremely difficult* for people to get an overview of the increases being proposed. There has never been a clear, detailed explanation as to how *those* particular increases were arrived at, either verbally or in writing. No alternative proposals were ever provided. All of this has led to much frustration and confusion – I'm sure for elected members as well as for the Public.

This lack of transparency about how the rents were arrived at could be why in the survey of 3016 people, *over 75% across all demographics* consistently said they 'disagreed' or 'disagreed strongly' with the rent increases. Whilst this information was in table after table of the survey results in the 57 page Cabinet report, it does not appear in the EIA or anywhere else as a statistic in the narrative to support the decision making process. So whilst changes *have* been made in relation to implementing the rent increases, *no changes have been made to the rent increases themselves*. This does not appear to be 'conscientious consideration' of the consultation as specified in the Gunning principles.

I have spent many days scrutinising the information available about the rent increases. As a retired Public Sector manager I am used to looking at reports and budgets; but for those who aren't - whom I imagine are the majority of tenants - it has been extremely difficult to reach an informed response because of the lack of relevant, clear, and accessible information. My conclusion is that the decision making process has not shown due regard to the consultation, nor has it provided 'a presumption in favour of openness', as the appropriate access to relevant material has not been provided. For that reason, I hope this Committee will recommend that the matter is referred back to Full Council for a wider debate.

*Ruth Hecht, tenant at Dubbers Lane allotment, Eastville*



## **STATEMENT 5 – Joanna Mellors**

### **Statement for Scrutiny Committee, Call-in sub-Committee 27<sup>th</sup> March 2024 Increases in Allotment Rents and Charges**

We are told that we have been consulted and that due note has been taken of the results of that consultation. I'm afraid that I cannot agree.

#### **Failure to respond to the Consultation (Rent increase)**

Cancelling the New Rules was inevitable – they were largely unenforceable or breached many of the Council's own policies. This wasn't 'taking notice of the consultation' – it was acknowledging the overwhelmingly obvious.

The same can be said for the concessions on the rents: agreeing staged payments and extending the range of discounts should have been part of the original proposals – as would have been made clear if the Equalities Impact Assessment (for the new increases, not the original 25%) had been carried out in a timely way.

You have not, and cannot show, that you have taken note of the responses about the levels of rent increases – these would appear to have been fixed since the outset, and a 78% vote against was not sufficient to change your mind.

#### **Inadequacy of the Consultation (Rent increase)**

The consultation information was very sparse: the new rents were listed on 2 sides of A4 as a schedule to a 40 page close-typed document of new rules etc. It is surprising that anyone found them at all.

The new rules were so numerous and contentious that the resultant 'Noise' risked obliterating the rent increase throughout the consultation period. This was raised at the Forum meeting in January; the Minutes record that the content of the BCC consultation documents 'is too much for many tenants'. Also that there were mixed views about the priority focus – was it the new Rules or the new Rents? At the beginning of February, it was announced that we were only looking at the new Rents but by then, the consultation had closed.

There was then the confusion about the 6.7% increase (withdrawn as part of the Council's main Budget negotiations) – apparently this was another rent increase, just one that hadn't been mentioned in the Consultation or in the Report to Cabinet; it certainly wasn't discussed at the Forum which was told as recently as July 2023 that the expected increase was the 25% increase approved in 2022.

#### **Inadequacy of essential supporting information (Rent increases)**

The Executive's Response document now includes much essential information about how the rents were calculated and more detailed budgets. I and others have asked question after question about the benchmarking and the £301K per annum over 15 years budgeted expenditure (£4.5M in total) on Buildings and Infrastructure.

This essential information was not in the Consultation paperwork or presented to the Site Reps or the Forum at the Workshops in January; **it was not even set out in the Report to Cabinet for 5<sup>th</sup> March.**

A considered opinion about the increases could not be reached, and a safe decision could not be made at Cabinet without that information.

In more detail:

**Valuation:** With the increase having such an extreme range (7% to 492%), we needed some sort of explanation of the basis of calculation. The basic table of new rents was not enough. I and others requested more information – only to be supplied with a series of benchmarking tables, each one more ‘up to date’ than the last. The Allotment Office have been ‘playing catch up’ in response to our questions – but well out of time for this to be part of the Consultation.

**Budgets:** One of the main rationales for the increase is a proposed expenditure of £301K (nearly HALF the entire budget) over 15 years (£4.5M) on ‘Buildings and Infrastructure’. With such large increases, of course we needed some idea of what our money was to be spent on. No budgeting information was provided within the consultation document. Again, we sought clarification; eventually (and out of time for the consultation) we were told that this sum is based on historic costs of emergency works. I refer to the reply: *‘We have obtained projected costs derived from recent works... the current budget only allows us to carry out critical emergency work.... and does not provide for any cyclical maintenance or preventive repairs’*

This huge amount of money (£4.5M) rests on what looks like a ‘back of the envelope’ exercise using the costs of emergency works as the basis of estimates for what should be a properly planned programme of maintenance. Those two types of costs generally have no relation to each other; **the figure of £301K is not safe as the substantive justification (nearly 50% of the budget) for these increases.**

### **Conclusion**

This new document gives the impression that you have been filling in the blanks, based on all the research and investigative work that we have had to carry out – simply because the Consultation and information weren’t good enough.

The decision taken on 5<sup>th</sup> March was based on a flawed consultation and inadequate or incorrect information; I ask that this Committee refers the Allotment Rents back to the Council for further consideration. Thank you.

## STATEMENT 6 – Dr Stephen Pill

Others...THOUSANDS of others....have not only objected to the proposals advanced, but have also detailed problems with the **process employed** before the recent decision on allotment rents was taken.

I believe the consultation was deeply flawed, and ask that the Call-In discussion conclude with returning the matter to the Full Council for proper disposal. I give some non-exhaustive examples of Gunning principles broken below, knowing that these examples are being complemented by the observations of others.

- **Gunning 2: Sufficient reasons.** One could pick away at many of the details to show failures here, but I wish to stand back from this and to point out that **ONLY NOW** (in response to the forthcoming Call-In debate, and long after the consultation closed) are emerging details of the budget and finance information used by BCC to argue for the proposals consulted on. If these are 'sufficient reasons' (and this is not the place to contest this) - they should have been provided on 11<sup>th</sup> December 2023. Denying the public this information obstructed "*intelligent consideration and response*".
- **Gunning 2: Sufficient reasons.** A Benchmarking exercise cannot be regarded as valid if there are no benchmarks against which to judge proposals. This is the case for the (newly introduced in these proposals) bands for the largest allotment plots (500-1000sq m). There ARE NO counterparts for these in any of the core cities or other cities favoured by BCC as comparators for Bristol - I have examined this point carefully. These large allotment plots are in Bristol, almost exclusively occupied by Community Groups, and the EIA fails to specifically address the impact on these groups of the proposals. Taken together, "*sufficient reasons*" have not been advanced to permit intelligent response to the proposals for Community Groups, save that they have been ill-served by this process.
- **Gunning 3: Time.** Community Groups were NOT properly informed of the proposals at the outset of the consultation: sending an email to a single person as representative in the last working week before Christmas, imagining that that person is a) in Bristol to receive it and b) is in immediate and instantaneous contact with every other member of what are diverse and in many cases informal groupings is a false presumption. Information about the proposals and the consultation therefore spread only slowly through these communities, substantially shortening the **effective** consultation period. Moreover some groups - example Fishponds Community Orchard - received NO notification - by email **or** letter - of the consultation.
- **Gunning 3: Time.** Further, the consultation on rents was substantially disrupted by the abortive consultation on rules: the publication of an immature rules document with proposals so ill-considered it would have to be withdrawn caused a **damaging distraction** for the Allotment community from the rents proposals, which only came fully into focus AFTER the rules proposals were dropped. This significantly shortened the effective consultation period, as well as disrupting it.
- **Gunning 4: Conscientious consideration.** The Allotment Forum is the venue chosen by BCC to bring together Council Officers and Tenants. The fact that the Allotment Forum voted by 48:3 on 24 January to declare "*This Forum believes that there has been a major process failure in the rents/fees consultation and that it needs to be re-run, not extended*" should have made BCC pause for thought. The Forum's opinion was ignored - it was not even **mentioned** in 92 pages of briefing for Cabinet's decision-makers. This shows a lack of the necessary "*conscientious consideration*."

## STATEMENT 7

**Bristol City Council - Call In Sub Committee (of the Overview and Scrutiny Management Board) - Wednesday 27th March 2024 5.00 pm**

**Call-in of 5 March Cabinet decision on allotment rents and water charges (Agenda item 16)  
Statement on behalf of the undersigned community groups**

We fully support the proposal to call-in the 5 March decision on allotment rents and water charges. The request (from Cllrs Martin Fodor, Lorraine Francis, Tom Hathway, Christine Townsend and Tom Wye) sets out the ways in which the decision breached the Council's constitution, namely on Due Consultation; Presumption in Favour of Openness; and Due Regard to Public Sector Equality Aims.

We would like to record our experience in relation to these points:

### **Due Consultation**

There was inadequate communication of the consultation and insufficient information to allow proper consideration of the proposals. In contradiction of BCC's recent answer to the 5 March public forum questions, **we are not aware that community groups received direct communication**. In fact, some individuals involved in community groups received the standard communication that went out to (most) individual tenants, but with no effort from BCC to address community groups.

Community groups membership extends far beyond current and waiting allotment tenants. The Council's proposals have wide-ranging impacts on the wider community. The consultation had a serious failing in that it was only designed for individuals to respond - for example it was impossible for a group to answer the questions on protected characteristics. This means that the consultation data will also have shortcomings.

We understand that a consultation is only legitimate where the 4 Gunning Principles are met:

**1. *Proposals are still at a formative stage***

We were not involved in any discussion before the proposals were presented - nor are we aware of any such discussion or alternative proposals. We welcome the subsequent decision to work with stakeholders on the allotment rules fees and charges - but there's no evidence that the rent and water charges were at a formative stage - although implementation has now been staggered, BCC have continued with their original proposals for rent increases, presenting this as the only possible solution, without any discussion of alternatives.

**2. *There is sufficient information to allow 'intelligent consideration'***

We did not have enough information to allow intelligent consideration of the proposals - including budgets, spending plans and the rationale for and impacts of the rent proposals. This was still the case even after Council debate and FOI requests. The information that has been shared has been in a piecemeal and inconsistent fashion - critically, some of the most useful information (e.g. more detailed information on budgets and spending plans) has only been made public after the decision making process was completed.

**3. *There is adequate time for consideration and response***

We had insufficient time to consider the proposals in the consultation, given that some key information was late or "unavailable" (e.g. on impacts, rationale of rent figures, projected spending plans...).

**4. *'Conscientious consideration' must be given to the consultation responses before a decision is made***

We have not seen any evidence that meaningful consideration has been given to the consultation responses before the decision was made. The inadequacy of information on budgets and impacts hasn't been acknowledged. The questions about the apparent inconsistencies in charging rates have not been adequately addressed. The 31% of respondents who did highlight a negative impact on protected characteristics seem to have

been ignored. The decision on rents and water charges just looks like a foregone conclusion. Can the Council show otherwise?

### **Presumption in Favour of Openness**

Material contributing to a decision should be made available. It did at one point seem that the Council may not actually hold some key information, but lately there has been a trickle of additional information released following FOI requests, and finally with the papers for this meeting. More information should have been supplied with the consultation (if not before!) and we should not have had to resort to FOI requests. Critically the Council has been resistant to explaining the rationale for apparently inconsistent rent figures and for the projected spend - why these reasonable questions could not be answered is unclear. It is clear from the information in the consultation itself, the information previously shared with the allotment forum, various papers BCC has submitted to Council committees (such as we have seen), the recent document setting out responses to the 5 March public forum questions, and the papers for this meeting, that BCC has been inconsistent and incomplete with its transparency.

### **Due Regard to Public Sector Equality Aims**

Cllr Fodor's request sets out very clearly the inadequacy and inconsistency of the Equalities Impact Assessment. From the FOI request on information held on the community groups it is clear that the Council does not have a good grasp of the range of community groups, their membership and reach, nor the roles they play in building diverse and inclusive communities.

Many of our groups work with people who are marginalised or disadvantaged, some of our groups are targeted towards particular needs. All of us reach into the wider community. A few of our groups are well-established, but many of us are facing challenges and need a supportive environment. In some cases the proposals would make the projects unviable. And we need to consider the groups and initiatives that are still trying to get off the ground, or making the transition from idea to action. We have not even talked about the informal networks around allotments of co-workers, families, friends, helpers. Allotments are places where we can grow communities - there is so much potential here.

Community groups have a really important role to play, but please consider the way the consultation was conducted, the statements in Council about "gated communities" of "private growers", and the standard of the equality impact assessment. We do not think that the Council has been able to adequately consider the equality impacts of the decision, let alone the potential for supporting community groups.

In conclusion, we respectfully suggest that the appropriate action would be for the Sub Committee to refer the decision back to the Full Council so that the Council has sufficient time to properly consider how to remedy the shortcomings highlighted in the Call-in request.

### **Community groups submitting this statement**

Beaufort Road Community Growing Collective

Easton Community Garden

Edible Bristol

Fishponds Community Orchard

Flourishing in St Pauls

Herbalists Without Borders Bristol

New Roots Garden

Metford Road Community Orchard

Royate Hill Community Orchard

The Haven Project

The Hen Community Group (Thingwall Park community chickens)

Thingwall Community Pollinator Plot

Thingwall Park Community Food Bank Plot  
Woodcroft Community Orchard

## STATEMENT 8 – Tim Beasley

### **Statement RE: The Call In Sub-Committee Considering The 5<sup>th</sup> March Cabinet Decision On Allotments Rents and Water Charges**

So the tragi-comedy that was the '*Proposed changes to Bristol Allotment Rent and Tenancy Agreement*' Consultation continues on to another scrutiny meeting.

The searing critiques of the Consultation and the Proposals from all the other political parties at the Full Council on 12<sup>th</sup> March, after the Petition on these matters was presented by its originator Holly Wyatt, was not the most damning indictment of this whole mess. Nor were the jokey critical comments, directed at the responsible Cabinet member Cllr King, by the likes of senior male Labour Cllrs Cheney & Alexander at a previous Council meeting, which were circulated via YouTube for all to laugh at.

**No the most damning indictments of the original Proposals and Consultation arise from the vast amount of additional information relating to these matters that were produced AFTER the Consultation had closed** - first for the Communities Scrutiny Commission on 27<sup>th</sup> February (and the private briefing they received from Cllr King & Officers on 15<sup>th</sup> February); and then further additional information was provided in reports to Cabinet on 5<sup>th</sup> March; and now even more information has been provided by a range of very Senior Officers to this Call In sub-committee meeting. How much additional time has been spent by Officers digging Councillors out of the hole they dug for themselves? **Have any Cabinet members/councillors actually read every single piece of the original Proposals, and every single piece of supplementary information & reports subsequently produced, and cross-checked them? Has Cllr King?** We can only presume not! Because if they have they can only be as aware as the rest of us what a totally flawed mess this has been from the start to now, so full of contradictions that you'd need a top team of Officers to write a 25 page summary. *But there's not time here for that....and Cabinet members wouldn't read it anyway.*

**Intead here's a list of process failures, and pieces of information that were not in the original Proposals/supporting docs and Consultation**, many of which have been asked for via FOI's and emails etc to Councillors and officers, and many (but not all) of which have subesequently come to light...after the Consultation closed.

1. Poor timing of this much delayed Consultation, launching in the run up to the winter holidays when many are busy with work, childcare, school holidays etc.
2. Failure to properly circulate the Consultation details to all tenants, co-workers, volunteers and Waiting List applicants, despite what is claimed in the Reports.  
I received no formal email notification of the Consultation despite being on the Waiting List since February 2018 (in fact I've never had a single email from the Allotments office since 2018), and have been told by many others that neither did they. I was made aware of the Consultation by others – tenants, community groups, campaigners, and eventually by posters from BCC fixed to allotment site gates. The reason so many did respond to the Consultation is down to the efforts of allotment tenants and campaigners! Does BCC have any idea how many emails ended up in spam folders, or in old email accounts that are no longer checked?
3. The Proposals made much of the fact the Rents hadn't been increased since 2018; and that the Waiting List has grown and grown; but there's been scant explanation as to why?  
- no recent history nor detail of cuts to the Allotments Office's budgets and staffing over the last 10+ years

- no details of current staffing structure and staff pay bands; nor projections for future staffing and pay bands
- no budgetary information covering say the last 10 years; absolutely nothing on the most recent financial year 2022/3; no projection nor modelling of future budgets both before and after the imposition of any new Rents, Water Charges and Fees
- no evidence that the Allotments Service was running a budget that was allegedly in far greater deficit than the figures shown for 2017-22 in a pdf circulated to Allotment Forum members only, after the October 2023 Forum, but not attached to the Consultation!
- no statistical analysis of the recent and current performance of the Allotments Office
- no statistics on recent and current annual rental loss due to void plots (as in plots not relet in a timely manner after no longer being tenanted)
- no statistics on rental loss due to non-payment of plot rents
- no details regards the Waiting List beyond varying figures ranging from 6000 to 8500 on the List; no information as to when the Waiting List was last updated (nor cleansed of those on it who are no longer interested, for whatever reason)

4. There was no mention anywhere that in March 2022 the Cabinet had agreed a 25% increase in the Allotment rents, supported by an EIA dated 6.1.2022. This increase should have come into force in September 2023; no explanation given as to why this did not happen!?

5. There was no mention that the Council had failed to Consult with the Allotments Forum on the actual details of the Proposals; that is despite Section 1.2 of the Forum Constitution that states: *"The Forum is formally recognised by BCC as the key consultation body in relation to allotments."*

- within the initial Consultation period ending on 22 January 2024, there was no meeting with the Allotment Forum scheduled. It was only after the Consultation was extended by 9 days that the regular quarterly Forum would fall within the new time period.

6. The Allotment Proposals, and in particular the absurd 35 page new Tenants Rules book, and the need to improve relet times, were clearly totally reliant on Site Reps policing the new Rules. But there was no information on the number of allotment sites with or without Site Reps; no figures comparing present number of Site reps against how many there should be ie how many Site Rep roles are not filled?

- no information nor details regards meetings between BCC and Site Reps in the run up to the Consultation Proposals, even though Cllr King regularly refers to them.
- the Minutes of 2 meetings between Cllr King/BCC and allegedly 50 Site Reps on 17.1.24 have never been made public, even though they occurred during the Consultation, and were promised to be available either before or at the Allotments Forum on 24.1.24. Allotment sites with no Site Reps were excluded from those meetings, and therefore not represented.

7. No rent benchmarking statistics regards current and proposed BCC rental increases were included in the Consultation. Therefore no evidence was given to indicate that the Council was undercharging due to it's own management failures; nor was any statistical evidence provided to prove the need for the much inflated expenditure the Council claims it needs to make in order to justify it's random percentage Rent Increases.

**Now an honest and transparent Consultation should have included the above information to ensure potential respondees were in a position to make informed decisions and comments.**

Instead information to support the Council's Allotments Proposals regards Rent & Water Charge Increases has only been made available, via dense Council documents, after the Consultation closed. That makes a mockery of the Consultation, and the Council's claims to be open and transparent. Instead they have relied upon justifying their clearly pre-set agenda by constantly providing additional info outside of the Consultation timeline. One wonders how much Officer time and taxpayers money would have been saved if the Council had got the Consultation right in the first place?

**This Labour controlled Council & Cabinet is about to end.** Better to end this farce now and allow those who come in after 2<sup>nd</sup> May start afresh, learning from this administration's failures.

**Statement submitted by Tim Beasley, BS5 resident**

*(volunteer on a community food growing project since 2008; on the Allotments Waiting List since 2018; and a co-worker on a plot since May 2021. Still waiting for my own allotment plot!)*



Date submitted 26.3.2024.

Note that I am unable to attend the Public Forum of the Call In sub-committee on 27.3.2024.

**STATEMENT 9 – Neil Bennetta**

On review of the information issued, it states the consultation period was supposed to be 7 weeks, and was extended from 11th December 2023 - 22nd January 2024 to 31st January 2024, but as this included the Christmas period it appears to be 6 weeks not 7?

There is also a query over the level of improvement you state the rent increases are going to provide to the provision as it doesn't appear to be clearly listed what these improvements are actually going to be in any detail.

It is easy to find fault in processes, but I feel if an open forum had been instigated and feedback sought from allotment holders, a more democratic process of improvement could have been agreed for the mutual benefit of all parties.

## **STATEMENT 10 – Kirsty Forman**

### **Statement to the Call-In Sub Committee: Bristol City Council 27.3.24 re Allotment Rents & Water Charges**

I agree with the grounds stated for calling in the decision made by the Cabinet on 5<sup>th</sup> March in relation to allotment rents. This was based on a fatally flawed consultation and also inadequate and inaccurate information. Therefore, it does not adhere to the Gunning principle of there being 'sufficient information to give intelligent consideration of the matter'.

That the information given to Cabinet was flawed, is clearly illustrated by the additional and subsequently produced data, released on Friday 22.3.24 in the Executive Officer response to the Call in, (after the deadline for questions to this Call-in committee meeting had passed).

I endorse the statements made by Ruth Hecht, Christopher Gibson, Tim Beasley and Joanna Mellors and the Community Groups to this committee.

I ask that this decision be referred back to Full Council for reconsideration after a full and adequate consultation.

Kirsty Forman

Tenant of Allotment at Metford Road

## **STATEMENT 11 – Mal Sainsbury**

I would like to endorse all the detailed response from other statements today, but will not attempt to further repeat the undeniable evidence researched by BAR that the 'sham' of the obfuscating 'consultation' regarding changes to allotment rules, regs, fees and charges was and remains fatally flawed as a basis for a local authority decision-making process.

Instead I make a heartfelt plea to the civic consciences of the councillors present committed to fair and open dealings with those they represent to make the decision to refer this matter back to a full council meeting, where a properly reasoned and collaborative process may be created with all who wish to support, protect and defend our precious green spaces to grow our own food for future generations.

For this you will be thanked and remembered by the many thousands of us spread over 100 allotment sites, community gardens and orchards that keep our green wildlife spaces viable.

And will I be the only one to refer to the ludicrous introductory part of the 450 printed consultations that were posted out where the Council said they would be asking us how often we played tennis - if at all - on our allotments? The first of many unchecked errors in this ill-judged and un-thought-through document, the consequences of which threaten years to come of resistance and determination to work together to make reasonable changes and charges with proper stakeholder consultation.

This is the first time in three years a Call-In has questioned a decision. Now the Mayor is losing his power to overturn all decisions and his Cabinet dissolving, let us hope scrutiny will continue to question all others that affect so many that have been made by so few.

Mal Sainsbury

Ashley Vale Allotments

## STATEMENT 12

### Statement to the Call In Sub- Committee of the Bristol City Council Overview and Scrutiny Management Board 27 March 2024.

I am writing this statement in support of the Call-In of 5 March Cabinet decision on allotment rents and water charges. I urge you to refer the matter to Full Council.

The terms of reference for the Call- In Sub Committee make clear the focus of deliberations is no longer the rights and wrongs of the proposals themselves but the process by which the Cabinet reached its decision and the degree to which it acted in accordance with Article 14 of the Council's Constitution.

Decision makers should demonstrate that they are giving consideration to views expressed by interested parties in reaching their decision. I do not believe due consultation has taken place. Community Groups and Co workers were not appropriately included in the consultation. The Allotment Forum does not appear to have been consulted at a formative stage of the proposals.

Article 14 refers to a presumption in favour of openness. The original consultation failed to include full information on how the proposed rent rises had been arrived at, the exact income and expenditure budget of the service over the last 6 years, how the budget for the proposed cyclical maintenance programme was arrived at, how it would be ring fenced, what the proposed maintenance programme would be etc etc.

Some of this has subsequently become available through FOIs, material submitted in response to public questions and statements, even the belated response to the Call -In . But this information was not available to the 4000 tenants and the 8000 people on the Waiting List to enable them to give intelligent consideration to the Council's proposals. It was not necessarily available to the Cabinet enabling them to give fully informed consideration to the proposals before them.

The tortuous rationale given to Cabinet as to how the differing rent rises were arrived at was not clear and transparent. We have learnt the projected costs for the proposed 15 year cyclical maintenance programme are derived from the costs of recent works and emergency repairs. There does not appear to be a draft programme. This state of affairs has not been tested through consultation.

Given the fundamental weaknesses in the Consultation process, the opaque nature of information sharing and lack of consideration of other options I urge you to refer the matter to Full Council.

**STATEMENT 13 – Ana Sanchez**

**Statement for Scrutiny Committee, Call-in sub-Committee 27th March 2024 - Increases in Allotment Rents and Charges**

\*I will not be able to attend the meeting in person

Dear Scrutiny Committee,

Many people in the allotment list and allotment tenants have not been consulted as the email was not sent to everybody, and those to whom the email was sent, in some cases, it was sent late (allowing those people little time to respond to the consultation).

It seems that you have not taken note of the responses about the levels of rent increases – there was a 78% vote against it and yet this was not taken into consideration.

The consultation information was very sparse and confusing. The Executive's Response document now includes essential information about how the rents were calculated and more detailed budgets.

This essential information was not in the Consultation paperwork or presented to the Site Reps or the Forum at the Workshops in January; it was not even set out in the Report to Cabinet for 5th March.

The decision on 5th March was based on flawed consultation and not enough information and therefore I ask the sub-committee to return the decision to Full Council to be reconsidered after an adequate consultation.

Kind regards,

Ana Sánchez

Allotment tenant at Cranbrook Road Allotments

## **STATEMENT 14 – Caroline Dalcq**

To whom it may concern - this is my statement regarding the call-in of the 5 March Cabinet decision on allotment rents and service charges.

The decision on 5th March was based on a flawed process. The consultation was inadequate.

- **The consultation did not provide enough information.** The documents provided were too numerous, confusing and incomplete. To this date, the calculations used for setting the rents increases are still unclear, and the budget they will feed is still yet to be explained. The comparison with other cities was also biased, as these were not comparable and selected on the basis of their high fees.

- **The communication about the survey has been poor, and failed to reach all stakeholders** (including allotment tenants and people on the waiting lists). The reason why the survey still received 3000+ responses is because the BAR campaign stepped in and made much noise about it. *(Though it is nice of the Council to (indirectly) acknowledge the good work of the campaign, it is ironic that they should take its outcome as evidence for sufficient publicity!)*

- **The response to the consultation wasn't listened to** when it comes to Rents & Fees - a vast majority of 78% of respondents stated that they disagreed with the proposed rent increase. Alternative ideas for raising funds were proposed, including fairer ways to charge rents; these have been ignored. The fact that the Council needs to raise more money doesn't override the citizens' right to be heard in a consultation.

**As a consequence, I am asking the sub-committee to return the decision to Full Council to be reconsidered after an adequate consultation.**

Thank you for listening,

All the best,

Caroline Dalcq

Allotment tenant

## STATEMENT 15 – Katy Ladbrook

### Statement to Call In Sub-Committee (of the Overview and Scrutiny Management Board). Item 4, Public Forum. Wednesday, 27th March, 2024. 5pm.

## Failure to provide adequate information for consultation or Cabinet decision.

#### Summary financial accounts for BCC Allotments Service

	2017-2018 <sup>1,2</sup>	2018-2019 <sup>1,2</sup>	2019-2020 <sup>1,2</sup>	2020-2021 <sup>2</sup>	2021-2022 <sup>2</sup>	2022-2023 <sup>3,5</sup>	2023-2024 <sup>5</sup>	2024-2025	2025-2026 <sup>3</sup>
<b>INCOME</b>									
Licences	£1,375	£9,338	£1,567	£1,567	£1,167				
Allotment direct managed	£187,469	£217,050	£211,809	£221,558	£227,653				
Allotment Associations - Lettings only	£15,691	£16,896	£17,015	£57,007	£34,944				
Smallholdings	£8,803	£9,108	£7,279	£7,838	£7,292				
Commercial	£4,401	£4,401	£4,401	£4,401	£4,401				
Capital works income <sup>5</sup>	£0	£5,340	£0	£0	£2,100				
<b>Total income:</b>	<b>£217,739</b>	<b>£262,133</b>	<b>£242,071</b>	<b>£292,371</b>	<b>£277,557</b>	<b>£286,000</b>			<b>£389,000</b>
<b>EXPENDITURE</b>									
Staff (inc. agency staff)	£92,141	£96,196	£95,750	£98,241	£143,272	£142,272	£186,984		£187,000
Corporate and supporting costs	£30,923	£28,869	£24,053	£27,966	£30,703	£31,647	£86,647		£32,000
Buildings and Infrastructure	£67,464	£36,872	£46,288	£37,660	£33,881	£12,000	£301,092		£301,000
<i>ad-hoc maintenance</i>	-	-	-	-	-	-	-		(£44,856)
<i>Annualised cyclical over 15yrs</i>	£0	£0	£0	£0	£0	£0	(£232,196)		(£233,196)
<i>Statutory Compliance Checks</i>	£0	(£7,499)	(£7,000)	£0	£0	(£7,000)	(£23,040)		(£23,040)
Utilities	£41,177	£58,385	£40,326	£62,502	£43,044	£50,000	£40,800		£41,000
Grounds maintenance and trees	£1,072	£31,389	£31,105	£29,686	£29,545	£34,400	£41,700		£41,000
Capital works costs	£0	£0	£84,979	£62,525	£0	£0	£0		-
Waste clearance and pest control	-	-	-	-	-	-	-		£31,000
Corporate income target	-	-	-	-	-	-	-		£55,000
Other cost	£415	£4,797	£1,698	£0	£424	£900	£30,900		-
<b>Total expenditure:</b>	<b>£233,192</b>	<b>£256,508</b>	<b>£324,199</b>	<b>£318,580</b>	<b>£280,869</b>	<b>£271,219</b>	<b>£688,123</b>		<b>£688,000</b>
<b>Balance:</b>	<b>£15,453</b>	<b>£5,625</b>	<b>£82,128</b>	<b>£26,209</b>	<b>£3,312</b>	<b>£14,781</b>			<b>£299,000</b>

#### Sources

<sup>1</sup>Allotment Financial Accounts 2017-2020(FOI request, hardcopy)

<sup>2</sup>Allotment and Smallholding Income and Expenditure 2017-2022 (circulated by Allotment Forum)

<sup>3</sup>Community Scrutiny Commission Allotment Briefing Paper for Estimated Income and Required Expenditure

<sup>4</sup>Minutes of the Resources Scrutiny Commission 30-01-2024

<sup>5</sup>Executive/Officer Response to the Call-in, Appendix F, Public Document Pack

#### Notes

In 2020-21 an expenditure of £62,525 is attributed to "Capital Works" in source 2 and "Annualised Cyclical" in source 5 (assume in error).

In 2019-20 a capital works expenditure of £84,979 does not appear in source 5 but is in sources 1,2 and elsewhere in 5, so has been included in this summary.

"Capital works income" only appears in source 5.

(Larger print version of table enclosed at end of statement)

Financial accounts for the Allotment service have been disparate and very difficult to obtain. This summary, which has been compiled by the allotment community, shows too little and too late for the consultation or the Cabinet decision.

Nevertheless, it shows that the Allotment Service is not requiring to be heavily subsidised. It is the proposed and unexplained new expenditure for Buildings and Maintenance and Smallholding Income which would make the service not be self-financing. The rationale for this spending has only been provided verbally to the CSC on 27<sup>th</sup> Feb, where it was described as a 15-year program of works required to catch up with neglect due to austerity.

The Executive Response provides a little more explanation, but no detail: *The future repair and maintenance cost estimated for buildings and infrastructure is based on a robust assessment completed by the Parks Service' asset manager* [page 13].



Disappointingly the Executive Response continues to obfuscate and to deny a requirement to evidence the new expenditure: *As historic spend does not compare or relate to projected spend for service improvements it was not relevant to included* [page 9].

The allotment community should not have to work so hard to obtain financial accounts and explanations for extreme increases in expenditure. This information should have been made available publicly as part of the consultation. That it was not made available in the Cabin report on 5<sup>th</sup> March is very concerning.

I appeal to the sub-committee to refer the decision back to Full Council for reconsideration. An official Proposal, informed by complete financial accounts, needs to be made in advance of a consultation. This consultation and the report to Cabinet on 5<sup>th</sup> March did not contain sufficient information.

Katy Ladbrook

# Summary financial accounts for BCC Allotments Service

	2017-2018 <sup>1,2</sup>	2018-2019 <sup>1,2</sup>	2019-2020 <sup>1,2</sup>	2020-2021 <sup>2</sup>	2021-2022 <sup>2</sup>	2022-2023 <sup>3,5</sup>	2023-2024 <sup>5</sup>	2024-2025	2025-2026 <sup>3</sup>
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Waste clearance and pest control	-	-	-	-	-	-	-		-£31,000
Corporate income target	-	-	-	-	-	-	-		-£55,000
Other cost	-£415	-£4,797	-£1,698	£0	-£424	-£900	-£30,900		-
<b>Total expenditure:</b>	<b>-£233,192</b>	<b>-£256,508</b>	<b>-£324,199</b>	<b>-£318,580</b>	<b>-£280,869</b>	<b>-£271,219</b>	<b>-£688,123</b>		<b>-£688,000</b>
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## Sources

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<sup>5</sup>[Executive/Officer Response to the Call-In. Appendix E, Public Document Pack](#)

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