

Allotment Community Right to Challenge Consultation FAQ's

- **Why are the Council doing this?**

The Council is required to do this by the Government. The Community Right to Challenge legislation (2011) is the right for community organisations to submit an expression of interest in running services of a local authority on behalf of that authority. There is a formal process where the community group registers their interest and submits comprehensive details of how this will be done. The local authority is compelled to seriously consider any request received. Wakefield Council has received an expression of interest from an organisation to manage the Council allotments and as such must follow this process. The link below is the government website providing guidance on this legislation.

<https://www.gov.uk/government/publications/community-right-to-challenge-statutory-guidance>

- **Why would a Management Team want to do this?**

Community Right to Challenge legislation was introduced to give community groups/organisations the opportunity to be able to run a facility/service/process which was run by the Council. If an organisation thinks that it can be run effectively, then once information has been provided to the Council to prove that provision can be put in place for this to be a success, then the Council have to consider this proposal.

- **Will my rent go up?**

The terms of the management agreement will only allow rents to increase with inflation annually.

- **What will the Management Team do with our rent?**

The rent from allotment tenants will be used to manage the allotment sites. Money will be needed to undertake any necessary repairs required on allotment sites and there will be overheads incurred by the Management Team which will need to be covered

- **Does this mean there will be more investment in the allotments?**

This will be up to the management company. They will have access to the money raised from rents along with the opportunity to seek external grant funding. Under the contract there will be a requirement for the organisation to maintain the standard of allotment sites and not to allow them to deteriorate.

- **Will the Council pay the Management Team?**

The Council will not pay the Management Team to run the allotment sites. They will be funded from the annual plot rentals and any grant funding they receive.

- **What if we have a problem with taps fencing or paths etc?**

Any new management company will be required to provide suitable systems to deal with these problems and the instructions for this would be passed to all plot holders prior to any handover.

- **Who will be my main contact if I experience a problem at the site under the new arrangement?**

The new management company will be the main contact for any allotment issues and they will be required to ensure that you have the necessary contact details prior to any handover.

- **Will there be changes?**

Any new management company will be required to adopt the current allotments policy and the procedures. Any future changes will need to be discussed with the Council before implementation. There will however be operational changes with new contact details being in place and there may be changes to how the procedures are implemented e.g. new allotment inspection timescales. Plot holders will be given prior notice of any changes on procedures or contact details

- **When will this happen?**

The process has started now and will continue for a number of months as we go through the various stages of the tendering process including market testing, tender exercise and handover. We will keep plot holders informed at each stage.

- **Who is the organisation that is taking over?**

No organisation has been identified to take over the management of the allotments. This will only be finalised after the tendering process has been completed.

- **Will plot holders have a say in who is given the job of managing the allotments?**

Plot holders will not be involved in the decision making process as the Council has to comply with the Community Right to Challenge legislation and will manage the process and consider all applications under an open and fair competitive tendering process

- **Will there still be a Site Secretary's meeting so we can have our say?**

The site secretary's meeting is covered in the procedures and will continue under any new management however the format may change. The Council will communicate with all allotment tenants during the process and if a site secretary's meeting is appropriate during this then one will be arranged.

- **Will there still be a role for Site Secretary's and will we still get the honorarium payment?**

The Site Secretary's role is covered under the procedures and will continue along with the honorarium.

- **Will the Council oversee the running of allotments to ensure it is fair?**

If a new management company is identified there will be a hand over period to ensure a smooth transfer of responsibilities. Following this the Council will oversee the management of the allotments to ensure compliance with the contract.

- **Will all the Council allotment sites be transferred?**
 The land will not be transferred it will just be the management of Allotment sites which have been identified as being owned by the Council
- **Can the new operator sell the site and redevelop or is it only to be used for allotment purposes?**
 No, the land will remain in the ownership [p of the Council and will not transfer to the new management organisation
- **Can I buy my allotment plot instead?**
 No, the allotments are not for sale but if any site is interested in self-management it would be able to discuss this opportunity with the management company or the council.
- **My site is not on the list of Council owned sites. Who will manage my site or will nothing change.**
 Once the tendering process has been completed the Council will liaise with land owners to agree the best way forward for each of the sites not on the Community Right to Challenge list to ensure that the current plot holders can continue to use the sites as they have for many years.
- **How long will the management be transferred for? What will happen after this period of time?**
 The agreement will be for 5years with an option to extend for further 8 years. Following this period the management of the allotments will be put back out to tender to identify if there are any other suitable companies interested and able to provide an ongoing improvement to the allotment service.
- **I'm a potential supplier and I'm interested in participating in the Market Consultation Exercise.**
- All the market consultation exercise documentation is available to download from the Council's procurement portal, YORtender (www.yortender.co.uk). Your organisation will need to create an account (for free) and then search the 'current opportunities' for reference DN315921. This closing date for responses is 5pm on XX/XX/XX