

NORTH YORKSHIRE COUNCIL

13 November 2024

The Report of the Corporate and Partnerships Overview and Scrutiny Committee regarding the Notice of Motion on 'Right to Grow' referred to the committee at the full Council meeting on 15 May 2024

Report of the Assistant Chief Executive (Legal and Democratic Services)

1.0 PURPOSE OF THE REPORT

- 1.1 To provide Council with a summary of the deliberations and recommendations of the Corporate and Partnerships Overview and Scrutiny Committee concerning a Notice of Motion seeking a 'Right to Grow' approach for the Council, that was referred to the committee at the meeting of full Council on 15 May 2024.

2.0 BACKGROUND

- 2.1 At Full Council on 15 May 2024, the Chair decided that a Notice of Motion seeking a 'Right to Grow' approach for the Council should be passed to the Corporate and Partnerships Overview and Scrutiny Committee for consideration, with the intention of it being considered and recommendations brought back to the 24 July 2024 meeting of full Council.
- 2.2 The Notice of Motion proposed by Councillor Hannah Gostlow and seconded by Councillor Steve Mason stated:

This Council notes:

- Its own commitment to conserving biodiversity in order to help mitigate climate change by increasing capture and storage of carbon in ecosystems, and support adaptation to climate impacts.
- That trees and green space in urban environments can help prevent floods, cool streets, sequester carbon emissions, filter air pollution, and provide an important habitat for insect and plant-life.
- The increasing need to put the health and well-being of residents at the heart of our Council strategies.
- The powerful evidence which demonstrates the link between people's health and wellbeing and the availability of fresh locally produced food.
- That the cost-of-living crisis is creating real hunger reinforcing the need for healthy fresh food at an affordable price.
- That communities coming together to grow can radically reduce costs to NHS and social care budgets by reducing loneliness and providing healthy food.
- That there is plenty of under-used publicly owned land which could be used for community food growing while also improving the public realm.

This Council agrees:

- Identify and produce a map of all Council owned land suitable for community cultivation that is publicly available at no cost to residents, and actively promoted across all wards.
- Land should be considered suitable for cultivation for food or biodiversity unless containing proven hazards or unless development is due within 24 months.
- Make this land available for cultivation by a simple license to community organisations at no cost.
- Ensure the license does not contain conditions that present a significant barrier to residents in terms of financial or practical requirements.

- Ensure that where community groups cultivating on public realm land for food growing or wildlife spaces, the groups are given an opportunity to bid for the land should it be tendered to sale.
- Allow the necessary infrastructure such as access to water and/or for water harvesting to enable sustainable cultivation for all.
- Ensure that allotment provision adheres to the 1969 Thorpe Report which recommends a minimum provision equivalent to 15 plots per 1,000 households. In the 2011 census, 256,594 households were recorded in North Yorkshire.'

2.3 The Notice of Motion was first considered by the Corporate and Partnerships Overview and Scrutiny Committee at its meeting on 10 June 2024, at which time they agreed there was likely to be much to consider in regard to the proposals within the Notice of Motion and therefore officers should be given sufficient time to gather all the relevant information before reporting back to the Committee at its next formal meeting on 9 September 2024, thereby enabling the Committee to report back to full Council in November 2024.

2.4 The Council's Constitution (Council Procedure Rules, section 11, page 223) states:

(h) If a motion is referred to the Executive or one committee only, the Executive or that committee shall report to the Council upon that motion together with its recommendation. If a motion is referred to more than one committee, the Executive shall report to the Council upon that motion together with its recommendations. The report of the Executive or any committee to which a motion has been referred shall contain a statement of that motion.

(i) When the Executive or a committee reports back on a motion, the motion, as originally moved and seconded at the earlier meeting, will be the matter before the Council. Any recommendation of the Executive or committee to amend the motion will therefore be an amendment to the motion and any recommendation to support or oppose the motion will be only an expression of views.

3.0 CORPORATE AND PARTNERSHIPS OVERVIEW AND SCRUTINY COMMITTEE MEETING ON 9 SEPTEMBER 2024

3.1 The papers for the meeting of the Corporate and Partnerships Overview and Scrutiny Committee meeting on 9 June 2024 can be accessed via the following link (Item 10) –

[Agenda for Corporate and Partnerships Overview and Scrutiny Committee on Monday, 9th September, 2024, 10.30 am | North Yorkshire Council](#)

3.2 The report from Angela Crossland, Head of Healthier Lives Community and Economy, which reviewed the Right to Grow motion was considered, with the aim of supporting the committee to consider its recommendations to Full Council, and an extract from the minutes of that meeting is below:

'Councillor Gostlow was invited to speak to the Motion which she had put forward to Full Council in May 2024. The committee were provided with two examples of projects in Councillor Gostlow's area where land had ultimately been granted to local groups, resulting in increased biodiversity in addition to connecting residents in a way which increased wellbeing and connectivity.

The Chair highlighted that another councillor had asked for a protocol to be developed around this at the council, prior to the Motion being put forward, but acknowledged that the Motion goes further. The Chair also highlighted for the committee that in view of the significant funding gap being faced by the council, there was concern among the officer team around staffing resources being potentially diverted to develop an approach on Right to Grow at a time when key services need to be protected such as SEND provision.

Gary Fielding, Director for Resources noted that in the near term, the particular concern was around property officers needing to produce a register of all such land available for

community use. The council was keen to look at regeneration and reducing its footprint where possible so where community groups come forward and have identified land, then in principle there would be no objection to assisting them, but he expressed concerns around a broader mapping exercise being undertaken in view of resources. He suggested that any support would need to be relatively light touch at this stage until the council had been given more time to develop a suitable approach. As such, the committee was being asked to recommend to Full Council that the Motion not be upheld as written, due to the implications for council priorities and resources, but that additional time be given to officers to develop a responsive approach within the context of current capacity and cross-cutting strategic priorities.

Members discussed the positive benefits of supporting such projects and identified there were a range of ways in which communities could work with land owners to identify what land might be available as well as council land, for example working with parish or town councils. The committee considered whether the community anchors could therefore support this. It was considered that the financial benefit to the council in pursuing this type of work was very small and that it should be seen as having social value, and that the support provided needed to be proportionate at the current time. It was also highlighted that it was also important to understand whether a piece of land was safe to grow food on.

A Member raised that a piece of council-owned land had been identified by a local community three years ago but that there had been little engagement from officers in that time, which had been a source of frustration.

Angela Crossland outlined that approaches to working with communities in this way were under development and were part of a wider food systems agenda for the council, but highlighted that significant processes need to be done to ensure this was affected properly and to ensure that approaches were consistent. Angela confirmed there may be more capacity to look at this further next year.

The committee discussed that where new housing estates were being developed, garden spaces were often not large enough for households to grow their own food and there was also no space provided for allotments. It was considered that as part of the developing Local Plan, the council could consider provision of allotment land as part of new housing developments. It was therefore agreed that a further recommendation to that effect should be added to the officer recommendations within the report.'

3.3 Having considered the officer report in full, together with the representations by Councillor Hannah Gostlow and the members of the committee present, the Corporate and Partnerships Overview & Scrutiny Committee agreed to recommend the following to full Council:

- i. The Motion as written not be upheld due to the implications of the approach on council priorities and resources.
- ii. Additional time be given to officers to develop a responsive approach to community grow within the context of current capacity and cross-cutting strategic priorities.
- iii. Consideration for the provision of allotment land as part of new housing developments be a policy provision within the new Local Plan.

4.0 FINANCIAL IMPLICATIONS

4.1 There are no specific financial implications associated with the recommendations in this report.

5.0 LEGAL IMPLICATIONS

5.1 There are no specific legal implications associated with this report.

6.0 CLIMATE CHANGE IMPLICATIONS

6.1 There are no specific climate change implications associated with this report.

7.0 EQUALITIES IMPLICATIONS

7.1 There are no specific equality implications associated with this report.

8.0 RECOMMENDATIONS

8.1 The Council is asked to consider the following recommendations of the Corporate and Partnerships Overview and Scrutiny Committee:

- i. The 'Right to Grow' Motion as written not be upheld due to the implications of the approach on council priorities and resources.
- ii. Additional time be given to officers to develop a responsive approach to community grow within the context of current capacity and cross-cutting strategic priorities.
- iii. Consideration for the provision of allotment land as part of new housing developments be a policy provision within the new Local Plan.

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)

County Hall, Northallerton

18 September 2024

Report Author:

Melanie Carr, Senior Scrutiny Officer Melanie.carr1@northyorks.gov.uk

Background documents:

Constitution of North Yorkshire Council -

<https://edemocracy.northyorks.gov.uk/documents/s19609/NYCCConstitutionVersion2May2023.pdf>

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.