Governance Regimes of Allotment Gardens in Europe
A Short Review

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AG in Austria are governed by Federal and State laws:

- 6 Federal laws on the regulation of allotment gardening (Garden Act) were enforced in 1958.
- State law of 1988 on the regulation of AG in Lower Austria
- Vienna Garden Act of 1996.
In Belgium zoning plans provide regulations.
Most AG complexes have internal regulation.
No special governance regime or any kind of institutional framework exists in Cyprus for AG.
In Denmark in 1908 the Allotment Owners' Association was established to secure homogenous contract conditions with the land being rented from the government and local authorities.

The national law on Colony Gardens (AG) was approved on June 1, 2001.

The new legislation ensures that most of Denmark's AG are given permanent garden status, which means that they can only be closed down if replacement land is made available.
In Estonia AG are not recognised as specific types of land use nor are they defined at national level.

Laws of AG from Soviet times seems still to be a norm.
In Finland, the Land Use and Building Act define the use of urban spaces. Land use plans do not cover AG for development purposes. AG are officially recreational areas with general rules set by municipalities, and AG Associations.
In France, governing laws of AG depend on the Rural Code that applies to agricultural activities. AG are run by non-profit associations. The land may belong to the association, local authorities, or housing societies.
There is no formally recorded AG in FYR Macedonia
In Germany:
- There are Federal Law, National law and central legal document (i.e. Federal Building Code and National law on planning and building, zoning plan, binding land-use plan).
  - Additional laws on federal level affect AG especially: laws of associations, environmental and nature conservation legislation, sewage and waste law, Laws on sub-levels.
- No laws or Acts on federal and states level exist for Community Gardens.
In Greece no official land use regulations or any other institutional framework at national/regional level exist.

There are municipal urban gardens under Social Structures category funded by the Structural Funds and Cohesion Fund in NSRF (2007-2013).
• In Italy, urban AG are offered by local governments encouraging low income senior citizens to produce their own food and increase social interactions (Tei et al., 2010).
In Ireland the Acquisition of Land (Allotments) Act, 1926, enabled local authorities in urban areas to provide land for allotments with the intention of assisting the urban poor.
In Israel there is no law or act. A national community gardens steering committee runs pilot projects in 5 poor cities.
• In Latvia no acts and laws on the national level that regulate urban gardening exist.
• The governance of AGs is in the competence of municipal governments.
In Lithuania at national level there is Gardeners' Associations Act.
In Luxemburg there is no AG law.
The laws on communal and urban development enable the authorities to create AG zones assigned for gardening, cultivation and recreation.
Malta to date has no strategic government or planning policies for AG.
No National Acts or laws yet.
• In Netherlands AG fall under the general spatial planning law.
• In Norway AG are defined in the National Planning & Building Act, section for municipal and zoning plans with assumptions enforced in late 1970s that anything not supported directly within the Act is not allowed.
• The Act is divided into 6 Themes and AG fall under the Theme 1: Housing and Constructions.
• Of key significance is Theme 5, which includes agricultural land use with no reference to AG.
In Portugal in 2008, the Lisbon Municipality has developed “preventive measures” integrated on the Master Plan revision framework, which was being revised at that time.

In 2012 the New Master Plan of Lisbon was completed and it adopted specific targets that includes “Green Plan” such as Urban Allotments, Green Structure Areas, Water Cycle improvements, among others.
• In Serbia there was not and still there is not any kind of Act or law related to AG at national and local levels.
In Slovakia in 1991 a national law on AG (Colony Gardens) was passed to adjust the owner’s rights to the land and other agricultural properties. A new law also is in place that is about land exploitation and ownership regulations.
In Spain:
- No legal framework, laws or Acts exist for AG at any level.
- AG are regulated by municipal programs that began in 90s.
In Sweden AG are covered by the Planning and Building Act, second Chapter on the need for Green Spaces.
• In Switzerland AG are administrated by municipalities.
• Each has developed its own gardening and construction regulations.
• They are legally secured and located within green, recreational, or leisure zones.
In United Kingdom in 1908 the Small Holdings and Allotments Act came into force.

The rights of allotment holders were strengthened through the Allotments Acts of 1922.

Allotments Act of 1925 established statutory allotments which local authorities could not sell off or covert without Ministerial consent, known as Section 8 Orders.

Further legislations have affected allotments, the latest of which is the Localism Act 2012.
Issues to Address

- How AG governance regimes in European countries shall be assessed?
- There are certain terminologies used in different countries that need to be defined (National, Federal, Regional, Provincial, Local, …)
- It is useful to develop “Classification Criteria” based on above definitions that demonstrate types and strength of AG governance regimes.
In overall 3 levels of governance regimes in presented European countries are observed:

1. National
2. Regional/Provincial
3. Local

The laws are enforced and implemented by:
- City councils, municipalities, environment agencies,..

Organizations that influence AG:
- Allotment Garden Associations, NGOs,
There are different tools that support governing of AG in different countries:
- National Law
- Federal Law
- Additional Laws (Local):
  - Zoning and Land Use Plans
  - Building Acts and Regulations
  - Rural Code
Questions