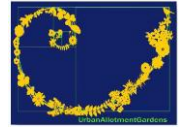


COST-Action TU1201

Urban Allotment Gardens in European
Cities - Future, Challenges and Lessons
Learned

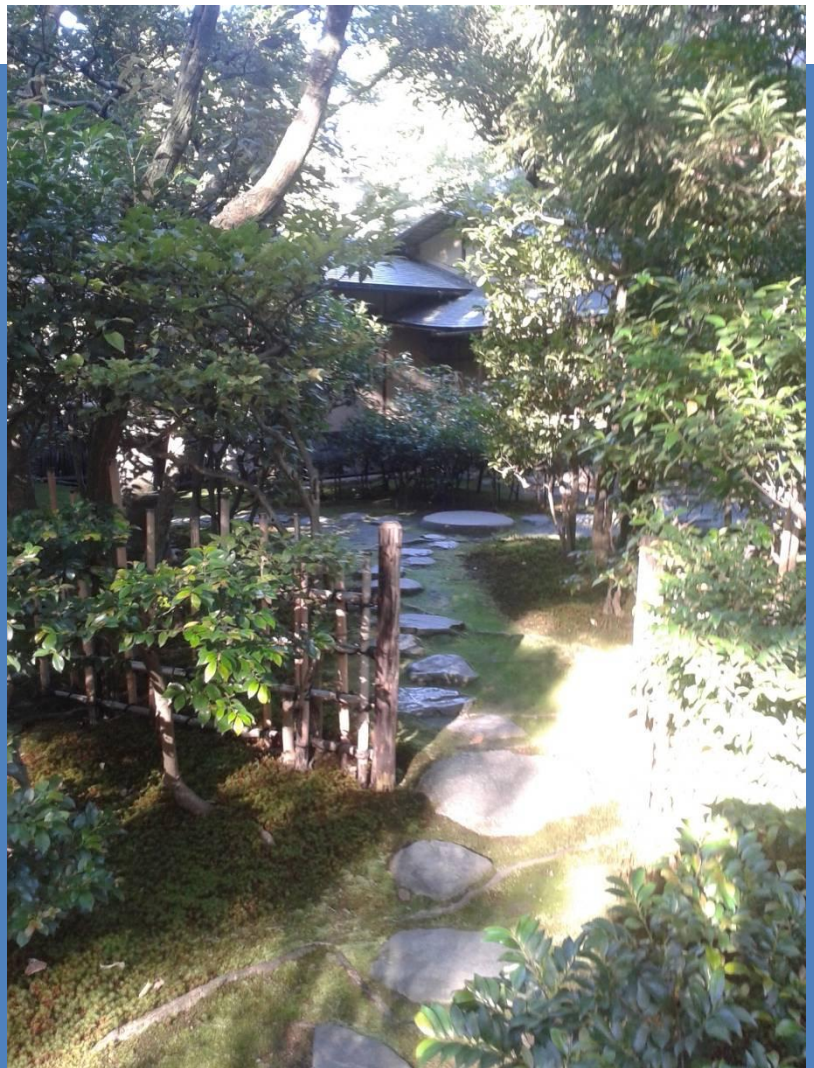


SHORT TERM SCIENTIFIC MISSION REPORT

30.09-13.10. 2013 TARTU, ESTONIA



Problems of
allotment gardens
development –
Warsaw and
Tallinn
comparative
studies.



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Warsaw, Tallin 2013

Title: Problems of allotment gardens development – Warsaw and Tallinn comparative studies.

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Abstract

The aim of the Short Time Scientific Mission was to identify the main similarities and differences in current trends in the development of urban allotment gardens in Warsaw and Tallinn, capital cities of Poland and Estonia.

The decision to compare these two cities was conditioned by common background. Tallinn and Warsaw are capital cities of Poland and Estonia, countries which have shared similar history to a large extent. After I world war both Estonia and Poland obtained the independence after long period. After the second world war both countries became Eastern Bloc members (Estonia was a part of Soviet Union and Poland was a Satellite country). Both at the beginning of the 1990s launched changes in political and economic system. In 2004 Estonia and Poland joined the European Union.

During the stay in Estonia I was able to collect many documents from the past times, current documents and publications, see a movie about one of last allotment gardens in Tallinn. The results of the analyses and the data obtained from Estonia are compared with the results from Warsaw.

This report contains comparison of the legal bases in both countries, examination of the spatial policies which should refer to allotments, maps and other documents which helped to clarify position of allotment gardens in both cities. This report also presents changes in the county and urban policies in the last few decades and the current image of allotment gardens in both countries.

Introduction

The history of allotment gardens in Europe dates back to nearly two hundred years ago. The context of their establishment was different in each country but their function was similar- they were created to provide food to urban dwellers .

During the decades their legal situation was changing and each country developed individual system. In some counties it is more advanced, in some allotment gardens do not have any particular function. Also urban policies of each city induced individual way of forming allotments.

The main aim of the Scientific Mission in Estonia was to find out the information about development of urban allotment gardens in Tallinn and to compare them with the Warsaw case study.

Scientific research in Estonia was based on earlier research in Warsaw. The main objectives of this plan were to:

- collect information about the legal basic of allotment gardens,
- examine the urban policies which refer to allotment gardens,
- identify relations between allotment gardens and other spaces in Tallinn (especially green spaces)

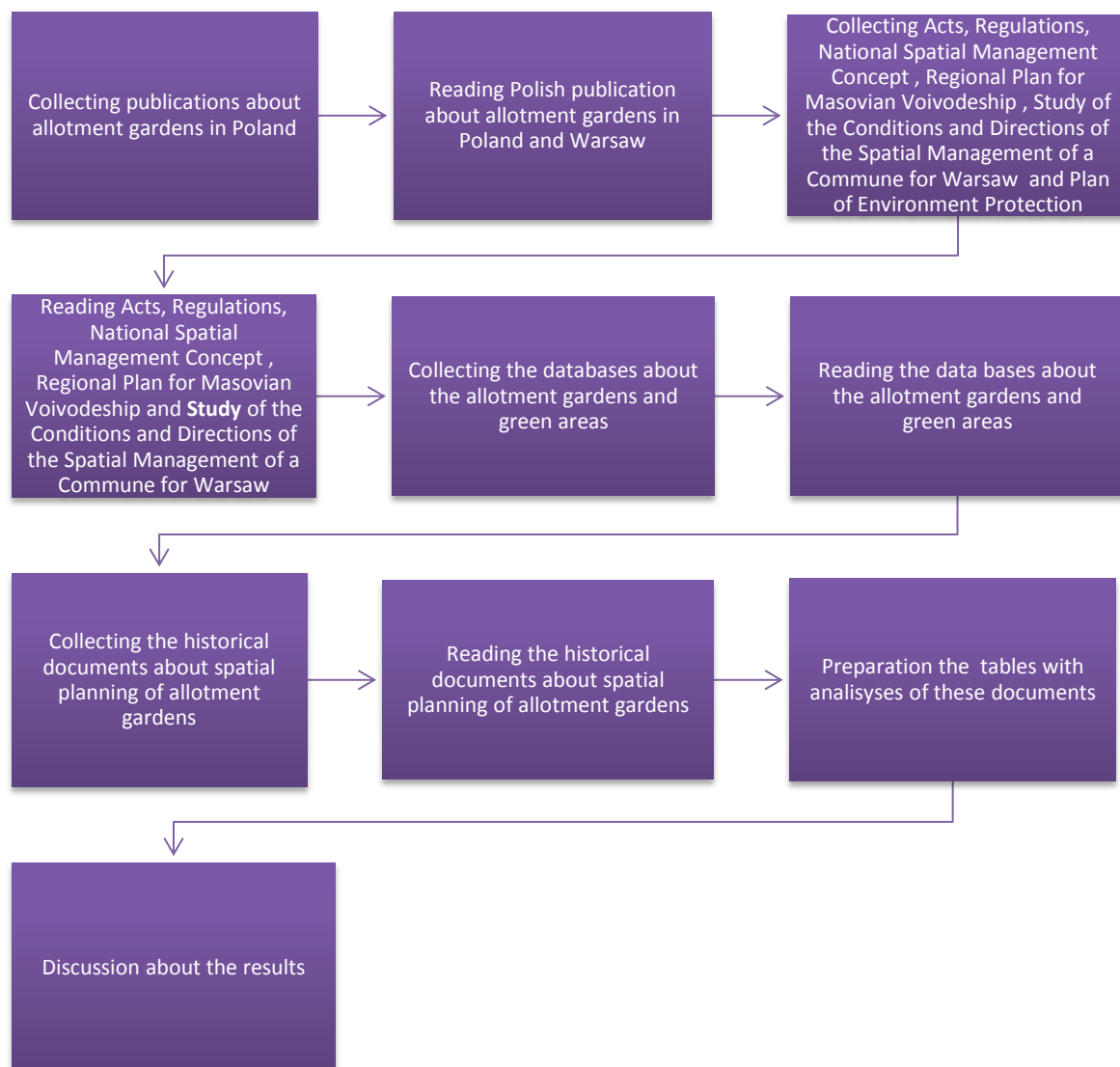
After the Scientific Mission results from Tallinn were compared with the result from Warsaw .

Research was done in relation to my master thesis. The results of scientific mission (analyses and comparisons) will be incorporated into my thesis.

This report shows the main results of the research done in Estonia.

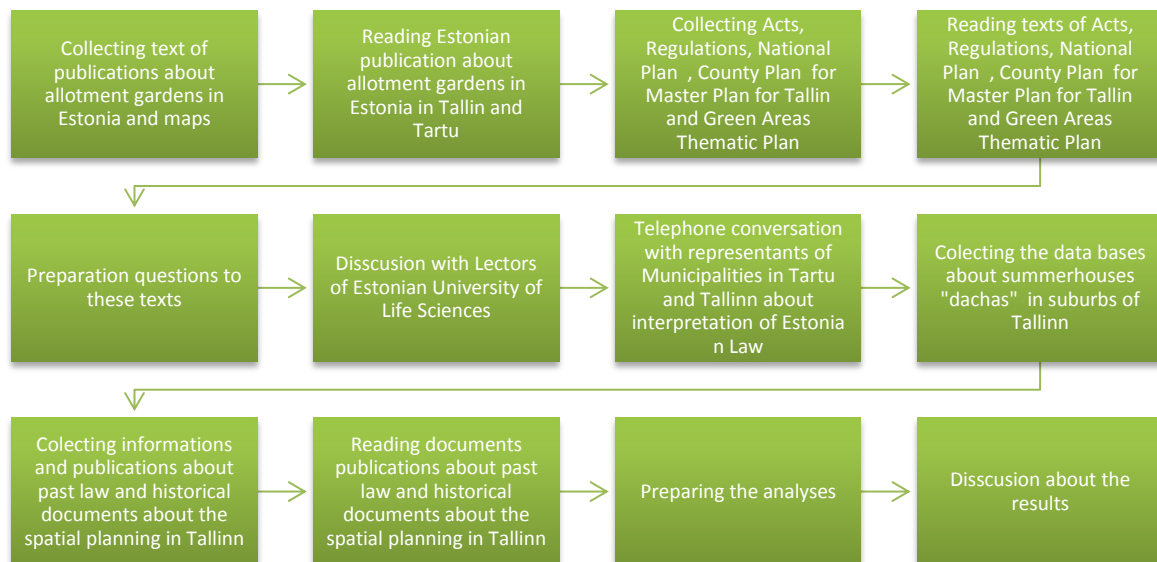
Methodology

Actions were divided into two steps. The first step was dedicated to the Warsaw case study. The works took place in Poland. Methodology of this step is shown in the diagram below.

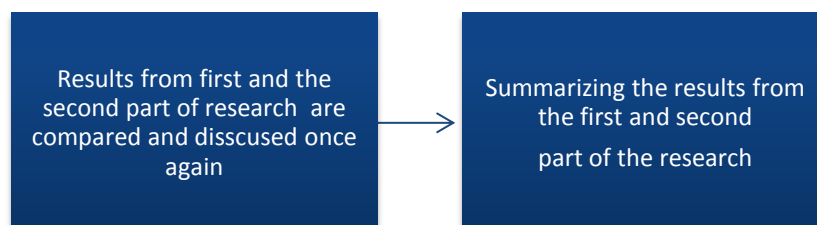


After receiving the results from Warsaw, the plan of works was set up for Estonia. It was important to define what documents in Estonia are equivalent to those in Poland and to

compare documents at the same legal level. The work was done in cooperation with lecturers from Estonian University of Life Sciences and student Ilona Feklistova who helped me with collecting appropriate documents and translation. The diagram below shows the actions in Estonia.



The results from Poland and Estonia were compared and then discussed once again. The similarities and differences in Urban Policies have been summarised in the tables. The diagram below shows the last action in this research



Findings

Legal bases of allotment gardens in Poland- Act of Family Allotment Gardens of 2005.

The main Act that refers to urban Allotment Gardens in Polish law is “Ustawa o rodzinnych ogrodach działkowych” (“Act of Family Allotment Gardens” of 2005). This act defines the main functions and the form of allotments in the cities. It also stresses their importance in the development of the community. Moreover, this act defines the term allotment garden and indicates that allotment gardens make the green structure of the city so they should be protected

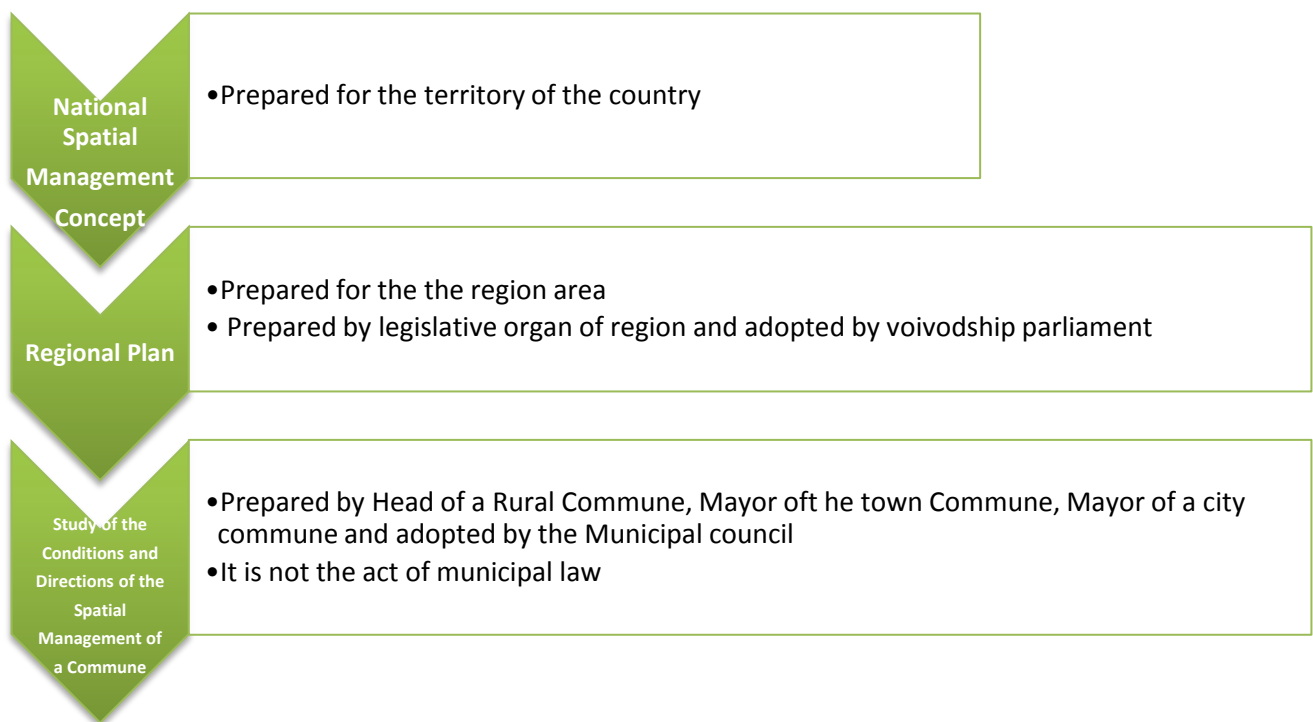
| | |
|--------------------------------|---|
| Definition | <ul style="list-style-type: none"> • Family allotment garden is a separated part of a land which is held by PZD ((Polish Allotment Gardeners Association) divided into communal lands and allotments equipped in infrastructure that is necessary to its proper functioning. |
| Function | <ul style="list-style-type: none"> • relex and recreation • healthcare • improving socio-living conditions of users • ecological |
| Importance in spatial planning | <ul style="list-style-type: none"> • Allotment gardens should be included in proces of spatial planning by the local governments as the permanent, necessary and important element of the infrastructure towns and villages. |

Other acts that are indirectly connected to allotment gardens are “Ustawa o planowaniu i zagospodarowaniu przestrzennym”(“Act of Planning” from 2003), “Ustawa Prawo ochrony środowiska” (“Act of Environment Protection” from 2001), “Ustawa Prawo ochrony przyrody” (“Act of Nature Protection” from 2004) and “Ustawa o ochronie gruntów rolnych i leśnych” (“Act of Agriculture and Forrest Land Protection” from 1995). The first one gives

the legal bases for allotment gardens planning. The other three give the legal bases to protect areas of allotment gardens.

Act of planning of 2003

This act describes the planning structure in Poland. It is based on three levels. These are: National Level, Regional Level, Community Level. A special document is prepared for each level. The sequence of these levels is shown in the diagram below.



Allotment gardens should be planned on the community level in the Study of the Conditions and Directions of the Spatial Management of a Commune. Each particular local government (in cooperation with the Government Administration Bodies) has the rights to administrate the land of allotment gardens by creating the legal conditions of spatial and economic development of family allotment gardens. However allotment gardens can be only organised in the lands that are possessed by the Country of Poland, local governments and "PZD" (Act of Act of Family Allotment Gardens of 2005).

Other document that mentions allotment gardens on this level is the Program of Environment Protection. This document is conditioned by the Act of Environment Protection from 2001. It is obligatory for each commune and it is responsibility of the Head of a Rural Commune, Mayor of the town Commune, Mayor of a city commune (this document is also prepared for regions and poviats). The main aim of preparing this document is to protect the environment on each level by identifying objects which are valuable for environment.

Warsaw Case Study

Warsaw Allotment Gardens in numbers

The diagram below presents the main information about the allotment gardens in the city

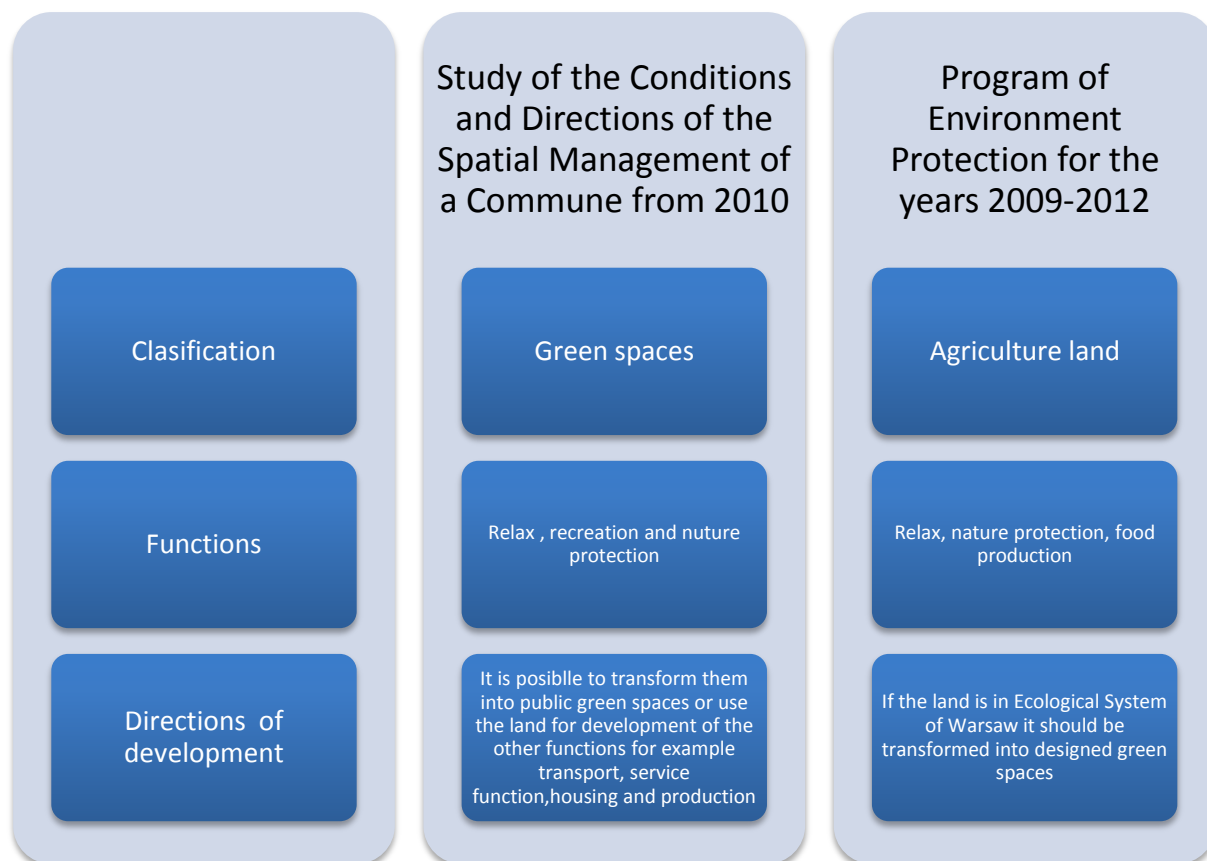
| Total area of allotment gardens in Warsaw in ha | Number of allotment gardens in Warsaw | Part of the city area with allotment gardens in % |
|---|---------------------------------------|---|
| • 1170 | • 176 | • 2,3 |

Total area, number and proportion to other green spaces is big and shows how important they are for the city green spaces network (58,2% of green spaces in Warsaw are Allotment Gardens).

Spatial planning in Warsaw

There are two main documents which contain information about Allotment Gardens: The Study of the Conditions and The Directions of the Spatial Management of a Commune for 2010 and The Program of Environment Protection for the years 2009-2012.

These two documents present the functions of allotment gardens, directions of development, and their classification. The main objects are presented in the diagram



Who cultivates the allotment gardens in Poland?

The PZD (Allotment Gardens Association) present on their website statistical information about the profile of allotment garden user in Poland. The research was done on a group of 601075 people. Some of the information is presented below:

| Gender: | Age: | Education: |
|--|--|--|
| <ul style="list-style-type: none"> •Woman: 47,50% •Men:52, 36% | <ul style="list-style-type: none"> •51 – 65 years : 37,66 % •36-50 years: 24,44% •<25 years: 2,22% | <ul style="list-style-type: none"> •vocational education: 31% •secondary education: 40, 93% •higher education: 14,15% |

Profile:

Gender: Man

Age: 51-65 years old

Education: secondary education

Work: Professionally active

Type of work: Manual Worker

Reason for possessing plot: recreation and cultivation

Other findings

The history of Warsaw allotment Gardens started at the beginning of XX century. The first allotment garden appeared in 1902 ("Obrońców Pokoju" Allotment Garden). Since that time till the end of 1945 in Warsaw created 15 Allotments. During the war time it was the place where Polish underground organisations had meetings. After the war Allotment Gardens were created in accordance with the Act of Allotment Gardens of 1946 and the Act of Workers Allotment Gardens of 1949. In 1981 The Act of Workers Allotment Gardens was issued again. This Act was in force till 2005 when a new Act of Family Allotment Gardens was passed.

Legal bases of allotment gardens in Estonia- Acts and Ordinances

In Estonia there are a few documents that refer to allotment gardens. The most important act called "Aiandus- ja suvilakooperatiivide vara erastamise kohta" ("Privatisation of gardening and summerhouses cooperatives") was adopted in 15.06.1992 and has been in force from 2002 and regulates the process of privatisation of assets of cooperatives, their transformation and termination. The main provisions are presented in the diagram below:

| What can be privatize: | Who has the rights for the privatisation: | How to do privatisation of cooperative: |
|--|--|---|
| <ul style="list-style-type: none"> • "The whole property can be privatized" like e.g. like garden house build and used by members of cooperative, plantations, electricity, water | <ul style="list-style-type: none"> • "Member of cooperative, wife, husband, descendants who is living in Estonia, siblings and their descendants" | <ul style="list-style-type: none"> • "Privatization, restructuring or termination of cooperatives can be done during the general meeting of cooperative members" |

The other acts that are indirectly connected with the allotment gardens are: the "Maakatastriseadus" ("Landcadastre Act" of 1994), "Säästva arengu seadus" ("Act of Sustainable Development" of 1995) and "Maareformi seadus" ("Act of Land Reform" of 1991).

Another document- the government law "Katastriüksuse sihtotstarvete liigid ja nende määramise kord" ("Categories of land use and the procedure for determination" of 2008) that is the explanation of Landcadastre Act gives the information that it is possible to create allotment gardens in unregulated land in agriculture land, public land (as a green area), residential area, unregulated land which is still municipal property but in the future the industrial land is planned there.

Different types of allotment gardens in Estonia

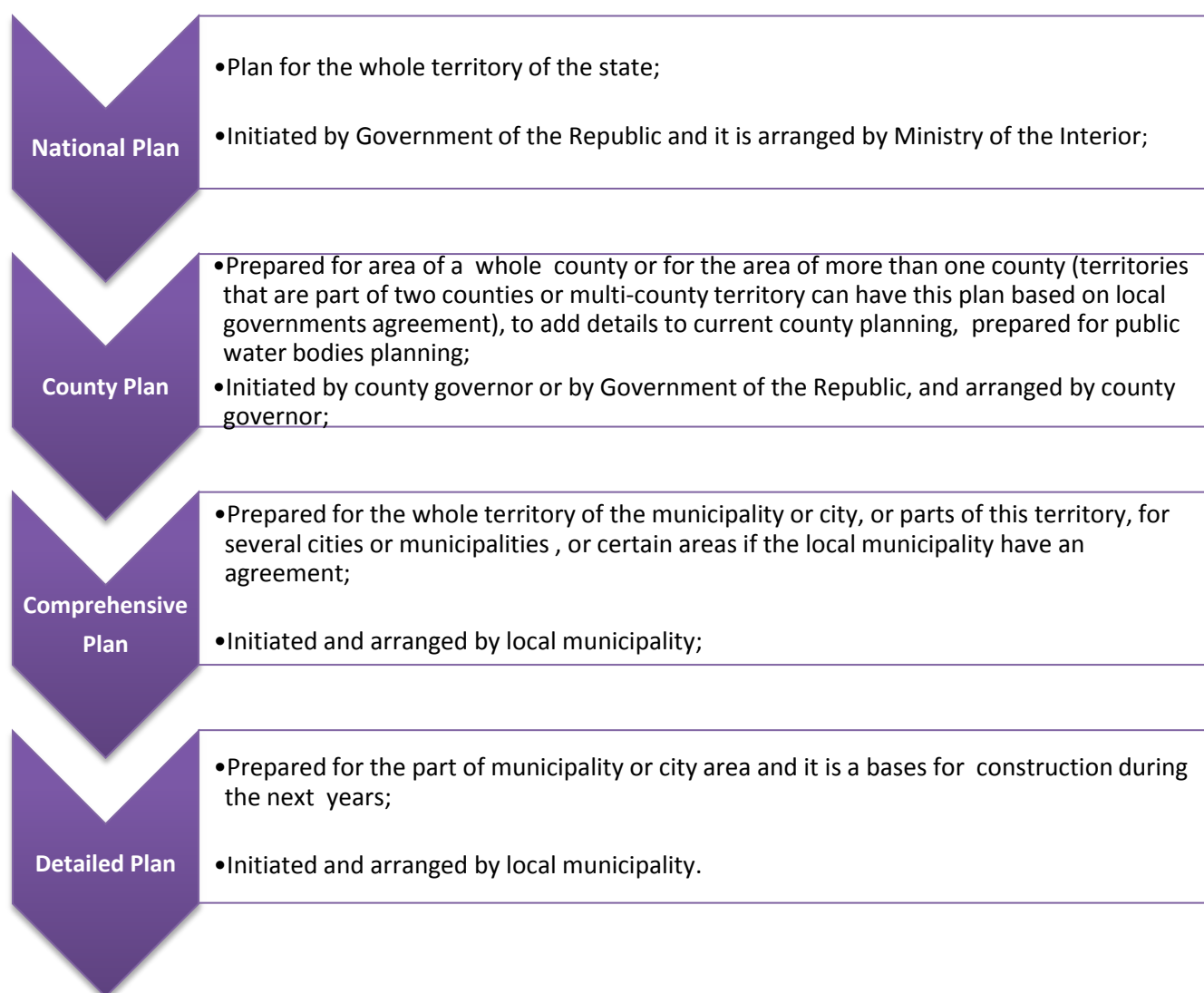
In Estonia there exist different types of allotment gardens. These are garden cooperatives, cooperatives, garden associations, dachas (summerhouses), community gardens. The names garden cooperatives, cooperatives and dachas come from the Soviet times. The first two refer to allotments which were organised for the garden associations (cooperatives), factory workers and people who lived in the blocks of flats. The main function was "putting flavour, horticulture, beekeeping and for the recreation of workers"*. Dachas are not directly allotment gardens but they are included to this research because in Soviet Union there were Summerhouses Cooperatives too. These are summerhouses in the suburbs of the cities in the Soviet Union countries.

*From Министерство Юстиции Эстонской СССР, Земельный Кодекс Эстонской СССР Официальный текст с изменениями и дополнениями на 1 мая 1983 года Таллин издательство "ЗЗСТИ РАМАТ" 1983

The name Garden Association is the name of Garden Cooperatives in the Post -Soviet times used in Estonia. The areas of the Garden Associations today are mainly built up. Community garden is the new form of allotment garden that was created in Tallinn. It is governed by the NGO and has no connection with the Garden Association.

Planning system in Estonia

Spatial planning in Estonia is divided into four levels. These four levels are based on national planning, county planning, comprehensive planning and detailed planning. On each level a plan of development is prepared. The sequence of these levels is shown in the diagram below.



*From the Act of Planning 2003 ("Planeerimiseseadus")

Tallinn case study

There are two main documents in Tallinn that should contain information about the development of allotment gardens in the city. These are: “Tallina Uldplaneering” (“Master plan of Tallinn”) and “Tallina Rochealade Teemaplanering” (“Plan environment protection”). None of them contains direct information about the garden cooperatives or garden association.

Who cultivates the allotment gardens in Estonia?

There are no official data bases about the users of allotment Gardens in Estonia. The only publications that I received in Estonia were about the Summerhouses in the suburbs of Tallinn. These data bases come from “Socialist Summer-home Settlements in Post-socialist Suburbanisation” by Kadri Leetmaa, Isolde Brade, Kristi Anniste and Mari Nuga.

| Gender: | Age: | Education: |
|---|---|--|
| <ul style="list-style-type: none"> •Woman: 50% •Men:50% | <ul style="list-style-type: none"> •0-14 years : 4 % •15-29years: 19% •30-49years: 29% •50-64 years: 29% •+65 years: 22% | <ul style="list-style-type: none"> •Primary education: 34% •Secondary education: 53% •Higher education: 14% |

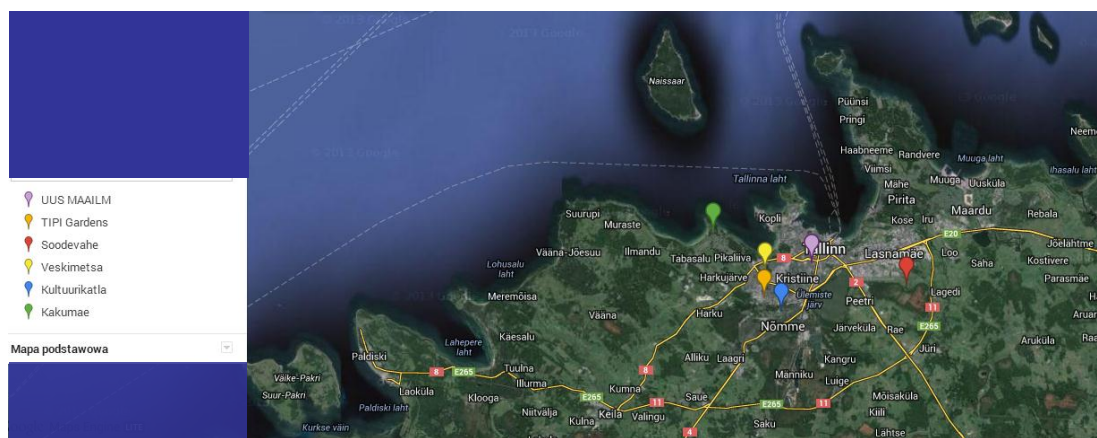
Additional information is that the nationality of users of summerhouses is 82% of Estonian and 18% others.

Other findings about the Estonian Allotment Gardens.

Allotment gardens in the past were in a better legal situation than now. The first act that was connected with allotment gardens was passed in 1949 and it was the Resolution “О коллективном и индивидуаль²ном огородничестве и садоводстве рабочих служащих” about horticultural production. In 1965 the first Garden Cooperative was established on the territory of Estonia. The law that was in force at that time was the standard statue of garden cooperatives of 1956. At the end of 1970s and at the beginning of 1980 new documents about the structure of the allotment gardens appeared, for example “Министерство Юстиции Эстонской СССР Земельный Кодекс Эстонской СССР

Официальный текст с изменениями и дополнениями на 1 мая 1983 года” which was mentioned earlier. There is also some information that the first gardens similar to contemporary allotment gardens appeared in Estonia in the 16th century.

Today in Tallinn there is no official information about the allotment gardens in the borders of the city. However I received the information about some Allotment Gardens. The map presents the recognised allotment gardens in the city (Different types of allotment gardens are included).



Allotment gardens in Tallinn which were found.

In the city Narva there is the other ordinance of 2008 “Aiandusühistute toetamise kord” (“Gardening Associations Arrangement to support”). This is the document which regulates the support in different fields like roads and electricity. This document creates also the definition of garden association as “the non- profit organisation which was formed to administrate the co-owned property of registered in register non-profit organizations and foundations”.

Discussion (Interpretation of findings and results)

The position of allotment gardens in Warsaw and Tallinn nowadays is not equal. While the net of Family Allotment Gardens in Warsaw is still well developed and 2,3 % of the area of the city of Warsaw are Allotments (58,2% of Green Spaces in Warsaw), Tallinn has no official

information about the number of allotments in the borders of the city. Their position in the spatial planning system is also weak. Privatisation of garden cooperatives caused their termination. Most of the areas were used for the development in the city.

Nevertheless in Tallinn there are some allotment gardens (few have been identified- no information about others but it is possible that they exist) but their status and organisation have been regulated in a different way than in Warsaw. It seems that they exist only because of the agreement with the owner of the land or on the lands where nobody cares about the owner of the land agreement but there is no law that would protect them from termination. The acts and other documents of Warsaw are more advanced in planning than the allotment gardens in Tallinn.

The profile of the user allotment garden in Warsaw and the user of dacha in the suburbs of Tallinn is similar.

However the past documents say that in both countries the way that they were settled was similar. In both countries there were documents which contained the information about the owner of the land, who can possess the plots, etc. Unfortunately it was not possible to find the official information where they were exactly planned and how many of them existed in Tallinn before the change of the law so nowadays it is again hard to say how many of them were removed.

Today in Tallinn exist many groups of people (for e.g NGOs) who own different types of allotment gardens. New allotments are created in accordance with different legal regulation than Garden Association. It seems that Garden Associations are slowly replaced by these new forms of community gardens. In Warsaw there is one model of association that is responsible for all allotments. It is impossible to create one's own Allotment Garden without "PZD". However this year the law in Poland is going to change and in the future we will see in which direction the changes will go and what they will mean to the whole city.

Conclusion

Although the history of allotment gardens has been fairly similar in both countries, nowadays allotment gardens occupy completely different position in spatial planning in Poland and Estonia. On the basis of the relevant legal documents in both countries and "master plans" of municipalities of Tallinn and Warsaw it can be seen that the importance of these areas for the governments and the municipal governors is different.

The Warsaw case study shows that the allotment gardens bare strong position in the spatial planning. There are several documents that are dedicated to these areas and define their form and function. Polish law allows to maintain in Warsaw many big areas with allotment gardens. Furthermore all allotment gardens are associated in one organisation with own structure and internal law. In order to be able to use these areas one has to be a member of this organisation.

Allotment gardens in Tallinn do not have the real legal bases. There is no special act, regulation or municipal law that is strictly dedicated to these areas. There are no data bases which refer to allotment gardens called "Garden Associations" in this city (it is only possible to find information about summer houses "dachas" in suburbs).

Today in Tallinn allotts can exist only if the owners of private land agree for that or in areas without specified purpose. According to Tallinn master plan areas with allots are dedicated to different forms of urban development but not particularly for allotment gardens.

Despite the lack of legal bases in Estonia there are NGOs which intend to improve the modern allotment gardening in the city. Nowadays we can observe that "the old type" allotment gardens are replaced by new allotments. This happens also in other Estonian city- Tartu. In the next we will be able to observe if and how their legal situation will change in Estonia.

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Appendices:

Historical plans of Tallinn (No allotment gardens marked on this plans).

General Plan of Tallin City from 1972



Plan of City Tallinn from 1976



Plan of City Tallinn form 1985

