



# Community Empowerment (Scotland) Act 2015

2015 asp 6

## PART 9

### ALLOTMENTS

#### *Local authority functions*

#### **115 Allotment site regulations**

- (1) Each local authority must make regulations about allotment sites in its area.
- (2) The first regulations under subsection (1) must be made before the expiry of the period of two years beginning with the date on which this section comes into force.
- (3) Regulations under subsection (1) must in particular include provision for or in connection with—
  - (a) allocation of allotments,
  - (b) rent, including a method of determining fair rent that takes account of—
    - (i) services provided by, or on behalf of, the local authority to tenants of allotments,
    - (ii) the costs of providing those services, and
    - (iii) circumstances that affect, or may affect, the ability of a person to pay the rent payable under the lease of an allotment,
  - (c) cultivation of allotments,
  - (d) maintenance of allotments,
  - (e) maintenance of allotment sites,
  - (f) buildings or other structures that may be erected on allotments, the modifications that may be made to such structures and the materials that may or may not be used in connection with such structures,
  - (g) the keeping of livestock (including poultry), and
  - (h) landlord inspections.

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*Status: This is the original version (as it was originally enacted).*

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- (4) Regulations under subsection (1) may in particular include provision for or in connection with—
- (a) buildings or other structures that may be erected on land mentioned in paragraph (b) of the definition of “allotment site” in section 108, the modifications that may be made to such structures and the materials that may or may not be used in connection with such structures,
  - (b) access by persons (other than allotment tenants) and domestic animals,
  - (c) liability for loss of or damage to property,
  - (d) acceptable use of allotments and allotment sites,
  - (e) sale of surplus produce.
- (5) Regulations under subsection (1) may make different provision for different areas or different allotment sites.