

These notes relate to the Community Empowerment (Scotland) Act 2015 (asp 6) which received Royal Assent on 24 July 2015

COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9: Allotments

Meaning of “allotment”

377. Earlier legislation on allotments does not provide a clear definition of “allotment”. Section 107 of the Act defines “allotment” for the purpose of this Part. Paragraph (a) provides that an allotment is land that is either owned or leased by a local authority. Privately leased or owned allotments are not covered by this Part of the Act. Additional requirements for land being an allotment under Part 9 of the Act are that the land is leased, or intended to be leased, by a person from the local authority and that the land is used wholly or mainly for the non-commercial cultivation of vegetables, fruit, herbs or flowers (subsection (c)(i)) otherwise than with a view to making a profit (subsection (c)(ii)).