



Community Empowerment (Scotland) Act 2015

2015 asp 6

PART 9

ALLOTMENTS

Request and offer to lease allotment

109 Request to lease allotment

- (1) Any person may make a request to the local authority in whose area the person resides—
 - (a) to lease an allotment from the authority, or
 - (b) to sublease an allotment from a tenant of the authority.
- (2) A request must be made in writing and include—
 - (a) the name and address of the person making the request, and
 - (b) such other information as may be prescribed.
- (3) The person making the request must, if the area of the allotment sought is less than 250 square metres, specify the area in the request.
- (4) Where the person making the request is a disabled person, the request may include information about the person's needs on the grounds of disability relating to—
 - (a) access to an allotment site or an allotment,
 - (b) possible adjustments to an allotment site or an allotment.
- (5) A request may be made to a local authority even if the authority does not own or lease any allotments.
- (6) A request may be made jointly by two or more persons if each person resides in the area of the local authority to which the request is made.
- (7) The local authority must give written notice to a person who made a request under subsection (1) confirming receipt of the request before the expiry of the period of 14 days beginning with the date on which the request is received by the authority.

Status: Point in time view as at 01/04/2018.

Changes to legislation: There are currently no known outstanding effects for the Community Empowerment (Scotland) Act 2015, Section 109. (See end of Document for details)

(8) Before making regulations under subsection (2)(b), the Scottish Ministers must consult—

- (a) local authorities, and
- (b) any other person appearing to the Scottish Ministers to have an interest.

Commencement Information

II S. 109 in force at 1.4.2018 by S.S.I. 2017/458, art. 2, **sch.** (with arts. 12, 14)

Status:

Point in time view as at 01/04/2018.

Changes to legislation:

There are currently no known outstanding effects for the Community Empowerment (Scotland) Act 2015, Section 109.