

Allotment Gardens and Community Farms in Japan

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INTRODUCTION

Allotment gardens and community farms are small-sized farms where non-farmers can enjoy the experience of farming by growing rice, vegetables, fruits, flowers, etc. Some non-farmers who are bored with life in concrete jungles find farming recreational. In addition, new ways of using allotment gardens and community farms are emerging, such as providing work opportunities for senior citizens and physically or mentally challenged persons, as well as among children who use gardening as a way of popularizing art.

Allotment gardens and community farms are now attracting public attention as new means of agriculture (note 1). The Ministry of Agriculture, Forestry and Fisheries (MAFF) is also promoting the development of allotment gardens and community farms. This paper aims to explain MAFF's policies on allotment gardens and community farms.

The stipulations of the Farmland Act on non-farmers' use of farmlands

Previously, MAFF did not allow non-farmers to use farmlands because of the regulations of the Farmland Act. This act stipulates that only those with farms of sufficient farm size and with farming skills have the right to use farmlands. The purpose of the Farmland Act is to prevent speculation in farmland and to improve the farming conditions for professional farmers. In Japan, all farmers in a community use the same irrigation channel. Parcels of farmlands lie in close proximity to one another. Thus, inappropriate use of water in one plot can adversely affect all farmers in the community. This explains why MAFF was cautious about allowing non-farmers to use farmlands.

However, non-farmers who wanted to use small plots of farmlands for private vegetable gardens were frustrated with the regulations of the Farmland Act. It was not rare for non-farmers to illegally rent out small plots of farmlands from owners for hobby farming. Under pressure from non-farmers, MAFF launched new programs to allow non-farmers to use farmlands around 1990. The Act on Special Provision of the Farmland Act, etc. in Relation to Lease of Specified Farmland (ALSF) and the Act on Promotion of Development of Community Farms (APDCF) are two examples of MAFF's new programs (note 2).

The Act on Special Provision of the Farmland Act, etc. in Relation to Lease of Specified Farmland

The promulgation of the ALSF in 1989 established a new type of leasehold contract between farmland owners and tenants, called lease of specified farmland (LSF), whereby non-farmers are allowed to use farmland plots as tenants, in an exception to the Farmland Act. The ALSF stipulates that the following four conditions must be satisfied for a contract to be recognized as an LSF:

- Each plot should be less than 1,000 square meters.
- The contract period should be less than five years.
- Tenants should not grow crops for commercial purposes.

- Farmlands should be leased to a significant number of tenants and under the same conditions of the leasehold contract.

An allotment garden is a small farm that non-farmers use for hobby farming as tenants of LSF under the control of organizers qualified by the ALSF. The ALSF of 1989 stipulated that only agricultural cooperatives and local public entities can be organizers of allotment gardens. If an agricultural cooperative or a local public entity wants to start an allotment garden, it should take the following steps, according to the ALSF:

Step 1) The agricultural cooperative or the local public entity must detail the location and acreage of the allotment garden, terms of the leasehold, and methods of inviting and screening applications for tenants.

Step 2) The agricultural cooperative or the local public entity must submit a proposal for starting the allotment garden to the Agricultural Commission of the municipality where the allotment garden is located (note 3).

Step 3) The Agricultural Commission must investigate whether the proposal for the allotment garden satisfies the following four requirements:

- The location and size of the proposed allotment garden should not disturb efficient use of the neighboring farmlands;
- The methods of inviting and screening applications for tenants should be fair;
- There should be an appropriate system to enforce the rules of the allotment garden effectively; and
- The lender(s) of the farmlands proposed for LSF should be the owner(s) of farmlands (e.g., sublease of farmland is not allowed in allotment gardens).

If the Agricultural Commission finds that these four requirements are satisfied, the agricultural cooperative or the local public entity can start the allotment garden (note 4).

When the ALSF was promulgated in 1989, only agricultural cooperatives and local public entities were qualified to organize allotment gardens. In 2003, this stipulation was removed as a pilot experiment in the limited area designated as the Special Zones for Structural Reform (SZSRs). By a revision of the ALSF in 2005, the deregulation was extended to areas not designated as SZSRs. The revised ALSF stipulates that when those who want to organize allotment gardens are neither agricultural cooperatives nor local public entities, the organizers must make agreements with municipal governments about ways to keep farmland use appropriate.

The Act on Promotion of Development of Community Farms

A community farm is a place where non-farmers can enjoy the experience of farming by paying membership fees. Not only farmlands belong to a community farm but also agriculture-related fixed properties, such as rest stations and storerooms for farming machines and equipment.

Members of community farms can conduct tenant farming by making contracts of LSF with farmland owners. However, if non-farmers want to have limited farming experience (e.g., rice planting and rice harvesting), they can do so without making contracts of LSF with farmland owners. As such, community farms are more flexible than allotment gardens in providing opportunities for hobby farming to non-farmers.

MAFF provided a legal framework for community farms by promulgating the APDCF in 1990. Community farms can be established by taking the following three steps:

Step 1) The prefectural governor prepares the basic plan for developing community farms in his jurisdiction.

Step 2) Following this basic plan, the municipal governments in the prefecture determine the

areas where community farms should be opened. This zoning is called the Zone for Community Farms (ZCFs) (note 5). At this stage, the municipal governments are required to have close communication with the Agricultural Commissions so that ZCFs do not disturb professional farmers in the municipalities.

Step 3) Those planning to open a community farm in these zones submit a proposal to the municipal government. The latter then investigates whether the proposal satisfies the following seven requirements:

- The proposed community farm should be consistent with the basic plan for promoting community farms prepared by the prefectural governor;
- The location and size of the farmland and fixed property of the proposed community farm should be appropriate;
- The proposed community farm should not disturb farming and living conditions in the community where it is located;
- The methods of inviting and screening applications for membership should be fair;
- The rules of the proposed community farms should be appropriate (note 6);
- There should be nothing illegal in preparation for the proposed community farm; and
- If an LSF is planned in the proposed community farm, the lender(s) of the farmland in the proposal for LSF should be the owner(s) of farmland (e.g., sublease of farmland is not allowed in community farms).

If the municipal government finds that these seven requirements are satisfied, it will approve the proposal for a community farm (note 7).

Community farms approved by municipal governments receive special treatment in the application of the regulations on conversion of farmlands to non-agricultural use. For example, while the construction of any building on farmland needs permission from the Agricultural Commission, such permission is unnecessary for building agriculture-related fixed properties in community farms.

Record of development of allotment gardens and community farms

Tables 1 and 2 show the development of allotment gardens and community farms. As can be seen, the number of allotment gardens and community farms have been steadily increasing. A majority of them are located in urban areas and organized by local public entities. The number of allotment gardens is 20 times that of community farms.

Table 1. The total number of allotment gardens and community farms by organizer's type

	1993 March	1998 March	2003 March	2008 March	2013 March
Local public entity	807	1,607	2,258	2,276	2,396
Agricultural cooperative	217	423	481	482	520
Farmer	15	89	151	512	897
Corporation, NPO, etc.	---	---	14	112	279
Total	1,039	2,119	2,904	3,382	4,092
Allotment garden	76	234	360	444	507
Community farm	963	1,885	2,544	2,938	3,585

Source: Ministry of Agriculture, Forestry and Fisheries.

Table 2. Allotment gardens and community farms by classification of agricultural area as of March 2013

	Total number of allotment gardens and community farms	Total number of farmland plots of allotment gardens and community farms	Total acreage of allotment gardens and community farms (ha)
Urban area ^{a)}	3,279	152,808	860
Flat farming area ^{b)}	231	12,632	186
Hilly farming area ^{c)}	415	15,341	208
Mountainous farming area ^{d)}	167	6,151	109
Total	4,092	186,932	1,363

Source: Ministry of Agriculture, Forestry and Fisheries.

Notes a) Former municipalities or municipalities where the proportion of densely inhabited districts (DIDs) in habitable areas (total land area except lakes or forests) is 5% or more and where the population density is 500 or more inhabitants per square kilometre (or a DID with a population of 20,000 or more inhabitants). This does not include municipalities where the percentage of forest and grazing land is 80% or more. In principle, a DID is a district composed of a group of contiguous Population Census enumeration districts, each with a population density of about 4,000 inhabitants and more per square kilometre, and whose population of the contiguous districts exceeds 5,000.

b) Former municipalities or municipalities where the proportion of forest and grazing land in total land is 80% or more and the proportion of cultivated land is less than 10% of the total land area.

c) Intermediate area between "flat farming area" and "mountainous farming area", where the proportion of forest land and grazing land is mainly between 50% and 80% of the total land area.

d) Former municipalities or municipalities where the percentage of cultivated land is 20% or more and the proportion of forest and grazing land is less than 50%, or where if it is 50% or more, the unfavorable nature of the farmland is less than 10% of total land.

Notes

- For example, see pages 323-328 in the Annual Report on Food, Agriculture and Rural Areas in Japan FY2012 (The Ministry of Agriculture, Forestry and Fisheries), June 2013.
- Farmland owners and tenants have to contend with time-consuming paper work for applying under ALSF and APDCF. Given this, many of them prefer illegal lease contracts even now.
- An Agricultural Commission is a consultative administrative body that belongs to a municipal government. Details of the system of Agricultural Commission are given in Godo, Yoshihisa, "Agricultural Commissions in Japan," FFTC AP's website (<http://ap.fftc.agnet.org>), 2013.
- If the agricultural cooperative or the local public entity does not open the approved allotment garden long after receiving the approval of the Agricultural Commission, the approval will be canceled.
- In addition to ZCFs, community farms are allowed on all farmlands classified as Areas Designated for Urbanization based on the City Planning Act.
- The Ministry of Agriculture, Forestry and Fisheries provides examples of desirable rules of community farms in its circulars, such as agricultural products of community farms should be sold only to members, or that the membership period should be less than five years.
- If the organizer does not open the approved community farms long after receiving the approval of the municipal government, the approval will be canceled.

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