

# **ALLOTMENT RULES OF PANGBOURNE PARISH COUNCIL**

April 2020

## **ALLOTMENT USE**

Pangbourne Allotments are intended for the use of residents of the Civil Parish of Pangbourne. The purpose of an allotment plot is the growing of fruit, vegetables, flowers and herbs for the plot holder and his or her family. Allotments may not be used for commercial gain, though the sale of small quantities of genuine surplus is allowed.

Allotments may not be used for the storage or disposal of waste or surplus material from any other sources.

The Council will appoint an Allotment Manager who will interpret the rules below and bring any issues to the Council's attention. Any matters not provided for in these rules shall be dealt with by the Council at their discretion.

These rules have been based upon the Allotments Act of 1908 and as modified by statutes of 1922, 1925 and 1950. In case of any inconsistencies then the relevant Act will take precedence. The Pangbourne Allotment falls under the definition "Allotment Garden".

## **1. INSPECTION**

Any member, officer or representative of the Council shall be entitled to enter and inspect the plot at any time.

## **2. REVIEW OF CHARGES, SERVICES AND RULES**

These regulations override any previous regulations. The Council reserve the right to make alterations to these regulations from time to time, subject to the tenant being sent 28 days prior notice to their last known address or notified by email.

## **3. PAYMENT OF RENT**

Allotments are let annually commencing 1<sup>st</sup> April at a rate to be determined by the Council who will notify the tenant of the rent due. Rental rates will be reviewed annually. Rents are due for payment by 30<sup>th</sup> April in advance of the growing season. After 40 days of invoice, outstanding payments may attract late administration charges.

Allotment lettings will roll over from year to year unless Termination is invoked by either party (see Section 5).

## **4. NON-CULTIVATION**

The allotment plot must be kept clean and safe and must be maintained in a good state of cultivation. Tenants must not allow weeds and grass to cause a nuisance to neighbouring plots. Your plot should be cultivated and active during the main growing season.

If any plot is considered to be uncultivated the plot holder will be sent a warning letter and if there is no improvement within 30 days of the date of that letter, the tenancy will be terminated with immediate effect. (If non-cultivation is caused by ill health or any other matter

that the tenant thinks the council should be aware of, please contact the Council or manager (who must inform the council)) (see Termination, Section 5).

## **5. TERMINATION**

The tenancy may be terminated by the Council after 30 days' notice if the tenant has failed to observe the rules and conditions of the tenancy.

It may also be terminated after 30 days' notice if the rent due is not paid within 40 days of invoice.

The tenancy may also be terminated by the Council or the Tenant by twelve months previous notice in writing expiring on or before 6<sup>th</sup> day of April or on or after 29<sup>th</sup> day of September in any year. The date must **NOT** be between 6<sup>th</sup> April and 29<sup>th</sup> September (Allotments Act 1922).

Tenants who, for whatever reason, decide to cease working their allotment should advise the Council immediately, in order that the plot can be reallocated.

The tenant may remove any plants before the termination of the tenancy and in any event should clear their plot of all rubbish, structures or personal items, leaving the plot clear for the next tenant by the last day of their tenancy, unless a prior arrangement has been made with the Allotment Manager, Parish Council or succeeding tenant.

Upon termination of the tenancy, the tenant will not be entitled to receive from the Council any compensation whatsoever, including compensation for the loss of plants or for any improvement made to the allotment plot.

## **6. ASSIGNMENT AND SUB-LETTING**

The tenant shall not under-let, assign, share, or part with the possession of an allotment plot, or any part of it, without the consent of the Council. A person sharing an allotment has no right to the allotment plot when the tenancy expires.

## **7. ANIMALS**

Bees may be housed on the allotment only with the specific agreement of the Council in advance. Beekeepers must be members of the BBKA or hold appropriate insurance, and must display emergency contact information on the allotment noticeboard and the entrance to the bee plots. Beehives should be maintained in accordance with the separate Parish Council Beekeeping Policy and are only permitted in the area of the Allotment site which has been assigned for this purpose, and to the combined maximum number of hives as agreed by the Parish Council. Should the hives become a nuisance the Council reserves the right to review and request changes to practice in consultation with the beekeeper. If the Beekeeping policy is not adhered to the Council reserves the right to request the removal of the hives.

It is the responsibility of Plot holders to notify the Parish Council on commencement of their tenancy (or as soon as they become aware) if they have any allergies to bees in order that a suitable or alternative plot may be found.

There is one chicken plot on which chickens may be housed, but chickens will not be permitted on any other plot. All poultry permitted at this site **MUST** be kept to agreed welfare standards as

outlined in a separate welfare policy. The relevant plot holder should display contact information on the allotment noticeboard and the entrance to the plot.

No other livestock is permitted.

## **8. DOGS**

Dogs MUST be kept on a lead and be tethered and MUST NOT be allowed to wander around the allotment gardens. Any excrement MUST be removed by the dog's owner.

## **9. PATHS**

Footpaths bordering allotment plots will be regularly cut by the tenants and kept to an acceptable standard with all neighbouring plot holders sharing joint responsibility unless alternative agreements are reached between plot holders.

Paths must be kept clear and unobstructed, and must not be used to store tenants' equipment, as a compost area, or for planting.

## **10. SHEDS AND STRUCTURES**

Fruit cages, greenhouses, sheds (within the permitted size), compost structures, small benches, seats and pergolas, and polytunnels (by agreement only) of a reasonable size are permitted. No tyres are permitted to be placed anywhere on the site.

The maximum permitted shed size is 10 feet long by 8 feet wide. Larger structures MAY be permitted by agreement only.

At the tenant's risk, allotment tools may be kept in a shed.

No other buildings or structures are permitted on the allotment garden.

## **11. RUBBISH**

No rubbish may be left anywhere on the allotments. This includes old machinery or metal items.

## **12. TREES**

Allotment plots are not intended primarily for use as an orchard. Fruit trees may be planted but must be on dwarfing rootstock, and must be kept to a height of no more than 2.5 metres.

## **13. WATER**

Water rates are included in the allotment rental charge. Where possible, plot holders should use the hand pumps. Alternatively, a handheld hosepipe attached to the standpipes is permitted, but only when the plot holder is present. Hosepipes must not be left unattended. Sprinklers are NOT permitted. The Council reserves the right to turn off the water supply when necessary.

## **14. BONFIRES AND INCINERATORS**

Bonfires and incinerators are permitted on the tenants' own plot, only for the purposes of the destruction of organic material generated on the plot. Bonfires and incinerators must only be lit

when there is no nuisance caused to neighbouring properties and must be tended at all times. Bonfires and incinerators should only be lit when the wind is blowing AWAY from the neighbouring houses. Plot holders are entirely responsible for any damage caused by such bonfires to neighbouring plots and property and the council accepts no liability in this respect. Toxic material should never be burned.

## **15. CHEMICALS**

Chemicals must be stored safely in their original labelled containers and used in accordance with the manufacturer's instructions and current legislation. They must not be allowed to spread beyond your plot.

## **16. PEST CONTROL**

Pest Control. NO guns are allowed. NO poisons other than domestic weed and pest killers should be used. Small animal traps are permitted. Traps MUST be used in such a way as to prevent accidental exposure to children or domestic animals in accordance with current legislation.

## **17. NUISANCE**

The tenant shall not cause any nuisance or annoyance to the occupier of any other allotment plot, or the public, or occupiers of property adjacent to the Allotment Garden Area. Any dispute between allotment tenants which cannot be resolved amicably should be brought to the attention of the Council.

Abuse of any representative of the Council, in any capacity, will not be tolerated and will result in the termination of the tenancy agreement.

## **18. PLOT FENCING**

There is no specific restriction on fencing around plots, but any fence must be of reasonable height and shall not affect any neighbouring allotment tenants. Barbed wire shall not be used.

## **19. LEGAL OBLIGATION**

You must at all times during the tenancy observe and comply fully with all Acts, statutory instruments, local, parochial or other bye laws, orders or regulations affecting the allotments.

## **20. WAITING LISTS**

A waiting list of prospective tenants will be kept by the Council. Vacant plots will be allocated in sequence of date of application. As the Allotments are provided for the residents of Pangbourne only, they will always have priority on the waiting list. Plots may be allocated to non-residents in neighbouring parishes within 1 mile of the boundary if there is a reasonable number of plots available and no Pangbourne residents waiting at the time of application. Allotment holders who cease to be resident in Pangbourne may only keep their plot if they continue to live within 1 mile of the boundary. Applications to be put on the waiting list must be made in writing to the Council.