

## **Birchanger Parish Council - Allotment Association Rules (September 2021)**

### **1. Eligibility**

- 1.1. You may apply to rent an allotment garden if you live in the parish of Birchanger or within a five mile radius of Birchanger. First priority will be given to residents of Birchanger.
- 1.2. You must surrender the allotment if you move house and live more than five miles from the Parish boundary.

### **2. The Agent/Representative**

- 2.1. The members of the Allotment Association will nominate an agent/representative. The agent/representative will meet a representative of the Parish Council (The BPC Rep) quarterly to monitor the upkeep of the site and take action as required. (A description of the role and responsibility of the Agent/Representative is detailed in appendix 1.)

### **3. Rent and deposit**

- 3.1. You must pay rent for your allotment, (plus an initial deposit of £75), the amount of which is set by the Parish Council and which covers a full calendar year, January to December. The rent will be reduced by 50% if you take over the allotment after 31<sup>st</sup> August. The rent will be reviewed annually.
- 3.2. The Allotment Association Agent/Representative will collect annual rents and deposits and pass these on to Birchanger Parish Council.
- 3.3. If you rent a large plot you will have to pay proportionally more than if you rent a small one.
- 3.4. The Parish Council require the rent in January, or within 30 days of you taking over an allotment. You must pay within 40 days. (Rents collected and passed on to BPC by The Agent/Representative.)
- 3.5. You will be notified of any increase in rent; normally at least 30 days before the start of a new year.
- 3.6. If you give up your allotment during the year you will not receive a refund.

### **4. Deposit**

- 4.1. A deposit will be payable by tenants to the Agent/Representative for each allotment hired as a guarantee that the allotment will be returned at the end of the tenancy in good condition.
- 4.2. The amount of the deposit shall be determined by the Agent/Representative in consultation with the Parish Council.
- 4.3. The Agent/Representative will return the deposit to the tenant when they give up the tenancy for any reason so long as the allotment is in good condition and all tools, fences, sheds and rubbish are removed from the allotment.
- 4.4. If the allotment is not left in a good condition then part or all of the deposit will not be returned to the tenant. The amount withheld is at the discretion of the agent/representative but should be no more than is required to put the allotment into good condition ready for the next tenant.

### **5. Second Allotment**

- 5.1. You may hire a second allotment if one is available and there is no waiting list.

5.2. You must pay the appropriate rent for the plot; there is no discount for having two plots.

## 6. Surrender and Forfeiture

- 6.1. You may give up your allotment at any time with immediate effect, but you must notify the Allotment Association at once.
- 6.2. If you can no longer work your allotment, or if you die, the Allotment Association will allow a member of your family to take it over so long as they live in Birchanger or within a five mile radius.
- 6.3. The allotment may be taken off you if you fail to pay the rent or if you break the rules listed in this document.
- 6.4. When an allotment is given up, all structures, (sheds, shuttering, water-butts, compost containers, fruit cages etc) must be removed from the site, unless arrangements are made for an in-comer to take them over.

## 7. Location

- 7.1. You will be told by the Agent/Representative of the Allotment Association which plot is yours, and you must not attempt to move or extend it without the authorisation of the Agent/Representative.

## 8. Parish Council Responsibilities

- 8.1. A water point is provided for you. The Agent/Representative will turn the water off in winter. You may not attach a sprinkler to the water point.
- 8.2. The Parish Council will maintain in good order the perimeter fence, hedges and gates.
- 8.3. **Liability:**

When renting an allotment, you are wholly responsible for any equipment, tools, materials, sheds or fencing etc., that you own, erect or store on the allotment site.

Birchanger Parish Council, their agents, or representatives accept no liability for any such items whatsoever.

## 9. Livestock

- 9.1. You may not keep livestock of any kind on your plot.

## 10. General Rules and Conduct

- 10.1. The Council may vary these rules at its discretion at any time, but will try to consult with the Allotment Association first. You will be notified of any changes that may affect you.
- 10.2. You may grow vegetables, soft fruit, cut flowers and herbs on your allotment. These are for your own use only. You must not sell your produce except for small amounts of genuine surplus. No other activity, including the use of the plot for storage, is permitted.
- 10.3. You must cultivate your allotment and keep it in good, fertile order. Allotments should be brought to good condition within three months of the start of the year. If it is your first year on the plot you are allowed to take up to a year to bring the plot into good condition, but encouraged to do so much sooner.
- 10.4. If you do not keep your plot in good order the Parish Council will liaise with the Agent/Representative and write to you and remind you of your responsibilities. Failure to correct the situation could lead to the Council taking the allotment away from you.

Last review: 19/03/2024

- 10.5. You must ensure that paths alongside your allotment are kept in good condition.
- 10.6. You must at all times keep clear of obstructing the public footpath running through the middle of the allotment site.
- 10.7. Only you (and members of your family,) may work the allotments.
- 10.8. You may fence your allotment but the fence must be visually unobtrusive, well maintained, safe, and of a construction that's easy to dismantle. Barbed wire and razor wire are strictly forbidden.
- 10.9. Small sheds are allowed but must be maintained in good condition. If tools are kept in a shed they must be locked away securely. Erection of any other structures, including polytunnels higher than 600mm, must be approved by the Parish Council.
- 10.10. All rubbish, including prunings and grass cuttings, must be disposed of in the correct manner. Composting on site is permitted.
- 10.11. You must do nothing to cause a nuisance to other allotment-holders, users of the recreation ground, visitors to the church or nearby residents.
- 10.12. Bonfires to burn allotment waste are allowed from September to March and must be closely supervised.

## **11. Allotment Association**

- 11.1. The Council will appoint a member to liaise with the Allotment Association Agent/Representative and recognises the legitimacy of the Allotment Association.
- 11.2. The Allotment Association is authorised to set out its own rules and manage the day to day running of the allotments on behalf of the Council. The Parish Council will need to approve any changes in rent. The association will not be free to vary Section 1 of these rules.

## **Appendix 1**

### **The Role and Responsibility of a Allotment Association Agent/Representative.**

The Site Agent/Representative would be granted an allotment plot free of charge as recompense for fulfilling the following duties:

- 1.1 Be responsible for allocating plots to applicants who meet the residential requirements.
- 1.2 Collection of annual rents and pass these on to BPC.
- 1.3 Undertake monthly inspections of the site to assess whether conditions of tenancy are being observed by all plot holders.
- 1.4 Discuss any shortcomings with those deemed to be transgressing with an expectation that concerns will be addressed within a reasonable period of time.
- 1.5 Undertake quarterly site inspections with a designated person from the Parish Council.
- 1.6 In the event of non-compliance of plot holders to the Agent's/Representative's request, the agent/representative should request BPC to write to the plot holder advising that their tenancy will be terminated.
- 1.7 In the event of a vacant allotment plot becoming overgrown, the agent/representative will request the Parish Council to appoint contractors to take whatever remedial work is required.
- 1.8 Turn the water off in the winter.

### **2. The Role of Birchanger Parish Council**

- 2.1 To nominate a member to liaise with the Allotment Agent/Representative.
- 2.2 To undertake quarterly site inspections with the Agent/Representative.
- 2.3 If despite interventions from the Agent/Representative, a plot has become overgrown, (See 9.3) the BPR Rep will issue a written warning. Failure to correct the situation could lead to the Council ordering relinquishment of the plot. (Rules 9.4)
- 2.4 Liaise with the Agent/Representative to appoint contractors to undertake remedial work on neglected or unallocated plots (see 1.6 )
- 2.5 To maintain the fences, gates and perimeter hedging to the site.

I have read and understood the Birchanger Allotment Association Rules and agree as a member of the Birchanger Allotment Association to accept the terms detailed above.

Signed..... Date .....

Name

Address

Contact Details: Home Tel.

Mobile

Email

Bank details:

Unity Trust Bank

A/C no: 20419053

Sort code: 60-83-01

Birchanger Parish Council