

ASHFIELD DISTRICT COUNCIL



Council Offices,
Urban Road,
Kirkby in Ashfield
Nottingham
NG17 8DA

Agenda

Principal Select Committee

Date: **Thursday, 20th March, 2025**

Time: **7.00 pm**

Venue: **Committee Room, Council Offices, Urban Road,
Kirkby-in-Ashfield**

For any further information please contact:

Lynn Cain

lynn.cain@ashfield.gov.uk

01623 457317

Principal Select Committee

Membership

Chairman: Councillor Kier Barsby
Vice-Chairman: Councillor Julie Gregory

Councillors:
Jamie Bell Jodine Cronshaw
Cathy Mason Warren Nuttall
John Smallridge

FILMING/AUDIO RECORDING NOTICE

This meeting may be subject to filming or audio recording. If you have any queries regarding this, please contact Members' Services on 01623 457317.

SUMMONS

You are hereby requested to attend a meeting of the Principal Select Committee to be held at the time/place and on the date mentioned above for the purpose of transacting the business set out below.



Theresa Hodgkinson
Chief Executive

AGENDA

Page

1. **To receive apologies for absence, if any.**
2. **Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests.**
3. **To receive and approve as a correct record the minutes of the meeting of the Committee held on 13 February 2025.** 5 - 8
4. **Allotment Site Rules (Refresh).** 9 - 18
5. **Section 100A Local Government Act 1972: Exclusion of the Press and Public.**

A Member of the Committee is asked to move:-

“That in accordance with the provisions of Section 100A of the Local Government Act 1972, the press and public be now excluded from the meeting during the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of part 1 of Schedule 12A of the Act and in respect of which the Proper Officer considers the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”
6. **Cemetery Land Options.** 19 - 32

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PRINCIPAL SELECT COMMITTEE

Meeting held in the Committee Room, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Thursday, 13th February, 2025 at 7.00 pm

Present: Councillor Julie Gregory in the Chair;

Councillors Jodine Cronshaw, Warren Nuttall,
Phil Rostance, Dave Shaw (as substitute for
Jamie Bell) and John Smallridge.

Apologies for Absence: Councillors Kier Barsby and Jamie Bell.

Officers Present: Lynn Cain, Joanne Froggatt, Peter Holland,
Lisa Mole and Shane Wright.

PS.18 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

PS.19 Minutes

RESOLVED

that the minutes of the meeting of the Committee held on 12 December 2024,
be received and approved as a correct record.

PS.20 Select Committee Work Programme

The Service Manager for Governance gave a brief update on the Select
Committee Work Programme and advised Members that Cabinet had recently
considered the Committee's recommendations in respect of the 2025 No Mow
May Campaign and had agreed them in their entirety.

At a recent Chairs/Vice Chairs meeting, a new review topic had been
considered in respect of Council organised events and it was agreed to ask
Committee Members for their approval to add it to the Work Programme.

RESOLVED that

- a) progress of the 2024/25 Select Committee Work Programme, as
presented, be received and noted;
- b) the suggested 'Council Organised Events' review topic be added to the
Work Programme for consideration at the next meeting of the Committee;

- c) as a result of b) above, the Executive Lead Member for Leisure, Health and Wellbeing be invited to the next meeting to provide some insight into how the Council selects, prioritises and facilitates its organised events.

(At this point in the proceedings and in accordance with Council Procedure Rule 4 (Order of Business), the Chairman advised that he would be amending the order of the agenda slightly by taking agenda items 5 (Corporate Plan Delivery - Quarter 2 2024/25) and 6 (Corporate Peer Challenge Progress) together. Members concurred with this course of action.)

PS.21 Corporate Plan Delivery - Quarter 2 2024/25 and Corporate Peer Challenge Progress

The Assistant Director for Policy and Performance undertook a presentation to Members regarding progress against delivery of the new Corporate Plan 2023-2027 in respect of the quarter 2 position for 2024/25.

The overall position from April to September 2024 was as follows:

- 78% of measures achieving or exceeding target, or within 10% variance of target.
- 92% of measures indicating an improved position compared to the same period in the previous year, or within 5% of previous year's performance levels.

Members received summaries in relation to some of the key delivery successes and then any areas of the Council that had been earmarked for improvement and development.

In relation to the Corporate Peer Challenge, Members were advised as to current progress being made against implementation of the Peer Challenge Action Plan. Following the LGA Peer Challenge Review that took place in June 2004, an action plan had been developed to address some of the outcomes and recommendations from the review. A follow up day had also been arranged for 15 July 2025 to enable the Peer Challenge Group to revisit the Council and assess what progress had been made since the review.

The key recommendations from the Peer Challenge Review had included the following:

- Member/Officer Relationships
- Proactive Council role within EMCCA
- Governance for Regeneration Schemes
- Alignment of Regeneration, Commercial Investment and Climate Change
- Strengthening of Audit Committee Governance
- Further implementation of DMA
- Review of HR Arrangements
- Review of Performance Management Framework.

Members were advised that a further update report would be submitted to the Principal Select Committee before July 2025.

RESOLVED that

- a) the levels of delivery achieved against the Corporate Plan Priorities, as outlined in the report, be received and noted;
- b) the levels of performance achieved against the Corporate Scorecard as of March 2024, as presented, be also noted;
- c) progress being made against implementation of the Corporate Peer Challenge Action Plan, as presented, be also noted.

PS.22 Annual Budget Update

The Corporate Resources Director (and Section 151 Officer) attended the meeting to provide a presentation on the 2025/26 Annual Budget and an update on the Medium Term Financial Strategy (MTFS).

Members were advised that the 2025/26 Annual Budget would be fully considered by Cabinet at its meeting on 17 February 2025 in readiness for its final approval at the Extraordinary Council (Tax Setting) meeting on 3 March 2025.

(At this point in the proceedings a suspension of Council Procedure Rule 23.1 (Conclusion of Proceedings) was moved and seconded to enable the business of the meeting to be concluded, and upon being put to the vote it was duly carried.)

RESOLVED

that the presentation from the Corporate Resources Director (and Section 151 Officer) on the 2025/26 Annual Budget and the update on the Medium Term Financial Strategy, be received and duly noted.

The meeting closed at 9.07 pm

Chairman.

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Report To:	PRINCIPLE SELECT COMMITTEE
Date:	20 MARCH 2025
Heading:	ALLOTMENT SITE RULES (REFRESH)
Executive Lead Member:	CLLR HELEN-ANN SMITH, DEPUTY LEADER AND EXECUTIVE LEAD MEMBER FOR PARKS AND ENVIRONMENTAL SERVICES
Ward/s:	ALL
Key Decision:	N/A
Subject to Call-In:	N/A

Purpose of Report

To seek comments from the Principle Select Committee on the proposed changes to the Council's 'Allotment Site Rules' applicable from 1st May 2025.

Recommendation(s)

That Principle Select Committee:

1. Review and comment on the proposed changes to the existing Council 'Allotment Site Rules'.
2. Advise officers of any additional amendments that they would like to see reflected within the Council's 'Allotment Site Rules'
3. Note that officers intend to develop a new Allotment Strategy for 2025 – 2035 to be approved by Cabinet.

Reasons for Recommendation(s)

The Council's current Allotment Strategy is dated 2016 - 2020 and is due to be refreshed during 2025.

As part of the Allotment Strategy, the Council produced a comprehensive set of 'Allotment Site Rules' that were last updated in 2019. It is important that the existing documents are maintained and updated at regular intervals, to ensure that the Council's Allotment Strategy remain fit for purpose.

However, whilst officers redraft the Allotment Strategy, it is important that the Allotment Site Rules are updated to ensure that allotment users and those impacted from allotment activities, have a clear set of guidance, that officers can regulate activities against.

Alternative Options Considered

(with reasons why not adopted)

Do Nothing – To continue with the existing Council 'Allotment Site Rules' would mean that the documentation remains not fit for purpose until after the redrafting and Cabinet approval of the Allotment Strategy, which is estimated to be October 2025. The Council would still be required to investigate and address local complaints from plot holder or the general public, associated to local environmental and allotment holder practices.

Detailed Information

The current Allotment Strategy is dated 2016-2020 and is in need of a refresh.

Part of the Allotment Strategy is Allotment Site Rules which advise allotment holder on best practice along with specific 'do's and don'ts'.

Over the last few years, the Council has received in excess of 45 complaints associated to allotment holders' bonfires illegibly causing a nuisance. These reports are investigated and have on occasion resulted in temporary amendments to the rules for specific sites.

Therefore, as a temporary stop gap until the new Allotment Strategy is produced officers are suggesting changes to the current site rules as set out at appendix 1.

As can be seen below, the current legislation guiding the provision of allotment sites is not straight forward and is captured in lots of different legislation, better known as the 'Allotment Acts'.

The Small Holdings & Allotments Act 1908:

This consolidated all previous allotment legislation. It repeats the duty of local authorities to provide allotments.

Land Settlement (Facilities) Act 1919:

This legislation amended the 1908 Act.

The Allotment Act 1922:

The act provides tenants with a measure of security of tenure. This act has since been amended by the Local Government Act 1972.

Allotment Act 1925:

Requires town-planning authorities to give special consideration to allotments when preparing their town planning and as a consequence is relevant to the Council’s emerging Local Plan.

Small Holding and Allotment Act 1926:

Made a number of improvements to the law mostly concerning smallholdings.

Agricultural Land (Utilisation) Act 1931:

This was passed at a time of economic depression and has little impact today.

Allotment Act 1950:

Strengthened the requirements on Councils to provide allotment gardens. Provisions relating to rents were also affected. This Act included issues relating to notices to quit and compensation.

Town and Country Planning Act 1971:

Planning and Compulsory Purchase Act 2004: Have considerable influence on the forward planning of allotments and are relevant to the Council’s Unitary Development Plan and the emerging Local Development Framework.

The Local Government Planning & Land Act 1980 and the Local Government & Planning (Amendment) Act 1981:

Consolidated planning legislation, which has further influenced the forward planning of authorities.

Allotment sites are designated as statutory or temporary. Statutory sites are those that have been acquired by the Council for the purpose of being allotment gardens, whilst temporary sites have been acquired for other purposes and are used as allotments in the interim. Statutory sites are directly protected by the Allotment Acts but temporary sites are not.

Implications

Corporate Plan:

The details within the report which are set out above, will play a key role in delivering the Council Greener & Cleaner; Climate Change and Environmental Sustainability objectives.

Legal:

There are no direct legal implications of this report.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	There are no direct financial implications within this report. However, feedback will help shape the

	Council's Allotment Strategy, which when developed may identify future revenue costs and impacts.
General Fund – Capital Programme	There are no direct financial implications within this report. However, feedback will help shape the Council's Allotment Strategy for 2025-2035, which when developed may identify future Capital investment requirements.
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
The rules and regs are not issued in April as required.	Rules amended and issued by officers whilst Allotment Strategy redrafted for 2025 -2035.
Allotment users not aware of changes in rules	Notification to allotment users on changes through the issuing of an amended Allotment Site Rules

Human Resources:

No direct implications

Environmental/Sustainability:

Consideration will be given to the development of an environmental and sustainable impact assessment upon development of a new Allotment Strategy.

Equalities:

N/A

Other Implications:

N/A

Reason(s) for Urgency

N/A

Reason(s) for Exemption

N/A

Background Papers

Current Allotment Site Rules
New (proposed) Allotment Site Rules

Report Author and Contact Officer

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Sponsoring Executive Director

Charles Edwards

EXECUTIVE DIRECTOR – OPERATIONS

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8. PAYMENT OF RENT

The rent of an allotment garden shall, unless otherwise agreed in writing, be paid yearly in advance by the 1st April each year.

9. POWER TO INSPECT AN ALLOTMENT

Any Member or Officer of the Council, shall be entitled, at any time when directed by the Council, to enter and inspect an allotment garden and the tenant shall not frustrate this right.

10. TERMINATION OF A TENANCY OF AN ALLOTMENT GARDEN

The tenancy may be terminated in accordance with Section 1 of the Allotment Act 1922.

Following the Council notifying the Tenant of a rent increase, the Tenant is entitled to terminate the Tenancy upon giving at least 1 months' written notice. Such notice must expire on 31st March, before the rent increase takes effect.

The tenancy may also be terminated by the Council by re-entry upon them giving one months' written notice:

- a) if the rent is in arrears for not less than 40 days: or
- b) if the tenant not less than 3 months after commencing tenancy is not duly observing the Rules affecting the allotment garden, or any other term or condition of the tenancy.
- c) if the tenant disregards warnings over breeches in Rules or Conditions for the allotment site occupied.
- d) if the tenant moves house outside the District of Ashfield.

The site must be left in good condition free from rubbish and waste. A charge will be made to the departing tenant for the clearance of all waste and rubbish left on the site which has not been cleared. All waste must be disposed of correctly at the proper facilities. It must not be dumped on vacant plots and any such waste disposed of in this way will be treated as fly-tipping and fall under The Environmental Protection Act 1990 where the offender will be prosecuted.

11. KEY DEPOSITS

A key deposit of **£7** is required upon issue of the key. Upon termination of a tenancy, the key must be:

1. Returned to the Allotments Team, Northern Depot, Station Road, Sutton in Ashfield, NG17 5HB.
2. In the case of a transfer of tenancy, the key to be passed to the new tenant – no second key will be issued.

12. SERVICE OF NOTICES

Any notice may be served on a tenant either personally, by leaving it at their last known address, by posting it to their last known address or by fixing the notice in some conspicuous position on the allotment garden.

ALLOTMENT RULES EFFECTIVE FROM THE 1ST APRIL, 2025

1. INTERPRETATION OF TERMS

Throughout these rules and conditions, the expression "The Council" shall mean the Ashfield District Council and includes any Committee of the Council or any Officer appointed by the Council for the purpose of Allotment management. All lettings are subject to the Allotments Acts 1908 to 1950 or subsequent legislation relating to Allotments.

2. DEFINITION OF PERSONS ELIGIBLE FOR TENANCY

Any person who, at the time of application to the Council for an allotment garden, is resident in the district shall be eligible to become a tenant of an allotment garden. An individual is not allowed to hold allotments acquired under the above-mentioned Acts, exceeding five acres in total.

3. DIVISION OF LAND INTO ALLOTMENT GARDENS

The Council, before giving notice of their intention to let any land for allotment gardens, shall divide the land, and shall cause a plan to be prepared showing each allotment garden and distinguishing it by a separate number.

4. NOTICES TO BE GIVEN FOR LETTING ALLOTMENT GARDENS

The Council shall give public notice by bills or placards, posted in some conspicuous places in the district setting forth the particulars as to any allotment gardens which they propose to let.

Such notice shall specify the allotment gardens to be let, the rent to be paid for the same, the name and address of the Officer of the Council to whom applications for the renting of an allotment garden is to be sent and the last day for receiving applications.

If any special condition is to apply to any of the allotment gardens, the notice shall specify such conditions or state where copies of the Form of Agreement for letting of such allotment gardens may be seen.

If the tenant is to pay for tenant right or compensation for improvements, this fact and the amount, if then ascertained, shall be stated in the notice.

5. RULES OF LETTING

Every application for an allotment garden shall be made upon the form available from the **Neighbourhood** Services Section of the Council and shall be sent or delivered to that Department of the Council upon completion.

In the event there are two or more applicants eligible to become tenants who are likely to keep the allotment garden in a proper state of cultivation, preference shall be given to an applicant who does not hold an allotment garden or agricultural land (other than a garden of 505 sq. metres or less attached to his/her residence) either from the Council or otherwise. Subject to such preference, the allotment garden shall be let to the applicant from whom a duly completed application form was received first in time.

All allotment plots are taken on as seen, the Council will not be responsible for the removal or clearing of any waste from the plots.

6. GENERAL LETTING CONDITIONS FOR ALLOTMENT GARDENS

The tenant of an allotment garden shall comply with the following conditions:

- a) To keep the allotment garden clean, in a good state of cultivation (at least two thirds to be cultivated at any given time), in good condition and free of vermin.
- b) Not to cause or allow to be caused, any nuisance or annoyance to any other tenant of any other allotment gardens.
- c) Not to obstruct, narrow or cultivate any path set out by the Council for the use of occupiers of allotment gardens.
- d) Not to sublet, assign or part with the possession of the allotment garden or any part of it without the written consent of the Council.
- e) Not, without the written consent of the Council, prune or cut any timber or trees, or take, sell, or carry away any mineral, gravel, sand, soil or clay. This condition does not apply to the cutting or trimming of the boundary hedges in condition (f).
- f) Shall keep every hedge surrounding the allotment garden, other than the outward facing edges of perimeter hedges of the site, properly cut and trimmed and shall keep all ditches properly cleansed. The tenant shall also maintain in good repair all fences and gates to the allotment garden (with the exception of the main access gates to the site).
- g) Animals or livestock (other than chickens) must not be kept on allotments. No more than 15 chickens are to be kept on any allotment garden. Cockerels are not permitted. Suitable facilities must be provided for the welfare of the chickens and all environmental and animal welfare regulations must be adhered to.
- h) Shall not without the written consent of the Council, erect any building or structure in excess of 2.5 metres in height on the allotment garden. An application for consent must include sketch plans including finished dimensions of height, width, length and the materials to be used for construction must also be identified. Asbestos is a forbidden material and is not to be used. All other materials must be approved before construction can proceed. At the conclusion of the tenancy, the tenant shall either remove the structure entirely or if acceptable to the new tenant(s) assign it to them. The Council will not be a party to any such agreement, but written acceptance of this should be lodged with the Council prior to any new tenancy commencing.
- i) Caravans must not be kept on allotment sites, any caravans currently on sites must be removed within one month of the allotment site holder being notified.
- j) Petrol, oil, fuel, lubricants or other flammable liquids and gas canisters must be stored in accordance with regulations.
- k) The Council is not to be liable for loss or damage, whether by accident, fire, theft or otherwise, to any sheds, greenhouses, structures or the tools and contents therein. Further, the Tenant shall take reasonable care of the contents and shall be liable for any damage caused by them.
- l) Shall not sink a well on any allotment garden.
- m) Shall not plant fruit trees, bushes, or shrubs within six feet of the boundary of the allotment garden nor plant a hedge within nine inches of the boundary and any such hedge shall not exceed 4'6" in height and 1 ft. in width in any event.
- n) Shall not use Barbed or Razor wire for a fence adjoining any Council land including pathways, pavements, or other gardens.

o) Shall not take, or authorise any person to take, a dog onto an allotment garden unless controlled by a leash. Any such person who causes a dog to be taken will be responsible for its conduct in relation to The Dogs (Fouling of Land) Act 1996 or any other current legislation. Also, the tenant shall not keep or kennel any dog on the allotment at any time.

p) Shall not allow any child under the age of 12 years to visit the allotment garden unless accompanied by an adult.

q) Shall not use the allotment garden for the furtherance of any trade, business or profession or use it for the storing of any materials or waste.

r) Shall use DEFRA approved chemicals for home vegetable production/domestic use and ensure that all chemicals are stored in their original containers, in a locked store. After use these containers should also be disposed of in the approved method. Chemicals that have or may have a residual effect or would preclude the land from being used for the cultivation of home produce must not be used or stored on the allotment garden.

s) Shall not interfere with any fixtures or fittings supplied by the Council e.g., gates, locks, water services etc.

t) Bonfires (Guidance Note)

The Council discourages the lighting of fires for the disposal of allotment waste and promotes a policy of composting, shredding and recycling where applicable. Allotment tenants are advised that bonfires in urban areas may constitute a statutory nuisance to adjoining properties and the co-operation of the tenant is sought. **If a Tenant must light a fire to dispose of waste arising from their allotment plot due to having no other way of disposing of the vegetation, then this must be a small, controlled fire contained within an incinerator. This must not cause a nuisance to neighbouring properties and only be started at a time of day that does not impact upon neighbouring properties. Bringing waste to the allotment to be burnt is strictly prohibited, only vegetation produced on the plot should be burnt. Any Tenant found to be in breach of this will be given written notice, and the Council will prohibit the lighting of fires on an allotment garden. Failure to follow these guidelines could lead to the tenant being evicted or in serious circumstances the whole site being prohibited from lighting fires.**

u) Shall not tip debris, arisings or rubbish on any allotment garden. Illegal dumping will result in the prosecution of the offender under The Environmental Protection Act 1990 and/or the immediate termination of the tenancy.

v) Shall report to the Council any person causing or suspected of causing damage to buildings, fences or gates on the allotment gardens or committing any criminal act.

w) Shall, as regard the allotment garden, observe and perform all conditions and covenants contained in the lease (if any) under which the Council hold the land.

x) Shall observe and perform any other special condition which the council consider necessary to preserve the allotment garden from deterioration. Notice of any additional special condition is to be given to Tenants in writing.

y) All allotment plots are taken on as seen, the Council will not be responsible for the removal or clearing of any waste from the plots.

7. DISPUTES

Disputes between Tenants are referred to the Council and the decision of the council will be binding on all Tenants involved in the dispute.

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In the event there are two or more applicants eligible to become tenants who are likely to keep the allotment garden in a proper state of cultivation, preference shall be given to an applicant who does not hold an allotment garden or agricultural land (other than a garden of 505 sq. metres or less attached to his/her residence) either from the Council or otherwise. Subject to such preference, the allotment garden shall be let to the applicant from whom a duly completed application form was received first in time.

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- c) Not to obstruct, narrow or cultivate any path set out by the Council for the use of occupiers of allotment gardens.
- d) Not to sublet, assign or part with the possession of the allotment garden or any part of it without the written consent of the Council.
- e) Not, without the written consent of the Council, prune or cut any timber or trees, or take, sell, or carry away any mineral, gravel, sand, soil or clay. This condition does not apply to the cutting or trimming of the boundary hedges in condition (f).
- f) Shall keep every hedge surrounding the allotment garden, other than the outward facing edges of perimeter hedges of the site, properly cut and trimmed and shall keep all ditches properly cleansed. The tenant shall also maintain in good repair all fences and gates to the allotment garden (with the exception of the main access gates to the site).
- g) Animals or livestock (other than chickens) must not be kept on allotments. No more than 15 chickens are to be kept on any allotment garden. Cockerels are not permitted. Suitable facilities must be provided for the welfare of the chickens and all environmental and animal welfare regulations must be adhered to.
- h) Shall not without the written consent of the Council, erect any building or structure in excess of 2.5 metres in height on the allotment garden. An application for consent must include sketch plans including finished dimensions of height, width, length and the materials to be used for construction must also be identified. Asbestos is a forbidden material and is not to be used. All other materials must be approved before construction can proceed. At the conclusion of the tenancy, the tenant shall either remove the structure entirely or if acceptable to the new tenant(s) assign it to them. The Council will not be a party to any such agreement, but written acceptance of this should be lodged with the Council prior to any new tenancy commencing.
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- j) Petrol, oil, fuel, lubricants or other flammable liquids and gas canisters must be stored in accordance with regulations.
- k) The Council is not to be liable for loss or damage, whether by accident, fire, theft or otherwise, to any sheds, greenhouses, structures or the tools and contents therein. Further, the Tenant shall take reasonable care of the contents and shall be liable for any damage caused by them.
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- m) Shall not plant fruit trees, bushes, or shrubs within six feet of the boundary of the allotment garden nor plant a hedge within nine inches of the boundary and any such hedge shall not exceed 4'6" in height and 1 ft. in width in any event.
- n) Shall not use Barbed or Razor wire for a fence adjoining any Council land including pathways, pavements, or other gardens.

o) Shall not take, or authorise any person to take, a dog onto an allotment garden unless controlled by a leash. Any such person who causes a dog to be taken will be responsible for its conduct in relation to The Dogs (Fouling of Land) Act 1996 or any other current legislation. Also, the tenant shall not keep or kennel any dog on the allotment at any time.

p) Shall not allow any child under the age of 12 years to visit the allotment garden unless accompanied by an adult.

q) Shall not use the allotment garden for the furtherance of any trade, business or profession or use it for the storing of any materials or waste.

r) Shall use DEFRA approved chemicals for home vegetable production/domestic use and ensure that all chemicals are stored in their original containers, in a locked store. After use these containers should also be disposed of in the approved method. Chemicals that have or may have a residual effect or would preclude the land from being used for the cultivation of home produce must not be used or stored on the allotment garden.

s) Shall not interfere with any fixtures or fittings supplied by the Council e.g., gates, locks, water services etc.

t) Bonfires (Guidance Note)

The Council discourages the lighting of fires for the disposal of allotment waste and promotes a policy of composting, shredding and recycling where applicable. Allotment tenants are advised that bonfires in urban areas may constitute a statutory nuisance to adjoining properties and the co-operation of the tenant is sought. Upon giving written notice to the Tenant, the Council can prohibit the lighting of fires on an allotment garden.

u) Shall not tip debris, arisings or rubbish on any allotment garden. Illegal dumping will result in the prosecution of the offender under The Environmental Protection Act 1990 and/or the immediate termination of the tenancy.

v) Shall report to the Council any person causing or suspected of causing damage to buildings, fences or gates on the allotment gardens or committing any criminal act.

w) Shall, as regard the allotment garden, observe and perform all conditions and covenants contained in the lease (if any) under which the Council hold the land.

x) Shall observe and perform any other special condition which the council consider necessary to preserve the allotment garden from deterioration. Notice of any additional special condition is to be given to Tenants in writing.

y) All allotment plots are taken on as seen, the Council will not be responsible for the removal or clearing of any waste from the plots.

7. DISPUTES

Disputes between Tenants are referred to the Council and the decision of the council will be binding on all Tenants involved in the dispute.

8. PAYMENT OF RENT

The rent of an allotment garden shall, unless otherwise agreed in writing, be paid yearly in advance by the 1st April each year.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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