

**It must be noted by allotment tenants that the following conditions and rules form part of the tenancy agreement and anyone signing the agreement, agrees to be bound by them.**

## **Great Baddow Parish Council**

### **DEFINITIONS**

“The Council” means Great Baddow Parish Council and includes any committee of the Council or any Officer appointed by the Council.

“Allotment Garden” or “Plot” means the area of land used primarily for the cultivation of vegetables, fruit and flowers, which is let to the tenant

“Allotment Rules” means these rules approved by the Council on 14<sup>th</sup> July 2014

“Cultivation” means digging, mulching, pruning, weeding and planting and is to be for the production of vegetables, fruit, herbs or flowers. It is not sufficient simply to clear weeds without using the area to produce crops and flowers. A lawn does not constitute cultivation.

“Rent” means the annual rent payable for the Tenancy of an Allotment Garden/Plot and all amenities provided with it. The rent is set by the Parish Council and will be reviewed each year.

“Site” means the entire area of land owned or leased by the Parish Council comprising of allotment gardens, roadways and buildings. There are two sites for which Great Baddow Parish Council is responsible – Towerfield and Vicarage Lane. The rules apply to both sites unless otherwise specified.

“Statutory allotments” means parcels of land acquired or appropriated by the local authority specifically for use as allotments. These sites cannot be sold or used for other purposes without relevant consent. Neither of the sites managed by the Parish Council are Statutory Allotments.

“Tenancy Agreement” means the document in the form approved by the Council, confirming the letting of an Allotment Garden/Plot to a tenant.

“Tenancy” means the letting of an Allotment Garden/Plot to a Tenant.

“Tenant” means a person who holds a tenancy of an Allotment Garden/Plot

## **1. Application**

1.1 These conditions and rules are made under Section 28 of the Small Holdings and Allotments Act 1908 and subsequent acts and apply to all plots from the date when the new tenancy agreements are signed.

1.2 The Council maintains a database for all allotment plots under its administration. Applicants are selected from a waiting list on a first come, first served basis, preventing any undue preferences. Your gender, race, cultural background, sexual orientation, religion or health is not a barrier to you renting an allotment.

## **2. Tenancies and Vacant Allotments**

2.1 All tenants must complete and sign a Tenancy Agreement. This is a legally binding agreement. Each plot will be in the name of one tenant only. Groups or organisations must submit a pre-tenancy application for approval by the Council and such tenancies that are granted will be in the name of the organisation but will have one person known as the Principal Tenant, to whom all correspondence will be addressed.

2.2 Joint or shared tenancies are not permitted.

2.3 Vacant plots on a site will be offered by the Council to applicants on the waiting list for that site kept by the Council, except where a plot falls vacant because of the tenant's death, where the tenant's spouse/civil partner has expressed a wish to take it over. The spouse/civil partner will then take precedence on the waiting list and be offered the plot.

2.4 New tenants must reside within the parishes of Great Baddow or Galleywood.

2.5 If the tenant moves out of the parishes of Great Baddow or Galleywood during the period of the tenancy, a double fee will apply from the next renewal date.

2.6 Tenants must be aged 18 years or more.

2.7 Tenants undertake to inform the Council in writing of any intention to withdraw from the tenancy and the resulting vacancy can only be re-allocated by the Council.

2.8 Tenants undertake to inform the Council of any change of address during the term of the tenancy agreement.

2.9 The plot and any structure on it may be entered and inspected by an Officer of the Council or its agent or the police at any time and the tenants must give whatever access they require with or without notice.

2.10 Tenants undertake to make no changes to the plots without the written permission of the Council.

2.11 It is the responsibility of the tenant to inform the Parish Council office on 01245 472937 or [planning@greatbaddowparishcouncil.co.uk](mailto:planning@greatbaddowparishcouncil.co.uk) of any issues, which may include but which are not limited to such matters as overhanging trees from adjacent property, fly tipping, dumping of vegetation, stones or any other matter by other allotment holders, potential dangers of any sort around the site and rat infestations.

2.12 Tenants undertake to observe and perform any other special conditions, which the Council considers necessary to preserve the plots and sites from deterioration.

### **3. Assignment**

3.1 The tenancy of a plot is personal to the tenant. Tenants may not assign, underlet or part with possession of all or part of their plot.

### **4. Rent**

4.1 The rent is due at the commencement of the tenancy and then annually on 1<sup>st</sup> October thereafter, unless otherwise stated in the Tenancy Agreement. The tenant must pay the rent in each year during the continuance of the tenancy.

4.2 The rent may be increased in accordance with Section 10 of the Allotment Act 1950 with regards to what a tenant would reasonably be expected to pay. The rent will be reviewed annually by the Council and will come into effect on 1<sup>st</sup> October in the following year.

### **5. Cultivation and Use of Allotment Gardens/Plots**

5.1 Tenants must use plots for their own personal use and must not carry out any business on them or sell produce from them. The plot shall only be used for the production of vegetable and fruit crops and flowers for domestic consumption by himself/herself and his/her family.

5.2 Plots must be kept safe, clean from weeds and maintained in a good state of cultivation and fertility and productive condition. All plots are

inspected on a monthly basis to monitor progress. A maximum of 10% of the total area of the plot can be used for the growing of flowers.

5.3 Where a tenant fails to maintain a good standard of cultivation, the Council will serve a Notice to Improve, giving 14 days for improvement. Failure to improve the plot may lead to termination of the tenancy.

5.4 On termination of the tenancy, the plot must be left in a clean condition suitable for immediate re-letting. If the Council has to carry out works to relet the plot, the tenant may be required to reimburse the Council for reasonable costs.

5.5 Tenants must not cut or prune any trees which are not their responsibility. This does not affect the tenant's responsibility for the routine pruning of their own trees, bushes and/or hedges on their plot.

5.6 The Council reserves the right to remove from any allotment site, any tree, hedge, bush or shrub which interferes with the use of any other allotment, in the event that the tenant fails to remove the problem having been given 14 days notice.

5.7 The Allotment Rules will be reviewed annually and any amendments will be binding and effective immediately. The Council will advise tenants in writing of any changes.

5.8 Tenants must comply with all directions given by an Officer of the Council with regard to the content of these rules and the tenancy agreement.

5.9 Tenants are not to cause damage to other tenants' property or crops, nor to the infrastructure of the site, e.g. roadways, paths, fences, gates etc.

## **6. Water, Bonfires, Rubbish, Chemical Use, Trees and Other Restrictions**

6.1 Hosepipes, pumps, siphoning devices, sprinklers or any other equipment of this nature are not to be used to remove water from any of the Council's water tanks or attached to any water tap. Tenants must take every precaution to prevent contamination of water supplies. Tenants are expected to use water sparingly and responsibly, in order to conserve the limited water supply and in the interest of all tenants on the site.

6.2 Water may only be extracted from a water course with the approval of the Council and subject to the appropriate licences.

6.3 Mains water supply will normally be shut off from 1<sup>st</sup> December to 28<sup>th</sup> February each year.

6.4 Washing vehicles is prohibited.

6.5 Bonfires must not be allowed to cause a nuisance to neighbouring tenants and residents and under no circumstances should they be left unattended.

6.6 Bonfires on the **Vicarage Lane** site should be kept to an absolute minimum.

6.7 On the **Towerfield** site, bonfires are prohibited because of the site's location in a residential area.

6.8 Underlay and asbestos must not be used on any plot. If carpet has been used, it must be removed on termination of the tenancy. The Council supports the use of proprietary weed suppressant and bio degradable materials such as cardboard, to suppress weeds.

6.9 Rubbish, refuse or decaying matter (except for manure compost or woodchip in such quantities as may be reasonably required for cultivation and mulching) must not be deposited on the plot or in the hedges and ditches on the sites or on any adjoining land. Tenants are expected to compost or reuse all matter arising from the cultivation of their plot. Any matter that is not compostable or reusable must be removed from the site by the tenant.

6.10 When applying manufactured fertilisers or products used to control pests, unwanted plant species or disease, the tenant must:

- a) only use products that are legally available for sale on the UK market
- b) take all reasonable care to ensure that adjoining plots, hedges, trees and crops are not adversely affected and must make good or replant as necessary should any damage occur
- c) only use chemicals, whether for spraying, seed dressing or for any other purpose whatsoever, that will cause no harm to members of the public, game birds and other wildlife, other than vermin or pests
- d) comply at all times with current regulations
- e) use the fertilisers or products in accordance with the manufacturer's recommendations.
- f) not store such materials other than for direct and prompt use on the plot
- g) slug pellets should be used sparingly as hedgehogs and birds use the sites for feeding

- 6.11 The tenant shall not plant any non fruit tree, shrub, hedge or bush without first obtaining the written permission of the Council.
- 6.12 No fruit trees are to be planted unless they are on dwarf or semi dwarf rootstock and are grown on an espalier, which will be limited to one row which is equal to the width of the allotment plot.
- 6.13 Any trees are not to cast a shadow over neighbouring plots or resident's gardens and can be removed at any time at the discretion of the Council.
- 6.14 Tenants must not remove any mineral, gravel, sand, earth or clay from the site unless they have written permission to do so from the Council.
- 6.15 Tenants must not cause or allow any nuisance or annoyance to the tenant of any other plot and must comply with section 14 of these rules.
- 6.16 Tenants must not obstruct any path set up by the Council for the use of other occupiers of any other portion of the allotment as a whole.
- 6.17 The plot must not be used for any illegal or immoral purposes and offensive behaviour is prohibited. Tenants must observe all relevant legislation or Codes of Practice relating to activity they carry out on the plot.
- 6.18 Where the Council's title to a site requires certain conditions to be observed, all tenants on that site must observe those conditions. Tenants will be informed of these conditions by the Council.
- 6.19 Tenants shall not park vehicles anywhere on the site other than within defined parking areas. The parking of motor vehicles on the road dividing paths is forbidden and vehicles may only use the road dividing paths for the delivery/removal of heavy goods. No vehicle, trailer, caravan or similar equipment is to be left on the site overnight.
- 6.20 The tenant should ensure that tools and other personal equipment are kept safe and secure when not in use. The Council accepts no responsibility for the loss or damage to such items nor does the Council accept any responsibility for any injury caused by such items.
- 6.21 No weapons of any sort are permitted on the sites.
- 6.22 Tenants shall not obstruct or encroach by cultivation or construction on any path set out by the Council for the use of occupiers of the sites.

6.23 Tenants have a duty of care to others on the allotment sites. This includes visitors, trespassers, other tenants, themselves and family members and wildlife. This is particularly relevant in relation to: the timing and usage of mechanical equipment e.g. strimmers and rotovators and the means to power them such as petrol; not obstructing paths and the construction of any features on the site e.g. ponds. Safe application and storage of pesticides and fertilisers, where manufacturers recommend application and storage methods, rates and precautions must be adhered to and containers properly labelled and disposed of safely.

6.24 All incidences of rodent infestation must be reported immediately to the Council.

6.25 No toxic or hazardous materials or contaminated waste or tyres should be brought onto or stored on the sites.

6.26 The Council will not be liable for vehicles, trailers or equipment brought onto the sites.

## **7. Dogs**

7.1 Any dog (including Assistance Dogs) brought onto the site by a tenant must be kept on a lead and under strict control at all times. The tenant must ensure that any dog faeces are removed immediately.

7.2 Authorised visitors who are not tenants must not bring dogs onto the site.

## **8. Authorised Persons**

8.1 Only the tenants or persons authorised or accompanied by the tenant are allowed on the sites except for members of the Great Baddow Horticultural Society to attend the Trading Hut on the Vicarage Lane site during the opening hours and for the maintenance of and delivery to the same. Access is not permitted to any plots other than that let to the tenant.

8.2 The tenant is responsible for anyone working on their plot on their behalf, whether under supervision or not.

8.3 Any children accompanying the tenant must be under the strict supervision of a responsible adult to ensure that they do not wander onto adjoining plots or cause a general nuisance.

8.4 The Council may order any person unlawfully on the site in breach of these rules to leave immediately.

8.5 The Council may take action for breach of the tenancy agreement against any tenant who the Council reasonably believes was responsible for allowing an unauthorised person to be on the sites.

## 9. Paths

9.1 Paths established on the plots must be kept trimmed and free from weeds. Tenants must not use weed killer on paths that are designated as shared.

9.2 Site paths must be kept clear of obstructions at all times except for paths provided by tenants only for use on their plot.

9.3 The tenant must not leave any tools or other equipment unattended on common pathways or other such areas of the site nor in any other way that may cause accident or injury and must ensure that such tools and other equipment are used carefully and with due regard to the safety of others.

9.4 The tenant must keep the edges of the plot where they abut the common pathways in good condition and properly edged. This is to reduce the risk of a fall or a slip leading to injury.

9.5 The Council will keep the common pathways in good condition, mown and free from holes and other hazards.

## 10. Sheds, Buildings, Fences and Structures

10.1 No buildings, walls, greenhouses or any other permanent structures may be put on the plot by the tenants. Sheds, tool chests or tunnel cloches must comply with the specifications and conditions laid down by the Council.

10.2 Sheds, tool chests and tunnel cloches may not be erected without the prior written consent of the Council. Where consent has been granted, the shed, tool chest or tunnel cloche must be erected in accordance with the specifications and/or plans submitted to the Council by the tenant.

10.3 The shed shall be of the lean-to or apex type with the maximum dimensions of:

Width	3' 6" or 107 cm
Depth	4' 6" or 137 cm
Height	6' 6" or 198 cm

10.4 The chest shall be of the lean-to type with the maximum dimensions of:

Length	6' 0" or 183 cm
Width	2' 0" or 61 cm
Height (Front)	1' 6" or 45 cm
Height (Rear)	2' 0" or 61 cm

10.5 Poly tunnels are not allowed under any circumstances on the plots. Tunnel cloches are allowed but must not be more than 29" (.75m) in height and 3' 3" (1m) in width and must not exceed the width of the plot in length.

10.6 The shed or chest shall be rigidly framed together of suitable material and the covering shall be timber. Sheds or chests shall be treated with black or brown wood preservative and the roof covered with black felt.

10.7 The shed or chest shall be sited on the corner of the plot with the door of the shed opening onto the plot. Any shed or chest must be kept clear of any path or roadway.

10.8 When the tenant needs to carry out repairs (other than minor ones) to an existing shed or tool chest, details of the work must be submitted to the Council for approval prior to the work taking place.

10.9 Tenants must inform the Council whenever the erection of a new shed or tool chest or repairs to an existing shed or tool chest is complete in order that the same may be inspected by an authorised officer of the council.

10.10 Tenants shall not be permitted to erect more than one shed or tool chest and one tunnel cloche on each individual plot.

10.11 Any shed, tool chest or tunnel cloche which the Council allows on the plot must be maintained in a good state of repair and condition to the satisfaction of the Council and if the Council is not satisfied with the state of repair, it may order the tenant to remove the structure. The Council reserves the right to re-enter and remove unsatisfactory structures and to recover costs from the tenant.

10.12 On the termination of the tenancy, the tenant must remove any shed, tool chest, tunnel cloche or any other building or structure erected on the plot unless the Council agrees otherwise. This will be confirmed in writing.

10.13 A wire netting fence up to two feet in height may be placed around the allotment garden with the prior approval of the Council.

10.14 Barbed wire or razor wire or anything similar must not be used for a fence, either adjoining any path set up by the Council for the use of the tenants of the allotment sites or anywhere on the plots.

10.15 Any hedge that may form part of the plot must be kept properly trimmed and cut and must not exceed two feet in height, unless written permission is given by the Council.

## **11. Advertisements**

11.1 Tenants may not display any personal or commercial advertising on the plot or on the site.

## **12. Inspection**

12.1 The plot and any structure on it may be entered and inspected by an Officer of the Council or its agent or the police at any time and the tenants must give whatever access they require with or without notice.

## **13. Disputes**

13.1 Disputes between tenants which cannot be resolved on site should be referred to the Council. The written decision of the Council will be binding on all the tenants involved in the dispute.

## **14. Harassment**

14.1 Great Baddow Parish Council has a commitment to eliminating unlawful or unfair discrimination and to achieving an environment free from harassment. This extends to the conduct of allotment tenants (See Allotment Rule 6.17).

14.2 All tenants are expected to comply with the Council's policies in respect of harassment and discrimination. Harassment may be of a specifically racial, sexual or religious nature, but is generally accepted to be any unwelcome physical, verbal or non-verbal conduct.

14.3 Complaints about harassment are to be referred to the Council. The Council will endeavour to protect tenants against victimisation for making or being involved in a complaint. Wherever possible, the tenant should tell the person who is causing the problem that the conduct in question is unwanted and/or offensive and must stop.

## **15. Termination**

15.1 The tenancy shall terminate automatically on the death of the tenant.

15.2 The tenancy may be terminated by either party giving to the other twelve months written notice.

15.3 The Council may terminate the tenancy by giving three months written notice because the plot is required for any purpose (not being the use of the same for agriculture) for which it has been appropriated under a statutory provision.

15.4 The Council may terminate the tenancy by re-entry after giving twenty eight days written notice to the tenant if:

- a) the rent or any part thereof is in arrears for 40 days or more, whether formally demanded or not or
- b) if it appears that the tenant is in breach of the tenancy agreement or the rules

15.5 The Council may terminate the tenancy in order to recover land for cemetery use by giving at least two years written notice.

15.6 The tenant may vacate the plot by giving the Council one month's written notice if, for reasons of ill health, moving away or any other reason, the tenant is unable to continue to maintain the plot. The Council may then re-let the plot.

July 2014

## Welcome to the world of Allotments!

You will find other allotment tenants a friendly bunch and very ready to offer help and advice, as long as you remember that what you do on your plot, and elsewhere on the site, may affect others.

The basic principles of allotment etiquette are those of good neighbourliness, consideration for other tenants, respect the plots and produce of others and do your bit to keep your site secure, safe and tidy.

- Co-operate with your immediate neighbours to keep the paths separating your plots neat and tidy
- Respect others' privacy: do not enter other tenants' plots unless invited and make sure your visitors don't either
- Keep paths clear of tools and other items that act as obstacles and could cause injury
- Keep your dog on a lead and off other tenant's plots and remove any dog faeces
- Keep your plot free of litter and pick up litter blown in by the wind when you see it
- Compost organic waste such as weeds and crop residues and take all other rubbish home with you
- Don't leave your car parked on the site; vehicle access is for purposes of loading and unloading only
- Check with your neighbours before using noisy machines and ensure that others' safety is not compromised by their use. Fuel should not be stored on site
- Use water wisely: water your plants, not the soil. Watering thoroughly but infrequently is far more effective than watering little and often
- Don't allow pernicious weeds such as ragwort and thistle to seed and spread to other plots
- Promptly bag up any diseased plant material and dispose of it off site to prevent disease spreading
- Inform the Council if you are unable to cultivate your plot for a prolonged period due to extenuating circumstances such as illness
- Don't erect sheds, tool chests or poly tunnels without prior written consent from the Council
- Cultivate all of your plot and enjoy the fresh air and exercise
- All tenants should consider taking out insurance. One way that this can be obtained is through membership of The National Allotment Society (National Society of Allotment & Leisure Gardeners Ltd) [www.nsalg.org.uk](http://www.nsalg.org.uk)

- The Parish Council runs a Best Kept Allotment Competition each year, which is judged by members of the Horticultural Society and councillors. Please contact the office for further details 01245 472937 or [planning@greatbaddowparishcouncil.co.uk](mailto:planning@greatbaddowparishcouncil.co.uk)
- The Great Baddow Horticultural Society can be contacted at 01245 259913 or E-Mail [info@greatbaddow-horticultural.co.uk](mailto:info@greatbaddow-horticultural.co.uk)  
[www.greatbaddow-horticultural.co.uk](http://www.greatbaddow-horticultural.co.uk)

## Allotment Guides and Tips

This page aims to provide you with useful guidance for maintaining your allotment site.

### New Plot Holders Guide

If you are new to gardening and growing please take a look at the 13 following steps to developing your allotment:

1. Rotavation (i.e. ploughing of plots) is usually carried out between November and January, subject to ground conditions and access.
2. When you start your allotment don't try and do it all at once. Put bin bags over a portion of the garden to kill off any weeds and just cultivate a portion of the land that you feel comfortable with at the beginning.
3. Dig in early. If possible, turn the soil in autumn, as the winter frosts will break down the clods of soil. If not, do it in spring, but you will have to break the soil down yourself.
4. Be Green - Start a compost heap/bin for vegetable matter
5. Buy good quality seeds and plants to avoid disappointment.
6. Do not start sowing seeds in the open too early, as many will be lost in the cold and wet ground
7. For the best crops, do your research! Know when to plant. The library will have books that can help.
8. You will need to water plants that are being transplanted until they become established
9. With non-storable crops e.g. lettuce, it is best to plant a little but often, say one row at a time to avoid waste.
10. Be sure to thin crops out as they grow to avoid clustering. This will result in better quality plants.
11. Pick crops quickly, early and often. Enjoy the food whilst it's fresh. You'll enjoy it so much more and will help you to keep your enthusiasm.
12. Aim for a succession of crops throughout the year and rotate the crops in sequence.
13. Tackle problems promptly. The worst thing you can do is leave a problem. There is help available - speak to the allotment representative for your site or the Parish Council Office on 01245 472937 or [planning@greatbaddowparishcouncil.co.uk](mailto:planning@greatbaddowparishcouncil.co.uk) Either will be only too happy to help.

Above all remember; allotment gardening is fun, it's healthy and it's a great way to meet people so the most important thing is to enjoy your allotment.

## Caring for a Plot

To most of us, allotment gardening is first and foremost a hobby. Caring for an allotment plot can bring great pleasure to people of all abilities. It is one of the most popular hobbies in the country. We are a nation of gardeners with easy access to books, magazines and television programmes full of useful advice.

Your allotment could mean a bountiful supply of fresh fruit and vegetables, a healthy outdoor pursuit that will keep you fit and well and a place where you can relax away from the pressures of everyday life. Gardening gives many of us great enjoyment.

An allotment is also a responsibility and it requires a commitment of both time and money on the tenants' part.

On your first visit to your plot, decide what work you need to do to bring it back to cultivation, if it is required. Considering ability is important. All gardeners should adapt their gardening to their capabilities and the amount of time they can probably spend gardening. In a new plot, or a plot neglected for some time, digging the soil over thoroughly before planting is important. If the previous gardener looked after the plot well, you can probably use a fork or spade to hand dig the soil. Digging loosens the earth, letting in air and moisture and breaking up hard compacted earth.

If the plot is overgrown with long grass or weeds such as brambles contact the office. Remember to inform the Parish Council Office if you are unable to clear your plot immediately for any reason, or you could risk losing your plot. On weedy plots, plant large leafed crops such as potatoes, courgettes or runner beans, which will smother weeds. You will still need to remove weeds regularly, though, to prevent your crops being overrun by weeds during the first months of cultivation.

Digging the soil is one of the most physically demanding activities in gardening, as it involves continual bending and straightening of the back while lifting a spadeful of soil. Do a little at a time to prevent back problems.

The best time for digging is autumn or early winter if you want to be ready for seed sowing in spring. If you dig in compost, manure or the remnants of last year's crops, worms and micro-organism will help to break down the soil.

## Do's and Don'ts

### A Beginners Guide to Tools

If you have no tools, buy only the essentials, spade, fork, hoe, rake, and trowel to start with.

Both fork and spade are in constant use and should be as solid and strong as possible.

The garden fork is used for raking and spreading compost, for harvesting vegetables, for digging and the removal of roots of perennial weeds.

The spade is used for cutting edges, winter digging, making trenches and for emptying the compost heap.

The rake is used for breaking down and levelling of roughly dug earth to make a fine seedbed. It is also useful for gathering together debris such as weeds and hedge clippings.

A wheelbarrow is essential for moving heavy or bulky material.

A watering can is important. Using water butts that are set-up to collect rainwater from sheds etc is a good way of saving on water consumption and a way to ensure you have your own supply.

If you cannot afford brand new tools, it may be possible to buy old or reconditioned tools from auctions.

It is illegal to carry a knife in a public place without good reason, unless it is a knife with a folding blade of 3" (7.62cm) or less, e.g. a Swiss Army Knife. If you are in any doubt about whether a knife is legal or not, you must contact the local police, who will explain the difference. You are responsible for making certain that any such implement is legal. You should note that the penalty for conviction of this offence is up to 4 years in prison and fine of up to £5000.00.

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