



Halton-with-Aughton Parish Council Rules for the Management of Allotment Plots at Low Road, Halton

Reviewed & Updated November 2018

The following rules set out what is expected of Tenants and are for the benefit of all allotment holders. Failure to abide by the rules may result in the loss of your allotment plot.

These regulations override any previous regulations and the Council reserve the right to make alterations to these regulations from time to time.

ALLOTMENT USE

The reason for an allotment plot is the growing of fruit, vegetables, flowers and herbs for the Tenants and their family. This precludes the use of an allotment garden for carrying out any trade or business.

The allotments are for tenancy by residents of the Parish; tenancy by residents outside the parish is at the discretion of the Council.

ADMINISTRATION

People wishing to rent an allotment should contact the Parish Clerk. Plots will normally only be let to people living in Halton-with-Aughton.

A waiting list of people wishing to rent an allotment or change their existing plot will be maintained by the Parish Clerk.

Generally, tenants are only entitled to one plot per household, but in periods of low demand existing tenants who are residents of Halton-with-Aughton may be offered a second plot.

TENANCY

A plot is let to an individual person (the Tenant) and cannot be let as a joint tenancy.

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

Tenancies will roll over from year to year unless Termination is invoked.

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PAYMENT OF RENT

The rent for each allotment is paid yearly in advance on the 1st January.

Tenants who do not pay when invoiced will be sent a reminder, but if payment is not received by 10th February, the tenancy will be terminated automatically.

The Council reserves the right to increase the rent on and from 1st January in any year after giving the Tenant not less than six month's notice.

Tenants whose plots are repossessed for failure to abide by the rules will not receive a refund for the remainder of the letting year.

INSPECTION

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

CULTIVATION

The allotment plot must be kept clean and safe and must be maintained in a good state of cultivation. Cultivation includes digging, mulching, pruning and weeding and should be for the production of vegetables, fruit, herbs, flowers or other ornamental plants.

During the main growing season (Apr-Sep), the Tenant shall have at least 75% of the plot under active cultivation of crops after 12 months and thereafter. Note: Ground that is covered by structures, such as sheds, composting areas, water butts and animal housing will be excluded from this calculation.

Tenants must not allow weeds and grass to cause a nuisance to neighbouring plots.

The use of carpet of a weed suppressor is not permitted.

If a personal circumstance means you are unable to cultivate your plot, please contact the Parish Clerk.

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 allotments, or obstruct any path set out by the Council for the use of occupiers of the allotments.

TERMINATION

The tenancy may be terminated by the Council:

- (1) If the rent is in arrears for more than 40 days, after one month's notice; or
- (2) If any Tenant is in breach of the allotment rules affecting the allotment or any other terms of condition of their tenancy, after one month's notice.
- (3) After 12 months previous notice.

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The Council will write to you to highlight any failures to abide by the allotment rules and conditions of tenancy. If, after one month, you are still failing to abide by the allotment rules and conditions of tenancy then you will be served a termination notice and your plot repossessed after one month.

A Tenant who wishes to terminate their agreement must notify the Parish Clerk in writing.

On termination of an agreement, the Tenant is responsible for leaving their plot tidy and ready for new occupancy. Failure to do so may result in a charge being made for the costs incurred for clearance by the Parish Council. The Tenant may remove any plants before the termination of the tenancy.

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.

PATHS

The main centre path and path by the steps are maintained by the Parish Council.

Tenants of plots 1-10 to the north of the main path are responsible for cutting the path to the west (Manor House side) of their allotment.

Tenants of plots 11-17 to the south of the main path are responsible for cutting the path to the east (Playing Field side) of their allotment.

Dividing paths between half-plots (a & b) are a shared responsibility between the tenants on either side

All allotment holders will be responsible for trimming and tidying all 4 edges of their plots

All paths between plots are the shared responsibility of the adjacent plots and should be kept clear and grass neatly cut. Paths should be kept wide enough to allow easy pedestrian access to neighbouring plots.

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

SHEDS AND STRUCTURES

Written permission is necessary before any shed or similar structure is erected. An application will need to be made to the Council indicating the size and proposed location.

Fruit cages of a reasonable size are permitted. Consult the Council if you are proposing anything over 4 feet high.

The Tenant is responsible for the removal of any structure on or before the termination of the agreement.

If allotment buildings are not kept in a safe condition, despite a written warning by the Council giving 2 months' notice, then the Council has the right to remove or dispose of dangerous structures and charge the Tenant accordingly.

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ANIMALS

Although it is lawful to keep hens or rabbits, the Tenant must advise the Council in advance indicating how housing, food, water, animal husbandry, health and welfare will be met, and in such a way as to not cause a nuisance to other allotment tenants.

The keeping of Bees is also permissible subject to Council approval, and to the gardener being a member of the British Bee Keeping Association and having their own public liability insurance.

No other livestock is permissible.

DOGS

Dogs MUST be kept under control and MUST NOT be allowed to wander around the allotment gardens or paths. Any excrement MUST be removed by the dogs' owner.

VEHICLES

Vehicles should only be brought onto the site for the purposes of temporary offloading or loading and should be taken offsite immediately afterwards. They should be driven slowly.

The Tenant shall not keep any caravans, mobiles or vehicles on site.

TREES

Allotment plots are not intended for use as an orchard. Written permission is necessary before any tree is planted.

Most trees bordering the allotment gardens are not growing on Parish Council land and some may be subject to Tree Protection Orders, so must not be cut down, lopped or have branches removed.

CHEMICALS

Tenants must comply with current pesticide regulations. Tenants must select and use pesticides so that there is minimal risk to members of the public, birds and other wildlife. Tenants must take all reasonable care that other plots, paths, edges and trees are not adversely affected, and must replant or make good as necessary if damage occurs.

PEST CONTROL

Pest Control. NO guns are allowed. NO poisons should be used without the prior consent of the Parish Council. Small animal traps are permitted if used in accordance with current legislation. Traps MUST be used in such a way as to prevent accidental exposure to children, domestic animals and general wildlife.

BONFIRES

Bonfires are permitted on the Tenants' own plot, only for the purposes of the destruction of organic material generated on the plot.

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Bonfires must only be lit when no nuisance will be caused to other allotment Tenants, road users or neighbouring properties. They must be tended to at all times and water must be on hand to enable the fire to be extinguished.

PLOT FENCING

There is no specific restriction on fencing around plots, but any fence must not affect any neighbouring allotment Tenants. Barbed wire **MUST NOT** be used.

REMOVAL OF MATERIALS

No soil, mineral, gravel, sand or clay may be taken away without the permission of the Council.

WASTE

The Tenant shall keep the Allotment Garden free of safety hazards, e.g. broken glass or scrap metal, etc.

Allotments may not be used for the storage or disposal of waste or surplus material from any other sources. Waste items must not be abandoned, tipped or dumped anywhere on the allotment site.

The accumulation of excessive amounts of waste, debris and items of no horticultural use on a plot may be considered to have breached the rules regarding cultivation of the plot, and as such may be subject to a letter procedure as outlined above.

The Council will not remove any green waste. It is the responsibility of the Tenant to compost all green waste on their plot or to arrange for its disposal. The use of compost bins on plots is encouraged.

SECURITY

Vandalism, arson or theft should be reported immediately to the Police using 101 (or 999 if the offenders are still present). The Council recommends that you do not keep valuable items on site.

COMMUNICATION AND NOTICES

The Parish Clerk must be notified of any change to the Tenant's address and email address (if they have one). The use of email for correspondence is encouraged. The Parish Clerk can be contacted by:

- Email: Clerk@HaltonWithAughton-PC.gov.uk
- Telephone: 07980 000 682
- Post: 28 Forgebank Walk, Halton, LA2 6FD

Any notice given by the Council in respect of the tenancy shall be sufficient if sent by post to the last known postal or email address of the tenant.