Loughton and Great Holm Parish Council Allotment Rules

(Small Holdings and Allotments Act 1908)

Note: The Parish Council holds Public Liability insurance for the communal areas of the allotment garden which does not cover the rented plots. This is the tenant's responsibility.

To the Tenant:

1. You shall keep your allotment plot in a good state of cultivation and fertility, clear of weeds. Surrounding paths should be kept trimmed, weed-free and tidy (clear of rubbish and debris) to avoid potential trip hazards and to aid access to plots.

At least 80% of the growing area of the allotment plot must be cultivated and in active use during the growing season (March to September). The Council will allow new tenants a reasonable period of time to reach these standards, especially if they have taken over a plot in poor condition. (FC128/23)

2. You shall not cause any nuisance or annoyance to the occupier of any other allotment plot, the public, or occupiers of property adjacent to the allotment garden area. You must not obstruct any path set out by the Council for the use of tenants on the site.

3. You shall not under-let, assign, share, or part with the possession of, your allotment plot, or any part of it, without the written consent of the Council. A person sharing an allotment plot with you, by prior agreement with the Council, has no right to the allotment plot when your tenancy expires.

4. You are permitted to plant a maximum of two fruit trees per plot (including any trees already planted). They must be of a dwarf variety and not grow to cause shading to any adjoining plot and thereafter be maintained as such or may be pruned or removed by the Council. Any plot holder adversely affected by the shading of a tree on another plot may request the Council to enforce this rule by pruning or removal. No tree may be removed or pruned to less than 50% of its size by a tenant without prior consent of the Council.

5. You shall not, without the written consent of the Council, take, sell, or carry away any mineral, gravel, sand or clay.

6. Only one structure is permitted per half plot. No structure or building to be more than 2.5m (8ft 2in) high. Sheds to a maximum of 2.4m (8ft) x 1.8m (6ft) floor size and no more than 2.5m (8ft 2in) high. Fruit cages/greenhouse/polytunnels covering no more than half the plot are also permitted. The function of an enclosed building must predominantly be used for items associated with the use of an allotment as dictated throughout these conditions. Structures, sheds, and all buildings must be kept in good condition and not allowed to become dilapidated or unsafe in any way. The plot holder will be given 28 days' notice to rectify any infringement. If no action is taken by the plot holder the Clerk will be given the power to dismantle/make safe said structure/buildings and any costs incurred will be paid by the plot holder.

7. You shall not use barbed wire or erect any fences on the allotment garden without prior written permission from the Council.

8. The Parish Clerk will carry out two full audits each year in April and September in conjunction with the AMG.

The audit criteria include the following:

* 80% of the growing area cultivated and in use

* Minimal weeds across the whole plot

* Minimal rubbish on the plot

* No long grass on the plot

* Tidy paths around your plot

The Council shall be entitled to enter and inspect your plot at any time. (FC128/23)

9. The allotment plot shall not be treated as a market garden or in any other trading activity. All produce is for domestic consumption only.

10. You shall not, on termination of the tenancy, be entitled to receive from the Council any compensation whatsoever, including any refund of rent paid, any financial loss relating to the loss of plants, or relating to any improvements made to the allotment plot by yourself.

11. You may remove any plant (planted by yourself) before the termination of the tenancy, but you must level the surface of the land, restore it to a proper state and condition and make good any damage caused by the removal.

12. Watering allotments by means of a hosepipe is not permitted. A hose can only be used to fill a water butt if required. The Tenant must exercise due care of the water supply to prevent waste and contamination. You must not wash produce or tools in the water tanks. The side taps should be used for washing hands and tools to prevent contamination. (FC128/23)

13. 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 owner.

14. Bonfires will not be permitted at the site. Any waste material unsuitable for composting must be stored on the tenant's own plot (not in the car park or on hard-standing areas) and then removed as soon as possible from the site. Each tenant is responsible for removing rubbish from their own plot.

15. Cars must not be parked obstructing the entrance to the site, or outside inconveniencing or obstructing local residents in Greenhill Close and immediate surrounding roads.

16. No livestock of any kind shall be kept on the allotment including bees.

17. The Parish Council shall review allotment rents annually with effect from 1st October each year. The revised rents shall be published on the Council website. The rent demand shall be delivered to the last known contact details of the tenant. (Usually an agreed email address) The rent shall be paid by 31st October in each year and if in default the Council may terminate the tenancy as below.

18. These regulations override any previous regulations and the Council reserves the right to make alterations to these regulations from time to time subject to reasonable prior consultation with the allotment holders and them being published on the Council's website.

19a. In the event of a breach of these rules by the tenant or on completion of an unacceptable plot audit, the Clerk will contact the allotment holder issuing a warning notice. Should a tenant receive

three consecutive warnings, the 3rd communication will include a termination notice. If any plot holder receives 3 warnings in a 24-month period then the 3rd warning will include a termination notice. The Council shall be entitled to terminate the tenancy within these guidelines. (FC128/23)

19b. Notification of plot audits and terminations shall be served by the Parish Clerk sending a notification to the last known contact details (usually an agreed email address) confirming 14 days' notice to clear the plot and leave the site. (FC128/23)

19c. Alternately the tenancy may only be terminated by giving the plot holder 12 months' notice in writing to the last known agreed contact details of the tenant. (usually the email address) (FC128/23)

20. The tenant shall be entitled to appeal within 14 days of the date of the termination letter against the termination to the next available meeting of the full Parish Council who shall decide whether to uphold the termination or rescind it or suspend the termination subject to conditions. In the event of an appeal being received the notice shall not take effect until the Parish Council determines the appeal, however the Parish Council may be entitled to refuse permission to the tenant to access the site until after the appeal has been determined.

21. No Household shall have more than one full plot. (Council Resolution FC128/23)

22. Any household (living at the same address) that has a half plot shall be entitled to apply for an additional half plot when there are five or fewer individuals on the waiting list. (Council resolution FC128/23)

23. The waiting list is solely for residents of Loughton and Great Holm (Council resolution FC117/15)

24. When a plot becomes vacant, provided there is no one on the waiting list, existing plot holders who have kept their plots in excellent order may request to swap plots by contacting the Parish Clerk who will consult the Allotment Representative. Should there be more than one applicant, the standard of their plot and the length of time the original plot has been held will be taken into account, with the longest length of tenancy having priority.

25. All newly let plots will be half-size plots.

26. Plot Holders are encouraged to practice sustainable environmental management, including the adoption and use of organic products and materials to support cultivation. (FC128/23)

27. Allotment plots attached to the Jubilee graveyard in Loughton will be allocated in consultation with the Church wardens and will take into account any prior links with All Saints Church.

Adopted by Loughton & Great Holm Parish Council on 18/04/2013

Revised March 2015 Revised and approved September 2018, September 2020, September 2023