

OVERSTRAND PARISH COUNCIL

ALLOTMENT POLICY

1. Aims

The aims of this Policy relate to the practical management of the allotment site and the process for the management of tenancies, disputes, and waiting lists.

This Policy has been adopted so that Allotment Holders, Councillors and Employees are informed about the processes. The Policy aims to be fair, consistent and impartial.

2. Responsibility

Management of the allotments will be undertaken by an Allotment Subcommittee delegated with that authority by Overstrand Parish Council. The Allotment Subcommittee has terms of reference detailed by the Council.

3. Management Principles

Overstrand Parish Council has set out terms of reference for its Allotment Subcommittee, which aim to:

- Provide fair, consistent and impartial treatment of all Allotment Tenants
- Undertake fair enforcement where rules are not adhered to
- Ensure that the Allotment site is maintained to a high standard
- Strive to ensure that all plots are utilised and maintained

4. Application Process

People wishing to rent an allotment should apply by completing the Allotment Application Form attached to this document.

A waiting list of people wishing to rent an allotment is maintained by the Clerk and allotments are allocated on a first come basis. Allotments will only be allocated to non-residents of Overstrand if there are no Overstrand residents on the waiting list.

In the event of an Allotment Holder passing away, the allotment tenancy is deemed to have been terminated, however, at the discretion of the Allotment Sub-Committee a nominated person may be permitted to continue to maintain the plot and harvest any crops up until the end of the tenancy year being 29 September at which time it will cease.

All Allotment Holders receive a copy of the Rules and Regulations in addition to their Tenancy Agreement. These must be followed. A Tenancy Agreement must be signed prior to the tenancy starting. The appropriate payment must also be received if applicable.

Allotments may be divided when applicants request a half size plot.

One person/household, from the date of the adoption of this policy, may only rent a maximum of two full size allotments. Thus, two people from one household may each rent a full size plot.

The decision of Overstrand Parish Council / Allotment Subcommittee shall be final in any matter.

5. Allotment Termination

Should an Allotment Holder leave the village, they will be permitted to continue using their Allotment for the duration of the year (i.e. to end of September in that year). They would only be allowed to continue renting if there are no residents on the waiting list.

A tenant who wishes to terminate their tenancy or relinquish part of an allotment should write to the Clerk at 90 Compit Hills, Cromer NR27 9LP or by email to clerk@overstrandparishcouncil.org.uk. No refund will be given.

A Tenant who does not comply with the Tenancy and the Rules and Regulations can have their tenancy terminated. Should this take place during the year, no refund will be issued.

6. Rents

The rent for an allotment is charged annually in advance and becomes payable before the end of September each year.

Allotment Holders who wish to move to another plot can only do this at renewal time i.e. September.

Allotment Holders will be issued with an invoice letter at the end of August. Rents may be paid by cash or cheque and cheques should be made out to Overstrand Parish Council.

Rents are reviewed annually by the Council in July. Any decision to increase the rents will comply with the requirements of the Allotments Act 1950 and will be notified to tenants 12 months before the increase will be implemented.

7. Maintenance of the Site

The income derived from allotment rents goes to Overstrand Parish Council which may be set against the costs of running/administering the site. An Allotment Holders Meeting will be held once a year where Allotment Holders will be invited to attend. This will be organised by the Allotment Subcommittee of the Council and is an opportunity to raise issues and concerns about the site.

The Rules and Regulations for the Allotment site are designed to minimise unnecessary expenses for Overstrand Parish Council. Therefore, it is important that Plot Holders follow the Rules and Regulations.

8. Tenancy Rules

A copy of the Rules and Regulations applicable for all tenants is attached to this Policy. The Tenant of an Allotment shall comply with the Rules and Regulations, which will be reviewed every 3 years.

The Tenant shall pay the rent in accordance with the terms of the Tenancy.

The Tenant shall not sub-let, assign or part with possession of the Allotment Plot or any part of it.

Trees and Structures require permission from Overstrand Parish Council by notifying the Clerk.

Quarterly inspections of plots are undertaken. No notice is given of this inspection.

9. Policy

This Policy was approved by Overstrand Parish Council on 7 July 2021 and will be reviewed every 3 years or earlier if required.

This policy is supported by the Tenancy Document and a copy of the Rules and Regulations

Rules and Conditions for Allotment Gardens

Provided by Overstrand Parish Council

These Rules and Conditions form part of the agreement between The Council and the Tenant for the letting of an allotment garden within the parish of Overstrand.

An allotment garden, (hereafter known as the plot), is “an allotment not exceeding 20 poles in extent which is wholly or mainly cultivated by the occupier for the production of vegetable or fruit crops for the consumption by himself or his family” Allotments Act 1922

1. The plot may only be used for the cultivation and production of fruit, vegetables and flowers for the consumption and use of the Tenant and his or her family. The growing of fruit trees is permitted to the extent that the area under the canopy/canopies must not exceed one third of the total area of the plot. The limited sale of surplus produce is permitted.

The plot must be kept in good order and cultivated at all times save that part may be allowed to lie fallow subject to the control of weed growth to prevent contamination of adjacent plots.

2. BY AGREEMENT WITH THE COUNCIL part of the plot may be used as a leisure garden.
3. BY AGREEMENT WITH THE COUNCIL part of plot may be used for the keeping of livestock as defined by Section 12 Allotments Act 1950 i.e. hens and rabbits. In accordance with the Act the keeping of such livestock must include provision for:
 - a proper diet, including fresh water;
 - suitable accommodation;
 - any need to be housed with, or apart from, any other livestock;
 - allowing animals to express normal behaviour;
 - protection from, and treatment of, illness and injury.

The Animal Welfare Act 2006 makes owners and keepers of animals responsible for ensuring that the welfare needs of their animals are met. The Tenant is also responsible for obeying any restrictions or regulations imposed by the Department for the Environment, Food and Rural Affairs, (DEFRA).

The keeping of any livestock must not be in such a manner as to be prejudicial to health or a nuisance.

Any tenant keeping hens must follow rules from DEFRA and the Animal and Plant Health Agency by registering their flock and must inform the Council that they have done so, how many hens they are keeping and provide their registration number. This information must be updated annually.

4. BY AGREEMENT WITH THE COUNCIL the keeping of bees may be permitted subject to the conditions as for other livestock set out in paragraph 3 above. In addition, the tenant must have 3rd party liability insurance in respect of beekeeping in place by appropriate means and provide the Council with a risk assessment. Prior notice will

be given by The Council to adjacent tenants and The Council shall take into account any representations made to them. A maximum of two hives can be kept on any one plot and the sale of surplus honey will be permitted.

5. No business may be conducted on, or from, the plot.
6. No storage of any tools, equipment, produce, waste or any other impedimenta, save that needed for the proper use of the plot, is permitted.
7. No subletting of all, or part, of the plot by the Tenant is permitted.
8. The Tenant must not use or manage the plot in such a manner as to give rise to nuisance to any other tenant or other members of the public. In particular the storage and use of any pesticides, herbicides, manure, compost, machinery or power tools must accord with statutory requirements and accepted good practice.
9. The siting and use of water storage containers must not present a hazard to members of the public or wildlife.
10. BY AGREEMENT WITH THE COUNCIL the Tenant may erect a shed, greenhouse or polytunnel on a temporary surface and not on a concrete base. The Tenant must provide to The Council the dimensions, construction material and method of fixing, if appropriate, of the proposed structure in advance of locating the structure and must not locate the structure until permission has been agreed. The Tenant must take advice from North Norfolk District Council as to whether planning permission is required. The Tenant must comply fully with instructions given by The Council in relation to the siting and fixing of any permitted structure. The stationing of caravans, trailers or vehicles for storage or use in association with the plot is prohibited. The Council may require the removal of any structure upon termination of the agreement at the Tenant's expense.
11. The Tenant is permitted to erect fencing around the boundaries of the plot provided that such fencing is temporary in nature and is in keeping with the use of the allotment gardens. No planting of hedgerows is permitted.

The Tenant is not permitted to erect any notice, banner or advertisement on any part of the plot.

12. Bonfires are permitted for the disposal of waste arising from the plot and the tenant is permitted to bring material onsite to allow for the construction, ignition and efficient combustion of such a bonfire. Care must be taken not to give rise to a nuisance from smoke or fumes and such bonfires must be supervised at all times whilst alight to ensure there is no risk of the fire spreading beyond the confines of the plot.
13. Access to the allotments gardens is permissible at all times ON FOOT from the adjacent public footpath. Access for vehicles is only permissible by agreement with the landowner of the land between the public highway and the allotment gardens. The landowner is entitled to impose such restrictions on vehicular access as he sees fit

including the charging for use of his land for such access and may withdraw permission for access at any time.

Any vehicles owned and used by the Tenant must be parked so as to not cause an obstruction to any other tenant or user of any public Right of Way.

14. Members of The Council, or their agents, will have right of access onto all, or any part, of the allotment gardens at all times for the purpose of good management of the allotment gardens including to ensure compliance with the Rules and Conditions. The Council may request the opening of any shed, greenhouse or polytunnel in pursuit of this purpose.
15. Plots will be let upon application to the Clerk to The Council. In the event that there is no vacant plot at the time of application applicants will be entitled to go on to a waiting list, progress through which is based on the chronological succession based on date of joining the list. Applicants from the parish of Overstrand will always take precedence, irrespective of the date of joining the waiting list, over applicants from other parishes.

OVERSTRAND PARISH COUNCIL

ALLOTMENT APPLICATION FORM

PLEASE COMPLETE IN CAPITAL LETTERS

Mr/Mrs/Ms/Other		Name:	
Address:		Post Code:	
Tel:	Home:	Mobile:	
Email:			
Signature:		Date:	

Please note: You must pay your Council Tax to North Norfolk District Council to be eligible for an allotment plot in Overstrand.

We will put you on the waiting list and contact you if you are top of a list and a plot becomes available. Please make sure that you notify us of any change of address or other contact details so that we can contact you with an offer of a plot.

Information for applicants after joining a waiting list

- It is the responsibility of the applicant to keep Overstrand Parish Council informed of up to date contact details
- Waiting list applicants who cannot be contacted due to incorrect contact details will be removed from the waiting list
- If an applicant does not respond to invitations to view plots they will be removed from the waiting list
- If an applicant views and rejects two available plots they will be removed from the waiting list
- If you are sent a tenancy agreement for an allotment plot and you do not return a signed copy of this within one month of the date on the agreement, you will be deemed as having refused the offer of the plot. The plot will be offered to the next person on the list and your name will be removed from the waiting list.

Waiting list position and waiting times

Unfortunately, we are unable to inform applicants of how long they can expect to remain on a waiting list before they are offered a plot. Allotments usually become available as a result of a tenant giving up a plot or if a tenancy has been terminated. As a result, it is not possible to accurately predict how many plots may become vacant during any given period.

Please return your completed application to Overstrand Parish Council, 90 Compit Hills, Cromer, NR27 9LP or email to clerk@overstrandparishcouncil.org.uk