

# **ALLOTMENT RULES OF PURLEY ON THAMES PARISH COUNCIL**

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These rules have been based upon the Allotments Act of 1908 and as modified by statutes of 1922, 1925 and 1950. In case of any inconsistencies then the relevant Act will take precedence. The Purley on Thames Allotment falls under the definition "Allotment Garden".

## **ALLOTMENT USE**

The reason for an allotment plot is the growing of fruit, vegetables, flowers and herbs for the plot holder and his or her family. Allotments may not be used for commercial gain, though the sale of small quantities of genuine surplus is allowed.

Allotments may not be used for the storage or disposal of waste or surplus material from any other sources.

The Council will appoint an Allotment Manager who will 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.

## **1. INSPECTION**

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

## **2. REVIEW OF CHARGES, SERVICES AND RULES**

These regulations override any previous regulations and the Council reserve the right to make alterations to these regulations from time to time subject to the tenant being sent 28 days prior notice to their last known address.

## **3. PAYMENT OF RENT**

Allotments are let annually commencing 1<sup>st</sup> October at a rate to be determined by the Council who will notify the tenant of the rent due. Rental rates will be reviewed annually. Rents are paid in advance.

Allotments will roll over from year to year unless Termination is invoked (see below).

## **4. NON-CULTIVATION**

The allotment plot must be kept clean and safe and must be maintained in a good state of cultivation. Tenants must not allow weeds and grass to cause a nuisance to neighbouring plots. A minimum area equal to 75% of the total plot should be cultivated and active during the main growing season. Cutting grass or covering the plot with plastic is not considered to be cultivation.

Carpets or non-horticultural plastic should not be used on the allotment and any cardboard used should have all plastic taping removed before use. The council reserve the right to levy a fine of up to a year's rental if carpets/any polluting materials are seen on the periodic inspections and are not immediately removed by the plot holder upon request.

The plots will be inspected periodically by the Parish Council. If any plot is considered to be uncultivated the plot holder will be sent a warning letter and if there is no improvement within 30 days of the date of that letter, the tenancy will be terminated with immediate effect. (If non-cultivation is caused by ill health contact the Parish Council) (see Termination).

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## 5. TERMINATION

The tenancy may be terminated by the council after 30 days notice if the tenant has failed to observe the rules and conditions of the tenancy.

It may also be terminated after 30 days' notice if the rent due is not paid within 40 days.

The tenancy may also be terminated by the Council or the Tenant by twelve months previous notice in writing expiring on or before 6<sup>th</sup> day of April or on or after 29<sup>th</sup> day of September in any year. The date must **NOT** be between 6<sup>th</sup> April and 29<sup>th</sup> September (Allotments Act 1922).

Tenants who, for whatever reason, decide to cease working their allotments should advise the Council immediately, in order that the plot can be reallocated.

The tenant may remove any plants before the termination of the tenancy.

Tenants must also clear all their equipment and any rubbish from the site, within 3 weeks of the end of their tenancy. If the plot is left in an unsatisfactory state, the Council reserve the right to issue a fine of £50 towards the cost in clearing up the plot.

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.

## 6. ASSIGNMENT AND SUB-LETTING

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.

(Note:- A person sharing an allotment plot with the tenant, by prior agreement with the Council, has no right to the allotment plot when the tenancy expires).

## 7. ANIMALS

No animals are to be housed upon the allotments. (This is a restriction imposed by the private landowner). The only exceptions are bees, which may be housed on the allotment with the specific agreement of the Parish Council in advance.

## 8. DOGS

Dogs **MUST** be kept on a lead and be tethered and **MUST NOT** be allowed to wander around the allotment gardens or car parks. Any excrement **MUST** be removed by the dogs' owner.

## 9. PATHS

Footpaths bordering allotment plots will be kept cut by the tenants. Paths must be kept clear and must not be used to store tenants' equipment, as a compost area, or for planting.

## 10. SHEDS AND STRUCTURES

No buildings or structures are permitted on the allotment garden. Fruit cages of a reasonable size are permitted. Consult the Allotments Manager or the Parish Council if you are proposing anything over 4 feet high.

At the tenant's risk, allotment tools may be kept in a container whose size is not greater than 6 feet long by 3 feet deep by 3 feet high. The box may be locked and must be dark green or brown.

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## 11. RUBBISH

No rubbish may be left anywhere on the allotments

## 12. TREES

Allotment plots are not intended for use as an orchard. ***Fruit or other trees are not permitted.***

NOTE: At the time of the introduction of these rules, April 2011, there were 3 plots where trees exceed these limits. The height restriction is waived for these plots, but they must be maintained not to exceed 12 feet in height.

## 13. WATER

Watering of allotments by means of a hosepipe attached to the standpipes is permitted, but only when the plot holder is present. Hosepipes or sprinklers must not be left unattended. The Parish Council reserves the right to turn off the water supply when necessary.

## 14. BONFIRES

Bonfires are permitted on the tenants' own plot, only for the purposes of the destruction of organic material generated on the plot. Bonfires must only be lit when there is no nuisance caused to neighbouring properties and must be tended at all times. Bonfires should only be lit when the wind is blowing AWAY from the neighbouring houses.

## 15. CHEMICALS

Chemicals must be stored in their original labelled containers and used in accordance with the manufacturer's instructions and current legislation. They must not be allowed to spread beyond your plot.

## 16. PEST CONTROL

Pest Control. NO guns are allowed. NO poisons should be used. Small humane animal traps are permitted. Traps MUST be used in such a way as to prevent accidental exposure to children or domestic animals in accordance with current legislation

## 17. 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 Allotment Garden Area, or obstruct any path set out by the Council for the use of occupiers of the Allotment Garden.

## 18. PLOT FENCING

Fencing around plots. There is no specific restriction on fencing around plots, but any fence must not affect any neighbouring allotment tenants. Barbed wire shall not be used.

## 19. LEGAL OBLIGATION

You must at all times during the tenancy observe and comply fully with all Acts, statutory instruments, local, parochial or other bye laws, orders or regulations affecting the allotments.

## 20. WAITING LISTS

Two waiting lists of prospective tenants will be kept by the Council. One for Purley residents and one for non-Purley residents. Vacant plots will be allocated in sequence of date of application with preference given to Purley residents. Applications to be put on the waiting list must be made in writing to the Council.