

# Allotments Policy

## 2014-2019

Thanet District Council

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## **Executive Summary**

Since the adoption of the previous allotment policy in December 2006 there has been significant improvements in the District Council allotments. In addition a constitutional change with the creation of new Town or Parish Councils has led to their managing allotments rather than the District Council. This is due to the legal requirement that any statutory allotment legally passes to the Parish or Town Council automatically upon their creation.

Allotments still serve a vital place for local residents who wish to grow their own vegetables, fruit and flowers. There is still a need for this service which offers a source of recreational activity for residents, with an increasing number being women and children. The allotment service supports healthy food and also by being local dispenses with transport issues created by the national food producers. Other benefits of the service are its ability to offer physical exercise to those suffering from stress and the organic management by many plot holders lends support to local biodiversity.

Thanet District Council will continue to support and promote allotment use within its own sites in the non parished area of Margate and by support within the emerging Local Plan support the Town and Parish Councils in the provision of new sites should these be shown to be required. Waiting lists for Thanet District Council managed sites will be limited to residents in non-parished areas and all other District residents will be encouraged to approach their own local Parish or Town Council.

The policy also recommends the reduction in the rules regarding the cultivation period for new plot holders from 6 months for the whole plot to 6 weeks for cultivation to be evident on 50% of their new plot.

## Introduction

### **Why is there a need to provide an Allotment Policy?**

Allotment sites are a statutory requirement for local Councils but are usually managed by Town or Parish Councils. At the time of the last Allotment Policy Thanet District Council was the primary provider of this service in the District. Since this date there has been a tremendous change with the creation of local Town and Parish Councils. It clarifies the current rules and proposes a reduction in the time to remove offered new tenants to get the plot under reasonable cultivation. This policy explains the reasons and sets out the changes in relation to these issues. Allotments serve not only local residents by offering them a chance to grow their own fruit and vegetables but also by offering them physical activity that meets several targets for the local Clinical Commissioning Group (CCG) in relation to healthy diet, activity and mental well-being.

The overall benefits of allotments are well established, especially from a recent surge in interest in the last two decades. The benefits include:

- Providing a sustainable food supply
- Giving a healthy activity for people of all ages
- Fostering community development and cohesiveness
- Acting as an educational resource
- Providing access to nature and wildlife and acting as a resource for biodiversity
- Giving open spaces for local communities
- Reducing carbon emissions through avoiding the long distance transport of food

### Allotment Service 2014-19

Allotment sites are the result of complex and historical factors. The service has the opportunity to meet not only its original purpose for the production of vegetables for residents but also a diverse range of objectives required not only of Thanet District Council but also Kent Public Health Department (Kent County Council) and Thanet CCG (Clinical Commissioning Group).

The Government White Paper for Public Health 'Healthy lives, healthy people: our strategy for public health in England' (updated June 2011) outlines the commitment to protecting the population from serious health threats; helping people live longer, healthier and more fulfilling lives; and improving the health of the poorest, fastest.

The new approach will aim to build people's self-esteem, confidence and resilience right from infancy – with stronger support for early years. It implements A Vision for Adult Social Care: Capable Communities and Active Citizens in emphasising more personalised, preventive services that are focused on delivering the best outcomes for citizens and that help to build the Big Society through active recreation of which allotments gardening would be an example.

[http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/documents/digitalasset/dh127424.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh127424.pdf)

The Public Health Outcomes Framework has been in operation since April 2013 and focuses on the performance of high-level outcomes to be achieved by local authorities across the public health system. The framework includes a number of outcomes that could relate to allotment use. These include;

- Utilisation of outdoor space for exercise/health reasons

- Reducing childhood obesity prevalence
- Self-reported wellbeing
- Reduction in the under 75 death rate relating to heart disease

The Kent Joint Health and Wellbeing Strategy identifies that there needs to be an increase in the number of healthy eating adults and a reduction of obesity in adults. One of the strategic outcomes is the effective prevention of ill health by people taking greater responsibility for their health and wellbeing. One of the ways to measure this is identified as improving the proportion of our adult population that enjoy a healthy weight, a healthy diet and are physically active.

<https://shareweb.kent.gov.uk/Documents/council-and-democracy/policies-procedures-and-plans/priorities/Health%20and%20Wellbeing%20Strategy.pdf>

This policy details

1. The transfer of the service to local Town or Parish Councils
2. The benefits of allotments for local residents and their health
3. Enabling and supporting plot holders to manage their own sites.

The policy will continue to provide a modern allotment service for Thanet in the 21<sup>st</sup> century.

### **What is an Allotment**

Allotments have been defined and covered by a number of legislative acts but this policy although not attempting to be contrary to the law will cover the modern aspirations of allotment tenants. The Allotment Act of 1922 defined the term 'allotment garden' as:

"An allotment not exceeding forty poles in extent which is wholly or mainly cultivated by the occupier for the production of vegetable or fruit crops for consumption by him/herself or his/her family."

This provides the basis on which Thanet District Council allows its allotments to be used. However there are legal duties on allotment bodies to allow the keeping of chickens on allotments if tenants wish and also as partial leisure gardens and community allotments. These are recognised as legitimate usage by many local authorities and Thanet District Council does support this usage within its sites.

### **Statutory and Non-Statutory Allotments sites**

The District Council allotment sites are designated into two categories, either statutory or non-statutory. The Statutory sites are defined in section 8 of the Allotments Act of 1952 where the land was acquired for the specific purpose of being used as an allotment, this is important as the disposal or sale of these sites requires the Secretary of States permission and the applying authority must clearly indicate that there is no further need for the site and no waiting lists for allotments within the Council area. Non-Statutory sites are those acquired for a longer term use but where a use as an allotment is seen as a suitable method of maintaining the land in the interim.

### **The Role of District Councils and Town or Parish Councils**

Since the adoption of the previous policy the newly created Ramsgate Town Council has acquired the freehold transfer of the statutory allotment sites at Chilton Lane and Jackie Bakers due to legal process. It also led to discussions with the Broadstairs

Town Council and the Birchington Parish Council who have also taken over the freehold and management of the allotment sites within their parish boundaries on the same basis.

The provision of allotments within Thanet is seen by the District Council as a service best provided at local level. It is felt that plot holders are better served with a local town or parish council office and local staff who can visit sites more regularly than the single Council Officer within the District Council.

This change in the management of sites will also be reflected in the waiting lists for sites.

It is proposed that Thanet District Council allotments section will no longer offer allotment sites to applicants whose address is outside the non-parished areas of the District. Any applicant applying from Ramsgate, Broadstairs, Birchington or the Thanet Villages will be advised to contact their respective Parish or Town Council, unless there are extenuating circumstances.

### **The Local Plan and Allotments 2006**

The Council is currently developing a new Local Plan which will consider the need for additional allotment provision and any policies that are required to support this. The existing Local Plan 2006 contains the following policy and specifies that Allotment gardening provides both leisure and social activities, a source of fresh food production and contributes to the Green Grid. Demand for allotments rises and falls and is monitored by the District Council. Sites have had extensive security fences installed and other provisions to improve the service. Currently provision appears to be stable in those managed by Thanet District Council. The local plan policy is detailed as follows:-

#### **Policy SR13 – ALLOTMENTS**

The development of Allotments will not be permitted. In considering development proposals, the following considerations will be taken into account:

1. The nature of the proposed use, its likely impact on the area and the availability of alternative sites
2. The demand for allotments on the particular site over the previous five years and
3. Whether the allotment gardens as open land serve other planning purposes in the area.

### **Allotment Sites as a recognised Health Activity**

Thanet District Council with **Thanet Clinical Commissioning Group, Kent Public Health Department, Kent Community Health Trust** jointly recognizes the important contribution that allotments can make to participating residents health.

- Physical exercise is especially important for those in middle aged to elderly ages who may not otherwise visit sports centres. The health benefits can be measured and are particularly important for the older age groups by helping them to keep mobile and also allowing them to be independent. Medical research supports that physical activity can reduce the chances of heart attack, strokes, high or low blood pressure, cancer of the colon and osteoporotic fractures. Allotments can also play a vital often forgotten role in mental health. In a paper to Thames Gateway NHS Trust in 1999 Dr Richard Wiltshire reported on the ability of working on an allotment in Dartford that “It is clear from our own experience and those of other projects around the country that allotments can be very useful in helping people to overcome their mental health problems.” It is to be noted that the activity on an allotment is not as seasonal as may be considered by those who have no previous experience of

allotments.

Working with **Kent Community Health Trust**, Thanet District Council allotments will be included as part of the GP Referral scheme. This will assist towards Thanet District Councils Community Strategy for health and lifestyle which lists the referral scheme as an action.

A survey of plot holders at the Thanet Chilton Allotment site in August 2006 showed that 63% of plot holders were older than 45 but interestingly there were 10% of users below the age of 12. The allotments are also not the male dominated facility that may have been thought of in the past. The survey showed that on this Thanet site over 52% of users were women and children. The provision of compost toilets on many sites has increased the number of female plot holders. A particular project at Dane Valley allotments known as the Windmill Project has had particular success in encouraging local residents and families especially to take up plots on the site. This project is a good example of joint partnerships as it has benefited from the support of Surestart Margate and Millmead. The scheme has attracted local schools to become actively involved and has recently become a pilot project of the DEFRA Environmental Action Fund called 'Sustainable Food in Active Neighbourhoods'. The success of the project in regional terms was shown by the interest of the then Minister for Public Health, Caroline Flint, when she visited in May 2006. There is also now a box vegetable scheme which supplied the vegetables to Turner Contemporary kitchens when visited by Her Majesty Queen Elizabeth II in 2012.

Finally it is important to note that allotments are now defined in law as a recreational facility following the case in High Court (of Howard v. Reigate and Banstead Borough Council 1981) when Vivian Price QC declared that 'Allotment gardening is a recreational activity'. The Choosing Health Implementation Plan calls upon local authorities to ensure that parks and open spaces and the countryside are accessible and safe. Thanet District Council considers that allotments are a valuable contributor and can in this context be seen as a significant open space resource.

### **Allotments and Sustainability**

Detailed below are the significant reasons why allotments can help meet sustainability issues.

Allotments due to their original purpose enable poorer residents to have a healthy hobby and supplement their diet with high quality, fresh produce (organic if they choose). Half allotments of 125 square metres are now readily offered which cost at current rates approximately £26 (minimum charge 2103/14) plus water charges.

Built Environment: modern, affordable housing features small gardens, if any. Houses in multiple occupation often have no garden areas. Allotments offer sizeable gardens for residents.

Environmental Quality: The open spaces of allotment sites (over 24 hectares in Thanet ) make a valuable contribution to a green urban environment. Sites are highly bio-diverse already and with organic methods increasingly popular, this should improve further.

Natural Resources: Produce grown on the Districts allotments is the most local food supply possible. Thus it helps reduce pollution from retail stores delivery lorries and road congestion. Allotment holders are enthusiastic

recyclers: already large scale composting is happening and there is scope for further composting initiatives. At present the allotments have been receiving seaweed and leaves on an ad hoc basis but there is much more that could be done to encourage composting.

Increasing take-up of allotments in the Thanet has supported these objectives by getting more people using this wonderful green facility. This has in turn reduced the likelihood of permanent loss of allotments for building land and with a high take up of plots then there is less problem with controlling growth on the fewer uncultivated plots.

### **External Survey of Thanet Allotments – PPG17**

The Government in the last decade required local authorities throughout the country to carry out surveys of its public open spaces and this included allotment sites. This survey was carried out in 2005/6 with the findings detailed below being presented to Councillors in the summer of 2006.

The survey referred to the likely improving demand for allotments due to the

- Growth in the interest in organic produce and farming as a result of product placement in supermarkets and media coverage about food production
- Rising housing densities nationally and locally and the consequential reduction in the size of many gardens

The document then referred to the wider community benefits that allotments contribute to:-

- Recycling – allotment holders can be encouraged to recycle and offer the potential for community composting schemes
- Transport – Home grown food means there is less transport (less road and air miles) and less packaging.
- Employment and Training – New skills and opportunities whether promotional, managerial or related to cultivation
- Education – Links with schools, special needs and adult learning. Close contact with wildlife can lead to a lifelong interest.
- Leisure – Promoting local tourism – arts, crafts and volunteering.
- Sustainable neighbourhoods – revitalizing allotments and neighbourhoods.
- Community Development – co-operation across ethnic, age and other groups. Allotment societies often play a wider role in community schemes, becoming involved with local schools as well as programmes for the disabled.
- Health – Increased consumption of fresh foods and more exercise and relief from stress, and therapy for those with mental health problems.
- Providing opportunity for social inclusion and cohesion.
- Creating opportunities for people to participate in recreation.
- Heritage – Allotments can be important genetic resource for the conservation of rare species.
- Greenspace and Biodiversity – Allotments provide areas of green space in built up areas and are used by wildlife.

The research measured the allotments area at 24.46 hectares across the District. In the 1969 Thorpe report it was recommended that a standard of provision be set at 0.2 hectares per 1000 population. Thanet Council proposed and adopt a standard of 0.19 hectares per 1000 population which was the current provision and excluded the Manston Road site.



## **Summary of PPG17 Consultation and key findings**

The findings of the research were as follows:

- Vandalism is a common issue
- Security fencing was regarded as a key priority at a number of allotments
- The 'value' of allotments, particularly for education and health purposes is not being achieved
- Many plot holders regard improvement of on site facilities as a key priority for the future
- Tivoli allotments are currently being used by neighbouring residents as extensions to their gardens.
- There is concern over the redevelopment of specific part of the Manston Road site. Any proceeds from the sale of this site must be devoted to upgrading other existing allotments across the District.

The key findings have been addressed through the site improvements during the period of the previous policy.

### **Allotments currently managed by Thanet District Council**

#### **Nash Road, Margate**

This site is non statutory and has a small waiting list. It is well fenced and has room to make more plots available if required in the future. The site has a good water supply, adequate areas for organic manures and woodchips. There are two areas set aside for on site car parking and a compost toilet. The site will remain a non-statutory site for potential expansion of Margate Cemetery should the available grave spaces be used up in future years.

#### **Dane Valley, Margate**

The largest allotment site in Thanet is split into two halves by a public footpath and is on the edge of the town. The site has some 'on site' parking areas on the east side and places for organic materials such as manure and woodchips. There are two compost toilets, one for each side of the site. The site also provides allotment space for the Windmill Community Allotment Project and its box vegetable scheme. When these projects eventually cease the land is intended to be returned to allotment usage. The site is a statutory allotment.

#### **Tivoli Road, Margate**

This small site is adjacent to Tivoli Woods and has an area to the northern side for delivery of organic materials. Improvements to the alleyway lighting have reduced some of the previous problems as has the improved security fence. Agreement from residents in Tivoli Road allowed the new fence to also serve as better security to the back gardens of the houses, some of whom have had plots on the allotments in the past. The site is currently non-statutory.

#### **Brooke Avenue, Garlinge**

This site is surrounded by residential housing and provides a valuable local facility for those in the area as well as providing a useful green space. Some of the site was not under cultivation prior to the recent improvements and a survey carried out in July 2008 highlighted the existence of a large number of slow worms who are benefiting from the nature of the site. As these reptiles are protected by the Wildlife and Countryside Act it would require Thanet District Council to provide an alternative site and carry out a controlled and approved programme of capture and release into a

new suitable environment. No such alternative site was available and the cost of the removal of the slow worms was felt to be inappropriate for the reuse of the site for allotments. The site has benefited from the new security fence but still has some access constraints that are being currently investigated. The site has a compost toilet. This site is statutory.

### **Lymington Road, Westgate**

This relatively small site was provided alongside the adjoining recreation ground. The site did suffer from vandalism and is on occasions still the target of acts of wilful damage but it provides a useful local site for Westgate residents. It has no parking area set aside and due to the limited access had no communal area that could provide manure or woodchip. The site however uses the sewer connection from the nearby sports pavilion and has the only mains drainage allotment toilet in Thanet. This site is statutory.

### **Waiting Lists**

The last two decades have seen a significant rise in the interest in allotments. Promotion of healthy eating and living had led to a rise in this publicly with many gardening programmes and articles being produced promoting the use of allotments for vegetable growing and as a leisure activity for the family. The District Council saw a rise in the waiting list numbers following the improved security to sites and the provision of other better facilities. A clear wish from the survey of allotment holders prior to the improvements was also to be stricter in enforcing allotment rules and this included the non-cultivation of allotments, an on-going issue for most allotment sites. By carrying out regular inspections and cancelling tenancies where the allotment was not being cultivated to a sufficient level, the waiting list has reached manageable proportions with plots being maintained by plot holders who are aware and comply with the cultivation requirements. The District Council recognises that there does need to be support initially for new plot holders who may have not realised the level of effort required to maintain a plot. However the use of half plots and the initial period for new plot holders to bring plots under control it is felt that the District Council is attempting to be reasonable to both new plot holders and those existing tenants who they adjoin. Thanet District Council is also endeavouring to provide support to new plot holders by supporting The Windmill Allotment Community Project that is running new plot holders courses and will be offering tool loans for the Dane Valley Allotment site and potentially other District Council sites.

As Ramsgate, Broadstairs and Birchington Town and Parish Councils run their own sites now, Thanet District Council will redirect any allotment request with anyone with a postal address in those areas to their relevant town/parish council. In the last 20 years there has been no allotment provision in the other Parishes but there is a requirement in law for a Parish to consider the provision of an allotment if requested and petitioned by 6 parish residents. The emerging local plan will support the provision of allotments in Parish Council areas should there be evidence of need, which may be apparent through local support.

Allotment site name	Number of plots vacant in January-March 2014	Waiting list January-March 2014
Brooke Avenue	1	6
Dane Valley	4	29
Lymington Road	0	4
Nash Road	1	6
Tivoli	0	5

Vacant plots shown above, where a waiting list exists, are awaiting a written tenancy agreement

### **Ongoing issues on sites**

Dane Valley allotment site still suffers from vandalism and although not as frequent as in the past still can be very serious to those whose property or crops are destroyed or damaged. A hedge was planted in March 2013 to start supplementing the fence to the site, this suffered badly during the very dry summer and will require renewal. There is a potential new access way from College Road on the south west corner that is being investigated with Southern Water as this may allow better access for plot holders and if successful could allow the splitting of the site into two separate halves as with the previously managed Chilton Lane allotment site in Ramsgate prior to its transfer to the new Ramsgate Town Council. This also then offers the opportunity to reduce the risk of lost or unreturned keys being used to gain access to all the site.

The Nash Road site is a non-statutory site that is intended for future cemetery burials should the cemetery service require new provision. At present with the cemetery being surrounded by undeveloped farmland it is not required. There is a section that has been unused and is currently a valuable habitat for nesting birds and wildlife. The cemetery is often featured on bird watching sites due to the large number of red listed species that have found the local areas suitable to nest, or for migrant birds. A recent unusual visitor for bird watchers, a female Dusky Thrush in spring 2013 led to a sudden influx of many hundreds of bird watchers, many using the local accommodation in the hope of spotting this visitor. So any clearance of this area will require an environmental assessment prior to the re-establishing of any plots.

### **Tenancy Agreement and Allotment Rules**

At present the allotment year commences in October with the new tenancy agreements (appendix 1) being sent to plot holders to cover the following 12 months. This policy confirms that the Council is adopting an official termination of the tenancy agreement by the Allotments Officer, or other authorised officers in the absence of the allotment officer, to terminate the allotment tenancy if the allotment tenant has not complied with the rules in force on the sites at that time. The allotment rules (appendix 2) cover a variety of issues and in place to provide a framework for the day to day management of sites. They are amended annually by the allotments officer prior to the renewal of the allotment tenancy agreements. At this time any site issues or issues regarding plot holders that have occurred during the year are reviewed and changes made to the Allotment rules if required. Cultivation of plots is a key issue for the District Council and plot holders. Although it would be expected that new allotment tenants who have been awaiting a plot would be keen to be on site as soon as possible, actual practice on sites does not always bear this out. Some plots which may already be starting to be overgrown perhaps due to the previous non cultivation continue to decline in appearance and provide problems to adjoining plots. Currently a period of 6 months is given to new plot holders to arrange their plot to a satisfactory standard. It is proposed within this policy that this period be reduced to all overgrown areas being brought into a position where they do not give nuisance to other plot holders by 6 weeks, but also that within this period of time at least 50% of a plot is cultivated. During the consultation on improvements the Thanet plot holders did ask for a stronger emphasis on stricter controls. Of the 12 sites at that time asked for this aspect to be considered as one of their top 5 wishes for their sites in terms of changes.



Appendix 1 – Allotment Tenancy Agreement

**ALLOTMENT TENANCY AGREEMENT**

**Please return this form to Allotments Dept' Thanet District Council P.O. Box 9 Cecil Street, Margate CT9**

**1XZ**  
**Tel: 01843 577963**

**For office use: A/c No: \_\_\_\_\_ Tenancy List Updated  Key Given**

**Ack' Sent Yes**

<b>Site Location</b>	
<b>Plot Number</b>	Please place a numbered marker on left front corner of plot or on shed (where applicable)
<b>Square Metres</b>	
<b>Full Name of waiting list applicant</b>	
<b>Address including full postcode</b>	
<b>Email:</b>	
<b>Disability</b>	<b>Yes/No</b> <b>Brief Details:</b>
<b>Age (If under 16 years)</b>	
<b>Telephone/Mobile Number</b>	
<b>Fees and Charges</b>  Plot : £4.20 per 25sq metres. A minimum charge of £26.00 is applied to all agreements. Water is charged at cost.  <u>Please do not send</u> payment in with this form please await Invoice in post. This will not hinder work on the plot being started.	<b>Yearly Tenancy Term is Oct - Sept</b>

Once this office receives this application (tenancy agreement) you may then start to work the plot.

I do/do not hold any allotment garden or agricultural land (other than a garden attached to my residence at the site called.....

In the event of my application (tenancy agreement) being granted I agree to observe the rules as to allotment gardens made by the Council and when required by the Council to sign the application (tenancy agreement) for letting in accordance with the rules. I understand that if payment is not received within the period stated on the invoice that the tenancy agreement will be at risk of being terminated. I have read and agreed to the conditions.

Signature .....

Print Name

Date .....

## Appendix 2 – Allotment Rules

### **RULES MADE BY THE COUNCIL** **RELATING TO ALLOTMENT GARDENS**

The tenant of an allotment garden shall comply with the following conditions:-

1a) At all times to keep the allotment garden clean, tidy and in a good state of cultivation. Areas not being cultivated must be cut and maintained to prevent seeds blowing onto other plots. We do not promote the practice of Permaculture as we promote a seed and weed free practice as stated in allotments legislation. **All areas of a plot are to be cultivated and maintained on a regular basis** and new tenants are expected to have at least 50% of their plot cultivated to within a period of 6 weeks. It would be advisable to make contact with the site representative to establish your presence on site and their expectations. We would encourage contact directly in the first instance with the allotments department should problems occur which are likely to affect your ability to cultivate within these guidelines. We operate under a 30 day non cultivation notice system as recommended by the National Society of Allotments whereby after such notice being served the tenancy is open to termination after the 30 days if neglect is still evident. Extenuating circumstances may be taken into consideration on production of a doctor's letter if necessary.

b) Not to cause any nuisance, annoyance or canvass discontent to the occupier of any other allotment garden or obstruct any path set out by the Council for the use of the occupiers of the allotment gardens. **Not to be used as a storage disposal for goods especially stock piling of wood or metal and to refrain from using as a general burning area.**

c) Not to sub-let, assign or part with the possession of the allotment garden. Tenancies are non-transferrable and any request for an additional plot will need to be in writing so that the tenant's details can be placed on the waiting list. The maximum allocation of plots per household is 500 square meters. A full sized plot is generally considered as more than adequate to feed a family of four. Waiting lists of those eager to start an allotment should be better served with this in mind.

d) Not without the written consent of the Council to cut or prune any timber or trees not within your plot, or take, sell or carry away any mineral, gravel, sand, clay or soil. However any branches of trees growing on plots that obstruct pathways are to be cut back annually but bear in mind this may be affected by the nesting of birds so please contact the allotments department if in doubt before trees or bushes are disturbed .  
*Please ensure when pruning that this is kept to a minimum and to avoid Spring to Autumn periods as you may risk prosecution under the Wildlife and Countryside Act 1981.* If there are any branches larger than 75mm that require cutting the Council needs to be informed. Plot holders must have regard to the eventual height and shade

that any trees, shrubs or climbing plants may have on neighbouring plots and internal pathways.

e) To keep every hedge that forms part of the allotment garden properly cut and trimmed. Permission in writing is to be sought for any new fencing installations by plot holders and these are expected to then be safe and secure and must not cause nuisance to adjoining plots this would also include privacy screening.

f) Not to use barbed wire or solid metal panels for a fence adjoining any path set out by the Council for the use of the occupiers of the allotment gardens.

g) To keep the grass on any footpath adjoining the allotment garden fully cut and trimmed (but not sprayed). Spraying within individual plots is permitted see q below.

h) Sheds are not to be larger than 2m x 2m and the height to be less than 2.5m. All sheds must be movable (caravans or similar are not permitted) – not have any concrete flooring and be constructed out of polycarbonate or timber. Larger sizes are only permitted if requested and agreed by the Council in writing. Greenhouses (Perspex) are to be less than 2m x 2m and the height less than 2.5m. Please note that any shed **should not be within 1m of the boundary fence line. All windows used in sheds or greenhouses or cloches etc are to be perspex.** Polytunnels are permitted but require advance notice including the dimensions to the Council and must not cause a nuisance to plot holders and old polythene must be removed from site when degraded and not burnt. Fencing should not exceed 6ft 6” (2 metre)s and not cause undue shading ideally bottom half 3’ – 4’ as solid panel and top part can be windbreak, chain link or netting.

i) All children and dogs to be properly supervised and must not trespass or damage crops on other plots.

j) No asbestos sheeting is to be used under any circumstances. Existing panels must be bagged and removed by plot holders and taken to the local amenity tip.

k) Water supplies are to be conserved and are there for all plot holders. In view of the need for considerate and sensible use **each full plot holder should not exceed 30 minutes per day or 15 minutes for half plots for hoses and ideally these would be used to fill a water butt. Sprinklers or Leaking Hoses** are prohibited as water is metered and is a considerable annual cost. Water is supplied at various points on site either by tap or from a hose or even a dip tank you must comply with any temporary restrictions imposed by your local water provider and these are only to be used for extracting water and not washing tools as this can easily lead to the water being contaminated. **Water butts connected to shed roofs** are the best environmentally friendly solution to the often serious shortage of water and we all need to try and promote this responsible approach to what is a valuable commodity.

l) Car parking must not be on plots that are uncultivated or unused. Access roads can be used for vehicles but only to drop off or load – not parking.

m) Gates must be locked by the last plot holder leaving the site. It is advisable to prevent nuisance by youths or illegal dumping to keep gates shut or locked every day.



If the gates do need to be left open for any length of time then please make sure that a guardian is present at the gate until such time that it is closed this being to safeguard the site security.

n) Damage or theft of produce, sheds etc, if proven to the satisfaction of the Council to be the actions of a plot holder with the relevant witnesses/evidence, will result in the immediate termination of tenancy.

o) **Keys must be surrendered when plots are given up and written notice sent to the Council when plots are given up.** Failure to give notice or clear the plot to allow it to be easily re-let may result in the Council seeking to reclaim any costs from the tenant to enable clearance of any remaining debris or possessions.

p) No livestock is to be kept on council plots except for livestock permitted by legislation according to statutory requirements. The council will require the plot holder to seek permission in writing for consideration for the keeping of livestock detailing type and number, with an emergency 24 hour contact telephone number. **Failure to adhere to good standards of animal welfare will risk the termination of a tenancy** and costs incurred for clearance by the Council being recharged to the tenant, the matter may also be referred to animal welfare at Defra. The authority does not permit the keeping of bees.

q) Chemical spraying is only approved where the chemical is currently available to the general public and provides no residual contamination of the soil. All spraying is to be carried out with due regard to the health and safety of others on the site and no chemicals are to be left unlocked nor in unmarked unofficial containers (eg lemonade bottles, jars or similar). No spray drift is permitted especially where this may contaminate an adjoining plot or Council pathway. The Council reserves the right to terminate the tenancy of any plot holder who it believes has contaminated adjoining plots, pathways or their own with chemicals or has stored them irresponsibly. Carpets are not to be used as a weed repellent, if in doubt do not use.

r) Composting is expected by the authority where ever possible.

**2. The tenant shall observe and perform all conditions and covenants contained in the lease** (if any) under which the Council holds the land.

**3. The tenant shall observe and perform any other special condition** which the Council considers necessary to preserve the allotment garden from deterioration.

#### 4. Rent

The rent of an allotment garden shall unless otherwise provided by these rules or agreed in writing be paid annually in advance on receipt of the invoice which is generally sent out when the tenancy **naturally expires at the end of September each year**. The invoice should generally be received within the first two weeks from the first week in October unless the plot has non cultivation issues at the time then an invoice will not be sent until this is rectified.

The Council reviews rent and water charges annually.

## 5. Power to Inspect Allotment Gardens

**An officer of the council or a Council nominated site representative shall be entitled at anytime when directed by the Council to enter and inspect an allotment garden via reasonable means of access.** It is the intention of the Council to inspect plots at regular seasonal intervals each year.

### Service of notice

Any notice may be served on a tenant either personally or by leaving it at his last known place of abode or by Royal Mail addressed to him there or by fixing the same in some conspicuous manner on the allotment garden.

Fly Posting is prohibited

### Firearms

The authority does not permit the use of firearms on any area of allotment site. The Police are to be contacted in the first instance if there are any reasons for concern.

### Site Representative Re-Elections

This process can be carried out by democratic means at the end of August if requested. Should anyone want to become a site representative they should seek the written support (with signatures) of two named plot holders on the site and notify the allotments office before the 15<sup>th</sup> September who will consider the application. In the case of two or more people wishing to be a site representative an overall vote is necessary. A voting form can be obtained from the allotments department for this purpose.

### Complaints

If you are having difficulties with any tenant who is not complying with the conditions within these rules please write in with your full details and two written supporting witnesses and the matter will be investigated in strict confidence.

### Bonfires

**You should not bring items onto your plot unless you know they will serve a useful gardening purpose and you know how you are going to dispose of them appropriately.** We would advise that composting is the most practical and preferred method of dealing with vegetation waste. If burning is really necessary the use of an incinerator is an ideal way of burning responsibly for short periods of time.

**Never burn household rubbish** rubber tyres or anything containing plastic, foam or paint. The use of old engine oil, mentholated spirits or petrol to light the fire are prohibited.

Avoid lighting a fire in unsuitable weather conditions in particular hot summer days/evenings and damp autumn/winter days/evenings when smoke tends to hang in the air. Wind direction also impacts on smoke causing possible drift towards residential properties. Please try to dry any material for burning so it burns quicker and produces less smoke.

**Avoid burning at weekends and on bank holidays when people want to enjoy their gardens.**

Avoid burning when the air quality in your area is poor or very poor (you can check this by ringing the air pollution bulletin service on 0800 556677 or looking at ceefax 196).

**Never leave a fire unattended or leave it to smoulder – douse it with water if necessary.**

**Any tenant who does not adhere to these rules will be warned and if any more fires are lit causing nuisance to properties in the vicinity then their tenancy agreement will be at risk of termination.**

Appendix 3

**ALLOTMENTS IN THANET**

<b>TDC Statutory</b>	<b><u>Area [sq m]</u></b>	<b><u>site management if not TDC</u></b>
Brooke Avenue, Garlinge	22,800	
Dane Valley, Margate	47,800	
Lymington Road, Westgate	16,400	
<b>Total Square metres =</b>	<b>87,000</b>	
<b>TDC Non Statutory</b>	<b><u>Area [sq m]</u></b>	
Nash Road, Margate	28,000	
Tivoli, Margate	3,100	
Margate Road, Ramsgate	8,800	Managed by Ramsgate Town Council under licence from TDC
Ramsgate Cemetery – Cecilia Road	6,900	Managed by Ramsgate Town Council under licence from TDC
<b>Total Square metres =</b>	<b>46,800</b>	
<b>Non TDC</b>	<b><u>Area [sq m]</u></b>	
Quex Road, Birchington	5,500	Birchington Parish Council
Reading Street, Broadstairs	14,200	CT10 Charities property
Vere Road, Broadstairs	18,800	CT10 Charities property
Ethel Hill Garden Allotments	6,900	Private allotment site
Norman Road, St. Peters	3,800	Broadstairs and St Peters Town Council
Prospect Road, Broadstairs	1,600	Broadstairs and St Peters Town Council
Chilton Lane, Ramsgate	42,200	Ramsgate Town Council
Stirling Way, Ramsgate	17,800	Ramsgate Town Council
<b>Total Square metres =</b>	<b>110,800</b>	
<b>Summary:</b>	<b><u>Area [sq m]</u></b>	
TDC Statutory	87,000	
TDC Non Statutory	46,800	
Sub Total =	<b>133,800</b>	
Non TDC	<b>110,800</b>	
Thanet Total =	<b>244,600</b>	