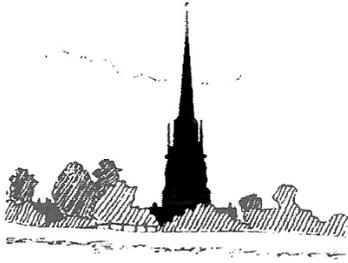


MIDDLETON CHENEY

Parish Council



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ALLOTMENT RULES BASED ON LONG ESTABLISHED WORKING PRACTICES

Allotments are generally safe and pleasant places for both gardeners and neighbours. The rules keep things this way. Please note that these rules are specific to the council's allotment sites. Charities and private allotment associations have their own rules.

The tenant is responsible for any person they invite onto the allotments and for making them aware of the rules and health and safety guidance.

The information within this section explains some of the rules and what you should do if you feel a rule is being breached.

WHY HAVE AN ALLOTMENT?

The reason for an allotment plot is growing fruit and 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.

1. Disputes

If you are a plot holder and in dispute with another plot holder regarding their or your use of the allotment, you must bring this to the attention of the Parish Council i.e. the Clerk. If the dispute can be resolved locally the Parish Council will do so. If not, then you must put your complaint in writing to the Parish Council using the Complaints Procedure.

Please make sure that you include your name and address, the name of the allotment site and your plot number, as well as details of the dispute. The council will not intervene in the case of personal disputes, and if you make an allegation that is subsequently determined to be malicious you could lose your allotment.

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2. Dogs

A tenant may take his or her dog to the allotment, as long as the dog is under control at all times and not allowed to walk on any plots other than the tenant's. Note that if a dog is aggressive or particularly nervous, then this might constitute a nuisance to others and you may be asked not to bring the dog to the allotments in future.

Stray dogs must be reported to the council.

3. Noise

The rules state that tenants must not cause undue nuisance or annoyance to others. Such a nuisance is also covered by section 79 of the Environmental Protection Act. Complaints are investigated by the **pollution control service** and can result in a fixed penalty notice, legal action and the termination of the allotment tenancy.

4. Overgrown plots

Allotment tenants are required to maintain their plots in a good state of cultivation and free of weeds and to maintain the paths around their plots. The law allows tenants three months from the start or renewal of tenancy to bring the plot into a good state.

The council will not evict a tenant who is ill – or caring for someone who is ill – but has a realistic prospect of return to use the allotment.

If you garden a plot near an apparently unworked plot, you may wish to bring this to the attention of the Parish Council. Please remember that the best course of action, if a tenant is struggling to make a success of their plot, is to offer sensible help and advice about how to bring it into use.

5. Rubbish

The council does not provide allotment tenants with a rubbish collection service. Any rubbish from allotments must be disposed of using the domestic waste collection service or by taking it to the borough's waste and recycling facilities. A tenant who leaves rubbish on the allotments is in breach of their tenancy agreement.

6. Sharing a plot

Allotments are let to individuals at a single address and is the responsibility of the person signing the Allotment Agreement.

A tenant may, by arrangement with the Parish Council, share an allotment plot with a friend. The tenant remains wholly responsible for the entire plot, the actions of the other person and the payment of rent. When the tenancy is terminated, the plot will be let to the next available person on the waiting list. If you share with someone who would like a plot of their own, they must register on the Parish Council's waiting list at the earliest opportunity.

If your plot is becoming too much for you to deal with, speak to the Parish Council about finding some help (don't expect the Parish Council to do the work for you).

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7. Sheds

As the plots are small, sheds are not permitted. This may be reviewed in the future.

8. Hedges

Hedges on allotments are the joint responsibility of the tenants, and should be cut back at least once a year – more if they border public footpaths. This is not the responsibility of the Parish Council.

9. Rents

Allotment rents are due on the 25th March and 25th September each year. The charge is based on size of the plot.

Rent reminders are sent out a few days before rent is due, with instructions on when and how payment can be made. It is important that allotment tenants make sure that they notify any change of address promptly. If you fail to respond to a rent reminder and do not pay your rent, your allotment tenancy may be terminated.

10. Hens or Rabbits

This has been a long part of the allotment scene and are welcome if the site is appropriate. If you wish to keep hens or rabbits first get permission of the Parish Council. Note that cockerels are not allowed on allotments because of the noise they make.

Specific fowl keeper and rabbit rules apply, in addition to the basic rules.

The Animal Welfare Act 2006 makes it an offence to fail to:

- provide a suitable environment for the birds or rabbits
- provide a suitable diet and fresh water
- allow the birds and rabbits to exhibit normal behaviour
- house social birds with others
- protect them from pain, injury, suffering and disease

11. Manure and woodchip

Horse manure and woodchip give nutrients and structure to the soil. Compost is easy to make and gets rid of most of the waste matter from your allotment – adding woodchip usually helps to produce compost more quickly.

The council does not provide manure or woodchip for allotments because of the cost and the uneven distribution. If you approach an arboricultural company for woodchip, make sure that it is not tipped outside the allotments (this is an offence) and make sure that what is delivered is what you want. It is not uncommon to find large logs buried in the pile of woodchip.

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Security

Allotments are vulnerable open spaces usually protected by little more than a simple fence and gates through which many people pass. There is no way to make them totally secure. Security fencing may actually attract vandals, who may think the fence shows there is something worth stealing.

If you lose equipment, tools or produce, you should inform the police. The simplest way to do this is to report the theft to 101 as you may need to do the latter if you intend to make an insurance claim. Remember that you should not store anything valuable on the allotment – particularly a petrol strimmer or rotovator – this simply attracts thieves to come back again.

On behalf of: Middleton Cheney Parish Council
Rules Reviewed: October 2013