

# MESSINGHAM PARISH COUNCIL

## ALLOTMENT TENANCY – TERMS & CONDITIONS

**MESSINGHAM PARISH COUNCIL** has responsibility for:

1. The control of all allotments at the Allotments, Butterwick Road, Messingham
2. The determination of rents *Tenancy Conditions 8 & 9*
3. The determination of expenses *Tenancy Condition 10*
4. The Allotment Advisory Committee comprising representatives from the Garden and Half Acre Allotments together with Parish Councillors and the Clerk to the Parish Council.

### TENANCY CONDITIONS

1. Applications for tenancy will not be considered if the applicant resides outside the boundary of Messingham Parish
2. All applicants, for tenancy, must complete the official application form and agree to abide by the Tenancy Conditions and Allotment Rules
3. All applications to be verified by the Allotment Advisory Committee
4. A deposit of £25 will be taken on acceptance of tenancy and fully refunded at the end of the tenancy provided the condition of the allotment is to the satisfaction of the Parish Council in accordance with the Allotment Rules.
5. Tenancy may be terminated by the Parish Council:
  - a) by 12 months or longer notice to quit expiring on or before 6<sup>th</sup> April any year, or on or after 29<sup>th</sup> September in any year; or
  - b) by re-entry after one month's previous written notice to the tenant for non-payment of rent or breach of any of the Tenancy Conditions or Allotment Rules; or bankruptcy of the tenant.
6. Any tenant who ceases to be a resident of the Parish shall be given 12 months' notice to quit in writing
7. Termination of tenancy will only be accepted in writing. At least two months' notice must be given to expire on or before the 6<sup>th</sup> day of April or on or after the 29<sup>th</sup> September
8. Rents for garden allotments to be collected annually after 6<sup>th</sup> April and shall be paid one year in advance. Rents for Half Acre allotments to be collected twice annually after 6<sup>th</sup> April and after 6<sup>th</sup> October and shall be paid six months in arrears. *At least 14 days' notice, in writing, shall be given to all tenants of the amount due and the time and place of the rent collection.* All rents must be paid at the time and place appointed. Any tenant who fails to comply will be requested to appear before the Allotment Advisory Committee
9. Twelve months' notice in writing to be given to the tenants of any rent increase.
10. Expenses, in addition to rent may be demanded by the Parish Council from each tenant, such sum as shall be determined in respect of allotment expenses incurred during the previous twelve months and such sum shall immediately become payable.
11. The subletting of garden allotments, by any tenant, is **strictly prohibited**.
12. With previous agreement of the Parish Council, tenants may share allotments with a resident of the Parish and a joint tenancy shall be created.

## GARDEN ALLOTMENT RULES

1. Prior to the start of a tenancy the Parish Council will ensure that the allotment plot is free from rubbish and litter and that the soil has been cleared of weed and has been cultivated to a reasonable state.
2. No additional top-soil or sub-soil is to be brought onto the site.
3. Any materials used for the purpose of raised beds or weed suppressant must be removed by the tenant when the tenancy ceases.
4. The tenant shall keep and maintain the land clean and clear of weeds and fully cultivate the land to the Parish Council's satisfaction. The Allotment Advisory Committee shall have the power to inspect any allotment area and have the power to require the tenant to carry out work to put the allotment in an acceptable condition.
5. Any tenant leaving an allotment and leaving same in an unsatisfactory condition will be liable for such sum for restoring it to a satisfactory condition, as the Parish Council shall determine.
6. Car Parking – all tenants wishing to take their cars on to the allotments should provide a parking area on their plot for same so that the road is kept free of obstructions.
7. Identification (Allotment Number) stakes as provided by the Parish Council must be kept in good repair and condition.
8. Sheds, Greenhouses, Poly Tunnels – applications must be submitted to the Parish Council for permission to erect. Any buildings erected shall not be used as or for a dwelling house, garage or stable. The dimensions, materials and siting shall be subject to approval by the Parish Council and the building shall not be of an unsightly character. Sheds, greenhouses etc and their contents are held on the allotments at the tenant's own risk. At the end of the tenancy of the allotment all structures must be removed except by prior arrangement with the Parish Council.
9. Caravans or cars must not be used for storage purposes.
10. The keeping of laying hens and rabbits is permitted; however there are certain restrictions, therefore prior application for permission should be made to the Parish Council.
11. All dogs must be kept on a lead.
12. Children must be accompanied by an adult and supervised at all times within the confines of the allotment plot.
13. Water, from the allotment supply, to be used for allotment purposes only. **The use of hosepipes is permitted for the filling of a water butt only.** All tenants must ensure that all taps are turned off after use.
13. Garden rubbish must be disposed of within the confines of the tenant's plot or removed entirely. The burning of garden waste on the allotment is permitted BUT any plastic waste i.e. fertilizer bags or polystyrene is NOT permitted in accordance with the Environmental Protection Act 1990 and the Waste Management Regulations 2006.
14. Use of asbestos materials is not permitted on the allotments for any purpose.
15. Flammable liquids must not be stored on the allotments.