

Appendix 1



Doncaster Council Allotments Policy

The Allotments Policy

Scope of Policy

This policy applies to all allotments sites directly managed by Doncaster Council.

Sites which have their own committees may have additional rules or guidelines in place but these should not contradict the overall aims of this policy.

There are many other allotments sites within the borough which are either Self-Managed, owned and managed by Town or Parish Councils, or are in private ownership. This policy does not apply to these sites, but it will be shared with their management organisations in the hope of providing a consistent approach.

Aims of Policy

- To improve the quality of the allotment environment for plot holders, neighbours and residents
- To reduce numbers on waiting lists, maximise the use of plots available and enable as many residents as possible to take up the opportunity of having an allotment
- To recognise the important role allotments can play as part of a healthy lifestyle and as a community resource and promote their use as part of Doncaster's Wellbeing strategy
- To enable users of allotments to take ownership of site issues and encourage self-management

Background

In 2018 the Government produced a 25 Year Environment Plan, which acknowledges that connecting people to their environment will also benefit their personal health and well-being. Allotments provide valuable green spaces and community assets that offer opportunities for people to grow their own produce, improve their physical and mental health, cut 'food miles' and foster community cohesion and inclusion.

Local Authorities have a legal obligation to provide sufficient allotments to meet demand under the Small Holdings and Allotments Act 1908.

Doncaster Council has 18 direct-managed allotments sites covering more than 30ha and consisting of over 500 plots. There are a further 26 Self-Managed sites run on our behalf by local allotment associations as well as other sites owned by parish and town councils.

Whilst some plots remain the traditional '10 pole' or '10 rod' size consisting of approx. 250 square metres the majority of plots are of different sizes having evolved over the years to meet local needs and conditions. Hence plots are charged per 100 square metres.

The majority of DMBC sites are usually fully occupied and have waiting lists. There are however a handful of sites where a portion of plots have become vacant due to previous periods of low demand or vandalism and these plots have become so neglected they are now almost impossible to let. Bringing these plots back into use with minimal resources is one of our biggest challenges.

Doncaster Council Allotments Policy

Doncaster Council reserves the right to update the Allotments Policy at any time of its choosing in line with Doncaster Council procedures.

1. Management of Allotments

Doncaster Council's allotments are managed by Adults, Health and Wellbeing Directorate, Communities Service.

Doncaster Council encourages the formation of Allotments Committees, which are best suited to meeting the local needs of allotments sites. These are constituted groups dedicated to improving and developing their associated sites.

Most sites have a Site Secretary who carries out a range of duties on behalf of the Council. The role of enforcement remains with Doncaster Council and should problems arise, the Council will have the final say on any disputes.

Policy Statement 1 – Self-Managed Allotments

Self-Managed Allotments are encouraged as the most customer focused and efficient form of management. Lease Agreements with Self-Managed Allotments currently run for 20 years and committees have full control and responsibilities for the running of the sites provided they do not contradict the terms of the lease agreements. Applications from Allotment Committees to self-manage their site should be made to Doncaster Council

Policy Statement 2 – Site Inspections

All allotment sites managed by Doncaster Council will be inspected at least twice a year. More frequent inspections will be made where it is deemed appropriate.

Inspections will usually be carried out in the growing season. No advance warning will be required or given.

2. Management of Waiting Lists

Applicants for allotment plots must be a minimum of 18 years old. An application should only be made in the name of the person who will be the main user of the plot, the tenant should notify the council of any additional users. Tenants are allowed to apply for a maximum of two sites, usually those closest to where they live.

Policy Statement 3 – Waiting List Management

It is forbidden for an applicant to apply for a plot if he or she is not intending to be the main user – unless the applicant is representing a group, charity or organisation.

Waiting lists are sorted on a “first come, first served” basis. New applicants will be added to the bottom of a waiting list. Under special circumstances priority may be given to applicants representing a group, charity or organisation if it is seen to be of benefit to the wider community and supporting the aims of Doncaster Council.

When a plot becomes vacant, the applicant who is at the top of the waiting list for that site will be contacted by phone, email or in writing. If there are long waiting lists for a particular site then applicants may be asked if they wish to take a plot at a site where the waiting list is shorter, provided it is convenient for them to do so.

Plot holders evicted for a breach of tenancy may not reapply for an allotment plot.

If the only plot available is unsuitable (e.g. too big or too small) or in very poor condition then the applicant may choose to reject it and remain at the top of the waiting list. However they cannot do this indefinitely in search of the ‘perfect plot’.

If no response to the offer is received within 21 days the applicant will be

removed from the waiting list.

Doncaster Council may periodically contact applicants on a waiting list and remove those who are no longer interested or eligible, or who do not reply.

Policy Statement 4 – Sub-dividing Plots

When a plot becomes vacant it may be assessed for re-sizing by Doncaster Council and may be split into two or more smaller plots to accommodate more applicants. Tenants wanting to ‘downsize’ may also ask to divide or half their plot by contacting their Site Secretary or Doncaster Council.

Small plots are particularly suitable for beginners, some of whom have been overwhelmed in the past by the size of their new plot.

Policy Statement 5 – Passing Over

The applicant at the top of the waiting list will be passed over by other applicants if they are either not permanently resident in the district or already hold an allotment tenancy.

Policy Statement 6 – Passing On

A plot can be passed on from one close family member to another in the event of illness, disability or death. Only one plot can be passed on, and this is restricted to a son, daughter, spouse or long-term partner - who does not already hold an allotment plot.

Where the plot holder has been representing a group, charity or organisation, the tenancy may only be passed on to another representative of the same group, charity or organisation.

An applicant must submit a request in writing to Doncaster Council in order to take over tenancy of the plot within eight weeks of the plot holder becoming ill, disabled or deceased.

If Doncaster Council has decided to sub-divide the plot in line with Policy Statement 4, the applicant will have first choice of sub-divided plots.

If the plot has been shared then tenancy may be passed onto a registered helper or assistant gardener provided they have been registered for at least 2 years and have been consistently working on the plot.

Tenants are advised that no human or animal ashes are permitted to be scattered at allotments sites, and no memorial features are permitted.

Policy Statement 7 – Changing or taking additional plots

If there is no waiting list an existing plot holder can apply to take over a vacant plot on the same site. Where there is a waiting list the plot holder would need to give up their current plot, which would need to be left in good condition.

Policy Statement 7 is useful to plot holders who may wish to move to a larger plot to grow more produce, or conversely, to a smaller plot which would be more manageable and affordable. Plot holders interested in changing plots should inform their Site Secretary or Doncaster Council.

In many cases, a plot holder can also down size by requesting that his or her plot be split up into two or more smaller ones.

3. Site Facilities

The majority of sites now have fencing and security gates; these will be inspected by the council at least once a year.

Where mains water is supplied, the bill will be split between the users on site.

Tenants are asked to report any water leaks or faults with gates, padlocks or fencing to their Site Secretary or directly to Doncaster Council so that the problem can be addressed as soon as possible.

Tenants should not interfere with the water supply or carry out any other site repairs or add additional taps.

4. Allotment Tenancy

Policy Statement 8 – The Tenancy Agreement

The applicant will be the main user of the allotment plot, or the representative of a group, charity or organisation, and will be the named plot holder on the Tenancy Agreement

All plot holders will be required to sign up to the latest Tenancy Agreement, which will include the terms of this policy. This is a condition of tenancy.

Doncaster Council will initiate enforcement proceedings if a plot holder, or person for whom the plot holder is responsible, fails to comply with the terms of the Tenancy Agreement, or if a plot holder is constantly in arrears of any

agreed payment plan.

Enforcement procedures are in place to deal with any infringement of the terms of the Tenancy Agreement.

Policy Statement 9 – Sub-letting of Plots

The plot holder shall not enter into an agreement, verbal or written, to sublet or reassign an allotment plot or any part of it to any party under any circumstances.

Policy Statement 10 – Cultivation of Plot

A minimum of 60% of the plot area must be used for the cultivation of produce - namely edible crops such as vegetables, herbs, fruit, or flowers.

A maximum of 40% of the plot area may be put to other uses such as grassed lawn, or space for livestock or structures – which are compliant with Policy Statements 15 & 21.

It is not permitted to keep an allotment plot or a portion of it, which in the opinion of Doncaster Council is in an untidy, overgrown, unkempt or seemingly abandoned state.

Weeds must be controlled to prevent seeds spreading to other plots. Pernicious weeds which spread through the soil structure should be controlled or eradicated.

No new trees are allowed to be planted on an allotment plot or any other part of the site (except fruit trees which are to be properly managed).

Business or trade use of an allotments plot is forbidden.

Organic gardening, composting, recycling and promoting biodiversity are positively encouraged by Doncaster Council on all allotments sites.

Policy Statement 11 – Termination of Tenancy

Enforcement proceedings will be initiated, which may result in the termination of tenancy, if the terms of the Tenancy Agreement have been broken in the opinion of Doncaster Council.

Doncaster Council will not refund any rent or water charges accrued, which will contribute towards the cost of terminating the tenancy, and will pursue any unpaid debt.

Plot holders may voluntarily terminate their tenancy at any time but will not receive a rebate for any charges accrued or amounts paid.

Policy Statement 12 – Leaving a Plot

When a plot holder leaves a plot, it should be left in good condition for the next tenant.

Doncaster Council reserves the right to clear plots that are not left in an acceptable condition and to recharge the departing plot holder. Doncaster Council will not be held responsible for any losses in produce or materials arising from this action.

It is the responsibility of the plot holder to inform Doncaster Council of any change of address and update any other information relevant to their tenancy, such as illness or incapacity. Any communication will be sent to the latest address provided, and will be deemed by Doncaster Council to have been delivered to the plot holder.

Bills are due annually on the 1st April each year. Any plot holder wishing to give up their tenancy must do so in advance of this date. Once issued bills will not be automatically withdrawn if a tenant decides to give up after this date.

5. Regulations

Policy Statement 13 – Nuisance

A plot holder or anyone associated with plot holder must not cause or permit any nuisance to any other plot holder or to the owners or occupiers of any adjoining or neighbouring property.

A plot holder must not obstruct or encroach onto any path or roadway used or set out by Doncaster Council or used by the owners or occupiers of any adjoining or neighbouring property.

Doncaster Council will not tolerate any threatening, violent or intimidating behaviour by plot holders or anyone associated with them under any circumstances. In any instances that anyone associated with the plot holder should conduct themselves in a manner that is threatening, violent or intimidating then action will also be taken against the plot holder and this may result in their tenancy being terminated.

Any plot holder found guilty in a court of law of offences involving an allotment plot or other plot holders will be given immediate notice to terminate.

Policy Statement 14 – Fires

The use of fires to dispose of waste is strongly discouraged as smoke creates a nuisance to other plot holders and neighbours.

Some sites that are self-managed may have local agreements in place regarding when fires are permitted – tenants should always seek advice from their association or Site Secretary.

It is strictly forbidden to bring waste onto an allotment site for burning.

Compostable material must not be burned, other than in the case of diseased plants. Recyclable material should not be burned.

Fires should be built on the same day as they are lit to prevent harm to small mammals which use unlit bonfires as habitat.

The amount of material burned must be kept to a minimum. Where possible use alternative methods of disposal such as a household waste recycling centre.

The duration of any fire should be minimised.

Fires must be of a manageable size, and never left unattended.

Fires must be fully extinguished before the plot holder leaves the site.

In order to reduce the nuisance of smoke:

- Keep smoke to a minimum by only burning dry waste
- Consider wind direction in order that smoke does not cause a nuisance to residents of nearby properties
- Never burn items that produce noxious smoke such as plastics, vinyl, rubber etc
- The Council reserves the right to prevent any fire from being ignited and waste being burnt

Tenants shall adhere to the Environmental Protection Act 1990, Clean Air Act 1993, Highways Amendment Act 1986 and any subsequent Acts.

Policy Statement 15 – Animals and Livestock

Livestock may only be kept with prior permission from Doncaster Council and should be kept for personal use only, for example a dozen birds and/or rabbits per plot.

Cockerels are strictly forbidden *on the* majority of sites due to the noise nuisance issues which they create.

Pigeons or bees may be kept on the majority of sites with permission but they should not cause a nuisance to other plot holders and the rest of the plot should be properly maintained.

Animals are expected to be kept according to RSPCA guidelines.

Plot holders must comply fully with the Animal Welfare Act 2006 and other relevant legislation.

Permission for livestock may be revoked at any time if appropriate conditions are not met and in some cases tenants may be reported to the relevant authorities for prosecution or evicted from site.

Policy Statement 16 – Dogs

Dogs must be kept on the owners plot or on a lead at all times and must never be left unattended.

Dogs must not cause a nuisance to other tenants or neighbours, by barking for example.

Dog fouling must be cleared up by the dog owner and disposed of responsibly off site.

Dogs must not be kennelled or left overnight on an allotment site.

Policy Statement 17 – Inflammable Substances

Inflammable substances include inflammable oil-based liquids such as petrol and creosote, and all varieties of bottled gas.

Inflammable substances can only be brought onto allotments sites if they are required for a legitimate purpose related to tending an allotment plot.

Inflammable substances are not allowed to be stored on an allotments plot.

Where such substances are temporarily brought onto site, they must be handled and used strictly in line with manufacturers' guidelines and transported in containers specifically designed for this purpose – and then removed from site immediately after use.

Policy Statement 18 – Asbestos

It is strictly forbidden to bring any asbestos, or products containing asbestos, onto an allotments site.

Any material that is believed to contain asbestos should be reported to Doncaster Council who will assess whether it is deemed hazardous in its existing condition and location and if necessary take appropriate action based upon the level of risk.

Doncaster Council will pass removal and disposal charges onto a plot holder who is known to have brought any harmful materials onto site.

Information about handling and disposal of some of the materials covered by Policy Statements 17 to 19 is available on the Doncaster Council and government websites. If in any doubt, plot holders should contact Doncaster Council.

Policy Statement 19 – Pest Control

Pest control on allotment sites is the joint responsibility of plot holders and Doncaster Council.

Plot holders are expected to adopt good husbandry practices in order to deter rodent infestation. Doncaster Council will employ the services of a qualified pest control operative where rodents become a problem.

If the infestation has been caused or being harboured by the actions of the plot holder the Council will recharge all associated costs to the plot holder.

Policy Statement 20 – Buildings, fencing and structures

Buildings, fencing and other structures should be of an appropriate design, fit for purpose and in a good state of repair.

Buildings, fencing and other structures which are deemed not acceptable or unsafe in the opinion of Doncaster Council will be removed by the plot holder or by Doncaster Council and charged to the plot holder.

Permission for new buildings, fencing or other structures should be sought in advance from Doncaster Council or via the Site Secretary and must not be constructed from cement or other permanent materials in their construction, which includes the construction of bases. Asbestos materials are strictly forbidden.

Buildings and structures should not take up more than 20% of the plot space and should not be detrimental to the appearance or character of the site.

Fencing used on allotments plots should be no higher than 2m and should not prevent an unhindered inspection of the whole plot. Barbed wire is not permitted for any fencing that adjoins any pathways or that may cause harm to other plot holders. Permission must be sought from Doncaster Council before any fence, gates, buildings or other structures are erected.

It is forbidden to stay overnight or live on an allotment plot.

Plot holders must submit designs and location plans of any proposed buildings, fencing, gates or other structures for approval to avoid the risk of having to subsequently remove or relocate them.]

Policy Statement 21 – Vehicles

Motor vehicles are discouraged from allotment sites other than to access a car park or for the purposes of loading and unloading.

Storage, repairs, maintenance of motor vehicles, trailers, machinery and caravans on an allotment plot is not permitted without permission.

Tyres or any other vehicle, trailer or machine parts must not be brought onto or stored on an allotments site for any purpose due to the difficulties of subsequent disposal.

Policy Statement 22 – Waste Management

Plot holders are wholly responsible for the correct handling and proper disposal of waste from their allotment plot.

It is strictly forbidden to bring waste or other harmful material onto an allotments site.

Fly tipping, dumping of waste or adding to dumped waste on any part of an allotment site is strictly forbidden and will result in immediate termination.

The use of old carpets as a weed suppressant is discouraged and as such they should not be brought onto sites for this purpose. On sites where they are already present they should be properly managed to avoid them rotting into the soil and causing problems for future tenants.

6. Charges and Concessions

Annual charges to plot holders consist of allotment rent and water rates, if a mains supply is available on site.

Allotment rent is calculated from the area of a plot multiplied by the tariff. The tariff will be reviewed annually to account for price inflation - in accordance with Doncaster Council's budget setting strategy.

Rent and water charges are added together and invoiced on the same bill.

Policy Statement 23 – Allotment Charges

Payment will be due as of the start of each financial year on the 1st April. Invoices will be sent on or around this date. Non-payment after 40 days will result in termination of tenancy. Unpaid monies will be pursued.

Full rent and water charges will be payable for new plots taken up before the end of June in each year. For plots taken up after June charges will be pro

rata for the number of full months remaining to run up to 31st March. Concessions may be given for tenants willing to take on plots that have been neglected or are severely overgrown.

Concessions

Policy Statement 24 – Concessions

We are currently undertaking a review on concessions in relation to rent on allotments sites which will be completed and publicised by April 2020

Water Charges

Policy Statement 25 – Water Charges

A water charge is payable annually for each plot where a mains water supply is available on site. No concessions are available on this charge.

Doncaster Council reserves the right to amend water charges to any plot holder found to be misusing or abusing the supply.

The charge for water rates is based on an annual usage divided equally by the total number of tenanted plots on each site.

Tenants are expected to make every effort to minimise the use of mains water. Tenants should collect rainwater to supplement / minimise the use of mains water and should have at least one water barrel connected to a shed should they have one.

Responsible use of water and the use of mulch to reduce water loss is encouraged.

Leaks or damaged infrastructure should be reported immediately.

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