



ALLOTMENT STRATEGY

ASHFIELD DISTRICT COUNCIL

2010-2015

Contents

1. Introduction

2. Purpose of the Strategy

3. The role and benefits of allotments

4. Legislation

5. Objectives and Actions

6. Current Provision

7. Performance and Targets

8. Rules and Regulations

1. Introduction

Allotments are a valued and important asset to the Ashfield District, providing a wide range of benefits to both communities and the environment. They are a way of producing good low cost food, and they offer a recreational activity involving healthy exercise, social interaction and the fun and challenges of growing a variety of fruits, vegetables and flowers.

Allotments are an important green open space, providing a haven for wildlife in the heart of our towns. Along with Parks they are often referred to as the “Green Lungs” of Urban areas. On a historical level they also contribute to the retention of traditional skills and wisdom which through social interaction is passed on to future generations.

Current house building trends are inclined to provide smaller gardens, as pressure increases to optimise building land, and those who live in flats often have no individual garden at all. These circumstances disproportionately disadvantage those on lower incomes from the joys of growing their own fruit and vegetables, allotments can help to redress the balance.

All local authorities have a statutory duty “to provide a sufficient number of allotments if they are of the opinion that there is a demand for them”. Ashfield District Council provides, manages and maintains approx 800 plots spread across 18 sites within the Ashfield Area. There are also a number of allotment gardens which are privately owned and managed, most often through allotment associations. This document will provide a framework for the next five years to develop and manage allotments and also help to inform and guide decisions that will be made as part of the Local Development Framework process.

The objective of the Council is to maximise the number of people using allotments.

This in turn will help to achieve the outcomes and targets in the Ashfield District Corporate Plan and the Sustainable Community Strategy. Specific links include ENV4 Making best use of Green Space, P&C1 Stronger and more empowered communities, and P&C3 Enhanced opportunities for our residents to live active, healthy lifestyles.

2. Purpose of the Strategy

The District’s population is set to grow by approximately 20% over the next 15 years and it is therefore vital to ensure sufficient allotment gardens are available for the increasing population. It should be noted that although our intention is to maximise allotment space, non-statutory allotments will be assessed on a case by case basis to assess their viability and that in managing our portfolio of allotments we will always need to respond to prevailing conditions and keep our approach to them under review.

This strategy seeks to optimise the use of allotment sites for existing and future plot holders. It puts in place a framework for the next 5 years to develop and manage allotments in partnership with users.

The strategy will:

- set standards for the provision of allotments
- increase the uptake of allotments
- improve the standard of service provision
- increase the benefits derived from allotments
- improve the financial position of the service

As a result of implementing this strategy a service will be developed in which people can expect:

- Good access and good security at allotment sites
- Well maintained paths and roads and parking areas
- Adequate water provision where possible
- Reduced number of neglected plots
- Opportunities and encouragement to individuals and communities wishing to be involved in the cultivation of allotments
- Efficient and effective allotment administration
- Fair open, equitable treatment, and safe tenure
- Opportunities for developing gardening skills
- Encouragement and support for associations to develop self-management of sites
- Fair rents

3. The role and benefits of allotments

Allotments offer huge potential to help create a sustainable community:

- **Allotments as a sustainable source of food.**

Increasing people's awareness about food and how it is made and grown can encourage people to eat more fresh vegetables and fruit. There are benefits to the environment by providing a local source of food that does not have to be transported over great distances. With good gardening skills it can be free from chemicals and encourages the composting of green waste. It also provides dietary benefits at low cost to people with low incomes.

- **Allotments as a resource for health.**

Working an allotment offers healthy physical recreation for all people. It is increasingly being recognised for its therapeutic value, to the extent that it is being prescribed as a treatment for stress by GPs in some areas.

- **Allotments as a community resource.**

Allotment gardening is a great leveller. It can bring together people from all age groups and backgrounds around a common interest. It can help foster a mentoring relationship where experienced gardeners can pass on their knowledge to younger or less experienced ones. If allotments become more important to local communities, then problems with security and vandalism should decrease, demand should increase and participation will widen.

- **Allotments as an educational tool.**

Increasingly there is a need for children to be taught about where food comes from and the value of fruit and vegetables in a healthy lifestyle. School based projects on allotments offer an ideal opportunity to do this.

- **Allotments as a resource for bio-diversity.**

The range of plants on allotment sites offers a varied and valued habitat for flora and fauna, as do compost and wood piles.

- **Allotments as open space.**

Open space is becoming increasingly more important within our communities as the intensity of development increases in response to growing population and the demand for more households. A smaller proportion of dwellings is likely to have access to a garden.

4. Legislation

There is a complex legislative and regulatory rules surrounding allotment provision and maintenance. Allotment provision arose initially as a result of the enclosure movements in the eighteenth and nineteenth centuries, and their origins were almost totally rural. It was only in the nineteenth century that the idea of urban allotments took hold and this culminated in the Allotment Acts of 1887 and 1890, which made the provision of allotments compulsory on any Local Authority where a need was shown to exist. The Smallholdings and Allotments Act 1908 consolidated these measures and remains the principal act so far as allotments are concerned to the present day. A list of all allotment legislation is included at Appendix 2.

The 1998 White Paper, *The Future for Allotments*, recognised the undisputed health benefits of allotments and recommended that allotment provision be explicitly noted in national and local public health strategies. It stated that there is a need for urgent action to protect existing allotment sites, and that allotment legislation should be overhauled to ensure the long-term protection of allotments. At the time of writing no new legislation has been introduced.

Allotment gardens are currently protected from development in the Ashfield Local Plan Review, 2002 (Policy RC5), this policy states that:

“Development on allotment land will only be permitted where:

- *It is demonstrated that the allotments are no longer required; or*
- *Appropriate alternative provision is made within the locality.”*

The Local Plan will eventually be replaced by the Ashfield Development Framework and as part of this document it is anticipated that a similar policy to protect allotments will be incorporated. In areas where there is a shortfall of allotment gardens it may also be possible, as part of new housing provision, to require developers to provide allotment sites within the development as part of a Section 106 agreement which would increase the number of allotments in the District to ensure that the needs of the future population are met.

5. Objectives and Actions

To deliver the strategy the following objectives have been identified. The objectives have been drawn up in accordance with ‘Growing in the Community – A Good Practice Guide for the Management of Allotments’ and the Green Flag Park Award scheme. The intention is to use current best practices for green spaces and open spaces and incorporate them in the management of allotment sites. Actions to deliver these objectives will be included in the annual service development plans over the five-year period of the strategy.

Objective 1

Provide allotment sites that are welcoming and accessible to all

- Ensure good and safe access to all sites
- Ensure sites are Disability Discrimination Act (DDA) compliant within limitations
- Work with site representatives and tenants to ensure all sites are attractive throughout
- Investigate the demand for smaller plot sizes, and provide if required
- Investigate the demand for raised beds that include wheelchair access

Objective 2

Provide healthy, safe and secure allotments

- Provide sites that are secure places for all members of the community
- Provide sites that are free from hazards to health
- Undertake yearly risk assessment visits
- Ensure all livestock is well cared for
- Ensure dogs on sites are kept under control and that sites are free from dog fouling
- Work with CPO's (community protection officers) to improve site security

Objective 3

Ensure well-maintained, clean and safe allotments

- Update tenancy agreement to reinforce tenants responsibilities
- Undertake individual site audits to identify extent of unwanted waste on each site
- Dispose of all dangerous and unwanted waste on each site
- Provide good allotment guides for all tenants to support the terms of the tenancy agreement and to clarify tenant responsibilities
- Work with grounds maintenance team to control weeds on vacant plots before they go to seed, where possible.

Objective 4

Provide allotments that encourage sustainable practices

- Improve waste management on sites
- Minimise the amount of pollution generated on allotments
- Maximise water efficiency
- Investigate the demand for the creation of 'organic only' plots
- Promote the use of water butts to reduce the use on mains water usage

Objective 5

Improve and encourage bio-diversity and conservation

- Identify, recognise and protect any areas rich in wildlife value, such as hedges and marginal areas
- Promote the range of habitats available for wildlife
- Assess and record the heritage value of each allotment site
- Raise awareness of the heritage value of allotments

Objective 6

Promote community involvement and self-management

- Encourage and support the establishment of effective allotment associations on sites
- Encourage education and learning opportunities on sites
- Identify all groups who are, or may be able to work in partnership on allotment sites
- Develop joint projects with partner organisations
- Support and develop projects and practices that increase the sustainability of allotment gardening

Objective 7

Actively promote the allotment service

- Provide good quality information about the service to users and non-users
- Promote the service through the councils Comms Unit and other media, outlets and events
- Implement the requirements of e-government to promote the service and ensure a simple allotment booking system
- Continue to undertake satisfaction surveys and consider a survey of non-users

Objective 8

Continue to improve the management of allotment sites

- Support the work of site representatives and ensure all sites are represented
- Develop a management plan for each site
- Increase tenant involvement with the management of allotment sites
- Produce tenant handbook to complement and support the terms of the tenancy agreement
- Provide efficient allotment administration
- Maximise the benefits of available funding for all sites

The allotment strategy by its very nature is a working document. To have specific relevance on a year to year basis there is a need for the strategy to be incremental in its development. This will be achieved by an annual review, linked to the Business Plan process, to assess the success of the targets set in an ever-changing environment.

This strategy was adopted in April 2010. Reviews will be undertaken annually and in the event of new legislation. A full revision will be undertaken in 2015.

6. Current Provision

The Council provides, manages and maintains 18 allotment sites which contain approximately 770 plots, mainly in the urban areas of Kirkby, Sutton and Hucknall. Selston Parish Council manages the majority of sites within the rural areas of the District (Selston, Jacksdale and Underwood) where there are 6 sites containing approximately 178 plots. Appendix 1 details the Council's allotment sites and their locations

There are a further 15 allotment sites, providing approximately 530 plots in Sutton, Kirkby and Hucknall which are privately owned and managed. Some of these sites are utilised for other purposes, mainly for keeping livestock, grazing or are derelict.

The National Society of Allotment and Leisure Gardeners suggest a national standard of 1 allotment plot for every 50 households (i.e. 20 allotments per 2,200 people (2.2 per house) or 1 allotment per 200 people. This equates to 0.125 ha per 1,000 population based on an average plot size of 250 square metres. Provision of allotment plots per household in Ashfield District is well within the recommended national standard of 1 plot for every 50 households, as shown below:-

Hucknall	28 households per plot
Kirkby	37 households per plot
Sutton	46 households per plot
Rural	31 households per plot
Total Average	34 households per plot

It is the intention of the Council to work with the private allotment owners of the under used sites around the District to encourage their plots to be brought back into allotment use and offering their plots to people on the Council's waiting list.

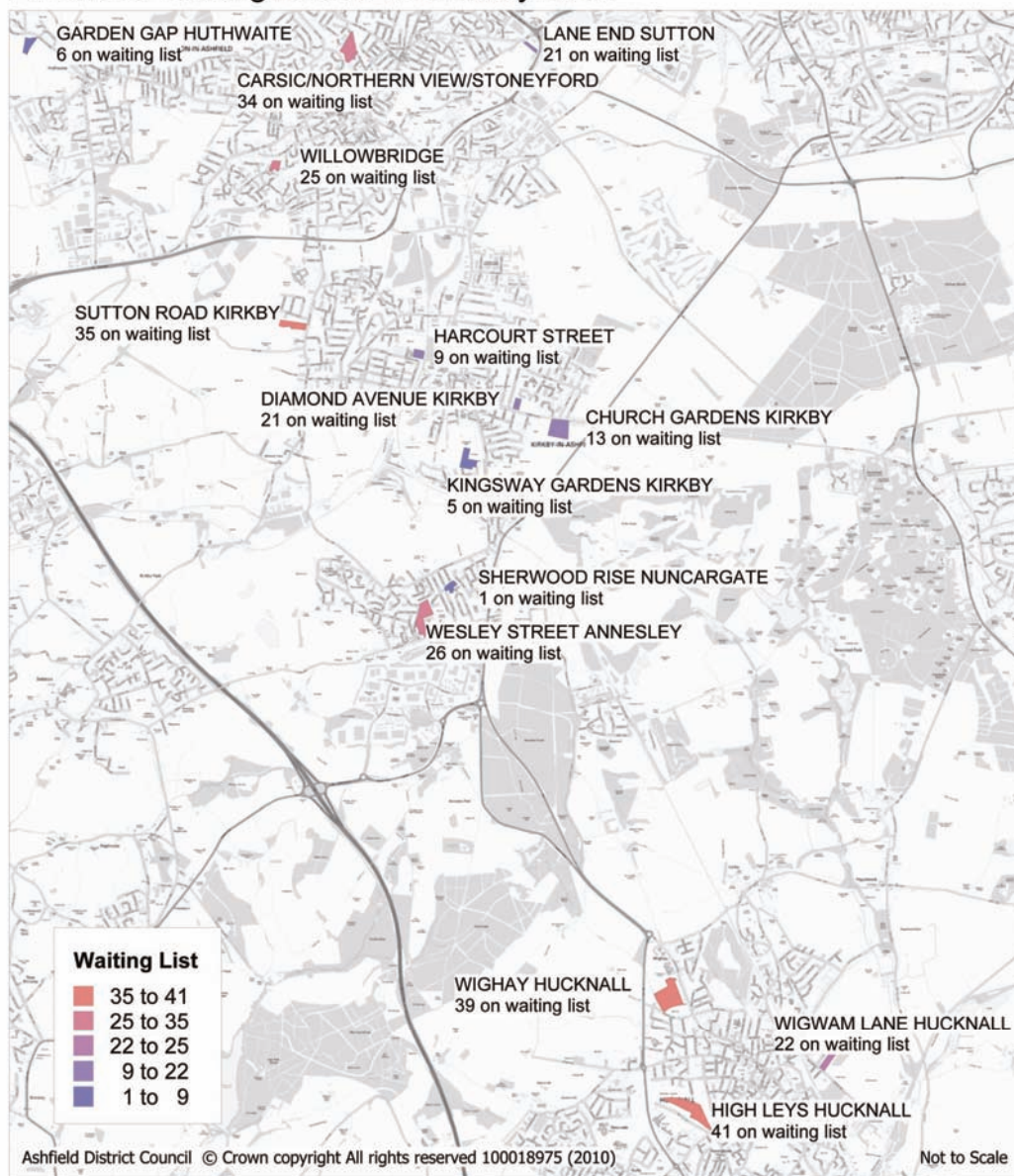
Management and promotion of the allotment service falls under the responsibility of Green Space Operations within the Environmental Services Section of the Council. A small maintenance budget is also managed by this section. The Green Space Operations team maintain the communal access paths, trees, hedges, fencing, gates and water provision on each allotment site. There is an ongoing program of clearing vacant plots for new tenants.

Some site requires a capital spend on them to allow them to be used as allotments. Problems such as poor drainage or large amounts of fly-tipping on a plot can make the cost of preparation prohibitive and thus a capital spend would be required to upgrade the site.

There is currently a large demand for allotment plots within the District, the Council has a waiting list of 298 people. The allotment sites in the rural areas owned by Selston Parish Council have also reported strong recent demand.

The map below shows those sites which have a waiting list and identifies where those people waiting live.

Allotment Waiting List as of January 2010



7. Performance and Targets

The allotment service is monitored against the following performance criteria:

	2009 ~10	2010 ~11	2011 ~12	2012 ~13	2013 ~14	2014 ~15
• Percentage of plots used as allotments	79.5	84	87	90	93	95
• Percentage of plots used as grazing land	11.5	9	8	7	6	5
• Percentage of plots vacant and usable	1.0	1	0	0	0	0
• Percentage of plots vacant but not usable (without a capital spend)	8.0	6	5	3	1	0

This performance criteria is aimed at maximising our resources so that land designated for allotment use is being utilised as such. It has been established that there are a number of plots that are either unusable or used for other purposes, in particular grazing. With the current high demand for allotments, it is not considered that grazing is the best or most efficient use of land within the urban areas. Grazing is more appropriately located on the edge of urban areas and in the countryside. The council is currently in the process of reclaiming plots, which are used for grazing, in order to return them to allotment use to meet demand.

8. Rules and Regulations

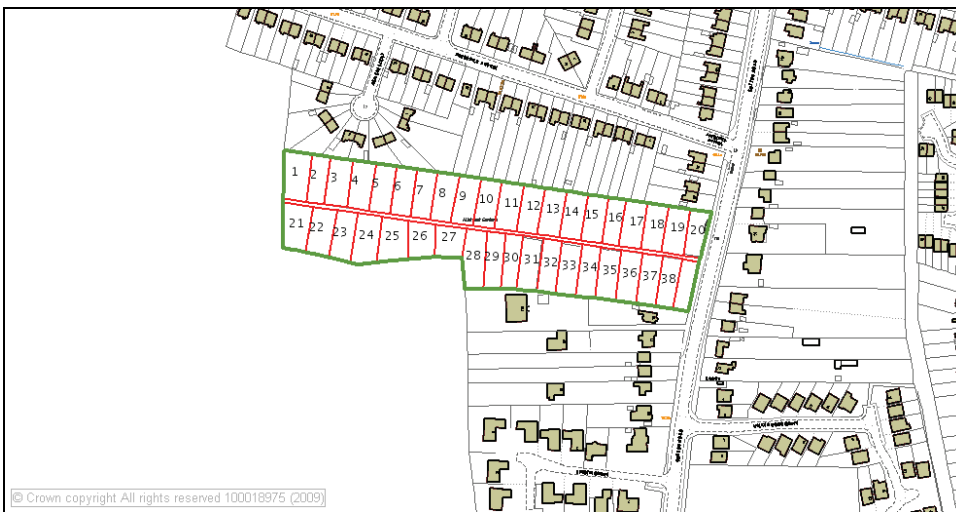
When hiring an Allotment the tenants are bound by the tenancy agreement (see appendix 2) This agreement is binding and is for the benefit of all allotment holders and Ashfield District Council to ensure correct and proper conduct when leasing an allotment plot.

The tenants must also comply with the rules and regulations as set out at the time of signing the tenancy agreement (appendix 3)

Kirkby

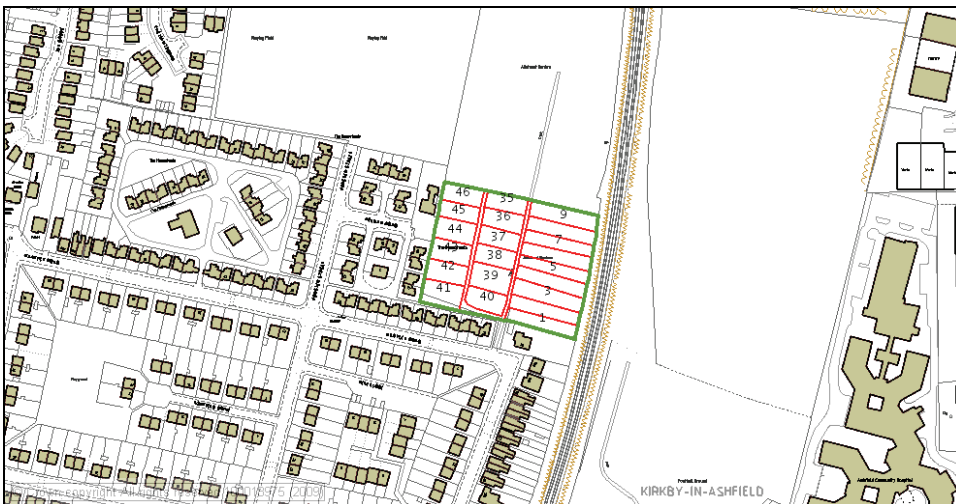


1: Sutton Road Kirkby



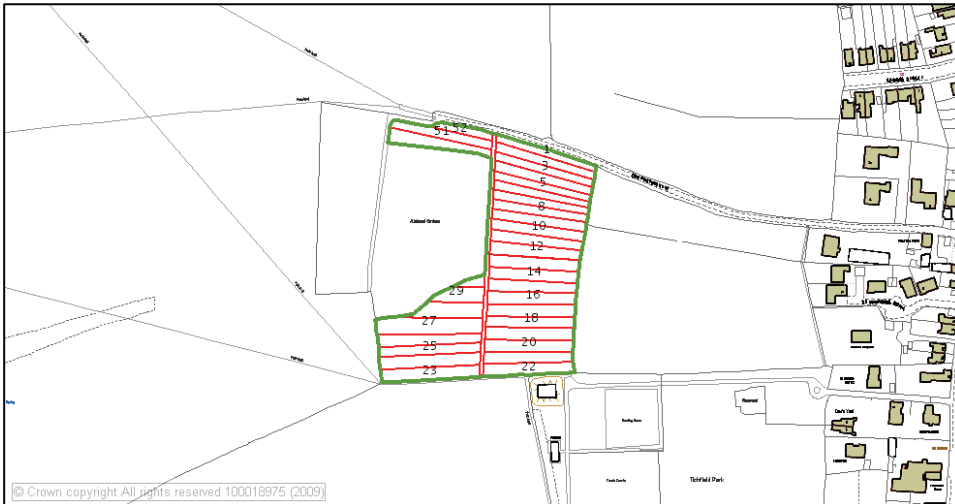
Size	17,889m2
Nr Plots	42
Nr Free	4
Nr Potential	5
Facilities:	Water Parking

2: Harcourt Street Kirkby



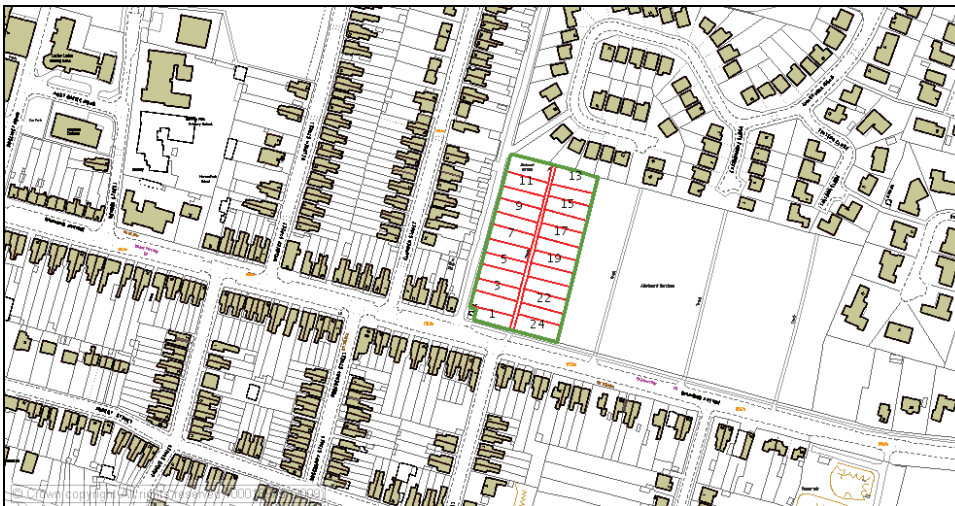
Size	8,463m2
Nr Plots	20
Nr Free	2
Nr Potential	1
Facilities:	Water Parking

3: California Cow Pasture Lane Kirkby



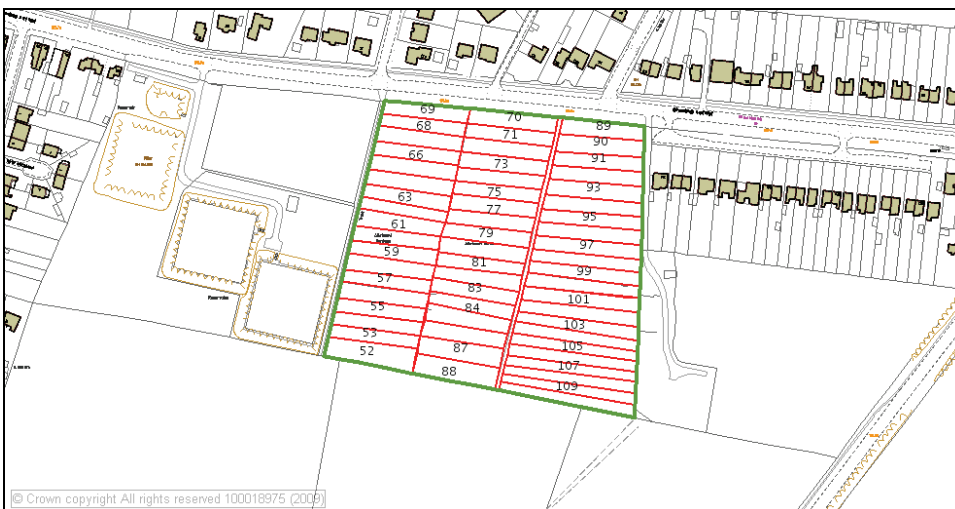
Size	14,094m ²
Nr Plots	33 grazing
Nr Free	2
Nr Potential	1
Facilities:	Water

4: Diamond Avenue Kirkby



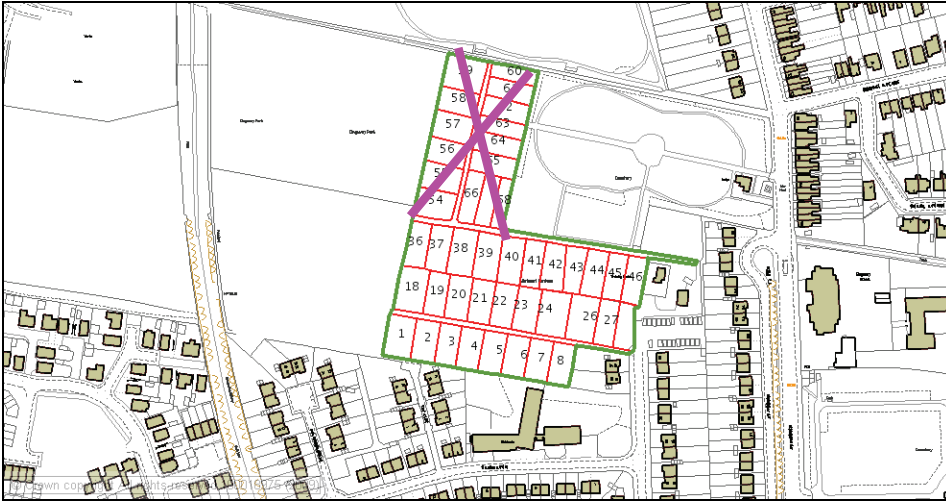
Size	6,646m ²
Nr Plots	26
Nr Free	1
Nr Potential	0
Facilities:	Water

5: Church Gardens Kirkby



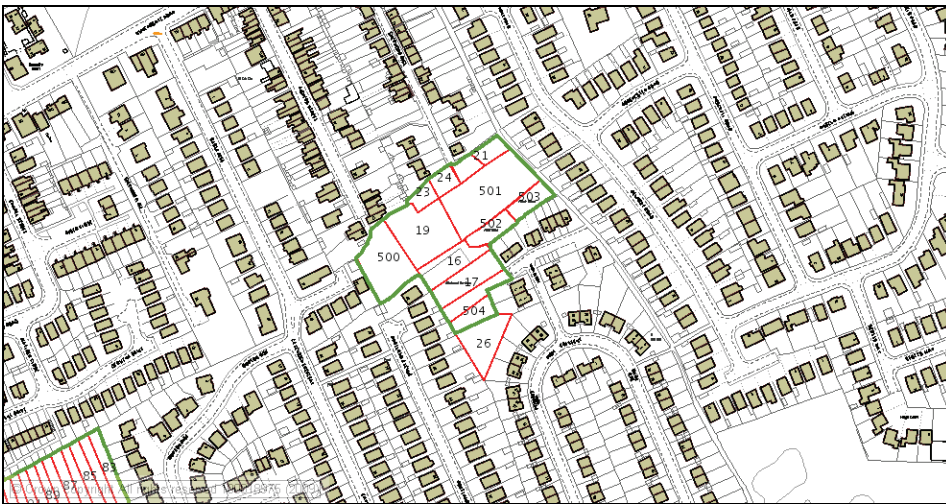
Size	33,732m ²
Nr Plots	61
Nr Free	2
Nr Potential	25 Grazing
Facilities:	Water Parking

6: Kingsway Gardens Kirkby



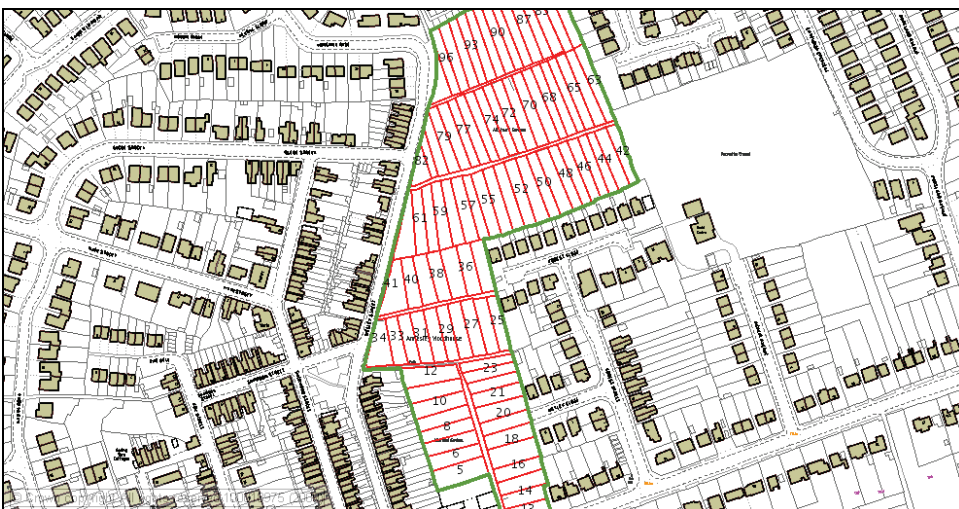
Size	14,088m2
Nr Plots	29
Nr Free	0
Nr Potential (Need capital spend)	15
Facilities:	Water

7: Sherwood Rise Kirkby



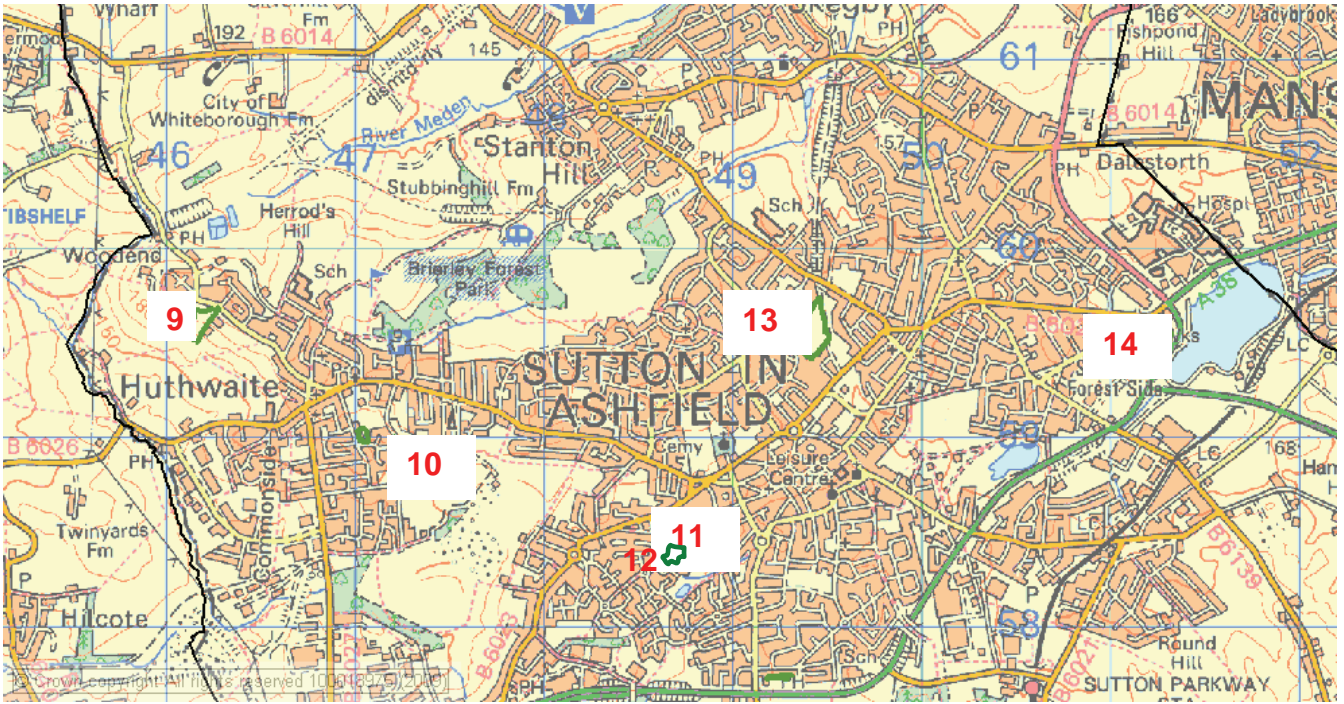
Size	9,162m2
Nr Plots	14
Nr Free	0
Nr Potential (capital spend required)	6
Facilities:	Water

8: Wesley Street Kirkby

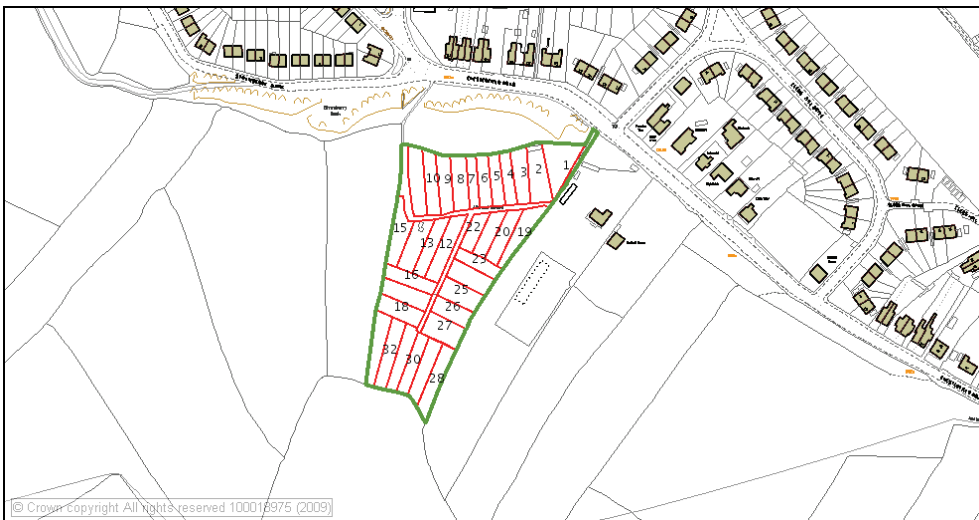


Size	33,319m2
Nr Plots	117
Nr Free	3
Nr Potential grazing	18
Facilities:	Water Parking

Sutton



9 Garden Gap Huthwaite



Size	12,319m2
Nr Plots	33
Nr Free	1
Nr Potential	2
Facilities:	Water

10 Mill Lane Huthwaite (Potential future use of site is for burials)



Size	7,579m2
Nr Plots	8
Nr Free	N/A
Nr Potential	N/A
Facilities:	None

11 Bonser Gardens Sutton



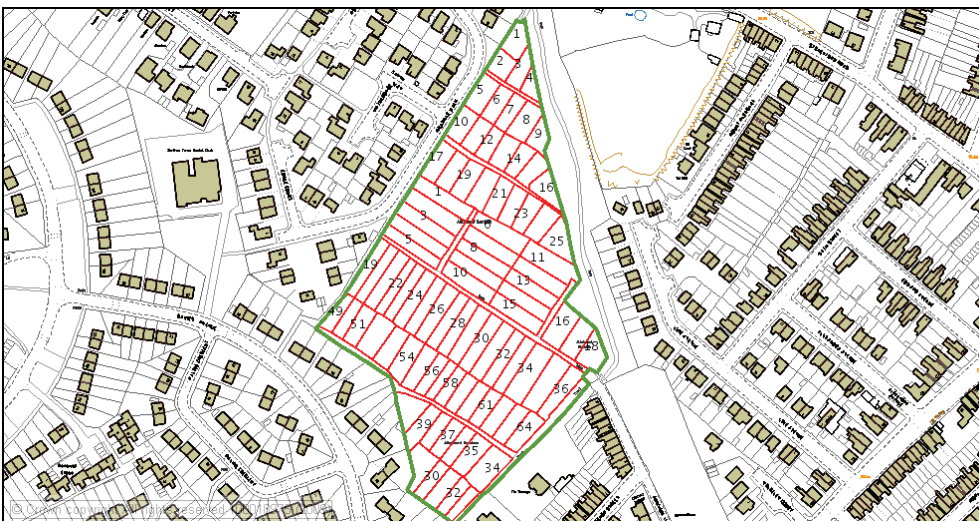
Size	640m2
Nr Plots	2
Nr Free	0
Nr Potential	0
Facilities:	-

12 Calladine / Willowbridge Sutton



Size	9,673m2
Nr Plots	27
Nr Free	0
Nr Potential	0
Facilities:	Water Parking

13 Stoneyford Road / Carsic / Northern View Sutton



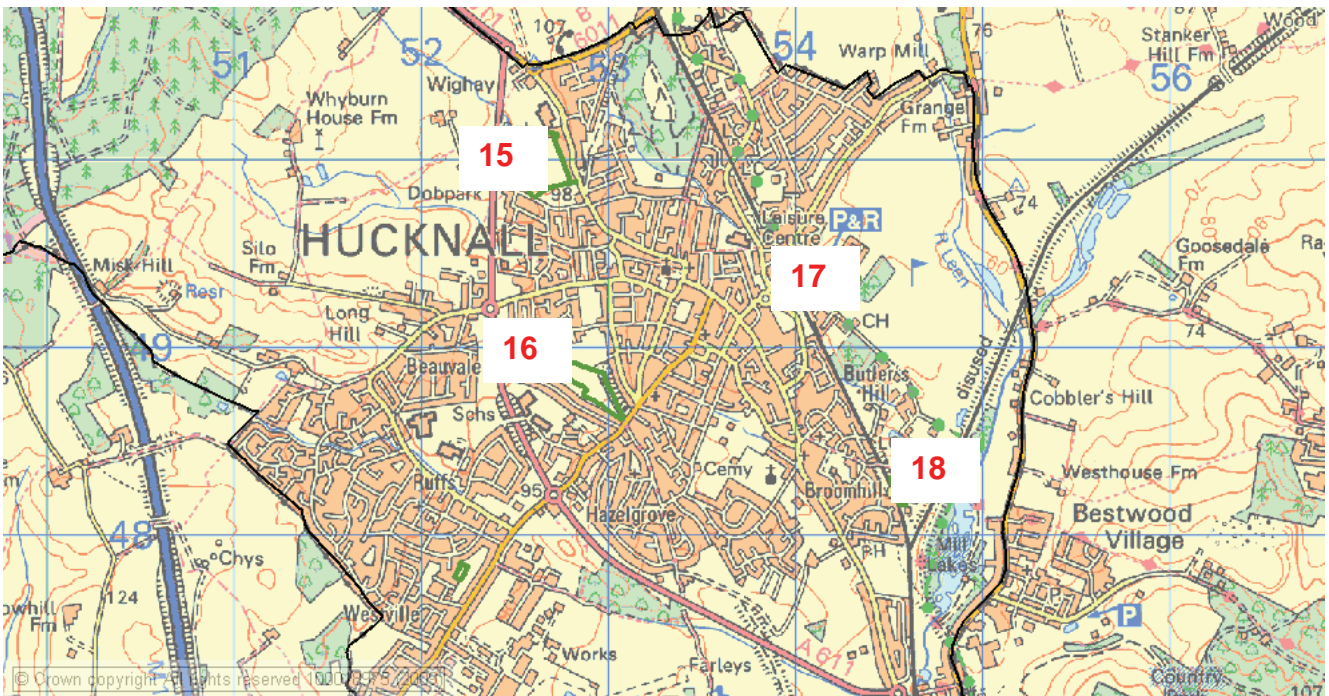
Size	28,716m2
Nr Plots	87
Nr Free	3
Nr Potential	7
Facilities:	Water Parking

14: Lane End Sutton

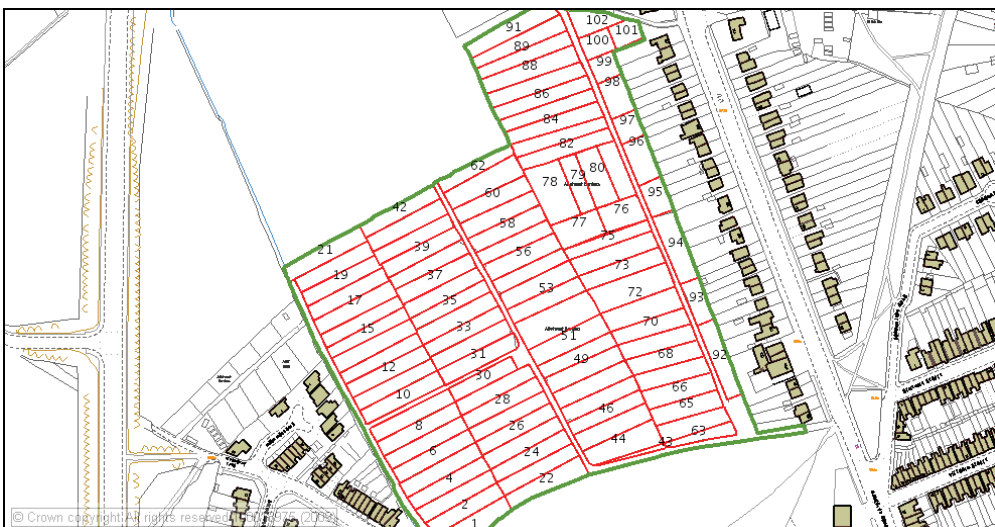


Size	4,736m2
Nr Plots	12
Nr Free	0
Nr Potential	0
Facilities:	Water

Hucknall

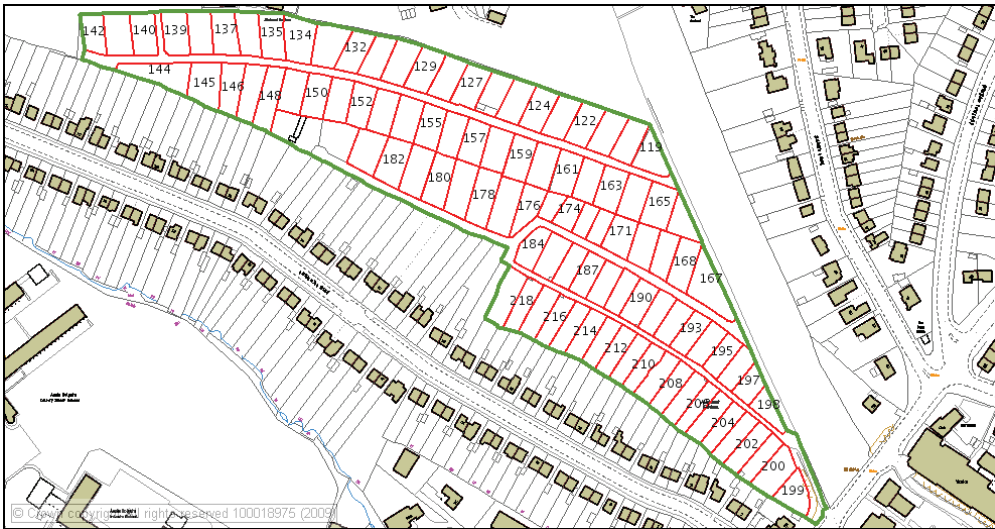


15 Wighay Hucknall



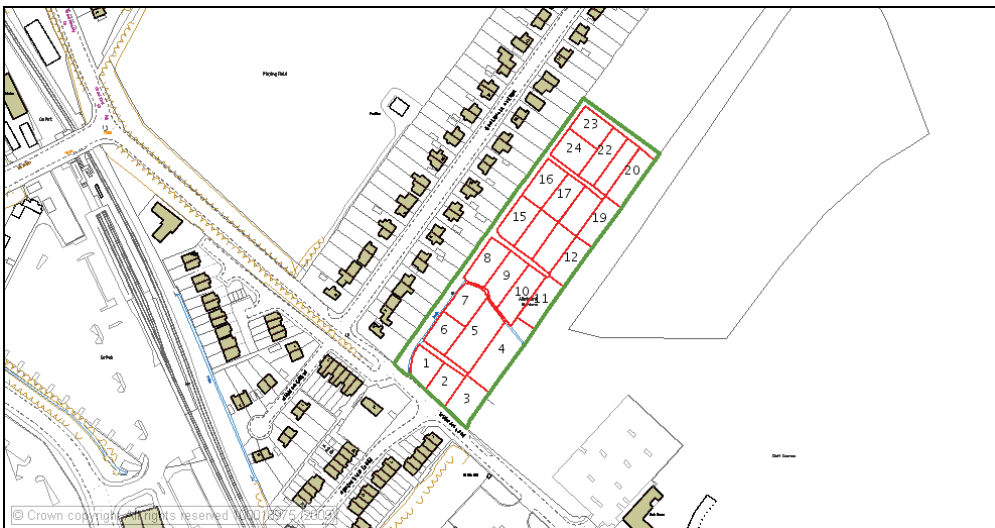
Size	56,392m2
Nr Plots	105
Nr Free	3
Nr Potential	0
Facilities:	Water Parking

16 High Leys Hucknall



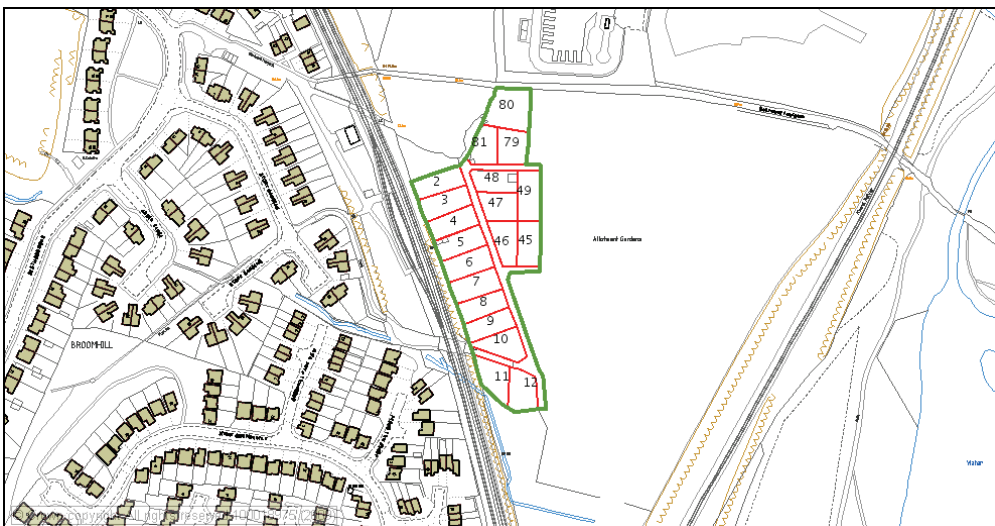
Size	46,857m ²
Nr Plots	100
Nr Free	0
Nr Potential	8
Facilities:	Water Parking

17 Wigwam Lane Hucknall



Size	12,230m ²
Nr Plots	29
Nr Free	0
Nr Potential	5 (Currently Grazing)
Facilities:	Water

18 Butlers Hill Hucknall



Size	9,600m ²
Nr Plots	19
Nr Free	0
Nr Potential	4
Accumulations of	rubbish, capital spend required
Facilities:	-

Appendix 2

Tenancy Agreement

Please Return after Signing

ALLOTMENTS ACT 1908 to 1950 Inc. Revisions

Agreement made this **1st** day of **(month and year)** between **Ashfield District Council** (hereinafter called "The Council") of the one part and **(insert name and address)** hereinafter called "The Tenant") of the other part, whereby the Council agrees to let, and the Tenant agrees to hire as a yearly tenant from the **1st** day of **(month and year)** the allotment garden numbered **(insert plot and site)** in the Register of Allotment Gardens provided by the Council and containing **250** square metres each or thereabouts, (subject to the exceptions and reservations contained in the Conveyance of Lease (if any) under which the Council hold the land) at the yearly rent of **£rent account to follow** payable yearly, and at a proportionate rent for any part of a year over which the tenancy may extend.

The tenancy is subject to the Allotment Rules made from time to time by the Council and to the Allotment Acts 1908 to 1950 inc. revisions.

Rates in respect of the Allotment Gardens shall be paid to the Council.

Signed: _____ Head of Neighbourhood Services

Signed: _____ Tenant

Witnessed: _____

Special Conditions

In addition to Clause 9 of the Allotment Rules, relative to the termination of the tenancy of the Allotment Gardens, the following special conditions will also apply to the said garden:

1. The Tenant will be required to pay such reasonable valuation (if any) to the outgoing tenant as may be found to be due.
2. Unless the approval, in writing, of the Council is obtained the keeping of pigs, pigeons and other livestock is expressly prohibited and the contravention of this condition will render the tenant liable to have his / her tenancy terminated by one month's notice.
3. Termination of the Tenancy must be given in writing.
4. Immediate Transfers of Tenant may only be made to Sons and Daughters.

Signed: _____ Tenant

Witnessed _____

Appendix 3

APPENDIX "A"

ALLOTMENT RULES EFFECTIVE FROM THE 1ST APRIL, 2010

1. INTERPRETATION OF TERMS

Throughout these rules and conditions the expression "The Council" shall mean the Ashfield District Council and includes any Committee of the Council or any Officer appointed by the Council for the purpose of Allotment management. All lettings are subject to the Allotments Acts 1908 to 1950 or subsequent legislation relating to Allotments.

2. DEFINITION OF PERSONS ELIGIBLE FOR TENANCY

Any person who, at the time of application to the Council for an allotment garden, is resident in the District shall be eligible to become a tenant of an allotment garden. Any person shall not hold allotments acquired under the above-mentioned Acts, exceeding five acres in total.

3. DIVISION OF LAND INTO ALLOTMENT GARDENS

The Council, before giving notice of their intention to let any land for allotment gardens, shall divide the land, and shall cause a plan to be prepared showing each allotment garden and distinguishing it by a separate number.

4. NOTICES TO BE GIVEN FOR LETTING ALLOTMENT GARDENS

The Council shall give public notice by bills or placards, posted in some conspicuous places in the District or otherwise exhibited therein, setting forth the particulars as to any allotment gardens which they propose to let.

Such notice shall specify the allotment gardens to be let, the rent to be paid for the same, the name and address of the Officer of the Council to whom applications for the renting of an allotment garden are to be sent and the last day for receiving applications.

If any special condition is to apply to the allotment gardens, or any of them the notice shall specify such conditions or state where copies of the Form of Agreement for letting of such allotment gardens may be seen.

If the tenant is to pay for tenant right or compensation for improvements, this fact and the amount, if then ascertained, shall be stated in the notice.

5. RULES OF LETTING

Every application for an allotment garden shall be made upon the form available from the Green Space Operations Division of the Council and shall be sent or delivered to that Department of the Council upon completion.

In the event there are two or more applicants eligible to become tenants and likely to keep the allotment garden in a proper state of cultivation, preference shall be given to an applicant who does not hold an allotment garden or agricultural land (other than a garden of 505 sq. metres or less attached to his/her residence) either from the Council or otherwise subject to such preference, the allotment garden shall be let to the applicant from whom a duly completed application form was received first in time.

6. GENERAL LETTING CONDITIONS FOR ALLOTMENT GARDENS

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

- a) To keep the allotment garden clean, in a good state of cultivation, in good condition, free of vermin.
- b) Not to cause or allow to be caused, any nuisance or annoyance to any other tenant of any other allotment garden, or obstruct, narrow or cultivate any path set out of the Council for the use of occupiers of allotment gardens.
- c) Not to sublet, assign or part with the possession of the allotment garden or any part of it without the written consent of the Council.
- d) Not, without the written consent of the Council, prune or cut any timber or trees, or take, sell or carry away any mineral, gravel, sand, soil or clay. This condition does not apply to the cutting or trimming of the boundary hedges in condition (e).
- e) Shall keep every hedge surrounding the allotment garden, other than the outward facing edges of perimeter hedges of the site properly cut and trimmed and shall keep all ditches properly cleansed. This includes all internal hedges that surround the tenants garden within a site that surround an allotment. The tenant shall also maintain In good repair all fences and gates to the allotment garden with the exception of the main access gates to the site.
- f) Animals or livestock (other than hens or chickens) must not be kept on allotments. Suitable facilities must be provided for the welfare of the animals and all environmental and animal welfare regulations must be adhered to.
- g) Shall not without the written consent of the Council, erect any building or structure in excess of 1.3 metres in height on the allotment garden. The application must include sketch plans including finished dimensions of height, width, length and the materials to be used for construction must also be identified. Asbestos is a forbidden material and is not to be used, all other materials must be approved before construction can proceed. At the conclusion of the tenancy, the tenant shall either remove the structure entirely or if acceptable to the new tenants assign it to them. The Council will not be a party to any such agreement but written acceptance of this should be lodged with the Council prior to any new tenancy commencing.
- h) Caravans must not be kept on allotment sites, any caravans currently on sites must be removed within one month of the allotment site holder being notified.
- i) Petrol, oil, fuel, lubricants or other flammable liquids and gas canisters must be stored in accordance with regulations.
- j) The Council is not to be liable for loss or damage to, whether by accident, fire, theft or otherwise of any sheds, greenhouses, structures or the tools and contents therein. Further the Tennant shall take reasonable care of the contents and shall be liable for any damage caused by them.
- k) Shall not sink a well on any allotment garden.
- l) Shall not plant fruit trees, bushes or shrubs within six feet of the boundary of the allotment garden nor plant a hedge within nine inches of the boundary and any such hedge shall not exceed 4'6" in height and 1 ft. in width in any event.
- m) Shall not use Barbed or Razor wire for a fence adjoining any Council land including pathways, pavements or other gardens.

- n) Shall not take, or authorise any person to take, a dog onto an allotment garden unless controlled by a leash. Any such person who causes a dog to be taken will be responsible for its conduct in relation to "The Dogs (Fouling of Land) Act 1996 or any other current legislation. Also shall not keep or kennel any dog on the allotment at any time.
- o) Shall not allow any child under the age of 12 years to visit the allotment garden unless accompanied by an adult.
- p) Shall not use the allotment garden for the furtherance of any trade business or profession or use it for the storing of any materials or waste.
- q) Shall use DEFRA approved chemicals for home vegetable production/domestic use and ensure that all chemicals are stored in their original containers, in a locked store. After use these containers should also be disposed of in the approved method. Chemicals that have or may have a residual effect or would preclude the land from being used for the cultivation of home produce must not be used or stored on the allotment garden.
- r) Shall not interfere with any fixtures or fittings supplied by the Council e.g. gates, locks, water services etc.
- s) **Bonfires (Guidance Note)**
The Council discourages the lighting of fires for the disposal of allotment waste and promotes a policy composting, shredding and recycling where applicable. Allotment tenants are advised that bonfires in urban areas may constitute a statutory nuisance to adjoining properties and the co-operation of the tenant is sought.
- t) Shall not tip debris, arisings or rubbish on any allotment garden. Illegal dumping will result in the prosecution of the offender under The Environmental Protection Act 1990 and/or immediate revoking or letting.
- u) Shall report to the Council any person causing or suspected of causing damage to buildings, fences or gates on the allotment gardens or committing any criminal act.
- v) Shall, as regard the allotment garden, observe and perform all conditions and covenants contained in the lease (if any) under which the Council hold the land.
- w) Shall observe and perform any other special condition which the council consider necessary to preserve the allotment garden from deterioration, and of which notice to applicants for the allotment garden from deterioration, and of which notice to applicants for the allotment garden is given in accordance with these Rules, providing that no special condition made under this paragraph shall have the effect of prohibiting or restricting the keeping of hens or rabbits.

7. Disputes

Disputes between Tenants are referred to the Council and the decision of the council will be binding on all Tenants involved in the dispute.

8. PAYMENT OF RENT

The rent of an allotment garden shall, unless otherwise agreed in writing, be paid yearly in advance by the 30th April, each year.

9. POWER TO INSPECT AN ALLOTMENT

Any Member or Officer of the Council, shall be entitled, at any time when directed by the Council, to enter and inspect an allotment garden and the tenant shall not frustrate this right.

10. TERMINATION OF A TENANCY OF AN ALLOTMENT GARDEN

The tenancy of an allotment garden shall, unless otherwise agreed in writing, terminate on the year rent day in accordance with Section 1 Allotment Act 1922.

The tenancy may also be terminated by the Council after one months' notice:

- a) if the rent is in arrears for not less than 40 days; or
- b) if the tenant not less than 3 months after commencing tenancy is not duly observing the Rules affecting the allotment garden, or any other term or condition of the tenancy;
- c) if the tenant disregards warnings over breeches in Rules or Conditions for the allotment site occupied;
- d) if the tenant moves house outside the District of Ashfield.
- e) the site must be left in good condition free from rubbish and waste, a charge will be made to the departing tenant for the clearance of all waste and rubbish left on the site which has not been cleared. All waste must be disposed of correctly at the proper facilities. It must not be dumped on vacant plots and any such waste disposed of in this way will be treated as fly-tipping and fall under The Environmental Protection Act 1990 where the offender will be prosecuted.

11. KEY DEPOSITS

A key deposit of £20 is required upon issue of the key. Upon termination of a tenancy, the key must be:

1. Returned to the Customer Services reception at the Council Offices at Kirkby or to any of the satellite offices that issue these keys;
2. In the case of a transfer of tenancy, the key to be passed to the new tenant – no second key will be issued. Note – the refund of any deposit paid will relate to the amount paid with no increase for inflation etc.

12. SERVICE OF NOTICE

Any notice may be served on a tenant either personally, by leaving it at the last known abode or by registered letter addressed to them or by fixing the same in some conspicuous position on the allotment garden.

13. EXEMPTION OF CERTAIN LETTINGS FROM THESE RULES

These rules shall apply to any land let to an Association or to any allotment garden which the Council under special circumstances these Rules come into operation, but not so as to affect any right to compensation for an improvement executed before these Rules come into operation.