

CHICHESTER



CITY COUNCIL

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Town Clerk : R Duggua RD BA (Hons)

ALLOTMENTS RULES & GUIDELINES

(Referred to in Clause 10 of the Tenancy Agreement)

Contact details

The Allotments team can be contacted at;

Chichester City Council
The Council House
North Street
Chichester
West Sussex
PO19 1LQ

Telephone: 01243 788502

Email: allotments@chichestercity.gov.uk

These rules should be read in conjunction with the plot holder's tenancy agreement. The rules will be amended from time to time; an up to date copy can be examined on the web site or by request from the council's offices.

PLEASE NOTE: THE COUNCIL HAS A ZERO TOLERANCE POLICY ON ABUSIVE AND AGGRESSIVE BEHAVIOUR TOWARD COUNCIL OFFICERS AND/OR SITE STEWARDS, WHICH WILL BE DEALT WITH BY IMMEDIATE EXPULSION FROM THE ALLOTMENTS.

Emergencies

In the event of an emergency contact the Emergency Services and ensure that the access gate is open. The Police will be needed if forced access is required.

Site steward

Tenants are advised to make contact with their site steward, who is the local representative for the City Council, and will be able to provide advice and assistance for most of the issues experienced by gardeners. Contact details can be found on the site noticeboard.

Allotment Stewards are NOT responsible for applying the allotment rules. That is the responsibility of Officers of the City Council.

Site, plot and personal property management and security

The site gates **MUST BE KEPT LOCKED AT ALL TIMES.**

Tenants are NOT permitted to remove plants, equipment or other items from another Tenant's plot without explicit permissions from the other Tenant.

Tenants are NOT permitted to dump waste of any kind on another tenant's plot OR in any of the common areas maintained by the City Council.

Twinned with Chartres, France and Ravenna, Italy

Any Tenant found undertaking ANY form of fly tipping will have their tenancy cancelled with immediate effect. This includes and is not limited to dumping any waste on any part of the allotment site and burying inappropriate waste on any part of the allotment site.

Any theft from or vandalism on a Tenant's plot should be reported to the Police in the first instance.

The City Council is not responsible for liaising with the Police in the event of theft or vandalism on plots but Tenants should keep the City Council informed of these issues so a record can be kept.

Cultivation

The Tenant must keep the allotment plot clean and free of weeds and otherwise maintained in a good state of cultivation and fertility. Plots must be fully cultivated to provide fruit and vegetables for personal consumption only, not for commercial profit. Wildflower areas are not permitted, nor is the cultivation of nettles for any purpose, including for animal feed. Overgrown areas are not acceptable even if other parts of the plot are well tended. However, in light of the Declaration of Climate Emergency (5 December 2018) it is understood that bio-diversity loss is the 'other side of the coin' in climate change/breakdown and differing cultivation practices can be utilised to encourage an enhanced level of bio-diversity. Use of 'green manures' etc to enhance soil health. Organic and soil-friendly techniques of propagation are encouraged.

Trees must be fruit or nut bearing rather than decorative and should be kept well pruned to a manageable size which does not overshadow or cause obstruction to communal paths or neighbouring plots. If any tree surgery is required this will be at the plot holders expense.

Pathways abutting the plot should be kept unobstructed, weeded and regularly cut.

Tenants are reminded that plots should be maintained to ensure crops are able to be grown throughout the year. *The National Allotment Society* guidelines (and many other publications that include crop rotation plans) contain details of how this can be done. Tenants should contact the site steward or Allotments team for any further assistance.

Plot Inspections

The allotments are inspected by City Council Officers twice during the growing season, in May and September.

Uncultivated Notices/Tenancy Terminations

Tenants of any plots deemed to be in an unacceptable state of cultivation will be subject to the following non-cultivation procedure:

- 1) A **Notice of Non-Cultivation** (letter 1) will be sent to the Tenant asking them to contact the Council to confirm their intentions for the plot:
 - a. Work is about to start or has begun, the plot is about to be or has been cleared and can be re-inspected in 4 weeks, or
 - b. the Tenant wishes to relinquish the plot.

- 2) If the plot remains in an unacceptable condition after 4 weeks a **Notice of Termination of Tenancy** will be sent giving **one month's notice** that the tenancy will be terminated.
- 3) If no contact is received from the Tenant and/or no significant improvement is seen on the plot within the notice period a final **Confirmation of Tenancy Termination** will be sent and the plot and any plants, materials and equipment left on the plot will become City Council property.

If you receive a Notice please contact the Allotments team as soon as possible. If you are experiencing difficulty in the cultivation of your plot, please contact us to discuss options, including reducing the size of the plot. The allotments management team will be willing to discuss individual arrangements where plot-holders find themselves temporarily unable to attend their plots for a variety of reasons, some of which may include the following:

- a) change in personal/family circumstance
- b) personal or family illness or incapacitation
- c) normal holidays/time away
- d) other unforeseen but legitimate reasons

Terminating a tenancy is a last resort, to be avoided, if at all possible.

Green waste management

Tenants are advised to follow the *RHS guidelines for composting* suitable green and brown waste organic material.

Material unsuited to these guidelines **should be removed from the site and taken to the County Council's green waste recycling depot.**

Tenants MUST NOT pile up green waste on their plots OR on any other part of the site (see also *Site, plot and personal property security* above).

Only sufficient green waste that can be composted on the plot using accepted methods is permitted to be kept on the plot.

Water conservation

The water on every site is metered.

The cost of supplying water to all the sites amounts to a considerable sum each year and the annual cost increases year on year.

For this reason, the use of sprinklers is now prohibited as is the unattended use of hosepipes.

Short term hand-held use of hose pipes is permitted as is the refilling of water butts by hosepipe.

We urge all Tenants to actively practise water conservation by installing a water butt on their plot and collecting rainwater via guttering on sheds and/or greenhouses.

In the event of the abuse of the water supply or continuing increases in water use, the City Council reserves the right to introduce a separate water charge based on a “per rod” fee or to replace the existing taps with push-top self-closing taps to prevent sprinkler and hose use.

Please bear in mind that the water supply to all sites is turned off when the clocks change in the Autumn and will not be turned back on until the clocks change in the Spring.

Structures

The Tenant must not, without the prior written consent of the City Council, erect any building or structure, shed or greenhouse on the allotment (such consent not to be unreasonably withheld).

No more than 10% of the plot should be taken up by structures.

As a general guide, sheds and greenhouses should not exceed 2.44m x 1.83m (8ft x 6ft) with a maximum height of 2.0m (6’6”) to the ridge and polytunnels should not be more than 3.05m (10ft) in length with a maximum height of 2.6m (8’6”) to the ridge.

However, the Allotments team has discretion to consider larger structures on a case by case basis based on the size of the plot.

Please note the following rules regarding the construction of the structures:

- 1) **Glass is not permitted in any new greenhouses, sheds or structures. Any glass in existing structures may remain provided it is in good condition. Broken glass must be replaced with plastic.**
- 2) All structures must be on a firm but **temporary base**, such as sleepers, loose laid paving slabs or compacted gravel.
- 3) **Concrete or similar permanent bases are not permitted. (Polytunnels may be anchored by means of buried builders buckets filled with concrete.)**
- 4) Brick or block-built structures are not permitted.
- 5) No material shall be used that may pose a risk to health or a risk of contamination. Barbed wire, corrugated metal sheeting, sharp materials and any asbestos containing materials are **specifically prohibited**.

Once a structure is approved it is the Tenant’s responsibility to ensure that it is maintained in a reasonable and safe condition.

Any structure for which consent has not been obtained may be removed by the City Council without notice, the cost of which may be recharged to the Tenant. (Existing structures that pre-date this Rules and Guidelines document may remain in place provided they are in reasonable and safe condition.

The City Council reserves the right to order a Tenant to repair or remove any unsatisfactory structure and to take such action as necessary to repair or remove the said structure.

If the Tenant does not comply with the City Council’s order within the stated timescale, the cost of removing the structure will be charged directly to the Tenant.

Dogs

All dogs must be securely held on a leash and controlled and prevented from entering any neighbouring plot.

Any fouling must be immediately removed.

The City Council reserves the right to ban any dog which causes a nuisance.

Bonfires

Allotment bonfires are the cause of many complaints made to the City Council.

Repeated complaints against a Tenant may result in termination of the tenancy and/or possible legal action. (The Environmental Protection Act 1990 states that to cause a “statutory nuisance” as a result of “smoke or fumes” is an offence and the Local Authority’s Environmental Health Department can take appropriate action to secure the abatement of such nuisance.)

The City Council strongly discourages bonfires and recommends composting as the alternative.

However, if a bonfire is absolutely necessary then please observe the following guidance:

- Bonfires must be restricted to the colder months of the year when neighbours are less likely to have windows open or be drying washing outside.
- Bonfires are to be avoided at the weekends and when neighbours are likely to be making use of their gardens. Be courteous and considerate at all times and extinguish the bonfire immediately if a complaint is received.
- Never light a fire within an hour of sunset or within 15 metres of any structure.
- Never leave a fire unattended.
- Ensure that you have adequate means to extinguish a fire close at hand in case the fire gets out of control.
- Be aware of wind direction and speed and avoid smoke reaching and causing a nuisance to neighbouring properties and other Tenants.
- Do not attempt to burn green waste. This should be composted.
- You must not burn anything on your allotment except for garden waste that cannot be composted. No domestic or any other waste may be brought onto the plot for burning. Many other materials can be recycled rather than burned.
- Produce a hot quick fire using only dry materials that will emit the minimum of smoke. Accelerants such as petrol, oil or paraffin **must never** be used.

During periods of extended hot, dry weather, the City Council reserves the right to ban ALL bonfires to prevent fires spreading.

Health & safety

Everyone involved in allotment gardening, including Tenants, have a duty to ensure that allotment sites are as safe as is “reasonably practicable”.

The City Council’s Property Manager shall undertake an annual site safety inspection of all allotment sites. This is a procedure which enables risks to be identified, their relative severity assessed and a strategy developed for managing and reducing risks to an acceptable level.

In general, the City Council is responsible for health and safety matters relating to site security, perimeter fencing, gates, water supply, common areas, main paths, roadways, untenanted plots and vermin control.

Tenants are responsible for health and safety relating to paths between plots as well as structures, fencing, bonfires, compost and manure heaps and pesticides etc. on their plots.

Tenants also have a responsibility for the health and safety of any persons visiting their plot.

An allotment tenancy may be terminated if the Tenant fails to comply with actions necessary to improve and maintain health and safety on allotment plots and sites.

Plot holders are reminded that all chemical fertilisers, pesticides and soil improvers must comply with the legislation in force. Details of the current approved compounds can be obtained from *RHS Chemicals and Pesticides Guidelines for Home Gardeners*. Organic and soil-friendly methods of cultivation are encouraged in order to reduce or preferably eliminate the use of pesticides and chemicals.

Important notice:

- 1) Any chemicals or pesticides must be removed from the site and stored elsewhere when not in use.
- 2) Livestock cages must be regularly cleaned with suitable cleaning solutions such as *Jeyes fluid* diluted according to the manufacturer's instructions.
- 3) Any persons under the age of 16 must be supervised at all times whilst on the allotment site.

Additional advice on health and safety on allotments is available from the Property Manager.

Insurance

It is advisable that Tenants take out their own Public Liability Insurance Policy and insure any shed, greenhouse or poly tunnel on their plot. The City Council is not responsible for any personal injury, loss or damage to any structure or item on your plot (see also ***Site, plot and personal property security*** above)

Tools and equipment storage

Tenants are advised that all hand operated tools and mechanical equipment should be removed from the site after use and stored elsewhere.

The council does not provide any secure storage facilities on its allotment sites and accepts no responsibility for any loss or damage (see also ***Site, plot and personal property security*** above).

Allotment keys

The Allotment Site key remains the property of Chichester City Council and must be returned to the City Council at the end of the tenancy. Plot holders are not permitted to copy the key or give it to any third party without the prior consent of the Council. If a replacement key is required due to loss or wear, please contact the Allotment team, who will be pleased to provide one. The current cost is £5.00.

Plot boundaries

The four corners of your allotment should be clearly indicated with marker sticks or slabs with the plot number painted on.

Please keep the grass walkways surrounding your plot regularly mowed/cleared especially during the summer months.

Keeping of hens on allotments

The rules and regulations regarding keeping hens on allotments are contained in the City Council's "Keeping hens on allotments" document which is available from The Council House, North Street.

Tenants have a statutory right under the Allotments Act 1950 to keep hens on their allotment.

Tenants wishing to keep hens on their allotment must complete and return a "Keeping hens on allotments" agreement.

No hens are to be moved on to a Tenant's plot until consent has been received from the City Council.

You may keep up to 6 hens (minimum of 2) with the written permission of the City Council.

Tenants have a duty of care and are responsible for the hens' well-being – Tenants should refer to the detailed notes in the "Keeping hens on allotments" agreement.

Cockerels are NOT permitted.

Bees and bee hives on plots

Bees are not permitted

Vermin and other pests

Tenants are advised to use physical barriers such as netting to protect their crops.

Serious damage by rodents or wild mammals should be reported to the steward.

Significant issues with vermin or other pests on allotments should be reported to the City Council's Property Department.

Vehicle access and parking on allotments

Where the site layout allows, tenants may take vehicles on to site for the purpose of delivering appropriate tools and supplies or for the removal of tools, waste and other sundries.

The City Council does NOT provide longer term parking on ANY allotment site. Once delivery or collection is complete, the Tenant must remove their vehicle to suitable parking outside the allotment site.

The Tenant is responsible for any damage caused by bringing their vehicle on site AND any damage caused by vehicles coming on site at the request of the Tenant. The City Council reserves the right to charge for any repairs caused in either case.

Roman Amphitheatre

- 1) Vehicle access to Roman Amphitheatre is across District Council land. Tenants should be mindful of this when taking vehicles to the allotment site.
- 2) Vehicle access is prohibited during the winter months to prevent damage to District Council land or vehicles getting stuck on soft ground.

Allotment Associations

The City Council encourages the establishment of Allotment Associations and is willing to enter into negotiations about such Associations amalgamating to take on the management and maintenance of the Allotments estate.

It is the City Council's intention and expectation that allotment holders should have the right to the benefit of quiet enjoyment of their plot and although not finite, these Rules and Guidelines are for the benefit of all allotment holders. Thank you for your anticipated cooperation.

Property Manager