



RULES FOR ALLOTMENT HOLDERS

Interpretation:

Throughout these Rules, the expression **THE COUNCIL** means the Town Council and includes any Committees of the Council, or any Garden Managers appointed by the Council under the Allotments Act 1908-1050

Definition of the persons eligible to be Tenants of the Allotment:

Any person, who at the time of application to the Council for an allotment is resident in the Town of Highworth or an employee of the Council, shall be eligible to become a Tenant of an allotment.

General conditions under which the allotments are to be cultivated:

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

1. He/She shall keep the allotment clean and in a good state of cultivation and fertility and in good condition.
2. He/She shall not cause any nuisance or annoyance to the occupier of any other allotment or place any waste vegetable or other refuse or debris on any path or roadway, or otherwise obstruct or reduce the width of any path or roadway set out by the Council for the use of the occupier of the allotment.
3. There shall be no open fires on the allotment garden plots.
4. Barbed wire shall not be used on any allotment.
5. Fruit Trees may be cultivated, but only in containers that can easily be removed from the allotment.
6. He/She shall from time to time when reasonably necessary, cut the grass on the partition strips between his and any adjoining allotment or alongside any path or roadway abutting on his allotment and shall keep such paths free from weeds.
7. He/She shall not, without written permission of the Council, cut or prune any timber or other trees, or take, sell, or carry away any mineral, gravel, sand or clay.
8. He/She shall not, without written permission of the Council, erect any buildings on the allotment. If permitted by the Council to erect a building on the allotment he shall adhere to the Council's specification, maintain it in good repair and shall paint it once every three years such colour as may be approved by the Council. Any building so erected must be removed within two weeks after the termination of the tenancy. Failure to remove may result in a charge.
9. He/She shall not allow any dogs in his charge to enter the allotment site except on a lead.
10. He/She shall not keep livestock of any kind on the allotment garden plots.



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11. He/She shall not obstruct the free flow of surface water in a trench or cutting abutting on or adjoining his allotment whether such surface water is from his own or any other allotment.
12. He/She shall not erect, display, or exhibit any advertisement board or advertisement upon any allotment.
13. He/She shall not use more than one-tenth of the area of the allotment for cultivation of flowers.
14. He/She shall, as regards the allotment, observe, and perform all conditions and covenants in the lease (if any) under which the Council holds the land.
15. He/She shall inform the Council in writing if he ceases to reside within the Town of Highworth.
16. He/She shall preserve the allotment stakes uninjured, and shall provide and maintain on the allotment, to the satisfaction of the Council, a numbered plate correctly stating the number of the allotment as determined by the Council.
17. He/She shall not under-let, assign, or part with the possession of the allotment, or any part of it, without written consent of the Council.
18. He/She shall not take or remove any plants or crops from any other garden without the tenants' permission.
19. He/She shall not drive vehicles nor ride motorcycles or bicycles across the Recreation Ground or Playing Field or obstruct the driveways of the Residents of Park Avenue – anyone found so doing on three separate occasions will forfeit their allotment.
20. He/She shall park a motor car only in the car park areas provided. If allocated any allotments 1-14 he may use the small defined turning space shown on the existing allotment area (if using this space, he shall proceed onto the main Highworth-Swindon Road (A361) in a forward direction only and the gate leading into the allotments must be locked after use.
21. He/She shall be responsible for ensuring that any person present in the Allotment Garden with or without the tenant's permission does not suffer personal injury or damage to his property.
22. The tenant shall observe additional rules that the Council may make or revise for the regulation and management of the Allotment Garden and other allotment gardens let by the Council.

Payment of Rent:

The rent of the allotment shall be due on the first day of February annually and, unless otherwise agreed in writing, is to be paid by no later than the last day of February in each year.



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Power to inspect allotments:

Any member (or officer) of the Council shall be entitled at any time when directed by the Council to enter and inspect an allotment.

Regular inspections will be carried out by the Council representatives and any plot not adhering to rules and regulations will be notified. If this persists your agreement may be terminated.

Termination of tenancy of allotment

The tenancy of an allotment shall, unless otherwise agreed in writing, terminate on the yearly rent day next after the death of a tenant, and shall also terminate whenever the tenancy or right of occupation of the Council terminates.

It may be terminated by the Council by re-entry after one month's previous notice in writing to the tenant: -

- (i) If the tenant is in arrears for more than 40 days: or
- (ii) If the tenant is not duly observing the rules affecting the allotment or any other term or condition of the tenancy
- (iii) It may also be terminated by the Council or tenant by twelve months' notice in writing expiring on or before the sixth day of February, or on or after the twenty-ninth days of September, in any year, or three months in certain circumstances.
- (iv) Allotment holders who allow their plot to deteriorate due to neglect may be liable to pay compensation on quitting. (Allotment Act 1950)
- (v) If the tenant lives more than one mile outside Highworth.

Service of Rights:

On the termination of the tenancy, the tenant shall remove any shed, greenhouse or other building or structure erected in the Allotment Garden unless the Council agrees otherwise which shall be confirmed in writing to the tenant.

Any written notice required by the tenancy shall be sufficiently served if sent by registered post to or left at the parties' address. Any notice to be served by the tenant shall be addressed to the Council's Clerk.

D Rose

Deanne Rose
Town Clerk
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