

## Allotment Tenancy Agreement and Rules for Uppingham Town Council

### Revised Terms and Conditions – Uppingham Town Council Allotments

Terms and Conditions concerning sites at Leicester Road and Tod's Piece, Uppingham, Rutland.

**AN AGREEMENT** made this date –

Between the Town Council of the one part (hereinafter called 'the Council') and **XXX** (hereinafter called 'the tenant') of the other part whereby:

1. The Council agrees to let and the tenant agrees to hire the allotment number **XXX** in the register of allotments for the Town of Uppingham.
2. The yearly rental shall be £30.00 for a full plot, £17.50 ½ plot and a maximum of 1 plot per person (plus a retainer of £50.00 which will be returned if the allotment is given back to the Council in a tidy state) to be paid by the tenant to the Council in April each year. The plots will be allocated to Uppingham residents unless a vacancy occurs and there is no waiting list at that time. The Council reserves the right to increase this sum at any time, provided only that the Council gives to the tenant in writing notification that the increased rental be not due until six months after notification.
3. The tenant hereby agrees to abide by the current 'Allotment Guidelines for Uppingham Town Council' document published on 1<sup>st</sup> April 2024 These are available to read on the Council website or on request from the Town Hall.
4. The tenancy may be terminated:
  - a) By the death of tenant.
  - b) By the tenant giving the Council one month notice in writing.
  - c) By the Council giving the tenant two months' notice in writing, except that where the rental is in arrears for more than forty days, or where it appears to the Council that the conditions of the tenancy are not being complied with by the tenant, this period shall be one month.
  - d) Should any activity by a current tenant on the allotment sites owned by the Council result in a criminal prosecution.
5. On termination of a tenancy in the circumstances all but 4 a) above, the Council reserves the right to return the allotment to a good condition for letting at a reasonable expense and will invoice the former tenant for settlement of the full amount if the retainer has not been previously paid.

6. The Council does not accept liability for any accident to the public or other allotment holders occurring on your allotment. You are advised to take out public liability insurance.
7. You must inform the Town Clerk's Office if you change address or have new contact details. Any written correspondence, for example: letters, notices, forms, will be deemed to have been served if sent by post to the tenant at his/her last known address (or by an agreed preferred alternative method, i.e., email
8. Personal information held by the Council in relation to your allotment tenancy will be held in accordance with Data Protection. Any requests for information held by the Council in relation to the allotment tenancy will not be divulged to a third party without express written permission from the tenant.
9. The Tenant must notify the Council of any change in circumstance which might temporarily prevent cultivation of the plot such as prolonged holiday, accident, or illness.
10. The Council will not provide any refunds should the plot be vacated during the rent year or from a tenant being evicted.
11. A maximum of 1 Allotment shall be allowed per person, to allow fair allocation to all residents

Signed by both a representative for the Council and the tenant.

**Signed by the Tenant:**

**Signed by the Clerk to the Council:** *S. Coe*

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**RULES:- Tod's Piece and Leicester Road Allotments**

These rules are intended to ensure that the allotment sites run by Uppingham Town Council are used for the good of the community, fellow allotment holders and any residents living close by. Allotments have their own legislation which dictates how allotments should be used and most of the do's and don'ts on this document are legal requirements.

Failure to abide by these requirements means you could be breaking the law!

To ensure everyone enjoys the allotments we ask that you are familiar with the points below and

abide by them at all times.

If you need any clarity on the points covered you can contact the Town Clerk on 01572 822681 or by email [townclerk@uppinghamtowncouncil.gov.uk](mailto:townclerk@uppinghamtowncouncil.gov.uk) – we are keen to help you get the most out of your allotment. In addition to council support you can also seek guidance from some of our longstanding, experienced allotment holders.

Leicester Road Allotment Association [debsmartin21@gmail.com](mailto:debsmartin21@gmail.com)

Tod's Piece Allotment Association [DrKenStewart@yahoo.co.uk](mailto:DrKenStewart@yahoo.co.uk)

### Allotments Do's and Don'ts

1. You can plant vegetables, soft fruit, herbs and flowers.
2. If your plot has gates you **MUST** always ensure you close them behind you
3. You can bring your dog on site as long as it's kept on a lead at all times, and clear up any faeces.
4. You can have a small lawn area as long as it's regularly mown.
5. You **must** erect a clearly visible number board on your plot, and we will advise you of the plot number.
6. If you have fruit bushes/trees, etc. you must maintain the area around them and make sure they are pruned regularly.
7. You must cultivate at least 50% of your plot and keep the rest free from weeds and cut any long grass.
8. You **MUST** pay your allotment rent with 30 days of receiving an invoice.
9. If you vacate your plot you must pay any rent owed and return the plot in the same state it was received, otherwise a fee will be charged (or the initial deposit/retainer utilised on the newer plots) if UTC have to do this before reallocation.
10. You **must** permit entry to sheds/structures for the Town Clerk or **Inspection Working Party** at any time that you are requested to do so.
11. If you vacate your plot you **MUST** remove all belongings within two weeks and any sheds that were on site before the current tenant must remain in place.
12. Please be considerate and respectful to other allotment holders.

## **Don'ts**

1. No turf, sods or soil to be removed from the plot and moved to other parts of the site.
2. You are not allowed to sublet your plot without the prior agreement of the Town Clerk so that a proper Legal agreement can be put in place.
3. You are not allowed to use your plot for any trade or business without prior consent of the Town Clerk, this will be subject to an addendum to your allotment tenancy agreement.
4. You are not allowed to block communal pathways, these must be kept clear for safety purposes.
5. You are not allowed to wash crops or tools in water troughs.
6. You are not allowed to use a hosepipe or a sprinkler to water crops.
7. You are not allowed to have smoky bonfires that may cause a nuisance (see additional information on bonfires below)
8. You are not allowed to cause a nuisance to other plot holders or neighbouring householders - nuisance could include bad language, getting drunk, playing loud music, racist language etc.
9. You are not allowed to go onto other people's plots unless they have given you permission.
10. If you have children or young people with you on site they must be supervised at all times
11. You are not allowed to dig up paths between plots.
12. You are not allowed to use any form of violence on-site, be it physical or verbal.
13. You must obtain written permission to erect a shed exceeding 6' x 4'. Sheds to be marked with the full plot number and be kept in good state of repair.
14. You must have written permission to plant fruit trees or other trees on the plot, if this has not been given, then they are subject to an inspection and may be asked to be removed if perceived to be a nuisance to other plot holders.

## **Bonfire Rules:**

Bonfires are permitted under certain conditions, which are designed to prevent a nuisance being caused to neighbouring residents and other plot holders. Under the Environmental Protection Act

1990 it is an offence to cause a nuisance through the generation of 'smoke emitted from premises so as to be prejudicial to health or a nuisance'. Therefore, the tenant must conform to the following requirements:

1. Bonfires are not permitted from 1st June to 31st August each year.
2. Only burn when suitable weather conditions permit, to avoid causing a nuisance (wind drift etc.)
3. Only burn organic matter and dry vegetable matter that has been produced on your own plot.
4. Non-vegetable matter such as plastic, rubber, carpet or roofing felt must not be burnt and flammable liquids should not be used to light fires.
5. In the event of a reasonable complaint, from another tenant or member of the public, regarding a nuisance being caused by the bonfire, then the fire must be extinguished immediately – this will be determined by the Town Clerk and resolved with the allotment holder.

### **Inspections**

1. The Allotment Inspection Working Party consisting of (Admin Asst, Chair and Vice Chair of Amenities Committee and a member of each Allotment Association) will undertake inspections which will be carried out monthly from April until September, every year to monitor progress. The first inspection will be on, or the closest weekday to 1st April and the final inspection will be carried out on, or the closest weekday to 1st September. A winter inspection will be performed to make sure that the plots are not being used as storage facilities. This will be ad hoc.
- 2) The Tenant shall keep the allotment well maintained, free from weeds, properly cultivated, manured and in a good state of cultivation all year round. The allotment will be used wholly and mainly for the production of vegetable, fruit and flower crops for consumption or

enjoyment of the tenant and his / her family and for no other purposes and not for profit.

Water butts & ponds must be covered at all times; the plot is to be kept clear of all rubbish.

3. Where a tenant fails to maintain a good standard of Cultivation (deemed by the Allotment Inspection working party) at the time of the monthly inspection, the Council will serve a Notice to Improve letter, giving 28 days for improvement, before the next month's inspection.
4. If there is no improvement at the inspection one month later, a second letter will be sent giving the tenant **TWO MONTH'S NOTICE** to vacate the plot.
5. If after two months of the notice, the plot has not been vacated the Council will take the allotment back into council ownership, clear the plot and reallocate to the next person on the official waiting list at the Town Clerk's Office.