

Tring Town Council  
Market House  
61, High Street  
Tring  
HP23 5DB

## ALLOTMENT TENANCY AGREEMENT

AN AGREEMENT made this day BETWEEN Tring Town Council and (Name) \_\_\_\_\_

whereby the Council agrees to let and the Tenant agrees to take on a yearly tenancy from the 1st October 2023,  
plot number.....in the Register of Allotments provided by the Council.

THE TENANCY is subject to the Allotment Acts 1908 to 1950 and to the Regulations endorsed on this agreement and also to the following conditions:

The allotment year is from 1st October 2023 to 30th September 2024.

The rent shall be paid by the 1st day of October to the Town Council by cash, cheque (made payable to Tring Town Council), or by direct payment as follows:

Bank Account Name: TRING TOWN COUNCIL

Sort Code: 60-83-01

Account Number: 20474771

Reference: Please use your surname and Plot No.

For the year 2023/24, the cost per plot is:

Full plot - £60.00

Half plot - £30.00

A £25.00 deposit is required for new plot holders together with proof of residency in Tring.

Your Site manager is Caroline Murray, Deputy Town Clerk and you can contact her at [admin@tring.gov.uk](mailto:admin@tring.gov.uk) or 01442 823347.

In this agreement, allotment means the sum of all areas of allotment land rented to you (including half of each adjoining path); tenant means you; council means Tring Town Council, and site manager means the council appointed site manager or their approved equivalent.

### 1. REVIEW OF CHARGES, SERVICES AND RULES

The council reserves the right to review this agreement and the charges for allotments and services as required. Before making any changes, the council will give you notice of such changes.

### 2. PAYMENT OF RENT AND TERMINATION DUE TO NON- PAYMENT

Allotments are leased annually from October 1st and payment is due in full within 40 days of October 1st. If you fail to pay, your tenancy may be terminated and the allotment re-let without further notice. The council or site manager will not be able to provide refunds.

### **3. ASSIGNMENT AND SUBLETTING**

You are responsible for the allotment and may not sublet it or pass the tenancy on to anyone else, and you must notify the site manager in writing if you intend to give up your plot.

### **4. USE**

You may use the allotment for the cultivation of fruit, vegetables, flowers, and herbs for non-commercial use and not for any other purposes. The majority of the allotment must be used for the cultivation of fruit and vegetables; no more than 10% may be laid to lawn or similar. Sheds or other permanent structures are not permitted on the site. A separate agreement is required to keep fowl – subject to site manager approval. Beekeeping is not permitted.

### **5. CULTIVATION**

You must keep the allotment in cultivation, keep weeds under control and maintain the soil in a healthy and fertile state. Failure to do so may lead to the issue of an improvement notice from the council. In the event of a failure to comply with the conditions set out in this notice the council may terminate your tenancy on 3 weeks' notice and under the 1950 Allotments Act may seek compensation for the cost of making good any deterioration to the land. In cases of appeals against eviction due to non-cultivation, the council's decision will be final. If you are issued with 3 improvement notices within 3 years, your tenancy may be terminated without further notice. See additional notes below.

### **ALLOTMENT RULES**

### **6. INFRASTRUCTURE**

Unless otherwise agreed, the council is responsible for the upkeep of hard standing, water supplies, fences and gates, hedges, ditches, main pathways and other communal areas and features of the allotment site. It is your responsibility to report damage to the site manager.

### **7. PATHS**

You are responsible for maintaining paths bordering your allotment in good order, healthy growth and free from obstruction. A clear passage at least 1 metre wide must be maintained at all times.

### **8. SHEDS, GREENHOUSES, FENCES, POLYTUNNELS & STRUCTURES**

Sheds, greenhouses and fences are not permitted. Polytunnels are permitted on a case by case basis. The final decision will be with the Town Warden. Apply to your site manager.

### **9. WASTE**

You must not take sell or carry away any mineral, sand, earth or clay without the written consent of the council.

### **10. RUBBISH\***

No rubbish may be left anywhere on the allotments. You are responsible for removing all rubbish on your plot.

### **11. TREES\***

Trees on your allotment must be managed so as not to adversely affect the use of neighbouring allotments or paths. You must not cut or prune any timber from trees that belong to the council without consulting the council or your site manager.

## **12. WATER\***

You may not make excessive use of water, tamper with the supply, or connect a hosepipe to the supply. You are responsible for reporting water leaks to the site manager. Where provided, water is normally available year round except in freezing conditions.

## **13. BONFIRES\***

Bonfires are allowed from 1st September to 30th April but only under the following conditions:

- In incinerators and only lit when the prevailing wind is away from residential properties
- Never left unattended and extinguished before leaving or if a nuisance arises
- You burn dry organic material only
- When this does not cause a nuisance to others

Tenants failing to follow the guidelines will be putting their tenancy at risk. In the case of sites located close to surrounding local residences, persistent complaints are likely to lead to a blanket ban on all site bonfires.

## **14. CHEMICALS\***

Tring Town Council is committed to environmentally friendly practices, and pesticides and herbicides are not recommended on the allotment site.

## **15. NUISANCE\***

You must not cause undue nuisance or annoyance to any other tenant, a site manager or to the occupants of any premises adjoining the allotment site, either through an action or inaction, or by rude or offensive behaviour, whether through carelessness, ignorance, or persistent or deliberate action. The Council has a zero-tolerance approach to this rule and any tenant found causing a nuisance may result in the termination of your tenancy.

## **16. DOGS\***

Any dog under your control must not be allowed onto any allotment but your own, and excrement must be removed from the site promptly.

## **17. BARBED WIRE**

You must not use barbed wire, razor wire or similar on the allotment.

## **18. DISPUTES**

Any dispute between yourself and another tenant must be referred to the council or site manager whose decision will be final.

## **19. SPECIAL CONDITIONS**

You must observe and perform any special condition the council considers necessary to preserve the allotment from deterioration of which notice is given to you.

## **20. INSPECTION**

Any authorised officer or representative of the council is entitled to inspect any part of the allotment and should have free unrestricted access to the plot.

## **21. LEGAL OBLIGATIONS**

You must observe and comply fully with all Acts, statutory instruments, local, parochial or other bye laws, orders or regulations affecting the allotment.

\* Your attention is drawn to the Wildlife & Countryside Act 1981, the Environmental Protection Act

1990, the Antisocial Behaviour Act 2003, and the Clean Neighbourhoods & Environment Act 2005, which provide the local authority with additional powers of enforcement for various allotment rules. If a fixed penalty or legal notice is served on you, this may lead to the termination of your tenancy.

## **22. ADMITTANCE**

Any authorised officer or representative of the council has the right to refuse admittance to the allotment to any person other than the tenant or members of the tenant's family. The tenant is at all times responsible for anyone that they invite onto the allotment.

## **23. TERMINATION**

The council may terminate your tenancy:

(a) on failure to pay for your plot in full within 40 days of October 1st your tenancy may be terminated and the allotment re-let without further notice.

(b) by giving 3 weeks' notice in writing, if you fail to comply with rule 5 and at least three months have elapsed from the start or renewal of your tenancy and 3 weeks have elapsed from the issue of an improvement notice. In the case of appeals the Deputy Clerk's decision will be final.

(c) by giving notice in writing, if you fail to comply with any of the conditions in this agreement other than rule 5. In case of dispute you should write to the Deputy Clerk at the address above, whose decision will be final.

## **24. NOTICES**

Any notice from the council may be served on you either personally or by leaving it at your last known address or letter sent by email or ordinary post or by fixing the same in some conspicuous place on the allotment. You must immediately inform the site manager or the council of any change of address.

## **ALLOTMENT HEALTH & SAFETY**

If you want to discuss anything about your tenancy, you will need to know the plot number and the name of the site; these are found on the front page, as is the name of your main contact.

The plot size is calculated by the council as a half plot or full plot. As a tenant, you are responsible for your plot and the paths around it and for your visitors.

Please inform your site manager of any change of address or email address, as either may be used for the council's communications. Please keep this agreement handy for future reference.

## **YOU AND YOUR PLOT**

### **I. PATHS**

Ensure that paths are not obstructed at any time; do not put stones on paths as these may fly up when the paths are strimmed; do not use weed killer or put wood chippings or carpet on grass paths as these will cause the paths to deteriorate; and keep grass paths trimmed so that the route is obvious. Any drainage ditches dug alongside paths should be kept clear of long grass and made visible to people using the paths.

### **II. CANES AND POSTS**

Canes and narrow posts should be capped to avoid eye injury - an upturned plastic water bottle will do. Short metal posts should not be used near paths – they may cause a passer-by to trip.

### **III. PONDS**

Ponds must be located away from paths and surrounded by material (plants, etc.) to offer the least

possibility of accidents.

#### **IV. POWER AND HAND TOOLS**

Before using a power tool, ensure you are familiar with the instructions and use the recommended safety wear. Remember that a strimmer/brush cutter can throw a stone 15 metres, or over 3 plots. Whilst operating equipment, particularly on or adjacent to paths, be aware that others may walk up behind you without realising that you can't hear their approach. Do not leave tools lying on the path. Ensure that blades are sheathed or stored in a safe place when not in use. Lay rakes on the ground point-side down.

#### **V. GARDENING CHEMICALS**

Keep all chemicals in their original, labelled containers and follow the instructions carefully. Store the chemicals in a safe place, preferably out of the reach of children.

#### **VI. MANURE**

Horse manure and other manures should be composted for at least six months to avoid contamination of the soil by veterinary products.

#### **VII. PETROL, PARAFFIN AND GAS**

If you use a petrol-powered tool, bring sufficient fuel for your requirements and take away any fuel left over. If you use LPG gas to boil water, do not keep spare cylinders in the same area. If you have a paraffin greenhouse heater, make sure there are no flammable materials nearby.

#### **VIII. BROKEN GLASS & SIMILAR HAZARDS**

Wrap broken glass in newspaper and dispose of it and other hazards, e.g. scrap metal, safely away from the allotments.

#### **IX. ASBESTOS CEMENT**

Asbestos cement can be made safe by first thoroughly wetting it and, using gloves, wrapping it in plastic, avoiding any further breakage. Seal, label and store the bag on your plot where it is unlikely to be disturbed. Report it to your site manager so that collection can be arranged. Never bury asbestos cement or dispose of it anywhere on the allotments.

#### **X. BONFIRES**

Do not use petrol to start a bonfire, and tend the fire at all times to ensure it doesn't get out of control. Please refer to the Council bonfire guidance posted on the gate or noticeboard, also available online.

#### **XI. GIANT HOGWEED**

Giant Hogweed is often found close to rivers and canals. It contains a substance within its sap that makes the skin sensitive to ultraviolet light. This can result in severe burns, swelling and painful blistering. Contact occurs either by brushing against the bristles on the stem or breaking the stem/leaves. In the event of contact with the sap, the skin should be covered to reduce exposure to sunlight and washed immediately and thoroughly with soap and water, use protective clothing if you plan to dig it out.

If Japanese Knotweed is found, advise your site manager. Do not attempt to treat it yourself and risk transferring it to other properties.

#### **XII. FOR VISITORS**

Remember that you are responsible for your visitors at all times. Children are welcome at the allotments but must be supervised at all times. Please draw their attention to these points: Allotment paths are often crooked and uneven so be careful where you walk, and in particular watch out for obstructions that may be obscured by vegetation. Don't stray off the paths: soil which appears firm may be recently dug and thus soft; there are many ponds, some small; netting and fine cord (used to deter birds) may be invisible to the naked eye; broken glass is common. Never approach someone who is using a power tool, particularly if they are wearing ear defenders: they are unlikely to be aware of your approach and may swing round and catch you with a cutting blade or similar. Do not touch the ash of a bonfire: it can retain a high temperature for hours, even after heavy rain.

## **CULTIVATION**

- In the first three months of growing season, usually March to May, at least 25% (a quarter) of the plot should be cultivated
- After six months of the growing season up to 50% (half) of the plot would expect to be cultivated
- After 1 year 75% (three-quarters) must be cultivated
- From the second year onwards, 75% or more of the plot must be cultivated during the growing season
- Areas of a plot which are covered for example by tarpaulin or cardboard are not considered to be cultivated
- Up to 10% of the total area of the plot can be used for a composting area and/or water storage. Polytunnels can cover a larger area provided they are used for cultivation and not storage
- If the plotholder is engaged in wildlife gardening or similar such that their plot may appear to be non-cultivated, they must seek prior approval from the site manager
- Trees must be managed in accordance with rule 11
- Failure to comply with the above points will render the plotholder liable to a Non-Cultivation (NC) and Notice to Quit (NTQ) order.

## **ADVICE/THE COUNCIL**

If a serious issue requires prompt investigation or action (for instance, a tree in a potentially dangerous state) this should be reported to the council on 01442 823347, giving the allotment site name and approximate location of the danger. The council is responsible for ensuring proper use of the allotments, and carries out inspections to this end. If you believe a plot is not being properly used, please report this to your site manager.