**RULES AND CONDITIONS FOR BLACK NOTLEY PARISH COUNCIL ALLOTMENTS IN JOHN RAY GARDENS / BEDELLS AVENUE**

**Allotment use**

The reason for an allotment plot is growing fruit and vegetables, flowers and herbs for the plotholder and his or her family. With permission from Black Notley Parish Council (the Council), through the Clerk of the Council (the Clerk) and subject to the suitability of the location, a plotholder may also keep certain livestock, for which specific rules apply. Please ask the Clerk for further details. Allotments may not be used for commercial gain, though the sale of small quantities of genuine surplus is allowed.

**Allocation**

Plots will always be issued first to a person within the Parish. Persons outside of the Parish can be added to the waiting list, but they are made aware that people in the parish will always take priority over them. A second plot will not be granted to an existing plot holder unless there is no one sitting on the waiting list.

**Bonfires**

Plotholders may have bonfires to burn diseased plants and material which is difficult to compost, but may not burn material that may harm the soil – no paint, bitumen (roofing felt), plastics, etc. The bonfire must be managed safely at all times and must be left in a safe condition when the plotholder leaves the site.

A bonfire must not be allowed to create a nuisance to other tenants or neighbours. Please think about the timing of your bonfire. Having a bonfire on a sunny bank holiday weekend is likely to cause more nuisance than at the end of a dull day in January.

Complaints about bonfires are investigated by the Environmental Service at Braintree District Council and can result in a fixed penalty notice, legal action and the termination of the allotment tenancy.

**Disputes**

If you are a plotholder and in dispute with another plotholder regarding their or your use of the allotment, you must bring this to the attention of the Clerk. If the dispute can be resolved locally the Clerk will do so. If not, then you must put your complaint in writing to the Clerk of the Council at

info@blacknotley-pc.gov.uk

Please make sure that you include your name and address and your plot number, as well as details of the dispute. The council will not intervene in the case of personal disputes, and if you make an allegation that is subsequently determined to be malicious you could lose your allotment.

**Dogs**

A tenant may take their dog to the allotment, as long as the dog is under control at all times and not allowed to walk on any plots other than the tenant’s. Note that if a dog is aggressive or particularly nervous, then this might constitute a nuisance to others and you may be asked not to bring the dog to the allotments in future.

Stray dogs must be reported to the council.

**Fencing around plots**

There is no specific restriction on fencing around plots, but any fence must not affect any neighbouring allotment tenants. In general, if you wish to train climbing plants up trellis, this should be at least half a metre away from the path. Low fences are less intrusive than high ones. Material in keeping with allotments (chestnut palings, for instance) is more likely to be acceptable the wire fencing panels. The final decision is at the discretion of the Clerk.

**Noise**

The rules state that tenants must not cause undue nuisance or annoyance to others. Such a nuisance is also covered by section 79 of the Environmental Protection Act. Complaints are investigated and can result in a fixed penalty notice, legal action and the termination of the allotment tenancy.

**Overgrown plots**

Plotholders are required to maintain their plots in a good state of cultivation and free of weeds and to maintain the paths around their plots. The law allows tenants three months from the start or renewal of tenancy to bring the plot into a good state.

The council will not evict a tenant who is ill – or caring for someone who is ill – but has a realistic prospect of return to use the allotment. In these circumstances you must keep in contact with the Clerk about the situation.

If you garden a plot near an apparently unworked plot, you may wish to bring this to the attention of the Clerk. Please remember that the best course of action, if a tenant is struggling to make a success of their plot, is to offer sensible help and advice about how to bring it into use.

**Rabbits, Chickens and Bees**

If you wish to keep rabbits, first get permission from the Clerk. Specific rules apply, in addition to the basic rules.

## Rubbish

The council does not provide plotholders with a rubbish collection service. Any rubbish from allotments must be disposed of using the domestic waste collection service or by taking it to the District Council’s waste and recycling facilities. A plotholder who leaves rubbish on the allotments is in breach of their agreement. The Clerk may investigate and ask Braintree District Council to take action against anyone found to have deposited waste, and the licence of a plotholder may be reviewed.

## Sheds

The council does not provide sheds for plotholders. The relatively modest cost of prefabricated garden sheds has led to most gardeners preferring to have a shed of their own on their plot. Being temporary structures – concrete bases are not allowed – these sheds do not require planning permission, but must be approved for position, size and material by the Clerk. A plotholder who puts up a shed without getting permission first will be asked to take it down.

Black Notley Parish Council will review the Rules and Conditions annually and reserves the right to make any amendments that are appropriate at any time.

The Rules and Conditions were agreed at the Parish Council meeting on 28th February 2024.

**~~RED with strikethrough~~ – proposed deletion**

**GREEN – proposed addition**

**BLUE – minor alteration to be grammatically correct**

**~~(POLICY)~~ DRAFT RULES AND CONDITIONS FOR BLACK NOTLEY PARISH COUNCIL ALLOTMENTS IN JOHN RAY GARDENS / BEDELLS AVENUE**

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**Allocation**

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**Bonfires**

Plotholders may have bonfires to burn diseased plants and material which is difficult to compost, but may not burn material that may harm the soil – no paint, bitumen (roofing felt), plastics, etc. The bonfire must be managed safely at all times and must be left in a safe condition when the plotholder leaves the site.

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**Disputes**

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**Overgrown plots**

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**Rabbits, Chickens and Bees**

If you wish to keep rabbits, chickens and bees first get permission from the Clerk. Specific rules apply, in addition to the basic rules.

~~The Animal Welfare Act 2006 makes it an offence to fail to:~~

* ~~Provide a suitable environment for the rabbits~~
* ~~Provide a suitable diet and fresh water~~
* ~~Allow the rabbits to exhibit normal behaviour~~
* ~~House several rabbits together as they are social animals~~
* ~~Protect them from pain, injury, suffering and disease.~~

## Rubbish

The council does not provide ~~(allotment tenants)~~ plotholders with a rubbish collection service. Any rubbish from allotments must be disposed of using the domestic waste collection service or by taking it to the District Council’s waste and recycling facilities. A ~~(tenant)~~ plotholder who leaves rubbish on the allotments is in breach of their ~~(tenancy)~~ agreement. The Clerk may investigate and ask Braintree District Council to take action against anyone found to have deposited waste, and the ~~(tenancy)~~ licence of a plotholder may be reviewed.

## Sheds

The council does not provide sheds for plotholders. The relatively modest cost of prefabricated garden sheds has led to most gardeners preferring to have a shed of their own on their plot. Being temporary structures – concrete bases are not allowed – these sheds do not require planning permission, but must be approved for position, size and material by the Clerk. A plotholder who puts up a shed without getting permission first will be asked to take it down.

~~(Agreed at Parish Council meeting on the 22~~~~nd~~ ~~November 2023 to be reviewed annually.)~~

Black Notley Parish Council will review the Rules and Conditions annually and reserves the right to make any amendments that are appropriate at any time.

The Rules and Conditions were agreed at the Parish Council meeting on xx xxxxxxx 2024