



EXMOUTH TOWN COUNCIL

EXMOUTH & DISTRICT ALLOTMENTS ASSOCIATION RULES

(Issued by Exmouth Town Council 2006: Revised 2015 and 2017; amended May 2018)

The tenancy of an EDAA Allotment garden is subject to the Allotments Acts 1908 to 1950 and also to compliance with the following Rules:

- 1) **Eligibility:** Any person, who at the time of application to the Council for an allotment garden is permanently resident in postcode EX8, shall be eligible to apply to become a tenant.
 - 1.1 Tenants shall not use the Allotment garden for residential purposes.
 - 1.2 No tenant can hold more than 2 full plots (**or equivalent**).
 - 1.3 The maximum total area of plot that can be held by any one plot-holder is 500 sq. m.

- 2) **Cultivation: The main purpose of an allotment garden is to grow produce.**
 - 2.1 Produce may be vegetables fruit or flowers. Fruiting trees and fruiting bushes are allowed.
 - 2.2 The maximum height allowed for a fruit tree is 4.5 metres. Its trunk should be at least 1 metre from any boundary of the plot. The tree or shrub should not overhang the boundary.
 - 2.3 No other trees or shrubs can be grown.
 - 2.4 Allotment produce may not be grown or sold as part of a commercial enterprise.
 - 2.5 Sales for charity or occasional surplus may be sold.
 - 2.6 All plots should be under some form of cultivation and **be kept** largely weed free.
 - 2.7 A proportion of the land may lie fallow as part of crop rotation.
 - 2.8 An area of grass or mulch for rest and relaxation can form part of the allotment up to 10% of the whole.
 - 2.9 Tenants must not stay overnight on the allotment site.

- 3) **Boundaries: All boundary paths should be maintained regularly to facilitate communal access.**
 - 3.1 Paths must be at least 50cm wide and keeping them trimmed is the joint responsibility of both plot- holders **on both sides**.
 - 3.2 The tenant shall keep the internal face of any boundary hedge trimmed.
 - 3.3 The maximum height of any internal hedge should be 1.2 metres.
 - 3.4 The tenant must keep adjacent ditches clear.
 - 3.5 Allotment plots and surrounding paths must be kept tidy, generally weed free and clear of rubbish.

- 4) **Storage: Allotments may not be used for the storage of any item other than is needed for normal allotment routine.**
 - 4.1 Plots must not be used to store unwanted items or waste, including: carpet, white goods (eg fridges, boilers, etc.), waste glass and plastic items, sanitary ware (toilets, baths, wash bowls), tyres and any other items deemed as waste by the EDAA Committee.

- 5) **Health and safety: All persons have a duty of care towards themselves and others who may enter the allotments site.**
 - 5.1 All structures must be safe.
 - 5.2 All chemicals must be labelled and stored under lock and key.
 - 5.3 No banned chemicals may be held on the allotments.

- 5.4 Only garden chemicals available for purchase at a normal retail outlet and intended for domestic use may be used.
- 5.5 Extreme care should be taken in using chemicals to avoid spray drifting to other plots. Spraying should be done on a still, windless day.
- 5.6 Chemicals intended for commercial use by professionals may not be used.
- 5.7 Old chemicals and their containers must be disposed of off-site.
- 5.8 Chemicals should never be decanted into another container.
- 5.9 Tools and equipment should be maintained and used in a safe manner and securely stored after use.
- 5.10 The use of power tools eg strimmers require the use of appropriate safety equipment.
- 5.11 Tenants should not trim if other people are nearby.
- 5.12 Water butts must be stable and securely covered to avoid the risk of injury or drowning.
- 5.13 Removal of any broken glass from the plot is the ongoing responsibility of the tenant.
- 6) Dogs: Dogs must be kept on a lead at all times and kept under control.**
- 6.1 Dog excrement must be removed by the dog owner.
- 7) Water: We are on water-meters.**
- 7.1 All tenants are required to collect and store rainwater to use on their plot.
- 7.2 Handheld hoses are allowed but inappropriate use may incur a surcharge.
- 7.3 Sprinklers and irrigation systems are banned.
- 7.4 Car washing is banned.
- 7.5 If considered necessary a supplementary water charge will be levied at the discretion of the EDAA Committee.
- 8) Bonfires: Bonfires may be lit only:
At Hamilton Lane on Saturday and Wednesday mornings to 12.00pm,
At Pound Lane on Sunday mornings to 2pm
Not over Bank holiday weekends.**
- 8.1 Only dry organic material that is a waste product from the allotment may be burned.
- 8.2 Plastics, rubber and other oil-based products must not be burned.
- 8.3 A bonfire must not be allowed to give out dense smoke and must be doused if this happens.
- 8.4 No fire should be left unattended.
- 8.5 Smoke should not be allowed to drift towards houses or across nearby highways.
- 9) Livestock: Written permission from the EDAA Committee is required by any tenant wishing to keep livestock on the allotments, *this may only be bees, chickens, ducks, pigeons or rabbits.***
- 9.1 Cockerels are not allowed.
- 9.2 *The EDAA Committee has to give permission for the keeping of chickens (hens).*
- 9.3 *A maximum of 1 hen per 2 rods of plot is allowed.*
- 9.4 *The EDAA Committee has to give permission for beehives, a maximum of 2 working hives per plot plus one standby hive in case of swarms.*
- 9.5 All structures, i.e. chicken shed, rabbit run, pigeon loft, bee hives need permission from the EDAA Committee.
- 9.3 Application requirements for these may be obtained from the EDAA secretary.
- 10) Structures:** Any structure that was built before these Rules were amended in 2015 may remain provided it is safe.
The decision as to whether a request for a new structure meets these conditions is at the discretion of the Committee.

The total ground area of structures on a plot must not exceed 40% of the plot area.

10.1 All structures, whether polytunnel, greenhouse, chicken shed or other, except a timber-boarded shed, (see 10.2 below) require written permission from the EDAA Committee. The Committee requires to see the plans in advance and agree them in writing before construction is started.

Tenants are expected to discuss any plans with their neighbours.

Any new structure must be placed at least 30 cm from the edge of any boundary path, roadway or hedge.

The outside edge of any overhanging roof must be at least 30 cm from the edge of any path or roadway.

Doorways must not open over roadways boundaries or access paths.

Permanent concrete foundations are not permitted.

10.2 A timber-boarded shed with felted roof, maximum size 2.4m long x 1.8m wide x 2.1m high, does not need prior permission.

All tenants are required to collect and store rainwater from their shed/s.

All existing sheds must comply with the requirements for water collection.

10.3 Netted fruit cages and compost bins do not need permission.

10.4 Greenhouse: The maximum size allowed is 2.4metres x 3.6metres

Permission is obtained by applying in writing to the EDAA Committee secretary, detailing plot number, proposed location on the plot, size and indicating the way that the greenhouse will be fastened down securely.

Rainwater must be collected from the greenhouse: - 100 litres for a 2.4m x 1.8m greenhouse, 200 litres for one any bigger.

All existing greenhouses must comply with the requirements for water collection.

Any glass inserted should be toughened glass or have a protective film.

Polycarbonate or plastic may be used.

10.5 Polytunnels: The maximum size allowed is 3.6 metres x 7.5 metres .

Permission is obtained by applying in writing to the EDAA Committee secretary, detailing plot number, proposed location on the plot, size and indicating the way that the polytunnel will be fastened down securely, which must not include concrete or any permanent fixings.

Rainwater must be collected for the polytunnel: - 100 litres for a 3 m X 1.8 m polytunnel, 300 litres for one any bigger.

All existing polytunnels must now comply with the requirements for water collection.

11) Rent: The tenant must pay the annual rent and EDAA membership fee by January 31st.

11.1 Any tenant who has not paid their rent by the due date will be informed in writing that their plot is considered vacant.

11.2 Within 10 days thereafter tenants are required to present any extenuating circumstances to the Committee.

11.3 The full Committee can decide to waive or delay the rent in cases of hardship or to terminate the tenancy.

11.4 If the rent has not been paid by the due date and no explanation has been received the tenant will be served with a notice of termination.

11.5 Every plot must have affixed to it a permanent sign that is easily legible and which states its number.

12) Deposit: A deposit is payable as security for the good maintenance of the allotment garden as defined by the Rules.

12.1 At the termination of the tenancy the deposit will be returned provided the Committee is satisfied that no remedial work needs to be undertaken on the plot.

12.2 A *plot* deposit is required for each separate plot.

13) Leaving a plot: Tenants are requested to give one month's written notice to the Secretary of their intention to vacate the plot.

13.1 The notice should set out the date they intend to leave by. They must ensure that all belongings are removed and keys returned.

13.2 Tenants are not permitted to return to, nor remove any item from, the vacated plot after the termination date.

13.3 The EDAA Committee must give a tenant written notice to terminate the tenancy of an allotment garden in accordance with the EDAA's agreed procedures.

14) Death of a tenant: On the death of a tenant the tenancy can be offered by EDAA to a partner or other close relative or otherwise be re-allocated.

15) Behaviour: Tenants must not be rude, use racial slurs, nor be aggressive or threatening to others.

15.1 It is not permitted to make prolonged and excessive noise.

16) Willful Damage: Damaging any plot or Association property such as taps, gates or structures will be regarded as grounds for terminating the tenancy.

16.1 Access to the sites must only be by the vehicle or pedestrian gates provided.

16.2 Theft – the removal of any items from another's plot without consent is theft and will not be tolerated. Where theft is proved the tenant will have their tenancy terminated with immediate effect.

17) Sanctions:

17.1 In the first instance for most of the occasions of breaking the Rules a warning will be given by the relevant site coordinator, giving the plotholder two weeks to respond, either with an explanation or by taking remedial action. An exception to this are the Rules relating to willful damage or to unacceptable behavior, where the EDAA Committee may decide on immediate termination

17.2 The plot will be reinspected by at least two EDAA Committee members to see what action has been taken

17.3 If there is no response or action the secretary will be asked to write a 4 week letter, citing the Rule that had been broken, which could refer to any of the Rules and giving four weeks (4 weeks) to respond or remedy the problem.

17.4 The plot will be reinspected again by at least two EDAA Committee members to see what action had been taken.

17.5 If there was still no response or action the secretary will be asked by the EDAA Committee to write a termination letter.

17.6 If there is a second occasion where a Rule has been broken by the same plotholder the process may be used as above, but a third occasion will result in immediate termination.