

EXMOUTH & DISTRICT ALLOTMENTS ASSOCIATION RULES

(Issued by Exmouth Town Council 2006: Revised 2015, 2017; amended May 2018, revised July 2020, revised October 2022, revised and ratified Oct 2024)

The tenancy of an EDAA Allotment Garden is subject to the Allotments Acts 1908 to 1950 and 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 address purposes.

1.2 No tenant can hold more than 2 full plots (or equivalent) and from this current revision 2020 no tenant will be allowed to hold more than 20 rods.

2) Cultivation: The main purpose of an allotment garden is to grow produce and this may be vegetables, fruit or flowers. Only fruiting trees and fruiting bushes are allowed in non-wildlife areas.

2.1 The maximum height allowed for a fruit tree is 4.5 metres (15 f). New trees should be at least 1 metre (3ft 3 inches) from any boundary of the plot unless being espaliered or cordoned which need to be kept tidy and pruned to prevent obstruction. The tree or shrub should not overhang the boundary.

2.2 Allotment produce may not solely be grown or sold as part of a commercial enterprise.

2.3 Sales for charity or occasional surplus may be sold.

2.4 All plots should be under cultivation and be kept largely weed free.

2.5 An area of grass or mulch for rest and relaxation can form part of the allotment up to 10% of the whole.

2.6 Tenants must not stay overnight on the allotment site.

2.7 New tenants allocated a plot must commence cultivation within one month of taking on the tenancy to prevent a cycle of neglect setting in. Failure to comply will lead to review of the tenancy.

2.8 Bamboo and laurel must not be brought onto site as they grow out of control and are invasive. Any existing plants of bamboo and laurel need to be removed or discussed with the committee. Bay trees need to be kept, if new to site, in pots to prevent excessive growth. Bay trees need to be well managed so they can be pruned from the top growth and therefore restricted in height.

3) Boundaries: All boundary paths should be maintained regularly to facilitate communal access and is a shared responsibility of adjoining tenants.

3.1 Paths must be at least 50cm (18") wide and keeping them trimmed and tidy is the joint responsibility of both plot- holders on both sides.

3.2 Paths must not be blocked or deliberately obstructed to prevent access across sites or cultivated into and assimilated into a plot.

3.3 The tenant shall keep the internal face of any boundary hedge trimmed.

3.4 The maximum height of any internal hedge within a plot should be 1.2m (4 ft).

3.5 The tenant must keep adjacent ditches clear.

3.6 Allotment plots and surrounding paths must be kept tidy, generally weed free and clear of rubbish.

3.7 Plot holders must be considerate with their parking onsite and not block any vehicle access roads allowing others to move their vehicles freely. The speed limit on both sites is 5mph for safe and considerate driving.

4) Storage, Waste and Hazardous Waste: Allotments may not be used for the storage of any item other than is needed for normal allotment routine tasks and maintenance.

4.1 Plots must not be used to store or dump unwanted items or waste, including: carpet, white goods (e.g. fridges, boilers, etc.), waste glass and plastic items, sanitary ware (toilets, baths, wash bowls, shower screens and cubicles), tyres, used batteries and any other items deemed as waste by the EDAA Committee. Children's play equipment brought to site is acceptable but needs to be removed on vacating the plot. Astro turf is not allowed on site as it is plastic waste. Any of the above items left on vacated plots will result in the plot deposit being forfeited. Any Astro turf on plots needs to be removed by 31st December 2022

4.2 If waste is identified as accumulating on a plot the committee can request removal of the waste by a set date. Failure to do so without reasonable cause will lead to removal by EDAA. The cost will then need to be met by the tenant or termination will follow.

4.3 All chemicals must be labelled and safely stored in appropriate containers that are secure from tampering. Chemicals should never be decanted into another container and should always be labelled with contents and warnings

4.4 No banned chemicals may be held on the allotments including those previously permitted.

4.5 Only Garden chemicals available for purchase at a normal retail outlet and intended for domestic use may be used. Chemicals intended for commercial use by professionals may not be used.

4.6 Old chemicals and their containers must be disposed of off-site at approved premises using correct disposal methods.

4.7. Extreme care should be taken in using chemicals to avoid spray drifting to other plots. Spraying should be done on a still, windless day. Contamination and damage of neighbouring plots by spraying or use of chemicals could lead to action being taken by the management against the plotholder using the chemicals irresponsibly and affecting others plots.

4.8 Asbestos should not be brought to the site. Low grade asbestos found on site can be bagged in approved bags for removal. EDAA will support bagging and removal.

5) Health and Safety: All persons have a duty of care towards themselves and others who may enter the allotments site. The rules in general uphold these principles.

5.1 Authorised visitors accompanying a plot holder will be expected to adhere to the rules and policies of EDAA and it is the plotholders responsibility to ensure they are aware of these and comply as expected.

5.2 It is the tenant's responsibility to keep themselves updated on the rules and policies which are sent out to with every new tenancy and it is the responsibility of the tenant/s to read them and be familiar with the content. It is the Associations responsibility to make these available if requested and they are on the website. Not being aware of rules is not an acceptable reason to not comply.

5.3 All structures must be safe and fit for purpose intended.

5.4 Tools and equipment should be maintained and used in a safe manner and securely stored after use. Valuable tools may be best protected by being stored off site in case of theft. Valuable tools should be marked for identification if left on site.

5.5 The use of power tools e.g. strimmers is recommended to be used with appropriate safety equipment – boots, goggles, ear defenders to protect self from harm.

5.6 Tenants should not trim if other people are close by due to risk of flying debris. Loud strimmers could be classed as making excess noise so consideration for others is expected.

5.7 Any form of water butts or water storage on plots must be stable and securely covered to avoid the risk of injury or drowning.

5.8 Broken glass is a hazardous material and should be removed from the plot. It is the ongoing responsibility of the tenant to ensure this is actioned.

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. Water is becoming an increasing issue regarding the conservation, responsible use and cost financially and to the environment. It is now subject to an environmental audit annually by the Town Council.

7.1 All tenants are required to collect and store rainwater to use on their plot. Where space permits, linked water butts should be installed to reduce tap use of water.

7.2 Only handheld hoses are allowed. Whilst hosepipes are not banned at the moment responsible minimal use is expected. Hoses need to be in good repair and not leaking either at connections or along the pipe to prevent waste. Courteous, time limited use is expected, and hoses should not prevent other tenants accessing the tap water using watering cans or their own hose in a shared responsible manner.

7.3 Sprinklers and irrigation systems are banned.

7.4 Plants should be watered in such a way that minimises waste and maximises effectiveness, targeted at roots and not in peak sun.

7.4 Car washing on site is banned.

8) Bonfires and Incinerators: Bonfires must only be lit in stable metal incinerators to contain the fire. They may be lit only from 1st October to 28th February. Each plot holder can have one fire per month. The times are at Hamilton Lane on Saturday and Wednesday mornings and need to be out by 12.00pm but not Bank Holiday weekends. At Pound Lane on Sunday mornings until 2pm when they need to be out. No fires allowed over bank holiday weekends. Bonfires may be suspended completely if emergency rules are instated.

8.1 Only dry organic material that is a waste product from the allotment may be burned. The majority of garden waste is compostable, and every effort should be made to do so.

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. Smoke should be kept to a minimum and not be allowed to drift towards houses or across nearby highways

8.4 No fire should be left unattended. The site insurance for the site requires that a bucket of water and a spade must be on hand when bonfires are lit to douse it at the end of the time and swiftly if needed.

8.5 Fires should be out by time specified above and doused with water to ensure this where needed.

8.6 Barbeques. These cannot be held on individual plots but the community garden on HL with a brick-built facility, fire bucket and access to water can be booked by plotholders for their use. The guidance on this must be followed for extinguishing fires, removing all rubbish and clearing ash when cold as a courtesy is expected and a condition of use.

9) Livestock: Keeping livestock is considered by the Association to be a regular, if not daily commitment in most cases and a highly responsible activity.

9.1 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. Cockerels are not allowed. Tenants will be advised of the maximum numbers according to plot size and application submitted.

9.2 People being given permission to, or already keeping livestock on the Association site, will be expected to maintain their livestock to expected welfare standards laid down the appropriate Acts of Law and as interpreted by animal protection organisations.

9.3 All structures, e.g. chicken sheds and enclosures, tool sheds and bee tunnels need permission from the EDAA Committee. Sites and structures will be required to meet suitable space for quality of life, promote natural behaviours and protect livestock from adverse weather and predation.

9.4 Site coordinators will check on livestock at regular intervals as part of their site management.

9.5 If potential neglect is identified a local expert will be asked to review the livestock concerned. If concerns are confirmed, then without exception the RSPCA will be contacted, and their advice implemented. This is an action the EDAA will take only once.

9.6 Bees can be inspected by an inspector recognised by the BBKA in case of similar concern

9.7 If needed the RSPCA will be asked for advice and guidance on the removal of neglected or diseased livestock to other care. Incidents of livestock neglect by the tenant will result in the removal of the rights and permissions to keep livestock. The rescinded permissions will not return.

9.8 The EDAA Committee has to give permission for beehives. Application requirements for these may be obtained from the EDAA management committee. From the revision in 2020 no retrospective permissions will be granted. All beekeepers on the Allotment sites of EDAA will be expected to hold BDI insurance and be registered as a beekeeper with a local society.

10) Wildlife and biodiversity. The Allotment Association encourages and welcomes supporting the sites to promote the safety and scope of biodiversity across sites. Many members are supportive of this and many species - plants, animals and insects can find a haven in these threatened times on large areas of gardening.

10.1 EDAA and each individual tenant has a duty to uphold the law with regard to the protections afforded to wildlife in law. Badgers and Foxes are equally protected and should not be harmed by activities of any tenant.

10.2 Intentional harm or habitat destruction of protected species is not permitted and will be treated most seriously. If proven it will lead to a loss of tenancy.

10.3 Small areas on plots – estimated at 10 to 15% can be used to promote wildlife, pollination or biodiversity habitats and will not be considered neglect. These will be localised areas and not widespread across the plot which would otherwise constitute neglect of a plot.

10.4 Ponds on allotments are a positive contribution but must be sited and constructed in such a way they do not constitute a hazard to tenants and visitors.

11) Structures: Any structure that was built before these Rules were amended in 2015 and beyond 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 all structures combined on a plot must not exceed 40% of the plot area. The safety and construction of a structure links into Health and Safety section 5.3.

11.1 All structures, whether polytunnel, greenhouse, chicken shed or other, except a timber boarded shed, (see 11.2 below) require written permission from the EDAA Committee. Letters or emails with relevant detail will be accepted. The Committee must 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, replacement or relocated structure must be placed at least 30cm (12 inches) from the edge of any boundary path, roadway or hedge. The outside edge of any overhanging roof must be at least 30 cm (12 inches) from the edge of any path or roadway. Doorways must not open over roadways boundaries or access paths. All sheds must be raised on concrete blocks to a height of one block or equivalent in bricks on slabs above ground level as part of rodent control measures. A site sketch must accompany the application and a suitable example can be viewed on the website. This is where you can show that your plan meets the requirements.

11.2 Permanent concrete foundations for any structure requested are not permitted.

11.3 A timber- boarded shed with felted roof, maximum size 2.44m (8 feet) long x 1.83m (6 feet) wide x 2.1m (7 feet) high, does not need prior permission. All tenants are required to collect and store rainwater from their sheds. All existing sheds must comply with the requirements for water collection.

11.4 Netted fruit cages and compost bins do not need permission but must be sited 30cm inside the plot and away from boundary paths.

11.5 Greenhouse: The maximum size allowed of one greenhouse is 2.44 metres (8 feet) x 3.65 metres (12 feet) 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. All existing greenhouses must comply with the requirements for water collection. Any glass inserted should be toughened safety glass or have a protective film. Polycarbonate or plastic may be used. The EDAA committee will consider 'exception rules' for further applications of additional greenhouses.

11.6 Polytunnels: The maximum size allowed is 3.6 m x 7.5m (12' x 25'). 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. Plotters must make efforts to collect adequate rainwater from structures for the polytunnel in proportion to the size as recommended.

11.7 Cold Frames: These structures do not require permission. However, the Committee, at any given moment, is responsible for ensuring that all Health and Safety requirements are met and to meet those requirements glass cold frames should be restricted to being visible at all times, with strengthened glass or alternative equivalent safety glass options or Perspex. Existing cold frames must be visible, and it is the responsibility of the plot-holder to ensure that any broken glass within or around the cold frame is removed and glass used in line with the above requirements – this will ensure everyone’s safety on site.”

12) Rent and deposits: Tenants will receive notification for renewal of rent and membership fees by mass email and site notices. They will be due from 1st January. The information provided will give advice about how to look up and find out the fees for your plot. The tenant must pay the annual rent and EDAA/NAS membership fee by January 31st at the latest. Various methods of payment will be offered to support all tenants.

12.1 Any tenant who has not paid their rent by the due date will be sent a final reminder with a 7 day termination notice.

12.2 The treasurer will manage the termination notices at their discretion and in view of any extenuating circumstances presented by tenants in that time frame. It is the tenant’s responsibility to present the extenuating circumstances.

12.3 Every plot must have affixed to it a permanent sign that is easily legible from the edge of the plot and which states its number.

12.4 A deposit is payable as security for the good maintenance of the allotment garden as defined by the Rules. A plot deposit is required for each separate plot and is calculated in rods

12.5 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 and on receipt of the end of tenancy form.

12.6 Tenants are requested to give one month’s written notice to the Secretary/Administrator of their intention to vacate the plot and include the date they intend to leave. They must ensure that all belongings are removed, and keys returned where requested. Where this is not required or realistic a notice period will be agreed by a member of the management committee

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

13). Procedure for termination of a tenancy where plotholder is in breach of rules.

13.1 The EDAA Committee must give a tenant written notice to terminate the tenancy of an allotment garden when in serious breach of rules and in accordance with the EDAA’s agreed procedures.

14). Death of a tenant:

14.1 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.

14.2 Anyone who has consistently worked the plot with the tenant can be requested by the tenant to have joint names against the plot and can, if they wish to, take it over if named plot holder dies or leaves whilst a tenant. The person must be an existing member of the Association.

15). Code of Conduct: The EDAA act as administrators of the Hamilton Lane and Pound Lane sites on behalf of Exmouth Town Council in an entirely voluntary capacity. As such it is important to have and expect adherence to a Code of Conduct ensuring the safety of all our Members and volunteer Committee Members. We have been guided in our wording by the National Association to ensure continuity across the allotment community.

It is extremely pleasing that the majority of tenants would never consider behaving in such a way as to cause distress or offence to others. However, in the case of rare exceptions the principle is tenants must not be rude, nor be aggressive or threatening to others. It is unacceptable to breach rules which promote the safety of others.

15.1 All Members will be expected to comply with the local behaviour policy based on principles set out by NSALG guidance the aims of which are to promote respectful, civil relationships and make allotment gardens a place of positive social interaction.

15.2 All Members are expected to comply with any emergency rules or guidance by EDAA as deemed necessary to put in place for a specified period, subject to review for whatever reason to protect Members and visitors.

15.3 It is not permitted to make prolonged and excessive noise which disturbs others. This includes power tools and radios/music players.

15.4 Fly tipping waste (including garden waste) from your plot into other areas such as banks and vacant plots is not permitted. It is inconsiderate and costs the Association money and time to rectify. In some cases, such activity might incur legal proceedings.

15.5 Intentionally damaging any plot or Association property such as taps, gates or structures will be regarded as grounds for terminating the tenancy. Again, such activity might incur legal proceedings.

15.6 Access to the sites must only be by the vehicle or pedestrian gates provided. Members are expected to drive carefully and slowly and park responsibly.

15.7 Theft – the removal of any items from another's plot without consent is theft and will not be tolerated. Where theft is proved the Member will have their tenancy terminated with immediate effect while prosecution might also be considered.