



You are here by summoned to attend the Broadholes Lane Platinum Jubilee Garden Allotments meeting which will be held on Tuesday 11<sup>th</sup> February 2025 at 7.00pm at Lapley and Wheaton Aston Village Hall.

The Committee, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Parish Council Manager (in advance) who will instruct that they are not included in the filming.

In order to comply with the Data Protection Act 2018, all persons attending this meeting are hereby notified that this meeting will be recorded by the Parish Council. The purpose of taping is that recordings act as an aide-memoire to assist the Parish Council Clerk in the compilation of minutes. The recording will be deleted once the minutes have been approved

Please ensure that all mobile phones are switched to silent during the Parish Council Committee meeting.

This meeting is subject to change due to the Covid-19 pandemic.

#### Public Forum

Democratic thirty-minute period/public discussion time: From 7.00pm residents are invited to give their views to the Parish Council on items on this agenda or raise issues for future consideration at the discretion of the Chairman. Members of the public may not take part in the Parish Council meeting itself. (standing order 3f) No member of the public may speak for more than five minutes (standing order 3g)

Please ensure that all mobile phones are switched to silent during the Parish Council meeting.

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|--|-----------|
| 1. Election of Chairman  | -decision |
| 2. Election of Vice-Chairman   | -decision |
| 3. Confirm committee members   | -decision |
| 4. To consider apologies   | -decision |
| 5. To receive Declaration of Disclosable Pecuniary and Other Interests from the Agenda |           |
| 6. To adopt the committee terms of reference (appendix 1)                              | -decision |
| 7. To consider the allotment management plan (appendix 2)                              | -decision |
| 8. To consider additional water provision  | -decision |
| 9. To consider the use of unused space   | -decision |
| 10. To consider the entrance sign  | -decision |
| 11. Future meeting dates   | -decision |
| 12. Items for future   |           |

Each councillor and committee member may use this opportunity to raise items for future agendas. **Councillors are respectfully reminded that this is not an opportunity for debate or decision making.**

13. Date of next meeting: to be confirmed

Amy Watson Parish Council Clerk  
4.2.25

*Crime and Disorder Implications - Section 17 of the Crime and Disorder Act 1998 places a duty on local authorities to consider the crime and disorder implications when exercising its functions with due regard to the likely effect of the exercise of those functions and to do all that is reasonably can to prevent crime and disorder in its area. Where relevant any decisions made at the Parish Council meeting have taken this duty of Care into consideration.*

## **Terms of Reference - Allotment Committee**

The objective of the Committee is to assist the Parish Council in overseeing the proper management and maintenance of the allotment site. It needs to ensure that the terms of its Tenancy Agreement is up to date, as well as adhered to. This will include annual inspections, plot development and policy disputes as and when required.

### **Membership of the Committee**

- Members of the committee will be appointed at the Annual Meeting of the Parish Council each year. Membership will be 6 members. This is subject to the proviso that the Chairman and Vice-Chairman of the Parish Council shall be *ex officio* members, plus 4 other Parish Council members. In addition, a maximum of 4 residents may join the committee.
- Any changes in membership of the committee after the Annual Meeting of the Parish Council shall be subject to approval at the next Full Council meeting.
- The quorum of the committee shall be half of its members or three whichever is the greater.

### **Chairman**

- The Chairman of the committee will be elected at the Annual Meeting of the Parish Council each year. (as per standing order 4 vi)
- In the event of the Chairman's absence the members of the committee present will appoint a Chairman at the beginning of the meeting.
- The Chairman of the Committee will report to Full Council on any matters which the Committee considers ought to be brought to the attention of the Council.

### **Frequency of Meetings**

- The Committee shall meet at least every three months or at shorter intervals as required (except August).
- Date and time of the meeting to be agreed by the committee.

### **Minutes of Meetings**

- All meetings of the committee will be convened in accordance with the Parish Council's standing orders.
- The Clerk shall minute the proceedings and resolutions of all meetings of the Committee
- Draft minutes of Committee meetings shall form part of the monthly Full Council meeting for information.
- Draft minutes shall be considered and approved at the next Allotment committee meeting.

### **Powers of the Committee**

The committee shall be empowered to:

- Delegated spending powers are issued to the Allotment Committee for maintenance up to the limit of £1000
- Monitor the allotment site for safe usage
- Recommend to Full Council annual rent charges
- Recommend 'rules of conduct' at the allotment site for approval by Full Council
- Promote facilities of the allotments and encourage its use for the benefit of the community.
- Manage, with the clerk, allocation of allotment plots
- Carry out formal risk assessments, in conjunction with the clerk

## Review

These Terms of Reference are to be reviewed annually

## Appendix 2

### Introduction

Lapley, Stretton and Wheaton Aston Parish Council (LSWA PC) and Broadholes Lane Platinum Jubilee Allotment Gardens Committee (BLPJGAC) are the management agency of the Broadholes Lane Platinum Jubilee Allotment Gardens located at Broadholes Lane Wheaton Aston

The site holds 6 ½ plots, 8 ¼ plots and 8 raised beds and LSWA PC are responsible for maintaining access, pathways, car parking areas, external boundaries, pest management, and the upkeep of unused/unworkable plots. Along with this LSWA PC are responsible for managing the lease of individual plots, including issuing allotment rules, tenancy agreements and the collection of fees, which is retained by LSWA PC. Allotment fees are collected from plot holders annually in August.

Every year a review of Tenancy agreements and allotment rules is undertaken by the Allotment Committee of LSWA PC. A periodical review of this management document will also take place.

Contents:

- 1- Objectives
- 2- Future strategic aims
- 3- Maintenance of the sites
- 4- Conservation and heritage
- 5- Individual plot management
- 6- Dispute procedures
- 7- Hazards checklist
- 8- Site risk assessments
- 9- Safe site management
- 10- Waste management

## Objectives

The management plan objectives are as follows:

- 1- Maintain the sites and their facilities.
- 2- Prioritise the clearance of plots and increase the number of let plots across the sites
- 3- Conserve plots through tenancy management within the current legal framework.
- 4- Ensure robust partnership and management structures continue
- 5- Maintain a database of historical plot information and historical documentation relating to the site for managed public access
- 6- Ensure tenant involvement in managing the site
- 7- Develop partnerships to support continued management and maintenance of the site
- 8- Ensure the sites are managed so it has a positive impact on the environment

### Future Strategic Aims

**The aims for the future management of the allotments linked to climate emergency and the management plan for the site are as follows:**

- 1- Maintain a safe, accessible and welcoming environment for the purpose of allotment gardening and recreation across the site.
- 2- Ensure maximum tenant occupation by providing high quality customer service and tenancy management.
- 3- Increase volunteer opportunities for gardeners, local people and enhance skills through training
- 4- Develop a Site Partnership Forum to strengthen connections and create opportunities to deliver exciting events and activities.
- 5- Increase allotment holder awareness and participation in projects that benefit the site, through regular consultation with focus groups.
- 6- Improve the wellbeing of our communities by promoting and supporting healthy living events, environmental activities and education.
- 7- Promote the significance of the site's history, natural heritage and diversity of the allotment and wider community benefits through local, regional and national campaigns.

**In doing this a wide range of benefits will be secured:**

- 1- Conserve and enhance the heritage of the allotments, both physical and cultural.
- 2- Maximise use and plot uptake making ongoing maintenance more viable and protecting the allotments in the future.
- 3- Contribute to regeneration and to the health and welfare of local people.
- 4- Make a positive environmental and ecological impact
- 5- Provide opportunities for education, training recreation and community development.

This management plan seeks to enhance the sites for plot holders, both current and future, for biodiversity and wildlife, and to tell the historic story of the site, for education, for social, mental and physical wellbeing.

The objectives represent the areas of priority for LSWA PC and plot holders and set the framework for an approach to achieve the vision for the allotments.

### **Maintenance of the sites Policy 1**

#### **What is the council's responsibility?**

- 1- To maintain a safe access and egress
- 2- To maintain pathways and driveways.
- 3- To maintain external site boundaries.
- 4- To ensure that trees and other vegetation (other than that on individual plots) on the sites are maintained using a reputable contractor.
- 5- To provide suitable and consistent water supply.
- 6- To maintain/manage unused/unworkable plots.
- 7- To inspect plots monthly to ensure adequate levels of cultivation between the months of March – November.
- 8- To provide one compost bin per plot for green waste
- 9- To report any damage/loss/theft from the allotment site to the police, if not already reported by the plot holder and log it in the Incident Logbook.
- 10- To ensure that plot holders are treated fairly and politely, in accordance with the tenancy rules.
- 11- To ensure that plot holders that are falling below the required cultivation level are offered assistance before notices are served.
- 12- To annually review the allotment terms and condition of rent and fees.
- 13- To periodically review the allotment management document and update as necessary.
- 14- To annually collect plot holder rent, due in August, and re-issue tenancy agreements.

#### **What is the plot holder's responsibility? Policy 2**

- 1- To ensure cultivation of the plot in the manor agreed to in the tenancy agreement and allotment rules.
- 2- To report any site issues to LSWA PC clerk as soon as possible.
- 3- To report any issues with their individual plots to LSWA PC clerk as soon as possible.
- 4- To report any damage, loss or theft to both the police and LSWA PC clerk as soon as possible for inclusion in the Incident Logbook.
- 5- In inform LSWA PC of any cultivation issues or problems with upkeep, in order to stop a plot falling into disuse.
- 6- To maintain individual plot furniture such as sheds and poly tunnels.
- 7- To pay allotment rental fees on time in accordance with the tenancy agreement.

### **Plot inspections Policy 3**

Plot inspections are to be carried out monthly between the months of March – November and adhoc at other times, using the pro-former provided by the clerk.

Information passed to LSWA PC clerk who will arrange notices as required.

### **The council's commitment to their allotment site: Policy 4**

- 1- To only use native plants and trees when replacing or repairing site boundaries.
- 2- Encourage the use of natural pesticides and plant feeds.
- 3- To encourage a plastic free environment and lead by example.
- 4- To encourage the sharing of excess produce and plants in an effort to reduce waste.
- 5- Promote the growing of pollinators on plots, such as fruit trees, berries, herbs, runner beans and sunflowers.
- 6- To encourage composting on sites.
- 7- To ensure that repairs and maintenance are done sympathetically to reflect the village's heritage.

### **Individual Plot Management**

#### **Vacant plots. Policy 5**

Vacant plots need to be maintained in order to prevent them becoming overgrown with weeds and brambles and becoming an issue for other plot holders, site neighbours and LSWA PC. Ideally plots would not be unworked for long periods of time but some sites are more desirable than others and empty plots are a reality.

- Vacating plot holders will be asked to ensure that their plot is in a workable condition when they leave..
- Items of equipment left at the allotment will be placed in the skip or in the share shed if suitable for use.
- Where there is grass on vacant plots, this is to be mown once a fortnight by a council approved contractor.
- Where there are brambles on a vacant plot these will be managed accordingly using a council approved contractor. Close monitoring of brambles is needed due to their aggressive growing nature.
- Plot sheds will also be monitored for signs of disrepair and leaks.
- Hen houses will monitored for signs of disrepair and leaks and the welfare of the animals will be considered as per the Hen Keeping agreement

### **Unworkable plots. Policy 6**

As with vacant plots these areas need to be managed so as to not get out of control. The same level of management will apply to these areas as with vacant plots, with grass being cut and brambles being managed regularly. It is the council's responsibility to ensure that detritus is not placed on these sites and they remain clear of waste.

### **Communal Shed**

It also has a "share shed" for use.

The "share shed" is used to pass on excess produce/plants, information and storage for the plot holders tools etc

### **Tenanted plots. Policy 7**

Plots that have tenants are managed in accordance with the allotment rules. Being used to cultivate fruit, vegetables and plants at the tenant's discretion.

As a minimum, LSWA PC insist that plots are cultivated in a way that does not interfere in a material way with the enjoyment of neighbouring tenants.

Key elements include:

- Removal of weed seed-heads before the seed has set
- Control of pernicious weeds, such as those spread through the extension of roots or by generating new plants from growing tips in contact with the soil.

- Removal of long grass or detritus that is likely to harbour slugs and snails
- Keeping paths free of hazards and ensuring grass paths between plots are kept trimmed.

The ability of tenants to maintain plots to the desired standard depends on the time they can commit to the task, their horticultural skills, the size and initial condition of the plot, and the time frame within which they are expected to achieve the standard set.

Prospective plot holders should be given a clear indication of what an allotment tenancy will require from them in practice and be encouraged to acquire the basic horticultural skills as early as possible. It would be inappropriate to use proven experience as a criterion for allocating tenancies, but it is essential to detect tenants in difficulties as early as possible.

It is important that an initial record is made of plots that are in a sub-standard condition when let, so that the fairness of any subsequent actions in respect of non-cultivation can be demonstrated. Given the subjectivities within the definition of cultivation, LSWA PC should not set the bar too high when taking decisions that will affect the future of a tenancy. Tenancies should be carefully monitored in the early months, however, to provide an early warning of likely failure.

### **Plot size**

There are three plot sizes:

½ plot at £50 annually

¼ plot at 25 annually

Raised bed at £15 annually

All plots are subject to a £5 per annum water charge

### **Waiting lists**

Allotment waiting lists conventionally operate on the basis that a newly-vacant plot is offered to the person who has been on the waiting list the longest. This rule might be reconsidered however, in respect of an established plot holder in temporary difficulty, who agree to surrender a plot voluntarily in return for a priority position on the waiting list, thus making way for somebody else to be able to garden immediately.

It should always be possible to tell an applicant where they currently stand on the list. Applicants can become frustrated by a perceived lack of progress, however, particularly when they have the mistaken view that they have the right to a plot on demand, and when they see that there are plots around that are not fully cultivated. Concern over non-cultivation can be addressed by making publicly available LSWA PC's policy on the issue. It can also be made clear that at any one time there are always likely to be plots that are under cultivated, because the current tenant is under notice or a new tenant has only just started.



Once on the waiting list, applicants should be encouraged to keep their record up to date. An annual renewal can be solicited in writing, to confirm continued interest. This also provides an opportunity to give feedback on the progress that applicant is making on the waiting list and give LSWA PC a chance to provide information on the demands that a plot is likely to take in terms of time and effort.

LSWA PC should be alert to the temptation for people to evade lists or jump the queue. The most common evasion technique is plot-sharing. It is difficult to police plot-sharing, and there is a fine line between list evasion and helping out a friend as a sociable act. It is essential, however, that all plot-sharers are made aware that they have no right to assume a tenancy other than via the waiting list.

Rule book **Policy 8**

LSWA PC have produced and will maintain an Allotment Rule book for prospective new plot holders.

The Broadholes Lane Platinum Jubilee Gardens Allotments Rule Book

Throughout these rules 'The Council' will mean Lapley, Stretton and Wheaton Aston Parish Council and includes any committee of the Council or any allotment managers appointed under the Allotment Acts, 1908 to 1950.

#### **DEFINITION OF PERSONS ELIGIBLE TO BE TENANTS OF THE ALLOTMENT PLOTS**

Allocation shall be open to anyone over the age of 18

Tenancy will be offered in the first instance to Parish residents on the waiting list (see Allotments LSWA Parish Council policy for definitive list), where there are no parish residents on the waiting list the plot will be offered to the person at the top of the list from outside the parish boundary.

#### **AGREEMENTS FOR LETTING ALLOTMENT PLOTS**

Tenancy agreements are to be completed and signed by the prospective tenant and the Clerk to the Council.

The tenant of an allotment plot takes responsibility for their plot and its contents from the date they sign the agreement and shall comply with the following conditions;

To use the allotment for their own personal use and not to carry out any business or sell produce from the allotment.

Not to cause any nuisance or annoyance to the occupiers of any other allotment site, or obstruct any path set out by the Council for the use of the occupiers of the allotments.

The tenant should always be a good neighbour and shall be fully responsible for the conduct of their family members and other guests visiting their allotment plot.

Children must be fully supervised at all times

Not to underlet, assign or part with the possession of the allotment site or any part of it without written consent from the Council.

Not without the written consent of the Council, cut or prune any timber or other trees as per agreement.

Not to graze animals or livestock at the site- see Hen Keeping Policy for Hens

Not without written consent of the Council, erect any structure on the allotment site.

Not to use barbed/razor wire anywhere on the allotment site

Not fence Allotment Plots.

Not plant any tree, shrub, hedge or bush without first obtaining the Councils permission. The Council will only consider Dwarf varieties;

Not cut, lop or fell any tree growing on the Allotment Plot without first obtaining the Council's consent.

Be responsible for ensuring that any person present in the Allotment Plot with or without the tenants permission does not suffer personal injury or damage to his/her property; refer to the attached risk assessment and observe the actions/instructions.

Permit an annual inspection of the Allotment Plot at all reasonable times by the council;

Not obstruct or permit the obstruction of any of the paths or roads which provide access

To observe and perform any special condition which the Council considers necessary to preserve the allotment plot from deterioration.

Sheds are permitted no larger than 6x 4ft and are the sole responsibility of the plot holder. Permissions must be sought from the council before installation. The shed should be appropriately locked and maintained by the plot holder

Not to encroach on any land outside the allocated plot, paths and open spaces are to be kept clear and free for maintenance purposes

No dogs allowed, except assistance dogs, at anytime on the allotment site

Not to erect any notice or advertisement on the allotment site

Not to hold social gatherings at the site, with the exception of an annual on site meeting

To only attend their plot from 8am- 8pm during the summer season (April to September) and 9am – 5pm during winter (October to March). Understand that LSWA PC reserves the right to cancel plot holder membership should the member attend to their allotment outside of these times

During tenancy a plot holder must always be a member of The National Allotment Society and always to have up to date enrolment in the Allotmenters Liability Insurance scheme

#### **PAYMENT AND REVISION OF RENT**

The rent, unless otherwise agreed in writing, shall be paid yearly by 1<sup>st</sup> August in each year.

The rent payable is reviewed annually each year by the Parish Council

The rent is the same for all plots of similar size despite any difference in location

The tenant must inform the Council of any change of address or other contact details as soon as practicable.

Plot charges will be as follows:

£50 for one half plot (per year)

£25 for one quarter plot (per year)

£15 for a raised bed (per year)

An additional charge of £5 each year is to be made for the provision of water

Tenants who are unable to work their plot as a result of illness or have another reason for a long absence are advised to keep the council informed. Failure to do so may result in the allotment plot appearing to be neglected and lead to issuing non-cultivation letters and potentially notice to quit.

#### **CULTIVATION**

At least 2/3rds of the plot must be cultivated and kept tidy at all times.

The tenant must take all reasonable steps to eradicate all weeds such as thistles, ground elder, ragwort and brambles and ensure they do not spread to other plots.

The tenant must not cause a nuisance to other plot holders by allowing weeds to seed.

The Parish Council will inspect the plots periodically to ensure cultivation.

No ornamental, forest trees or shrubs to be planted on the allotment plot.

Tenants may grow any kind of vegetables, flowers, soft fruit, herbs or longer-term edible crops. Fruit trees or bushes may be planted only if they are of **dwarf stock** and should be sited where they will not create an obstacle or nuisance to others as they grow.

#### **VEHICLES**

The allotments garden tenant must not bring or store any vehicle, caravan, trailer or vehicle parts onto the allotment plot. Tyres must not be brought onto the allotment site.

Overnight stays are NOT permitted.

To keep any parking space in good order.

Keep vehicle use to a minimum with the use of drop off /collection preferred

#### **FIRES**

Fires are NOT allowed anywhere on the allotment site, this includes any device which emits smoke, ie chimineas, stoves, barbecues.

#### **USE OF CHEMICAL SPRAYS AND FERTILISERS**

The tenant will take proper precautions when using spray fertilisers to avoid or minimise any adverse effects on the environment or on neighbouring allotment plots, and comply, at all times, with current legislation.

Only commercially available products from garden and horticultural suppliers (no agricultural or professional horticultural products) shall be used for the control of pests, diseases or vegetation. Organic fertilisers and pest deterrents are encouraged.

#### **Other Health and safety**

No gas canisters in the site

No glass on site, including green houses

Poly tunnels will be permitted within the size range of 6ft by 4ft and with prior written agreement with LSWA PC

All plot holders must read and understand guidance for attending the site alone and ensure someone is aware of their whereabouts and time that they intend to return

Plot holders must keep the access code to the site confidential and inform LSWA PC of any issues with the locks

#### **BEE KEEPING**

Due to the nature of the site and proximity of houses LSWA PC cannot offer bee keeping hives on site. The council recognises the ecological importance of all bee species and wishes to support initiatives to support the species and therefore will offer a wild flower area on site

#### **BUILDINGS**

Sheds are not provided for each plot. Tenant must ensure the shed is kept in good order, reporting any issues to the Parish Council.

Greenhouses and poly tunnels will require approval in the first instance from the Parish Council. (see other health and safety)

#### **DISPOSAL OF RUBBISH**

The tenant is responsible for disposing of all rubbish from the allotment plot. This includes disposing of both green waste and other non-compostable items. The tenant must not deposit, or allow anyone else to deposit, rubbish anywhere on the allotment site, except manure and compost in such quantities as may be reasonably required for use in cultivation of that allotment plot.

Tenants must not add to any rubbish illegally dumped on the site.

The use of old carpet as a weed suppressant is prohibited, as a temporary measure weed membrane or cardboard may be used.

Kitchen waste such as cooked food, meat and cheese or similar will attract vermin and must not be brought onto the allotment plot. Compost bins to be used for suitable materials only.

**TERMINATION OF AGREEMENT**

The tenancy of an allotment plot shall, unless otherwise agreed in writing, terminate on the yearly rent day next after the death of the tenant, and shall also terminate whenever the tenancy or right of occupation of the Council terminates

A tenant may resign the tenancy of an allotment by giving notice in writing to the Parish Council.

A tenant will be allowed one month to clear the plot, unless the council decides that it is necessary to shorten this period. Any costs incurred by the Parish Council to clear rubbish from the allotment may be recovered from the outgoing tenant.

The outgoing tenant shall forfeit any remaining balance of the annual rent. The succeeding tenant shall pay the proportion of rent due until the annual renewal date.

LSWA PC reserves the right undertake an inspection of the site at any point without prior notice.

If a Plot holder faces difficulty in maintaining their plot please contact the council at the earliest possible point to avoid action being taken

The Council may terminate the agreement if any of the following apply;

Any plot holder that receives two consecutive tidy up notices and then fails to maintain their plot within 30 days, an immediate notice to quit will be issued.

If the tenant is in arrears for not less than 40 days.

Immediate eviction will occur If the tenant is not observing the Rules affecting the allotment plot or any other term or condition of his tenancy.

Immediate eviction will occur If the tenant is physically and/or verbally abusive to Councillors, Officers or other tenants.

The council will renew all documents associated with the allotments on an annual basis and present them to plot holders before the annual renewal date of 1<sup>st</sup> August

The council’s decision is final

**ALLOTMENT RISK ASSESSMENT**

RISK	LEVEL	COMMENT	ACTIONS/INSTRUCTIONS TO MINIMISE RISK
<b>Machinery</b>			
To user	Medium	Operating machinery carries a medium level of risk unless the appropriate safety equipment is worn, and the machinery is operated correctly. Injuries to hands feet and face need to be guarded against.	Instructions for the use of machinery lies with the owner/operator. It is a requirement that plot holders wear the recommended safety equipment when operating machinery (irrespective of the owner).
To other Plot holders and visitors	Low	When strimmers and mowing machines are being used on an adjacent plot, stones and other flying objects can cause injuries to the face	The instructions for these items of equipment make particular reference to the dangers. It is the responsibility of the operator to take due care.

To Children	High	Children can act unpredictably exposing themselves to risk from machinery	It is the responsibility of the Plot holder to ensure that children are supervised. When young children are present on a plot, cultivators or strimmers should only be used where there are two adults – one operating and one supervising. No children to operate machinery under any circumstances.
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### Weed-killers & Pesticides

To user	Low	There is a risk of chemicals are not used in accordance with the manufacturer's instructions	All chemicals should be used and sprayers etc. rinsed after use, in accordance with the manufacturers' instructions.
To other Plot holders & Visitors	Negligible		If chemicals are held on a plot holders plot they should be stored securely and clearly identifiable.
To Children	Medium	Children can act unpredictably exposing themselves to risk from chemicals	It is the responsibility of the plot holder to ensure that children are supervised.

### Garden Tools & Equipment

To user	Low		Garden tools and equipment should be used correctly, and appropriate gloves & footwear worn as necessary
To other Plot holders & Visitors	Negligible		Garden tools and equipment should not be left on common paths or left available for others to use.
To Children	Medium	Children can act unpredictably exposing themselves to risk from garden tools and equipment	It is the responsibility of the Plot holder to ensure that children are supervised.

<b>Overhanging Branches</b>	Low	Overhanging branches can cause injuries to Plot holders, visitors and children	Low hanging branches and dangerous branches should be reported so that appropriate action may be taken.
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<b>Trip Hazards</b>	Low	Poorly maintained paths and the entrance can present a trip hazard Plot holders, visitors and children	It is the responsibility of all Plot holders to maintain their paths and to assist in the maintenance of common paths
<b>Water butts</b>	Low	Water butts can be hazard to young children	It is the responsibility of all Plot holders to ensure that children are supervised

<b>General Hazards</b> (including seeds, berries, pathogens from compost heaps and manure)	Negligible		It is the responsibility of all Plot holders to ensure that children are supervised and normal hygiene is observed.
<b>Rats</b>	Medium	Rats carry Weil's disease, although this is rare it is a serious disease.	The presence of rats should be reported to the Parish Council. Where rat poison has been laid down, notices are to be displayed to inform Plot holders.

Disputes involving individual plot holders will be dealt with in the following manner:

- 1- If a plot holder is found to be in breach of any of the terms of Tenancy Agreement (TA), specific site rules, or if a dispute arises between plot holders, LSWA PC will firstly approach those involved to establish the reasons for the problem and make every effort to find an amicable resolution.
- 2- If in the opinion of LSWA PC, the plot holder is at fault and unwilling to agree to a resolution, the clerk has the authority to issue and first warning letter. The first letter will outline the reasons and give 28 days for the plot holder to rectify the problem. The clerk will inform Full Council of the situation.
- 3- If the plot holder has not conformed to the requirements of the first warning letter, the clerk will issue a second (final) warning letter, referring to the first letter and giving a further 28 days and highlight that failure to comply by the second date will result in the issuing of a Notice to Quit.
- 4- If the plot holder has not conformed to the requirements of the second (final) warning letter within 28 days, LSWA PC will be informed and the clerk will issue a Notice to Quit.
- 5- A notice to Quit will instruct the plot holder to vacate the plot and remove all items within 28 days. The clerk has the right to dispose or distribute and items which have not been removed after the 28 days. No individual plot holders are allowed to remove anything from the vacant plot without written authorisation from the clerk.
- 6- If a plot holder disagrees with the decision of the clerk in relation to the first or second (final) warning letter or a notice to quit, he or she can ask for the case to go before the BLPJGAC.
- 7- If the BLPJGAC find in favour of the clerk and the plot holder is still not satisfied, he, she or they has the right to request the case be put to Full Council.

8- Full Council will look at the evidence from all parties and form an independent decision which will be confirmed to all relevant parties in writing. The decision of Full Council is final.

A warning letter will remain in force for a period of 2 years for the date of issue. Any subsequent breach will result in a second (final) warning letter, or Notice to Quit (as appropriate) being issued.

Other than in exceptional circumstances (to be determined in the absolute discretion of LSWA PC) non-payment of rent or refusal to sign a TA will result in immediate termination of a tenancy without the necessity of following the above procedure.

In cases of a more serious breach the clerk may in his/her absolute discretion proceed directly to either the second (final) letter stage or to the issuing of a Notice to Quit. A non-exhaustive list of serious breaches includes:

- Wilful disregard of a warning letter
- Verbal abuse
- Physical abuse
- Any other conduct which in the reasonable opinion of the clerk places the uses of the allotments or other plot holders at risk.

The various stages set out in the above procedure may cover more than one financial year.

Under civil law anyone involved in managing an allotment site has a common duty to ensure that their site is run in as safe and appropriate manner as possible.

This duty of care is extended towards all people accessing the site and its boundaries, including staff, volunteers, members of the public, bona fide visitors and intruders. There are also environmental and husbandry laws to be observed.

Carrying out risk assessments is straight forward. Health and safety only becomes unmanageable when responsibilities are neglected.

Never assume what your responsibilities are. If in doubt, seek legal advice.

### **Who is responsible for carry out risk assessments?**

The organisation with direct management responsibilities for an allotment site is suitably placed to carry out risk assessments. In this case LSWA PC allotment committee.

### **What is the difference between a hazard and a risk?**

A hazard is something with the potential to cause harm, e.g., a bonfire will always have the potential to spread and cause damage, and sparks from the fire could burn people or animals.

A risk is the likelihood that the harm of a particular hazard can cause will happen, e.g., a bonfire will always be hazardous but as long as it is away from property, only materials are burnt, there is means of extinguishing it nearby and people and animals are kept at a distance, the actual risk from a hazard remains low. Risk will increase if these precautions are ignored.

**Removing risk**

The key to risk assessment is to remove the risk completely or to reduce the risk to an acceptable level. Reduction levels are defined by the grading system in the risk assessment. Where there is a small budget, risk reduction is usually more achievable than completely removing the risk.

**How often should a risk assessment be carried out?**

Risk assessment should be carried out at least twice a year and whenever circumstances change significantly, e.g. changes to site layout, new facilities installed on site. Ground hazards such as broken glass may be hidden by summer weed and grass growth, so carry one of the risk assessments out in the winter.

**Risk Assessment Forms (pro-former for info)**

**ALLOTMENT RISK ASSESSMENT FORM**

<b>ALLOTMENT SITE:</b>
<b>DATE:</b>

<b>HAZARD</b>	<b>DEGREE OF RISK* (F+S) x P = D</b>	<b>ACTION NEEDED</b>	<b>DATE FOR COMPLETION/REVIEW</b>
<b>Machinery</b>			
<b>Weed-killers &amp; Pesticides</b>			



<b>Garden Tools &amp; Equipment</b>			
<b>Overhanging Branches and hedging</b>			
<b>Trip Hazards</b>			
<b>Water butts and compost bins</b>			
<b>General Hazards</b> (including seeds, berries, refuge, asbestos, pathogens from compost heaps and manure)			
<b>Rats</b>			

Allotment Site:

--

Date:

<u>Potential Hazard</u>	<u>What to look out for</u>	<u>Comments</u>
<b>ASBESTOS</b>	Found on buildings, fencing, and hidden on derelict land. Contact local authority for disposal advice (regulations apply): do no touch	
<b>BONFIRES</b>	Insurance may have specific rules. Ensure all staff and plot holders are aware of local bylaws and LSWA PC rules re timing/materials/location/extinguishing/nuisance.	

<b>BOUNDARY</b>	Overhanging trees/obstacles from outside the site. May have a shared responsibility from another landowner.	
<b>COMPOST BINS/MANURE STORAGE</b>	Should not contain hazardous materials. Check for evidence of vermin, e.g. burrows/droppings/sightings.	
<b>PATHS/ROADWAYS</b>	May be uneven, slippery when wet/icy weather (grit)/steep gradient. Are pedestrians at risk from vehicles colliding/speeding/turning. Check for potholes. Is a speed limit needed?	
<b>GATES</b>	Check for loose hinges, awkward locks, unsafe structure, ease of use.	
<b>HEDGING</b>	Gaps create access for intruders. Overgrown/thorns? Check with Natural England (ancient hedges may be protected; hedges contain nesting birds that restrict when cutting can take place)	
<b>PERIMETER FENCING</b>	All metal fencing requires an annual inspection to ensure that it is safe and in good condition. Barbed wire is not recommended and is not permitted next to a public throughfare – razor wire is never permitted. Anti-vandal paint must have signage. Gaps create access for intruders.	
<b>REFUGE</b>	No rubbish should cause a risk to wildlife or people.	
<b>SIGNS</b>	Legible. No sharp edges or nails exposed. Emergency contact details clearly displayed and safety information provided where necessary.	
<b>STRUCTURES (SHEDS/GREENHOUSES/POLYTUNNELS)</b>	Check all foundations, roof, doors, windows, walls, floor are safe. Chemicals and fuel should be safely stored. Check for broken glass at ground level in greenhouses or cold frames and trip hazards leading to glass structures.	
<b>TAPS</b>	Ensure non-return valve fitted. Tanks at a safe height and covered	

<b>WATER TROUGH</b>	Ensure water is filling correctly. Ensure trough is safe and no rusting	
<b>TREES</b>	Check for Tree Preservation Orders (TPO's). Use a qualified tree surgeon to carry out risk assessments	
<b>TRIP HAZARDS</b>	Could include hidden glass, rusty metal objects, potholes, unfilled holes/rabbit holes or uncoiled hosepipes.	
<b>VERMIN</b>	Check for evidence of vermin, e.g. burrows, droppings, sightings.	
<b>WATER SUPPLY</b>	Cover drains. Identify officer responsible for water supply. Ensure hosepipes do not present a trip hazard. Hosepipes must only be fitted to the water butt tap	
<b>WATER STORAGE</b>	No sunken containers or stagnant water. Secure covers <b>NEED COVER</b>	
<b>ANY OTHER HAZARD</b>		

**COMPLETED BY**

<b>Signature</b>		<b>Signature</b>	
<b>Name</b>		<b>Name</b>	
<b>Position</b>		<b>Position</b>	
<b>Date</b>		<b>Date</b>	

\*Degree of risk = (frequency + severity) x Probability: Please refer to guidance.

Annually reviewed by Allotment Committee of LSWA Parish Council.

In managing the Allotments, it is essential that regular risk assessments are carried out on both sites to ensure Health and Safety compliance and adequate protocols to deal with any issues that arise.

Frequency of exposure to hazard	+	Severity of likely outcome	X	Probability of occurrence	=	RISK
10 – Continuous 9 - Very frequent	10	Catastrophe (multiple deaths)	5	Certain to occur	90-100	Very high risk. Take immediate action. Stop operation.
8 - Frequent, a few times a day	9	Disaster (death)	4	Can be expected to occur	80-89	High risk. Action required urgently
6 – Occasionally, a few times a week.	8	Very serious (accident and Emergency, hospital)	3	Quite possible	50-79	Substantial risk. Correction required
4 – few per month	7	Serious (Doctor/reportable)	2	Unlikely but possible	20-49	Possible action required
2- Rare, few per year	5	Important (first aid)	1	Unlikely	10-19	Risk perhaps accepted
0 – Very rare	2	Noticeable	0	Practically impossible	0-9	No action required

### Who should carry out the Risk Assessment? **Policy 10**

People often have different perceptions of risk, so at least two people should carry out risk assessments. These people should be confident and able to tackle a risk assessment. It is LSWA PC's policy that two suitable people carry out the site assessments for both the allotment sites. These two people should be agreed and documented each year at the appropriate meeting.

LSWA PC agree to:

- Carry out the risk assessments twice per year
- Ensure that the risk assessments are done on site and not from memory
- Record the findings accurately on the risk assessment form
- Consider children and vulnerable people
- Take remedial action where necessary
- Prioritise risks deemed to be “very high” and “high”
- Review (at least annually) and update the risk assessment as necessary
- To provide suitable signage where needed on the allotment site

- To report hazards or safety issues to plot holders timeously

### Vermin. **Policy 11**

Vermin infestation is a serious threat to public health. Rats carry 70 diseases, including Weil’s disease, which can cause human death via contaminated water. Practices that encourage infestation by vermin should be avoided and incidents dealt with immediately.

It is LSWA PC’s policy to deal with infestations as quickly as possible.

### Hazard Checklist (pro-former for info)

#### Lapley, Stretton and Wheaton Aston Parish Council: Hazard Checklist

Allotment Site:
Date:

<u>Potential Hazard</u>	<u>What to look out for</u>	<u>Comments</u>
<b>ASBESTOS</b>	Found on buildings, fencing, and hidden on derelict land. Contact local authority for disposal advice (regulations apply): do no touch	
<b>BONFIRES</b>	Insurance may have specific rules. Ensure all staff and plot holders are aware of local bylaws and LSWA PC rules re timing/materials/location/extinguishing/nuisance.	
<b>BOUNDARY</b>	Overhanging trees/obstacles from outside the site. May have a shared responsibility from another landowner.	
<b>COMPOST BINS/MANURE STORAGE</b>	Should not contain hazardous materials. Check for evidence of vermin, e.g. burrows/droppings/sightings.	
<b>PATHS/ROADWAYS</b>	May be uneven, slippery when wet/icy weather (grit)/steep gradient. Are pedestrians at risk from vehicles colliding/speeding/turning. Check for potholes. Is a speed limit needed?	

<b>GATES</b>	Check for loose hinges, awkward locks, unsafe structure, ease of use.	
<b>HEDGING</b>	Gaps create access for intruders. Overgrown/thorns? Check with Natural England (ancient hedges may be protected; hedges contain nesting birds that restrict when cutting can take place)	
<b>PERIMETER FENCING</b>	All metal fencing requires an annual inspection to ensure that it is safe and in good condition. Barbed wire is not recommended and is not permitted next to a public throughfare – razor wire is never permitted. Anti-vandal paint must have signage. Gaps create access for intruders.	
<b>REFUGE</b>	No rubbish should cause a risk to wildlife or people.	
<b>SIGNS</b>	Legible. No sharp edges or nails exposed. Emergency contact details clearly displayed and safety information provided where necessary.	
<b>STRUCTURES (SHEDS/GREENHOUSES/ POLYTUNNELS)</b>	Check all foundations, roof, doors, windows, walls, floor are safe. Chemicals and fuel should be safely stored. Check for broken glass at ground level in greenhouses or cold frames and trip hazards leading to glass structures.	
<b>TAPS</b>	Ensure non-return valve fitted. Tanks at a safe height and covered	
<b>WATER TROUGH</b>	Ensure water is filling correctly. Ensure trough is safe and no rusting	
<b>TREES</b>	Check for Tree Preservation Orders (TPO's). Use a qualified tree surgeon to carry out risk assessments	
<b>TRIP HAZARDS</b>	Could include hidden glass, rusty metal objects, potholes, unfilled holes/rabbit holes or uncoiled hosepipes.	
<b>VERMIN</b>	Check for evidence of vermin, e.g. burrows, droppings, sightings.	

<b>WATER SUPPLY</b>	Cover drains. Identify officer responsible for water supply. Ensure hosepipes do not present a trip hazard. Hosepipes must only be fitted to the water butt tap	
<b>WATER STORAGE</b>	No sunken containers or stagnant water. Secure covers <b>NEED COVER</b>	
<b>ANY OTHER HAZARD</b>		
<b>ANY OTHER HAZARD</b>		

**COMPLETED BY**

<b>Signature</b>		<b>Signature</b>	
<b>Name</b>		<b>Name</b>	
<b>Position</b>		<b>Position</b>	
<b>Date</b>		<b>Date</b>	

**Safe site management**

**Tackling vandalism and other allotment offences.**

Most of the time allotment are a haven of peace in an otherwise busy world, where plot holders put in many hours of work for the sheer pleasure of growing food. From time-to-time though things may not go according to plan: petty vandalism, theft of crops or tools, fly tipping, joy riding, dog fouling or menacing behaviour can all create a problem.

Evidence shows that vandalism is rare on sites that have regular contact with people of the surrounding community. If local people know about the allotment site, and it's wider benefits then they may help to look after it.

A strong community on site is equally important. Plot holders get to know each other's movements and look out for each other's plots. A high level of activity and presence on a well-tenanted site deters intruders, and makes it easier to identify who is mis-using the site and why.

- Try to keep the site tidy. Having fewer places to hide will deter thieves and vandals. Young people are less likely to think they will get away with messing around. Fly-tippers usually tip where rubbish is already present.
- Do not leave material around that is easy to set on fire, e.g. piles of stick or leaves, paraffin or gas bottles in shed.
- Do not allow new or replacement glass greenhouses on site; use polycarbonate, rigid plastic or polytunnels.
- Line polytunnels with chicken wire to prevent the membrane being slashed.
- Cultivate thorny climbers over sheds and fences.
- If you engage the media do not let them turn the site into a disaster story. Publicising the vandalism/theft will put off potential plot holders, leaving plots vacant and ripe for further vandalism.
- More plot holders on site! Do not let vandalism distract you from your active promotion and publicity work.

### Working positively with young people

Young people do not necessarily go to allotment sites to cause trouble. They may be looking for a place to “hang out” away from disapproving adults and control. Vandalism usually occurs when young people are messing around, egging each other on. Young children tend to throw stones, pull up crops and taunt. Older children may vandalise or set fire to sheds. Approaching young people with respect and familiarity is a powerful weapon against abuse; acting the disciplinarian is not. Today's young people are the plot holders of the future so creating a good impression will encourage them to respect the site and come back when they feel ready for gardening.

Encourage schools or organisations for young people to take on a plot. Explain how an allotment would tie in with the curriculum, healthy eating, crime reduction and citizenship.

Developing an on-site partnership with your local probation service can help young offenders as part of their rehabilitation and be a source of free, managed labour hours to maintain unused plots and site infrastructure.

Get plot holders to come along and meet these young people – both sides might learn something useful.



First obtain some real evidence of crime or anti-social behaviour on site. This not only makes it easier to deal with the crime but it separates the facts from site myths and gossip.

Encourage all plot holders to look out for suspicious behaviour and maybe set up a rota to ensure good site presence. Get other local residents involved in keeping an eye on the sites. Put the local police telephone number on all noticeboards. Emphasise that a call-out only occurs for a serious case. For non-emergency call use 101. Explain that the witness of the victim should make the call and obtain a Police incident number, which must be passed on the clerk to LSWA PC. Add the number of the nearest fire station if arson has occurred on site.

Join forces with other allotment sites affected by similar problems. A partnership provides more resources for tackling crime and gives you a stronger voice when lobbying police or elected councillors.

Ask the local police crime prevention officer to visit the site and make recommendations about preventative measures.

**LSWA PC will hold and manage an Incident Logbook to record all incidents of crime and antisocial behaviour.**

## **Policy 12**

### **Waste Management**

A tidy site is the best prevention for fly tipping as junk attracts junk. Remove rubbish as soon as it appears, especially around the site entrance, highly visible spots or those accessible to vehicles.

Consider signage stating the legislation and maximum statutory fine for fly-tipping. Put signs up inside and outside the site. In serious cases liaise with the local authority's Waste Management Officer as they have the powers to carry out covert operations.

Fly-tipping is illegal under the Environmental Protection Act 1990 and Cleaner Neighbourhoods and Environment Act 2005, with a maximum fine of £50,000 and imprisonment. Many local authorities have an officer with specific responsibility of dealing with fly-tipping.

Not sharing the pad lock code will help reduce any incidents of fly tipping

**LSWA PC will record fly-tipping incidents in the Incident Logbook.**

Designated rubbish areas may get out of control, due either to plot holders or fly-tippers. Encourage plot holders to think about how they will dispose of an item before they bring it on site and discourage hoarding. Instruct plot holders to store rubbish neatly on their plot until arrangements can be made to clear it (include this statement in the tenancy agreement). Ask plot holders to take their rubbish home with them.

LSWA PC will provide skips twice annually during the growing season (March – November).

- One will be provided in April to allow for plot holders to clear winter weed growth and old plants
- One will be provided in November to enable plot holders to remove vegetation that is no longer producing and to tidy their plots for the winter.

### Other offences

Dog fouling is often a problem for sites. Failure to clean up after a dog is a criminal offence under the Dog Fouling of Land Act 1996. Think about providing waste bags for owners to take the waste home. As a final resort, a notice stating that offenders will be photographed and images passed to the police may nip the problem in the bud. Dogs are not permitted on site

### Drug use and sex workers.

These people tend to use a site at night and so are rarely seen. The same cannot be said of used needles, solvent bags or condoms. Log and report incidents to the police. Street Scene Officers can advise on the removal of needles and sharps.

Sometimes individuals rent a plot to use solely as a private rubbish tip, store business materials or stolen good, or breed dogs. Some plot holders may cultivate their plot accordingly but generally be “difficult people” to deal with or for other plot holders to garden alongside.

In genuine cases of inappropriate behaviour, and after the appropriate number of warnings and negotiation, speedy eviction may be the only solution, using the correct paperwork procedures.

LSWA PC should ensure that tenancy agreements and rules include clauses that cover anti-social behaviour, bring the site into disrepute and harming relations with the local community. LSWA PC are then able to evict for almost anything that causes a serious problem. LSWA PC should also insert and clause about ensuring “nil criminal activity” to cover the storing of stolen property, growing of cannabis etc. LSWA PC’s power should not be abused. Define a serious problem and obtain robust evidence.

- Issue a formal written warning with notice of a set time period to rectify the issue.
- Final warning and set time period again.
- Eviction notice and set time limit to leave plot, remove property etc.
- Copies of all letters/forms must be kept. Advised to use registered mail for eviction notices.

If this process is carried out then any further problems after eviction can be handed over to the police who are then dealing with an eviction problem, which is relatively straightforward. They can warn the person that they face arrest or “breach of the peace” and take it from there. Again, all incidents/crimes should be reported and logged with the relevant police reference numbers.

Document produced by LSWA PC February 2025 using guidance provided by the National Allotment Association, Social Farms and Gardens Toolkit and the RSPCA.

Document to be reviewed annually by the BLPJGA Committee for recommendation to Full Council.

<b>Next review due</b>
<b>February 2026</b>