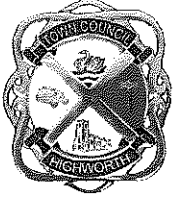


# Highworth



## Town Council

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[www.highworthtowncouncil.gov.uk](http://www.highworthtowncouncil.gov.uk)

### HIGHWORTH TOWN COUNCIL RULES FOR ALLOTMENT HOLDERS

#### Interpretation of terms:

Throughout these Rules, the expression **THE COUNCIL** means the Town Council and includes any Committees of the Council or any Garden Managers appointed by the Council under the Allotments Act 1908-1950.

#### Definition of the persons eligible to be Tenants of the Allotment:

Any person, who at the time of application to the Council for an allotment is resident in the Town of Highworth or an employee of The Council, shall be eligible to become a Tenant of an allotment.

#### General conditions under which the allotments are to be cultivated:

The tenant of an allotment shall comply with the following conditions:-

1. He/She shall keep the allotment clean and in good state of cultivation and fertility and in good condition.
2. He/She shall not cause any nuisance or annoyance to the occupier of any other allotment, or place any waste vegetable or other refuse or debris on any path or roadway, or otherwise obstruct or reduce the width of any path or roadway set out by the Council for the use of the occupier of the allotment.
3. There shall be no fires on the allotment garden plots.
4. Barbed wire shall not be used on any allotment.
5. He/She shall from time to time when reasonably necessary, cut the grass on the partition strips between his and any adjoining allotment or alongside any path or roadway abutting on his allotment and shall keep such paths free from weeds.
6. He/She shall not, without written permission of the Council, cut or prune any timber or other trees, or take, sell, or carry away any mineral, gravel, sand or clay.
7. He/She shall not, without written permission of the Council, erect any buildings on the allotment. If permitted by the Council to erect a building on the allotment he shall adhere to the Council's specification, maintain it in good repair and shall paint it once every three years such colour as may be approved by the Council. Any building so erected must be removed within two weeks after the termination of the tenancy.
8. He/She shall not allow any dogs in his charge to enter the allotment site except on a lead.

9. He/She shall not keep livestock of any kind on the allotment garden plots.
10. He/She shall not obstruct the free flow of surface water in any trench or cutting abutting on or adjoining his allotment whether such surface water is from his own or any other allotment.
11. He/She shall not erect, display or exhibit any advertisement board or advertisement upon any allotment.
12. He/She shall not use more than one-tenth of the area of the allotment for cultivation of flowers.
13. He/She shall, as regards the allotment, observe and perform all conditions and covenants in the lease (if any) under which the Council holds the land.
14. He/She shall inform the Council in writing if he ceases to reside within the Town of Highworth.
15. He/She shall preserve the allotment stakes uninjured, and shall provide and maintain on the allotment, to the satisfaction of the Council, a numbered plate correctly stating the number of the allotment as determined by the Council.
16. He/she shall not under-let, assign or part with the possession of the allotment, or any part of it, without written consent of the Council.
17. He/She shall not take or remove any plants or crops from any other garden without the tenants' permission.
18. He/She shall not drive vehicles nor ride motor-cycles or bicycles across the Recreation Ground or Playing Field, or obstruct the driveways of the Residents of Park Avenue – anyone found so doing on three separate occasions will forfeit their allotment.
19. He/She shall park a motor car only in the car park areas provided. If allocated any allotments 1-14 he may use the small defined turning space shown on the existing allotment area. (if using this space he shall proceed onto the main Highworth-Swindon road (A361) in a forward direction only and the gate leading into the allotments must be locked after use)

#### **Payment of Rent:**

The rent of the allotment shall be due on the first day of February annually and, unless otherwise agreed in writing, is to be paid by no later than the last day of February in each year.

#### **Power to inspect allotments:**

Any member (or officer) of the Council shall be entitled at any time when directed by the Council to enter and inspect an allotment.

#### **Termination of tenancy of allotment:**

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

It may be terminated by the Council by re-entry after one month's previous notice in writing to the tenant:-

- (i) If the tenant is in arrears for more than 30 days; or
- (ii) If the tenant is not duly observing the rules affecting the allotment or any other term or condition of the tenancy
- (iii) It may also be terminated by the Council or tenant by twelve months notice in writing expiring on or before the sixth day of February, or on or after the twenty-ninth day of September, in any year, or three months in certain circumstances.

- (iv) Upon termination of his tenancy the tenant will have the right to claim compensation as provided in the Allotments Acts 1922 and 1950.
- (v) Allotment holders who allow their plot to deteriorate due to neglect may be liable to pay compensation on quitting. (Allotment Act 1950).

**Service of Rights:**

Any notice may be served on a tenant either personally or by leaving it at his known place of abode, or by recorded delivery addressed to him there, or by fixing the same in some conspicuous manner on the allotment.

Signed.....*N Gardiner*.....Print Name.....*N GARDINER*.....  
Position in Highworth Town Council.....*Town Mayor*.....  
Date.....*28/0/17*.....  
To be reviewed.....*2021*.....