

Carnforth Town Council:



Allotments Information Sheet, March 2023

Dear Plot holder,

As you will know, Carnforth Town Council is planning to take over the administration and financial management of Carnforth allotments from your Allotments Committee with effect from 1 April. In discussions with your Committee members over the past few months the Town Council has been challenged to give assurances about how it will manage the allotments in the future and how you as plot holders will continue to have a say in their development.

For the avoidance of confusion, it might be useful if the Town Council says now what it intends to do in future and, more importantly, what it does not intend to do.

Carnforth Town Council will not:

- ✓ Change the use or dispose of the site;
- ✓ Use allotment rents for anything other than the benefit, development and running of the site;
- ✓ Raise rents without the usual annual period of notice and without consultation;
- ✓ Alter the existing allotment rules and regulations without consultation.

Carnforth Town Council will:

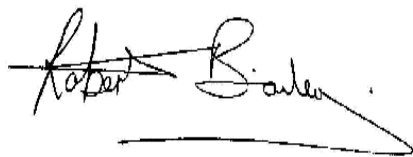
- ✓ Provide a legal undertaking to maintain the land for use as allotments in future;
- ✓ Ring-fence all allotment funds (rents and balances) for sole use on the site;
- ✓ Establish a process for plot holders to report issues and to make complaints or suggestions through the regular monthly meetings of the Town Council's Property & Environment Committee;
- ✓ Insure all plot holders when using the site;
- ✓ Adjudicate in disputes between plot holders;
- ✓ Manage the allocation of vacant plots;

- ✓ Assist with the setting up of a Friends Advisory Group with membership open to all plot holders;
- ✓ In consultation with the Friends Advisory Group aim to establish a regular programme for plot inspections, events, produce sales, educational talks and visits;
- ✓ In consultation with the Friends Advisory Group develop ideas for the improvement of the site for the benefit of all plot holders;
- ✓ Promote the health, social, economic and educational benefits of horticulture and allotment holding to the whole community of Carnforth.

For information we are enclosing a copy of our tenancy agreement, the allotments rules and regulations and the health and safety policy. There will be an opportunity for you to discuss these documents and any of the points above with us at the

Allotments Committee's Annual General Meeting at the Gummers Howe Community Centre on Friday, 17 March. However, if you have any further concerns or any other questions about what we are proposing, **please raise these with your Allotments Committee members before Friday 10 March.**

We want you all to continue to enjoy the use of your plots and to help us in making Carnforth's allotments something the whole Town can be proud of. We hope we can count on your support and we look forward to working with you in future.

A handwritten signature in black ink, appearing to read 'Bob Bailey', with a long horizontal flourish extending to the right.

Bob Bailey, Town Clerk & Responsible Finance Officer

Tenancy Agreement
Highfield Allotments
Highfield Road
Carnforth

Tenancy Agreement between Carnforth Town Council and Tenants of Allotment Plots

AN AGREEMENT made thisday of

BETWEEN Carnforth Town Council (hereinafter called "the Council") of the one part and

.....

Of

(hereinafter called "the Tenant") of the other part.

Whereby the Council agrees to 'let' and the Tenant agrees to take on a yearly tenancy from
1st April 2023 for plot number(s) (hereinafter called "the plot").....

in the register of plots provided by the Council) at the yearly rental of £0.25p per metre.
payable yearly, and at a proportionate rent for any part of a year over which the Tenancy
may extend.

The TENANCY is subject to the Allotment Acts 1908 to 1950 and to the Regulations endorsed
on this agreement and also to the following conditions:

1. The rent shall be paid on the 31st of March each year (or another date stated by the Council).
2. The tenancy of the plot is personal to the Tenant. In the case of a group tenancies the Tenant is the group itself, covering any and all members of the group, not only the individual named signatory of this agreement.
3. The Tenant agrees to complete a one year probationary period, during this time tenancy may be terminated by the Association.
4. The Tenant shall use the Plot as for allotment gardening (that is to say wholly or mainly for the production of vegetable or fruit crops for consumption by the Tenant and his/her family) and for no other purpose.
5. The Tenant shall abide by the Rules and Regulations.
6. Any Member or Officer of the Council shall be entitled when directed by the Council, to enter and inspect the Plot.
7. The Tenancy of the Plot, or any of its parts should more than one plot number be allocated and noted above, shall/may be terminated as follows:
 - a) The Tenant may terminate the tenancy at any time by giving 14 days' notice in writing to the Council. If a Tenant decides to stop cultivating an allotment partway through the year, they must notify the Council so that the allotment may be let to a new Tenant without delay.

- b) The Council may terminate plot tenancies in line with the agreed notice period in any of the following ways:
 - (i) If the Tenant is in breach of any of these rules or their tenancy agreement, by following the Breach and Dispute Resolution procedure and the Notice to Quit procedures in addition to the same.
 - (ii) If the lease is terminated by the Council.
- c) The Council may terminate plot tenancies by giving one months' notice to quit if rent is in arrears for 60 days or more (whether formally demanded or not).
- d) The Council may terminate plot tenancies with immediate effect:
 - (i) On the death of the named Tenant (it is the Council's discretion if they wish to offer the plot in question to the deceased Tenants family member in the first instance before reverting to the waiting list).
 - (ii) The Council believes the Tenant to have committed an illegal, violent or dangerous act, which brings the site or Council into disrepute.
- e) In exceptional circumstances, Carnforth Town Council may terminate a plot tenancy, in line with the above agreed notice periods.

Signed..... Date

(Town Clerk & Responsible Finance Officer)

Signed Date

(Tenant/Representative of the Tenant in the case of Group Tenancies)

Witness Date

The National Society of Allotments & Leisure Gardeners Ltd advise that two copies of this Agreement be prepared. Both should be signed in the appropriate places. One copy should be handed to the Tenant, or representative thereof in the case of Group Tenancies and one should be retained by the Council.



CARNFORTH TOWN COUNCIL

HIGHFIELD ALLOTMENTS

Rules and Regulations

All plot holders should read this information sheet carefully as their Tenancy Agreement relies on their implementation. The intention of the Rules and Regulations is to ensure the allotments are kept in good condition and worked to a high standard. Plot holders are encouraged to take responsibility for the overall maintenance of the allotment area and to take part in any general tasks which may be required periodically.

1. General

- 1.1 **Grievances and Complaints:** Grievances and complaints should be made in writing and sent to the Town Clerk who will submit them to the Property & Environment Committee for consideration. The Committee's decision is final, no appeal process is available to the complainant.
- 1.2 **Rule Amendments:** Any proposed amendments to the Rules and Regulations should be made in writing and passed to the Town Clerk. Proposals will be considered by the Property & Environmental Committee. Allotment rules will generally put to Allotment Holders at the Annual General Meeting but the Property & Environment Committee has discretion to implement rules during the year, in the interest of the Allotments and to inform Allotment Holder as necessary.
- 1.3 **Data:** The names and addresses and contact numbers of all members shall be held by the Council and managed in line General Data Protection Regulations.
- 1.4 **Rent:** Tenants will be invoiced annually with payment due by 31st March each year. Non payment of rent, without sufficient reason may lead to the tenancy being terminated. Tenants may vacate a plot by giving one month's notice to the Council.

2. Plot and Allotment Maintenance

- 2.1 **Allocation:** All plots will be let by the Council. A waiting list is held by the Council and when a plot becomes free the next person on the list will be offered the tenancy, priority will be given to the first person on the list. Prior to the new tenant taking over a plot the boundary will be identified and the pathways that he/she will be responsible for maintaining shown.
- 2.2 **Transfer & Subletting:** Unauthorised transfer or subletting of plots will not be recognised. Allotments vacated will be re-let by the Council.
- 2.3 **Paths:** Plot Holders are expected to look after the paths adjoining their plots. Paths running between two plots are the joint responsibility of the two plot owners.

Grass paths should be cut regularly, level and their widths and lengths maintained. Paths made of stone, gravel or concrete must remain in good condition, level, be non-slip and weed free. Crops must not impinge onto the paths or present a hazard to other members of the public. Obstructions must not be left on any path as this may constitute a hazard.

- 2.4 **Cultivation:** Each Plot Holder must cultivate their plot in such a manner as shall preserve its fertility, keep it tidy and free from weeds and rubbish and maintain it in a state of cultivation to the satisfaction of the Town Council.

If a plot holder is absent for a significant period throughout the year, he or she must arrange for someone to look after the plot during the period of their absence. Where a plot-holder has problems arranging cover, he or she should contact the Town Clerk.

If a plot falls below the required standard of maintenance or is allowed to stand idle for a significant period of time without good cause, an initial written warning will be sent to the plot-holder by the Town Clerk giving 28 days in which to rectify matters.

If there is no improvement after this time this will be followed by a second written warning giving a further 14 days to rectify the matter. If there is still no improvement a final written warning giving a further 7 days will be issued. Following the expiry of this time with still no improvement, the plot-holder will be notified to vacate the plot.

- 2.5 **Common Areas:** All Members are expected to help with the maintenance of common areas to ensure these areas are kept tidy.

- 2.6 **Non-Garden Waste:** Plot holders must ensure plastic, paper, metal, glass, wood waste etc is not allowed to accumulate on their plots. All unwanted materials and rubbish should be removed from their plot and disposed of responsibly.

- 2.7 **Pesticides and Weed Killers:** Restrictions apply. Plot holders must take care when using pesticides, weed killers and other chemicals on their plots or in common or shared areas of the allotments. Any applications must be done when there is no wind and any material or spray must remain within the area being treated and away from water courses. Chemical damage sustained to areas outside the intended treatable area (to any other path or neighbouring plot) is considered a serious offence and may result in the termination of tenancy. Chemical damage to a watercourse is a legislative offence and may result in a fine or imprisonment.

3. Storage of Equipment and Materials

- 3.1 **General Tidiness:** The Allotments are in a residential area and must be kept reasonably tidy. The Town Council will act if plots are not being kept to a minimum standard, or in the event of complaint from residents or adjoining tenants.

- 3.2 All tools which may cause injury to a person or animal or used as a weapon must be locked away or removed from the site when the plot is not occupied.

4. Keeping of Animals on Plots

- 4.1 **Keeping of Chickens/Animals/Bees:** The keeping of Chickens, animals and bees on site is prohibited.
- 4.2 **Visiting Animals:** Dogs visiting the allotments must be kept on a lead, must remain within the confines of the members plot, must not be left unattended on the site and must be cleaned up afterwards by owner. Dogs must not cause a nuisance to other members through excessive barking, being allowed to run free.

5. Attendance of Children on the Allotments

- 5.1 **Children:** Children are welcome on the allotment but they must be carefully supervised at all times. The Plot Holder inviting children is responsible for their safety and behaviour at all times whilst on the site. Children should remain within the confines of the members plot and must not go onto the plots of other members.

6. Erection of Sheds, Greenhouses and Other Structures

- 6.1 **Permissions:** Restrictions Apply. Permission in writing must be sought from the Town Council prior to erecting a shed, greenhouse or other structure. Plot Holders wishing to do so must apply in writing to the Town Clerk and include a site plan for consideration by the Property & Environment Committee. Where permission is granted, sheds or greenhouses must be erected so as not to cause nuisance to neighbouring plots or local residents.
- 6.2 **Unightly, Unsafe or Abandoned Structures:** Any unsightly or dilapidated structures must be made good or removed on request of the Town Council. All buildings, not being property of the Town Council must be removed by the tenant after termination of a tenancy. Any building, not being property of the Town Council, left by a tenant after the termination of a tenancy, from whatever cause, shall become the property of the Association.

7. Ponds

- 7.1 **Built Ponds:** Restrictions apply. Ponds can be very attractive and provide a habitat for wildlife. The Town Council is required to impose restrictions on the building of ponds. These cover the siting and size of any proposed ponds. Guidance must be sought prior to any pond construction.

8. Bonfires, Open Fires and BBQ's

- 8.1 **Bonfires:** Restrictions apply. Bonfires are permitted within the confines of the plot holder. However, bonfires or rather the smoke from bonfires can be a nuisance to other plot holders and local residents so please demonstrate consideration for others. Be aware it is illegal to burn plastics,

tyres, plastic coated wire, asbestos and other man-made materials. Please do not burn these, or domestic waste on the allotments at any time, for further information refer to the '*Clean Air Act, 1993*'.

If a plot holder is to have a bonfire, the use of a purpose made incinerator is required. The location of the fire should be in the open and a 2m horizontal and vertical sterile area (free from any other combustible items) must be in place to prevent fire spread. Any bonfire must not be left unattended and sufficient water and applicator to extinguish the fire must be available. Precautions should be taken when putting out a fire, only a competent person should attempt this and only when it is safe to do so.

Please be advised burning times change with the seasons:

Spring/Summer – no fires are to be lit between the hours 7am-7pm.

Autumn/Winter – no fires are to be lit between the hours 8am-6pm.

8.2 **Open Fires:** Open fires are considered to be those similar to camp fires, it is prohibited to have an open fire on site.

8.3 **BBQ's:** Restrictions apply. Plot holders are permitted to have a BBQ on the plot. However, the noise generated from the social event can be a nuisance to other members and local residents so consideration for others must be demonstrated at all times. Any BBQ must not be left unattended and sufficient water and applicator to extinguish the fire must be available. Any plot holder hosting a BBQ must dispose of all food and items used to prepare and cook food responsibly and must not leave them around the allotment. Precautions should be taken when putting out a fire, only a competent person should attempt this and only when it is safe to do so.

9. Alcohol

9.1 **Consumption of Alcohol:** Restrictions apply. The consumption of alcohol is permitted on a member's plot, however this must not be consumed in excess and the behaviour of those consuming alcohol must not be considered a nuisance by the Committee, other members or local residents.

10. Litter

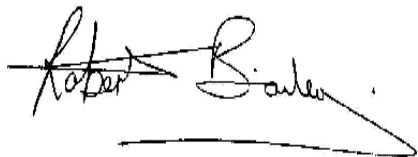
10.1 Any plot holder partaking in the consumption of alcohol must dispose of bottles or cans responsibly and must not leave them around the allotment.

11. Health and Safety

11.1 Plot holders must at all times work in a manner which does not threaten the safety and health of themselves, other plot holders or members of the public. A Health and Safety guidance will be issued to all plot holders and this should be followed at all times to ensure the safety of others.

12. Other

- 12.1 **Termination of Tenancy:** If a plot holder fails to adhere to the rules, the Town Council shall have the power to terminate the tenancy.
- 12.2 **Concrete and Cement:** No concrete/cement is to be used for any purpose by a plot holder.

A handwritten signature in black ink, appearing to read 'Robert Bailey', with a long horizontal flourish extending to the right.

Town Clerk & Responsible Financial Officer

Tel: 07828 254 149

Email: clerk@camforthtowncouncil.org



CARNFORTH TOWN COUNCIL

HIGHFIELD ALLOTMENTS

Health and Safety Guidelines

Allotment sites and the activity of gardening is relatively risk free if people are aware of the hazards and take steps to ensure that themselves, other people and wildlife are not put at risk. Please read and consider the following points before allotment gardening.

Hazardous Rubbish: Ensure that you do not leave broken glass and other hazardous materials on the allotment. If you discover a significant amount of rubbish underneath the soil, such as broken glass, plastics etc, then please contact the Town Council who can offer some assistance in removing it from the plot.

Tetanus or Lockjaw: This is a serious infection caused by bacterium that lives in the soil and especially manured soil. It enters the body through the tiniest abrasion, scratch, thorn, puncture or cut and a few days or weeks later the illness hits. Please make sure that you have a vaccination that can protect against tetanus.

Skin Irritations: Consider wearing gloves and a long-sleeved shirt when pruning plants that can cause skin irritations for example ivy, euphorbia or rue.

Garden Tools: Garden tools can be a hazard if they are not stored properly or are left lying around the allotment when not in use. For example, don't leave upturned spades and forks lying around on paths.

Pesticides and Fertilisers: Always follow the manufacturers' instructions. Do not apply sprays in strong winds when there is a risk of contamination.

Ensure that chemicals are kept securely locked in their own cupboard in your shed, kept away from children and in clearly marked containers. Do not keep them in lemonade bottles or other food containers or leave them lying around your plot. If you use chemicals, please keep them to your own plot and do not put them on your neighbour's plot. They may garden organically and will not thank you for it!

When using pesticides or fertilisers ensure you wear suitable clothing and gloves.

Please ensure that pesticides or fertilisers are disposed of responsibly.

Pesticides should never be included in household rubbish, burnt, placed in skips or poured into any kind of drainage system or watercourse.

Please note that Garden Organic (www.gardenorganic.org.uk) provide advice and publications on methods of pest control that do not require pesticides and gardening methods that reduce pest attack.

First Aid Kit: Consider keeping a first aid kit in addition to the tools kept in the garden shed. A small selection of adhesive plasters, antiseptic ointment, a pair of tweezers for removing thorns and splinters and a gauze or lint pad to use as a compress to stop the bleeding if you are badly cut.

Please familiarise yourself with the on-site first aid box and accident book in case the need to use it should it ever arise.

Power Tools: Most power tools need a specific safety and handling training e. g. power chainsaws, trimmers, lawn mowers with metal blades and rotavators. A large rotavator can be a bit of a strain to control, so take a while to get used to it. Power trimmers, shredders, all have their dangers as well. Always follow the manufacturer's instructions. Make sure that power tools are kept in good working order.

Legionella: In very hot weather, especially in green houses, it is possible, although very rare, for Legionella (Legionnaires' Disease) to multiply in warm water to potentially harmful levels. Avoid storing potting media in greenhouses or spraying fine mists.

Ponds and Water: Ponds that are planned and maintained properly pose a small risk, far outweighed by the numerous benefits to wildlife and enjoyment to people of all ages. Contact the Wildlife Trust, Froglife or The Pond conservation Trust about construction and maintenance of wildlife ponds. Permission to construct a new pond or alter an existing pond must be sought from the Town Council prior to any works beginning.

People at more risk of drowning in ponds are children under three years of age. Risk from drowning decreases as a child's age increases and so understanding of the danger. Children should be supervised on allotments at all times and must not go on other people's plots without their express permission.

Aim to make ponds shallow and seasonal; 30-50 cm at the deepest point is sufficient for biodiversity and sloping sides also prevent drowning of mammals that come to drink water. In winter use a float to prevent icing-over, otherwise children may be tempted to walk on ice and pond-life will be starved of oxygen.

Water butts – Please ensure that water butts are covered either with a lid or wire, so that it is not possible to fall in to them.

Hazards for Wildlife on Allotments: These include: litter, low-level fruit netting, use of pesticides, open drains, slug pellets, mowing, strimming, broken glass and pre-stacked bonfires. Certain wildlife e.g. badgers, slowworms, some birds of prey and reptiles have specific legal protection concerning their management. Contact English Nature for advice about protected species.

Vermin: Rats carry 70 diseases including Weil's Disease, which can cause human death via contaminated water. Plot-holders must be vigilant and report any signs of infestation, which include burrows, tracks, droppings and observing the vermin. Contact the Environmental Health team at the council for advice and to report problems.

Risk of Infection: Humans are at risk of infection from handling animal manure. Always wear gloves when handling any type of manure. Fresh manure should be heaped for 6 months, giving time for e-coli to break down. It is the responsibility of the plot holders for basic hygiene and to check tetanus boosters are up to date.

Personal Safety: Allotment gardeners often spend long periods of time on their own on site: take personal safety seriously and tell another person where you are going and what time you will be back. If you have a mobile telephone take it with you. Use sunscreen to protect you from over exposure to the sun.

Bonfires: The environmental Protection Act (1990) and Clean Air Act (1993) prohibit a statutory nuisance being caused by smoke. There is plenty of information online, if you are uncertain.

The use of a purpose made incinerator is required.

Please be advised burning times change with the seasons:

Spring/Summer – no fires are to be lit between the hours 7am-7pm.

Autumn/Winter – no fires are to be lit between the hours 8am-6pm.

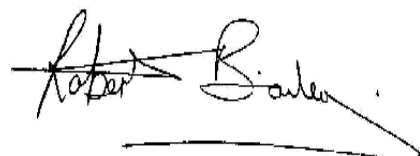
Check weather conditions to ensure that there is no significant wind, do not leave a fire unattended and ensure that it is completely put out with water before you leave.

Check your bonfire for wildlife before lighting it.

Open Fires are prohibited.

Paths: Please keep paths (especially communal ones) in good condition and free from trip hazards.

Children: Children are welcome on the allotment but please make sure they are well supervised and made aware of any hazards.

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