

LINTON HEATH ALLOTMENT ASSOCIATION

1 CONSTITUTION

- 1.1 The name of the Association shall be LINTON HEATH ALLOTMENT ASSOCIATION.
- 1.2 The Association shall consist of bona-fide Members, each of whom is the tenant of an allotment plot (or more than one plot, if approved by the Committee) being part of the Linton Heath Allotment Association Site, held under tenancy agreement by the Association from Linton Parish Council. Only one person at an address shall be permitted to be a tenant.
- 1.3 The Association shall not be involved in any way in any political, religious or other sectarian matters and shall be solely and exclusively involved in allotment gardening.

2. OBJECTIVES

- 2.1 The securing of continuity of tenure of the Site and achievement of full compliance with all terms and conditions and spirit of the Site Tenancy Agreement with Linton Parish Council.
- 2.2 The effective management of the Site sub-let in allotment plots to Members for allotment gardening.
- 2.3 The provision, through 2.2, to Members the opportunity to:
 - (a) Provide for themselves vegetables, fruit and flowers;
 - (b) Enjoy attendant leisure, social and health benefits.
- 2.4 The establishment and maintenance of co-operative and harmonious relationships amongst Members and with the local community neighbouring the Site.
- 2.5 The continuation of the existence of the Association and its operation for the benefit of its Members.
- 2.6 The preservation or improvement of the fertility of the soil of each allotment plot and management of the Site in an environmentally friendly way.

3. OPERATING ARRANGEMENTS

- 3.1 Management of the Association and the Site shall be done through Linton Parish Council (the owners of the site).

The Clerk to Linton parish Council shall have management responsibilities on a day to day basis.

Linton Parish Council shall be responsible for overseeing and otherwise assisting in the management and operation of the Association in pursuit of its OBJECTIVES.

Any Members of the Association may arrange with the Clerk to inspect the accounts (should there be any).

- 3.2 For a decision to be made at a Linton Parish Council Meeting, there must be a Quorum present.
- 3.3 Any major issues which a Member wishes to raise for discussion/resolution must be submitted in writing to the Clerk to Linton Parish Council not less than two weeks prior to a meeting.
- 3.4 Applications for membership shall be in writing, dated and addressed to the Clerk to Linton Parish Council who shall put the applications to the Parish Council for acceptance or, for valid reasons only, rejection. Examples of rejection include previously holding a plot and being issued with a Notice to Quit, previously received written warnings or Improvement Notices. These examples are not exhaustive.

The Clerk to Linton Parish Council shall notify the applicant of the Parish Council decision without undue delay.

The Clerk to Linton Parish Council shall maintain a record of all such applications and resulting acceptances or rejections. Following acceptance or rejection, the Clerk to Linton Parish Council shall either:

- (a) After receiving the full rent amount, offer him/her the agreed allotment plot. If accepted, the new member will then receive a copy of this document, and agreement (to abide by the rules), a Key Rules Document, a key to the ,main gate and any other relevant literature , or
- (b) If a vacant allotment plot is not available, record the applicant's details and the date of the application on a waiting list. When a plot becomes available, where there is more than one name on the waiting list, a 'first listed, first offered' policy shall be applied. The waiting list shall be reviewed twice annually.

The membership of any new member is subject to six months probation, after which it may be terminated by Linton Parish Council, should they determine there to be sufficient valid reasons for doing so.

Any membership resignations should be made in writing to the registered address. Mrs Clare Orme, Linton Parish Council, 110 New Road, Newhall, Swadlincote, Derbyshire. DE11 0TH.

Any member may apply for a further plot under the previously mentioned application/waiting list method. The Clerk to Linton Parish Council shall keep a record of all Members' names, addresses and relevant plot numbers and location of plots.

- 3.5 The annual membership fee shall be broadly in-line with the NTC policy for individual allotment garden plot rents and shall not exceed normal NTC rent (i.e. open market rental) for such allotment plots.

The annual membership fee/plot rent payment from existing members is due on 1 April each year.

Any member who does not pay their allotment rent shall receive a written reminder that the plot rent must be paid within 14 days (or make an application to the Treasurer to pay by instalments if experiencing financial difficulties). If this does not happen within 14 days a Notice to Quit will be issued, which gives a further 14 days to quit the plot.

- 3.6 Transfer of tenure of an allotment plot or part thereof is not permitted. No sub-letting of plots is allowed, except that a plot may be shared with the prior approval of Linton Parish Council.

4 GENERAL RULES

- 4.1 **Buildings installation/construction/alteration.** All buildings must conform to standards determined by Linton Parish Council. Prior to the start of any new construction or alteration or installation of a building, details must be submitted to the Clerk of Linton Parish Council for consideration by Linton Parish Council for their approval or refusal. Caravans and mobile homes are not allowed on the site.

- 4.2 **Communal roadways and paths.** Delivered materials (e.g. manure or mulches) must be removed from communal roadways and paths as soon as reasonably practicable.

- 4.3 **Vehicle access.** Members are allowed vehicular access to and from the site for the purpose of the haulage of goods or equipment at reasonable times of day. Manure deliveries of 2 drops per allotment per year are permitted i.e. a maximum of 24 drops per year in total.

- 4.4 **Site security.** Members are required to lock site access gates after use for entry or exit.. Keys to main gates are not transferable to non-members, nor can duplicate keys be cut and given to non-members. Members must not allow their visitors to stray onto allotment plots other than the one(s) they are visiting. All visitors must obey the rules of this document at all times. All breaches of security must be reported to the Clerk of Linton Parish Council e.g. break-ins, thefts or trespassing.

- 4.5 **Plot use.** A Member's allotment plot(s) must be used wholly for regular cultivation. Cultivation means production of fruit, flowers or vegetables on a regular basis for the Member's own consumption or use. Any Member who does not regularly cultivate their plot and keep the plot free of weeds will be liable to having their agreement revoked.

Any other use of the allotment plot is strictly prohibited and will result in revocation of the tenancy agreement. Prohibited practices include market gardening, garaging/repair of road vehicles, parking of caravans/mobile homes, warehousing or any service/manufacturing industry activity, bringing onto the site or storage of non-gardening items or artefacts. This list is not exhaustive and any inappropriate behaviour will be considered by Linton Parish Council and appropriate discipline initiated (see section 6).

- 4.6 **Plot tidiness.** Each member must ensure that his/her plot(s) is/are:

1. Kept free from weeds as far as practicable;
2. Kept free of rubbish and junk;
3. Has any perimeter fence or hedge maintained in good order;
4. Communal paths or roadways outside their plot kept free from weeds;
5. Free of items which are not gardening related and ensure that they do not bring such items onto the site.

- 4.7 **Disposal of rubbish/fires.** The use of bonfires is only permitted to dispose of garden waste. No other material may be burnt. When fires are to be lit care should be taken to avoid creating a statutory nuisance, hazard or inconvenience to neighbours. The wind direction, weather conditions and the position of the bonfire should be considered at all times before lighting the bonfire. Full details of the NSALG recommendations are available on their website or from the Clerk.

Any other rubbish must not be 'fly-tipped' anywhere on the site or over the perimeter fences/hedges. Members with rubbish that cannot be disposed of by fire or composting should consult Linton Parish Council about their removal.

- 4.8 **Dogs.** Any dog brought onto the site must be kept on a lead except when on the Member's plot, when it is at the member's discretion. A Member allowing a dog onto the site shall be wholly and personally liable for meeting any claims for injury or damage arising there from and any fouling of any road/pathway by the dog should be removed immediately by the Member. Dogs must not be allowed to harass or interfere with any wildlife or other domestic animals.

- 4.9 **Extraction.** A Member shall not remove or allow any other person to remove any soil, gravel or minerals from their plot.
- 5 **INSPECTION.** Inspection of plots roadways, pathways perimeter fences and hedges will be carried out regularly by Linton Parish Council. Where remedial work is required, the Clerk to Linton Parish Council will write to the Member concerned bringing to their attention the work required and any rule which has been broken. The Members will be given 28 days to take the required remedial action. Failure to comply will result in disciplinary action (see 6).
- 6 **DISCIPLINE.**
- 6.1 Linton Parish Council may terminate membership of any member whose conduct is found to be contrary to the objectives of the Association and/or is detrimental to the interests and reputation of the and/or Members.
- 6.2 Where a Member has failed to complete rectifying actions by the due date specified in writing, a Notice to Quit his/her plot(s) may be served, giving 14 days to quit the plot(s) and return the key to the registered address. Linton Parish Council will take extenuating circumstances into account before such a notice is issued. Extenuating circumstances should be notified to the Clerk of Linton Parish Council in writing as soon as they occur.
- 6.3 Any Member given Notice to Quit may lodge an appeal provided it is submitted within 14 days of the Notice to Quit and the reason for the appeal is given to the Clerk of Linton Parish Council at the time of submission. On receipt of an appeal, the Clerk to Linton Parish Council will organise a Special Meeting at which the appeal will be heard. The appellant must attend the Special Meeting or send a representative. During the period between submission of the appeal and the Special Meeting, the Member shall not enter the site except with the express permission of Linton Parish Council.
- 7 **AMENDMENT OF THE ARTICLES/DISSOLUTION**
- These Articles or rules may be amended or the Association may be dissolved by a proposal carried at any Linton Parish Council Meeting. The names of the proposers shall be stated in the Notice of the Meeting.
- 8 **INFORMATION ABOUT RULES/MINUTES ETC.**
- A copy of all rules, agreements, tenancy with Linton Parish Council can be obtained from the Clerk to Linton Parish Council at any time.
- 9 **OTHER MATTERS**
- Any matters not provide for in these rules which require urgent attention will be dealt with by Linton Parish Council at its discretion in the best interests of the Members.