

SOUTH WILLESBOROUGH AND NEWTOWN (SWAN) COMMUNITY COUNCIL ALLOTMENTS POLICY

Scope of Policy

This policy applies to allotments managed by SWAN Community Council.

Aims of Policy

To improve the quality of the allotment environment for plot holders, neighbours and residents.

To address waiting lists and the demand for allotments plots

To support the Council's Community Plan objectives in relation to environmental quality, equality, diversity and physical and mental wellbeing

Background and legal authority

SWAN Community Council manages 1 statutory allotment site - Gas House Fields, Cudworth Road, Ashford

Local Authorities have a legal obligation to provide sufficient allotments to meet demand under the Small Holdings and Allotments Act 1908.

The Allotment Act 1925 stipulates that the sale or disposal of statutory allotments requires the consent of the Secretary of State. The policy of SWAN Community Council is to retain the Gas House Fields site for the purpose of providing allotments to local residents

Review of the Policy

SWAN Community Council reserves the right to update the Allotments Policy at a time of its choosing.

Management of Allotments

The Allotments Committee has an overview of allotments management and procedures. (Refer to adopted Terms of Reference for the Committee which forms an appendix to this policy)

Self-Managed Allotments

SWAN Community Council does not support the practice of Self-Managed Allotments. As landlord, the Council feels

- a) it is better placed to manage the site (and any other site in the future) and have the financial resources and access to external funding to undertake improvements where required.
- b) the management of the allotments adds significant value to the Council's community engagement, equality, environmental and wellbeing objectives.
- c) The council recognises that individual actions can affect others and the site as a whole, and that this should be managed centrally according to policy.

Allotment Allocations

The Council has agreed that, under its management, residents of the SWAN area will be given priority for allotment plots

Allotments will only be let to applicants aged 18 years of age or over.

Only one Allotment plot per SWAN household will be allocated initially.

Allotment applications can only be put in single names.

Allotment applications can only be made in writing or submitted electronically to the Community Council.

SWAN Community Council will maintain a waiting list and allocations will be made in date order.

When an Allotment becomes vacant it will be offered to the first person on the waiting list.

Exceptions could arise if an application is supported by medical evidence from a doctor or a charity referral

The applicant will be given the opportunity to visit the available Allotment, prior to committing

themselves to a tenancy for that plot.

Plots are taken as seen and major problems should be reported within 14 days.

The applicant will be issued with a Tenancy Agreement and given 14 days to sign and return the agreement and pay the required fee.

If the Allotment is declined or the applicant does not return their agreement and fee within 14 days, then the Allotment will be offered to the next person on the list.

Refusal of an Allotment will not lose an applicant their place on the waiting list. If no response to the offer is received the applicant will be removed from the waiting list.

The plot size and rent payable will be shown in the annual rental invoice.

Detailed Terms and Conditions

Are a policy decision, are reviewed annually by the Allotments Committee, endorsed by Council and are available in the Council Terms and Conditions agreement which forms an appendix to this policy.

Appeal against Council decisions

Policy decisions - Appellants may request the Council to reconsider the policy by writing to the Community Council Manager. There is no obligation on the part of the Council to change policy in the event of an appeal.

Administration and Management decisions - Local government law does not permit appeals on decisions taken by the Council. If, however, an appellant considers that a decision has been made unlawfully, they can seek redress through the system of judicial review.