



# Eden Park Allotment Inspections and Notice Guidelines (Site Walk)

## *The inspection procedure*

Inspections are undertaken in every spring (March/April) and Autumn (late August/September). Inspection dates will be **shared with plot holders at least one month prior to inspection dates.**

## **Inspection Team**

The inspection team will consist of the Secretary/Plot secretary and another Committee member plus two volunteer plot holders (full members).

Plot holders can volunteer to be part of the inspection team - two volunteers will be asked to take part in the inspection.

## **Conflicts of Interest**

To mitigate a conflict of interest when inspecting plots. An inspection member will not be part of inspecting their own plot. This is to ensure that there is no bias when conducting plot inspections. Inspection members must withdraw from inspecting their own plots. Then resume the site walk once the inspection is conducted on their plot.

## **What the inspecting team will be looking for:**

### **Cultivation**

The team will use the guidelines within the Tenancy Agreement (Clause 3b) to inspect each plot according to the length of time a plot holder has held a tenancy.

**By the end of the first year,** it is expected that 50% of the plot should be prepared and used for cultivation minus permitted structures, which may include the construction of permitted structures. Any unused land should be securely covered (mulch, membrane or green manure) to inhibit weed growth.

**By the end of the second year,** the expectation increases to 75% of the plot being prepared and utilised for cultivation minus permitted structures, with a continued focus on weed control. Unused areas should still be securely covered (mulch, membrane or green manure) to prevent weed growth.

**By the end of the third year,** the entire plot should be fully prepared and utilised for cultivation minus permitted structures, and weed control should be diligently maintained. Fallow ground must also be securely covered (mulch, membrane or green manure) to prevent weed growth.

## **Weed growth**

Particular attention will be paid to **seeding weed plants** within beds as cited in Clause 3(c) of the Tenancy Agreement.

Where there are large areas of weeds, a weed notice will be issued. They will also look at uncontrolled areas of perennial weeds such as brambles, nettles and rank unmanaged grass. Beds with established and seeding weeds alongside crops will also be liable to a weed improvement notice.

Seasonality will be taken into account when the team inspects. Plots mostly covered in plastic and or mulch will be liable for non cultivation notice if a Tenant is more than 12 months into a tenancy, as may a plot given over mainly to cut grass.

During the autumn and winter months, they will be looking to see that plots which have become weedy in the late summer are being cleared and improved, however this does not mean you need to be sowing crops. Generally, if you are using the winter months to improve your plot by clearing waste and increasing cultivation area, then this will be taken into account. However, if a plot has been let go in the summer, a winter improvement notice may be issued.

## **Waste and rubbish**

The level of waste will be assessed on the plot, in particular if new waste materials have been brought onto the site in the Tenancy Agreement. The Tenant is expected to keep the materials they bring onto their plot to a minimum. Items such as timber, doors and building or landscaping materials are of particular concern. This is so that Tenants are not annoying or disturbing adjoining allotment plots or local residents.

Any items of household furniture, as well as material that may break down and pollute the soil or pose a health and safety hazard may also lead to an improvement notice being issued.

The above guidelines are in accordance with the Tenancy Agreement and Site Rules:

### Clause 8 (a) (xvii)

No items or material, other than for direct use on the plot, should be brought into or left (including stored) on the site. It is the responsibility of the plot holder to clear all rubbish from the site to the satisfaction of the Committee.

### Clause 3 (h) (ii)

To use the allotment garden plot in a responsible manner and to take such precautions as will prevent any annoyance of or disturbance to tenants of adjoining allotment gardens or the owners or residents of adjacent houses.

As well as Clause 3 (b) concerning expected cultivation levels.

### **Other rule breaches (Tenancy Agreement- Section 8 - Other Provisions)**

This may include potential hazards such as overly deep ponds or uncovered stored water; leaning or dangerous structures or structures. The team will check if plot boundaries are being encroached by structures, plants, waste or weeds. Checks that trees are being kept under control and are not causing excessive shading and vegetation is not overhanging other plots.

### **Livestock**

The team will also look at hen houses and rabbit hutches to ensure that animal welfare is being taken care of and that no cockerels are on the plot.

Any plots receiving an improvement notice will be photographed so as to check the right plot holder is being contacted.

## Improvement Notices

### I have received a notice – why and what action should I take?

Most notices are issued for poor cultivation or weed-infested beds, but they can also be issued for overgrown boundaries, plots infested with brambles and long grass, dangerous structures, as well as tenants having illegal/excessive waste on their plot. You need to deal with the issues identified before the earliest re inspection date on the notice to pass it.

### What is the difference between a weed and a cultivation notice?

A **weed notice** can relate to weed infestation on existing beds and will state in the notice reasons or large areas of weed infestation that you are failing to control weeds on your plot, this might include areas at the back of plots, behind structures and between trees. Usually a weed notice is best responded to by simply tidying your plot and ensuring all bed areas are dug over before the reinspection.

A **cultivation notice** relates to the percentage of the plot you are cultivating. The reasons in your notice will state that you are not cultivating your plot in line with allotment rules. Cultivation notices can be issued due to excessive areas of lawn (without prior permission) or grass pathways and overgrown and non-cropped bed areas – including overgrown hedging and bramble-infested areas.

To avoid a cultivation notice, you need to be cultivating as per the guidelines in the Tenancy Agreement (clause 3b). However just cutting back weeds or covering beds with weed-suppressing material is not enough to pass inspection. Of the two, the cultivation notice will tend to require more work to put right. However, both notices can lead to the termination of your tenancy if problems persist.

### Allotment waste notice

Tenants sometimes bring building materials or green waste from their home or work onto the allotment. Excessive amounts of non allotment green waste could result in a waste notice and any materials brought onto the allotment that is not being used to cultivate crops could also be liable to a waste notice. If you have a notice, then we will expect you to remove all the materials that are not being used for cultivation from the plot. Materials include unused plastic materials (including play equipment), furniture, metal waste, or MDF. Any organic material that is causing a health risk could result in a waste notice.

## **When will I be re-inspected and how does this process work?**

- Re-inspections after an 'informal chat' are undertaken no earlier than 14 days.

If no improvement is viewed by the inspection team, the plot holder will be issued with a written notice to improve and will have 28 days (or more if indicated in the improvement notice) from the date of the letter to improve their plot.

If after the determined period the inspection team view that the plot is not up to a reasonable standard, the tenancy will be terminated.

- If you have a notice relating to any other mis-use of plot, say for waste materials, or having over-sized structures or oversized or poorly maintained flock of hens or rabbits, then that notice remains active until the issue is resolved.

Normally the team making the re-inspection will expect to see a considerable improvement. If this is the case but you are still not in line with allotment rules then you may receive a second notice; however, if your initial rule breach was serious and on re-inspection you have taken no noticeable action then your tenancy may be ended at the first re-inspection.

Ideally a tenant will respond swiftly to a notice, as the longer an issue like weed infestation or poor cultivation is left, the harder it gets to put it right. Strimming and tidying the plot to reduce overgrown vegetation is not sufficient to be viewed as the required 'considerable improvement' and could result in a second notice being issued, although not termination, on re-inspection.

If a tenant is exploring methods for killing weeds over time, the use of quality black plastic or woven weed mat is recommended.

## **I have received a Notice, but I am struggling to keep up with the work and I'm afraid I might lose my plot. What action should I take?**

If you have a large plot, then you should consider a smaller plot. A smaller plot is ample for growing crops and is often more manageable if you are experiencing problems.

We have also found that tenants who take on smaller plots are far less likely to receive future notices.

## **I received a Notice, but I am unable to take action because I have been ill or have other mitigating personal reasons and**

### **What can I do to avoid failing my follow up inspection and having my tenancy terminated?**

First, you need to inform us of your situation, preferably by email well in advance of the expiry date on the notice. In exceptional circumstances, such as a medical condition or family bereavement, then the tenant may be allowed extra time to resolve the issues. If you need more time to move large quantities of materials, such as those identified in a rubbish notice, then extra time can be arranged to allow you to remove waste, but this must be by agreement with us.