Tenancy and Cultivation Guidelines

These guidelines provide a more detailed explanation of the Tenancy Agreement, setting out your rights and responsibilities. The numbers in brackets refer to the relevant clause of the Tenancy Agreement. They apply to both sites owned by Pathways, at Northfields and Haslemere Avenue, except where explicitly stated. They supersede any previous tenancy and cultivation guidelines and will not be applied retrospectively.

Your Tenancy Agreement with Pathways

Pathways owns the allotment site and is your landlord. Generally you have a twelve-month tenancy. It does not carry over from one year to another, the tenancy must be renewed annually. Pathways fixes the rent and any other charges and this is payable in advance in accordance with the timetable set by Pathways. **Please note that failure to either sign and return the Tenancy Agreement or to pay the rent by the due date may put your tenancy renewal at risk.**

If you know you are going to be away before the renewal date, you should make arrangements to ensure you renew your allotment tenancy, by having mail forwarded to you or otherwise, as appropriate. The tenancy runs from 1st October to 30th September each year, which means that the majority of new tenants will have time to dig their new plots ready for the following spring.

Managing the Allotments

Plot holders formed their own allotment societies and negotiated with Pathways to take over the management and maintenance of the allotments from April 2015. The site at Haslemere Avenue is managed by the Haslemere Allotments Association (HAA) and the Northfields site by Ealing Dean Allotments Society (EDAS). Every plot holder is automatically a member of their allotment site's association/society.

Pathways pays each committee a management fee, which is used to purchase equipment and to carry out necessary repairs and maintenance of the site. Each committee's performance and finances are reported back to their members each year at their Annual General Meeting, when the new year's committee is elected. Pathways still has responsibility for major works, such as tree surgery and retains a proportion of the rental income for this purpose. The responsibilities of each party are set out in a Management Agreement.

Your committee's role as managing agent for Pathways is to oversee the practical operation of the Tenancy Agreement, which places a number of responsibilities on individual allotment tenants. These rules are mainly to avoid situations where a plot holder's activity might be thought inconsiderate by their neighbours or leave problems for later tenants to inherit. They are not onerous, provided that plot holders are aware of them from the outset and avoid situations which may be difficult to undo afterwards.

Please remember that the committee is made up of unpaid volunteers who will do their best to make themselves available, but who also have other commitments.

1) What is Cultivation?

In signing the Tenancy Agreement you agree to grow only fruit, vegetables and flowers for your own use (2.b). Cultivation refers to the whole cycle of activities needed to produce a crop, from digging it over in the winter, manuring, sowing, weeding, watering, harvesting and back to digging. Here are some of the things we would expect to see on your plot.

In the main growing season:

- Fruit, vegetables and flowers
- Lawn and grass paths mowed and trimmed
- No weeds going to seed
- No brambles, couch grass or bindweed invading the plot
- Covered areas, including wood chipped areas within plots, are not considered to be cultivated

In the winter months:

- The above (but obviously less fruit, veg and flowers)
- Growing areas being prepared (and covered to suppress weeds)
- Beds dug over ready for the winter frost
- Or if 'no-dig' methods are being used - a clean bed with no weeds
- Green manures being grown
- Green waste material being composted
- Other waste materials being removed

Each allotment site has their own detailed survey/inspection criteria to assess compliance with the above.

2) Cultivation area

New tenants usually take on an overgrown plot and it may take some time to get it all under control, so we have set some targets which we think are reasonable. A new tenant should have at least 25% of their plot cultivated in their first three months on site. We would then expect up to 50% of their plot to be cultivated after 6 months of taking tenancy. By 12 months we would expect 75% cultivation. In year two and beyond a minimum of 75% of the plot should be cultivated.

Around 10% of the plot can be occupied by a building, shed, children's play equipment, composting area and water storage. Greenhouses and polytunnels are regarded as growing areas provided they are used for this purpose. (Don't forget you must ask permission to erect a shed, greenhouse, polytunnel and other structures – see Clause 16.)

3) Plot Identification

Tenants are responsible for ensuring that the number of their plot is clearly displayed. At Haslemere, the association sign bearing your plot number should not be obstructed and should not be moved without permission from the committee.

4) Plot Inspections

Pathways requires plot inspections to be carried out by members of the committee on a regular basis – at least twice a year. If problems are apparent or a neighbour complains an inspection will be carried out as quickly as possible.

Poor standards of cultivation are unfair to those on the waiting list and can negatively impact other plots, for example by allowing the spread of weeds, other vegetation and disease, and out-of-control trees that cast shade.

Plots failing an inspection will receive a notification letter setting the improvements required within a specified timetable. Failure to comply may lead to the termination of your tenancy.

If you are issued with 3 improvement notices within 3 years, your tenancy may be terminated without further notice. We recognise that sometimes you may have difficulty cultivating your plot for a limited period. Should this happen you must let the committee know as soon as possible.

5) Absentee Tenants and Helpers on Your Plot

5a) Absentee Tenants

Pathways and the committee expect that the plot holder will be the main contributor to the plot's maintenance and cultivation, otherwise it will be assumed that the plot holder has neither the time nor interest to maintain the allotment and the tenancy may be terminated.

An absentee tenant is defined as follows:

- There is no evidence that the plot holder has contributed to the cultivation and maintenance of their plot on a regular basis; and/or
- The plot holder has not provided a main residential address which is within a reasonable distance of their allotment site; and/or
- Most of the cultivation of the plot is done by persons other than the plot holder.

This is not an exhaustive list. If required by the committee, the onus is on the plot holder (not the committee) to provide evidence, to the satisfaction of the committee, that they are not an absentee tenant.

If a plot holder is unable to cultivate and maintain their plot they must either give up their plot or apply to the committee for an exemption for a limited period of time. Plot holders who voluntarily relinquish their plot for a period of time may ask to be placed in a preferential position on the waiting list.

5b) Helpers on Your Plot

There is nothing wrong with getting a little help from family and friends (e.g. to water the plot while you are on holiday), but we need to know who your helpers are. Permission for non-plot holders to regularly work on a plot needs to be applied for to your committee, so that they are aware of and have contact details for everybody who is accessing the site. The committee reserves the right to refuse or withdraw permission for an individual helper at their discretion. The committee's decision is final.

Helpers have no legal tenancy rights and do not automatically inherit the tenancy, or take over when the plot holder surrenders their tenancy. Any helper wishing to take over the plot on which they are helping, must have applied to be on the waiting list, and at the point when they reach the top of the list may apply to the committee to take over the plot at that stage, with the consent of the current plot holder. The committee may take into account such factors as whether the plot is well maintained, the length of time the helper has been involved, and whether they have contributed to communal allotment activities. The committee reserves the right to refuse transfer for any reason.

As a plot holder, you are responsible for your guests' and helpers' behaviour and safety, and for ensuring that they comply with allotment rules and guidelines.

6) Subletting

By entering into your tenancy you expressly agree not to sublet or part with possession of your plot or any part of it. Also you cannot pass on your tenancy to another person, even a member of your family (2.q).

7) Paths

All paths on the allotment must be kept clear for access, and safe. (2.e). It is the plot holder's responsibility to maintain the side paths between plots at least 45 cm wide.

At Northfields, the Long Walk from Occupation Road to Mattock Lane must be a minimum of 1m wide. EDAS will cut the grass and generally maintain the Central Path and the Long Walk, which dissect the site.

Plot holders are reminded that the allotment site is agricultural land; the ground surface and paths will not always be even, and care should be taken when walking around the site. The maintenance of allotment paths in a safe and good state is the responsibility of all the allotment plot holders. Each plot holder is responsible for the paths surrounding his or her plot, shared with adjacent plot holders; and all plot holders are jointly responsible for the maintenance of communal paths (such as entrances or main paths). If you feel that a path on your site is unsafe, please report this to the committee. If this is a communal path (such as the entrance or the main paths) please also be prepared to help bring it into a suitable state.

Plot holders should keep the grass on the side paths between plots to a reasonable length, sharing the responsibility with their immediate neighbours. The surface of side paths must be of grass or wood chips only. Other materials make long-term maintenance more difficult.

8) Fences

You may not construct a fence on your plot without permission from the committee (2.e). Barbed wire may not be used anywhere on the site (2.g).

At Haslemere, the metal fencing at the entrances and bordering the housing in Haslemere Avenue and Midhurst Road belongs to Pathways. The wooden fencing around the rest of the site belongs to the resident of the house backing on to the site. Plot holders should ensure that sufficient space is available between their plot and the perimeter fence or railings for essential maintenance. Fencing should not be tampered with or damaged in any way, otherwise the plot holder may be responsible for the cost of repair. Entry to the site should be through the entrances

in Haslemere Avenue or Midhurst Road. If you have a hedge adjoining the site boundary you should cut it and keep in in good order (2.h).

At Northfields, the green perimeter fence, for which plot holders pay the annual 'Fencing Charge' of £18.60, is there to keep the site secure. Since the fence was built, the incidence of trespass, theft, damage to property, sleeping in sheds etc., has been greatly reduced, although it can never be eliminated entirely. Please take care not to damage the fence or provide any structure which could help people climb it. Report any defects to the committee.

9) Perimeter Hedge

At Northfields, the perimeter hedge is a great asset to the allotments, providing an extra security barrier, screening from the main road and a habitat for wildlife. It was originally planted when the allotments were formed in 1832 and its importance is recognised by Ealing Council as a Site of Importance for Nature Conservation (SINC). For these reasons allotment plots are defined in your Tenancy Agreement as starting 1.5m (5ft) back from the green fence, so excluding the hedge from anyone's plot. Please do not encroach into the hedgerow in any way: do not cut it back, do not dump or store stones, weeds, building materials, rubbish or any other materials in the hedge. (2.h).

Please do not plant any new trees or shrubs in the hedge even if you have a gap or thin patch. EDAS is responsible for maintenance of the hedge and has already planted several hundred native English hedgerow plants sourced in the UK, to prevent importing disease. This planting and maintenance will continue annually as funds allow. If you have a problem with the hedge bordering your plot please raise it with a committee member.

10) Vehicle Access

At Northfelds, vehicle access is via the main central gate. Please park on the centre path only, as this has hardstanding under the grass. Do not drive on to the communal plot, even to drive round other vehicles, as this has a soft surface. Please park clear of the gates and leave space for people to walk round your car with a wheelbarrow. Please leave your plot number and mobile number on the windscreen.

Bringing vehicles on to the site is strongly discouraged as there is limited space to park. Parking is strictly limited to half an hour. Of course there will be occasions when vehicular access is necessary to bring in or take out heavy or bulky items, but for everyday access please leave your cars outside.

At Haslemere, cars damage the surface of the main path, causing potentially dangerous ruts which then often collect water, further degrading the surface. They also block the path for people trying to get to their plots. Vehicles may not be brought on to the Haslemere site without prior permission from the committee. Permission will not be granted where the use of the trolleys or wheelbarrows is considered to be a reasonable an alternative, or if the path is too wet.

11) Trading

You must not run a business from the allotments. (2.b). You cannot grow produce or products for sale on your plot - it must be for you and your family's personal use or to give away to friends and neighbours.

12) Site Security

All plot holders and their guests are responsible for keeping our allotments secure, in order to provide a safe environment for tenants to enjoy their plots in peace. The most important way you can help is by always locking the gate behind you, even when you are only nipping in or out for a short period. Keys should only be given to helpers in compliance with 4b) above. You must never tamper with or change the padlocks.
Report any theft or incidents to a committee member and if you witness an incident occurring, phone 101 or 999 if it is an emergency. (2.o)

13) Trees

Written permission is required from your committee before you plant any new trees (2b). On receipt of your request your committee will send you a Tree Permission Letter containing detailed stipulations. You can of course have fruit trees, but plots must not become orchards. A fruit tree planted as a whip will one day grow into a large tree. They take up a lot of water and nutrients from the ground and shade other plants from sunlight, including potentially your neighbour's plants. For these reasons, no more than 25% of your plot must be covered by trees and if you have a full size plot, the 25% must be split evenly between the two halves so that when/if the plot is divided in two, neither half is totally dominated by trees. At Haslemere trees may be no more than 2.5m high. All trees must be well maintained and pruned appropriately (2b). If the committee considers that you are not complying with clause (2b) of your Tenancy Agreement they may issue a notice setting the improvements required within a set time period. Failure to comply may lead to the termination of your tenancy.

14) Invasive/Problematic Plants

The planting of invasive species, and/or plants which could be difficult or expensive to remove in the future, including but not limited to Bamboo, Japanese Knotweed, and Giant Hogweed is forbidden, and if seen should be reported to the committee immediately.

15) Pesticides and Chemicals

Many plot holders are trying to grow their produce organically, and we encourage them to do so. You must not bring onto the allotments any illegal pesticides or chemical agents. If you need to use lawful herbicides or insecticides, you should use the minimum effective amounts appropriate to the size of your plot. Handle, use and store them with care and in accordance with the maker's instructions. Never pour them into unmarked containers and keep them safe and away from children, pets and wildlife. (2.p).

16) Other Prohibited Materials and Waste

Never bring carpets, artificial grass or tyres onto the allotments - they may pose a hazard or contaminate the soil.They must not be burned, will not rot and so are difficult to get rid of. Only bring in materials for which you have an immediate use. Plot holders must not allow any part of their allotment plot to be used for long-term storage, or for the hoarding of materials or waste. (2.d).

Do not bring items from home to the site as a way of disposing of them. The Northfields site provides a scrap metal enclosure for metal found on the site.

The committee may occasionally provide a skip for tenants' use but they are expensive and plot holders must not rely on resources being allocated to dispose of their rubbish. Wherever possible please bag up your rubbish and take it home or to the refuse and recycling centre - it will save money.

17) Bonfires

Bonfires are permitted between 1 October and 31 March on a trial basis and is subject to review. The Haslemere site is surrounded by housing so bonfires are permitted between 11am and 5pm only on those dates. Please avoid lighting a bonfire on a sunny weekend or evening. Bonfires must be tended at all times and extinguished immediately if a complaint is received, so keep a bucket of soil handy.

No plastic or synthetic material may be burnt on site. Only burn thoroughly dried materials, as this speeds the burn and reduces smoke production. Light bonfires only when the wind is light so that smoke will disperse upwards, quickly. Keep the fire small, adding material often rather than all at once – using an incinerator is ideal. Only burn for a short period of time. Consider shredding and composting as an alternative.

Please be aware that hedgehogs (endangered) and other creatures such as frogs may be nesting in your pile. Ideally it should be moved before burning.

Any complaints received from our neighbours may result in bonfires being banned completely. If you notice a fire which is outside these guidelines, please politely ask the allotment holder to abide by these rules, if they do not, please let us know by email or phone with a photo if possible.

18) Structures

Written permission from your committee is required before you may erect any building, shed, greenhouse, polytunnel, fruit cage, or children's play equipment (2m). On receipt of your request your committee will send you a Structure Permission Letter containing detailed stipulations.
Note thatno such structure may be placed on a hardstanding or a hardcore sub base - removable slabs on earth or sand on earth are acceptable (2.m).

Here are the basics we are looking for:

- The structure must be temporary, i.e. not built of brick or concrete, including the foundation.
- A shed or greenhouse must not be larger than 2.4m x 2.1m.
- The structure must not be taller than 2.5m at its highest point.
- The structure must be sited inside all boundaries as stipulated in the Structure Permission Letter.
- The maximum size for a poly-tunnel is 2m x 4m.
- The maximum width of a fruit cage is 5m, and fruit cages cannot occupy more than 25m2 per plot.
- You may have a maximum of one greenhouse/polytunnel on each half plot.
- The structure must not cause any inconvenience or obstruction.

Please be sympathetic to your neighbours and ensure your new structure doesn't cast any shade on their plot. Even greenhouses cast shade.

On a separate note, please be aware that the structure and its contents are not covered by our

insurance policy and neither Pathways nor your allotment association accepts liability for any loss or damage. When your tenancy ends, you must remove the contents of your shed. It is unfair to leave your unwanted possessions to be cleared by the new tenant.

Once your structure has been erected it will be inspected by the allotment committee and if it fails to meet the above requirements, you will have to alter it at your own expense. Check with a committee member beforehand, if you are unsure. Any structure must be maintained in good condition and never be allowed to deteriorate into an unstable or dangerous state.

19) Water

Mains water supply is available between 1st May and 30th September each year. The mains water is accessed via dip-tanks from which you may fill your watering cans.

Plot holders should use water responsibly. The use of water butts on plots is encouraged.

The supply of water cannot be guaranteed. In especially hot weather or when demand is high the supply may be low or even non-existent on areas of the site.

If you draw water from a tank then turn on the tap to replenish it. Do not just leave it for the next person to do, but f you leave a tap running, it is your responsibility to turn it off.

Plot holders should help to keep tanks clean. All washing, including personal washing or hand washing, and washing of produce or tools, should be carried out by drawing water from tanks in a bucket or other container, and washing in that.

You must not attach a hose to the water taps. Thames Water consider that this carries a risk of contaminating drinking water, through possible back-siphonage and as such would breach the Water Supply (Water Fittings) Regulations, 1999 and be subject to a possible fine of up to £1,000. (2.i).

20) Children, Visitors and Domestic Animals

Children are very welcome on the allotments; however, it is important that they are supervised by a responsible adult. Children aged 12 or under are not allowed onto the allotments unless accompanied at all times by the plot holder or responsible adult, who should ensure that they do not trespass on other plots. This also applies to visitors you bring to the allotments. (2s). No domestic animals except dogs may be brought to the allotments. Dogs must be kept on a lead at all times. (2n).

21) Livestock

You may not keep chickens or other livestock on the allotments. The one possible exception to this is bees, but this is only by prior written agreement with the committee. Applicants must be sufficiently qualified and the proposed site must be suitable. Additional rules apply and a separate allotment beekeeping agreement must be signed. Copies can be obtained from the committee. (2r).

22) Giving Up Your Allotment

The Tenancy Agreement sets out detailed circumstances and ways for you to give up your tenancy. You may give notice at any time. You must return all keys to Pathways or a member of the committee and you must also clear the allotment of any possessions you wish to keep - tools, structures such as sheds and their contents, produce and plants. Any such possessions remaining on the allotment at the termination of the tenancy will be deemed to have been given up by the tenant and will be disposed of as seen fit. You may be charged for the cost of disposing of any rubbish and waste left behind. (3.a - 3.e).

23) Inappropriate Behaviour and Disputes

You should not enter onto anyone else's plot without their permission. You must not steal other people's produce or property; on site theft may lead to termination of the tenancy. Acting in an abusive or aggressive manner will not be tolerated and will lead to termination of the tenancy. (2.f).

If you have a disagreement with a neighbour on the allotments or with a committee member or you dispute a decision made by the committee relating to your tenancy, you are encouraged to seek to resolve this through discussion in the first place. If this does not resolve the dispute, you have the right to approach Pathways and the decision of the Chief Executive will be final and binding. (5.a and 5.b).

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