

## **ALLOTMENTS ACTS 1908 – 1950**

### **ALLOTMENT RULES 1 APRIL 2026**

**NEWBURY TOWN COUNCIL** (“the Council”) owns Allotment land at the Allotment sites:-

Wash Common, Newbury.  
Dairy Farm, Newbury.  
One Tree Park, Newbury.

West Mills, Newbury.  
Southbys, Newbury.  
Rented: - Parsons, Newbury

Whereas the Council wants to let the Allotment land for use as Allotment Gardens (Allotments), access is restricted to tenants (“Tenants”) and their guests, Council Officers, Members, and any Council nominated persons:

#### **1. The Council will: -**

- a) Appoint a site Steward for each Allotment site;
- b) Divide the Allotment land at each Allotment site into plots (Allotments) measured in both square metres and poles;
- c) Prepare a plan showing the Allotments and give each Allotment a separate number;
- d) Keep a register of vacant Allotments;
- e) Keep a waiting list of people who would like an Allotment;
- f) Not allow a previously evicted tenant to apply for a new allotment within 2 years from the date of the termination of their tenancy and not accept allotment applications from a person who has had their tenancy terminated twice previously. The Council reserves the right to exclude requests to be added to the allotment waiting list and/or to refuse to enter into an allotment tenancy agreement;
- g) Allocate the Allotments fairly in accordance with the preferences set out below;
  - I. To people resident within the Newbury Town Parish boundary;
  - II. To people who do not have another Allotment;
  - III. If more than one person with equal priority would like to take over an Allotment the issue will be determined by drawing lots;
- h) Maintain and manage the common areas of the Allotment sites and vacant plots;
- i) Provide a key (for a £10 deposit) for each Tenant;
- j) Provide adequate water supplies and a minimum of one tap in each Allotment site for use with chemical containers to avoid contamination of the water troughs;
- k) Promote Allotments to parishioners and actively encourage their take-up;
- l) Hold regular meetings with site Stewards;
- m) Respond to concerns of site Stewards and Tenants;
- n) Identify and photograph neglected Allotments and give notice to the Tenant to cultivate at least 70% of the Allotment within 30 days or relinquish their Tenancy, unless there are mitigating circumstances such as illness, which have been advised to the Council;
- o) After being notified of illness, should the tenant be unable to maintain the plot to the required standard as stated in 1 (m) allow a period of up to 12 months grace, at which time the plot will be reviewed. If the tenant still cannot continue they will be required to relinquish their tenancy. They may add their name to the waiting list for an allotment plot in the future should their situation change;
- p) Issue no more than 3 “30 days notice” letters to the same tenant for the same plot in any one calendar year. If the tenant once again leaves their plot neglected after 3 “30 days notice” they will be evicted (in accordance with rule 1.m);
- p) Fix the Rent for each Allotment having regard for its area and review its Rent once a year.

## 2. The Tenant will:-

- a) Keep the plot clean, free from weeds, in a good state of fertility and well cultivated with at least 70% of the land cultivated for the growing of fruit, flowers and vegetables and no more than 20% allowed for sheds, poultry, or other landscaping.
- b) Cultivate in a way that does not cause a nuisance to other tenants, including:
  - a. Keeping paths free from hazards and ensuring that they are trimmed and kept neat.
  - b. The removal of long grass or detritus that could harbor slugs and snails.
  - c. Control pernicious weeds, these include weeds spreading via extension roots, or by generating new plants from growing tips in contact with the soil.
- c) Not dump arisings or rubbish on other Allotments or within the Allotment site; this includes no fly tipping or burning of offsite waste;
- d) Not wash any produce / tools in the water troughs;
- e) Compost all green matter in a container on their own Allotment or in a designated area if identified by the site Steward for a particular Allotment site or alternatively remove it from the Allotment site;
- f) Remove non-biodegradable rubbish such as glass, metal, & plastics from the Allotment site;
- g) Not be permitted to have any pollutants such as tyres or asbestos on their plots.
- h) Not use any water sprinkler system at any time at the Allotment Site;
- i) Be responsible for the actions of all their guests, both children and adults, that are brought into the Allotment site and ensure that they do not cause any nuisance or annoyance to any other person; All children under the age of 16 must be accompanied by a responsible adult at all times. (This is to both maintain the security of the Allotment site and to promote quiet enjoyment of the Allotment site by all Tenants, but will only be enforced in response to complaints);
- j) Not cause any nuisance or annoyance to any other person, including other Tenants;
- k) not obstruct, encroach or reduce the width of the pathways surrounding their allotment and keep the adjoining path to the left and rear of the Allotment in good repair and regularly cut;
- l) Not without written agreement from the Council, cut or prune any timber or other trees, or take, sell or carry away any mineral, sand or clay.
- m) Before erecting any structure (including polytunnels), obtain written consent from the Council. Sheds should be no larger than 50 sq. ft. in area/footprint with a height no more than 8ft. Polytunnels and greenhouses can be of various sizes (to be agreed with the Council) and no structures must cause an obstruction of light issue.(Consideration will be given to the erection of more than one structure).
- n) Not use barbed wire or any other material that would be likely to cause injury on any area of the Allotment or Allotment site including any fence adjoining any path set out by the Council;
- o) Not keep animals on the Allotment except for hens (excluding cockerels) and rabbits;
  1. Request permission to keep hens/rabbits on the Allotment from the Council (permission would only be withheld if there were serious concerns for health or nuisance);
  2. Only install and use hanging basket type feeders for food and water for hens/rabbits, to reduce the amount of food spread on the ground;
  3. Only, erect raised hen/rabbit houses, not ground level type structures;
  4. Ensure an area of at least ½ metre around the hen/rabbit run is clear of all vegetation;
- p) Not to keep hens/rabbits in such a way as to cause a nuisance or to be prejudicial to their welfare or a risk to health;
- q) Keep all dogs on a lead (exceptions will be made for guide dogs, hearing dogs and dogs for the disabled) within the Allotment site and when tethered the dog(s) are to be within the boundary of their owner's Allotment and all faeces must be cleaned away and off the Allotment site;
- r) Leave access clearance (a minimum of 1 metre) around the internal perimeter of an Allotment site hedge line to allow the Council to maintain the hedge and adjacent ditches;
- s) Not plant any trees without written consent from the Council (which will not be unreasonably withheld) to ensure that only miniature fruit trees and bushes are planted; and keep all trees to a maximum height of 8ft (1.53m) ensuring that the canopy of the tree is kept within the boundary of the tenant's allotment plot.
- t) Not use any carpet or underlay on the Allotment. Black weed suppressant material may be used;

- u) Inform the site Steward in the first instance of any problem and, if still not resolved after a reasonable period of time, inform the Council;
- v) Cultivate their Allotment, where possible, with regard to wildlife, e.g.:
  - I. Pest Control – choose disease resistant varieties, avoid chemicals, and slug pellets that will harm wildlife;
  - II. Weed Control – pull by hand and use mulch in preference to weed killers;
  - III. Soil Conditioner – the use of peat is destroying peat bogs and leading to the extinction of rare plant and animal species. Use organic compost where possible; AND

Only to use approved pesticides & chemicals where alternative methods have failed in isolated locations for specific pest or disease eradication purposes in compliance with the H&S Executive guidance & code of practice <https://www.hse.gov.uk/pesticides/user-areas/garden-home.htm> for plant protection products, as amended.

Please read the product label carefully!
- w) Not start any bonfires before 6 pm or dusk (whichever is earlier) and on agreed Allotment site Bonfire days (to be notified by the site Steward), not leave bonfires unattended and be aware of wind direction to avoid smoke being blown towards local properties. Be aware of the Public Protection Partnership guide (as amended) on smoke & bonfires: <https://publicprotectionpartnership.org.uk/environmental-health/neighbourhood-concerns/smoke-and-bonfires>
- x) Keep all gates locked, at all times. This is for the safety of all Tenants and to ensure that the Allotment site is kept secure;
- y) When relinquishing their plot, or upon having their tenancy terminated by the Council, remove all belongings / arisings from their allotment plot or the Council will charge a fee for clearing the plot if it is left in an untidy state;
- z) Not use any mechanical equipment (e.g. strimmer, lawnmower, & rotavator etc...) on the allotment site before 9:30am at weekends and Bank Holidays, so as to not disturb residents adjacent to allotment sites;
- aa) Abide by the terms of the Agreement with the Council plus observe any guidance and recommendations which may be posted on the notice board or around any Allotment site and respect and adhere to any notices posted by the site Steward as an extension of the Council authority.
- bb) Water use:
  - To help conserve water, sprinklers and unattended hosepipes are not permitted. Tenants may use handheld watering cans or hoses but must remain present at all times and disconnect hoses immediately after use.
  - Water is a shared resource for the benefit of all plot holders. Tenants are asked to avoid excessive or wasteful use. Continued overuse may result in a formal reminder, additional charges, or, in extreme cases, termination of tenancy.
  - Tenants are encouraged to install water butts or other rainwater harvesting systems. Mulching and other water-saving practices are also strongly recommended.
  - Permanent irrigation systems and any modifications to the mains water supply are not permitted. Any unapproved connections may result in termination of tenancy.
  - For efficiency and to minimise evaporation, watering is ideally undertaken in the early morning or evening.

**Any serious, deliberate, or continual breach of these Allotment Rules could result in eviction by the Council.**

The Tenancy Agreement for the Allotment will be in writing.

All previous Allotment Rules are hereby cancelled.

**Note:** The Allotments are let under the Allotments Acts 1908 – 1950