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Fakenham Town Council

Allotment Inspection & Warning Appeal Policy

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1. Introduction

Allotments must be maintained as an asset to the local community, ensuring they are managed in a safe, environmentally friendly, and sustainable manner. Tenants are expected to cultivate their plots to their full potential in accordance with the guidelines outlined in the Tenancy Agreement. Support and guidance should be provided to tenants who require assistance in improving their plots. Additionally, a transparent and fair process must be established to address cases where plots are not being cultivated to the agreed standards, leading to the termination of tenancy when necessary.

2. Inspection Objectives

Inspections of allotments will take place at regular intervals, without prior notice to ensure plot holders are adhering to conditions in the Tenancy Agreement examples are;

- Plots are being cultivated
- Weeds are being controlled
- Crops growing as expected at the time of year and being harvested.
- At least two thirds of the plot is available for cultivation.
- Paths are maintained.
- No structures erected that have not had agreed permission granted.
- Ensure any structures are in good condition and are not a safety hazard.
- Rubbish is not being hoarded on a plot.

The inspection team will usually consist of 2 or 3 officers of the council and photos will be taken.

3. Warning Procedures

<u>Initial Warning</u>

Should cultivation standards have fallen, or Tenancy rules broken an initial warning will be sent to the tenant holder within 14 days of the inspection.

This letter will state;

- They are in breach and specify whether cultivation or other rules including the tenancy text.
- Detail exactly what the failings are – backed by photos.
- List actions to be taken to remedy the issues if appropriate.

- Ask for a response within 14 days with either mitigation or an appropriate remedial action plan or the issues to be rectified within 28 days from the date of the Initial warning letter.

Final Warning

If after the mitigating circumstances have passed the cultivation is still poor, or the action plan isn't being followed or no response to the initial warning letter has been received, a follow up inspection will be completed and a final warning sent.

This letter will state;

- Why they are in breach and reference the initial warning letter including the tenancy text.
- List actions to be taken to remedy the issues if appropriate.
- A Notice to Quit may be supplied if the required improvements are not made within 28 days of the letter.

Notice To Quit

If the time required in the final notice has passed and the plot holder has failed to sufficiently bring their plot up to a reasonable level of cultivation, then the Council can supply a 1 month notice to quit.

4. Appeal Procedures

If tenants disagree with the results of the inspections carried out there is an appeal process.

At the Initial warning stage an appeal may be lodged with the Clerk.

The appeal should be received within 7 days of the date of the Initial warning letter at the Town Council office address, addressed to the Clerk.

The Clerk will consider the appeal within 5 working days and notify the tenant of the decision within 7 days by writing.

At the Final warning stage an appeal may be lodged with the appeal panel consisting of the Clerk and 3 Allotment Sub-committee members including at least 1 Councillor

The appeal should be received within 7 days of the date of the Final warning letter at the Town Council office address, addressed to the Clerk.

The appeal will be considered within 21 days of receipt and will consider any evidence submitted by the tenant and may include a site visit. If the tenant wishes to meet with the appeal panel they will need to make themselves available at a suitable agreed time.

The tenant notified in writing of the result within 7 days of the panel meeting and the panel's decision is final and binding.

Reviewed at Leisure & Environment 8th April 2025

Ratified at Full Council 30th April 2025

Reviewed in line with Allotments Rules & Conditions of Letting