

## **HARLOW DISTRICT COUNCIL – REGULATION SERVICES**

### **ALLOTMENT TENANCY CONDITIONS**

The tenant agrees: -

1. To keep the whole area of the allotment garden clean and tidy and in good state of cultivation and fertility, and in good condition and to keep any hedge alongside the Allotment Garden neatly cut and trimmed, and any ditch alongside the Allotment Garden clear and free from rubbish.
2. Not to use a hose pipe or sprinkler for the watering of the Allotment Garden.
3. Not to cause any nuisance or annoyance to the occupier of any other Allotment Garden or of any neighbouring land or to obstruct any path set out by the council for the use of the occupiers of the adjoining or neighbouring Allotment Gardens.
4. Not to underlet assign or part with the possession of the said Allotment Garden or any part of it.
5. Not without written consent of the Council to cut or prune any timber or other trees or take, see or carry away any mineral gravel sand or clay.
6. NOT TO ERECT ANY BUILDING ON THE ALLOTMENT GARDEN without the prior written consent of the Council and not to damage any buildings, roads, paths, fences, wires or cables or things ancillary thereto now or hereafter erected or constructed on or under or over the said Allotment Garden or neighbouring Allotment Gardens.
7. Not to carry on any trade or business on the said Allotment Garden or on any part thereof.
8. Not to use barbed wire for any fence adjoining any path set out by the Council for the use of occupiers of the said Allotment Gardens.
9. Not to keep animals and birds on any Allotment Garden, other than approved Livestock (including hens, bees or rabbits), in accordance with the approved Livestock Policy guidelines, or to use the ground for storage of any materials or things or in any other way than by cultivating the same as an Allotment Garden.
10. Not to plant any trees or fruit bushes or any crops which require more than twelve months to mature without the previous written consent of the Council.
11. To allow any authorised Officer of the Council or partner organisation at any time to enter and inspect the Allotment Garden.

12. The tenancy is subject to any Allotment Rules made from time to time by the Council and to the Allotments Act 1908 – 1950.

#### DETERMINATION OF TENANCY

This tenancy may be determined by twelve calendar months previous notice in writing served by the Council on the Tenant, or by six calendar months previous notice in writing served by the Tenant on the Council, provided that any such notice as aforesaid shall expire on or before the 6<sup>th</sup> April or on or after the 29<sup>th</sup> day of September in any year.

The Council may determine this tenancy by re-entry in any of the following cases: -

- (a) At any time if the rent is in arrears for not less than forty days whether legally deemed or not.
- (b) At any time after three months from the date thereof if the Tenant is not duly observing the rules affecting the said Allotment Garden or any other term or condition set out herein and on the part of the Tenant to be performed or observed.
- (c) At any time if the Tenant becomes bankrupt or compounds with his creditors.
- (d) After three months previous notice in writing given by the Council to the Tenant if the whole or part of the said Allotment Garden is required for building, mining or any industrial purposes or for the roads or sewers necessary in connection with any of these purposes.
- (e) In the case of the whole or part of the said Allotment Garden being required by the Council for any purposes (not being the use of the land for agriculture) for which it was acquired or held by the council or has been appropriated under any statutory provision PROVIDED THAT except in case of emergency the Council shall give to the Tenant not less than three months written notice of the intended re-entry.

#### HARLOW DISTRICT COUNCIL – DETERMINATION OF TENANCY

Any notice given by the Council pursuant to this agreement may be signed by their Head of Regulation Service for the time being and may be served on the Tenant either personally or by leaving it at his last known place of abode or by letter addressed to him there through the ordinary course of the post or by fixing the same in some conspicuous manner in or on the said Allotment Garden and any notice may be served by the Council by sending the same to the Head of Regulation Services at the Civic Centre, The Water Gardens, Harlow, Essex, CM20 1WG.