

Allotment rule update 2015 – summary of consultation feedback (2014)

Allotment cultivation

Rule	Tenants' feedback	Council's response
<p>16.1 A minimum of 60% of the plot area must be used for cultivation and crops. This area includes open ground and raised beds used for crops, as well as hen houses and runs; glass houses; tunnels; managed compost heaps; fruit bushes and trees, and areas used for bee hives.</p> <p>A maximum two fruit trees are allowed per 125 square metre plot or three for a 250 square metre plot with only M9 or M27 dwarfing or semi-dwarfing rootstocks allowed. When exceeding the two/three fruit tree rules, with dwarf trees being trained as cordons, then permission must first be given by Norwich City Council.</p>	<p>Advice on root stocks, the tenant is confusion over m9 and m27 and asks for plain English glossary.</p>	<p>We will simplify language and extra provide extra information in the guidance notes.</p>
	<p>m9 and m29 are apple root stocks – what about other fruit trees? Tenant suggested we expand rule for dwarf / cordon trees and allow more dwarf managed trees.</p>	<p>Will simplify language – more than three trees allowed with permission.</p>
	<p>Is the tree ruling retrospective – what is wrong with dwarf trees which are well managed?</p>	<p>No – they are not retrospective. The rules that are in force at the time of planting, are what apply. New dwarf trees are allowed with permission.</p>
	<p>Why restrict the number of fruit trees? Some sites have pests and are better suited to fruit. The tenant has many trees which are annually pruned - why must these be removed?</p>	<p>The limit on the number of trees is what you are allowed to plant without permission. This rule is not retrospective if the trees and plot are well managed.</p>
	<p>What about growing plums and cherries, will these need removing? Also there is no mention of ornamentals – so can these be grown freely?</p>	<p>All fruit trees are allowed. Ornamental trees are covered in existing rules and are not allowed.</p>
	<p>The tenant wants to know what the rationale for limiting trees is. Tenant also noted the addition of dwarf trees as a new element.</p>	<p>A limit of the number of trees is what you are allowed without permission. You may apply for extra trees but only these extra trees will need to be on a dwarfing rootstock.</p>
	<p>If half plots are allowed 2 fruit trees then double should be allowed 4 fruit trees for full sized plots</p>	<p>It is not possible to allow 1.5 trees for half plot tenants and the aim is to provide half plot tenants with the ability to grow two types of fruit.</p>

<p>16.2 Up to 40% of your plot area may be for leisure and other non-cropped uses. This area includes all paths, sheds, and paving, as well as lawns, ponds, managed meadow and ornamental non-shrubby planting. You must not leave either end of your plot unworked and your plot must be safe and tidy and free from invasive vegetation and seeding weeds/grasses.</p>	How will the inspector know if a bed is planted with un-germinated seeds?	If a bed is prepared it is considered cultivated.
	It is good to see so many plots being cultivated - efforts to encourage better cultivation have been worthwhile.	Thank you for your comments
	Is the front area of the allotment included within the cultivated area?	Yes
	60% cultivation should only apply to summer and should not be enforced during the winter, or should be restricted to 30%	We agree - 60% of the plot should be cultivated for the spring inspection. For the autumn inspection and for the winter period if a plot is tidy and weeds are managed a plot will be considered cultivated.
	There should be less cultivation rules not more – Norwich City Council cannot enforce the rules as is, why have more? Have less rules and enforce these more forcefully.	Plots are inspected and rules are enforced - however the main purpose of review is to provide great clarity on cultivation rules for tenants.
	Wild flowers, ornamental flowers and herbs around vegetables should be part of cultivation – cropped areas might look like flowers and get a notice.	Managed flowers and herbs grown among crops will be considered as cultivated, as will green manures.
	In complete agreement that we are specifying a 60% area to be cultivated – great shame more plots are not worked properly.	Thank you for your comments.
	The tenant feels that specifying cultivation levels should be scrapped and be arbitrary and not prescriptive	Rules need to set levels so that tenants know what cultivation levels are expected and also so rules can be fairly enforced.

	Plots must be free of invasive weeds, this is difficult if you want to be 100% successful. The tenant asks what is an invasive weed – are nettles invasive? The council need to clarify this. Does the council mean for all potentially invasive weeds to be removed?	Clarify wording - invasive vegetation must be kept under control. Invasive vegetation being vegetation that is not under control on a plot and impacting on cultivation or a spreading weed such as brambles that is impacting on other tenants eg blocking paths.
	Rules seem to ban any wildflower areas	The tenant may include managed wildflower areas as part of the 40% uncultivated area and may also grow some wildflowers beneath fruit trees.
	Would these rules preclude having a parking area within plot?	No, as long as the parking area is included within the 40% non-cultivated area.
	Can 40% of plot at either end be allowed for non-crop use?	No - unless an area is shaded or impoverished and the council has agreed this area may be left uncultivated.
16.4 Some of your plot may be sheet mulched. New tenants may mulch up to 50% of their plot in year one. After year one a maximum of 50% of the plot may be sheet mulched in the winter and 20% of the plot sheet mulched in summer.	There is useful advice on how much of the plot can be covered in sheet mulch.	Thank you for your comments
	Allowing 50% of plot covered with sheet mulch during winter is too low - the rules should allow for a higher level of cover in the winter and lower level for summer.	Agreed. We will remove the restriction for winter sheet mulch coverage.
	What about crops that are grown through sheet mulch – eg fruit; this should be excluded?	Permanent sheet mulch is allowed – we will clarify the rules.
	What is sheet mulch, can it be better defined and can you provide dates for summer and winter?	Agreed. Sheet mulch will be defined in rule wording. The dates for winter and summer are flexible and depend on weather conditions. The inspector will take account of the season during an inspection.
	Tenant feels not enough area is allowed for sheet mulching – comments suggest they think we are banning such materials.	The council is not banning sheet mulching but is providing seasonal restrictions to encourage summer crop production. We will look at increasing the areas allowed for winter use.

<p>16.6 After three months the tenant will have their first inspection. If a new tenant has not cultivated their plot during this period then their tenancy will be ended. If a tenant has a reason why they cannot work their plot then they must contact the council and arrange an extension.</p>	<p>3 months is not long enough to achieve cultivation especially over winter.</p>	<p>We will clarify the wording - only if a tenant has not made a start working their plot at the time of their first inspection will have their tenancy be ended.</p>
	<p>3 months to cultivate is not enough time. It should be 50% in 3 years. The –council should clear plots for tenants. This discriminates against working new tenants who do not have time to reach 50% in 3 months.</p>	<p>The council does not expect new tenants to reach 50% cultivation in 3 months, but does expect new tenants to have made a reasonable start. The council is unable to clear plots due to budget restrictions.</p>
	<p>New stricter rules and inspections will be especially difficult on new tenants</p>	<p>The rules review is about providing clarification to tenants on how allotments are inspected. Inspections will not be changing. We will take into account of the length of tenancy when inspecting.</p>
	<p>What is meant by 'cultivate your plot' for new tenants. What are the levels set? Also the season should be taken into account.</p>	<p>The reason for this ruling change is to allow the council to take action against tenants who have taken on a plot and not made any start within 3 months. If a new tenant makes a start then their tenancy will be secure.</p>
	<p>The council should allow the addition of extra time for new tenants taking overgrown plots to allow them to reach full cultivation</p>	<p>We already allow 3 months before the first inspection and the officer will take into account the length of tenancy when inspecting recently let plots</p>
	<p>The council should provide extra advice for new tenants and consider monitoring for new tenants as opposed to issuing notices</p>	<p>Agree with the aim of providing greater advice but there is a need to monitor allotment condition and issue notices when appropriate.</p>
	<p>The practice of stripping of surface soil and piling it at one end should be discouraged – damages soil.</p>	<p>Agree - will include this in the rules as this seems very sensible.</p>

General comments raised on cultivation not covered within the existing rule review

Tenants' comments	Council's response
Bare soil policy for winter should be discouraged as it damages the soil	We are relaxing the winter cultivation rule and allowing a greater area of soil covering mulch, as well as allowing some managed weed growth on well looked after plots during the winter months.
With existing rules on cultivation being so limited and unspecific it is difficult to see how the existing rules can be used to evict a tenant. The association chair has many complaints over lack of enforcement of cultivation rules at their site.	The main aim of the rules update is to give tenants better clarity on how tenants plots are inspected, that said clearer rules will be more enforceable.
A list of dos and don'ts would be useful for new tenants as opposed to complex prescriptive rules eg fixed number of fruit trees. This list of musts should include / be replaced with shoulds.	Rules need to define levels which tenants can understand and work to. Additional guidance notes will provide greater information and further information will also be available by visiting www.norwich.gov.uk/allotments .
Why is the loss of carbon from soil not considered? This goes against council policy	The council's environmental strategy team has been consulted. It was felt that the rules do not contradict policy in a meaningful way. However the updated rules will allow for managed winter cover of weeds for green manure, which may help reduce carbon loss from soils.
If a tenant is operating a bed system, then cultivation figures do not add up as every square metre of bed requires a square metre of path. This path should be included as part of the growing area.	Bed systems are allowed as long as 60% of the plot is cultivated. The majority of council's state 75% cultivation is required, so 60% is already allowing greater flexibility for Norwich tenants.
The allotment officer should have an allotment as part of their job and should take on the poorest plot on their local allotment site	This does not form part of the rule consultation
A warning time should be given before inspections and inspections should take account of the weather conditions and time of year. A letter should be sent after re-inspection to say a tenant has passed their inspection.	Information on inspection timing is available on the website. Due to the number of inspections undertaken, the council only sends out letters if a re-inspection has failed. The inspection procedure is already seasonal and does take account of season and weather conditions. Please refer to the allotment web pages.
Generally thinks advice is a good thing but think the tone needs changing and should be more enabling.	The rules form part of a legal document and must be clear and concise and be consistent with the existing rules. The rules will be issued with guidance notes, which are less formal and provide valuable context and explanation.
Feels letters are stressful and puts tenants off.	Notice letters are not part of consultation but we have reviewed letters

	previously and the council has also introduced new advisory letters for problem plots. However the letters are legal documents and must be written in a certain way.
Generally feels the rules are aimed at creating tidy allotments – a tenants plot is untidy but productive and has some weeds.	The rules are not written to be for or against any specific style of growing. As long as plots are cultivated and cropped and do not contain problematic levels of waste or breach any other rules, then tenants are left to cultivate their plots as they see fit.
Tenant should be provided with feedback after each inspection so they can see how they are doing. It would be helpful if the council could look at inspection results and see that a tenant is unwell and thus not send out a notice.	It is not practical to provide feedback after each inspection. The council does look at inspection records prior to issuing notices, but the current rules ask tenants to contact us if they are unable to cultivate their plot.
The tenant expresses support for rules amendments and cannot understand opposition – current proposals seem very reasonable.	Thank you for comments
Wholly in favour of proposed amendments.	
Over all thinks new rules are fair.	
Rules seem sensible and will be achievable by most tenants.	
The rules are more than just small amendments – they are too detailed and prescriptive	The rules need to be prescriptive and detailed so that tenants have a clear picture of how they need to tend their plot.
We are not at war and the main purpose of the allotment is no longer to provide sustenance of the family. Growing crops is no longer the main purpose of an allotment.	The council allows for leisure, and other use, within the 40% of plot allowed for non-cultivation. However we see the primary role of the allotment to be for cultivation of fruit and vegetables, as defined within the allotments acts.
Cultivation rules do not take account of soil type – what about poor soils? Also the modern style of gardening	The new rules allow tenants to apply to have un-cultivable areas considered for non-crop uses (subject to approval). Tenants may undertake modern styles of gardening but must be cropping 60% of their area and also managing the quantities of materials brought onto the allotment.
Tenant believes the rules give preference to specific types of cultivation – encourages use of chemicals and styles of cultivation that deplete soils.	We are not encouraging or discouraging any specific type of growing technique but we do have a duty to ensure allotments are used.
There is no right of appeal against a notice.	You may contact the council if you have a justified reason why you have

	not been able to work your plot - this is stated within the letter. If justified then the notice will be deleted from your records and you may be allowed extra time to improve your plot.
Tenant has noticed a decline in the number wild species on plot in line with reduced wild space. Thinks 40% is not enough.	The council allows for leisure and wildlife uses within the 40% of plot allowed for non-cultivation and allows for a wildflower meadow to be grown around fruit trees. However we see the primary role of the allotment to be cultivation of fruit and vegetables, as defined within the allotments acts.
I fully support these rules and am please you are taking the time to improve the management of our allotments.	Thank you for your comments.
Thank you for the consultation - it looks eminently sensible.	

Waste restrictions

Rule	Tenants' feedback	Council's response
<p>17.1 Building materials such as blocks, bricks, roofing tiles, recycled doors, windows, and UPVC may only be brought onto the allotment for constructing structures that have been agreed after the tenant has submitted a structures application form to the council. Excessive quantities of any building materials will be in breach of rules.</p>	<p>The tenant has a glasshouse made of old windows, which is sound, and feels windows should be removed from list. How much is excessive? And what about structures that predate new rules?</p>	<p>Structures that pre-date these rules are not affected unless they are unsafe or unsightly, in which case they are in breach of old rules. As windows are a bulky and potentially dangerous form of waste they will remain within the rules update.</p>
	<p>Recycled materials are traditionally used for structures such as cold frames and cloches and the council should allow some temporary structures.</p>	<p>We are changing the rules to allow for automatic allowance for a limited number of windows for cold frames</p>
	<p>Requiring a structures application for windows as cloches seems bureaucratic. There should have a restriction on the number of cloches allowed or number of windows and the council should specify all broken glass must be removed from the allotment.</p>	<p>We agree and will include an automatic allowance for the construction of a limited number of cold frames and cloches. The removal of broken glass is already enforced within existing rules.</p>
	<p>Tenants comment about bricks being useful for holding down netting etc – we should have a limit. Tenant suggests we should include an allowance for building materials being used for cultivation.</p>	<p>There isn't a specific number of building materials, but these materials must have a cultivation use.</p>
<p>17.2 Paving may cover a maximum of 10% of plot area. A maximum of four tyres are allowed on each plot.</p>	<p>What is the issue with paving? Why is it being restricted? Why are we not allowing paved paths?</p>	<p>Paving is a heavy and bulky waste material that becomes a problem when it breaks up. There are other materials that can be used for paths that do not pose a future waste issue.</p>
	<p>Hard standing should be allowed on plots where a tenant has mobility issues – restricting hard standing reduces access and is discriminatory.</p>	<p>Agreed regarding access for mobility issues - tenants can apply for an extra allowance in these cases.</p>
	<p>Why are any tyres allowed? There should be zero allowance for polluting tyres</p>	<p>Agree - but we will allow tenants to register existing tyres and these may be kept on plot.</p>
	<p>Tyres are useful for growing potatoes in a limited space.</p>	<p>Tyres can be useful but they are a controlled waste and there are concerns over potential pollution from heavy metals. There are other alternative materials that can be used to create planters.</p>

	If a tenant has two plots they can have 8 tyres. Tyres are a waste material and generally seen as polluting and also a fee is charged for disposal. Tyres on plots cost money to remove so tenants taking on a plot would have to pay for removal which is not good for new or poor tenants.	Given that new tenants would need to pay to remove tyres left on a plot they are taking, we will no longer allow new tyres onto any allotment.
17.3 Gravel and other loose stone products, rubble and hard core are not allowed on the allotments and the use of glass bottles for construction is also not allowed.	What about gravel sieved from beds and used on paths – would this be included?	Sieved stones that are from the site are not included – we will clarify the wording to state this applies only to imported gravel.
	Why is gravel an issue – what is the problem?	The issue with gravel and stones is the importing of materials that will reduce the fertility of allotment soil and may be a problem to future tenants.
	Why target glass bottles – who uses these in construction and is it an issue? Is the council inventing a non-existent problem?	Yes this is an issue. Tenants build raised beds from glass bottles which poses a hazard when bottles break.
17.4 Some play equipment will be allowed as long as it is in good repair. Large items such as trampolines or swings as well as paddling pools are not allowed on allotments.	Tenant concerned about banning swings. It is difficult getting children to attend the allotment yet the allotment is a good place for children. The council should encourage allotments as places for children.	We have changed the rules so that a small swing or trampoline will be allowed. The council acknowledges that allotments are good places for children and will allow a limited amount of play equipment that is well looked after.
17.5 Carpet may only cover up to 20% of the plot and carpet must be regularly moved. Only natural woven carpet will be allowed on the allotment and sheet mulch is always preferred to carpet. Overgrown, unmanaged carpet will be in breach of rules.	Carpet should be allowed in the same way as sheet mulch as it is cheap and encourages recycling. Plastic sheet is expensive and not recycled.	Certain types of carpet may be used as mulch in summer but must be managed. Most carpet is not suitable for allotment use as it is potentially polluting. Refer to guidance to review carpet issues.
	Would carpet rules apply to old carpet on paths?	Old carpet will be allowed to be used on the paths as long as it does not exceed the allowed area. See appendix 2 of existing rules for carpet rules.
	Uses wool carpet on paths – would this be in breach of rules?	No this is fine as long as within the 20%

	Carpets should be allowed and not restricted but should be managed.	New rules will encourage management of carpet.
17.6 You may not use your allotment to store furniture, leisure equipment or any other household items that are not used for cultivation.	The new rules say you must not store furniture, but what about garden chairs? Chairs, tables and benches should be allowed.	By furniture we mean household furniture. This rule does not cover garden chairs, tables or benches, which are allowed. We will clarify the wording.

General waste comments not covered within the existing rule review

Tenants' comments	Council's response
Tenants should be encouraged to recycle building materials if being used for growing crops. Eg double glazing units as cloches or swing frames as bean supports.	A limited number of cloche type structures will be allowed and a swing frame will also be allowed.
Tenants should be provided with free removal of excessive green waste and inorganic waste. Also will there be an amnesty for old waste?	The council no longer remove waste from allotments. Tenants need to remove their own in-organic waste or compost or burn organic waste.
Paddling pools are temporary and should be allowed for family and social enjoyment.	Paddling pools are covered in existing rules under appendix 2 on grounds of water conservation.
The tenant is concerned about the waste on plot he has inherited – glass, carpet and metal. They can see the point in the rules but is concerned they might get a notice as they have no vehicle and inherited lots of waste.	Tenants take on waste when they take on plot, however time will be allowed for waste to be cleared and notice will not be issued if there is an agreement.
Generally considers rules to be sensible and good practice	Thank you
No objection to banning potentially polluting materials but uses many materials to help with cultivation, items such as bricks to hold down cloches, or sections of timber – will there be a notice for these odd items?	We will be updating the rules to allow a limited quantity of building materials for use in cultivation.

Potentially polluting materials

Rule	Tenants' feedback	Council's response
<p>18.2 Timber that is painted with non-gloss preservatives will be allowed on allotments but all perished and painted / treated timber products will need to be removed from the allotment to avoid possible soil contamination.</p>	<p>Many existing structures contain gloss painted timber - what about these?</p>	<p>New rules on painted timber only apply to materials that are brought on to the allotment after the new rules come into effect in April 2015. However the rules on burning any painted wood are already in place.</p>

General comments about potentially polluting materials not covered within the existing rule review

Tenants' comments	Council's response
<p>Do these rules apply retrospectively; and if so, can amnesty skips be provided for waste?</p>	<p>Materials rules are not retrospective for materials that are being used in line with appendix 2 of the existing allotment rules, so there is no need for amnesty skips.</p>
<p>This part of the rules should mention harmful pesticides and herbicides, especially neonicotinoids which are very harmful to bees.</p>	<p>We encourage organic gardening but cannot control the use of licensed products. We do take action if a tenant sprays a neighbouring plot with damaging chemicals and this causes harm to the adjoining plot.</p>
<p>The tenant generally agrees with controlling polluting materials but thinks the limited list may go out of date.</p>	<p>Clarify wording - the list of potentially polluting materials are examples and other materials may be included.</p>
<p>An explanatory document is needed for advice on soil pollution and why the rules are including soil conservation - a document should be available on the web pages and as part of consultation response.</p>	<p>Agreed. Information will be provided in guidance notes and development of the web pages after the consultation will provide further information on this important topic.</p>

Criminal activity and safeguarding

Rule	Tenants' feedback	Council's response
<p>20.1 Tenants must report all criminal activity on the allotments to the police and, where possible, create a crime number. If the police investigate and find an illegal act has taken place, the council can then take action.</p>	<p>Reporting criminal activity is sensible but not enforceable.</p>	<p>Change wording to tenants 'should' as opposed to 'must' report criminal activity.</p>
	<p>This rule is not enforceable so why include it?</p>	<p>As above - rule will not be enforced but encouraged.</p>
<p>20.3 Tenants are responsible for safeguarding children and adults visiting the allotments. Tenants are responsible for the behaviour of any visitors they invite onto the allotment.</p>	<p>Change wording to state that the tenant is responsible for visitors across the entire site, not just on their plot.</p>	<p>This rule is already covered within existing rules.</p>
	<p>This rule implies the tenant is responsible for other people's children when not on your plot. It also duplicates rule 3.4</p>	<p>Allotment use after the hours of darkness will be permitted. We will amend rules so they only apply to antisocial behaviour (ASB) issues.</p>
<p>20.4 Tenants and visitors should not be on the allotment during the evening hours of darkness from 1 April to 1 November. Tenants should not stay on the allotment overnight.</p>	<p>This rule would restrict enjoyment of plots in summer evenings and working people may need late night access. If the policy is about parties then this should be clarified.</p>	<p>Allotment use after the hours of darkness will be permitted. We will amend rules so they only apply to ASB issues.</p>
	<p>Wants to explore moonlight planting – needs night time access to plant by moon, also prevent night time worship by druids and pagans so discriminatory.</p>	<p>We acknowledge that some tenants require night time access for work reasons (eg shift working) or for spiritual reasons and have changed rules accordingly.</p>
	<p>Parties / ASB should be controlled using other legislation. Rules should state only tenants and friends of tenants allowed onto allotment.</p>	<p>Allotment use after the hours of darkness will be permitted. We will amend rules to include a more general rule about acceptable behaviour and nuisance.</p>
	<p>Restriction on evening use of allotments seems unnecessary – tenants should have unhindered access especially for eg watering /attending to hens.</p>	

General criminal activity and safeguarding comments not covered within the existing rule review

Tenants' comments	Council's response
Tenants general points relating to criminal activity and safeguarding rules.	Allotment use after the hours of darkness will be permitted. We will amend rules to include a more general rule about acceptable behaviour and nuisance.
By allowing tenants access at night this could reduce crime and ASB. Reverse night-time ruling.	
Rules on night time access need relaxing - why not just restrict to hours of darkness from May to October.	
Allotments should be able to be used after dark for meetings etc.	
Allotments should be open for watering after dark – important for people who work late / shifts.	
When a tenant sees someone who they do not think is a tenant then what are they supposed to do about that? How can a tenant stop a non-tenant entering an allotment?	This rule is included to make tenants aware of who is and who is not allowed onto allotments. Tenants are not expected to take action on this issue but are encouraged to report this issue to the council.
Tenant suggests new rule banning dog walking on allotments as this activity is unhealthy and encouraging dog fouling	This rule is covered as above for the public, however tenants are allowed to walk dogs through allotments if on leads.

Miscellaneous

Rule	Tenants' feedback	Council's response
19 Allotment keys – tenants as of 3/14 are not required to return their key to the council as the key has been purchased by the tenant when taking on the tenancy.	The tenant thinks all tenants should pay a deposit for keys and this should be returned when the key is returned. This should improve site security by reducing the number of keys in the public domain.	The allocation of keys is an operational matter and we will continue to issue non-refundable keys. However we are trialling keyless locks for allotments.
21 Hedges – new hedging may only be planted in agreement with the council.	Hedges produce valuable protection for allotments and should not require permission If enforcing this rule then council needs to take action to manage its own hedges and ensure that paths are open as council allow vegetation to grow over paths	Hedges pose a considerable management issue. Most hedging can grow into large trees, if not managed. All council hedges are maintained regularly. If you have a particular issue please report this to the council.
22 Shared paths – where plots are split, the tenant with the front plot must maintain a straight path to the rear plot that can easily accommodate a wheel barrow. If the tenant wishes to change an access path or lock a front gate then this must be agreed with the tenant on the rear plot.	The tenant wants assurance that a new tenant on the front half of the plot on surrendering it will not move a path, as they have created a designated path with fencing through the front plot. The tenant wants rules to ensure the tenant at front will ensure plot security for tenant at back, and would prefer that the front plot has a separate gate. The tenant suggests we look at splitting plots long ways to allow for easier access	If you fence off access through a front plot you are in breach of rules as this area belongs to the tenant to the front of you. The access path is a shared access path for both tenants to use. The tenant at the front is free to do as they will with the front access to their plot. If you want security for your plot you must build your own fence on your own plot. We only split plots long ways where the width of the plot makes this practical. Almost all plots are too narrow to split length ways and generally it is more practical to split plots widthways and have a shared path through the front plot.

<p>24 Allotment sheds and structures – if you have a shed or structure on your plot, then that structure is yours and there is no imperative to share access to, or space within, that shed or structure. If you choose to share a shed with a fellow tenant then this is an agreement between tenants and does not involve the council.</p>	<p>Why has this rule been included, it needs explaining – tenant presumes it does not apply to Bluebells’ sheds</p>	<p>It is not practical for the council to be involved in managing sheds on tenanted plots. There will be further explanation in the guidance notes. This rule does apply to the Bluebell sheds</p>
	<p>Tenant believes the council is shrugging off responsibility for historical sheds.</p>	<p>The council has not managed sheds on allotments for a number of years.</p>
	<p>The tenant believes that when plots are split, then the council should allow both front and back tenants to share a shed that was designated to whole plot.</p>	<p>It is not practical for the council to be involved in managing sheds on any tenanted plots. Where plots are split then the tenants may have a personal agreement to share a shed but this agreement is not managed by the council. As far as the council is concerned any shed is solely linked to the plot it is located on.</p>
	<p>The tenant believes that the rules should include a comment that sheds and structures should be kept in a safe condition</p>	<p>This is already covered within the existing allotment rules.</p>

General miscellaneous comments from the rule review

Tenants’ comments	Council’s response
<p>The tenant believes allotments should be more family orientated like in France, which has 'family gardens'</p>	<p>We encourage the use of allotments by families. The 40% allowance for non-cropped land allows for family leisure use. We will be changing the rules to allow for some play equipment.</p>
<p>The tenant would require large poly tunnels to be included within large structures as they are un-attractive and should be banned</p>	<p>This is already covered within the existing allotment rules.</p>

<p>The tenant believes the rule review changes should be accompanied with explanations in favour of points.</p>	<p>Please refer to guidance notes</p>
<p>The tenant feels there are many benefits in clarifying the rules but also excessive rules can be oppressive. There have been vacant plots in the past and it would be a pity to put people off taking an allotment with excessive rules and restrictions. Tenant feels fewer rules are better with the expectation that tenants will behave reasonably.</p>	<p>The rules need to provide clear guidance for tenants. We have tried to keep the new rules to a minimum.</p>
<p>Why do rules not include the council's responsibilities to keep sites secure as given in the Brighton rules?</p>	<p>All sites are now fenced, gated and locked and it is the tenants' responsibility to keep gates locked. We are constantly reviewing site security and upgrading gates and fencing.</p>
<p>The tenant does not like the tone of the rules or the notices</p>	<p>Rules need to provide clear guidance for tenants and are written to a legal standard. The guidance notes will help explain the new rules in a less formal way.</p>
<p>The tenant would like a public meeting about the consultation before the new rules are agreed and suggests efforts need to be made to clarify how these new rules will tie in with existing rules.</p>	<p>There has been a consultation which has been well responded to by tenants. The new rules will be issued with guidance notes and the new rules will be cross referenced with the existing rules. The rules will be finally reviewed and agreed in line with council policy.</p>
<p>Tenants generally feel that the rules are too harsh and will put off tenants – also rules do not link in with the inspection framework.</p>	<p>The feedback from the rule review shows a reasonable balance of opinion on the proposed rules. The inspection framework is separate to the rules, however there is information on inspections and how they work on the allotment web pages and within the guidance notes.</p>
<p>It looks like the rules are drafted to catch out tenants and increase tenancy terminations.</p>	<p>This is not the case. The new rules are being developed to provide greater clarity for tenants. There is no plan to make any major changes in how we inspect plots.</p>
<p>The language is difficult for tenants to understand</p>	<p>Rules need to provide clear guidance for tenants and are written to a legal standard.</p>
<p>The tenant raises concerns over complying with disability legislation and organic gardening techniques.</p>	<p>We are making changes to the rules to allow for increased paving to ensure special provision for tenants with mobility issues. If you have any additional concerns the please contact the council.</p>

<p>Most people do not comply with all of these rules therefore the rules are unworkable and impracticable, it is obvious when a plot is not being cultivated so why do we need all these rules.</p>	<p>Rules need to provide clear guidance for tenants.</p>
<p>The tenant believes too much permission is required – less permissions should be required</p>	<p>We have made adjustments to allow for certain permitted development including for sheds, tunnels, glasshouses and cloches as long as these are within rules.</p>
<p>The rules are not very eco-friendly, what about rules that encourage environmentally positive gardening</p>	<p>We are not encouraging or discouraging any specific type of growing technique but we do have a duty to ensure allotments are used for cultivation and have also included a new section within the rules that controls certain types of materials and bonfire practices on plots that may pollute the soil.</p>
<p>The tenant suggests six months to use materials should be extended as gardeners work on a yearly cycle.</p>	<p>This is within the existing rules, so not part of this consultation. However if tenants cannot use materials then they should not be brought onto the plot until the tenant is ready to use them. Allotments are not to be used for storage.</p>
<p>Restrictions on ponds are not good for wildlife. Ponds need to be deeper for some wildlife</p>	<p>The depth restriction on allotment ponds is in place within the existing rules to reduce the potential hazard of drowning.</p>
<p>The public require access to the inspection framework and inspection criteria. It is very difficult for the public to understand how they are being judged on.</p>	<p>This information is available on the web pages or on request. The new rules on cultivation and waste will act as the framework for inspections so should provide greater understanding for tenants on how we inspect plots.</p>
<p>There should be more information on how a tenancy termination can be contested.</p>	<p>This is outside of the consultation but the council does consider appeals on a case by case basis. Information on the right to appeal a termination will be made available with the tenancy termination document.</p>
<p>There should be a shift from prohibition to encouragement with phrasing made non-aggressive.</p>	<p>Rules need to provide clear guidance for tenants and are written to a legal standard.</p>
<p>Rules should be seen more as guidelines than rules and that it is not necessary to fulfil all rules at all times to have a good allotment.</p>	
<p>Allotment officer should have a background in allotments and general gardening – not just landscape horticulture.</p>	<p>This is not part of the consultation.</p>

<p>Support and guidance should be allowed with inspections - not just a list of don'ts</p>	<p>An information sheet is issued with all notices providing advice on how to respond to a notice. Also the new rules will provide a useful guide as to why a notice has been issued and also a target for where a tenant needs to get to so as to pass their next inspection. There is also useful information on the web pages.</p>
<p>Associations should be able to help with inspections as they have local knowledge – the officer should consider undertaking inspections with associations.</p>	<p>We cannot discuss individual tenancies with people from outside the council for legal reasons.</p>
<p>New tenants should be provided guidance and support for three years by council or fellow tenants – it is not usual for anyone to be able to completely cultivate a plot in 1 year.</p>	<p>This is not part of the consultation but we are looking at ways of helping new tenants get off to a good start on their allotments. We do take into account the length of a tenancy when we inspect plots.</p>
<p>Notice boards should be community notice boards – not just for negative council notices.</p>	<p>We use are notice boards to communicate important operational information to tenants. There are community boards in use on certain sites and we encourage these.</p>
<p>The tenant is concerned about site representatives as there is no way of knowing who the site representative is and they are not chosen by tenants. It is not clear what the role of the site rep is.</p>	<p>This is not part of the consultation but we are working with site representatives as to how they will be contacted. There is information on the roles of site representatives on the allotment web pages.</p>