

Rosendale Allotments Association Ltd.

Byelaws and tenancy terms

(as amended January 2023)

GENERAL

1. Shares

Each member shall hold one share in the Association as required by the rules.

2. Conditions of Renting

No member may hold more than one plot unless there are no other applicants waiting, except where multiple plots were allocated prior to January 2023. If multiple plots are held, they are subject to the normal survey rules, and if there are two consecutive failures for cultivation on a plot, the member has the right to decide which plot(s) will be given up. The Committee shall have the right to make special conditions in regard to any tenancy and every member shall observe and perform all conditions and covenants in any lease under which the Association holds the land.

3. Payment of Rent

Before taking possession, every member shall pay rent and Membership fee in advance on the days and at the time and place appointed by the Committee and to the Lettings Officer or their deputy only. The subsequent rent shall be paid yearly in October by the 22nd October, or a final warning will be issued. If the rent remains unpaid by 28 days from the 22nd October, the plot(s) will be re-let by the Committee unless the Committee is notified in advance of any mitigating circumstances.

4. Sub-letting

No tenant shall sub-let their allotment or any part of it to any other person.

5. Re-letting of plots

Once a plotholder gives notice of giving up their plot, they will have 14 days to remove their belongings, after which a new plotholder may take possession of the plot. No refund of previous rent payment will be made. If the plot has a formal sharer who has been registered for 4 or more years, the plotholder should notify the Committee that the transfer has been agreed, at which point the sharer must pay the additional membership fee. No plot can be transferred without permission from the Committee.

6. Access to site

The grounds of the Association are strictly private. Only plotholders, sharers and individual family and friends of members, with the express permission of that member, are to be granted access to the site.

Plotholders are responsible for the behaviour of all individuals invited to their plots. All children under the age of 18 must be supervised at all times by the plotholder or an adult who has been explicitly given responsibility for the supervision of such visiting children. This includes moving round the site, for example to visit the toilets or stores.

Course and workshop leaders are responsible for the behaviour of their participants. Gate codes will be given out to plotholders and course leaders, these must not be passed on and will be changed regularly at rent taking or on any other occasion that the committee considers necessary for security of the site.

Participants for events being held in the Community Building may have access to the area around the building but not further access within the site without the agreement of individual plotholders.

On special occasions, such as open garden days, the site may be open to the public. Notice of such occasions will be passed onto all plotholders.

7. Trespass

No tenant shall make any encroachment or trespass onto another's allotment without authority.

CULTIVATION

8. Appearance and management

Each plot must display its number clearly at the side of the lower end of the plot nearest to the Community Building.

The plot must be properly cultivated and showing clear evidence that it is being regularly looked after and maintained. 75% of the plot must be under cultivation and weeds kept under control with the grass border trimmed.

There must be no accumulation of rubbish i.e. glass, plastic or metal items on the plot. All rubbish should be taken home by the plotholder.

Fruit trees and bushes should be planted so that they do not overhang the paths, or the Committee may be forced to trim them back. Such trees should be on dwarf rootstock only.

Any open supports placed to grow beans, vine fruits etc., must be set well back from the path.

There may be a few exceptional cases where a plot holder can make out a good case to deviate from the 75% cultivation rule. Permission must be sought in writing and in advance from the committee, prior to the main

growing season. In the case of a new plot holder taking over an abandoned plot which requires a lot of preparatory effort, some phasing in of adherence to the 75% cultivation requirement may be allowed.

Plot holders wishing to devote most of their plots to intensive fruit tree growing must ensure that the trees are kept well pruned, and with a modest height so that they do not shade and disadvantage neighbouring plots and that unharvested fallen fruit do not render the surrounding paths dangerous. Suitable growing spaces under and between the trees should be cultivated.

9. Paths

Paths and roads must be kept clear from obstruction. The main paths should be a minimum of 1.2 meters (4 feet) wide and the smaller paths must be a minimum of 60cm. (2 feet) wide. The grass on interplot paths should be regularly trimmed and the edges kept neat. No weed killer is permitted on these paths and nor should the top growth be removed down to the roots with sharp tools leaving the path bare. The pathways must not be used for burning rubbish.

10. Fences

No fences or hedges are allowed on the allotments, which should maintain an overall open appearance. However, windbreaks are permitted, provided they are no taller than 90cm. (3 feet), and are placed in such a way as not to give the plot a fenced-in appearance. All materials used for windbreaks should be tidy and as inoffensive to the eye as possible. Where a plot borders a boundary fence, the plot holder should leave a strip of land 60cm. (2 feet) wide free from weeds or rubbish but uncultivated next to the fence.

11. Trees and boundaries

Members should not cut or destroy any trees, or block, mar or encroach on any path, ditch or any open space provided for general use; neither should they damage sheds, fences, gates, locks or other property of the Association.

12. Sheds and greenhouses

No member shall build any building or other structure, nor alter any existing structure, without written permission from the Committee. Boxes for storing tools may be built without permission, provided they are not higher than 75cm. (2 feet 6 inches). All such structures must be painted dark green and set well in from the path. A plot may only have one shed or permanent greenhouse building.

13. Water

No member shall interfere with the water supply, tanks or taps. Use of hosepipes is prohibited.

CONDUCT ON SITE

14. Members' responsibilities

No member should take any produce from, not cause any damage, nuisance or annoyance to the occupier of any other plot or to any local resident, nor should they obstruct the paths of other users. If any damage is caused to the crop or the allotment itself then the Committee may ask the offender to make a payment determined by them.

Children of members may accompany their parents only if they remain on or very near to their parents' allotment, and do not stray onto other plots. The Society accepts no responsibility for any harm which occurs to any child on the site; parents are expected to be vigilant on their child's behalf.

Any visitors a member may have invited to the allotments are subject to the same rules as the member.

No dogs are allowed on the allotments at any time unless kept under control by their owner and on a lead.

Whilst bonfires are permitted between the months of November to February (2022/23), members are asked to keep them to a minimum, and avoid them altogether if possible. Any fire which is causing, or likely to cause, any nuisance to residents or ploholders must be extinguished immediately. All fires must be attended and no fires are permitted before 10am. Burning any rubber or plastic is prohibited, refer to the latest Bonfire guidance for further restrictions. Timing of bonfires is subject to change after consultation with members.

Members should take all rubbish, especially food rubbish home and not leave it anywhere on site or on the road or pavements outside the site.

The use of strimmers or other noisy machinery is not permitted before 10am or after 6pm. No livestock except bees may be kept on the allotment site, and permission to keep bees must be sought from the Committee, subject to meeting the guidance on bee-keeping which will be made available on request.

15. Complaints

All complaints and disputes shall be settled by the Committee and they are empowered to take such steps as may be necessary. Their decision is final. If the ploholder does not comply with the Committee's requests or direction, the Committee may, at the cost of the member, have any necessary work done or terminate the membership.

16. Stores

Any goods ordered through the Association must be paid for in advance and cleared as soon as possible after delivery to the stores.

17. Change of address

Any member changing his/her postal or email address shall notify the Secretary at once in writing or through email to the RAA admin address info.rosendaleallotments@btconnect.com or via the contact form on the RAA website.

18. TERMINATION OF TENANCY

The Association shall have the right to re-enter and take possession of the allotment of any member whose rent is in arrears, who does not keep their allotment cultivated to the satisfaction of the Committee, or on the breaking of these bye-laws or of the members' agreement with the Association; and to relet the allotment. All rent arrears, fines and expenses incurred in re-letting and conditioning abandoned or fortified plots shall be recoverable from the defaulting member.

19. Each plotholder has the responsibility of making themselves acquainted with these Byelaws.

January 2023