

POLICY REGARDING NON-CULTIVATION

Definition of Cultivation:

Tenants are expected to be cultivating at least two thirds of the plot area. The other third is expected to be in use for a shed, greenhouse, compost heap or other storage area, or to be fallow purely for the purposes of crop rotation.

Cultivation is the preparation of the land by digging/rotovating in order to grow crops, and the planting, tending and harvesting of crops on that prepared land. The area will not be considered cultivated if the land has been prepared but then is never used to grow crops, or if a lawn has been allowed to develop (unless such lawn is kept free of weed nuisance and is solely under fruit trees or other fruit bushes). The area will also not be considered cultivated if the land is merely covered during the growing season to prevent weed growth, for example by using carpets or weed control matting.

Pathways can be kept in cultivated areas and will not be considered as 'non cultivated', provided that the areas contained within the internal pathways are being cultivated. Any such grass pathways must be maintained and kept free of weed seeding nuisance.

Cultivation during the period 15th October to 15th April:

Tenants will not be contacted for non-cultivation during this period and are not required to grow crops for harvesting during the winter months. However, tenants are expected to carry out general work to tidy their plot, to keep their plot weed free, to make any necessary repairs to sheds, compost heaps etc, and to have started to dig over or rotovate their plots by 15th April.

Cultivation during the period 15th April to 15th October:

The first inspection for cultivation for each year will be on or after 15th April. A 'non-cultivation by start of season' letter will be sent to those tenants whose plots show no preparatory work has started for the new growing season.

There will be a second inspection of all plots on or shortly after 21st June. At this point, being in the middle of the growing season, it is judged that all tenants should be meeting the standard of cultivating two thirds of their plot.

Those tenants that are not meeting the required standard will be sent a 'non-cultivation during season' letter.

Where a non-cultivation letter is sent out the plot will then be inspected once a month for the following 12 months. Photographs will be taken for evidence of the standard of cultivation during these months and the tenant will be expected to show improving levels of cultivation. If the tenant concerned has not achieved a cultivation level of two thirds of the plot area during the April to October growing season within that 12-month period, they will be considered as not meeting the requirements of the tenancy agreement at which point the tenant will be given one month's notice in writing that their tenancy is being ended.

Once the required cultivation level has been reached the tenant must maintain this level. Where a judgement is made of the percentage level of cultivation, the Assistant Clerk and a site representative will agree the percentage.

If it should prove necessary to send a second non-cultivation during season letter within 3 years from the first such letter having been received by the tenant, the tenant will be considered to be experiencing longer term difficulties with managing their plot. A dialogue will be started with the tenant on the assumption that one of the options shown below will be selected.

Options which can be taken when a tenant is having difficulties maintaining a plot:

The following options are available for tenants who are experiencing longer term difficulties with managing their plots. Tenants in this situation can consider taking on a joint tenant to assist with managing their plot, or can consider reducing the size of their plot holding (for plots of 10 square rods in size). Tenants can also consider voluntarily giving up their plot on the understanding that they will then be at the top of the waiting list and can request another plot be given to them when they next feel able to take on a plot (they are then offered the next available plot). These options can be particularly helpful when a tenant is experiencing difficulties because of a health problem or personal issue that is expected to affect their ability to cultivate their plot for some time.

Cultivation during periods of illness/for personal reasons:

Where tenants have notified the Council that they are ill, in hospital, or have other personal short term reasons as to why they cannot cultivate, they will be advised that during this time, even though cultivation levels will not meet the expected standard, they must still ensure that there is no weeding nuisance that causes a nuisance to neighbouring tenants. They must either do this themselves, arrange for another person to assist, or they can arrange for the Council to carry out strimming on their plot provided that they pay the cost of the work carried out. Their plots will also be subjected to the same procedure outlined above and regularly inspected each month. They will be expected to achieve a cultivation level of two thirds of the plot area during the 12 months following their short-term illness/personal issue. If they cannot achieve this standard at any point during the next 12 months they will be considered to be experiencing long term difficulties to the extent that they will be unable to meet the requirements of the tenancy agreement and will need to select one of the options shown above for tenants in such a position.

Cultivation for new tenants:

Under the terms of the tenancy agreement a plot held by a new tenant will not be inspected for non-cultivation for the first 3 months of the tenancy, but the Council will expect that work has been started during that period.

During the first year of the tenancy a new tenant will be expected to have at least one third of the plot under cultivation. Following the first anniversary of the tenancy agreement the tenant's plot will be inspected as per the non-cultivation policy and will be expected to comply with the standards of cultivation as required by the tenancy agreement.

Although new tenants will have a period of time in which to work towards the expected standard of cultivation, they must not cause any seeding nuisance (from weeds) during these periods. A seeding nuisance is considered a breach of the allotment rules and can result in the tenancy being ended.

Policy agreed: 27/09/2022