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 PO Box 819, Rotherham, S60 9NR


# Rotherham Allotment Alliance Ltd


## Inspection and Notice Policy

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## **Inspection and Notice Policy Draft**

### **Introduction**

This policy outlines the criteria and procedures the RAA will follow when conducting inspections on all sites that are directly managed by the RAA. This is to ensure all the allotment sites are being used correctly and fully utilised in line with the constitution and tenancy rules.

### **Who will carry out the inspection and when?**

All inspections will be carried out by a combination of either: at least 2 board members or 1 board member and the ASO. They will be carried out during the main growing season and, if needed, on an ad hoc basis or following complaints. Notice will not be given before inspections take place.

### **What will be inspected?**


Inspections checks include


- Cultivation - a minimum of 75%, or working toward this if tenancy has been in place for less than 12 months.
- That any and all structures are in a good state of repair and safe. If requested access must be given to any and all structures at a mutually agreed and convenient time.
- That any new buildings for non-cultivation purposes (tool/storage shed/livestock housing) do not exceed 2m x 3m (approx 6ft x 8ft) Historic structures will be honoured providing they are kept in good repair.
- Livestock areas (shelter/food store and all livestock) will be checked for animal wellbeing and safety, pest proofing for feed, cleanliness, etc. access must be given at a mutually agreed and convenient time.
- Fencing - safe, in good repair, maximum height of 4 foot 6 inches.
- Weed control.
- Rubbish, non compostable waste or non allotment related waste.

### **The inspection process**

The inspectors will access the allotment site, using walkways and haulage ways to view each allotment plot. Access to plots will be requested if needed. However immediate access will be made if there is deemed a risk to livestock health or obvious signs of distress. Each plot will be assessed on the above mentioned points, with pictures taken if necessary. If issues are found tenants will be sent a letter notifying them of the points that need rectifying and the time frame they must be done in.



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After this time frame has ended a follow up inspection will take place and new pictures taken to compare if required. A follow up letter may be issued allowing more time if it is clear efforts are being made.

If little to no effort has been made to rectify any issues an official notice procedure will begin (see below for notice procedure)

In the instant where this continues to be the case or no contact has been made with either the ASO or RAA board then the eviction process will begin. (see eviction policy)

### **Inspections for New tenants**

Inspections for new tenants will take place after the 3 months probation period has ended in order to ensure that the new tenant has made a start at getting their plot in working order. At the discretion of the RAA board this probation period may be increased depending on the original state of the plot.

During the first 12 months of tenancy the board accepts that 75% cultivation may not be attainable however tenants must be seen to be making efforts to reach this.

### **Inspection for plots with livestock**

**(livestock areas will be inspected as required or on receipt of a complaint)**


Tenants are reminded that under the Allotments Act 1950 livestock is limited to hens (no cockerels) and rabbits ONLY. Bees may be kept providing proof of relevant qualifications and up to date membership to either local or national bee keeping association(s) is on file.

Plots with livestock will be written to and requested to allow the ASO and at least 1 board member access to the plot at a mutually agreed and convenient time. This inspection will check the livestock and cleanliness and safety of all housing areas, feed stores, relevant pest control, etc.

In cases that livestock is at risk of harm, in ill health or injured the RSPCA will be contacted immediately. If during routine inspections where access to the individual plot is not available and the persons carrying out the inspection have cause to suspect any of the above may be evident they will attempt to make contact with the plot holding tenant. If this cannot be done they will again contact the RSCPA for advice. (Please see full livestock policy)

Plots that are in breach of the allowed livestock will have a notice issued. (See below for notice procedure).



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## Notice Procedure

### Reasons for Notice(s)

- Lack of/poor cultivation - plots with less than 75% cultivation (where tenancy has been held for over 12 months)
- Breach of tenancy - aggressive behaviours, vandalism, nuisance behaviours, plot being used for commercial purposes, subletting the plot etc
- Formal complaints (from other tenants or members of the public)
- Rent arrears - non payment of rent by the stated date, or failure to make payments on payment plans may result in automatic termination of tenancy.
- Overgrown boundaries, build up of waste, excessive weeds, bramble infestations, etc
- Livestock issues - as stated above and in the livestock policy
- Other policy breaches (all available on the “about us” page on the website)

### Notice Periods

The notice periods will vary depending on the severity of the issue/breach. In most instances the notice period is to allow tenants to put right any issues that have come to light.

- General Termination - 12 months notice
- Breach notice - Serious breach 28 days to address issues or remove belonging and return keys. (situation dependant)
- Other breach notices e.g. cultivation notice - 6 weeks to rectify issues. (see inspection policy for next steps)
- Rent arrears of over 40 days or failure to pay payment plans - full payment must be received within 14 days once notice is sent to avoid eviction process. (as stated in section 8.1.6 of the Tenancy Agreement “ The tenancy of the Allotment Garden shall terminate: by re-entry if the rent is in arrears for not less than 40 days”)

### What to do if I receive a notice

On receipt of a notice, the tenant should make every effort to rectify any issues stated within the notice before the date specified.

Contact the ASO or RAA board if you disagree and wish to appeal, to request an extension of the time allowed or you wish to terminate your tenancy.

### Can I appeal my notice?

Tenants have a right to appeal any notice given by the RAA. Please see the complaints and appeals policy for details.