

## **PLOT ALLOCATION PROCEDURE**

### **1. INTERPRETATION**

“The Council” - Kineton Parish Council (KPC).

“Kineton Parish” – the area within the officially recognised boundary of the civil district of Stratford-on-Avon.

“Applicant” – person applying for tenancy of an allotment garden.

“The Clerk” – the Clerk to KPC.

“Plot/plot” – the allotment site is divided into standard plots, each of 250 square metres (roughly the size of a tennis court). As is now common practice, KPC has divided these standard plots into more manageable plots, each of 50m<sup>2</sup>. Unless otherwise specified, in this document the word “Plot” (with a capital P) means a standard 250sq metre plot and “plot” (with a small p) refers to these smaller plots.

“Allotment garden” - the land available for cultivation by a tenant, which may consist of a number of plots.

“Accessible friendly plot” – one of two plots designated as being especially suitable for those with a disability.

### **2. CRITERIA FOR ELIGIBILITY TO APPLY FOR PLOTS**

2.1 Applicants for tenancy of an allotment garden must be resident<sup>1</sup> in Kineton Parish.

2.2 Applications from residents living outside Kineton Parish but within one mile of the parish boundary will be considered if, after the initial round of allocations, there remain vacant plots.<sup>2</sup>

2.3 Applications for tenancy may not exceed one Plot per household.

2.4 An existing tenant may apply for additional plots as long as the total area of the allotment garden does not exceed 250 sq metres.

### **3. ALLOTMENT WAITING LIST**

3.1 Allocation of plots will be on a first-come first-served basis<sup>3</sup>. If no plot is available, the Clerk will maintain an Allotment Waiting List.

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<sup>1</sup> If not on the Register of Electors for Kineton Parish, proof of address will be required. The Council reserves the right to request additional proof of residency in all cases.

<sup>2</sup> Otherwise, applications will only be accepted when there is no longer a waiting list of Kineton Parish residents.

<sup>3</sup> No priority is given to those with a disability. Applicants for an accessible friendly plot will join the waiting list as per other applicants. If no accessible friendly plot is available at the time of offer, arrangements will be made for an accessible friendly plot under cultivation by an able-bodied tenant to be vacated. If all accessibility friendly plots are occupied, a choice of two ordinary plots will be offered and if refused, the application will be deferred until an accessibility friendly plot becomes available.

- 3.2 Each new applicant, or existing tenant applying for additional plot(s), must complete and submit to the Clerk a signed Allotment Application form.
- 3.3 The Clerk will consider the completed form and record each valid application on the Allotment Waiting List in order of date of receipt.

#### **4. ALLOCATION OF PLOTS<sup>4</sup>**

- 4.1 When a plot becomes available the Clerk will verify that the applicant at the top of the Allotment Waiting List is still eligible for a tenancy. If so, that applicant will be offered<sup>5</sup> the plot at the earliest opportunity and will have twenty one days from the date of the offer to either accept or reject the plot. Failure to reply to the offer within 21 days will be considered as a request to be removed from the Allotment Waiting List.
- 4.2 If the applicant does not wish or is not in a position to accept the plot first offered then their place is reserved at the top of the waiting list for the next vacant plot. If the second offer is also rejected, their name will be moved to the bottom of the Allotment Waiting List. Failure to reply to the offer within 21 days will be considered as a request to be removed from the Allotment Waiting List.

#### **5. THE TENANCY AGREEMENT & CONDITIONS OF TENANCY AND RULES FOR ALLOTMENT GARDENS**

- 5.1 On accepting a plot, the successful applicant must sign two copies of both the Council's Tenancy Agreement and the current Conditions of Tenancy and Rules for Allotment Gardens for each plot. These will then be signed and dated on behalf of the Council by the Clerk. One set will be retained by the Clerk and the duplicate set given to the Tenant.
- 5.2 The Clerk will record the details of each tenancy in the Allotment Register.
- 5.3 The Clerk will raise an invoice for the rent calculated from the date of the Tenancy Agreement to 30 September.

#### **6. OTHER**

- 6.1 The Council aims to provide a fair and reasonable service in the allocation of allotment plots. Any applicant who is unhappy with this service should follow the Council's agreed Complaints Procedure.
- 6.2 The provisions of the Data Protection Act 1998 apply to this procedure.
- 6.3 The Council reserves the right to amend this procedure at any time.

The Council adopted this Procedure at its meeting on 27 September 2017

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<sup>4</sup> Similar but separate arrangements will apply for plot allocation on the inception of the site.

<sup>5</sup> An offer will be made in a written form by e-mail and/or letter. If a letter is posted then delivery within four days will be assumed, e-mails will be sent with a "request a delivery receipt".