



Burley Model Allotments

Established 1892 Remodeled 1958

Procedures of the Allotments

Release Number 3 - Version Number – 03



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Version No.	Summary of Changes - only recorded once "Issue" status reached	Date	Changes made by
Release 03	Add "If the applicant doesn't want a plot with a greenhouse they will remain at the top of the waiting list until a greenhouse free plot becomes available".	14/08/2018	Working Group 2018
Release 03	Tenancy Termination and Inspection review of uncultivated plots procedure.	14/08/2018	Working Group 2018
Release 03	Appendix Letters used by Association.	14/08/2018	Working Group 2018
Release 02	Removal of officer roles as these are in Constitution, and rewording/simplification of the rest of the document	17/10/2012	Working Group 2012
Review 02	Letting Procedure section xii (Page 10) Plot Helpers	09/10/2009	Working Group 2009
Review 02	Addition of officer roles	06/07/2009	Working Group 2009
Release 01	Release	08/10/2007	Working Group 2007
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Version No.	Release and Changes Authorised by Secretary	Signature
Release 3	Iain Smith	
Release 2	Philip Gadsby	
Release 1	Keith Barrett	



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LETTINGS PROCEDURES

The letting of allotment plots shall be decided by the executive officers and carried out in accordance with the following lettings policy:-

Waiting List

New Tenants

All new applicants' names will be maintained on a waiting list managed by the Lettings Secretary. The waiting list will be kept up to date and may be reviewed at each committee meeting.

People will be able to apply to join the waiting list in the following manner:-

- By completing an application request, available on the website.
- By completing an application form available from the hut (open on Saturday mornings between 10.00a.m. and 11.00a.m. unless otherwise stated).
- The Lettings Secretary acknowledges the request, completes an application form and enters the name and date on the waiting list.
- New tenancies will be offered in date order. If the applicant fails to acknowledge an offer to view a plot or rejects an available plot, they will be removed from the waiting list.
- If the applicant doesn't want a plot with a greenhouse, they will remain at the top of the waiting list until a greenhouse free plot becomes available.
- If someone requests that their application be re-instated, they will be added to the end of the waiting list.

It is the applicant's responsibility to advise the executive officers or a member of the committee of any change of circumstances e.g. change of address, contact telephone number or email address.

Existing Tenants

- If a current tenant wishes to extend their plot i.e. move to a larger plot or has expressed a preference for an additional plot, an application form should be completed.
- Preference will be given over non-members on the waiting list, provided their current plot is worked to a good standard.

Succession

Succession is where a tenant dies and a family member, who has helped with the plot, wishes to take over the tenancy. Succession is not generally permitted. However, where there are special reasons, the Lettings Secretary may refer the case to the members of the committee to allow the succession of the tenancy.

Assignment

Assignment of tenancies (assignment is where a tenancy may be passed from one person to another), usually this happens while the tenant is still living. This is normally used where the plot holder requests to choose who may succeed them.

Assignment is not generally permitted.



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However, where there are special reasons such as ill health of the plot holder, they may wish to pass the plot on to someone who has been helping them. The Lettings Secretary may then refer the case to the members of the committee to allow the tenancy to be assigned. Tenancies may only be assigned to a registered helper.

Plot Helpers

Plot helpers must be registered with the Membership Secretary. No unregistered helper will be allowed to be assigned a tenancy (see above). No person can request to be a helper where the plot holder is known to be giving up the tenancy.

Plot sharing, at times of high demand, means the Lettings Secretary is authorised to allow applicants to “share” part of a plot with current plot holder(s). In this way, advice & assistance may be offered to plot holders who are experiencing difficulties or where an existing plot holder agrees to release part of their plot to help reduce demand. This in no way negates Rules, People 3, i.e. plot holders subletting will not be permitted.



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TENANCY TERMINATION PROCEDURE

The decision to end a tenancy shall be decided by the committee. However, in exceptional circumstances, it can be decided by a smaller group which must be made up of at least three committee members. (See Tenancy Agreement - Terms & Conditions 5).

Tenancies

Tenancies will end automatically on non-payment of rent (See Tenancy Agreement Rules - People 1).

A tenancy will end after the death of a tenant on the next due rent day. Where there are special reasons, a person may be allowed to succeed to the tenancy. (See Letting Procedure - Succession).

On the death of a tenant the Secretary is authorised to issue a written invitation to the family of the deceased to cultivate the plot(s) and harvest the crops until the last day of the Tenancy Agreement, September 30th in any year, under the normal terms of the Tenancy Agreement. The Secretary will also inform the family of the deceased's wishes (if known) regarding the future tenancy of the plot(s). (See Lettings Procedure - Succession).

Help and Assistance

If there are any special reasons to justify the condition of the plot e.g. why it is not being worked, it is the plot holder's responsibility to advise the Secretary or a member of the committee as soon as possible so that advice, help and assistance may be offered.

Uncultivated Plots

See Inspections Procedure

Following an inspection, any problem areas of concern that were noted during the inspection will be communicated to the plot holder by way of a plot condition letter. The plot holder is given 28 days to rectify the situation or explain satisfactorily the reasons for the plot's unacceptable or poor condition, for instance, ill health.

A letter will be sent outlining the nature of the breach(es) of the tenancy agreement. It will give instructions on any required actions and allow 28 days for those actions to be carried out.

If there is no improvement, a 2nd letter will be sent. This will again state the nature of the breach(es) and give the tenant an additional 28 days to rectify the problem.

If there is still no improvement or contact from the plot holder regarding the state of the plot, a third letter will be issued. This will be a formal notice that the tenancy may end within 28 days.

If there is no significant improvement then the tenant will be issued with a fourth letter giving notice that the tenancy will end in 14 days. During this period the tenant must remove all personal possessions from the allotment and hand in the keys.

A final letter will be sent informing the tenant that the tenancy has been terminated.

Any letters issued will be valid for 12 months and will be cumulative. That is to say, if a plot is tidied after a plot condition letter but fails any subsequent inspection (within 12 months), a formal warning letter (second letter) may be issued. The same principal will apply for a second (formal warning) and third (tenancy termination) letters.



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Items left

Any items, tools, materials, etc. not removed from the plot will be catalogued and kept in safe storage for 28 days. If the items are not claimed, they will pass into the possession of the Association.

Chargeable Work

On termination of the tenancy (for whatever reason), any works which are required in order to bring the plot to the standard required in order that it may be re-let will be undertaken by the Association and the outgoing tenant charged for this.

At the end of a tenancy (for whatever reason), it is up to the plot holder to remove/dispose of any structure, fencing, gates, etc. on the vacated plot. (See Leeds City Council structure rules).

Letters

A first or second warning letter will be valid for 12 months. Further action may be taken against the tenant at any time during these 12 months if the rules, terms and conditions are again breached. This system aims to prevent persistent abuse of the rules, terms and conditions.

The tenancy may be ended by the tenant giving the plot up; this must be in writing or via email sent to the Secretary or Membership Secretary. The tenant must return all keys to lockers and gates etc. and their deposit will be refunded.

See appendix for sample of letters used by the Association.



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INSPECTION PROCEDURES

It is the responsibility of the plot holder to inform the committee as to why the plot is not being maintained.

Plot Inspections

Inspections are undertaken to ascertain the state of the site as well as individual plots. All plots are looked at fairly and evenly, on their merits, on the day.

The inspection team can include committee members and non-committee members.

Plots will be inspected on a monthly basis during the growing season (from April to October).

All plots will be inspected, there is no opt out. Plot holders may be contacted to address any concerns identified.

Plot Inspection criteria

The areas inspected include;

- Condition of path
- Cultivated areas of the plot
- Weeds and uncultivated/unmanaged areas
- Accumulation of rubbish/litter on the plot
- Condition of Hedge (where applicable)
- Condition of structure/greenhouse (where applicable)
- Health and safety issues

Uncultivated Plots

See Inspections Procedure

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COMPLAINTS PROCEDURE

Complaints

Any complaint by a plot holder regarding an alleged breach of any rules, terms and conditions by any other plot holder should be made in writing or via email. The signed complaint can be sent to the Cardigan Centre (145-149 Cardigan Road, Leeds LS6 1LJ), or delivered to the hut on the site. All complaints must be accompanied by the name and contact details of the complainant. Anonymous complaints will not be investigated.

Notification

On receipt of any complaint, the complainant will be notified within 14 days that the matter is being dealt with. The complaint will be brought to the committee at the next scheduled meeting.

Investigation

The committee will investigate the nature of the alleged breach. If the complaint is found to be valid the committee will ask the Secretary to write to the accused plot holder explaining which rule(s) has (have) been breached and request that the matter be rectified within a specified time. This will usually be within 28 days. However, if the breach is serious, a shorter timeframe may be specified. If the matter is not resolved within the specified time, a letter will be sent to the accused plot holder and further action taken.

If necessary the Committee will ask the accused plot holder to attend a meeting (with not less than three Committee members present) to state his/her side of the argument. He/she can bring an advocate for support.

Decision

The evidence from both parties will then be discussed and both parties notified, in writing, of the Committee's decision within 14 days. If the Committee cannot resolve the issue, it will be handed to the Trustees and their decision will be final.

If a complaint is found to be malicious in nature, the complainant may receive a warning letter. Malicious complaints will not be tolerated.

Complaints regarding any aspect of the Committee's actions (or inactions) should be addressed to the Committee and made via email or in writing to the Cardigan Centre or delivered to the hut on the site.

**The Secretary BMAA
The Cardigan Centre,
145 – 149 Cardigan Road
Leeds
LS6 1LJ.**

**or emailed to;
bmaasecretary@gmail.com**

The principle of confidentiality will be maintained at all times and details of contact will never be discussed outside the necessary investigation of the case.



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APPENDIX

Appendix i

Letter 1

Address line 1

Address line 2

Leeds

Post Code

Date

Plot Number

Dear First Name Surname

We have just conducted an inspection of the plots and would like to point out that we have concerns regarding your plot as indicated below:

- Condition of your plot.
- No visible sign indicating your plot number.
- Condition of the path on the right hand side.

We will be carrying out another plot inspection within 4 to 5 weeks and we would be very grateful if you could do all you can in the meantime to bring your plot up to the required standard.

If there are reasons, such as ill health, or any other circumstance for you finding it difficult currently to maintain your plot, please do not hesitate to get in touch with a committee member - on Saturday mornings at the Hut between 10am and 11am, via email, by putting a letter under the Hut door or by simply having a word with someone. We are always here to help if necessary.

For and on behalf of the Committee

pp Iain Smith

bmaasecretary@gmail.com



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Appendix ii

Letter 2 Formal Warning

Address line 1

Address line 2

Leeds

Post Code

Date

Plot Number

Dear First Name Surname

Following a previous inspection of plots, as a result of which we sent you a first letter of warning, a further inspection has now been carried out.

As a result, it has been noted that your plot continues to have problem areas which, in our opinion, require immediate attention.

A further inspection is scheduled to take place in the next 3 weeks or so and if there has been no significant improvement in the condition of your plot by then, a final warning notice will be issued which would lead to the termination of your tenancy.

If you are unsure as to what steps are required to rectify the problem(s), please consult the rules or contact us by e-mail or by popping a note under the door of the hut.

I am sure you appreciate that, as there is a long waiting list for a plot, we are keen to ensure that all plots are fully utilised and properly maintained. If you have decided that you no longer require your plot, please contact the Committee at the above address or call at the hut on a Saturday morning, when you will be able to hand in your key and collect your deposit.

If you are experiencing difficulties maintaining your plot for reasons of ill health or for some other specific reason, please let us know as we may be able to help.

For and on behalf of the Committee

pp Iain Smith

bmaasecretary@gmail.com



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Appendix iii

Letter 3 Tenancy Termination

Address line 1

Address line 2

Leeds

Post Code

Date

Plot Number

Dear First Name Surname

Last month, following our most recent plot inspection, the Committee sent you a letter which constituted a formal warning regarding the condition of your plot. We did so because the plot appeared to us to be largely uncultivated, poorly managed and in need of very substantial improvement.

Following our most recent inspection, it is with regret that I must formally advise you that, unless there is an immediate and substantial improvement in the level of cultivation, weed control and general management of your plot, a notice of termination of your tenancy will be issued two weeks from the date of this letter.

For and on behalf of the Committee

pp Iain Smith

bmaasecretary@gmail.com



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Appendix iv

Letter 4 Notice of Termination

Address line 1
Address line 2
Leeds
Post Code

Date

Plot Number

Dear First Name Surname

Notice of Termination

Several weeks ago, the Committee issued a formal warning about the condition of your plot, which appeared to be largely uncultivated, poorly managed and required substantial improvement.

Following the re-inspection of your plot, it is with regret that I must formally advise you that there has been no substantial improvement in cultivation and weed control and so a notice of termination has now been issued. You have 14 days from the date of this letter to remove personal belongings after which they become BMAA property to dispose of.

If you wish to appeal please ensure this is in writing (not email) in 7 days from the date of this letter.

For and on behalf of the committee

pp Iain Smith

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Appendix v

Letter 5 End of Tenancy

Address line 1
Address line 2
Leeds
Post Code

Date

Plot Number

Dear First Name Surname

End of Tenancy

This letter is to confirm you ended your Tenancy for Plots on Date.

Your site key number xxx is the property of Burley Model Allotments Association and must be returned to us.

. You have the following ways in which to return and collect your deposit

- At the hut on a Saturday morning 10-11am
- By post to :- BMAA, The Cardigan Centre, 145-149 Cardigan Road, Leeds LS6 1LJ

Should you choose to return by post please indicate who and where the cheque is to be returned to or alternately be paid into a bank account.

For and on behalf of the committee

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