

LONDON BOROUGH OF RICHMOND UPON THAMES

**THE ALLOTMENTS ACTS, 1908 TO 1950
RULES AS TO ALLOTMENT GARDENS**

Made by the Council of the London Borough of Richmond upon Thames with respect to allotment gardens for the Borough.

1. Interpretation of Terms

Throughout these Rules the expression "the Council" means the Council of the London Borough of Richmond upon Thames and includes any committee of the Council or any allotment managers appointed by the Council under the Allotments Acts, 1908 to 1950.

2. Definition of the persons eligible to be tenants of the Allotment Gardens

Any man or woman, who at the time of application to the Council for an allotment garden, is resident in the London Borough of Richmond upon Thames shall be eligible to become a tenant of an allotment garden subject to the statutory provision that one person shall not hold allotments acquired under the above-mentioned Acts exceeding five acres.

3. Division of the land into Allotment Gardens

The Council, before giving notice of their intention to let any land for allotment gardens, shall divide the land, and shall cause a plan to be prepared showing each allotment garden, and distinguishing it by a separate number.

4. Notices to be given for the letting of the Allotment Gardens

The Council shall give public notice by bills or placards, posted in some conspicuous places in the Borough or otherwise exhibited therein, setting forth the particulars as to any allotment gardens which they propose to let.

Such notice shall specify the allotment gardens to be let, the rent to be paid for the same, the name and address of the Parks Manager to whom applications for the hiring of an allotment garden are to be sent, and the last day for receiving applications.

If any special condition is to apply to the allotment gardens, or any of them, the notice shall specify such condition or state where copies of the Form of Agreement for letting of such allotment gardens may be seen.

5. Rules as to the Letting of the Allotment Gardens, and for preventing any undue preference in the letting thereof

Every application for an allotment garden shall be in the Form appended to these Rules, or to the like effect, and shall be sent or delivered to the Parks Manager who shall enter particulars of the application in a register to be provided for the purpose.

In letting an allotment garden for which there are two or more applicants eligible to become tenants and likely to keep the allotment garden in a proper state of cultivation, preference shall be given to an applicant who does not hold an allotment garden or agricultural land (other than a garden of 20 poles or less attached to his residence) either from the Council or otherwise over an applicant who does hold such land, but, subject to such preference, the allotment garden shall be let to the applicant whose name appears first on the list in the Council's register. A quitting tenant of land shall for the purposes of this Rule be treated as not holding that land.

6. Agreements for letting Allotment Gardens

An agreement to let an allotment garden to an applicant may be signed by the Clerk to the Council on behalf of the Council and may be in the Form appended to these Rules.

7. General conditions under which the Allotment Gardens are to be cultivated

The tenant of an allotment garden shall comply with the following conditions:—

- (a) He shall keep the allotment garden clean and in a good state of cultivation and fertility and in good condition.
- (b) He shall not cause any nuisance or annoyance to the occupier of any other allotment garden, or obstruct any path set out by the Council for the use of the occupiers of the allotment gardens.
- (c) He shall not underlet, assign, or part with the possession of the allotment garden or any part of it, without the written consent of the Council.
- (d) He shall not, without the written consent of the Council, cut or prune any timber or other trees, or take, sell, or carry away any mineral, gravel, sand or clay.
- (e) He shall keep every hedge that forms part of the allotment garden properly cut and trimmed, keep all ditches properly cleansed, and maintain and keep in repair any other fences and any gates on the allotment garden.
- (f) He shall not, without the written consent of the Council, erect any building on the allotment garden, provided that consent shall not be refused under this sub-

paragraph to the erection of any building reasonably necessary for the purpose of keeping hens or rabbits.

- (g) He shall not use barbed wire for a fence adjoining any path set out by the Council for the use of the occupiers of the allotment gardens.
- (h) He shall, as regards the allotment garden, observe and perform all conditions and covenants contained in the lease (if any) under which the Council hold the land.
- (i) He shall observe and perform any other special condition which the Council consider necessary to preserve the allotment garden from deterioration, and of which notice to applicants for the allotment garden is given in accordance with these Rules, provided that no special condition made under this paragraph shall have the effect of prohibiting or restricting the keeping of hens or rabbits.
- (j) He shall not cause or suffer any dog belonging to him or in his charge to enter or remain in an allotment garden unless such dog be and continue to be under proper control and be effectually restrained from causing annoyance to any person or from entering or damaging any allotment which the Council may have let to any other person.
- (k) He shall not, without written consent of the Council, cultivate flowers or shrubs on a greater area than one-sixth of the allotment garden other than for the purpose of cutting, and any blackberry bushes grown on the allotment shall be kept under control.

8. Payment of Rent

The rent of an allotment garden shall, unless otherwise agreed in writing, be paid yearly on the 1st February, in advance, in each year.

9. Power to Inspect Allotment Gardens

Any member or officer of the Council shall be entitled at any time when directed by the Council to enter and inspect an allotment garden.

10. Termination of Tenancy of an Allotment Garden

The tenancy of an allotment garden shall, unless otherwise agreed in writing, terminate on the rent day next after the death of the tenant, and shall also terminate whenever the tenancy or right of occupation of the Council terminates.

It may also be terminated by the Council by re-entry after one month's notice:—

- (a) if the rent is in arrear for not less than 40 days; or

- (b) if the tenant is not duly observing the Rules affecting the allotment garden, or any other term or condition of his tenancy, or if the tenant becomes bankrupt or compounds with his creditors.

The tenancy may also be terminated by the Council or tenant by twelve months' notice in writing expiring on or before the 6th April or on or after the 29th September in any year.

11. Exemption of certain lettings from these Rules

These Rules shall not apply to any land let to an Association, or to any allotment garden which the Council, under special circumstances, to be recorded in their minutes, may exempt from these Rules, but shall apply, except as aforesaid, to an allotment garden though held under a tenancy made before these Rules come into operation, but not so as to affect any right to compensation for an improvement executed before these Rules come into operation.

12. Service of Notices

Any notice may be served on a tenant either personally or by leaving it at his last known place of abode, or by registered letter or by the recorded delivery service addressed to him there, or by fixing the same in some conspicuous manner on the allotment garden.

13. The Rules as to allotment gardens made by the Council of the Borough of Richmond (Surrey) on the 5th day of July, 1910 and by the Council of the Borough of Twickenham on the 18th day of October, 1948 respectively are hereby revoked.

**FORM OF APPLICATION FOR ALLOTMENT
GARDENS**

To the Parks Manager,

I, the undersigned, hereby make application for one of the allotment gardens provided by the Council at

1. Name:
2. Residence:
3. Age:
4. How long resident in the London Borough of Richmond upon Thames.
5. Whether holding any allotment garden or agricultural land (other than a garden of 20 poles or less attached to my residence) and if so—
 - (a) From whom;
 - (b) Extent of land so held;
 - (c) Whether quitting the land, and, if so, when.

In the event of my application being granted, I agree when required by the Council, to sign an agreement for letting in accordance with the Rules, and to pay the stamp duty (if any) on such agreement* and to pay for tenant-right and compensation for improvements the sum stated in the Notice of Letting (or such sum as shall be found due to the outgoing tenant for such matters).

Signature:

Date:

* Stamp duty will not be payable if the rent does not exceed 10s. per annum and no premium is paid.

FORM OF AGREEMENT FOR LETTING

Agreement made this _____ day of _____ 19
between the Council of the London Borough of Richmond
upon Thames (hereinafter called the Council) of the one part,
and

_____ of
(hereinafter called the tenant) of the other part, whereby the
Council agrees to let, and the tenant agrees to hire as a yearly
tenant from the _____ day of

_____ 19____, the allotment garden(s) num-
bered _____ in the register of allotment
gardens provided by the Council and containing
or thereabouts (subject to the exceptions and reservations
contained in the lease under which the Council hold the land)
at the yearly rent of _____ payable yearly
and at a proportionate rent for any part of a year over which
the tenancy may extend.

The tenancy is subject to the Allotment Garden Rules made
from time to time by the Council, and to the Allotments Acts,
1908 to 1950.

Signed

Town Clerk.

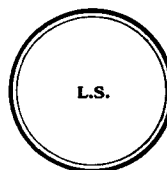
Witness

Signed

Tenant.

Witness

The Common Seal of the Mayor,
Aldermen and Burgesses of the
London Borough of Richmond upon Thames
was hereunto affixed this 7th day of
October 1966.

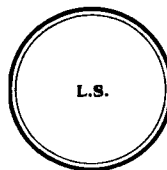


Signed H. A. Leon *Mayor*

Signed W. H. Jones *Town Clerk.*

Seal Register No. 1008/1

The foregoing Rules are hereby confirmed.
In Witness whereof the Official Seal of the
Minister of Housing and Local Government
is hereunto affixed this 22nd day of March
1967.



A. E. RICH

Authorised by the Minister