

Ware Allotment Allocation Policy (As agreed by the Council on 21 February 2022)

1. Ware Town Council will allocate allotments plots and manage waitlists according to the following priorities:

- a. To be eligible for an allotment a person must be 18 years or older, reside within the parish of Ware and be registered on the Electoral Register.
- b. Households in Ware or groups based in Ware who already rent an allotment from Ware Town Council, may apply to be allocated a second allotment, up to a maximum of 2 plots. The second plot may only be allocated, if all other persons on the waitlist, who do not yet have a plot, have had an allotment offered to them.
- c. Tenants who temporarily move outside the Parish of Ware, for a period no longer than 12 months, will be permitted to keep their tenancies, subject to maintaining the plot in line with terms of the tenancy. If a tenant moves out of the Parish of Ware, for more than 12 months, they will be required to terminate their tenancy. This cannot be applied retrospectively where an agreement existed before 21 February 2022 when this policy came into force.

2. Policy on Type of Allotment Allocated

All allotment plots are let on an “as seen” basis, in the order in which they become available. The Council does not routinely carry out improvement or clearance works for new tenants. Photographs must be taken to demonstrate the state of the plot when it was taken over. Fair time will be given to a new tenant in the first 12 months of their tenancy if they have taken over an uncultivated plot. i.e. to bring the plot up to required 70% cultivation status between March and September. (The tenant agrees this cultivation standard on signing their tenancy agreement).

3. How the Ware Town Council Waitlist is Operated

The Council operates a Waiting List for each site managed directly by the Council. When a plot becomes vacant the plot is offered to the person on the top of the waiting list. People are given two weeks to respond to this offer and if no response is received within this time, their name is removed from the waiting list.

If a prospective tenant cannot take that plot at that point in time, the Council will allow them to defer whilst staying at the top of the list until another plot becomes available. In this instance, the plot will be offered to the next person on the waiting list.

Where, for example two plots become available at the same time, the Council will write to the first two people on the list regarding the two vacant plots and these will be allocated on

a “first come first served basis”. Each list is operated independently for each site and due to the current high demand, people can only be added to one waiting list.

4. Allocation of a plot after the death of a tenant

The tenancy of the allotment shall terminate upon the death of the tenant . This is acknowledged by the tenant on signing their allotment tenancy agreement (clause 6). Next of kin will be given adequate time to remove personal possessions and produce from the plot.

Any person(s) who submits paperwork or payment pertaining to allotment tenancy in the name of the deceased tenant will be found to be in breach of the tenancy. Any such payment or submissions in the name of the deceased would be made fraudulently.

The tenancy of an allotment plot shall, unless otherwise agreed in writing, terminate two months after the death of the tenant.

The plot will automatically be returned to the possession of the Council in the interim period until a new tenant is assigned.

Upon the death of a tenant, a husband, wife or civil partner may be given the option to take over the tenancy. This offer will be made solely at the discretion of the Council. Please be aware that the partner submitting an application to take over the tenancy will be requested to submit proof of the relationship and having worked the plot together.

Plots will not be transferred to children or other blood relatives.

Tenants are advised that no human or animal remains can be scattered or buried on an allotment plot or site.

5. Single Tenancy

Allotments will only be rented to a single tenant. Joint tenancies are not permissible.

Policy Document Change Control

This policy replaces the Allotment Allocation policy last amended by the Council on 18.02.2019 which is recorded below.

Ware Town Council will allocate allotments plots using the following priorities:-

1. Households in Ware or groups based in Ware who do not already rent an allotment from Ware Town Council
2. Households in Ware or groups based in Ware who already rent an allotment from Ware Town Council - up to a maximum of 2 plots.

3. Households outside of Ware or groups not based in Ware who do not already rent an allotment from Ware Town Council.
4. Allotment holders who move out of the area will be entitled to remain tenants subject to the tenancy agreement