

**PENN GARDENERS' &
ALLOTMENTS ASSOCIATION**

Allotment Rules

2nd April 2023

(Rule 1 amended on 9th April 2025)

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The 'Allotment Rules' are issued by the Committee of the Penn Gardeners' & Allotments Association (PGAA) and apply to all Plot holders.

PGAA makes the assumption that all Plot holders have read these revised and updated 'Allotment Rules' carefully. If clarification, explanation or meaning of any of the rules is needed please contact the Site Manager or any Committee Member by letter or email, this is to ensure that we understand your question or query properly and that conversations or discussions are not misinterpreted.

The Penn Road allotment is a 'self-managed' site it is owned by City of Wolverhampton Council (the Council) and PGAA have a legally binding agreement with the Council called an 'Allotments Management Agreement' this agreement establishes the responsibilities of the Council and the PGAA, the 'Allotment Rules' document takes into account the responsibilities placed on the PGAA by this legal agreement with the Council.

If something you wish to do on your plot is not specifically mentioned in these rules you **MUST** seek advice and guidance from the Site Manager or Committee Member **BEFORE** taking any actions or carrying out any work. The PGAA **MUST** ensure that we comply with our legal agreement.

1) Acceptance of a Plot

To be considered for a plot on Penn Road Allotments you must be over 18 years of age and it is a condition of being a new or existing plot holder that they accept and comply with these 'Allotment Rules'.

The signing of a Plot Acceptance form by a person makes them a Plot holder of the Penn Gardeners' & Allotments Association (PGAA). The person is accepting the plot in the condition it is at the time of allocation, and the Site Manager will take a photograph of the plot at the time of acceptance.

New Plot holders must provide photographic proof of identity (photo driving licence or passport) and proof of address (bank statement or Council Tax bill) and must immediately pay the rent (non-refundable) and £30 Joining Fee (non-refundable).

From the date of accepting a plot it is the responsibility of the Plot holder to promptly start work on the plot to remove and properly dispose of any unwanted items or rubbish from the plot; to remove any existing weeds (without the use of chemical weed killer) and to begin cultivation.

Plot holders are responsible for the safety and conduct of any visitors that they allow onto the allotment site. The maximum number of plots is limited to two plots per household.

2) Probationary Period

New or existing Plot holders taking on additional plots will be required to serve a period of probation (typically three months) during which time their progress will be monitored by the Site Manager. The length of the probationary period will depend upon the weather and season at the time the plot is allocated. During the probationary period should the maintenance and cultivation

of the plot fail to reach a satisfactory standard the Site Manager may decide to extend the length of the period of probation or to terminate the Plot holder's entitlement to a plot.

3) Plot Maintenance and Cultivation

3a) Maintenance

Plots must be kept free of rubbish and other waste, free of weeds, well manured and maintained. Shared paths between plots must be kept clear of obstructions and weeds at all times, the maintenance of the shared path is the joint responsibility of the Plot holders sharing the path.

3b) Cultivation

Plots must be kept in a good state of cultivation and actively in use for growing vegetables and fruit throughout the season. The Site Manager and/or designated Committee Member are permitted to enter a plot without the plot holder's permission in order to conduct regular inspections. Where a Plot holder fails to keep their plot in a good state of cultivation they will be served with a 'Letter of Concern' specifying details of the area giving concern; the course of action required and a specific period of time by which the improvement needs to be seen. Failure to carry out the actions required 'Notice to Quit' will be issued and the Plot holder will lose their entitlement to the plot in question.

Plot holders must use their plot for their own personal use and MUST NOT carry out any business; sell produce from their plot either at the allotment site or privately. Plot holders MUST NOT plant any hedges or erect any permanent fencing / barriers on or around their plot.

3c) Materials that are not allowed on the allotment site

There are certain items which MUST NOT be brought onto or stored on the allotment site, including (but not limited to) toxic or hazardous materials; contaminated waste; tyres; carpet or underlay; uPVC windows or doors. Materials should not be brought from home or elsewhere to be disposed of on the site. The Site Manager / Committee may request the removal of any materials brought onto site that they deem unsuitable.

4) Lengthy Absence

When a Plot holder has a prolonged and/or unavoidable period where they will not be able to tend to their plot(s) they must inform the Site Manager of their absence by letter or email and advise if they will nominate a person to work the plot(s) on their behalf. The Site Manager must give their permission for the nominated person to attend site. It remains the responsibility of the Plot holder to ensure that their plot(s) is properly maintained and cultivated during their absence.

5) Giving up or Losing Entitlement to a Plot (Notice to Quit)

When a Plot holder decides to give up their plot(s) at the start of the season in April they must inform the Site Manager or other Committee Member before the last day of February. A Plot holder who, for whatever reason, ceases to have a plot will have fourteen calendar days from the date their allocation of that plot(s) ceased, to remove their property on their previously allocated plot.

When the named Plot holder dies a close family member will be allowed to take over the deceased allocated plot. If the family decline the plot it will be available for allocation.

A Plot holder shall cease to have a plot allocated to them in the following eventualities:

1. The Plot holder voluntarily gives up their plot(s).
2. The Plot holder does not pay their annual rent.
3. The Plot holder is in breach of any Rules, does not comply with the terms in a 'Letter of Concern' and is given 'Notice to Quit'.

When the Plot holder ceases to have a plot they must remove any rubbish; buildings; structures; materials; tools; etc. from their plot and off the allotment site unless otherwise agreed in writing with the Site Manager. The Site Manager will assume that any buildings, structures, or items not removed from the vacated plot after the date of leaving have been released into PGAA ownership.

The cost of removal of any rubbish remaining on the plot will be billed to the outgoing Plot holder.

6) Breach of Rules; Issuing 'Letters of Concern'; Notice to Quit

Where a Plot holder is found to be in breach of any Rule they will be served with a 'Letter of Concern' specifying details of the rule in question; the course of action required; a specific period by which the improvement must be seen. Unless the breach is considered a Serious Breach of Rules that only an immediate 'Notice to Quit' is the appropriate course of action.

The Plot holder has a right to give an explanation in response to the 'Letter of Concern'. If the explanation is not acceptable, the

Site Manager with the agreement of the Committee will issue a Notice to Quit expelling / evicting the Plot holder by giving them written notice ('The Notice') by one or more of the following methods - by letter to their last known address; by handing the letter to the Plot holder in person; by emailing a copy of the letter to the last known email address for the Plot holder. 'The Notice' will give the reason for the expulsion (eviction) and will advise the fourteen calendar days from the date of 'The Notice' to remove their property from their sheds, greenhouses; polytunnels; rubbish on their previously allocated plot.

7) Behaviour of Plot Holders

All Plot holders must behave in a respectful and courteous manner towards ALL persons on the allotment site. Plot holders have the right to tend their plots in an uninterrupted, peaceful environment free from harassment.

Examples of unacceptable behaviour, verbal and non-verbal (but not limited to) the use of foul, abusive, racist language; shouting; swearing; bullying; making threats; harassment; lewd or sexual acts; physical violence; trespassing onto another's plot without permission; picking crops from another's plot without permission. The Site Manager will issue a 'Letter of Concern' or an immediate 'Notice to Quit' to any Plot holder whose behaviour is considered unacceptable by the Site Manager and / or Committee THIS INCLUDES the behaviour of persons on site accompanying or working on behalf of the Plot holder for whom the Plot holder is ultimately responsible.

Plot holders MUST NOT live in or sleep overnight in any part of the allotment.

8) Nuisance

Plot holders or any person accompanying them or working on their behalf MUST NOT cause a nuisance to other Plot holders or local residents by making excessive noise, for example by the use of radios or speakers, singing or shouting, having excessively smoky bonfires. Using mechanical cultivators, lawnmowers, strimmers, etc. MUST NOT be used before 9am or after 9pm. PGAA will not be held responsible for any complaint made by a local resident in this respect.

9) Plot holder Requests; Complaints; Grievances, etc.

Plot holders must make any requests (e.g., to be allocated an additional plot; to move plots; to erect a greenhouse / polytunnel / shed on their plot, etc.), complaints or grievances in a written letter or an email to the Site Manager in the first instance or the Chairperson or Treasurer if it is not appropriate to liaise with the Site Manager. The Plot holder will receive a decision and/or advice immediately following the next meeting of the Committee or sooner if the Committee members are able to discuss non serious / non urgent issues informally.

Any disagreements or disputes between Plot holders must be reported to the Site Manager; the Committee will deal with and adjudicate on the matter reported. Plot holders MUST NOT take matters into their own hands.

10) Control of Children and Dogs

If children and/or dogs are brought onto the allotment site, they must at all times be kept under the control of the Plot holder / owner responsible for them. Children / dogs MUST NOT be

allowed to go onto other plots without the permission of that Plot holder.

Plot holders are personally responsible for the supervision, control, and behaviour of the children they bring or invite onto site. Children must be accompanied by an adult if the child leaves the area of the Plot holders own plot (e.g., if the child uses the toilet or goes to the green waste area).

Any dog fouling must be cleared up and taken home to be disposed of.

PGAA does not accept responsibility for damage; accidents or injuries, etc., howsoever caused to or by children and dogs.

11) Business

Plot holders MUST NOT carry out any trade or business anywhere on the allotment plots except for the sales of fertilisers, etc. by the PGAA to its Plot holders. This includes growing for commercial gain themselves and/or supplying produce for others to gain from commercially. Produce grown must be for personal use. Growing for commercial gain is considered a Serious Breach of Rules and any plot holder found to be doing so may be issued with a 'Notice to Quit'.

12) Rent

The amount of rent to be paid will be decided by the Committee and will be based on the previous year's expenditure. Rents become due for payment on 2nd April annually and a period of fourteen calendar days from this date is allowed for Plot holders to make payment to the Treasurer or any Committee Member. Acceptable methods of payment are by cash; bank transfer; cheque. If the rent remains unpaid after the 15th April the Plot

holder will be deemed to have voluntarily given up their allocated plot(s) which will then become immediately available for allocation by the Site Manager.

The earliest date that rent can be paid is 21st March. Rent paid is non-refundable.

The Treasurer WILL NOT chase Plot holders for payment of rent it is the Plot holder's responsibility to pay rent promptly and to advise the Treasurer payment has been made.

13) Additional Payments

Plot holders must pay additional monies of such sum as may be determined by the Committee to fund any unexpected and unforeseen expenditure which the PGAA funds will not cover or that would deplete the funds considerably.

14) Security of the Allotment Site

Security of the allotment site is the responsibility of every Plot holder. When entering or leaving the site gates must be locked and must not be left unsecured even for a few minutes. Leaving the gates unlocked exposes all Plot holders produce, sheds, tools and equipment, etc. to theft or damage.

When a Plot holder is arranging for deliveries or work to take place on their plot, ideally they should be in attendance to supervise access, work, delivery, etc. However, where the Plot holder cannot be on site, they must inform the Site Manager of the date and time of access and who will be on site and for how long and for what purpose.

It would be helpful if Plot holders kept a watchful eye for intruders and trespassers and report their presence to the Site Manager or

any Committee member who is on site or whose details are on the emergency contact list.

15) Parking

Plot holders must only park vehicles on the car parking areas provided which are the grassed area in between the two sets of gates at the Penn Road entrance; the hard standing adjacent to the Allotment Shop where Plot holders MUST park at an angle to maximise the number of vehicles using this space; the grassed area opposite the hard standing. It is the vehicle owners' responsibility to check that the grassed parking areas are firm enough to park a vehicle on. At their own risk Plot holders may park their vehicles on the rough ground on the left towards the Wynn Road pedestrian gate but this is not recommended.

Plot holders MUST NOT park on the access tracks which run through the allotment site but may leave a vehicle momentarily to load or unload at their plot. Plot holders must not drive onto anyone's plot whilst manoeuvring their vehicle.

Plot holders are advised that the main track down the allotment site and the small track from the toilet block to the bottom of the site are not suitable for vehicles due to the soft nature of the ground and verges. PGAA will not accept responsibility for any vehicle that becomes stuck in or adjacent to either of these tracks or any other part of the allotment site.

16) Site Speed Limit

There is a maximum speed limit of five miles per hour over the whole allotment site. Plot holders must regulate the speed of vehicles at all times on the allotment tracks and MUST NOT drive, recklessly, wantonly or furiously. Of paramount concern is

the safety of Plot holders and others who may be working along the edge of plots.

17) Damage and / or Theft

Any malicious damage and/or theft of any produce growing on plots; sheds; greenhouses; polytunnels, etc. must be reported to the Site Manager or any Committee member as soon as possible after discovery so that all Plot holders can be alerted and can take steps to protect their plots; produce; property, etc.

PGAA will not accept responsibility for damage to or theft from Plot holders' plots; sheds; greenhouses; polytunnels; vehicles; trailers etc on the allotment site howsoever caused.

18) Water Supply and Use of Hosepipes.

The use of hosepipes and sprinklers are NOT ALLOWED the only exception being to use a hose pipe to fill a water butt. If a Plot holder is seen to be using a hosepipe or sprinkler, they may be given IMMEDIATE 'Notice to Quit'. Plot holders are strongly advised to collect and store rainwater in suitable water butts and barrels on their plots.

The water supply is turned off around 1st November and will be turned back on in spring when the danger of frost has passed. Water is expensive and should not be used wastefully. Plot holders must comply with any water restrictions imposed by the local water authority and/or the Committee.

19) Bonfires, BBQ's, and disposal of Green Waste

Small bonfires are allowed only between 8th September and 31st May and be lit AFTER 12 noon. Plot holders are allowed to have

ONE bonfire on their allocated plot during the designated dates. Plot holders must inform the Site Manager of the date and time they intend to have a bonfire; accelerants including petrol and paraffin MUST NOT be used; material to be burned must be generated from the Plot holders own plot and not be brought in from elsewhere; the bonfire MUST NOT be left unattended and must be extinguished when the Plot holder leaves site; Plot holders MUST NOT burn any non-organic materials or waste that could cause excessive smoke or noxious fumes (e.g. plastics; carpet; textiles; membranes; tyres, etc). Green waste should not be burned due to the amount of smoke it will generate, instead it should be composted or taken to the green waste area.

Plot holders must site a bonfire as far away as possible from adjoining private gardens and consider which way the prevailing wind is blowing. Ensure that water is at hand to extinguish the bonfire if it gets out of control.

Bonfires can be banned by the Council at any time.

20) Use of Weed Killer and Old Carpet

The use of chemical weed killer solutions is not allowed and MUST NOT be used on plots. The use of carpet, underlay or similar as a weed suppressant is not allowed.

21) Drainage of Surface Water

There are surface water drainage culverts and ditches on the allotment site, these carry surface water from the Penn Road down the site to a large culvert at the Wynn Road entrance. Plot holders must carry out maintenance of a ditch or culvert where it is adjoining or adjacent to their plot to keep it clear of weeds and rubbish such that the flow of water is unobstructed.

Water from the culvert MUST NOT be used to water plots as it may contain contaminants from surface water run-off on the Penn Road.

22) Disposal of Rubbish

Rubbish generated from Plot holders' plots which cannot be composted should be removed from site and disposed of in the correct manner by the Plot holder, it should not be dumped anywhere on the allotment site. Weeds, unwanted vegetation, and any other 'green' waste can be deposited as far to the rear as possible of the designated green waste area on plot 21.

Plot holders MUST NOT allow rubbish to build up on their plot this could result in a 'Letter of Concern' being issued.

23) Structures

These rules apply to sheds; huts; poly tunnels; fruit cages; greenhouses; awnings or similar.

From 2nd April 2023 Plot holders must request and be granted written permission from the Site Manager prior to erecting or installing any structure on a plot. The request must be made either by letter or email and must specify the following information: the exact size and type of structure to be erected; what materials are to be used; where on the plot the structure is to be located. The Plot holder may be asked to submit a plan drawing of the structure to be erected.

Sheds and greenhouses; huts; awnings and similar MUST NOT measure more than 8' x 6'. Only ONE shed will be allowed on a plot. The size of the plot will be taken into consideration when deciding on permission for a structure(s).

The pouring of concrete bases is NOT ALLOWED.

All buildings/structures erected on a Plot holder's plot must be properly constructed to a good standard, commercially produced sheds made of wood are preferred. Where the Plot holder intends to undertake the construction themselves the materials to be used and a construction plan must be approved by the Site Manager prior to starting any work. Structures MUST NOT be made from (for example) old window frames and doors; old conservatories; uPVC sheets (old or new); etc. Any structure (shed; greenhouse; polytunnel, etc.) must be maintained in a good state of repair and condition. Where it is seen that a structure is becoming unsafe the Site Manager will require the Plot holder to take the structure down and remove it from the allotment site. In the interests of safety and uniformity, structures must ideally be situated at the rear of a plot. Plot holders must leave a minimum gap of 2 feet (0.6m) between any structure erected and the adjoining boundary to allow access for maintenance.

24) Display the Number of a Plot

Plot holders should display the number of their plot at the end of the plot closest to a path or at the boundary with an adjoining plot.

25) Keeping of Animals

Plot holders are NOT ALLOWED to keep animals, fish, amphibians or reptiles, bees etc or livestock of any kind on their plot or anywhere on the allotment site with the exception of naturally occurring wildlife.

26) Committee Structure and Appointment of Officers

The officers of the committee will comprise of Chairperson; Treasurer; Site Manager; Administration Secretary. These posts will be appointed to at the Annual General Meeting (AGM) or in circumstances where an officer resigns the committee will seek volunteers from Plot holders to fill the vacant post which will then be ratified at the next AGM or Extra Ordinary Meeting (EGM). Other committee members must be Plot holders, interested in the running of the site and willing and able to take on tasks to assist in the running of the association and site.

27) Notice of Meetings

As we are not a constituted association there is no automatic requirement for the PGAA to hold an AGM or EGM. Plot holders will be given a minimum of fourteen calendar days notice, in writing, of an AGM or EGM stating the date, time and place of the meeting and a copy of the agenda. The notice of the meeting will be sent to Plot holders via email and/or by notices displayed around the allotment site. No business other than that stated in the notice shall be transacted at such meetings.

28) General Meetings

AGM, EGM and any other Committee meetings shall be held at such times as the Committee deem one of these such meetings is necessary. Plot holders can request an EGM and the Committee will consider the request which must be made by a written letter (not email) handed to the Chairperson, Administration Secretary, Treasurer or Site Manager. The letter must state the reasons for requesting an EGM and specifically the matter to be discussed at the EGM. The written request must be signed by five or more named Plot holders who can and are

willing to speak to the matter to be discussed. Upon receipt of the written request for the EGM the Committee will verify the details of the signatories to the request and if the meeting is properly requested the Committee will either arrange the EGM or if the request is declined the Committee will contact each of the five signatories advising the reasons.

29) Voting

Each Plot holder present at AGM or EGM shall have one vote irrespective of the number and size of the plot(s) allocated to them. Where the votes cast, in any matter, are equal the Chairperson shall have the deciding vote. This is in addition to the Chairpersons vote as a Plot holder.

30) Quorum

A quorum at AGM or EGM shall consist of four Committee Members and a minimum of five other Plot holders.

31) Proxy Votes

Any proxy votes, to be cast at the AGM only, must be made by letter or email from the Plot holder personally and must be received by the Chairperson or Administration Secretary at least seven calendar days prior to the meeting date in question.

32) Data Protection (GDPR) and Changes to Personal Details

As part of running of the association the Administration Secretary keeps records of Plot holders' personal details, these being the details provided by the Plot holder when accepting a plot(s).

Personal details are Plot holder's name; address; telephone number(s) and email address. This information is used to keep in touch with Plot holders providing information about meetings; shop sales; general issues with the running of the allotment site.

The personal information held can be shared with the other members of the committee when necessary. We will also provide Plot holders personal details to a body to which we are legally required to provide such details when requested (e.g. City of Wolverhampton Council & West Midlands Police). PGAA are members of the National Society of Allotment & Leisure Gardeners, who require us to provide the names and address of each Plot holder we register with them annually.

All Plot holders email addresses are added to the PGAA email distribution list. Plot holders are asked to keep the Administration Secretary updated with any changes to their personal details

Six weeks after a person ceases to be a Plot holder their personal data will be destroyed, providing there are no ongoing matters to be resolved.

33) Commencement and Repeal

These revised and updated 'Allotment Rules' will come into force on Sunday 2nd April 2023 and will take effect immediately. Also, from this date the previous allotment document entitled 'Rules & Guidelines for Members' will be repealed and will cease to have effect in future.

No rulebook can cover every eventuality that may arise. When this does occur, the committee will consider all the information available and adjudicate on the matter.

For visually impaired Plot holders this document is available in Arial 16pt or larger upon request to the Administration Secretary.