



Beverley Town Council

Allotment Waiting Lists and Lettings Policy

1. General

Beverley Town Council recognises waiting lists as evidence that there is an insufficient supply of allotments within the town, and it will make every effort to address the shortfall, in accordance with the statutory duty to provide allotments where there is a demand for them.

2. Management of Waiting Lists

Fair and efficient management of waiting lists is an important part of supporting the right to cultivate an allotment garden. Lists should be maintained using procedures that are transparent and not open to abuse.

Beverley Town Council undertakes the following to manage waiting lists:

- Waiting lists are managed by the Assistant Town Clerk & Civic Officer or other nominated Officer.
- Two waiting lists are managed – one for those applicants who reside within the Town boundary and one for those applicants who reside outside the Town boundary.
- Beverley Town Council upholds the traditional practice of offering vacant plots to persons on any waiting list in the strict time order in which their name was entered on the list, as the fairest method of allocating plots until such time as the supply of plots is brought into line with the demand for them.
- Beverley Town Council prioritises waiting lists according to residential location, and priority will always be given to applicants on the waiting list who reside within the Town boundary in order to satisfy demand firstly for residents of the Town as is required by law.
- Should the demand on the waiting list for applicants within the Town boundary become satisfied, allotments may be let to applicants from outside of the Town boundary in date order of application in order that allotments are fully tenanted and do not become uncultivated, in a deteriorated condition and to provide consistent revenue.

- The waiting lists will be monitored by the Assistant Town Clerk & Civic Officer and regular reports (once a quarter or as required) shall be made to the Planning, Environment & Services Committee.
- Beverley Town Council opposes the closure of waiting lists, irrespective of their length, because waiting lists are an important measure of the unsatisfied demand for plots, and thus of the need to expand supply if the allotment provider is to fulfill its statutory duty to provide a sufficient number of allotments.
- However, applicants from Woodmansey and Molescroft or elsewhere will be referred to the relevant Parish Council.

3. Operation of Waiting Lists

Beverley Town Council undertakes the following with regard to the operation of waiting lists:

- Applicants for allotments are listed on the allotments waiting list database in the relevant waiting list section according to residency.
- The database is kept up to date on receipt of an application to ensure ongoing accuracy of any waiting list.
- Applicants for plots are listed in date order and their preferences are noted in respect of wishes for individual sites and size of plot.
- Requests for second plots, although noted on the waiting list, are not normally granted due to the size of the waiting list unless demand is fully satisfied.
- All personal details are held in accordance with the Town Council's GDPR requirements.

4. Management of Lettings

Beverley Town Council undertakes the following with regard to the management of lettings:

- The Assistant Town Clerk & Civic Officer manages the day-to-day lettings on behalf of the Town Council.
- The Town Council believes that its procedures for notifying prospective tenants of a vacancy should be fair and transparent. The Town Council also recognises the need for a speedy process if plots are not to become derelict while vacant, and the right of people on a waiting list to know where they stand on the list at any particular time.
- Other than in the case of an NTQ (Notice to Quit), when an existing tenant notifies the Council that they wish to end their tenancy, a date will be negotiated with the outgoing tenant by which time they will remove their possessions and any items they would like to take from the plot. On that date the Council will

then be in a position to survey the plot for any clearance required and then re-let.

- The Assistant Town Clerk & Civic Officer or nominated Officer will visit the plot and inspect it. Notes and photographs will be taken.
- The Assistant Town Clerk & Civic Officer will make a decision whether the refund will be made of the bond charged on letting, subject to the condition of the plot in accordance with the Allotment Policy for Cultivation Standards. The outgoing tenant will be notified and liaison undertaken with the RFO for refund or movement within Town Council funds.
- The Assistant Town Clerk & Civic Officer will make a decision as to whether any clearance is required and instruct the contractor contracted to undertake such work accordingly as long as this is within the terms of the approved contract.
- Any work outside of the contracted terms will be quoted and priced within the terms of Financial Regulations. A decision as to its operation will be made by the Town Clerk or Planning, Environment & Services Committee subject to Financial Regulations or Scheme of Delegation and subject to budget, the size of the work required and quotes received.
- A letter offering the plot will be sent by email (if email is available) or post confirming the plot number, size, rent and bond to the next applicant on the waiting list in date order taking into account preferences for individual sites.
- The offer will contain details of an appointment to view the plot.
- The arranged viewings will be managed so as to coincide with other viewings as far as possible to manage time efficiently and will be undertaken by the Assistant Town Clerk & Civic Officer or other nominated Officer.
- Plots are viewed by applicants; information is given by Officers and usually a decision is reached at that point whether the applicant wishes to take the plot.
- If the applicant wishes to take the plot, a key to the site is given to the applicant immediately so that they are able to start work on the site to prevent uncultivated areas deteriorating. Tenancy Agreements, an Invoice, GDPR form and any other information are sent to the applicant as soon as possible following the decision.
- The allotment database and waiting list database are amended accurately at each point in the procedure to ensure ongoing accuracy of the position.
- Monitoring for the return of signed Tenancy Agreements and the payment of rent and bond are undertaken and subsequent follow up letters sent if these are not returned. The procedure for the re-letting of the plot is not completed until these are received by the Council and the databases amended for the last time for that plot in order that the contract between the Council and the tenant is completed satisfactorily.

- From time-to-time applicants may not wish to take on a specific plot for various reasons – it is too big, too small, overgrown, wrong site, current illness or other specific reason – this often occurs when details or requirements are not known. When this occurs, the applicant will be offered another plot when one becomes available.
- When the applicant has received two offers of plots and not agreed to either of them, a decision will be made to either remove the applicant from the waiting list or put them to the bottom of the list dependent on circumstances and the applicant will be notified accordingly.
- Should an applicant not attend a mutually agreed appointment with an Officer to view a plot for a second time, they will be removed from the waiting list and notified accordingly.
- The Council will take into account specific conditions/requirements that applicants may have when offering plots to applicants to ensure that the provisions of the Equality Act 2010 are observed. Sometimes, conditions/requirements are not known until the viewing stage if the applicant has not made the Council aware. Should the offered plot not be suitable, a more suitable plot will be made available as soon as it is possible to do so. This may include a smaller plot or one nearer to a footpath or exit subject to their needs. At all times, the applicant will be treated fairly and their needs accommodated where possible.
- From time to time, it may be requested by an existing tenant to transfer plots or there may be circumstances where the Assistant Town Clerk & Civic Officer deems the transfer of a tenant to be necessary. In those instances, the next available suitable plot will be offered to the transferring tenant subject to the tenant relinquishing the plot that they currently occupy. Dates for the transfer are negotiated and paperwork completed.
- All records are kept in accordance with GDPR requirements and subject to the Town Council's Records Management Policy.

5. Plot Sizes

Beverley Town Council operates the following in respect of plot sizes in accordance with waiting list demands:

- Beverley Town Council recognises that whilst a maximum size of a holding permitted for an individual is defined by statute, there is no legal definition of the minimum size of an allotment garden,
- The Town Council uses customary standards which have been widely adopted, especially the historic '10 pole plot' (c.250 m² or c300 sq yards). The Town Council operates flexible provision of allotment gardens on every site in such sizes (within the legal maxima) which best fit the aspirations and capabilities of present and future plot holders in the locality.
- The Town Council uses this template for the subdivision of allotment land where appropriate, as something that is well understood, that can be readily and

flexibly subdivided on a temporary basis, yet facilitates a clear and economical permanent infrastructure of paths, carriageways and water supply facilities.

- The Town Council uses three allotment size bandings for rent purposes. Up to 125 square yds; from 125 to 250 square yds; and over 250 square yds. This is due to the historic subdivision of allotment land on the sites. Plots are re-measured when split or returned to full plot and up to date information is recorded on the allotment database.
- The Town Council recognises that where waiting lists exist, the division of allotment land into large plots can be a source of frustration for those who are waiting, particularly when the plots concerned are not being cultivated to the standard required. The Town Council believes, however, that it is unreasonable to expect existing tenants in good standing to surrender all or part of their holding simply to enable providers to reduce waiting lists, particularly when there is no explicit warning in the tenancy agreement of the possibility of a plot size reduction at a later date.

The subdivision of plots which have fallen vacant and of a size that is in demand, is recognised by the Town Council as a short-term response to waiting lists, to be undertaken alongside continuing efforts to expand the supply of land available for allotment gardening.

The Town Council recognises that where there is nobody on the waiting list for a plot, there may be opportunities for tenants in good standing to increase the size of their holdings or take on a second plot to more accurately match their aspirations. The Town Council endorses such upsizing, as being in the best interests both of the tenants concerned and effective management of the site as a whole, providing that the holdings that result are within the maximum allowable in law

Date of adoption: 27/03/23

Signed: Chairman of the Town Council



Signed: Clerk to the Council



