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# MANAGING ALLOTMENTS: The Cardiff Allotment Guide



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## **INTRODUCTION**

This booklet is for everyone involved in Allotments in Cardiff. It should be available for allotment tenants, committee members and potential tenants to view on request.

All Allotment ploholders should have a copy of 'Grow your Own: the Cardiff Allotment Guide' providing basic information about their tenancy agreement, details of how to pay for their plot, contact points and guidance on how to cultivate their allotment.

This Allotment Management Guide provides more information about the way in which Cardiff's allotments are managed and the specific roles and responsibilities of the Site Representative and other volunteers. It will be reviewed each year to take account of any changes in allotment legislation or Council decisions which impact on the allotment service.

## 1. ALLOTMENT MANAGEMENT

### 1.1 Service Provision, Roles and Responsibilities

Cardiff Council is responsible for the 28 statutory allotment sites in Cardiff

All of these sites are the responsibility of Cardiff Council's Parks Services and are managed with the support of the Site Representatives and Committees. The sites listed in bold type have taken on an Allotment Local Management Agreement which involves taking on specific tasks and receiving an annual grant.

- **Allensbank Allotments**, Off Clodien Avenue, Heath
- **Birchgrove Allotments**, Off Summerfield Place, Birchgrove
- **Colchester Avenue Allotments**, Hammond Way, Penylan
- College Farm Allotments, Heol Amlwch, Gabalfa
- Cowbridge Road Allotments, Heol Homfray, Caerau
- **Elgar Crescent Allotments**, Elgar Crescent, Llanrumney
- Ely Great Farm Allotments, Dyfrig Road, Caerau
- Fairwater Allotments, St Fagan's Road, Fairwater
- Flaxland Allotments, Off Flaxland Avenue, Heath
- **Forest Farm Allotments**, Forest Farm Road, Whitchurch
- Greenway Road Allotments, Greenway Road, Rumney
- Heol Chappell Allotments, Heol Chappell, Whitchurch
- **Highfields Allotments**, Highfields Road, Roath Park
- **Lady Mary Allotments**, Lady Mary Road, Roath Park
- **Leckwith-Droves Allotments**, Bessemer Road, Grangetown
- Llandaff Fields Allotments, Off Western Avenue, Llandaff
- **Llandaff North Allotments**, Station Road, Llandaff North
- Llanishen Allotments, Wyndham Terrace, Llanishen
- **Lon y Deri Allotments**, Lon y Deri, Rhiwbina
- Lynton Terrace Allotments, Lynton Terrace, Llanrumney
- **Pengam Pavilion Allotments**, Rover Way, Splott
- Pengam Permanent Allotments, Rover Way, Splott
- Pontcanna A Allotments, Off Western Avenue, Llandaff
- **Pontcanna Permanent Allotments**, Off Western Avenue, Llandaff
- Pontcanna Chalet Gardens, Off Western Avenue, Llandaff
- Porthamal Road Allotments, Porthamal Road, Rhiwbina
- **Rhydypenau Allotments**, Heath Halt Road, Heath
- **South Rise Allotments**, Lisvane Road, Lisvane

The role of the Council is to:

- Provide suitable sites for allotments
- Undertake general repairs and improvements to allotment sites
- Act on any notification of fly tipping
- Recording and monitoring Non Native Invasive Species
- Control of Pests (wasps or rats)
- Develop and implement processes and procedures for the management of allotments in consultation with Allotment Site Associations
- Collect allotment rents
- Maintain the waiting list of all prospective allotment tenants
- Provide waiting list details to site Representatives on a regular basis

- Record and manage allotment tenancies
- Issue Clean/Quit or Termination Notices as necessary
- Approve removal of any trees on the allotment site
- Approve the erection of any structures on the allotment site

The Council has an Allotments Officer who ensures that the allotments are managed effectively.

The Council is keen to encourage allotment sites to take on a more active role in the decision-making process and the developing culture of Allotment Local Management is a valued asset. Current strategies acknowledge and build on these arrangements. Further information is available at **Section 4 Allotment Local Management**

## 1.2 HOW TO SET UP AN ALLOTMENT ASSOCIATION

An Allotment Site Association is a properly constituted body representing the plot holders on their allotment site. A first step in improving allotment management is to establish an allotment association. The initial aim should be to form a strong association around the allotment site.

Such a commitment can bring about a number of benefits:-

- An Association allows allotment users to have a say in the management of the site
- An Association gives the site a unified voice
- An Association is able to apply for grants from external funding bodies
- An Association can seek better rates on Insurance, Seed purchases etc.

An Allotment Association is a properly constituted body representing the plot holders on their allotment site and should have in place an appropriate Constitution which records the aims and objectives of the Association. **A model Constitution is provided at Appendix 1.**

An Association must have a Constitution which sets out the structure and objectives of the organisation together with a set of rules and regulations outlining procedures.

Constitutions vary depending upon the kind of association you wish to form. These could be companies or trusts, but allotment associations, which are not trading or dealing with large assets, tend to form as Unincorporated Associations.

Legally, Unincorporated Associations must have in their constitution:

- **Name** of the Association
- **Objectives** of the Association
- **Membership** with voting entitlement
- **Annual General Meeting** [AGM] which elects major posts and the Committee, and decides on policy
- A **Chair** [*calls and facilitates meetings, although rotating facilitation is also useful*]
- A **Representative** [*deals with the day-to-day meeting of prospective tenants*]
- A **Treasurer** [*responsible for the Association's accounts and deals with payments*]
- How many people make up a **quorum** [*the number of people required to make valid policy decisions*]

An Association is managed by a Committee which is legally responsible for the actions of the organisation, and consists of Officers, [*Chairman, Secretary, Treasurer*], who have a specific role, and Committee members who support them.

*As a group, try to be open and accountable as possible. People who are not active members are just as valuable and need to be kept informed of developments.*

In bringing together an effective group, it is important to talk to plot-holders to determine their collective feelings and aspirations. Don't try and work alone - recruit allies, then inform all plot-holders on the allotment site of the group's intention to form a strong association. The group will work together to address issues which are deemed important and to have the association duly recognised by the Council.

To achieve such an aim, the group must advise the Allotments Officer of its intention to hold an initial meeting of all plot-holders, with the objective of democratically electing Committee Members for the allotment association.

For the initial meeting when setting up an Association for the first time, the Allotments Officer will contact current plot-holders on the site and advise them of time, date and place of the meeting.

Members of Cardiff Allotment Holders Association (CAHA) who are not affiliated with the allotment site will chair/facilitate the initial meeting with the aim of ensuring impartiality. The agenda for the meeting will include the election of Committee Members. Once the Committee has been elected the chair/facilitator steps down and the newly elected Chair of the Committee continues with the business on the agenda.

The date of the Association's first Annual General Meeting following the setting up of the Association and election of the Committee should be agreed as the last item on the agenda and should be on or shortly after the anniversary of the initial meeting.

The first duty of the Site Secretary/Representative will be to advise the Council that the Association has been properly constituted and confirm who has been elected to the Association's Committee. This should be done within 1 month of the meeting and Committee election taking place.

### **1.3 ALLOTMENT ASSOCIATION RESPONSIBILITIES**

An Allotment Site Association's responsibilities are to:

- Support the Site Representative
- Ensure the Site Representative is made aware of any issues raised so that these can be discussed at the site representatives meetings with the Council
- Promote the benefits of allotment gardening
- Manage and stock a site shop (where available) for the benefit of association members
- Organise and promote any social events and activities
- Organise and programme working parties
- Organise the appropriate insurance cover for association property and local events
- Collect and record association annual membership fees
- Organise and advise of the Association's AGM
- Seek prior written consent from the Council before any work is carried out on site to roads, water facilities, buildings, except in the case of emergencies (for example, water leaks including leaks on water troughs, break-ins, other emergency repairs)

## 1.4 ALLOTMENT ASSOCIATION COMMITTEE MEMBERS RESPONSIBILITIES

### The Chairperson

- Provide leadership
- Set the agenda for the meetings
- Welcome and involve new members
- Ask for apologies for absence
- Follow the agenda and control discussion to ensure that all viewpoints are put forward.
- Summarise the decisions which have been made by the Committee on each point of the agenda
- Sign the approved minutes of the previous meeting
- Set a date for the next meeting
- Write an annual report in co-operation with the Secretary

### The Secretary

- Liaise with Chair to prepare an Agenda for meetings, including the Annual General meeting, and send it to all members
- Make physical arrangements for meeting [book rooms, prepare documents etc.]
- Ensure the rules for calling meetings which are set out in constitution are observed
- Check that enough Committee members are present to make meeting quorate
- Take minutes detailing decisions made at meeting and any action points. These should be agreed with Chair, and ideally be sent out shortly after the meeting to remind members of the action points.
- Record attendance at meetings.

### The Treasurer

- Manage all financial transactions of the Allotment Association: pay bills, prepare cheques and co-sign together with the 2<sup>nd</sup> Authorised member of the Committee, issue receipts, count and bank monies
- Maintain financial records and monitor funds
- Report income and expenditure at meetings
- Liaise with bank to make any changes to bank mandate [people authorised to sign cheques]
- Prepare annual accounts. These should be independently audited and presented to the AGM
- Deal with charitable registration and Gift Aid [if appropriate]

### The Site Representative

- See 2.1 for responsibilities

## 2. THE ROLE OF THE SITE REPRESENTATIVE

### 2.1 Site Representative Responsibilities

The Site Representative is a Committee Member who has been elected to act as the point of contact between allotment tenants and the Council. This role can be separate from the role of Site Secretary and is dependent on the individual Allotment Associations Constitution. Further details of the Site Representative's role are provided below:

The role of the Site Representative for each site is to:

- Represent their site at the quarterly meetings organised by the Council
- Advise plotholders of the date, time and venue for the Association's Annual General Meeting (AGM) at which the Committee is elected
- Inform the Council of any changes in their Allotment Association Committee within one month of the AGM
- Locally Managed sites - Approve the application for the installation of structures on an allotment plot, subject to the terms of the tenancy agreement, the measurements provided on the structure application form and in line with any local planning restrictions which may apply to the allotment site.
- The completed Structure Application form should be returned to the Council within 10 days.
- Advise prospective tenants to contact the Council to record their interest
- Keep a record of plots let and inform the Council of changes as soon as possible
- Notify the Council if persons on the waiting list do not respond
- Offer plots to persons on the Council's waiting list as per the waiting list procedure
- Complete the allotment tenancy agreement form(s) and return them to the Council within 7 days of the plot being let.
- **You must witness the prospective tenants signature on the allotment tenancy agreement form and sign the tenancy agreement form to confirm. Forms must be completed during the visit to the site when the plot is chosen and not given to plotholders or posted to plotholders or left in a shed to be filled in later**
- Provide a site gate key to new tenants and collect the appropriate refundable deposit
- **Explain the correct way to operate the locks and gates when entering and leaving the allotment site**
- Provide the outgoing tenant with the deposit paid when the key has been returned at the end of the tenancy
- Notify the Council of any breaches of the allotment tenancy
- Notify the Council of any repairs required for fences, roads, water supply or Council buildings
- Notify the Council of Japanese knotweed or other Non Native Invasive Species – **see Appendix 4**
- Notify the Council of any fly tipping or hazardous waste on site, eg asbestos
- Notify the Council of any wasps nests, bee swarms or vermin

### 2.2 Who can become a Site Representative?

A Site Representative, along with other Committee Members, is elected at the Association's Annual General Meeting (AGM). As long as you are a paid-up association member, you can vote at the AGM and can stand for election to the Committee, subject to the Association's Constitution. In absence of an Association, you should contact the Council.



### 2.3 What skills do you need to be a Site Representative?

It helps if you enjoy meeting people and have time in the week or at weekends to meet prospective tenants.

### 2.4 How much time does it take to be a Site Representative?

This will vary. The size of the site and the number of plots will have an impact on the amount of time your duties will take. The Council meets with Site Representatives on quarterly basis, you are expected to attend the meetings.

Issues that Site Representatives/Committee Members may encounter in managing an allotment site may include [but not be limited to] :-

- Corresponding with the Council
- Maintain list of plot-holders
- Maintain list of vacant plots
- Organising plot letting
- Processing forms [Council & Association]
- Communication with plot-holders [Newsletters, E-mail etc.]
- People Management
- Dealing with contentious issues raised on site
- Recording and circulating committee minutes
- Preparing Agendas for Association meetings
- Monitoring overall site condition [Asset Management, Security etc.]
- Presenting proposals to the Committee for site maintenance and improvements
- Organising repairs; co-ordinating improvement works / work parties
- Maintaining site locks
- Record water meter readings
- Financial Issues [Key Deposit; Association Fees; Audit & Reporting etc.]
- Applications for external grant related funding
- Organising open-days

*Every site is unique and the fact that the Committee is responsible for running the Association does not mean that they are expected to do everything – they may delegate responsibility for specific tasks to individuals outside the committee or to sub-committees depending on the set up of the Association and the Constitution and/or Articles of Association.*

### 2.5 Procedures for Site Representatives – Allotment Waiting List

The Allotment Waiting list is managed on a strictly “first come first served” basis with information on the Council’s web page being updated on a monthly basis. Where a waiting list has more requests than 50% of the total number of available plots on the allotment site, the waiting list will be closed.

Any prospective tenant contacting the Site Representative or Committee member directly should be referred to the Council so that their request can be recorded. Please note that the Council does not accept proxy applications from third parties, including Site Representatives or Committee Members.

Contact details:

**Post:** Parks Services,  
Queen Alexandra House  
Cargo Road  
CARDIFF  
CF10 4LY

**Telephone:** (029)2233 0235

**E-mail:** [parks@cardiff.gov.uk](mailto:parks@cardiff.gov.uk)

**Online:** <https://www.cardiff.gov.uk/ENG/resident/Leisure-parks-and-culture/Allotments/Pages/default.aspx>

Prospective tenants must be resident in Cardiff and provide their:

- Name
- Date of Birth
- Home Address
- Telephone Number
- Mobile Telephone Number
- E-mail address
- The names of their **two preferred** allotment sites

**The Waiting List procedure is at Appendix 2.**

## **2.6 Procedures for Site Representatives – Allotment Plot Letting**

Letting of **vacant** allotment plots is processed strictly in the order that requests are received by the Council.

**The Allotment Plot Letting procedure is at Appendix 3**

## **2.7 Procedures for Site Representatives – Plot Inspection and Termination of Tenancy**

The importance of keeping accurate records regarding issuing of Clean/Quit Notices and the process for the termination of a tenancy and have a record of the actions following the termination of a tenancy. Whilst Site Associations can issue Clean/Quit Notices, only the Council can issue a Termination Notice.

**The Allotment Plot Inspection and Termination of Tenancy procedure is at Appendix 4**

### 3. ALLOTMENT LOCAL MANAGEMENT

Allotment Local Management is the practice of delegating a share of responsibility and accountability for managing an allotment site to the allotment gardeners themselves. This style of management takes on board certain aspects of responsibility for allocation of plots, site maintenance, asset management, water management, clearing plots etc., and thereby allows the Council to be more proactive in providing an efficient and effective customer service.

Devolved responsibility at some level by allotment holders is the corner stone of all successful allotment sites and projects.

Successful sites combine a strong, well-organised allotment association working alongside a supportive Council with a commitment to environmental policy, having the resources to provide an adequate infrastructure. Ultimately, it is you and your neighbours who use the allotment; understand the site and what it and the community around it needs.

#### **It's your allotment site ... You use it ..., Why not manage it as well?**

A number of Allotment Associations have embraced the ethos of devolved responsibility and taken up an Allotment Local Management Agreement, whereby a percentage of the income from allotment plot rent is returned to them in the form of a grant to funds to enable the Association to take on responsibility for minor repairs and improvements on their Allotment site. Another advantage is that Associations also have the opportunity to apply for grant funding from external grant providing organisations.

The following Allotment Associations have signed up to an Allotment Local Management agreement:

- Allensbank
- Birchgrove
- Colchester Avenue
- Elgar Crescent
- Forest Farm
- Highfields
- Lady Mary
- Leckwith-Droves
- Lon y Deri
- Llandaff North
- Pengam Pavilion
- Pontcanna Permanent
- Rhydypenau
- South Rise

For information on the Allotment Local Management Agreement contact:-

Parks Services

Queen Alexandra House

Cargo Road

CARDIFF

CF10 4LY

Tel: (029)22330235

E-mail: [parks@cardiff.gov.uk](mailto:parks@cardiff.gov.uk)

#### **4. CARDIFF ALLOTMENT HOLDERS ASSOCIATION (CAHA) LTD**

Where Associations exist, they work alongside the Site Reps and provide an additional mechanism for communicating with allotment gardeners.

More importantly however, is the recognition that Site Associations collectively play a key role in governance.

As a result, Cardiff Allotment Holders Association (CAHA) Ltd was formed, being a voluntary group, independent of the Council, and representing the interests of allotment sites and tenants across the City and County of Cardiff.

Aims are:

- To protect the interests of Cardiff's allotment sites and its tenants.
- To review how the landlord's management of its allotments is working, and to lobby for improvements and changes.
- To assist the landlord in reviewing its allotments policy and practices.
- To provide a forum to exchange the experiences of allotment sites for mutual help, and to identify common issues to be taken forward.
- To publicise allotment-related opportunities and events

Meetings are held, at which all sites regardless of whether or not they have an association, may nominate a contact to attend CAHA committee meetings in order to discuss and test ideas; highlight points of common interest; undertake an overview of implementing agreed strategic aims and objectives and ensure adherence to planned objectives and outcomes.

## 5. GDPR – GENERAL DATA PROTECTION REGULATIONS

Council services are required to tell individuals about how we intend to use information collected from individuals. This involves telling individuals:

- why we collect information,
- how it will be processed,
- how it will be secured,
- how they can opt out of processing where applicable,
- who to contact for further advice

### Why is it important?

Fair processing is fundamentally about telling individuals what we are doing with their data. The Data Protection principles require that data is processed fairly and lawfully, and in a transparent manner. Telling individuals how we process their information is key to compliance.

The General Data Protection Regulation brings about clearer requirements for fair processing. Failure to comply with these requirements would be considered a breach of the Regulations.

Where you choose to complete any of our forms the personal information you give us is used by The City of Cardiff Council to provide the service(s) you requested. The City of Cardiff Council will safeguard your information and any disclosures of that information will be in accordance with our registration under the data Protection Act 1998. Third party service providers contracted to the Council will be required to conform to the same standards. Information provided on the forms will be used for the purpose for which it was collected unless stated on the Fair Processing Notices included on the forms.

The City of Cardiff Council is committed to abiding by the Data Protection Act 1998, as well as peoples' rights to confidentiality and respect for privacy. In line with the Principles of the Data Protection Act 1998, your information will be kept secure and access will only be provided to staff who are entitled to see it. We will keep information about you accurate and up to date. When we no longer have a need to keep information about you, we will dispose of it in a secure manner. If you would like to know more, including about how we look after your information ,please contact in writing The Data Protection Officer, Room 108, County Hall, Atlantic Wharf, Cardiff CF10 4UW or by email to [foi@cardiff.gov.uk](mailto:foi@cardiff.gov.uk)

**MODEL CONSTITUTION FOR CARDIFF ALLOTMENT ASSOCIATIONS**

The name of the association shall be the ..... **ALLOTMENT ASSOCIATION.**

**1. PRELIMINARY**

In these rules:

- i) the expression “the Association” means the Association constituted by these rules;
- ii) the expression “Executive Committee” means the Executive Committee for the time being of the Association as thereafter constituted;
- iii) the expressions “Secretary” and “Treasurer” mean the Hon Secretary and Hon Treasurer for the time being of the Association;
- iv) the expressions “this Constitution” and “these Rules” include any amendment thereof for the time being in force.
- v) The “Site” shall refer to the Allotments site situated at  
.....

**2. OBJECTS**

- i) To manage and supervise the Allotment Gardens for the benefit of the allotment gardeners, in accordance with the General Rules and Standing Orders, Tenancy agreement and the Allotment Local Management Agreement between the Association and Cardiff Council (if applicable).
- ii) To preserve the existing allotment gardens.
- iii) To promote new allotment gardens.
- iv) To educate allotment gardeners and the preserving of horticultural skills.
- v) To advocate the benefits of environmentally sustainable allotment gardening.
- vi) To foster good relations with residential neighbours, and local statutory and non-statutory bodies.
- vii) In pursuit of these Objects, the Association shall be non-political, non-sectarian and non-racial.

**3. POWERS OF THE ASSOCIATION**

- i) To carry out any activity in furtherance of the objects.
- ii) To improve, develop, manage or otherwise deal with the property and/or rights of the Association.
- iii) To do anything which may be incidental or conducive to the furtherance of the Association’s Objects.

**4. MEMBERSHIP**

Membership is open to any interested individual, family or group.

**5. MEMBERS OF THE ASSOCIATION SHALL BE ENTITLED**

- i) to attend events organised by the Association,
- ii) to receive any newsletter and other notices giving details of events organised by the Association.

**6. SUBSCRIPTIONS**

Members shall pay subscriptions in accordance with the scales laid down from time to time by the Executive Committee. Any member liable to pay a subscription shall be deemed to have resigned if the subscription has not been paid in full by ..... in each year. Such subscriptions may be waived or abated in appropriate cases at the discretion of the Executive Committee.

## **7. MEETINGS**

- i) there shall be an Annual General Meeting of Members held as soon as possible after the end of each financial year. All members shall be entitled to receive notice of, attend and speak at such meetings. The following business shall be transacted.
  - a) election of Chairman, Secretary, Site Representative and Treasurer
  - b) election of Executive Committee
  - c) receipt of annual report of Executive Committee
  - d) election of two Auditors
  - e) receipt of the audited statement of accounts
  - f) any other business subject to 24 days notice in writing shall have been given to the Secretary.
- ii) each member (including one member each of any one family or group in membership) present will be entitled to cast one vote. No proxy votes will be allowed. The Chairman shall have a casting vote.
- iii) the Secretary shall within 28 days give notice of a special meeting of the Association upon receipt of a written requisition signed by no less than a quorum which shall be 51% of the membership (including one member each of any one family or group in membership) or at the request of the Executive Committee. The requisition shall specify the business to be transacted at the meeting and no other business shall be transacted at the meeting.

## **8. EXECUTIVE COMMITTEE**

- i) the Executive committee shall be responsible for the general administration, management and control of the affairs and property of the Association.
- ii) the Committee shall consist of the Chairman, Secretary, Treasurer and six other members.
- iii) the Committee shall have the power to co-opt any member of the Association to be a member of the Committee and to fill any casual vacancy.
- iv) the Committee shall have the power to appoint advisors each year at their first executive meeting after the AGM.

## **9. FINANCE**

- i) the Association shall have the power to raise subscriptions from individuals, families and groups and to receive money by way of donations, legacies and grants and other sources.
- ii) such subscriptions may be prescribed from time to time by the Executive Committee.
- iii) the Association's financial year shall run from 1 April to 31 March.
- iv) the income and property of the Association shall be applied solely to the objects of the Association. Cheques and withdrawals from the Association's account(s) shall be authorised by two of the named signatories from the Executive Committee.

## **10. INFORMALITIES**

No action or decision of the Executive Committee or any meeting of the Association shall be invalidated by reason only of informality, failure to appoint or defect in appointment or neglect in any service of notices or in any matter or matters of procedure, unless in the opinion of the Executive Committee such informality or neglect has resulted in a situation which is unjust.

## **11. NOTICES**

Any Notice required to be given by these rules shall be deemed to be duly given if left at or sent by pre-paid post addressed to the address that member last notified to the Secretary.

**12. AMENDMENT**

Alterations to this constitution shall be made only upon the recommendation of the Executive Committee and shall be approved by the majority of not less than two-thirds of the voting members attending at a General Meeting of the Association. At least 28 days' notice shall be given to the Secretary before the AGM.

**13. DISSOLUTION**

The Association may be dissolved only by an AGM or by a special meeting of the membership called for that purpose upon the recommendation of the Executive Committee.

The Association may be dissolved by a two thirds majority of members present and voting at an Annual General Meeting or Special General Meeting of the Association confirmed by a simple majority of members voting at a further Special General Meeting held not less than 14 days after the previous meeting. If a motion for the dissolution of the Association is to be proposed at an Annual General Meeting or a Special General Meeting, this motion shall be referred to specifically when notice of the meeting is given.

In the event of the dissolution of the Association there remains after the payment of all expenses and the settling of all liabilities properly incurred, any residual property or money, this shall not be paid to or distributed among members of the Association but shall be given or transferred to such one or more charitable institutions having objects similar or reasonably similar to those of the Association as shall be chosen by the Executive Committee and approved by the meeting of the Association at which the decision to dissolve the Association is confirmed. On dissolution, the minute books and other records of the Association shall be deposited with the Records Officer of the City of Cardiff Council (Cardiff County Council).



**ALLOTMENT PLOT WAITING LIST PROCEDURE**

This set of guidance notes has been produced to assist site representatives in processing requests for allotment plots. Prospective allotment tenants must be resident in Cardiff.

1. Letting of allotment plots must be processed via the waiting list in date order, ie the oldest entry first.
2. No plots are to be offered for tenancy if the person is not listed on the waiting list for your site.
3. Any tenancy agreement forms with prospective tenant details that are not on the waiting list will not be processed and no tenancy will be put in place.
4. If a prospective tenant contacts you in person, they should be advised to contact the Council to record their interest.
5. When notifying people on the waiting list that a plot is available, if you have made two attempts to contact (either by telephone, email or letter/card) and had no response in 7 days, notify Parks Services who will remove the details from the waiting list.
6. If a prospective tenant has been offered a plot, which they have declined, they can remain on the waiting list until other plot(s) become available, however, if they refuse a 2<sup>nd</sup> time they will be removed from the waiting list.
7. Any tenant who is the subject of a Non Cultivation Notice, a Termination Notice or has rent outstanding, may not apply for another plot or apply to transfer plots until the Notice issue has been resolved to the Council's satisfaction and/or the rent has been paid in full.
8. Any tenant who wishes to swap from one plot to a different plot on the same site must contact the Council, the request will be recorded on the waiting list.
9. If two tenants wish to exchange plots on the same site, as long as both parties are in full agreement, and they have discussed the change with the Site Representative, this can be accommodated following receipt of written confirmation from both tenants with the appropriate tenancy agreement forms being completed and sent to Parks Services.
10. In cases of bereavement, the family of the deceased plotholder should be offered the tenancy of the plot in the first instance. A minimum of three months should be allowed before a decision is made by the family.
11. If an existing tenant wishes to take on an additional plot on the same site, they must go on the waiting list. They may not "jump the queue".
12. If an existing tenant wishes to transfer to another allotment site, they must go on the waiting list for the site they wish to transfer to, however, they may not take the plot as an additional plot and must relinquish their existing plot at the end of the growing season.
13. Before a joint tenancy can be put in place, both parties must have recorded their interest with the Council, proxy requests are not accepted.

## ALLOTMENT PLOT LETTING PROCEDURE

The allotment year runs from 2 February to 1 February the following year.

By the end of December each year, all site representatives will be issued with a supply of blank tenancy agreement forms (English and Welsh) which include the rental rate for the allotment year commencing 2 February the following year.

**Please note, completed and submitted tenancy agreement forms which do not reflect the correct details for the allotment year that the tenancy is to start will not be processed.**

1. Throughout the year, site representatives will be issued with up to date waiting lists, vacant plot lists and blank tenancy agreement forms on request, please contact Parks Services for these documents.
2. When vacant plots become available for letting, the Site Representative contacts prospective tenants who are on the waiting list and makes arrangements to meet the prospective tenants.
3. Where telephone contact details are a mobile number only, it is suggested that either a text message is sent to the prospective tenant's mobile or send an email.
4. If appointments to view plots are not kept and/or no reply has been received 7 days after the site representative has left a message or emailed, the site representative should advise Parks Services and the persons details will be removed from the waiting list.
5. If the site representative is not happy that the prospective tenant will be able to fulfil the commitments of the allotment tenancy, they are not obliged to sign up the prospective tenant and should refer the application back to Parks Services.
6. If the prospective tenant does not wish to take on any of the plot(s) that they have viewed at the arranged meeting, they can remain on the waiting list until other plot(s) become available, however, if they refuse a 2<sup>nd</sup> time they will be removed from the waiting list.
7. Once the meeting has taken place and the prospective tenant has confirmed that they wish to take on the plot they have been shown, the site representative completes all the details on the tenancy agreement form including the date of birth. The tenant signs the tenancy agreement and completes and signs the data protection section.

If the prospective tenant is over 60 years of age or has a MAX Active card, they should be advised to make sure they provide copies to Parks Services so that the concessionary rate of rent can be applied to their bill.

8. If a prospective tenant is taking on an overgrown plot, the site representative should write on the top of the tenancy agreement form either "**½ rent due 20XX**" or "**Rent due 2 February 20XX**" in the following year. If neither of the two comments above is written on the tenancy agreement form itself, the full rent will be charged. Notes or letters or any other attachment submitted with the tenancy agreement form will not be actioned.
9. If the plot is being taken on between 1 December and 1 February the following year, rent will be charged in the following allotment year commencing 2 February.
10. In the case of a joint tenancy the details of both persons must be listed on the waiting list before the tenancy agreement form is completed, with the person responsible for paying the bill being listed first. If only one person is on the waiting list a sole tenancy will be put in place for that person.

11. Once the tenant(s) have signed the tenancy agreement form, the Site Representative should sign and date the completed form and return the original document to Parks Services within 7 days of the document being signed.
12. Parks Services will update the allotment database information with the details from the tenancy agreement form within 5 working days of receipt of the original documents and, if appropriate, arrange for an invoice to be issued to the new tenant.
13. The allotment tenant will be provided with a copy of the Schedule of the tenancy agreement.

Copies of the **Grow your own: the Cardiff Allotment Guide** and **Grow your own: Frequently Asked Questions** will be available for download on the Council's web page for Allotments.

### ALLOTMENT PLOT INSPECTIONS AND TENANCY TERMINATION PROCEDURE

1. The Council will continue to issue Clean or Quit Notices for non payment of rent.
2. The Council will provide a letter to sites who wish to take on this process indicating that the Association are authorised to issue Clean or Quit Notices for non cultivation.
3. The Council will be responsible for issuing Termination Notices and arranging Appeal Hearings.

#### PRE NOTICE LETTER

##### **This applies to all allotment sites**

The Pre Notice letter can be issued not less than 3 months from the start of the allotment tenancy

Pre Notice letters will be provided on request, please contact [parks@cardiff.gov.uk](mailto:parks@cardiff.gov.uk) for copies of the Pre Notice letter

The Site Representative/Committee member will carry out a site inspection and:

- i) Take a photograph of the Plot and send a copy of the photograph to the Council  
If you are sending by email, please make sure that the Plot Number and the date of the inspection are listed in the Subject field of the email (separate email for each plot)
- ii) Complete the details on the Pre Notice Letter including the date of the inspection.
- iii) Keep a copy of the completed Pre Notice letter as evidence and provide the Council with a copy (a scanned copy sent by email is acceptable)
- iv) Post the Pre Notice letter to the plothead no later than the day after the inspection has been carried out
- v) Provide the Council with a copy of the Pre Notice letter and photographs no later than the day after the inspection has been carried out

The plothead has 14 days to respond to the Pre Notice letter or remedy the breach. There is no Appeal at this stage

#### CLEAN OR QUIT NOTICE

##### **This applies to Locally Managed sites**

A Clean or Quit Notice can be issued not less than 14 days after the issue of Pre Notice letter. A Clean or Quit Notice template will be provided for your site

The Site Representative/Committee member will carry out a site inspection and:

- i) Take a photograph of the Plot and send a copy to the Council  
If you are sending by email, please make sure that the Plot Number and the date of the inspection are listed in the Subject field of the email (separate email for each plot)
- ii) Complete the details on the Clean or Quit Notice including the date of the inspection and including the date the Pre Notice letter was issued.
- iii) Keep a copy of the completed Clean or Quit Notice as evidence and provide the Council with a copy (a scanned copy sent by email is acceptable)
- iv) Post the Clean or Quit Notice to the plothead no later than later than the day after the inspection has been carried out
- v) Provide the Council with a copy of the Clean or Quit Notice and photographs no later than the day after the inspection has been carried out

The plothead has 28 days to remedy the breach. There is no Appeal at this stage.

## **CLEAN OR QUIT NOTICE**

### **This applies to sites which are not Locally Managed**

A Clean or Quit Notice Can be issued not less than 14 days after the issue of a Pre Notice letter.

The Site Representative/Committee member will carry out a site inspection and:

- i) Take a photograph of the Plot and send a copy to the Council  
If you are sending by email, please make sure that the Plot Number and the date of the inspection are listed in the Subject field of the email (separate email for each plot) and ask for a Clean or Quit Notice to be issued
- ii) The Council will issue a Clean or Quit Notice to the plotholder and let you know the date it has been issued

The plotholder has 28 days to remedy the breach. There is no Appeal at this stage

## **TERMINATION NOTICE**

### **This applies to all allotment sites**

A Termination Notice can be issued not less than 28 days after the issue of the Clean or Quit Notice if the breach of the Tenancy Agreement has not been remedied

The Site Representative/Committee member will carry out a site inspection and:

- i) Take photographs of the Plot and send a copy to the Council  
If you are sending by email, please make sure that the Plot Number and the date of the inspection are listed in the Subject field of the email (separate email for each plot)
- ii) The Council will let you know if they have been advised of any mitigating circumstances by the plotholder or confirm the date the Termination Notice is issued

Please note: The Council cannot issue a Termination Notice if you are not able to provide the evidence that a Clean or Quit Notice has previously been issued

The plotholder has 14 days to appeal in writing against the issue of the Termination Notice (email acceptable) and advise the Council of any mitigating circumstances.

If they have not appealed in writing within 14 days providing information about mitigating circumstances and the breach has not been remedied within 28 days of the issue of the Termination Notice, the tenancy will be terminated

## **ACTIONS AFTER TERMINATION OF TENANCY**

### **This applies to all allotment sites**

Until the Council has confirmed that the tenancy has been terminated and the plot is vacant, no plot viewings or other actions are to be carried out by the Site Representative/Committee Member.

Once the Council has confirmed that the tenancy has been terminated and the plot is vacant, the Site Representative/Committee Member should take the following actions to safeguard the property of the former plotholder.

- i) Before arranging any clearance work, take detailed photographs showing any property that has been left on the plot by the former plotholder
- ii) Make a list all the property collected from the plot including its condition and send a copy to the Council
- iii) Store any property in an appropriate, secure place and advise the Council in writing of the actions taken.

The Council will contact the former plotholder and advise them that they have 14 days to collect their property otherwise it will be disposed of.

If no contact is received from the former plotholder within 14 days the Council will advise the Site Representative/Committee Member that the property can be disposed of.

## **NON RENEWAL NOTICES**

### **This applies to all allotment sites**

In November each year, the Council will issue Non Renewal Notices for non cultivation, non payment of rent or other breach of the allotment tenancy agreement.

Requests for the issue of a Non Renewal Notice due to non cultivation should be sent to the Council by the **end of October** at the latest to ensure invoices are not issued for the allotment year commencing the following 2 February.

The Site Representative/Committee member will carry out a site inspection and:

- i) Take photographs of the Plot and send a copy to the Council  
If you are sending by email, please make sure that the Plot Number and the date of the inspection are listed in the Subject field of the email (separate email for each plot)
- ii) The Council will let you know if they have been advised of any mitigating circumstances by the plotholder or confirm the date the Non Renewal Notice is issued
- iii) The Council advise the Site Representative/Committee member of the plots that have been issued with a Non Renewal Notice due to non payment of rent by the end of December

## **ACTION FOLLOWING ISSUE OF NON RENEWAL NOTICES**

Allotment tenancies are annually renewable as long as the tenant is abiding by terms of the allotment tenancy agreement. If the plot has not been cultivated and/or the rent due has not been paid in full by 2 November despite reminders being issued, the tenancy will not be renewed.

Plotholders issued with a Non Renewal Notice will not receive an invoice for the following allotment year as the tenancy is not being renewed.

If a plotholder wishes to continue with their plot, subject to the payment of the outstanding rent or confirmation from the Site Representative/Committee member, the plotholder will be advised that they will be allowed to continue on their plot but will need to sign a new tenancy agreement form for the allotment year commencing the following February.

**NON-NATIVE INVASIVE SPECIES**

**Further information is available:**

<https://www.nonnativespecies.org/non-native-species/id-sheets/>

**At present, there are no ID sheets for Bamboo**