

THORPE ST ANDREW TOWN COUNCIL

TOWN COUNCIL MEETING

Roxley Hall, Yarmouth Road, Thorpe St Andrew, NR7 0QF
Tel/Fax: (01603) 701048 Email: office@thorpestandrew-tc.gov.uk

31/08/2022

Notice of Town Council Meeting

You are hereby summoned to attend the meeting of Thorpe St Andrew Town Council to be held at the Roxley Hall on 5th September 2022 at 7.30pm for the purpose of transacting the following business.

Foreman

Thomas Foreman Clerk to the Council

AGENDA

- 1 **Attendance book and apologies for absence**
 - a. **One-minute silence following the death of Cllr Nigel Shaw**
- 2 **Declarations of interest in items on the agenda**
- 3 **To confirm the minutes of the Town Council meeting held on 1st August 2022**
- 4 **Announcements (For information only)**

To receive announcements from

 - (i) The Town Mayor
 - (ii) The Locum Chief Executive Officer
- 5 **Public participation –To consider a motion to suspend the meeting to allow members of the public the opportunity to address the meeting on items appearing on the agenda (limited to 3 minutes each).**
 - (i) Norfolk Constabulary
 - (ii) County and District Councillors
Report from Councillor John Ward
 - (iii) Members of the public
- 6 **Finance**
 - (i) Payment List – to follow
 - (ii) Bank Reconciliation – to follow
- 7 **Draft Minutes of Committee Meetings**
 - (i) Planning and Environment Committee held 8th August 2022
- 8 **Allotment Garden Rules – Report Attached**
- 9 **Lighting Tower Purchase – Verbal report**
- 10 **To pass a resolution to sign up to the civility and respect pledge - attached**
- 11 **Motion under the Public Bodies (Admission to Meetings) Act 1960 to exclude the public and press for discussions regarding personal matters where publicity might be prejudicial to the special nature of the business**
- 12 **Staffing Matters – Confidential Report to follow**

Future Agenda Items. (Not for discussion)

Town Clerk – Dr Thomas Foreman

Thorpe St Andrew Town Council, Town Hall, Pound Lane, Thorpe St Andrew, NR7 0UL

Tel: 01603 701048 Email: thomas.foreman@thorpestandrew-tc.gov.uk

Website: www.thorpestandrew-tc.gov.uk

VAT No. 107 2921 90

**THORPE ST ANDREW TOWN COUNCIL
MINUTES OF THE TOWN COUNCIL MEETING
HELD ON 1ST AUGUST 2022 AT 7:30PM**

1 PRESENT:

Miss S Lawn (Town Mayor)	Mr T Grant-Fordham
Mrs J Fisher (Deputy Town Mayor)	Mr T Garner
Mr J Emsell	Mr J Fisher
Mr F Bowe	Mr M Lake
Mr P Berry	Mr S Snelling
Mr L Reeves	Ms M Friend

APOLOGIES:

Mrs T Mancini-Boyle, Mr N Shaw, Mr J Boast, Mr J Ward

IN ATTENDANCE: Dr T. Foreman (Locum CEO)

2 DECLARATIONS OF INTEREST IN ITEMS ON THE AGENDA

None

3 TO CONFIRM THE MINUTES OF THE TOWN COUNCIL MEETING HELD ON 13TH JUNE 2022

The minutes of the meeting held on 13th June 2022 were agreed and signed as a true record.

4 ANNOUNCEMENTS (FOR INFORMATION ONLY)

To receive announcements from

- (i) The Town Mayor- Miss S Lawn updated the Town Council on the School Streets initiative which she and Mr F Bowe had supported alongside Town Council Officers. The Mayor had attended a meeting with Broadland District Council and Parks and Estates Supervisor Jason Calver to look at options for grant funding for trees and hedges. In addition, the Mayor had attended a licencing meeting at a local establishment, and a Royal British Legion event at the Cottage Public House.
- (ii) The Clerk- Dr T Foreman updated the meeting on the opening of the allotment consultation, legal submissions related to land management, and the Stop Hate Crime meeting with Norfolk Police. Further, the Clerk had represented the Town Council at the Broadland District Council Parish Forum, and a feasibility study had been commissioned to look at options for reorganisation of the interior of the Town Hall and Morse Pavilion. In addition, it was reported that the new play area additions at the Sir George Morse Park would be installed in approximately two weeks' time.

5 PUBLIC PARTICIPATION –TO CONSIDER A MOTION TO SUSPEND THE MEETING TO ALLOW MEMBERS OF THE PUBLIC THE OPPORTUNITY TO ADDRESS THE MEETING LIMITED TO 3 MINS EACH

The Meeting was suspended following a proposal from Miss S Lawn, seconded by Mrs J Fisher.

- (i) Norfolk Constabulary – The Locum CEO provided an overview of the work undertaken by the Safer Neighbourhood team over the past month.
- (ii) County and District Councillors – The meeting noted to the report of Mr J Ward. Mr J Emsell provided an update on the community fridge.
- (iii) Members of the public – None

6 FINANCE

- (i) Payments List: Voucher numbers 265 to 464 were agreed and signed as a true record.
- (ii) Bank Reconciliation Statement was agreed and signed as a true record.

7 REPORT OF THE PARKS AND ESTATES SUPERVISOR

The Town Council welcomed a comprehensive report from Mr J Calver, the Parks and Estates Supervisor. The Councillors expressed support for the regular updates and the level of detail provided. Miss S Lawn requested that Mr J Calver be thanked for his hard work and that of the Parks and Estates team.

8 DRAFT MINUTES OF COMMITTEE MEETINGS.

- (i) Planning and Environment Meeting – noted
- (ii) Finance and Staffing Meeting – noted

9 PARISH PARTNERSHIP SCHEME

The Town Council received the correspondence from Norfolk County Council regarding the Parish Partnership Scheme 2022/23. It was **AGREED** to defer consideration of this item pending investigation into a project to improve the zebra crossing on Thunder Lane near Spinney Road, and electric charging points for the public parks.

10 BROADLAND DISTRICT COUNCIL TAXIMETER CONSULTATION

The Town Council received the correspondence of the Taximeter Consultation. The meeting felt such steps were sensible and raised no objection and would support the use of GPS.

11 NORWICH WESTERN LINK

Dr T Foreman introduced the report of Mr J Ward proposing the Town Council vote in support of the Norwich Western Project. There was a significant discussion about the benefits of the project, including those related to emergency service access, the local economy, and air quality in the vicinity of the city.

It was proposed by Mr J Fisher, seconded by Mr S Snelling and on a show of hands with 11 in favour and 1 against **RESOLVED** to support the project.

12 TO CONSIDER A MOTION TO EXCLUDE PRESS AND PUBLIC FROM THE MEETING UNDER THE PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960, AS AMENDED BY THE LOCAL GOVERNMENT ACT 1972 SS 100 AND 102 DUE TO THE DISCLOSURE OF PERSONAL INFORMATION

It was proposed by Mrs J Fisher, seconded by Mr S Snelling and on a show of hands with all in favour **RESOLVED** to close the meeting to press and public.

13 CIVIC AND BUSINESS AWARDS 2022

Dr T Foreman introduced the nominations for the Civic and Business Awards for 2022. It was proposed by Miss S Lawn, seconded by Mr J Fisher and on a show of hands with all in favour **RESOLVED** that two residents and two businesses be awarded Civic and Business awards for 2022.

Future Agenda Items. (Not for discussion)

With no further business the meeting closed at 21.10hrs

Signed

Chairman _____

Date _____

Thorpe St Andrew Town Council

Guidance for Public Speaking at Full Council/Committee

Members of the public are welcome to attend any of the Town Council meetings and can speak on matters which appear on the agenda.

The full meeting of the Town Council considers a range of topics, but there are also Committees which have terms of reference to consider specific matters and either make a decision or make a recommendation to the full Town Council meeting.

The Committees are:

- Planning and Environment Committee
- Finance and Staff Committee
- Events and Media Committee

Who can speak:

- County/District Councillors (maximum 3 minutes per person or organisation)
- Police (maximum 3 minutes per person or organisation)
- Members of the Public (maximum 3 minutes per person or organisation)

Meeting Format

You will have a maximum of 3 minutes to make your point, so you will need to be concise. You will not need to repeat submissions you have already made in writing as a summary/copy of these will be included in the report or in the meeting documents.

You will be invited to speak at the appropriate point on the agenda. You may be asked questions by the Councillors once you have spoken but you will not be able to ask questions of either the Councillors or officers. If you dispute anything within the report, you should raise this with the Town Clerk or designated officer well before the meeting.

In addition, you are not permitted to circulate any papers or photographs at the meeting. If you wish them to be available to the Councillors, they must be submitted to the Town Clerk at least 3 clear days prior to the meeting date.

Constructive contributions are welcome

Everyone at the meeting is there to make sure the best decision is made, and your contribution should be heard in an atmosphere of respect. However strongly someone feels, critical comments about individuals are not acceptable. If someone is libelled, they can sue. The Town Mayor or Committee Chairman has the right to refuse to hear anyone behaving inappropriately.



THORPE ST ANDREW TOWN COUNCIL

28th August 2022

Report from Councillor John Ward

Broadland District Council

The Peer Review Team completed their work after 65 meetings and speaking with 225 people. They expressed great admiration for the work delivered by our One Team. It was a Good report and any areas for improvement are being worked on.

BDC will be arranging a number of Business Breakfasts (previously organised by The Lively Crew) with the cost of the breakfasts covered by the attendees.

Anglian Water say their reservoirs are 80% full and there will be no need of a hosepipe ban this year.

Norfolk County Council

Postwick Park & Ride will remain closed until numbers across the other 4 sites reach 75% of pre-pandemic figures.

Work on extending Sprowston Library will begin Mon 5th September. The library will be largely open during the works.

Beryl bike & scooter hire has clocked up 2m kms from the Norwich scheme, with half of the rides being on scooters. This equates to 76 tonnes of carbon dioxide emissions saved.

NCC has launched a consultation on the future of mobile libraries as part of proposals to save £13m. The consultation runs from 22/7 to 14/9.
<https://Norfolk.citizenspace.com/consultation/mobilelibraries>

The Pre-Planning Public Consultation on the Norwich Western Link runs until 9th October. To have your say visit www.norfolk.gov.uk/nwl

Travelling by bus in Norfolk just got easier with the launch of the new Travel Norfolk Fusion Day Ticket. Priced at £12 per adult and £9 for 5-19 year olds. The ticket will operate with all 15 bus companies in Norfolk.

The new Director of Norfolk Fire & Rescue Service, effective 5th September, is Ceri Sumner who has been with the County Council since 2011 and is currently Director of Community, Information & Learning.

**THORPE ST ANDREW TOWN COUNCIL
MINUTES OF THE PLANNING AND ENVIRONMENT COMMITTEE
MEETING
HELD ON 8th AUGUST 2022**

PRESENT: Mr J Fisher Ms M Friend
Mr F Bowe Mrs J Fisher
Mr S Snelling Mr T Garner

1. In Attendance: Dr T Foreman (Locum CEO, remotely), Miss S Lawn (Town Mayor), 1 member of the public, 1 member of the public remotely.

Apologies for Absence: Mr P Berry

2. Declarations of Interest: Mr S Snelling declared an interest in application 20220931 and will withdraw for the duration of this item.

3. Minutes of meeting held on 13th June 2022

The minutes of the meeting held on 13th June 2022 were signed and approved as a true record.

4. Planning Items Raised by Residents-

Three members of the public spoke on matters related to the agenda.

5. Planning Applications

20220981	93	Saint Williams Way	Proposed garden room & workshop to rear of garden	The Town Council, in its capacity as statutory consultee, wishes to raise no objection
20221094	42	Thorpe Avenue	Single storey side and rear extension (revised proposal)	The Town Council, in its capacity as statutory consultee, wishes to raise no objection
20221021	4	Owen Court	Installation of 9 x roof mounted solar panels to the rear of the property	The Town Council, in its capacity as statutory consultee, wishes to raise no objection, but would support any comments from the Historic Environment Officer
20221023	15	Park House	Replacement windows	The Town Council, in its capacity as statutory consultee, wishes to raise no objection
20221069	16	Stanmore Road	Single storey rear and 2 storey side extension	The Town Council, in its capacity as statutory consultee, wishes to raise no objection

20221074	3a	Church Yard Cottages	Additional storey to flat roofed extension, modifications to single storey pitched roof extension, dormer to rear of property and internal alterations	The Town Council, in its capacity as statutory consultee, wishes to raise no objection. However, the Town Council would request materials are delivered only when required to minimise impact on neighbours
20211168	Tawny Lodge	Pound Lane	Variation of condition 2 to allow fan amended design of planning permission 20190016	The Town Council, in its capacity as statutory consultee, wishes to raise no objection
20220846	30	Hillcrest Road	Rear extension	The Town Council, in its capacity as statutory consultee, wishes to raise an objection to the development due to height of the extension which is overbearing upon the neighbour
20211918	Land to East of	Brook Road, Broadland Business Park	The proposed development will provide 8407 sqm of flexible and adaptable space for use classes	The Town Council, in its capacity as statutory consultee, wishes to raise no objection. But the Town Council would propose a condition of use restricted to 7am to 10pm, to minimise impact on nearby residents. Also, the Town Council would have liked to have seen more than 10% renewable energy as part of this application
20221105	16	Thor Road	Proposed studio garden room	The Town Council in its capacity as statutory consultee wishes to raise objections. The description of the proposed development does not correspond with the plans as presented. The building is overdevelopment for the site, and it is felt that the inclusion of a window in the second storey for storage is unnecessary. The development appears to be an annexe
BA/2022/0236/FUL	34	Yarmouth Road	Elevational amendments to support prior approval application BA/2021/0276/CUPA	The Town Council, in its capacity as statutory consultee, wishes to raise no objections. The Council appreciates that its previous comments have been taken into account and reflected in this proposal

7. Enforcement Notices (Confidential Matters)

Noted.

Information Only

Confidential- Enforcement Notices

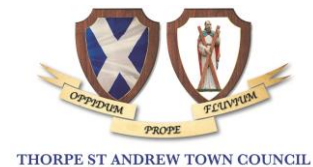
Noted

Meeting closed at 21.00hrs

Signed:

Dated:

THORPE ST ANDREW TOWN COUNCIL



TOWN COUNCIL : 5TH SEPTEMBER 2022

ALLOTMENT GARDEN RULES

Agenda Item: 8

Reason for this Report

This report has been prepared to provide feedback from the Allotment Garden Rules consultation and request the updated rules be adopted.

Background

In May 2022, the Finance and Staffing Committee considered a review of policy documents including the allotment garden rules. In line consultations for larger scale policy documents, a 6-week consultation was launched to give allotment holders, allotment associations, and legal advisors the opportunity to give feedback prior to adoption.

Result

The feedback has been summarised within Appendix A which provides details of the salient issues and concerns raised, along with a brief response including any changes. Appendix B contains a draft version of allotment rules with amendments shown.

There were issues related to some of the termination terms, but these are statutory terms within the Allotment Act 1922. Concerns were also raised about the status of the allotments, which are confirmed to have statutory protection. There is no change to existing car parking on either allotment site and any changes proposed through other projects are separate to these rules and will be consulted upon separately.

A 'best practice' guidance document will also be prepared, supported by the two allotment associations which will provide advice to allotment holders and is referenced within the comments in Appendix A.

The Town Council should review the details in both Appendix A and Appendix B. In addition, a confidential pack of the full consultation responses is provided as Appendix C to ensure members are able to review the responses directly.

Advice

The Town Council is requested to approve the Allotment Garden Rules with the changes proposed and resolve to seal the rules to come into force from 1st October 2022. If approved, these rules will be reviewed within a year, inline with other policy documents.

Legal Implications

All decisions and actions taken by or on behalf of Thorpe St Andrew Town Council must (1) be within the local powers of the Authority; (2) comply with any procedural requirement imposed by law; (3) be within the powers of the body or person exercising powers on behalf of the Authority; (4) be undertaken in accordance with the Authority procedural rules inc. Standing Orders and Financial Regulations; (5) be fully and properly informed; (6) be properly motivated; (7) be taken with regard to the fiduciary duty of the Authority to its residents; and (8) be reasonable and proper.

Financial Implications

There are **minor** financial implications arising from this report.

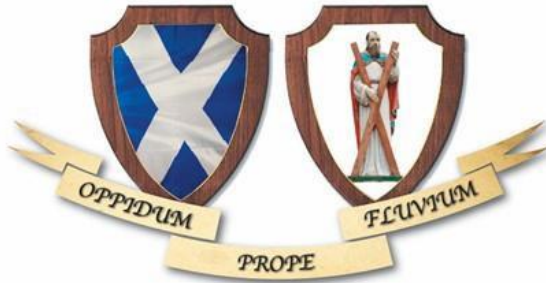
Appendix A

Consultation Comment Summary	Response and Outcome
Concerns about whether there is a change in legal status of allotments.	The signed agreement with each tenant explains all agreements are made with statutory protection. No change to proposed rule.
Concerns related to existing sheds/structures etc needing to be moved in line. Concern that rules will be retrospective.	There is no expectation that existing allotment holders will be asked to make changes to existing structures, apart from in extreme circumstances relating to Health and Safety and / or the requirement to meet the needs of adjoining plot holders. In these cases, we will work with the allotment holder to determine the way forward. Existing structures may need to be removed / amended at the point at which an allotment holder's tenancy is terminated so it will be the intention to address any issues relating to existing plots contravening the allotment rules at this point in time unless the issues mentioned above require the situation to be expedited. No change to proposed rule.
15. Concerns about three months' notice to quit, specifically relating to wording relating to building, mining etc. Concerns about ending tenancy based on bankruptcy etc.	These are statutory terms under Allotments Act 1922 c.51. No change to proposed rule.
10.7 Use of the term 'bound by' in the context of rule 10.7. Also, whether the tenants become responsible for boundary fence	Refers to anything existing which has been erected with Council permission, but not by the Council. The rule makes clear the Council does not take on responsibility for maintenance of these fences. Responsibility for existing boundary fencing is unchanged. No change to proposed rule.
11.1 Provision of allotment numbers	The Town Council will provide new allotment numbers for use by tenants. No change to proposed rule.
12.1 Concern about access to sheds by the Town Council.	Tenants should provide keys or combinations to sheds, the Town Council is permitted access to inspect allotment plots and any structures therein. No change to proposed rule.

17 Concern that the rules have already been approved by inclusion of legal wording to seal document.	The draft rules are not adopted until sealed by the Council and this can only happen following a resolution of the Council. No change to proposed rule.
Use of the term 'statutory' does not feature in some rules as previously.	As much of the draft rules are statutory, the term is not included throughout for each term. No rule passed by the Town Council related to allotments can breach statutory protections. Therefore, there is no impact to this change. No change to proposed rule.
Request for details of tenants who asked for rules to be reviewed.	Denied due to GDPR. No change to proposed rule.
Request people lock gates as part of rules. Also, a comment on when new keys will be issued for new gates.	There would be no legal basis for a tenancy to end for this and was not defined in previous rules. However, it will be included in the 'best practice' guide. Keys to the new locks will be issued at allotment renewal in September/October. No change to proposed rule.
Include details of the 'first port of call' such as Council or allotment association.	It will be included in the 'best practice' guide. No change to proposed rule.
1.1/2 Council should offer remuneration for tenants as some may be financially disadvantaged by rule change.	The rules will not apply retrospectively so there will be no financial impact. Compensation is defined by legislation. No change to proposed rule.
2.4 Next of Kin should be guaranteed allotment plot as opposed to 'may' be offered.	A change to the rule has been made to say this will occur if the person has had direct involvement with the plot.
6.3 Concerns about bonfire rule. Comments differ from total ban to bonfires between November and March. Also whether instead of specifying 'bonfire' it should be 'any fire'.	Residents nearby have complained about bonfires. Change to allow Council to prohibit bonfires if required locally, to ensure there is an ability to control burning if required. Include other options for waste disposal as part of 'best practice' form.
Council should include its own obligations within rules.	This will be included in a 'best practice' guide. No change to proposed rule.
5.2 Concern regarding inclusion of the term 'as free from weeds as possible'	Previous rules required the allotment plots to be 'free from weed' the addition of 'as possible' is seen as more realistic. No change to proposed rule.
Concern related to hedges, trees etc from neighbouring properties impacting on allotment plots.	These should be reported to the Town Council for action. No change to proposed rule.
Whether notices left on the plot are acceptable forms of service.	This enables the Council to serve a notice where the tenant has moved without notifying the Council. This rule is in keeping

	with existing rules. No change to proposed rule.
Request for rule relating to leaving engines running, playing music, and banning large vehicles.	This may be included in a 'best practice' guide. No change to proposed rule.
Request to include £25 deposit on plots.	This requirement has been removed as £25 does not sufficiently cover the Council's costs. If required, the Town Council can pursue the full costs whilst also reducing the need of administering deposit refunds to tenants. No change to proposed rule.
Request to include Rule 12 from old rules relating to existing tenants changing plots.	Change approved.
Request to reiterate that tenants must live in Thorpe St Andrew.	Change approved.
Request to include rule related to allotment associations.	Change approved.
Request to include rule regarding baiting.	Change approved.
Concerns regarding the lack of consultation and request for a delay in approval.	A 6-week consultation is in line with larger statutory policy consultations. Signs were placed at entrances/noticeboards. Allotment Associations were notified.
More clarity on rules regarding allotment sheds and polytunnels.	Change approved.
Include rules related to glass on site.	The previous rule banning glass on site would put tenants at risk of breaches the rules for bringing anything containing glass onto site. Specifying greenhouses and sheds prevents technical breaches of the rules.
Request addition to prevent dumping rubbish off own plot.	This rule is covered by fly-tipping legislation. No change to proposed rule.
Request drip-irrigation to be permitted and that standpipes should not be allowed to run freely onto ground.	Council will consider proposals on a case-by-case basis. No change to proposed rule.
9.2 remove 'where possible'.	Flexibility on path width may be required in some circumstances. No change to proposed rule.
15.1 provide assurance if site is used for other purpose that other allotments will be available.	This process is already defined in statute.
Concern about impact of rules on tenants and their family members with specific protected characteristics.	The Town Council takes accessibility considerations of plot holders on a case-by-case basis and where there is justifiable cause to review application of the rules this will continue to be done in conjunction with the allotment holder and

	any relevant advice from professional bodies that they may have already sought. No change to proposed rule.
Request for inclusion of 'carer' status within allotment tenancy agreement files.	Denied due to GDPR. No change to proposed rule.
Adjust Definition of terms to reduce repetition and be less prescriptive.	Change approved.
2.3 Adjust terms for clarity.	Change approved.
4.1 State timescale for rental payment.	Change approved.
5.1 Change wording for clarity on use and be easier to read.	Change approved.
5.4 Define the actions which may be undertaken where costs need to be reclaimed.	Change approved.
6.1 Include exception for rule 6.2 to prevent contradiction.	Change approved.
6.4 Legal advice to strengthen ability to enforce on unacceptable behaviour both on and off site.	Change approved.
6.4 Include exception for loading and unloading to prevent contradiction.	Change approved.
6.5 Add requirement for tenants to follow legislation of codes of practice which may be passed from time to time.	Change approved.
7.1 Add requirement for dog fouling to be removed.	Change approved.
10.2 Clarify responsibility to maintain existing structures when the tenant takes over a new plot.	Change approved.
10.12 Legal advice to strengthen terms relating to licensable activity.	Change approved.
14. Legal advice to revise terms to cover wider range of both crimes and 'incidents' and strengthen equality action related to this. Adjust hyperlink to ensure paper versions contain adequate information.	Change approved.
15.3 Include terms to permit removal of structures by the Council when the tenancy ends.	Change approved.



THORPE ST ANDREW TOWN COUNCIL

Allotment Rules

Draft October 2022

Definition of Terms

The Council means Thorpe St Andrew Town Council including any committee of the Council or any Officer appointed by the Council under the Allotments Act 1908 –1950.

Allotment Officer means the duly authorised employee of the Council whose role it is to manage or undertake work on the allotment sites on behalf of the Council.

Rules means the rules defined within this document ~~which replaces any previous versions.~~

Allotment Plot means the area of land ~~used primarily for the cultivation of fruit and vegetables~~ which is let to the tenant under a Tenancy.

Tenant means a person who holds a tenancy of an allotment plot.

Tenancy means the act of letting an allotment plot to an individual in exchange for rent.

Site means the entire area of land owned or leased by the Council comprising allotment plots, roadways and buildings.

Tenancy Agreement means the document in the form approved by the Council, confirming the letting of an allotment plot to a Tenant.

Rent means the annual rent payable for the Tenancy of an allotment plot and all amenities including water (which is a variable charge) provided with it.

1. Application

- 1.1. These rules are made in accordance with Section 28 of the Small Holdings and Allotments Act 1908 and apply to all allotment plots including any let before these rules came into force.
- 1.2. Rules come into force on the date on which they are sealed and replace any version which came before. It is therefore advised that any Tenant or person who wishes to apply for tenancy familiarise themselves with the latest version available from the Town Hall or Town Council website.
- 1.3. Tenants must comply with all directions given by any appointed officer of the Council in relation to the discharge of these rules.

1.4. The Council will aim to work and liaise with any Allotment Association which is formed by the tenants and has been formally recognised by the Council.

2. Tenancies and Vacant Allotments

2.1. Allotment plots will only be let to residents of Thorpe St Andrew whose names appear on the Electoral Register from October each year. If a resident moves out of the area they may only continue to work the plot for the remainder of the year that has already been paid i.e. until 30 September.

~~2.1.~~2.2. All Tenants must complete and sign a Tenancy Agreement prior to undertaking any activity on the plot.

~~2.2.~~2.3. Each plot will be in the name of one tenant only. Joint or shared tenancies are not permitted.

~~2.3.~~2.4. Groups or organisations must submit a pre-tenancy application for approval by the Council. Such tenancies will be granted to and in the name of one ~~person known~~individual as the ~~Principal~~ Tenant, who will be fully responsible for complying with the obligations under the Tenancy Agreement

~~2.4.~~2.5. Vacant allotment plots must be offered by the Council to applicants on the waiting list for that site, except where the

plot falls vacant due to the death of a tenant. In such circumstances, any member of the tenant's immediate family may with direct involvement on the plot will be offered the plot first. If more than one family member wishes to take over the tenancy, the Council will select the individual based upon their ability to maintain upkeep of the plot.

2.5.—The tenancy year commences on 1 October and ends on 30 ~~September.~~ September.

2.7 Existing tenants may only change their plot to another by placing their names on the waiting list. They will then be offered an alternative plot when their name has risen to the top of the list and would need to renounce their existing plot.

3. Assignment

3.1. Tenancy of an allotment plot represents an agreement between the Council and the named tenant. Tenants are not legally empowered to assign, sub-let or part with possession of all or part of their allotment plot. If a tenant wishes to terminate their tenancy, they should refer to section 15 of these rules.

4. Rent

4.1. Rent is due at the commencement of the tenancy ~~and~~for the remainder of the current year and then annually on 1 October thereafter (unless otherwise stated in the Tenancy Agreement). Rent must be paid immediately when it is due.

4.2. Rent may be increased at any time provided the Council takes reasonable steps to give all tenants 12 months-notice in writing. An accidental failure to give notice to an individual tenant will not invalidate that tenant's rent increase.

5. Cultivation and use of allotment plots

- 5.1. The Allotments Act 1922, prevents any “trade or business” being conducted on the allotment plot or any part thereof ~~and~~. The tenant must by definition, “be ensure that their allotment plot is wholly or mainly cultivated for the production of vegetable or fruit crops for consumption by the occupier them or their family”. The tenant may not use their allotment plot for trade or business, or for camping, or for staying there overnight.
- 5.2. Allotment plots must be kept clean, as free from weeds as possible, and in a good state of cultivation and fertility.
- 5.3. Where a tenant fails to maintain a good standard of cultivation, the Council will serve a warning letter giving a specific period of time for improvement. Failure to improve the Plot may lead to termination of the Tenancy following a notice issued by the Council.
- ~~5.4. If issued by the Council.~~
- ~~5.5.5.4.~~ If at end of a tenancy the plot is left in a poor state of cultivation or requires the removal of materials, property or rubbish, then the vacating tenant may be required to reimburse the Council for reasonable costs its reasonable costs in removing and disposing of the materials, property or rubbish and in returning the plot to a condition of adequate cultivation so that it can be re-let.
- ~~5.6.5.5.~~ Allotment plots must not be used to grow any crops for which compensation may be payable at the end of the Tenancy.
- ~~5.7.5.6.~~ Tenants must not cut or prune any trees adjoining their allotment plot but should undertake regular, routine pruning of their own trees and hedges.
- ~~5.8.5.7.~~ A maximum of 6 dwarf fruit trees are allowed per plot, which must be kept in good condition. No other trees may be planted.
- ~~5.9.5.8.~~ Tenants must leave a minimum gap of 2’ (0.6m)

between the rear of their plot and any adjoining boundary fence to allow access for maintenance.

~~5.10-5.9.~~ Tenants are not to cause damage to other tenants' property or crops, nor to the infrastructure of the site e.g. roadways, paths, fences, gates etc.

~~5.11-5.10.~~ The tenant must not deposit any matter in the hedges, ditches or water course situated within the site. The tenant is expected to compost all waste plant material except for pernicious weeds (e.g. Japanese Knotweed, plants infected with fungal disease such as Club Root, Downey Mildew or White Rot) which should be burnt, when dry during permitted periods (Rule 6.3), or taken to an approved disposal facility.

6. Hoses, Bonfires and Other Restrictions

- 6.1. Hoses or sprinklers are not allowed, save as mentioned in Rule 6.2. In filling a container tenants must have consideration for others who wish to use water. Hosepipes or siphoning devices are not to be used to remove water from any water trough, except with written permission from the ~~Town~~ Council. Tenants must take every precaution to prevent contamination of water supplies. Water may only be extracted from a water course with the approval of the Council and subject to the appropriate licence.
- 6.2. Where 1200l water containers are used, they can only be used for water harvesting, and must not be filled via hosepipes except with written permission from the Town Council.
- 6.3. Bonfires are only permitted during the months of March and November for the burning of diseased plant material. Fires must not be allowed to cause a nuisance to neighboring residents and under no circumstances should be left unattended. Where The Council may prohibit bonfires at any time when local circumstances in the Council's view necessitate, ~~bonfires may not be permitted at any time~~ this prohibition.

6.4. Tenants must not:

- bring or use corrugated or sheeted iron (or similar metal objects) or barbed wire (or similar material) on the allotment plot.
- use any carpet and underlay on the site.
- deposit rubbish refuse or decaying matter (except for a reasonable amount of manure or compost required for cultivation) on the allotment plot or instruct anyone else to do so.
- Remove any mineral, gravel, sand, earth or clay from the site unless they have written permission to do so from the Council.

~~6.4.1. cause or allow any nuisance or annoyance to the Tenant of any other allotment plot (see also Rules 14.1 – 14.4)~~

- Do anything on their allotment plot or behave on the Site in a way that is (or is likely to be) a nuisance or annoyance to other persons, including other tenants, their guests and Council staff. It is not possible to list everything that is or is likely to be a nuisance or annoyance, but it would include harassment, intimidation and abuse. Tenants are responsible for the behavior of other persons they allow onto the Site. (see also Rules 14.1 – 14.3)

~~6.4.2. use the allotment for any illegal or immoral purpose and must observe all relevant legislation or Codes of Practice relating to activities they carry out on the allotment.~~

- park a vehicle anywhere on the ~~site~~Site other than within defined parking areas except when the vehicle is being used for loading or unloading. Loading and unloading vehicles is allowed, but vehicles must be returned to the main parking areas as quickly as possible. No vehicle, trailer, caravan or similar equipment is to be left on the ~~site~~Site overnight.
- bring or use any weapons (e.g. air rifles) on to the site.
- access any other plot than their own unless invited to do so

by the tenant of that plot

- Bait plots for the control of 'vermin'. Cases of vermin should be reported to the Council and appropriate action by an appointed pest controller will be undertaken. 'Bait boxes' must not be tampered with.
- harass, abuse or behave in a bullying manner towards Council employees, members or contractors in respect of issues relating to the Site or any allotment plot

6.5. Tenants must ensure that:

- they observe all relevant legislation or Codes of Practice relating to activities they carry out on the allotment
 - any manure on the ~~site~~Site that has not been dug in or spread on to the allotment plot is covered.
 - tools and other personal equipment are kept safe and secure when not in use. The Council accepts no responsibility for the loss of or damage to such items nor does the Council accept any responsibility for any injury caused by such items.
 - where the Council's title to a site requires certain conditions to be observed, that these are followed.
 - when using any sprays or fertilizers, they_
 - take all reasonable care to ensure that adjoining hedges, trees and crops are not adversely affected, and must make good or replant as necessary should any damage occur, and
 - so far as possible select and use chemicals, whether for spraying, seed dressing or for any other purpose whatsoever, that will cause the least harm to members of the public, game birds and other wildlife, and they

comply at all times with current regulations as notified by the Council.

6.6 No toxic or hazardous substances or contaminated waste or tyres should beare stored or brought onto the site.

6.7 Any pesticides must comply with current legislation regarding their use and storage. The storing of materials other than for direct and prompt use on the Plot allotment plot is prohibited. All such materials must be stored in a safe manner and must not be allowed to become a hazard or nuisance to others.

7. Dogs, Animals and Bees

7.1. Any dog (including Guide Dogs) brought onto the Site must be kept on a lead at all times and their waste must be removed from the Site promptly.

7.2. Animals or livestock (except hens or rabbits) must not be kept on allotment plots. Cockerels are not permitted.

7.3. Hens or rabbits must not be kept in such a place or in such a manner as to be prejudicial to health or a nuisance. Tenants must obtain prior permission from the Council and must comply with any husbandry conditions laid down by (and obtainable from) the Council. A current contact phone number must be displayed on the plot.

7.4. Any part of the allotment plot used for keeping hens or rabbits must be securely and adequately fenced to the satisfaction of the Council.

7.5. Beehives are not allowed on the allotment plot except with the prior agreement of the appropriate Officer of the Council. Tenants must have valid insurance cover preferably through membership or affiliation of the British Bee Keeping Association. A copy must be filed with the Council. Any recommendations made by an appropriate Council Officer must be promptly implemented by the tenant.

8. Non-tenants and Children (under 16)

- 8.1. Only the tenant, or a person authorised or accompanied by the tenant is allowed on the site. Access is not permitted to any plot(s) other than that let to the tenant.
- 8.2. The Council may order any person wrongly allowed onto the site in breach of these rules to leave immediately.
- 8.3. The Council may take action for breach of their Tenancy Agreement against any tenant who the Council reasonably believes was responsible for allowing an unauthorised person to be on the site.
- 8.4. Tenants are responsible for the safety and conduct of any visitors that they allow onto the site.
- 8.5. Children (under age 16) must be supervised at all times by the tenant and / or a responsible adult.

9. Paths

- 9.1. Paths provided by tenants must be within the boundaries of their own allotment plot and kept reasonably free from weeds.
- 9.2. Paths between two allotment plots must be a minimum of 600mm (2') in width where possible and must be kept reasonably free from weeds up to the nearest half width by each adjoining tenant.
- 9.3. Paths must be kept clear of obstructions at all times except for paths provided by tenants only for use on their own allotment plot.
- 9.4. The tenant must not leave any tools or other equipment unattended on common pathways or other such areas of the site nor in any other way that may cause accident or injury and must ensure that such tools and other equipment are used carefully and with due regard to the safety of others.

10. Sheds, Buildings and Structures

- 10.1. No buildings, walls or permanent structures may be put up on the allotment plot by tenants. Sheds, greenhouses or polytunnels must comply with the Council's specifications and conditions and any planning conditions. No more than 25% of the plot should be assigned for structures without written consent of the Town Council.
- 10.2. Any shed, greenhouse or polytunnel erected on the allotment plot must be maintained in a good state of repair and condition to the satisfaction of the Council and if the Council is not satisfied with the state of repair it may order the tenant to remove the structure. Glass greenhouses are not permitted. The obligation of the tenant to maintain structures includes any structure which was not installed by the tenant but was on the allotment plot when the tenancy began.
- 10.3. ~~A tenant may only have one shed and either a greenhouse or polytunnel.~~ The maximum dimensions of a shed (or greenhouse) are 8' x 6' and a height of 8'6" (2.6m). Sheds and greenhouses may be erected without the need for prior consent from the Council. ~~Such~~ Shed or Greenhouse structures ~~must~~ should have guttering connected to a water container (e.g. butt, barrel).
- 10.4. In the absence of any other suitable structure, a lean to structure not exceeding 8' x 6' may be erected to harvest rainwater.
- 10.5. A polytunnel may not be erected without the prior permission of the Council.
- 10.6. Structures should be sited at the rear of the plot or as directed by the Council. No permanent footings or bases may be constructed.
- 10.7. Tenants may not plant hedges or erect fencing or other barriers on or around their plot. Tenants whose allotment plot contains, or is bounded by, an existing hedge, fence or gate permitted by the Council are responsible for their maintenance. Ditches within the boundary of the allotment plot must be

properly cleared and maintained.

- 10.8. Temporary structures and compost containers must be kept in a good and safe condition.
- 10.9. No toxic or hazardous materials or contaminated waste or tyres should be stored or brought onto the Site. Any pesticides must comply with current legislation regarding their use and storage. The storing of materials other than for direct and prompt use on the plot is prohibited. All such materials must be stored in a safe manner and must not be allowed to become a hazard or nuisance to others.
- 10.10. No fixed play equipment may be installed anywhere on a plot or on the site.
- 10.11. ~~From 1 July 2007 smoking~~Smoking is not permitted in any communal building on the site.
- 10.12. The sale of alcohol or the supply of alcohol to members of a club is not permitted in any Council building or allotment site unless it is licensed for such use under the Licensing Act 2003.

11. Notice Board and Advertisements

- 11.1. All Tenants must clearly display the number of the allotment plot and maintain it in good condition.
- 11.2. Only notices issued or approved by the Council may be posted on the site. Tenants may not display any personal or commercial advertising.

12. Inspection

- 12.1. The allotment plot (and any structure on it) may be entered and inspected by an appropriate Officer of the Council, including or by members of the Council's Allotment Committee, at any time, and therefore plots must be accessible.

13. Disputes

- 13.1. Any disputes are to be referred to the Council.
- 13.2. All disputes are subject to right of appeal with the Council. They will be dealt with in accordance with the Council Complaint Procedure. The decision of the Council will be made in writing and will be binding on all the Tenants involved in the dispute.

14. Hate Crime

14. Harassment and Discrimination

- 14.1. Thorpe St Andrew Town Council has a commitment to eliminating unlawful or unfair discrimination and to achieving an environment free from harassment for both tenants of our allotment plots and members of staff.
- 14.2. All tenants and members of staff should be make sure they are aware of and follow the Council's Equality, Diversity and Inclusion Policy and the Complaints Policy (see Town Council website or contact the Town Hall for information) which provide direction on what is and what is not acceptable behaviour. If a tenant acts towards another tenant in a manner which would be a breach of the Equality, Diversity and Inclusion Policy if the action was carried out by those mentioned in paragraph 2 of that policy then this can be a ground for termination of tenancy under Rule 15.1 below.
- 14.3. A hate incident/crime is any incident or crime that is motivated by hostility, prejudice or hate on the grounds of race, religion, sexual orientation, disability or transgender identity. Tenants may also wish to familiarise themselves with Stop Hate in Norfolk Stop Hate in Norfolk (SHiN) | Norfolk Constabulary, (<https://www.norfolk.police.uk/stop-hate>) which aims to create a common standard for tackling hate crime across the county. Any tenant who has experienced hate crime should contact the Police in the first instance using the link website above or by calling

15. Termination

15.1. The Council may terminate Allotment Garden Tenancies in any of the following ways:

- twelve months written Notice to Quit expiring at any time between 29 September to 6 April inclusive;
- or three months written Notice to Quit:
 - if the Council requires the allotment plot for building, mining or any other industrial purpose, or for roads or sewers necessary in connection with building, mining or an industrial purpose; or
 - where the Council acquired the allotment plot for a purpose other than letting as allotments or has appropriated them to another purpose, or
- one months written Notice To Quit if:
 - Rent is in arrears for 40 days or more (whether formally demanded or not); or
 - the Tenant is in breach of these rules, or
 - the Tenant has become bankrupt or compounded with his or her creditors, or
- automatically on 30 September following the death of the Tenant.

15.2. Tenants may terminate allotment plot tenancies by giving the Council one month's written notice.

15.3. ~~To~~The tenant must yield up the allotment plot at the termination of the tenancy in such a condition that complies with these Allotment Rules and the Council may dispose of any building structure or other item(s) left by the Tenant on the allotment plot after 28 days from the date of termination. Any building or structure that remain on the allotment plot after the tenancy has ended may be removed by the Council or passed on to the next tenant, at the Council's discretion.

16. Change of Address and Notices

- 16.1. Tenants must immediately inform the Council in writing of changes of address.
- 16.2. Notices to be served by the Council on the Tenant may be:
 - 16.2.1. Left on the allotment plot, or
 - 16.2.2. Sent to the Tenant's address in the Tenancy Agreement (or notified to the Council under these rules) by post, registered letter, recorded delivery or hand delivered, or
 - 16.2.3. Served on the Tenant personally.
- 16.3. Notices served under sub-paragraph 2 above will be treated as properly served even if not received.
- 16.4. Notices to be given to the Council should be sent to the Town Hall, Pound Lane, Thorpe St Andrew, NR7 0UL or such other address as the Council notifies in writing to the Tenant. [Emails are not acceptable.](#)

17. Interpretation and Repeal

- 17.1. The headings of these rules are not to affect their interpretation.
- 17.2. The Allotment Rules made in September 2013 (as amended) are repealed.
- 17.3. The Common Seal of
- 17.4. Thorpe St Andrew Town Council
- 17.5. was hereunto affixed to these Allotment Rules in 2022

Email office@thorpestandrew-tc.gov.uk

Civility and Respect Pledge suggested agenda item:

'To pass a resolution to sign up to the civility and respect pledge'

Definition of Civility and Respect
Civility means politeness and courtesy in behaviour, speech, and in the written word.
Examples of ways in which you can show respect are by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

The National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC), and One Voice Wales (OVW), believe now is the time to put civility and respect at the top of the agenda and start a culture change for the local council sector.

By our council signing up to the civility and respect pledge we are demonstrating that our council is committed to treating councillors, clerks, employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.

Signing up is a simple process, which requires councils to register and agree to the following statements:

Statement	Tick to agree
Our council has agreed that it will treat all councillors, clerk and all employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.	
Our council has committed to training councillors and staff.	
Our council has signed up to Code of Conduct for councillors	
Our council has good governance arrangements in place including, staff contracts, and a dignity at work policy.	
Our council will commit to seeking professional help in the early stages should civility and respect issues arise.	
Our council will commit to calling out bullying and harassment when if and when it happens.	
Our council will continue to learn from best practice in the sector and aspire to being a role model/champion council e.g., via the Local Council Award Scheme	
Our council supports the continued lobbying for the change in legislation to support the Civility and Respect Pledge, including sanctions for elected members where appropriate.	