Allotment Rules – General & Miscellaneous (Inspections, notice boards and adverts, change of address, termination)

Current Council Rule & proposed change	BDAC Alternative –
13 Inspection 13.1 The Allotment Garden (and any structure on it) may be entered and inspected by an appropriate Officer of the Council, a named Officer of the relevant Association, the BDAC, or any approved representative of BCC, e.g. sub-contractors, the RSPCA, at any time, when the required access must be given.	13.1 As amended with the word 'reasonable' added – 'at any reasonable time'
Notices and notice boards 12.1. All Tenants must clearly display the number of their Allotment Garden and maintain it in good condition. 12.2 Only notices issued by the Council or approved by the Association may be posted on the Site. Tenants may not display any personal or commercial advertising except on notice boards as approved by the Association.	No changes proposed by Council No changes needed
17.1 Tenants must immediately inform both the Council and any relevant Association in writing of changes of address and electronic contact details e.g. mobile phone numbers, landline, email etc. 17.2 Notices to be served by the Council on the Tenant may be: a. Left on the Allotment Garden, or b. Sent to the Tenant's address in the Tenancy Agreement (or notified to the Council under these Rules) by first or second class post, registered letter, recorded delivery or hand-delivered, or c. Served on the Tenant personally New rule d. Emailed to the Tenant. 17.3 Notices served under sub-paragraph 2 above will betreated as properly served even if not received.	Agree to changes 17.1 and 17.2 17.3 Suggestion from NAS template 'A notice sent by registered post or recorded delivery is to be treated as having been served on the third working day after posting whether it is received or not.'

16 Termination 16.1 The Council may terminate Allotment Garden Tenancies in any of the following ways: a. twelve months written Notice To Quit e.g. sale of land or any other compelling reason; or b three months written Notice To Quit: i. if the Council requires the Allotment Garden for building, mining or any other industrial purpose, or for roads or sewers necessary in connection with building, mining or an industrial purpose; or ii where the Council acquired the Allotment Gardens for a purpose other than letting as allotments or has appropriated them to another purpose, or c. one months written Notice To Quit if: i. Rent is in arrears for 40 days or more (whether formally demanded or not); or ii. the Tenant is in breach of these rules, or iii. the Tenant has become bankrupt or compounded with his or her creditors, or d. automatically on 30 September following the death of the Tenant. 16.2 Tenants may terminate Allotment Garden Tenancies by giving the Council one month's written notice. 16.3 To relinquish the Allotment Garden at the termination of the Tenancy in such a condition that complies with these Allotment Rules and the Association may dispose of any building structure or other item(s) left by the Tenant on the Allotment Garden after 28 days from the date of termination.	Comments: 1. In 16.3.c - Rent arrears of 40 days – number of days could be reduced to, say 14 or 28, which would enable plots to be re-let more quickly. Currently plots vacated on 1st October cannot be relet until the end of January because the Council procedures take so long 2. The proposed change in 16.3 is from 'to yield up' (in current Rules) to 'relinquish' . Not clear what is the significance of this? 3. There have been problems about 'disposal of building structures or other items left by the Tenant, after 28 days from date of termination'. These need looking at in more detail including the issue of ownership and rights over what is on the plot at the time of termination including items such as slabs, trees and structures which were on the plot when the vacating tenant first started renting it.