

Enable Leisure & Culture
Allotments guidance notes

Procedure for dealing with breach of allotment Rules
(commonly known as the Dirty Plots Procedures)

Enable L&C works with site managers to ensure that allotments are maintained in accordance with the Letting Agreement. All plots are formally inspected by Enable L&C and representatives of the site twice a year, after the winter and at the height of summer. This document explains the stages in the management procedure.

1 Informal stage

Throughout the year the site manager keeps an overview of all plots and contacts a tenant where there seems to be infringement of any clause of the Letting Agreement.

- Where the problem resolves itself or is likely to be short term, or the tenant provides a satisfactory explanation no further action is required
- If the issue appears to be of a longer term nature, the site manager may discuss the Reserve Waiting List with the tenant. The tenant wishing to pursue this option should contact Enable L&C.
- Where there is no satisfactory response or the site manager is unable to contact the tenant, the site manager notifies Enable L&C

2 Stage 1

Where a problem is identified following a formal inspection or other notification by the site manager, Enable L&C writes to the tenant to outline the identified problem, what needs to be done to remedy it, and sets a reasonable time limit, usually two weeks. This letter should also enquire whether there is underlying mitigation.

A copy of all correspondence is sent to the site manager, unless the tenant specifically requests for this not to happen.

The possible outcomes are

- The tenant replies with a satisfactory response by phone, email, letter, or in person and remedies the problem
- The tenant remedies the problem without contacting Enable L&C or the site manager
- The tenant notifies the site manager or Enable Allotment that they will quit the allotment
- There is no response and no remedy to the problem

After the deadline, Enable L&C confirms the outcome with the site manager.

If the outcome is satisfactory the details are recorded and no further action is taken. In the case of a partially satisfactory response Enable L&C may write again at Stage 1, setting a further deadline. If there is no satisfactory remedy Enable L&C proceeds to Stage 2.

If the tenant quits the plot, Enable L&C agrees the date of quitting and arranges to offer the plot to the next applicant. The tenant should remove any personal belongings and return the site key, and attempt no further cultivation on the plot.

3 Stage 2 – warning

Where the tenant has not remedied the problem, and has had no contact with the site manager or Enable L&C, and the problem persists, Enable L&C writes a second letter to the tenant.

This letter should refer to earlier exchanges or attempts at contact; it should outline the persisting current issue, outline the required remedy, set a further deadline (usually two weeks), and advise that failure to comply may result in termination of the tenancy.

After the deadline, Enable L&C confirms the outcome with the site manager.

If the outcome is satisfactory the details are recorded and no further action is taken. In the case of a partially satisfactory response Enable L&C may write again at Stage 2, setting a further deadline. If there is no satisfactory remedy Enable L&C proceeds to Stage 3.

4 Stage 3 – termination of tenancy

Where Enable L&C has applied Stage 1 and Stage 2 and the outcome is still unsatisfactory, the final stage is to terminate the allotments tenancy on the grounds of breach of contract (non-compliance with the terms of the letting agreement).

The termination letter should

- State the problem that has breached the terms of the letting agreement
- Outline the sequence of exchanges or attempted contacts with the tenant
- State that the problem remains unresolved and the tenancy is terminated
- Set the deadline for quitting the plot giving one calendar months' notice
- Require the tenant to remove any personal belongings, return the site key, and attempt no further cultivation on the plot

Once the deadline has expired Enable L&C arranges to offer the plot to the next applicant.

5 Appeal

The tenant may follow the Enable Leisure & Culture appeals procedure. If the tenant is still not satisfied with the decision Wandsworth Council appeals procedure applies.