

## Allotment Eviction and Appeals Policy & Procedure

### 1. Purpose

To ensure a fair, transparent, and consistent process for managing breaches of allotment tenancy agreements, including non-cultivation, misconduct, or other violations. This policy outlines the steps for enforcement and the rights of tenants to appeal.

### 2. Inspections

- Formal inspections will be conducted monthly from March to October, and less frequently during winter months.
- Inspections may be carried out by Councillors of the Parish Council.
- Plots will be assessed against the tenancy agreement and cultivation guidelines.
- Photographs and written records will be taken where a breach is suspected.

### 3. Enforcement Procedure

#### 3.1 Improvement Letter

- Issued when a plot is found to be in breach (e.g. under-cultivated, neglected).
- Details the issue and actions required.
- Tenant has 21 days to rectify or provide a written explanation (e.g. illness, personal circumstances).
- The Parish Manager or Council Chair will consider any mitigating circumstances confidentially.

#### 3.2 Formal Warning Letter

- Issued if no improvement or explanation is received.
- Reiterates the required actions and gives a further 21 days for compliance.
- Failure to comply may result in termination.

### **3.3 Notice to Quit**

- Issued if no satisfactory improvement is made.
- Tenant is given 21 days to vacate the plot and remove personal items.
- Sent via recorded delivery.
- In cases of serious misconduct (e.g. theft, aggression), immediate termination may be issued without prior warnings.

## **4. Appeals Process**

### **4.1 Right to Appeal**

- Tenants may appeal in writing within 14 days of receiving a Notice to Quit.
- The appeal must explain why the termination should be reconsidered.

### **4.2 Appeals Panel**

- Composed of three members of the Parish Council or Orchard Allotment Society, appointed annually.
- The panel will respond within 14 days of receiving the appeal.
- The tenant retains their plot during the appeal process.

### **4.3 Possible Outcomes**

- Uphold Termination.
- Reinstate with 6-month probation: Any further breach results in immediate termination with no further appeal.
- Reinstate without probation.

### **4.4 Final Decision**

- The panel's decision is final.
- If probation is granted, a follow-up review will determine compliance.

## **5. Record Keeping**

- All correspondence, decisions, and appeal outcomes will be documented.
- Minutes of appeal hearings will be shared with the tenant and recorded at the next committee meeting.