



## Highley Parish Council – Allotment Eviction Procedure

### 1. Purpose

This procedure sets out the steps Highley Parish Council (HPC) will take when a tenant fails to maintain their allotment plot in accordance with the Tenancy Agreement and the Allotments Acts 1908–1950. It ensures a fair, transparent, and consistent approach to enforcement and eviction.

### 2. Routine Inspections

HPC will carry out **two formal site inspections per year**. During each inspection, councillors or authorised officers will:

- Assess each plot against the Tenancy Agreement
- Record any breaches (e.g., long grass, lack of cultivation, unmanaged trees, nuisance)
- Photograph evidence where appropriate

Tenants will be notified of any issues **directly following the inspection**, normally by email.

### 3. Informal Stage – Polite Warning

Where issues are identified, HPC will issue a **polite advisory email** outlining:

- The concerns
- The relevant clauses of the Tenancy Agreement
- A request for improvement within a reasonable timeframe (usually 14 days)

This stage is intended to encourage compliance without formal action.

### 4. Formal Stage – Written Warning (Stage 1)

If no improvement is made, HPC will issue the **Formal Written Warning**

This includes:

- Specific breaches
- Required actions
- A 14-day improvement period
- Notice that failure will lead to escalation

A follow-up inspection will take place after the 14-day period.

### 5. Stage 2 – Final Notice of Intention to Terminate Tenancy

If the tenant has **not carried out any work** or has made **insufficient progress**, HPC will issue a **Final Notice of Intention to Terminate**.

### Content of the Final Notice

- Reference to previous warnings
- Confirmation that no meaningful improvement has been made
- Notice that the tenancy will be terminated under Clauses 11(b) and 12
- A final 7-day period to respond or appeal
- Instructions for returning keys and removing personal property

### 6. Stage 3 – Termination of Tenancy (Eviction Notice)

Below is a ready-to-use eviction notice:

#### NOTICE OF TERMINATION OF ALLOTMENT TENANCY

Dear Tenant,

Despite previous warnings and the opportunity to remedy the issues identified on your allotment plot, no satisfactory improvement has been made. Highley Parish Council is therefore terminating your tenancy under **Clauses 11(b) and 12** of the Allotment Tenancy Agreement.

Your tenancy will end **one month from the date of this notice**.

#### Requirements Before Vacating

You must:

- **Return all allotment keys** to the Parish Council office within 7 days
- **Remove all personal property** (tools, structures, materials, plants you wish to keep) before the tenancy end date
- Leave the plot in a tidy condition, free from rubbish and personal items

Any property left on the plot after the tenancy end date will be treated as **abandoned** and may be disposed of by the Council.

#### Council Action

Following termination, the Council will:

- Re-enter the plot
- Arrange for contractors to **strim, cut back, and clear overgrown vegetation**
- Prepare the plot for re-letting to a new tenant

You will be liable for any **reasonable costs** incurred by the Council in clearing the plot, as permitted under the Tenancy Agreement.

If you believe this notice has been issued in error, you must contact the Council **within 7 days**.

Yours sincerely, **Alison Palmer** Clerk to Highley Parish Council

## 7. Post-Eviction Actions

### 7.1 Re-entry and Clearance

Once the tenancy ends:

- HPC re-enters the plot
- Contractors are instructed to:
  - Strim long grass
  - Cut back overgrown vegetation
  - Remove self-seeded saplings
  - Make the plot safe and accessible

Costs may be recovered from the former tenant where appropriate.

### 7.2 Disposal of Abandoned Property

Any items left behind after the tenancy end date will be:

- Logged and photographed
- Held for 14 days if of value
- Otherwise disposed of or recycled

### 7.3 Re-letting the Plot

Once cleared, the plot will be:

- Added to the list of available plots
- Offered to the next person on the waiting list
- Issued with a new Tenancy Agreement

## 8. Record Keeping

HPC will maintain:

- Inspection reports
- Photographs
- Copies of all correspondence
- Dates of warnings and notices
- Contractor invoices

This ensures transparency and protects the Council in the event of dispute.

## 9. Summary Flowchart

1. **Inspection** → Issues identified
2. **Polite Email Warning**
3. **Formal Written Warning (14 days)**
4. **Final Notice of Intention to Terminate (7 days)**
5. **Eviction Notice (1 month)**
6. **Return keys + remove property**

- 7. Council re-enters plot**
- 8. Contractor clearance**
- 9. Re-let to new tenant**