

SOUTH DUBLIN COUNTY COUNCIL ALLOTMENTS

Schedule of Terms and Conditions of Letting 2019

The Letting of an allotment is subject to the following conditions. Failure to comply with any of these terms and conditions may result in the termination of your Agreement.

1) Allocation of Vacant Allotments

Applicants who wish to register for an allotment must complete an application form available from South Dublin County Council, on (01) 414 9000

Form may also be downloaded from

<https://www.sdcc.ie/en/services/sport-and-recreation/allotments/>

All new plots shall be allocated by South Dublin County Council in accordance with our waiting lists.

Requests from persons residing outside the administrative area of South Dublin County shall not be considered.

Existing allotment holders will be given first preference if they wish to relocate from one allotment to another.

You may permit people onto your allotment plot and/or to help you to cultivate your allotment. However, you must not-

- Transfer your agreement to any other person,
- Sub-let or otherwise part with possession of or pass on your allotment (or any part of it) to anybody else,
- In any way, charge others for permission to use your allotment (or any part of it),
- You are responsible for the conduct and activities of persons you allow onto the allotment.

2) Rent

A new Agreement shall be entered into annually covering the period 1st January to 30th November and full payment for term of the agreement is payable in January.

3) Keys/Fob

When an allotment is let, the new allotment holder shall pay a key deposit of €50 to the Council for a key/fob to the allotment facility. This deposit will be refunded when the allotment key is handed back.

Key/fob deposits are non-refundable unless and until the allotment is returned to the council in a satisfactory condition upon termination of the Agreement.

A fee of €20 will be charged for replacement of any keys/fobs lost. For security purposes only one key/fob per allotment plot will be allocated.

The Council reserves the right to change the locks, keys & fobs as required and to vary the amount of deposit/fee in relation to increased costs.

Keys/fobs must be returned to the Council upon termination of the Agreement.

Keys to the allotment facility must not be given to anyone else to use, and the allotment holder is responsible for ensuring the gate is locked after entering and leaving the facility.

4) Inspections

The Council may carry out monthly inspections and photograph each of the allotment sites.

If it is found that the plot allocated to you has not been worked in accordance with the schedule of terms and conditions, to a minimum of 75%, a warning letter will be issued to the plot holder referencing issues of concern which must be addressed prior to inspection in the following month.

The plot will be re-inspected 4 weeks from the date of the warning letter.

Where it is found that the issues of concern have not been addressed to the satisfaction of the council the plot shall be taken back and the Agreement terminated. There will be no refund of fees paid.

5) Termination of Agreement

The allotment Agreement is for a period of eleven months commencing on 1st January each year.

You may terminate your Agreement by completing and signing a Surrender Form. The key should be returned to the Council on termination of your Agreement.

The allotment holder shall be responsible for the removal of all waste matter relating to fences, gates, and crops from the allotment at the termination of the Agreement.

The allotment holder shall be responsible for the removal of any structures erected on the site.

6) Use of the Land

The allotment is rented to the allotment holder for the purpose of recreational gardening and/or the cultivation of herbs, flowers, fruit and vegetable crops for consumption by the allotment holder and his/her family and for no other purpose.

The allotment holder shall not use the allotment for residential or commercial purposes.

7) Cultivation

Allotments must be kept free from weeds and shall not cause a nuisance to adjoining allotment plots.

A minimum of 75% of the allotment must be cultivated.

“Cultivated” means the Allotment must have the soil turned, plants growing (these include vegetable or fruit crops, flowers, herbs etc.) and be free from weeds.

8) Weed Control

It is the allotment holder’s responsibility to keep the plot free from weeds that may cause a nuisance to adjoining allotment plots.

The use of cardboard, tyres or plastic covering on a plot for any purpose is strictly prohibited.

9) Use of Herbicides and Pesticides

The allotment holder is encouraged to minimise usage of herbicides and pesticides within the allotment site. Specifically, the allotment holder is not permitted to use any herbicides that are classified as residual in their activity.

It is the view of the Council that the minimum use of herbicides and pesticides should be the guiding principle in maintaining your allotment site.

The allotment holder must comply with manufacturer's recommendations in the use of any chemical herbicide or pesticide and take all necessary safety precautions to ensure that other allotment holders and their crops are not exposed to the effects of chemicals used.

10) Nuisance

The allotment holder shall not cause nuisance or use abusive language to Council representatives; to the occupier of any other allotment plot; to occupiers of neighbouring properties/land.

The allotment holder shall not obstruct any path or access route on the allotment site.

Any allotment holder, or any person being a guest of that allotment holder, found removing produce or other items from another allotment holder's plot without their consent, or from a vacant plot without the consent of the Council, may have their Agreement terminated immediately and may also face prosecution. The allotment holder will be held responsible for the behaviour of a guest(s) and their health and safety.

The allotment holder shall comply with any relevant Health and Safety Regulations and exercise a duty of care towards themselves, other allotment holders, and the general public.

11) Waste Disposal/Dumping/Fires

South Dublin County Council does not permit dumping (including the dumping of green waste) in, on, or around the allotment facilities. Anyone found dumping will be fined/prosecuted and their Agreement terminated with immediate effect.

Bonfires are not permitted at any time on the allotment site.

12) Composting

The allotment holder may use a secure plastic compost bin on the allotment plot, provided that the compost bin is placed in such a way as to prevent access by rodents.

In the case where an allotment holder does not wish to use a plastic compost unit, the Council will allow the use of open units but only subject to the units being fully enclosed, bottom and sides with a minimum of mild steel galvanised mesh chicken wire, 13 x 13mm, wire diameter 1mm.

13) Planting Restrictions

The planting of trees of any description is prohibited. This sub-clause shall not prevent the allotment holder from planting domestic fruit bushes.

The allotment holder shall not grow any plants, weeds or otherwise, as specified and prohibited by Irish and European laws.

14) Water

Sprinklers are prohibited. Hand held hose pipes may be used to water plots directly if hand held or to fill water butts provided this does not prevent other allotment holders access water supplies.

No illegal connections to the water supply will be tolerated.

Water supplies will be turned off in the winter months – November to February inclusive, and shall only be turned on by the Council.

The allotment holder shall comply with any restrictions relating to the use of the on-site water supply as may be deemed necessary by the Council or Irish Water from time to time and during periods of water shortage.

The allotment holder shall ensure that water butts and other water receptacles are securely covered when not in use.

Leaking taps should be reported immediately to the Council.

The water supply is only to be used to water your allotment.

15) Vermin

Allotment holders should maintain new allotments in a manner which will discourage vermin by depriving them of nesting sites and food sources.

The following practices must be adhered to:

- a. Harvesting of ripe fruit and vegetables promptly and their removal from the allotment as soon as possible.
- b. The prompt removal of discarded fruit or vegetables from the ground.
- c. Removal of food or drink from the allotment site.
- d. Ensuring the allotment plots are clean and tidy to eliminate cover e.g. free of long grass, weeds, crates, plastic containers, etc.

If there is an issue regarding vermin at any allotment facility, it should be referred directly to South Dublin County Council.

At no time should a plot holder lay poison on the allotment site.

16) Animals

Dogs, with the exception of guide dogs, must not be brought on to allotments or any part of the site unless they are kept on a lead within the owner's allotment.

Animals, livestock and poultry shall not be kept on Allotments.

Beehives are not allowed within the Allotments.

17) Allotment Numbering

The allotment holder shall ensure that the plot number is clearly displayed on the allotment plot assigned to him/ her. No other notice or advertisement other than the plot number is permitted.

18) Boundaries

The allotment holder will be responsible for the maintenance of all boundaries of their plot. This includes the maintenance of hedges and fencing. The Council will provide stakes and fencing for new allotment sites. However, the future maintenance of these materials is the responsibility of the allotment holder.

19) Sheds, Building and Structures

Allotment holders are not permitted to erect structures on the allotment site without the prior written permission of the Council.

Request for the erection of a structure shall include a drawing of the allotment plot showing proposed placement position of the structure; (sheds, recommended towards the rear of the site) the dimensions and materials to be used. The Council reserves the right to request additional information in support of an application.

Where consent has been given by the Council for the erection of a shed, the sheds shall be constructed in accordance with the specifications as set out by the Council in the structures guidelines below.

No trade or business may be carried out from sheds, greenhouses or tool lockers.

Petrol, oil, fuel lubricants or other flammable liquids must not be stored in the allotment, shed, greenhouse, tool locker or polytunnel.

The Council shall not be liable for any damage caused to a shed or allotment during the erection of a shed.

Glass constructed structures are not permitted.

The Council shall not be liable for loss of, damage to, whether by accident, fire, theft or otherwise, any shed, tools or contents in the shed, greenhouse, tool locker or polytunnel.

The Council shall not be obliged to replace or repair any private shed, greenhouse, tool locker or polytunnel which is destroyed or damaged.

The allotment holders shall insure their allotment, any structure placed on the allotment and the contents of any structure, under their own insurance policy.

20) Use of On-Site Storage Facility

An on-site facility is provided at Friarstown, Tymon Park and Corkagh Park, for allotment holders to store tools and equipment necessary for the cultivation and maintenance of the allotment plot. Allotment holders are provided with a key to this storage unit and are responsible for its security. The allotment holder shall ensure the storage unit is locked when not in use and before leaving the site.

The Council cannot be held responsible for any damage or loss to tools stored in these facilities.

21) Structural Alterations

The allotment holder shall not remove any existing or future hedges, fences, walls or boundary marks at the allotment facility.

The allotment holder shall not use any barbed wire for any purpose on the allotment site.

The allotment holder shall not without the previous consent of the Council cut, prune or remove any timber or other trees.

The allotment holder shall not take, sell or remove any mineral, sand or clay or permit any other person to do so.

22) Driving & Parking

The allotment holder shall access the allotment sites with a vehicle and trailer solely for the purposes of loading or unloading. At all other times, the allotment holder should use the parking area adjacent to the allotments or any nearby public car park.

The allotment holders in Corkagh Park and Tymon Park should exercise due care and attention when driving through the Park and comply with speed restrictions posted and with the Council Parks Bye Laws.

23) Access to Allotment Sites

Corkagh Park and Tymon Park Allotments:

The allotment holder is permitted to access the allotment site during official Park opening hours only. These parks are open at 10.00 am each day throughout the year, (excluding Christmas day).

The closing times vary with the season and are as follows:

November, December and January	5.00pm
February and March	6.00pm
April and October	7.00pm
May and September	8.00pm
June, July and August	9.00pm

Please note that the car parks may close half an hour earlier than the official time.

The allotment holder must leave the allotment site and car park area when requested by the Council official on duty to facilitate closing of the Park.

Mill Lane & Friarstown Allotments:

The allotment holder is permitted to access the allotment site during daylight hours, always being aware of personal safety.

24) General Conditions

Any duly authorised officer of the Council shall be entitled at any time to enter upon and inspect the allotment facility.

The allotment holder shall inform the Council of any change to the allotment holder's address.

The Council reserves the right to alter, change or add any further conditions as it is deemed appropriate.

While the Council will endeavor to ensure fairness and equality for all plot holders within the site, the Council's decision in relation to any of the above conditions is absolute.

APPENDIX

Structures – permission, conditions and guidance

Structures, including sheds, polytunnels and glasshouses will be permitted on allotment sites subject to the following conditions:

- Permission for the structure must be applied for in writing to South Dublin County Council and approved by the Council.
- The proposed structure to be installed can be a proprietary one purchased from a suitable supplier or one to be constructed by the allotment holder.
- Your application for permission to install or construct a structure must be accompanied by a specification of the proposed structure, including dimensions and a sketch.
- Permission must be granted by South Dublin County Council before the installation or erection of the structure commences.
- Structures must be placed at an appropriate edge of the allotment and in such a way as neither to interfere with boundaries or access nor to cause a nuisance or annoyance to other users of the allotment site.
- Any structure erected on an allotment during the rental period must on termination of the rental agreement be removed.
- The Council reserves the right to request additional information in support of an application.

SHEDS – Subject to the Above Conditions

- Structures of any size up to a maximum length and breadth dimension of **1.8m x 1.8m** will be permissible. The maximum height allowable is **2.5m**.
- Each shed must have an A shaped roof or a single sloped roof. Each sloped roof must have a collecting gutter for rainwater and each shed must have a rainwater barrel of a minimum capacity of 100 litres to collect water for use in the allotment plot. It would be advisable to install a much larger capacity barrel.
- The shed should be placed on a level hard core base. No concrete base will be allowed.
- The shed can be constructed of metal or timber, no glass material is permitted
- Sheds can have Green Roofs (that is, a roof planted with a thin layer of plant and substrate that is not dependent on a constant supply of water).

POLYTUNNELS- Subject to the Conditions Outlined Above

- A polytunnel can be up to **50%** of the area of the allotment plot to a maximum of 10 meters x 5 meters.
- A polytunnel must be cylindrical in shape and its maximum height at the center must be no higher than **2.5m**.
- A polytunnel must be a proprietary one purchased from a suitable supplier.

Please note: **Friarstown Allotment site in particular is subject to high winds and the sheds may need to be weighted down.** The advice of a supplier should be sought on this.