

BIDFORD ON AVON PARISH COUNCIL

In the County of Warwickshire



MEMORANDUM OF UNDERSTANDING

Between

BIDFORD ON AVON PARISH COUNCIL

And

BIDFORD ALLOTMENT ASSOCIATION

Bidford on Avon Parish Council (BoAPC) hereby agrees to authorize Bidford Allotment Association (BAA) to manage the Riverside Allotments, Salford Road, Bidford-on-Avon including:

- 1.** Allocation of plots:
 - i.** Number
 - ii.** Size
 - iii.** Annual tenancy fee
 - iv.** Allocation of the plots with the proviso that they should be residents of the parish
- 2.** Raising and issuing the Tenancy Agreement: wording, and any amendments, to be approved by a majority of attending tenants at the AGM.
- 3.** Keep a record of the plots and the tenants of each plot
- 4.** Collect the rent twice a year (April and October) and deposit this in the BoAPC bank account, advising the clerk
- 5.** Ensure plots are well maintained and used for the purposes as set out in the Small Holdings and Allotments Act 1901 and other, subsequent, legislation.
- 6.** Regularly inspect the plots, accompanied by the Allotment BoAPC representative (Member of the Facilities WG) and bring to the attention of the tenant any issues of concern and

- i. To agree with the tenant what requires to be done to address the concerns raised
 - ii. Time period for these to be carried out
 - iii. In the event the tenant has difficulties in carrying out the required work within the time, the tenant shall contact the BAA and ask for a review. In the event the BAA Committee, after discussion with the tenant, do not agree to any changes or extensions, the BAA shall officially write to the tenant, with a copy to the Clerk, advising of the decision taken and giving a one-month extension after which, if no, or insufficient, progress has been done, the BAA shall write to the tenant, with a copy to the Clerk, giving a one-month Notice to Vacate the plot and leave it ready for the next tenant.
 - iv. On receipt of the Notice to Vacate the plot, the tenant may request the Clerk, acting on behalf of BoAPC as its Proper Officer, to arbitrate and decide whether the BAA Committee has acted reasonably.
 - v. In the event the tenant does not leave the plot following the Notice to Vacate, or leaves it not fit for the next tenant, the BAA may request the Clerk, acting on behalf of BoAPC as its Proper Officer, to arbitrate in its position as Landlord.
7. It should be noted by the BAA and tenants that the BoAPC will only act as arbitrator in the case of a dispute between the BAA and a tenant and only if it deems, having read all correspondence, that either party is acting unreasonably.
The intention of this Memorandum of Understanding is for the BAA to manage the allotments, as stated in points 1 to 6, with the BoAPC acting as Landlord and Arbitrator as last recourse.

January 2022

Signed on behalf of BoAPC



Clerk to the Parish Council

Signed on behalf of BAA



Chairman of BAA