



Andover Town Council

To **consider** a request from Barlows Lane Tenants

Item
No.
6

Produced for: Allotments Committee

By: Town Clerk

Date of Report: 10 Apr 2024

Background:

The current Rules and Regulations state:

- 3.1. **Annual Rent and Tenancy Agreement** 3.1.1. To pay the Annual Rent for an Allotment Plot in full in one annual payment, within 28 days of receipt of an invoice from the Council in accordance with the Tenancy Agreement.
- 3.1.2. Refunds of Annual Rent will not be offered under any circumstances.
- 3.1.3. The Council reserves the right to amend the amount of rent payable.
- 3.1.4. Notice of any change to the rent or Tenancy Agreement will be given before the 6th April or after 29th September.
- 3.1.5. Occupancy of the Allotment Plot will only be permitted once payment has been received and Tenancy Agreement signed.

The Allotment Officer has been asked if it is possible to refund a pro-rata portion of the rental fee to the surviving spouse after a tenant has passed away.

The plot was surrendered immediately after the death, and was left in a good condition. It was able to be rented out to a new tenant without much delay.

Proposer: Cllr

Seconder: Cllr

Proposal:

To **approve** an amendment to the rules and regulations as per below:

- 3.1. **Annual Rent and Tenancy Agreement** 3.1.1. To pay the Annual Rent for an Allotment Plot in full in one annual payment, within 28 days of receipt of an invoice from the Council in accordance with the Tenancy Agreement.
- 3.1.2. Refunds of Annual Rent (or pro-rated portions thereof) will only be offered in the following circumstances:
 - 3.1.2.1 A Tenant has died, and all the following are also true:

3.1.2.1.1 The tenancy was either solely held by the tenant, or jointly held with a spouse who wishes to surrender the plot immediately following the death.

3.1.2.1.2 The plot, buildings and other items have been left in an acceptable condition as required by other parts of these rules and regulations at the date that the Council are notified of the death and the wish to surrender the tenancy.

3.1.2.1.3 Any pro-rated rent calculation for the remainder of the tenancy year is greater than £10.00.

3.1.3. The Council reserves the right to amend the amount of rent payable.

3.1.4. Notice of any change to the rent or Tenancy Agreement will be given before the 6th April or after 29th September.

3.1.5. Occupancy of the Allotment Plot will only be permitted once payment has been received and Tenancy Agreement signed.

Considerations:

All other parts of the Rules and Regulations must be complied with in order to benefit from a pro-rata refund.