

Henleys Allotments Tenancy Agreement Review: Summary of Key Changes: 2026 Agreement vs Proposed 2027 Agreement

This document summarises the key differences between the existing tenancy agreement and the proposed revised agreement for implementation from 1 January 2027. The aim of the review is to modernise the agreement, improve clarity, strengthen enforcement provisions, support environmental sustainability and address issues that have arisen during site management.

	Current Agreement (2026)	Proposed Agreement (2027)	Reason for Change
1. Overall Structure	• Separate tenancy agreement, allotment rules and incineration guidance. • Repetition between sections. • Some provisions unclear or difficult to enforce. • Limited provisions relating to health and safety, environmental management and commercial activity.	• Streamlined document with clear sections. • Responsibilities grouped into logical subject areas. • Easier for tenants to understand. • Easier for Council officers to administer and enforce consistently.	
2. Commercial Activity	States: "The use of an Allotment or any part thereof for trade or business purposes is strictly prohibited."	Expands and clarifies the position: • Prohibits trade, business and commercial activity. • Prohibits receiving payment for cultivating or maintaining allotment plots. • Prohibits engaging commercial operators to manage plots without Council consent. • Allows voluntary assistance from family, friends and fellow plot holders.	To address recent instances of paid watering and maintenance services being offered on-site and to protect the principle of personal cultivation.
3. Water Management	• Sprinklers prohibited. • Siphoning from water troughs prohibited.	Introduces an entirely new water management section: • Requires responsible use of water.	To support water conservation and

and Sustainability		• Requires tenants to have appropriate rainwater collection facilities where reasonably practicable. • Requires rainwater harvesting from roofed structures. • Requires guttering and collection systems on new structures. • Requires existing structures to comply by 31 December 2028. • Allows the Council to introduce water restrictions when necessary. • Continues prohibition of hoses and sprinklers.	improve environmental sustainability.
4. Cultivation Standards	Requires: "at least two-thirds of the plot remain cultivated at all times"	Adds: • Remaining area to be maintained and tidy. • Regular attendance by tenants. • Prevention of neglect, abandonment and overgrowth.	Provides clearer standards and assists enforcement against neglected plots.
5. Environmental Responsibilities	Contains some wildlife-friendly guidance and restrictions on weed control.	Adds: • General environmental responsibility. • Water conservation requirements. • Prohibition of invasive non-native species. • Encouragement to minimise chemical use.	Reflects current environmental expectations and best practice.
6. Health and Safety	Contains limited health and safety provisions.	• Safe conduct. • Harassment and abusive behaviour. • Criminal damage. • Site security breaches. • Hazardous materials. • Asbestos. • Fuel storage and contaminated materials.	Improves protection of tenants, visitors and the Council.
7. Structures	• Prior consent required. • Size restrictions apply.	Retains these requirements and adds: • Explicit power to remove unsafe structures.	Improves safety and consistency of

		- Requirement for structures to comply with Council specifications. - Links new structures to rainwater harvesting requirements.	structures across the site.
8. Trees and Planting	- Restrictions on trees. - Height limit of 2 metres.	Retains existing restrictions and adds: Prohibition of invasive non-native species.	
9. Waste and Burning	Burning prohibited 1 May to 30 August	Burning prohibited 1 May to 31 August Adds that this can be extended in times of extreme hot/wet weather.	Removes ambiguity and improves enforceability.
10. Inspections	Allows officers or nominees to inspect allotments at any time.	Provides for inspection "at reasonable times" and clarifies inspection powers. Adds authority for reasonable investigative inspections where waste burial is suspected	Provides a clearer and more proportionate inspection power.
11. Enforcement Process	Provides termination powers but no staged enforcement approach.	Introduces a clear process: 1. Informal advice. 2. Written warning. 3. Final warning. 4. Termination. While retaining the ability to act immediately in serious cases.	Provides transparency, consistency and fairness.
12. Plot Handover Requirements	Maintenance deposit referenced but plot return standards are not clearly defined.	Specifies that departing tenants must: - Remove rubbish. - Remove personal possessions. - Remove unauthorised structures. - Leave the plot in a cultivatable condition. Failure may result in retention of the maintenance deposit.	Provides a clear basis for decisions relating to maintenance deposit refunds.

13. Liability	No specific limitation of Council liability identified.	Introduces: • Occupation at tenant's own risk. Council liability limited to situations arising through the Council's negligence.	Protects the Council from unnecessary liability exposure.
14. Termination Provisions	• Includes one-mile residency rule. • Includes pro-rata rent refund provision. • Contains several overlapping termination clauses.	Simplifies termination arrangements and removes: • Complex and duplicated termination wording.	Creates a clearer and more practical termination process.

Key New Measures Introduced

The proposed agreement introduces the following provisions which do not currently exist:

- Water butt requirement.
- Mandatory rainwater harvesting.
- Explicit prohibition on paid allotment maintenance services.
- Prevention of commercial cultivation.
- Environmental management obligations.
- Invasive species controls.
- Hazardous materials restrictions.
- Anti-harassment and conduct provisions.
- Formal warning and enforcement process.
- Liability clause.
- Defined plot handover standards.
- Investigative inspection powers where buried waste is suspected.
- Council discretion to extend burning restrictions during periods of extreme weather or elevated fire risk.

Financial Implications

No significant financial implications are anticipated. Existing arrangements for rent, key deposits and maintenance deposits remain unchanged.