



# Milnathort and Kinross Allotment Association (MKAA) Rules Version 5

SCIO No. SC044354

## Introduction

The following rules apply to all members of Milnathort and Kinross Allotment Association (MKAA) and are intended to clarify responsibilities, and help to deliver a safe, healthy and rewarding experience for all members. These rules help the MKAA manage the site for the benefit of the environment and all members, plot holders and visitors in a fair and transparent way.

### 1. Health and Safety

- 1.1. Plot holders have a duty of care to all members and visitors on the site. Plot holders are responsible for: -
  - 1.1.1. Their own safety and behaviour, and that of their own children and any visitors.
  - 1.1.2. The general maintenance of their plots and the site.
  - 1.1.3. Removal of rubbish and keeping their plot and the site tidy and free of rubbish.
- 1.2. Barbed wire, razor wire or similar is not allowed on any plot or on the site.
- 1.3. Plot holders should ensure that their plot, associated accesses, and the site are free from hazards as far as is reasonably practicable. Hazards could be hidden in undergrowth and may include sharp edges, broken glass, exposed nails, improperly stored or discarded tools, and improperly stored dangerous materials such as those in 1.4.
- 1.4. Plot holders must follow the manufacturers' guidelines about storage, usage and disposal of hazardous materials such as glass, pesticides, fertilisers, preservatives, oil, and fuel. These must be securely stored in the proper containers, and away from reach by children.
- 1.5. Asbestos, used tyres, creosote and vermin poisons are not allowed on site.
- 1.6. The use of carpets, astroturf, artificial grass, or rubber as weed suppressant / covering compost or material heaps is not allowed, this is due to the chemical content and the non-biodegradable nature of such items.
- 1.7. Growing plants which are regarded as non-native invasive species is not allowed e.g. Japanese Knotweed or Giant Hogweed.
- 1.8. Members should ensure that the site access gates are kept closed, both to prevent animals getting in, and children getting out. The site vehicle gate is locked and the pedestrian one is unlocked.

### 2. Plot Use and Management

- 2.1. The prime purpose of each allotment plot is the cultivation of fruit, vegetables, herbs or flowers for the member's own consumption, or for the benefit of the community (for example, allotment events, village fete, community gardens, charity).
- 2.2. You must cultivate at least 60% of your plot (by this we mean preparing the ground, planting, growing and harvesting crops/flowers). The rest can be used for paths, buildings, storage areas, which must also be kept in good order and maintained and free from weeds setting seed.



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Plot	Area to be cultivated	Plot	Area to be cultivated
50 sqm (m <sup>2</sup> )	30 sqm (m <sup>2</sup> )	100 sqm (m <sup>2</sup> )	60 sqm (m <sup>2</sup> )
70 sqm (m <sup>2</sup> )	42 sqm (m <sup>2</sup> )	200 sqm (m <sup>2</sup> )	120 sqm (m <sup>2</sup> )

- 2.3. Glass houses, poly-tunnels and fruit cages, if cultivated and maintained, are included within the cultivated area, as are compost bins, water butts and ornamental flower crops.
- 2.4. Plot holders should follow organic principles of pest and weed control. Organic products from the MKAA approved lists may be used with justification. The MKAA list is not exhaustive and may be reviewed at any time. Requests for the addition of any products to the list should be made in writing and sent to the secretary for consideration by the Board. Requests should include details of the product(s) and a justification for inclusion in the MKAA approved list.
- 2.5. Please remove all non-compostable materials no longer needed from the site. Plot holders should compost any compostable material on their own plot or remove it from the site before it starts to decompose. There are no communal composting facilities provided on site.
- 2.6. No fires should be lit within the site.
- 2.7. Plots must be kept in good order and maintained so as not to cause a nuisance to other plot holders. Good order will be assessed typically three times per year, by a team of a minimum of three people (one Board member plus two other members) using the following guidance that:
- 2.7.1. The plot is free of weeds that cause a nuisance to adjoining plots, roads, or pathways.
- 2.7.2. Weed seed heads are removed before the seed has set.
- 2.7.3. Long grass or detritus that may harbour pests have been removed.
- 2.7.4. Invasive weeds which spread through root extensions (e.g., couch grass and ground elder) or from runners (e.g., brambles) are controlled and minimised.
- 2.7.5. Weed suppressants such as membranes are to be permeable to allow free drainage. Plastic sheeting, panels or corrugated sheeting are not allowed.
- 2.7.6. Plots which have a sizeable proportion (35%) of the cultivated ground covered with weed suppressant for prolonged periods (> four months) will be considered as non-cultivated.
- 2.7.7. The use of pallets or large objects to weigh down weed control fabric is not allowed. Suitable fabric pegs, bricks, or wooden planks should be used.
- 2.8. If a plot is assessed as not being in good order, the Board will discuss the problem with the plot holder. A plan will be agreed and documented in writing between the plot holder and the Board, and the problem must be resolved within 28 days. If any problem occurs again in any six month period, without notification to the Board of extenuating circumstances, 14 days written notice to end the tenancy will be issued in writing.



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2.9. The location of any buildings and structures must be agreed with the Board before it is erected. No permanent footings or bases may be constructed. No structure to be more than 2.4m (8ft) high. Any shed is to be used for the storage of tools and materials. All chemical and inflammable materials must be stored in a locked cabinet in the shed. Any greenhouse or polytunnel is to be used primarily for the purposes of the cultivation of plants, but may be used to store tools and materials such as canes, pots, tools etc.

Plot	Buildings	Size
50 sqm (m <sup>2</sup> )	No sheds or glass houses are to be erected	
70 sqm (m <sup>2</sup> )	Either a shed or greenhouse	3 sqm (m <sup>2</sup> )
100 sqm (m <sup>2</sup> )	one shed and one greenhouse/poly tunnel	6 sqm (m <sup>2</sup> ) in total
200 sqm (m <sup>2</sup> )	one shed and one greenhouse/poly tunnel	12 sqm (m <sup>2</sup> ) in total

2.10. Plot holders are allowed to plant apple and/or pear trees on plots within the following conditions: No other trees are allowed, and bushes should not exceed 1.5m in height.

2.10.1. The rootstock must be known and available to check.

2.10.2. For apples, the rootstock must be dwarfing M26, M27 (trained or untrained trees) or MM106 (only for trained trees).

2.10.3. For pears, the rootstock must be Quince C (for trained or untrained trees) or Quince A (only for trained trees)

2.10.4. Trees must be planted at least one metre from the edge of the plots where they border another plot.

Plot	Trees - subject to criteria in 2.9 above
50 sqm (m <sup>2</sup> )	No trees are allowed
70 sqm (m <sup>2</sup> )	One tree allowed
100 sqm (m <sup>2</sup> )	Two trained (cordon/espalier/fan/stepover) trees are allowed
200 sqm (m <sup>2</sup> )	Four (one standard or bush and three trained)

### 3. Site Use and Management

3.1. Unless the plot holder is registered disabled, cars and vehicles must not be parked on the site.

Cars and other vehicles can be parked in the adjacent car park.

3.2. Cars and other vehicles may be used to transport heavy items to and from the site. The speed limit on the site is five mph.

3.3. Dogs may be brought on site but must be always kept on a lead and must not be allowed to become a nuisance to other members. Any fouling must be bagged and binned off site by the person in charge of the dog.

3.4. Members must not trespass or cause damage to other member's plots or crops. Members must not take other member's crops without that member's prior permission.

3.5. Children (under age 16) must be always supervised by a member or a responsible adult.

3.6. Water supply on site is limited to captured water. Plot holders should capture water from your structures where possible. The water in IBC's next to the storage containers are only for the use in the poly tunnel, starter plots and community garden and raised beds.



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### 4. Tenancy

- 4.1. Annual rentals shall be set by the Board, agreed at the AGM and sent to individual plot holders by 31st December. Plot rental is due by the next January 31st. Non-payment after this date ends the plot holder's tenancy.
- 4.2. Changes of address, email address or contact numbers must be notified to the MKAA Secretary in writing.
- 4.3. A tenancy will be in the name of a single person (plot holder) or recognised body (e.g. a community group with a named individual as a contact). The plot holder shall not grow produce for any monetary gain, or run any form of business, from the site.
- 4.4. Plot holders must manage the whole of the allotment plot personally and not sublet, assign, exchange or part with the possession of the allotment plot or any part of it.
- 4.5. Plot holders may co-work the plot with(an)other individual(s) or family member(s). Plot holders must inform the Board in writing of any individual or family member who co-works the plot. After notification, this individual will be referred to as the co-worker of the named plot.
- 4.6. On starting a new tenancy, at least 35% of the plot must be cultivated within three months and at least 60% of the plot must be cultivated within six months from the start of the tenancy.
- 4.7. Plot holders are responsible for the safety and maintenance of any structure on their plot, as well as boundary fences and gates surrounding their plot. Members are not allowed to plant boundary hedges without the explicit approval of the Board. Request and approval must be in writing.
- 4.8. Failure to adhere to the Equality Act 2010 may result in termination of any lease. This legislation applies to everyone, both in the public and private sector. It states that people are protected from discrimination based on the following protected characteristics: Age, Disability, Gender, Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.
- 4.9. The plot holder is responsible for the safekeeping of any objects or materials (including tools, machinery, equipment, goods, plants, fertilisers, and compost) which they keep or bring onto the Site.
- 4.10. The MKAA cannot be held responsible and accepts no liability in respect of any vandalism, damage, loss and/or theft of any item or structure placed on the allotment plot/site, or for any damage or loss caused by acts that are beyond their reasonable control. Plot holders should consider taking out their own insurance cover.
- 4.11. Plot holders are responsible for the removal of any building or structure on their plot on or before termination of their lease (howsoever this arises). Alternatively, the outgoing plot holder may reach a suitable agreement with the incoming plot holder to transfer the structure



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to them. The incoming plot holder may also reimburse the outgoing plot holder a fee agreeable to both parties. The MKAA will not get involved in these transactions or any issues they may create.

- 4.12. Poultry and Bees may be kept on the site with the written permission of the Board and within the limits of the lease. Poultry must be kept clean and healthy and be contained in a properly constructed and suitable unit agreed with the Board. The plot holder must ensure their poultry is looked after and checked daily.
- 4.13. All plot holders are provided with access codes for the keys to the tool store and are encouraged to use MKAA tools rather than storing personal tools in the community stores. Should personal tools be stored in the MKAA tool stores, no compensation for any losses or damage will be given. All tools should be cleaned after use, and sanitiser (supplied by MKAA and stored in the tool store) should be used when necessary.
- 4.14. Members must contribute to the maintenance and upkeep of the site outwith their own plot by attending a minimum of **three** workdays per year. Regular member workdays will be arranged by the Board to facilitate this. Members may be able to undertake maintenance work outwith workdays and notify the Board of the hours completed. Any work done outwith workdays must be from the agreed worklist communicated by the Board. Three hours of work can be completed in place of **only one** of the workdays. The Board does not guarantee the availability of suitable non workday activities. Failure to follow this rule could result in a member being unable to renew their tenancy in the following year.
- 4.15. Plot holders wishing to end their tenancy must give the Board one month notice in writing. The tenancy of any plot shall, unless otherwise agreed in writing, end three months after the death of a plot holder. Rents maybe refunded on a pro rata basis, if requested and agreed by the board in the following circumstances:
- 4.15.1. Hardship or bereavement.
- 4.15.2. The plot is well kept and can be occupied and used immediately by a new plot holder.
- 4.16. All tenancies will end if the MKAA ceases to lease the allotment ground from the landlord or lose the right to occupation of the site.
- 4.17. Any plot that becomes vacant will be offered to the first name on the waiting list. A co-worker may assume a tenancy of a plot of they have been a named co-worker of said plot for a minimum of two years.
- 4.18. Any complaints or disputes should be made in writing to the MKAA Secretary, who must report it at the next Board meeting. The Board's decision in such cases is final.



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4.19. The Board has the right to amend these rules should the need arise from time to time. The Board will review the operation of the Rules on an annual basis. The Board will inform all members of any change to the Rules.

## Definition of Terms Used

<b>Allotment Plot (or “plot”)</b>	A single area of land designated as an allotment plot by the MKAA Board within the Allotment Site
<b>Allotment Site (or “site”)</b>	The area of land leased by the MKAA and consisting of allotment plots and including other land that may be used by plot holders in connection with the use of their allotment plots e.g. roads, paths, community area, storage containers. The site is defined by the site plan which is available on the MKAA website <a href="https://www.milnathortandkinrossallotments.org/plots">https://www.milnathortandkinrossallotments.org/plots</a>
<b>Board</b>	A group of charity trustees for MKAA voted on by the membership at an AGM. The board manages the day to day running of the MKAA in line with the constitution. There must be a chairperson, secretary and Treasurer plus up to five other board members.
<b>Co- Worker</b>	A named member who co-works the plot with the plot holder. The co-worker must be recorded on the plot holder register as per rule 4.5
<b>In Writing</b>	Email or letter to, or from, the MKAA secretary using email <a href="mailto:mkaasecretary@gmail.com">mkaasecretary@gmail.com</a> or letter to, of from, the secretary at 35 Montgomery Way, Kinross, KY13 8FD
<b>Member</b>	An individual aged sixteen or over who has had their application for membership approved by the board and have paid their membership subscription. A full list of active members is kept on the membership register managed by the Board.
<b>MKAA</b>	A Scottish Charitable Incorporated Organisation (SCIO) set up to deliver the purposes laid out in the constitution and manage the affairs of the organisation. It has Members and an elected Board.
<b>MKAA Tools</b>	Tools owned by, and marked as, MKAA property. Listed on MKAA tool inventory.
<b>Plot Holder</b>	The person or recognised body holding the tenancy for a plot.
<b>Starter Plot</b>	A small temporary allotment plot given to members on the waiting list to evaluate their interest and ability to manage an allotment plot



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## Tracking Conversion from superseded V5 October 2019 Rules

Rule	New Location	Comments / Changes
Opening paragraph	<b>Introduction</b>	Minor rewording and flowers included explicitly
1	2.1	Flowers added and wording updates but no change of intent
2	4.3	No change
3	1.1	Layout and wording changes but no change of intent
4	3.3	Wording updates but no change of intent
5	4.13	Wording added on cleaning tools and use of sanitiser
6	deleted	Overarching statement should be covered by rules that are explicit
7	4.14	Events replaced by hours and commitment reduced
8	3.6	Rule amended to make it clear water from IBC is for Poly and Communal areas only.
9	4.1 and 4.2	Rent and communication requirements split
10	2.1- 2.3	Split and made specific with % of plot and guidance added
11	4.4	Cultivate changed to Manage
12	4.5	No change
13	2.10	No Change to intent – layout of wording in table
13a	2.9	No Change to intent – layout of wording in table
14	2.4	No Change
15	Deleted	Covered in 2.4 which applies to everyone
16	4.15	Detail added on rent refunds
17	4.16	No Change
18	4.17	Time period of coworker added
19	2.5	Minor wording change but no change of intent
20	2.9	Minor clean up no change of intent
21	3.1 and 3.2	Sped limit added
22	4.10	Minor wording
23	1.8	Minor wording
24	4.12	No Change
25	14.18	No Change
26	14.19	No Change