



# Sedgefield

## Town Council

# BUTTERWICK AND WINTERTON ALLOTMENTS - RULES AND REGULATIONS



*Passionate* about Sedgefield

north east  
england

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# SEDFIELD TOWN COUNCIL WINTERTON AND BUTTERWICK ALLOTMENTS – RULES AND REGULATIONS

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## **INTRODUCTION:**

**These Butterwick and Winterton Allotments – Rules and Regulations were adopted by the P&R Committee on 8<sup>th</sup> March 2021 and will be reviewed at least annually. The Council reserves the right to amend any of the Allotment Rules and Regulations or fees at any time.**

Sedgefield Town Council's Allotment Rules and Regulations are regulated under the power conferred on the Council by the Allotments Acts 1908 - 1950 and gardens situated on land which is held by the Council for Statutory purposes other than those of the said Act and is for the time being used as Allotment Gardens. The tenancy is subject to the outlined rules made by the Council and to the Allotments Acts 1908 - 1950, so far as the provisions of the latter are applicable thereto.

Although these Regulations are a necessary requirement for the management of Sedgefield Town Council's Butterwick and Winterton Allotments, every effort has been made to avoid restricting the rights and choices of the individual. When preparing these Regulations the rights of the individual and the need to ensure that the grounds are safe and tidy have both been taken into consideration (Health and Safety At Work Act 1974). These Rules and Regulations must be observed at all times in Butterwick and Winterton Allotments.

## **PART ONE: HISTORY OF BUTTERWICK AND WINTERTON ALLOTMENTS**

Sedgefield Town Council oversees 45 plots spanning across two sites. Winterton allotments were established in 2010 when land formerly owned by the NHS was re-established for the community. Winterton is currently home to 24 plots, a mixture of both full and half-plots, as well as toilet and storage facilities. The original allotments at Butterwick Road hold 21 full plots.

In 2007, several allotment holders from Butterwick Allotments came together to create the Sedgefield Allotment Society, whose purpose was to represent local residents in the decision making process to improve and manage the Butterwick Allotment site. The Allotment Society secured grant funding for a number of maintenance projects across the years and installed the storage container unit placed on the Butterwick site. The committee disbanded in 2012 after 5 years.

A Sowers and Growers group was set up at the end of 2014 by plot holders of both Butterwick and Winterton Allotments, along with the Allotment Champion and Environment Committee Chair during the time. The Sowers and Growers group discuss any issues relating to the allotments and potential fund raising opportunities

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to improve the allotment sites. They feed update reports into the Council's Environment Committee.

## **PART TWO: TOWN COUNCIL RESPONSIBILITIES**

The running of Butterwick and Winterton Allotments are overseen by the Council's Environment Committee. The Town Council maintain the perimeter fencing, shed/cabins and any plumbing works.

The Town Council pay the water rates in respect of the Allotment Gardens and this is divided equally amongst all allotment holders on a retrospective basis. The Town Council has no legal obligation to provide this amenity.

The water is turned on at the start of April and switched off at the end of October. These dates are a guideline and may vary depending on frost and the growing season.

## **PART THREE: APPLYING FOR AN ALLOTMENT**

Sedgefield Town Council will grant new Allotment Garden tenancies to people living within the Sedgefield Parish Boundary and who are a minimum of age 18 years. People living outside of the Sedgefield Parish Boundary may be considered where there are no Parish residents awaiting a tenancy.

To be placed on the Allotment waiting list, applicants are required to contact the Town Council to request an application form via one of the following methods:

- **Post:** Sedgefield Town Council, Council Offices, 13 Front Street, Sedgefield, TS21 3AT
- **Email:** [town.clerk@sedgefieldtowncouncil.gov.uk](mailto:town.clerk@sedgefieldtowncouncil.gov.uk)
- **Telephone:** 01740 621273

Applicants living outside of the Sedgefield Parish Boundary may apply for an Allotment Garden, however, will be placed on a separate waiting list that will be considered only when there are no names on the Sedgefield resident list.

Confirmation of the application will be sent via email or post. Once a plot becomes available, the applicant at the top of the waiting list will be contacted and offered the vacant plot. If there is no response within 21 days OR the applicant turns down the allotment, the plot will be offered to the next person on the list. This period may be reduced to 14 days in extreme circumstances e.g. if the plot is vacated during peak

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growing season and a 21 day wait for a response would result in the plot becoming lost and impacting heavily upon neighbouring plots. If the applicant is unable to take on an allotment at the time of the offer, it is possible to remain at the top the list for future consideration.

Once the tenancy offer has been accepted, the Council will supply the prospective tenant with the contract (found in Appendix A) to be signed and returned to the Council with the first payment within 14 days. The contract will then be signed by the Town Clerk and a copy be returned to the new tenant.

All new tenants will be required to pay a £50 deposit when accepting their allotment offer as part of the tenancy process. This deposit will be held by the Town Council and will be returned when the Plot Holder vacates their plot provided it is left in an acceptable manner as determined during the plot inspection. If the plot is not left in an acceptable manner, the deposit will be used towards the removal of any items and the cost of preparing the plot for the next tenant. This will be determined on a case-by-case basis with consideration given to the height and amount of weeds and any abandoned rubbish such as packaging, glass, tyres, wire and wood that do not form part of a fence, raised bed or divider line.

Joint Tenancy's will only be accepted where there is a family relationship or lawfully recognised civil partnership. A Joint Tenancy can only be entered into on a new tenancy. No Joint Tenant to be added after initial entry into the tenancy.

Once a Plot Holder permanently moves out of the Sedgefield Parish Boundary, they may be required to give up the tenancy of their Allotment Garden and apply to the waiting list as a non-Parish resident. Tenants that have moved out of Sedgefield Parish Boundary but remain local may request to keep their plot, however, this will only be granted if they have maintained a high standard of cultivation throughout their tenancy.

The Council reserves the right not to grant an Allotment Garden tenancy where there is evidence of previous plot misuse or a history of enforcement action for such matters as non-payment of rent or cultivation issues.

## **PART FOUR: CHARGES**

The Council agrees to let the Allotment Garden to the Plot Holder at a rent of £45 for a full plot or £35 for a half-plot, per annum. These fees cover the supply of water to the allotments, skip hire and the maintenance of perimeter fences and on-site cabins.

All allotment fees are invoiced in April each year. A Plot Holder who has not paid their rent by the end of April will receive a reminder letter. If by the date stated on the letter, the Plot Holder has not paid their rent, they will receive a tenancy termination notice.

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The Town Council's Finance Working Group review allotment charges annually alongside all council charges in November/December. Any increase due to water rates or inflation will be introduced the following financial year. Plot Holders will be given 3 months' notice of any increase or changes to rent.

## **PART FIVE: DEFINITIONS**

### **Allotment Champion:**

The Allotment Champion is a position held by a volunteer Councillor, usually the Chair of the Environment Committee, whose role is to liaise with council staff and allotment holders to progress issues in relation to the allotments and oversee the general running of the sites. This person does not make decisions on behalf of the Council but does bring issues to the attention of the Town Clerk and Environment Committee.

### **Full Plot and Half-Plot:**

The definition of plot categories were agreed by the Town Council as follows: The area of a full plot is 70sqm or over. Any plot smaller in area is classed as a half-plot. Allotment plots can be split at any time by request of the tenant, however, unless the newly separated plot fulfils the above requirement, it will not be classed as a half-plot.

### **Growing Season:**

The 'growing season' is regarded as the beginning of April to the end of September, although this may vary depending on frosts.

### **Proper Cultivation:**

Plot Holders must keep their plots clean, tidy and in a reasonable state of cultivation and fertility. This is taken to mean the following:

- By the end of the first year, 50% of the plot is either in readiness for growing, well stocked with produce or being prepared for the following season.
- By the end of the second year, 75% of the plot is either in readiness for growing, well stocked with produce or being prepared for the following season.
- The remaining 25% of the allotment at the end of the second year includes paths or areas of storage and are to be kept tidy at all times.

These standards may be relaxed in extreme circumstances (e.g. the covid pandemic) but such action would be clearly communicated by the Town Council directly to allotment plot holders.

The Plot Holder must take all reasonable steps to eradicate weeds and ensure that they do not spread to other plots. The Plot Holder is also responsible for maintaining the half width of any paths / tracks adjacent to the Allotment Garden.

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## **PART SIX: RULES AND REGULATIONS**

### **6.1 CULTIVATION AND RESTRICTIONS**

- 6.1.1 The Plot Holder is required to keep their Allotment Garden cultivated and tidy as per the definition of 'Proper Cultivation' by removing litter, rubbish, and controlling weeds regularly so they do not seed and cause problems for other gardeners.
- 6.1.2 If the Plot Holder cannot manage to cultivate their entire garden, it is acceptable, as a temporary measure for the duration between two growing seasons, to mulch part of it with polythene sheeting or organic mulch to keep the weeds down as long as it is tidy.
- 6.1.3 The Plot Holder shall not use synthetic carpet, or similar as weed suppressant unless they are a recognised and approved garden material. Do not use rubber backed carpet, as the backing may rot down releasing harmful chemicals into the soil and causing pollution.
- 6.1.4 The Plot Holder shall use the Allotment Garden as an allotment and leisure garden for growing flowers, fruit and vegetables and for no other purpose.
- 6.1.5 Plot Holders may grow any kind of vegetables, flowers, soft fruit, herbs or longer-term edible crops. Fruit trees may be planted only if they are of dwarf stock and/or a maximum height of 4 foot tall, and should be sited where they will not create an obstacle or nuisance to others as they grow.
- 6.1.6 The Plot Holder shall not stockpile timber, sheeting or other materials, as they may become a hazard and also a breeding ground for rodents.
- 6.1.7 There shall be no usage, at any time, of genetically modified crops, plants or seeds.
- 6.1.8 There shall be no use of herbicides for weed spraying unless organised with the Town Clerk and Allotment Champion where it is deemed a necessary measure to reclaim a lost plot.
- 6.1.9 Deliveries of manure can be organised through the Allotment Champion and are funded by the allotment holders.
- 6.1.10 Plot Holders are advised to rotate their crops on an annual basis. Crop rotation prevents a build-up of pests and diseases. Clever companion planting can deter pests; a typical example is growing onions near your carrots to confuse the carrot root fly.

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## 6.2 NEIGHBOURING PLOTS

- 6.2.1 The Plot Holder shall not cause, permit or suffer any nuisance or annoyance to the occupier of any other Allotment Garden and keep clean and tidy and in good order the paths adjoining the Allotment Garden.
- 6.2.2 The Plot Holder shall not intentionally cause injury to crops or flowers on another plot holder's garden.
- 6.2.3 The Plot Holder shall not take any produce or materials from another plot holder's garden or another tenant's items stored in the communal cabin without prior permission.

## 6.3 WATER

- 6.3.1 Water is a precious commodity, please use it sparingly and consider other Allotment Gardens when watering your garden. If other tap sharers are waiting, limit watering to half an hour.
- 6.3.2 The Plot Holder shall not leave hoses running when they are not on the allotment site. Never leave hoses running overnight.
- 6.3.3 There is to be no use of sprinklers on site.
- 6.3.4 Remember that hosepipe bans imposed by the water companies apply to Allotment Gardens and they can fine you for ignoring a ban.

## 6.4 STRUCTURES

- 6.4.1 The Plot Holder shall not erect a shed on their Allotment Garden.
- 6.4.2 The Plot Holder shall not erect any notice, sign or advertisement on the allotment site.
- 6.4.3 The Plot Holder must submit a request to the Town Council for permission to erect a fence, poly tunnel or greenhouse on their plot. For the regulation of fences, poly tunnels and greenhouses, see **Appendix B**

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## **6.5 ANIMALS**

- 6.5.1 The Plot Holder shall not bring or permit to be brought on the Allotment Gardens any pet or dog unless qualified as a support/service dog.
- 6.5.2 The Plot Holder shall not deposit, bring, or use on the Allotment Garden any offal, decayed fish, or other offensive matter.
- 6.5.3 The Plot Holder shall not keep animals or livestock of any kind on the allotment.
- 6.5.4 Local wildlife should eat your slugs, so look after hedgehogs, toads and frogs where possible.
- 6.5.5 Ensure than Metaldehyde slug pellets are not used as these pose an unacceptable risk to wild birds and mammals. Opt for pellets containing ferric phosphate or nematode instead.
- 6.5.6 Slug pellets should be used sparingly and where possible, should be covered up.
- 6.5.7 Pest control is in operation all year round.
- 6.5.8 Please ensure no harm or distress is brought to any neighbourhood pets that may roam the gardens. To deter any pets, make a loud noise to shoo the animal away or if necessary, spray water on the ground near the animal.

## **6.6 SUB-LETTING AND CO-WORKING**

- 6.6.1 The Plot Holder shall not underlet or assign any part of the Allotment Garden.
- 6.6.2 The Plot Holder may have a private arrangement to share their whole plot with a 'co-worker', however, the Plot Holder is always responsible for the maintenance of the garden even if they choose to share. If the Plot Holder terminates their tenancy, the plot cannot be kept by the 'co-worker'.
- 6.6.3 If the Plot Holder is found underletting or assigning a clear part of their garden to a 'co-worker', the Plot Holder will be required to split the plot or terminate their contract.

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## **6.7 RUBBISH**

- 6.7.1 The Plot Holder shall not deposit any rubbish or decaying matter in any other part of the Allotment Garden.
- 6.7.2 The Plot Holder shall not deposit any garden waste behind the communal shed. Any waste must be taken off the allotment site to be disposed of.
- 6.7.3 The Plot Holder shall not light any fires on the allotment site.

## **6.8 RELOCATION AND TERMINATION**

- 6.8.1 The Plot Holder shall notify the Town Clerk in writing should they wish to be considered for relocation to another Allotment Garden, when a plot becomes available.
- 6.8.2 If the Plot Holder decides they no longer want their Allotment Garden, they must inform the Town Council. The Council requests you give three months' notice where possible but the Plot Holder may give up their garden at any time. By letting the Council know early, it is possible to arrange to have the plot taken over as soon as the Plot Holder leaves. This will help make arrangements if there are any structures etc. that can be sold to the incoming Tenant, get the new gardener off to a flying start and makes sure the garden is not overgrown.
- 6.8.3 It is the responsibility of all plot holders to keep the Council informed of any change in their personal details. Any notices to be served by the Council on the Plot Holder under this Agreement shall be deemed to be sufficiently served if posted to the Plot Holder at their last address known to the Council by ordinary pre-paid letter post and shall be conclusively deemed to have reached the Plot Holder in the ordinary course of such post.
- 6.8.4 The Town Council may also terminate the agreement after one month's written notice:
- a. If the Plot Holder is not duly observing any of the terms or conditions of his tenancy.
  - b. If the Plot Holder fails to respond to a notice of sub-standard cultivation.

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## 6.9 VEHICLES

- 6.9.1 The Plot Holder must not bring or place any vehicle, caravan, trailer or vehicle parts onto the Allotment Garden. Tyres must not be brought onto Allotment Garden sites.
- 6.9.2 Vehicles parked in public car parks adjacent to the Allotment Garden sites are done so at the tenant's own risk.

## PART SEVEN: DISTRIBUTION OF BUTTERWICK AND WINTERTON ALLOTMENT RULES AND REGULATIONS

Copies of Butterwick and Winterton Allotment Rules and Regulations are to accompany each contract issued by the Town Council and will be circulated to all plot holders when the document is updated.

In addition a copy can be viewed at the Town Council Offices during public opening hours of Monday – Friday 9am – 12pm by telephoning 01740 621273 and making an appointment or alternatively by viewing the Council's website ([www.sedgefieldtowncouncil.gov.uk](http://www.sedgefieldtowncouncil.gov.uk))

## PART EIGHT: EVICTION PROCEDURE:

The allotments are inspected on a monthly basis during the growing season and once outside the growing season by the Town Council's Allotment Champion. They are sympathetic to problems, however, if they feel that a plot is not being cultivated properly as per the outlined definition, they will advise the Town Clerk who will issue a warning letter:

**Letter 1.** A warning advising the Plot Holder that their plot is not being cultivated or maintained properly in accordance with the rules and regulations and must be brought up to a suitable standard within 28 days to avoid eviction.

**Letter 2a.** Eviction letter; stating eviction will take place in 28 days and all equipment must be removed from the site. Plot holders have a right to appeal within 14 days.

**Letter 2b.** If the site has improved after the first letter, a second letter will be sent giving another 28 days to return plot to 'proper cultivation'. If the site still doesn't meet the standards after the second letter, the eviction letter (2a) will be sent.

Those who are finding it difficult to tend to their Allotment Garden due to personal circumstances are advised to contact the Allotment Champion or email [town.clerk@sedgefieldtowncouncil.gov.uk](mailto:town.clerk@sedgefieldtowncouncil.gov.uk) to discuss possible options to manage the plot until the plot holder is able to resume normal cultivation.

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## **PART NINE: HEALTH AND SAFETY**

**Allotment sites and the activity of gardening is relatively risk free if people are aware of the hazards and take steps to ensure that they, other people and wildlife are not put at risk.**

It is important to be aware of your own limits and physical abilities when working on your allotment plot. Avoid taking on any dangerous or overly ambitious tasks when working alone or without proper knowledge and prior experience.

You should take care of your health whilst working your plot, including taking rests, wearing suitable PPE, drinking plenty of fluids and dividing tasks into smaller and manageable jobs.

Wear gloves and other suitable protection when in close proximity to plants and insects that can sting, bite or cause other skin irritations. Be wary and understand the precautions necessary to avoid catching infections such as Tetanus.

Don't leave tools unattended or in a location hidden by foliage that others may not notice. Take care when using gardening tools, especially around neighboring plots and tenants. Be careful of creating any tripping hazards when using hoses or materials on your plot.

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## **APPENDIX A: Example of Sedgefield Town Council's Allotment Tenancy Contract**

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## Sedgefield Town Council Allotment Garden Tenancy Agreement

Please fill in all required white boxes

An agreement made on:	<b>Date:</b>		
Between Sedgefield Town Council and:			
<b>Name of First Tenant:</b>			
<b>Address:</b>			
<b>Postcode:</b>			
<b>Telephone:</b>			
<b>Email:</b>			
<b>Name of Joint Tenant:</b> (If Applicable)			
<b>Address:</b>			
<b>Postcode:</b>			
<b>Telephone:</b>			
<b>Email:</b>			
Whereby the Council agree to let and the tenant(s) agrees to take on a yearly tenancy commencing:		<b>Date:</b>	
For the Allotment Garden:	<b>Plot Number:</b>		
At:	<b>Site:</b>		
<b>At the annual fee of:*</b>		<b>Inv.</b>	<b>Rec.</b>
<b>Date £50 deposit received:</b>		<b>Inv.</b>	<b>Rec.</b>
<b>Inspection Date:</b>	<b>Deposit Returned: Y/N</b>	<b>Return Date:</b>	<b>Chq.</b>

\*Please Note: Allotment fees are reviewed annually and may be subject to change.

<b>Signed:</b>		(First Tennant)	<b>Date:</b>	
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<b>Signed:</b>		(Joint Tennant)	<b>Date:</b>	
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Signed and Witnessed for/on behalf of Sedgefield Town Council:

<b>Signed:</b>		<b>Date:</b>	
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# **APPENDIX B: Rules applicable to the erection of Fences, Greenhouses and other Structures**

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# Greenhouses

**Greenhouses may be erected on individual plots at the Winterton & Butterwick sites subject to all of the following criteria being met, an application be submitted to the Town Council and £100 being deposited with the Town Council against any damages / costs incurred by the Town Council. This will be refunded if / when you vacate your allotment site.**

## Planning permission

Advice has been received from the planning authority who have advised that whilst most structures on allotments will be considered development and will fall outside of the scope of any permitted development, however to ensure a consistent approach to dealing with allotments, Durham County Council have decided that subject to compliance with the following criteria, Plot Holders may erect a greenhouse on their plot subject to the following without the need for an application for planning permission.

## Criteria

The Plot Holder must submit a written application with a sketch plan. The proposed greenhouse must meet the following criteria:

- Greenhouses shall only be erected within the boundaries of the tenant's own allotment plot.
- The maximum allowable external size of a greenhouse is 2.0m x 2.4m (6'6" x 8') with a maximum height of 2.3m (7' 6").
- No more than 25% of a plot shall be covered with structures.
- Any greenhouse must be purpose built to a professional standard using the following traditionally accepted materials:
  - Toughened glass
  - Constructed on a timber base i.e. railway sleepers
  - Structure should be aluminium
- Any greenhouse shall be constructed from materials that present no foreseeable health and safety risk to the allotment holder or other visitors to the site (e.g. asbestos).
- Any greenhouse must include a rainwater collection system feeding a water butt on the plot.
- Greenhouses must be maintained in safe order with a neat external appearance and condition. If the Council is not satisfied with the state of the structure the Plot Holder must either repair it to the Council's satisfaction or remove the structure within one month of instruction to do so.
- Any decoration shall be in keeping with the natural environment. Paints or stains should be of a neutral tone to blend sensitively with the surrounding landscape.
- The structure must be temporary and shall not be erected on a permanent foundation. For the purposes of security, it is acceptable to temporarily secure

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the structure or base to the ground. Any such ground fixing must however be easily removable.

- The position of the structure on the plot must not cause overshadowing of neighbouring plots, and should be sited north / south with a minimum distance of 1m from the plot perimeter.
- No work to begin in erecting a greenhouse until written permission is received.

The location of the allotment site and size of Allotment Garden will be considered with each individual application and a decision will be made based on the suitability of the structure against its surroundings.

## Poly Tunnels

**Poly tunnels may be erected on individual plots at the Winterton & Butterwick sites subject to all of the following criteria being met, an application be submitted to the Town Council and £50 being deposited with the Town Council against any damages / costs incurred by the Town Council. This will be refunded if / when you vacate your allotment site.**

### Criteria

The Plot Holder must submit a written application with a sketch plan. The proposed poly tunnel/s must meet the following criteria:

- Poly tunnels shall only be erected within the boundaries of the tenant's own allotment plot.
- The maximum allowable size of a poly tunnel is 2.4m x 1.8m (8' x 6')
- No more than 25% of a plot shall be covered with structures.
- Any poly tunnel must be purpose built to a professional standard using the following traditionally accepted materials:
  - Reinforced plastic material
  - Framework should be reinforced aluminium
- Poly tunnels must be maintained in safe order with a neat external appearance and condition. If the Council is not satisfied with the state of the poly tunnel, the Plot Holder must either repair it to the Council's satisfaction or remove the structure within one month of instruction to do so.
- Any decoration shall be in keeping with the natural environment.
- The structure must be temporary and shall not be erected on a permanent foundation. For the purposes of security, it is acceptable to temporarily secure the structure or base to the ground. Any such ground fixing must however be easily removable.
- The position of the structure on the plot must not cause overshadowing of neighbouring plots, and should be sited north / south with a minimum distance of 1m from the plot perimeter.
- No work to begin in erecting a poly tunnel until written permission is received.

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The location of the allotment site and size of Allotment Garden will be considered with each individual application and a decision will be made based on the suitability of the structure against its surroundings.

## Fences

**Fences may be erected around the perimeter of individual plots at the Winterton & Butterwick sites subject to all of the following criteria being met, an application be submitted to the Town Council and the permission be granted by any adjoining plot holders.**

### Criteria

The Plot Holder must submit a written application with a sketch plan. The proposed fencing must meet the following criteria:

- Fences shall only be erected within the boundaries of the tenant's own allotment plot unless an agreement has been made with neighbouring plot holders to erect the fence on the boundary line of an adjoining plot.
- The fence height, including posts, must be 1m high.
- Any fencing must be purpose built to a professional standard using one of the following traditionally accepted materials:
  - Good quality wood panels and posts that are consistently the same width and colour.
  - Chicken/rabbit wire
- Any decoration shall be in keeping with the natural environment.
- Fences must be maintained in safe order with a neat external appearance and condition. If the Council is not satisfied with the state of the structure the Plot Holder must either repair it to the Council's satisfaction or remove the structure within one month of instruction to do so.

**Any buildings or permanent structures erected without the Council's permission will amount to a breach of this tenancy agreement and notice to quit may be issued. The cost of removing any such building or structure will be borne by the tenant.**

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# APPENDIX C: Allotments Privacy Notice

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5.1	08.03.21	Town Clerk	February 2023



# Sedgefield Town Council

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## ALLOTMENTS PRIVACY NOTICE

### Your personal data – what is it?

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the “GDPR”) and other legislation relating to personal data and rights such as the Human Rights Act.

### Who are we?

This Privacy Notice is provided to you by Sedgefield Town Council which is the data controller for your data. A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.

### The council will process some or all of the following personal data where necessary to perform tasks related to the running of the allotments:

- Names, titles, and aliases,
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the tenancy agreement, we may process information such as marital status, family composition, and dependants;
- Where you pay for the allotments, financial identifiers such as bank account numbers, payment card numbers, and payment/transaction identifiers;

### How we use sensitive personal data

- We may process sensitive personal data including, as appropriate:
  - Information about your physical health or condition in order to provide specific seating, access or disability requirements for council-ran events and meetings.

These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.

- We may process special categories of personal data in the following circumstances:
  - Where we need to make alternative arrangements at council meetings or events to suit your physical requirements
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and

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you are not capable of giving your consent, or where you have already made the information public.

### **Do we need your consent to process your sensitive personal data?**

In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

### **The council will comply with data protection law. This says that the personal data we hold about you must be:**

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

### **We use your personal data for some or all of the following purposes:**

- To confirm your identity to provide some services;
- To contact you by post, email, or telephone
- To help us to build up a picture of how we are performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our allotment facilities or services
- To process relevant financial transactions including grants and payments for goods and services supplied to the council
- To allow the statistical analysis of data so we can plan the provision of services.

Our processing may also include the use of CCTV systems for the prevention and prosecution of crime.

### **What is the legal basis for processing your personal data?**

The council is a public authority and has certain powers and obligations. Your personal data is processed for compliance under a contractual lawful basis once you have entered into a tenancy

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agreement contract with the council or once you have added your name to the waiting list to begin the process of entering into a contract with the council.

Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

### **Sharing your personal data:**

We will not share your information with any other data controllers, local councils, organisations, businesses, community groups or individuals, unless you have requested the council to do so with clear consent.

### **How long do we keep your personal data?**

Your personal data will be stored for the duration of your time on the waiting list and until your allotment tenancy agreement is terminated.

### **Your rights and your personal data**

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

#### **1) The right to access personal data we hold on you**

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.
- There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

#### **2) The right to correct and update the personal data we hold on you**

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

#### **3) The right to have your personal data erased**

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example if you have entered into a contractual agreement with the town council, because we need it for to comply with a contractual or legal obligation).

#### **4) The right to object to processing of your personal data or to restrict it to certain purposes only**

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

#### **5) The right to data portability**

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

#### **6) The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained**

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- You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).
- 7) The right to lodge a complaint with the Information Commissioner's Office.**
- You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

**Further processing**

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

**Changes to this notice**

We keep this Privacy Notice under regular review and we will place any updates on the town council's website at [www.sedgefieldtowncouncil.gov.uk](http://www.sedgefieldtowncouncil.gov.uk). This Notice was last updated in August 2018.

**Contact Details**

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at [enquiries@sedgefieldtowncouncil.gov.uk](mailto:enquiries@sedgefieldtowncouncil.gov.uk)

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