



**BEE KEEPING AT BABBAGES ALLOTMENT SITE
POLICY AND APPLICATION FORM**

1. Introduction

- 1.1. Bees shall not be kept on any allotment plot unless the plot holder has submitted a written request by filling out the Application form and has received written consent from Fremington Parish Council. Plot holders do not have a statutory right to keep bees on allotments.
- 1.2. All Applications to site Bees will be submitted to the Parks and Playing Field Committee for consideration on an individual basis.
- 1.3. A maximum of two bee hives may be permitted on the Babbages allotment site for personal use only.
- 1.4. Only allotment tenants may keep bees on the site, once approved.
- 1.5. Fremington Parish Council has obtained permission from North Devon Council as land owners but consent can be withdrawn at any time.
- 1.6. This Policy should be abided by in conjunction with leaflet LO15 from the BBKA [Leaflet LO15 BBKA Click here](#)

2. Conditions

- 2.1. The beekeeper must be a member of the British Beekeepers' Association (BBKA), or a member of a group affiliated with BBKA, and must be covered by the Association's £5m public liability insurance cover. Membership and insurance cover must be maintained whilst keeping bees on the allotment. Evidence of membership (including valid insurance cover) must be produced prior to permission being granted and annually thereafter.
- 2.2. Beekeepers must ensure that they provide competent care and management and have the knowledge and skills to ensure the wellbeing of the bees. Management and manipulations must, as far as possible, be carried out at appropriate times in order to minimise disturbance to other plot holders. The BBKA operates a well-established national system of assessments and examinations for beekeeping skills at a number of levels and it is expected that a beekeeper should, as a minimum, have passed the BBKA's Basic Assessment in Beekeeping. Evidence of passing the basic assessment will be provided to the Council prior to written permission being granted.
- 2.3. The beekeeper must have completed a risk assessment and provide a copy with their application form to the Parish Council.
- 2.4. The beekeeper has a duty of care to other allotment gardeners working nearby, and to all members of the public, including those who have no lawful reason to be on the allotment. To this end, s/he must ensure that only gentle strains of bees are kept. If the bees become aggressive or exhibit excessive 'following' tendency, the beekeeper shall arrange to re-queen the colony, or remove the colony altogether until its undesirable traits have been resolved, at the tenant's expense.
- 2.5. The hives must be registered and available for inspection by the Regional Bee Inspector.
- 2.6. Signs (as many as are reasonably needed) "Beekeeper at work" should be placed prominently while the beekeeper is working, and for around half an hour after, to ensure that no one accidentally walks too near.
- 2.7. Tenants must accept full responsibility for the hive. Should a swarm occur, the tenant is responsible for ensuring that the bees are removed by a suitably qualified bee keeper at the tenant's expense
- 2.8. All hive equipment is to carry a suitable mark identifying its owner.

3. Management of Bees and Hives

- 3.1. Bees are to be encouraged to fly at a good height (i.e. above head height) by surrounding the hives with a 2-metre high fence or similar boundary; (bird netting, trellis covered with plants, or tall plants can be adequate).
- 3.2. The position and construction of this fence/barrier is to be agreed with the Council prior to its installation.
- 3.3. The beekeeper must ensure that there is a water supply for the bees close to the hives, so the bees do not fly to taps or any open water.
- 3.4. Handling bees should be done at times when the bees are very active, thus leaving fewer in the hive. When opening hives every care should be taken to ensure that it is not a busy time (i.e. busy weekend afternoons), and that the weather conditions are favourable (not raining, windy or thundery).
- 3.5. Always ensure there is someone else on site in case of emergency when handling bees.
- 3.6. Protective beekeeping clothing must be worn.
- 3.7. Beekeepers should not use the designated allotment area as storage space for keeping equipment that does not contain bees. No wax comb should be left exposed in an apiary, it must be stored in a bee proof way. Allotment tenants have a duty, as part of the Allotment Tenancy Conditions, not to cause a nuisance to others. In the keeping of bees on an allotment site, tenants should take all reasonable measures to minimise potential nuisances.
- 3.8. The beekeeper shall inspect the hives weekly from April to July in accordance with BBKA guidelines and advise other tenants about this inspection procedure to ensure they are aware of greater number of bees flying during the inspections
- 3.9. Defra officials and the Regional Bee Inspectors, have statutory powers to access hives to deal with disease. The Council will co-operate fully with them in this regard.

4. Stand-by arrangements

- 4.1. The beekeeper must provide the Council with contact details (name, address, email and telephone numbers) of a person of sufficient competence to deal with emergencies such as swarming during any such period that the beekeeper is absent or unavailable.

5. Complaints and Withdrawal of Consent

- 5.1. Initially, any complaints from plot holders or members of the public should be directed to Fremington Parish Council for consideration and hopefully resolution. If the Clerk of the Parks and Playing Fields Committee is unable to deal with the complaint then it should be referred to the Parks and Playing Fields Committee.
- 5.2. Should the Parish Council receive several complaints it will be necessary for a re-evaluation of the appropriateness of the siting of bee hives on the particular site to be undertaken.
- 5.3. The Council may issue a notice requiring the removal of the hives within 14 days if:
 - The beekeeper contravenes any of the conditions stated in this policy;

- A complaint that the bees have caused nuisance or danger to other plot holders or members of the public is upheld; or
- Substantive information is received that requires a review of the arrangements.
- If the Council has cause to investigate complaints of nuisance, costs of official inspections will be passed to the tenant for payment.

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APPLICATION FORM FOR SITING OF BEES AT BABBAGES ALLOTMENT SITE

Please ensure you have read the Beekeeping Policy and leaflet LO15 from the BBKA prior to making this application. This application is for ONE bee hive.

PERSONAL DETAILS	
Name of Applicant (Bee Keeper)	
Plot Number on Babbages Allotment site	
Address	
Postcode	
Telephone Number	
Mobile Number	
Email address	
Bee Keeping Association of which you are a member and hold valid Public Liability Insurance	
I confirm that I consent to my details being held by Fremington Parish Council according to the Council's Privacy Policy for the purpose of Bee Keeping and that I have read and will abide by the Bee Keeping Policy adopted by Fremington Parish Council.	
Signed: _____ Dated: _____	
ARRANGEMENTS IN THE EVENT OF THE BEE KEEPER BEING ABSENT	
Name of relief Bee Keeper	
Address	
Postcode	
Telephone Number	
Mobile Number	
Email address	
Bee Keeping Association of which you are a member and hold valid Public Liability Insurance	
I confirm that I consent to my details being held by Fremington Parish Council according to the Council's Privacy Policy for the purpose of being the relief Bee-Keeper in the event of the applicant being unavailable or away.	
Signed: _____ Dated: _____	
Checklist: <ul style="list-style-type: none"> I have read and agree to abide by the Bee Keeping Policy and LO15 Leaflet from the BBKA <input type="checkbox"/> I have completed and attached a Risk Assessment <input type="checkbox"/> I have attached a copy of the Public Liability Insurance for the Bee Keeping and Relief Bee-Keeper. <input type="checkbox"/> 	
Internal Use Only: Date Application Received: _____ RA <input type="checkbox"/> PLBK <input type="checkbox"/> PLRBK <input type="checkbox"/> Date considered by Committee: _____ Outcome: _____	

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ALLOTMENT EVICTION AND APPEALS POLICY AND PROCEDURE

1. Introduction

- 1.1. Allotment tenants should have clear and fair published policies for dealing with matters such as alleged lack of cultivation of plots. These policies clearly state the timescales involved, the appeals process and that consideration will be given to mitigating circumstance such as illness or injury of the plot holder.

2. Inspection

- 2.1. Any officer or agent of the council or land owner shall be entitled at any time when instructed by the council to enter and inspect the allotment garden.
- 2.2. Inspections on allotment sites will be held bi-monthly during March and October and held less frequent during November and February.
- 2.3. The inspections will look at the Allotment Tenancy Licences as the Criteria for identifying whether a plot holder is not complying with the rules laid out to them.
- 2.4. A photograph of the plot that is classed as contrary to the licence will be taken as evidence.

3. Enforcement - Improvement Letter

- 3.1. The first course of action if a plot is identified as not complying with their tenancy licence, will be an Improvement letter.
- 3.2. This letter will detail the unacceptable criteria and indicate what is required to bring the plot up to the required standard.
- 3.3. The plot holder is given 14 days to rectify the situation and/or explain satisfactorily the reasons for the plots unacceptable condition.
- 3.4. The Clerk of the Parks and Playing Fields Committee should be made aware of any special circumstances relating to a plot holder whose plot is unacceptable e.g.: illness. Any information gathered will be dealt with confidentially and each instance will be dealt with on an individual basis.
- 3.5. The Clerk of the Parks and Playing Fields Committee will be authorised to make this decision on whether a Formal Warning Letter is issued.

4. Enforcement - Formal Warning Letter

- 4.1. After the rectification period and in absence of an improvement or explanatory letter, a final warning letter will be issued, reaffirming the statements in the improvement letter. The tenant must show an immediate improvement within 14 days of the date of issue of the letter or an explanation as to why the improvement letter was ignored, failing which the licence will be terminated.
- 4.2. The Clerk of the Parks and Playing Fields Committee will be authorised to make this decision on whether a Notice to Quit is issued.

5. Enforcement - Notice to Quit

- 5.1. If there is no immediate improvement or satisfactory accepted explanation within the timescale, a termination letter (Notice to Quit) will be issued to the plot holder. The plot holder will then be given 14 days to remove any crops, tools and structures left on the site.
- 5.2. All notices to Quit will be sent recorded delivery.

- 5.3. In the event of a serious breach of the Tenancy Licence, the Council reserves the right to serve immediate Notice to Quit, without progression through all stages as detailed in this procedure.

6. Appeals Process

- 6.1. A plot holder may appeal (in writing) against the termination within 14 days of the receipt of the termination letter.
- 6.2. The appeal should detail the reasons for the lack of improvement and reasons why the termination letter should be withdrawn.
- 6.3. The plot holder will retain ownership of the plot whilst the appeal is being considered.
- 6.4. The Parks and Playing Fields Committee will appoint 3 members of the Committee to act as the Appeals Panel who must make a decision and reply to the plot holder within 14 days of receipt of the appeal. The 3 members will be appointed at the first meeting of the Committee, following the Annual Parish Council Meeting and will be in situ until the next Annual meeting of the Council.
- 6.5. There are three options for the Appeals Panel to consider:
- Uphold the termination.
 - Re-instate the plot holder with a probationary period of 6 months, where any further breach of the Allotment Terms and Conditions will result in immediate termination with no right of appeal.
 - Re-instate the plot holder with no probation.
- 6.6. The appeal hearing should be minuted and circulated to both the plot holder and panel to ensure there is a record of the process.
- 6.7. The minutes will also be recorded as received at the next available Parks and Playing Fields Committee meeting.
- 6.8. The decision of the Appeals Panel is final.
- 6.9. If a probationary period is agreed on, a review will be dealt with by the Appeals Panel and a decision will be made by the panel as to whether the conditions of the probationary period have been met. If there are no issues, the tenant will remain on the plot. If there are breaches of the conditions of probationary or tenancy agreement, the panel have a right to immediately terminate the tenancy with no further right of appeal.

