

Allotment Service Guidance Note on Sole Tenants, Joint Tenants, Casual Helpers and Co-Workers

Confusion can arise over the differences between these labels – what you can and cannot do, who can come on-site, what are the benefits and duties? This brief guide should help, but does not cover every possible situation. If you have any queries, please email Allotment Administration at allotment.enquiries@haringey.gov.uk.

Sole Tenants

A Sole Tenant means that only one name appears as Tenant on the tenancy agreement from Haringey Council. That person is legally responsible for paying the annual rental and for observing the various rules and regulations that apply on a Haringey allotment site – and ensuring that everyone else invited onto their plot does the same, whether they (the tenant) are present or not. Usually they are the only person permitted to have a site gate key or code. In the case of the Tenant's death or incapacity, the plot may pass to an immediate family member (spouse, partner or child) subject to Haringey Council approval, but not to anyone else.

Joint Tenants

Two (or even three subject to Haringey agreement) Tenants, usually partners or family members but sometimes close friends, may be named as Joint Tenants on the tenancy agreement from the beginning of the tenancy. A joint tenant may be added to a sole tenancy at any time, if supported by the local site committee and approved by Haringey Council: joint tenants added later must have been on the site's waiting list and reached the top, unless they are members of the tenant's immediate family (spouse, partner or child). Usually the first named Tenant is sent the rental invoice, but all are responsible jointly for payment, for observing regulations and on-site behaviour, all may have a key or code and all may attend the plot separately. If any Joint Tenant gives up the plot, the other(s) may continue the tenancy.

Casual Helpers and Visitors

Often friends or relatives of the Tenant(s) accompany the Tenant to the plot to work or relax together. Tenants are responsible for the behaviour of all casual helpers and visitors. These casual helpers must not attend the plot without the Tenant being present, except very occasionally (e.g. for watering during a Tenant's holiday), in such circumstances Tenants should inform the local Site Association committee in advance, and also the neighbouring plots, if possible. Helpers or Visitors should not be allowed to keep a gate key, except in exceptional circumstances with the approval of the local Site Association committee.

Co-Workers

Due to a tenant's age, disability, injury or illness or other exceptional personal circumstance, and with the agreement of the local Site Association (or the Haringey Council Allotment Coordinator), the registered tenant(s) of an allotment plot may be permitted a maximum of two Co-Workers to assist in maintaining their plot for a specified period. All agreements will be reviewed periodically to ensure continued validity: indefinite extension of the arrangement without review is not permitted. Tenants may not set aside a portion of their plot to be worked by co-workers alone. Only in

exceptional circumstances may a co-worker have a key and attend without the registered Tenant being present. Tenants must apply to Site Associations with the co-worker details for approval, following which Site Associations will register co-workers' contact details with Haringey Council. Co-workers must not bring other helpers or visitors with them. Tenants remain responsible for co-workers' behaviour on-site. Co-workers have no right of "inheritance" if the tenant dies or otherwise gives up the plot. Haringey may allow them to become Joint Tenants, with the support of the local Site Association committee, if they have reached the top of the local waiting list.

Spouses and Civil Partners

It is recognised that unregistered spouses and civil partners who regularly help work the allotment with their registered spouse or civil partner are neither tenants, joint tenants, helpers or co-workers but over time have been accorded the rights of a joint tenant and have the right to apply to inherit the allotment on the death of their spouse or civil partner. In such cases tenants and their partners may be encouraged to enter into a joint tenancy.

"Occupation" is Not Permitted and You May Lose Your Plot

Regardless of whether there are Co-Workers registered on a plot, all Tenant(s) should continue to attend frequently. Leaving most or all of a plot to be worked by one or more Co-Workers, Casual Helpers or other persons constitutes "Occupation" of the plot and is forbidden by the terms of the tenancy agreement. Cases of Occupation are dealt with by termination of the tenancy without appeal and re-letting of the plot. Essentially, if no Tenant(s) are on site frequently, the tenancy is at risk, whoever else may be working there.

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