

# Worcester City Council

## Allotment Livestock Policy

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### **1. Introduction**

Under the Allotments Acts 1922 and 1950, unless there is a byelaw to the contrary, allotment Tenants have a statutory right to keep Hens and rabbits on allotments. There is no such byelaw in Worcester.

### **2. Aims and Objectives**

This policy has been amended to reflect current guidelines for Livestock and Bees. This Policy and supplementary guidelines have been produced by Worcester City Council.

### **3. Policy on Keeping Bees on allotments.**

Following requests from Tenants to keep bees on their allotments, the following is recommended as a way forward.

It should be noted that the harvest from top fruit trees in recent years has declined due to a decline in the overall bee population in the UK, and the British Beekeepers Association (BBKA) is keen to assist wherever possible to encourage and promote keeping bees.

#### **Procedure for requestion bees on allotments**

The Tenant applies to the council using the application, and provides evidence of their competency to keep bees, (qualifications) and membership of the BBKA (It should be noted that membership of the BBKA includes £5m of public liability insurance).

Upon receipt of the application, an acknowledgement will be sent to the Tenant advising them of the procedure and next steps.

All tenants will be written to advise of application to keep bees and a notice of intention to keep bees is displayed at the allotment site for 21 days. This notice asks that any objections be put in writing to the Council within this period.

After 21 days, a site inspection will be undertaken by the Allotment Officer and an experienced member of the BBKA or Worcester Beekeepers Association (WBKA) (if required), to determine the suitability of the plot for housing a beehive. The Volunteer Allotment Livestock Officer may also attend and shall be entitled to provide representations to the Allotment Officer. The purpose is to consider the request, in the light of any objections or not, and agree any conditions to be placed on the agreement if approved.

These conditions may include, but are not limited to:

- Maximum amount of hives
- Siting of hives
- Requirement for the Tenant to keep membership of BBKA up to date.
- Screening of hives
- Ensuring that the bees are not a nuisance to other allotment tenants.

The Tenant shall not do, or permit to be done, any of the following:

- Cause any damage, or permit damage to be caused by others, to any Council property or other persons property.
- Cause any or permit any nuisance or annoyance to any other Tenant or to the owner of any adjoining or neighbouring premises.
- Trespass on other Tenants' plots.
- Obstruct other plots, paths, or roadways.
- Ensuring that the bees are not allowed to cause harm to the health or well-being of other tenants.

Following this visit, the Council writes to the Tenant with the decision.

If the application is approved, this will be confirmed in writing together with a list of the conditions to be adhered.

If the application is refused, this will be confirmed in writing and the reasons for the refusal set out. If the request is refused, the Tenant will be able to reapply after a year has elapsed from the date of the decision letter.

The consent is personal to the applicant. It will last indefinitely however may be withdrawn at any time if:

1. Any of the conditions of the consent are breached.
2. If the Tenant breaches any other terms of their tenancy
3. If the Tenancy agreement is terminated or passes to another person

4. The tenancy shall terminate one month after notification of death of the tenant.

**Failure to adhere to the terms and conditions of the tenancy agreement may result in termination of the tenancy.**

If the BBKA incur any expenses in relation to this procedure, such expenses are to be paid to them by the Tenant in advance. Evidence of such payment may be required before the application can be considered. No charges will be made by Worcester City Council.

#### **4. Policy for keeping Hens and Rabbits on allotments**

Under the 1950 Allotment Act, a tenant of an allotment shall be permitted, for their personal use only, hens or rabbits on their plot and to erect and maintain buildings or structures reasonably necessary for the keeping of the same. It is not the Council's intention to apply any changes to previous rules, or any new rules contained in this policy, retrospectively.

As such, any Tenants who keep livestock on their plots, which include structures, that do not fully comply with any changed, or new, rules and/or conditions set down in this policy, will not be required to take any immediate action, unless the tenant has demonstrated that their keeping of rabbits or hens is done in a way that is detrimental to the health or wellbeing of the animals and or causing a nuisance to other allotment Tenants.

This policy will apply fully to any new approved livestock applications. Any remedial actions, according to this policy, will be undertaken within a reasonable timeframe to meet the minimum standards in the guidelines and this policy, for keeping livestock. This, reasonable timeframe, will be agreed between the approved tenant and the Allotment Officer, having due regard to the standards, at that time.

For the avoidance of doubt, Tenants will be required to remedy any non-compliance with the terms and conditions of the Tenancy Agreement that was in place, and agreed by the Tenant, at the time they took on the plot.

Tenants may not keep hens and rabbits if they are for trade or business use. Tenants must apply for permission in advance, must comply with all terms and conditions relating to keeping of said animals and must ensure that the animals are properly cared for. The hens and rabbits must not be kept in such a place or manner that is prejudicial to health or causes a nuisance to tenants or other livestock on the allotments.

When referring to hens, the law means the female of the species and excludes cockerels. Cockerels are not authorised in any event because of the noise they make - if you are in any doubt, please seek guidance from Allotment Officer. For the purposes of the guidelines ducks, geese and other birds will not be permitted as part of this policy.

**Procedure for requesting rabbits or hens on the allotment.**

If a tenant wishes to keep rabbits or hens on their allotment, a livestock application should be made to the Council in advance. Tenants are not permitted to build structures nor place the animal on site prior to approval. Anything built before approval will be removed.

The Tenant shall apply to the council in writing using the Livestock application. Upon receipt of the application, an acknowledgement will be sent to the Tenant advising them of the procedure and next steps.

A notice of intention to keep Hens/Rabbits will be displayed at the allotment site for 21 days. This notice asks that any objections be put in writing to the Council within this period.

After 21 days, the site is visited by the Allotment Officer and Volunteer Livestock Officer, if required. The purpose is to consider the request, in the light of any objections or not, and agree any conditions to be placed on the agreement if approved.

Following the 21 days, the Council writes to the Tenant with the decision.

If the application is approved, this will be confirmed in writing together with a list of the conditions to be adhered to.

If the application is refused, this will be confirmed in writing and the reasons for the refusal set out. If the request is refused, the Tenant will be able to reapply after a year has elapsed from the date of the decision letter.

The consent is personal to the applicant. It will last indefinitely however may be withdrawn at any time if:

1. Any of the conditions of the consent are breached.
2. If the Tenant breaches any other terms of their tenancy
3. If the Tenancy agreement is terminated or passes to another person
4. The tenancy shall terminate one month after notification of death of the tenant.

The Tenant shall be prepared to demonstrate that keeping of rabbits or hens is done in a way that is not detrimental to the health or wellbeing of the animals and will not cause a nuisance to other allotment Tenants.

**Failure to adhere to the terms and conditions of the tenancy agreement may result in termination of the tenancy. Information required in a hen/rabbit application and minimum expectations:**

The livestock application must state the number of birds to be kept, the size of the housing and confirm that the tenant agrees to follow this policy in full.

**Failure to register hens/rabbits or meet the minimum standards in these guidelines may result in the termination of an allotment Tenancy.**

If a Tenant wishes to keep hens, the following minimum criteria shall apply:

1. Hens/rabbits to be vaccinated

A requirement of registration will be that the hens/rabbits should be vaccinated; tenants are responsible for ensuring that any hens/rabbits purchased privately from breeders, markets and other sources have received vaccinations as it is not good practice to mix vaccinated and non-vaccinated birds.

2. Daily care of hens/rabbits

If Tenants choose to keep hens/rabbits on their allotment they must check on them daily, provide competent care and management and have the knowledge and skills to ensure the well-being of the hens or rabbits.

3. Responsible keeping of hens and rabbits

The Tenant must demonstrate that their keeping of rabbits or hens is done in a way that is not detrimental to the health or wellbeing of the animals and will not cause a nuisance to other allotment Tenants. The tenant should not cause or permit any nuisance or annoyance to any other Tenant or to the owner of any adjoining or neighbouring premises.

Representatives of Worcester City Council or the approved Volunteer Livestock Officer have the right to inspect the Hens/rabbits at any time. If the Council has cause to investigate complaints of maltreatment, costs of vets or other official inspections will be the responsibility of the Tenant.

## **5. Animal Husbandry**

### **Hens:**

The maximum number of Hens permitted per allotment tenant should be 5 and the minimum number 3.

Hens are sociable and like to be part of a flock and need companionship, it is recommended they should be kept in groups of 3 or more up to a maximum of 5. The limit of 5 is set in accordance with our requirements for housing and containment of the Hens.

The Council in its absolute discretion can determine the appropriate number of hens allowed on an individual plot.

### **Standard of care and housing**

In addition to effective containment, housing is also key in ensuring the welfare of the hens and should allow expression of natural behaviours.

Secure accommodation – The hen house must be adequately protected against attacks from predators such as foxes and badgers. A sturdy hen house is required, with sufficient nest boxes and perches appropriate to the number of hens. Hens shall be kept secure in their coop at night.

Henhouse – A fully enclosed shelter must be provided that provides a minimum size floor space inside the house of 30 square CMS per bird 30cmx30cm.

Perch space – length of perch, minimum of 25cms per bird or 10 inches per Hen is required.

The fully enclosed shelter should provide protection from predators, clean dry bedding material to absorb moisture and odour (suitable choices are wood shavings or straw), warmth during the colder months and shade during the summer, adequate ventilation but draught free, perches for sleeping, approximately 3-5cms wide with rounded corners to enable them to grip, nest boxes for laying eggs.

An Outdoor Run – A fully enclosed caged run that provides a minimum size of 4 square feet (0.4m<sup>2</sup>) per hen is required to ensure the hens have sufficient space to dig, dust themselves and flap their wings. The optimum size will be 6ft x 8ft. The Coop needs to be raised off the floor with legs if within the run floor space so that hens can go underneath it. The accessible ground space needs to be as indicated above.

The total area of the henhouse and run should not exceed more than 10% of the total allotment plot area although the maximum permitted size will be 10ft x 12ft.

Both the henhouse and outdoor run should be regularly maintained to a good, tidy standard and free from obvious faults that may cause injury. To minimise potential nuisance to neighbours, the henhouse and outdoor run should be sited a minimum of 3 metres from adjacent boundaries abutting residential properties.

### **Rabbits:**

They are highly sociable animals and require appropriate company. Rabbits are active animals and keeping them healthy and happy starts with making sure they have a comfortable home.

### **Standard of care and housing**

Rabbits need lots of space, a well-matched pair of medium-sized rabbits requires a living area where they can exercise and rest of at least three metres x two metres, and one metre high (groups of three or more rabbits and large/giant breeds will need larger accommodation).

A secure living space with enough room - rabbits are active and need to be able to hop, run, jump, dig and stretch out fully when lying down. They'll need enough room to exercise and stand up fully on their back legs without their ears touching the roof.

Somewhere safe - provide a large living area and a secure shelter where they can rest, feel safe and are protected from predators, extremes of weather and temperature. Make sure their living space is safe and secure.

All areas well ventilated, dry and draught-free - living in a draughty, damp, hot, poorly ventilated or dirty environment can cause suffering and illness.

Hiding places - rabbits are a prey species, so need to hide in secure places, away from the sights and smells of predators (such as foxes, cats, dogs, ferrets and birds of prey). Give them constant access to safe hiding places to escape if they're feeling afraid.

Separate toilet areas, away from sleeping area.

## **6. Feed**

### **Hens:**

Hens should have continuous and plentiful access to cool, clean, and fresh water, and provision of feed of a type appropriate to the age and species of hen, fed in sufficient quantities, and sufficiently frequently, to maintain them in good health and satisfy their nutritional need.

It is recommended you feed your hen a mixture of soluble and insoluble grit to aid digestion and maintain good health.

Foodstuffs should be stored such that it is kept clean, tidy, and properly protected from rodents and other pests. It is not permitted for foodstuffs to be scattered and an animal control feeding station is advised as an example of good practice.

### **Rabbits:**

Rabbits should have access to cool, clean, and fresh water and enough bedding to keep them comfortable and warm, that should be safe for them to eat so provide such as dust-free straw or hay, also including a variety of different leafy greens every day – examples of these are cabbage, kale, and mint.

## **7. Health – Disease Control**

The Allotment Tenant will be held responsible for ensuring that their hens/rabbits are free from distress, pain, injury, and disease. Appropriate preventative and/or veterinary treatment should be always available. The Tenant should ensure that the hens are vaccinated prior to arrival or at 6 weeks old and that the hens are regularly wormed (twice per year). Get advice from your vet about the most suitable vaccination course and best ages to vaccinate rabbits.

Hens require the Clipping of claw nails may be necessary to maintain them in a good healthy condition. They should be checked regularly for lice and the houses treated for Red Spider Mite.

### **Rabbit health checks:**

Eating and toileting habits - look for any changes from normal.

Coat - for dandruff, scurf, parasites, and fleas

Eyes and nose - look out for discharge or mucus.

Ears and teeth - check weekly for signs of problems – rabbit's teeth continuously grow, so require monitoring

The skin around the rear end of your rabbit - look out for any urine staining or stuck faeces. Check weekly in cold weather and twice daily in dry, warm weather.

### **Sanitation**

To maintain healthy hens/rabbits and reduce odour problems, the Henhouse/housing and toilet areas and run should be cleaned a minimum of once a week or more frequently as necessary.

### **Nuisance to Neighbours & Cleanliness**

If any animal on an allotment is deemed a nuisance, health hazard or their well-being is affected then they can be removed. All livestock is subject to strict welfare codes enforced by the RSPCA and DEFRA and covered by the Animal Welfare Act 2006. The Act states that all animals have basic needs that must be fulfilled by their owner or keeper. If you are found guilty of neglect of an animal in your care by causing unnecessary suffering or failing to provide a suitable diet or living conditions, then you may have to serve a prison sentence.

Provided the Hens are kept healthy and in clean conditions and food stuffs are stored such that it is kept clean, tidy, and properly protected from rodents and other pests the keeping of hens should not become a nuisance to others.

Allotment Tenants have a duty as part of the Allotment Tenancy Conditions not to cause a nuisance to others. In the keeping of hens on an allotment plot Tenants should take all reasonable measures to minimise potential nuisances.

The Tenant will be responsible for the removal of all arisings or waste from the allotment site.

### **Breeding and use of Hens for Profit**

Allotment Tenants are not permitted to breed hens on the allotment site. Tenants are not permitted to profit from the sale of produce from the allotment as described by the statutory Allotment Act.

### **Emergency plans for flooding, avian flu etc.,**

If you are unable to care for your hens/rabbits for a prolonged period or there is an emergency, you will need to have plans in place to care for your poultry/rabbits.

In case of an emergency, and you are not on site, Worcester City Council, or the Site Coordinator, will contact you by phone, email, or letter to request you respond to the hens/rabbits. Please make sure you keep your contact information up to date.

If the Council does not receive notification of change of address, email address and/or telephone number from the Tenant and/or if correspondence to the Tenant's address is returned undelivered or emails/telephone calls are unanswered, then the Council may terminate your allotment tenancy. If your tenancy is terminated by the Council, it is the tenant's responsibility to clear the plot and remove all personal belongings, including Livestock and animal husbandry from the plot. To reinstate the plot to a rentable condition.

The Council reserves the right to recover any costs for removal and disposal of any waste or any remedial work that is required to reinstate a plot to a lettable condition.

### **Disposal of dead hens**

The tenant is responsible for the safe and legal collection and disposal of fallen stock (dead livestock).

Tenants make arrangements for fallen stock to be disposed of at an approved premises or can use the National Fallen Stock Company (NFSCo).

If livestock dies on a tenant's allotment plot, it must be collected, identified, and transported from the plot, without 'undue delay'. This means as soon as is reasonably practical under the circumstances.

### **Rabbits**

A pet animal is defined in the regulations as 'any animal belonging to a species normally nourished and kept, but not consumed, by humans for purposes other than farming'.

However, a tenant is not permitted to burn or bury fallen stock on their plot or on the allotment site; feed fallen stock to red kites or necrophagous birds (birds that feed on carcasses)

Arrangements must be made for the animal to be collected by an approved transporter and taken for disposal. For more information on Fallen Stock please visit - Fallen stock and safe disposal of dead animals - GOV.UK ([www.gov.uk](http://www.gov.uk))  
From 29 November 2021 all bird keepers (whether they have pet birds,

commercial flocks or just a few birds in a backyard flock) are required by law to take a range of biosecurity measures to protect their birds from avian influenza.

As a Captive bird keeper, you are responsible for your birds. You can register your birds with DEFRA using the [voluntary registration form](#) found on the website.

If you suspect any type of avian influenza in poultry or captive birds, you must report this immediately by calling DEFRA Rural services Helpline on 03000 200 301, this includes any bird that has died from the notifiable animal disease. Once you have notified DEFRA, please inform Worcester City Council.

## **8. General Information**

If Worcester City Council have concerns for the welfare of livestock, and we are unable to contact you or your emergency contact, the concerns will be reported to the RSPCA immediately.

The Council may recover any costs for removal and/or disposal of livestock that is required.

If the council is unable to contact the tenant, or failure to comply with the conditions of this policy, may result in the termination of the allotment tenancy.

## **9. Related Documents**

- Bee application Form
- Guidelines for keeping Bees
- Conditions for Permission granted for keeping Bees
- Livestock application form
- Hen Guidelines
- Rabbit Guidelines
- Bee stings
- Swarming Bees
- Tenancy Agreement
- Contact Details Form

