



# Keeping Hens on Allotments

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Reviewed by Policy & Resources Committee	<b>23<sup>rd</sup> October 2024</b>
Next Review Date	As required

# KEEPING HENS ON ALLOTMENTS

## INTRODUCTION

Newton Abbot Town Council (NATC) and Newton Abbot District Community Allotment Association (NADCAA) welcome tenants to apply to keep hens on their allotment plot subject to compliance with good husbandry/welfare conditions and in accordance with this policy and relevant legislation.

The purpose of this document is to ensure the safety and welfare of allotment users, neighbouring residents and the hens. The policy provides guidance and outlines a hen keepers responsibilities and liabilities in accordance with keeping hens on any allotment site. Hen keepers must be an allotment holder and hold a current tenancy agreement with the Council. Allotment tenants are not permitted to profit from the sale of produce on the allotment sites.

The keeping of hens on an allotment will require the tenant to carry out daily checks on the hens welfare and to ensure they are secured from predators. A maximum of **6** hens will be permitted on an allotment. Tenants understand that if they do not follow the rules laid down in this Agreement permission to keep hens may be withdrawn.

## LEGISLATION

1. [Allotments Act 1950](#)
2. You must register if you keep poultry or other captive birds in England or Wales. This includes any birds you keep as pets. If you became a keeper of poultry or other captive birds before 1 October 2024, you must register immediately if you have not done so already. If you become a keeper of poultry or other captive birds after 1 October 2024, you must register within 30 days of becoming a keeper.

How to register - You can register by using the form to [register to be a keeper of less than 50 poultry or other captive birds](#) .You're breaking the law if you do not register.

3. The Animal and Plant Health Agency (APHA) will contact you with updates and guidance if there's a disease outbreak (such as bird flu) in your area. You'll help prevent the spread of disease and protect all kept birds, including back-yard flocks.
4. Under the [Protection of Animals Act](#) and [Animal Welfare Act](#), chicken keepers are required to provide adequate housing, food, water, and care, which is defined as housing that allows them to exhibit their normal behaviours (nesting, roosting, scratching, and living in groups.)
5. Under the [Animal Act, 1971](#) people who keep chickens are liable for "damage caused by trespassing 'livestock'".

## STAGE 1 – INITIAL CONSIDERATION

An allotment tenant must submit an initial request for the positioning of a coup, the suitability of the allotment plot will be determined and agreed by the NADCAA. Allotment tenants wishing to keep hens must abide by the rules stipulated.

Cockerels are not permitted to be kept on the allotments due to the location of the allotment sites and their vicinity to residential areas. It is a condition of the Allotment Act 1950 S12(2) that they are not kept in such a place or in such a manner as to be prejudicial to health or a nuisance.

## **STAGE 2 - RISK ASSESSMENT**

A person keeping hens on an allotment must satisfy the Council that they have made adequate arrangements to ensure that any problems caused by their hens in their absence will be resolved, for example a nominated person must be available in the hen keeper's absence.

A risk assessment covering the following points must be provided along with the initial request to keep hens:

- That any risks are identified
- There are actions identified to control any risks identified

The tenant is responsible for ensuring the following conditions are met on which hens are permitted on allotments, the hen keeper must:

- Register ownership of the hens with DEFRA.
- Coups must be available for inspection by the Council or a representative of the Council.
- Ensure the hens do not cause a nuisance to neighbouring residents and tenants.

## **STAGE 3 – FORMAL APPROVAL**

- Once the requirements of Stage 1 and 2 have been met, the Council will confirm in writing with the allotment holder permission has been granted to place a coup in the agreed location.
- Hen keepers must sign an annual agreement with the Council to abide by the terms of this policy.

## **HUSBANDRY, WELFARE & OPERATIONAL REQUIREMENTS**

- A maximum of **6** hens will be permitted on an allotment. Poultry need companionship and should be kept in groups of two or more.
- All housing must be in a good state of repair and should allow hens to exhibit natural behaviours such as scratching, dust bathing and flap their wings.
- Ensure that all birds are fed and watered daily, kept in good health and cover arranged for when the poultry keeper is on holiday.
- Take the necessary precautions to prevent disease, and deal with it promptly if and when it occurs.
- Will bear all costs of running, moving and maintaining the coups etc.
- NATC reserves the right to ask the hen keeper to remove the hens, coups, any structures and any rubbish that may have accumulated at any time if they feel that this agreement is not being honoured.
- keep the coup and run clean and free from mites and not allow it to get smelly so that members on adjoining plots have reason to complain.
- Ensure that the run is protected from the weather to ensure the birds' well-being.
- Ensure birds that have died or been put down due to ill health are not disposed of on the allotment site.

- Will, if they decide to terminate their Tenancy, remove the chicken run and house from the allotment field and dispose of it to ensure that no expense is incurred by the Allotment Association. Any rubbish that has accumulated will be removed from the field, and all structures will be removed (a shed may be left in situ).
- In the event of an outbreak of Bird Flu, tenant will refer to the Defra website on a regular basis and ensure that all precautions are taken to ensure that the Defra guidelines are followed and understands that this is not the responsibility of NADCAA/NATC. Failure to follow guidelines laid down by Defra will result in the tenant being asked to remove all birds and structures.
- The structures must be sited a minimum of three metres from adjacent boundaries abutting residential properties to minimise potential nuisance.
- A fully enclosed shelter providing a minimum size of two square feet (0.2 m<sup>2</sup>) per hen is required. The optimum permitted size will be 4ft x 3ft. The shelter must provide protection from predators, warmth during colder months or shade during the summer, be draught free but have adequate ventilation, perches for sleeping and nest boxes for laying eggs.
- Outdoor run – a fully enclosed caged run that provides a minimum size of four square feet (0.4m<sup>2</sup>) per hen, providing the hens with plenty of space to dig, dust themselves and flap their wings. The optimum size is 6ft x 8ft. There should be an additional means of overhead shelter e.g. shrubs to provide hens from protection from direct sunlight, strong wind and driving rain.
- The total area of the hen house and run should not exceed more than 10% of the total allotment plot area although the maximum permitted size will be 10ft x 12ft.
- Hens should have continual and plentiful access to cool, clean and fresh water, feed appropriate to the age and species of the hen and in sufficient quantities as well as insoluble grit to aid digestion.
- Food stuffs must be stored so they are kept clean, tidy and properly protected from rodents and other pests.
- The allotment tenant is responsible for ensuring that their hens are free from distress, pain, injury and disease.
- Hens must be vaccinated prior to arrival or at six weeks old.
- Hens will need regular worming (twice a year) and clipping of claws, nails to maintain them in a good healthy condition.
- Hens must be checked regularly for lice and the houses treated for Red Mite.
- Any serious health or long-standing or contagious problems must be reported to the council immediately as well as details on the treatment being received and notification when the problem has cleared.
- The hen house and run should be cleaned a minimum of once a week or more frequently as necessary.
- Tenants are responsible for the removal of all arisings from the site. Soiled bedding must not be composted anywhere on the allotment site. Any deceased hens should be immediately removed from the allotment site.
- Allotment tenants are not permitted to breed hens on the allotment site

## **COMPLAINTS PROCESS**

Initially, any complaints from allotment holders or members of the public should be directed to the Council for consideration. If the Town Clerk or designated officer is unable to deal with the complaint, then it should be referred to the Community & Heritage Committee.

Should the Council receive several complaints it will be necessary for a re-evaluation of the appropriateness of the siting hens. The Council may withdraw permission by issue of 14 days' notice for the removal of the hens.

### **WITHDRAWAL OF CONSENT**

The Council may withdraw permission, giving 14 days' notice to remove hens if:

- The keeper contravenes any condition set out above.
- The keeper contravenes any condition of the allotment tenancy agreement.
- Substantiated information regarding unsatisfactory consequences of the hen keeping activity is received that requires a review of the arrangements.

Any costs resulting from withdrawal of consent shall be borne by the keeper/allotment tenant.



# APPLICATION FORM FOR KEEPING HENS ON AN ALLOTMENT SITE

Please ensure you have read the Hen keeping Policy prior to submitting this application.

## PERSONAL DETAILS

Name of Applicant (Hen keeper)	
Allotment Site	
Plot Number	
Home address	
Postcode	
Telephone Number	
Mobile Number	

I confirm that I consent to my details being held by Newton Abbot Town Council for the purposes of Hen Keeping and that I have read and will abide by the Hen Keeping Policy.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

## ARRANGEMENTS IN THE EVENT OF THE HEN KEEPER BEING ABSENT

Name of relief Hen Keeper	
Address	
Postcode	
Telephone Number	
Mobile Number	
Email address	

I confirm that I consent to my details being held by Newton Abbot Town Council for the purposes of being the relief Hen-Keeper in the event of the applicant being unavailable or away.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

### Checklist:

- I have read the Hen Keeping Policy
- I have completed and attached a Risk Assessment

### Internal Use Only:

Date Application Received: \_\_\_\_\_

Authorised on behalf of Newton Abbot Town Council by \_\_\_\_\_



# ANNUAL HEN KEEPING AGREEMENT

## PERSONAL DETAILS

Name of Applicant (Hen keeper)	
Allotment Site	
Plot Number	
Number of Hens (maximum 6)	
Agreement Commencement date	

I hereby agree to abide by the terms and conditions as laid out in the Council's Hen Keeping Policy in relation to the keeping of Hens on an allotment site. I understand the Council may withdraw permission, giving 14 days' notice to remove hens if:

- The keeper contravenes any condition of the Hen Keeping Policy/Agreement.
- The keeper contravenes any condition of the allotment tenancy agreement.
- Substantiated information regarding unsatisfactory consequences of the hen keeping activity is received that requires a review of the arrangements.

Any costs resulting from withdrawal of consent shall be borne by the keeper/allotment tenant

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

## ARRANGEMENTS IN THE EVENT OF THE HEN KEEPER BEING ABSENT

Name of relief hen keeper	
Address	
Postcode	
Telephone Number	
Mobile Number	
Email address	

I confirm that I consent to my details being held by Newton Abbot Town Council for the purposes of being the relief Hen-Keeper in the event of the Keeper being unavailable or away.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

**Internal Office Use Only:**  
 Date \_\_\_\_\_

Authorised on behalf of Newton Abbot Town Council by \_\_\_\_\_

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