

Meole Brace Garden and Allotment Club (MBG&AC)

Policy on Commercial Activity

This policy was adopted on 1st November 2021

Section 4.2 of the MBG&AC Rules for Allotment Holders deals with commercial activity in relation to the holding of an allotment. It states:

4.2 Sub letting/commercial use - members are not allowed to:

4.2.1 **sub-let** an allotment plot or plots or parts thereof

4.2.2 make use their allotment plot(s) or produce for **commercial activity**

This policy has been drafted to amplify and clarify the term 'commercial activity'. Commercial activity can be broken down into two main elements

1. The sale, or supply for sale by others on the holder's behalf, of produce derived from the holder's allotment
 - i) This is potentially allowable if the produce can genuinely be deemed as surplus to the allotment holders needs and that produce has not been grown in such quantities as to specifically and intentionally generate a surplus.
 - ii) It is accepted that some allotment holders might supplement their income in this way though it should be noted that this income is potentially taxable.
 - iii) MBG&AC would encourage plot holders making sales of surplus produce to donate their takings to a charitable organisation or to offer that surplus to charitable organisations that can offer produce directly to their beneficiaries. Alternatively they may wish to exchange one type of surplus product for another with fellow allotment holders.
 - iv) Sales of surplus produce to non MBG&AC allotment holders should not take place on or from the Club's allotment sites.
2. The use of an allotment plot as part of a business or commercial enterprise.

Examples of this could include:

 - i) The storage of tools, equipment and items relating to a plot holders business or commercial enterprise that are not normally and regularly used for the cultivation of the holder's plot
 - ii) The storage, even if temporary, of waste or other products relating to a plot holders business or commercial enterprise. The only exception to this would be if those waste products are immediately either immediately properly composted or utilised in a construction approved by the Allotment Secretary with a suitable timescale given.

- iii) The conduct of a plot holder's business or commercial enterprise from his/her allotment, for example the use of a mobile phone (other than very occasionally), dealing with customers in person or trading goods

The interpretation of what constitutes 'commercial activity' is to be decided by the Allotment Secretary in the first instance using the policy guidelines above, with recourse to the Committee as with other disciplinary matters. Plot holders deemed to be using their plot or related structures for commercial activity should first be warned verbally, then in writing and then, if such activity continues, should face disciplinary action that could potentially lead to eviction. Eviction would require sufficient evidence of any commercial activity to be properly recorded.