



## Can I keep chickens on my allotment?



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Health & Welfare



allotments, gardening, landlord

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Have you always wanted to keep hens in your garden or allotment but need clarity around the rules and regulations? If you're wondering 'can I keep chickens on my allotment' you're in the right place. Or maybe you already *do* have hens in your garden and your landlord or neighbours are questioning this. Our Vet Nurse, Gaynor Davies, lays down the law on keeping hens in your garden or on your allotment.

### **Can I keep chickens on my allotment – the legal bit**

Occasionally we are contacted by chicken owners who have been told by their landlord or local council that they cannot keep chickens in their gardens. Often with a threat of eviction or legal proceedings hanging over them, worried chicken owners reluctantly give away their pets.

However, there is a little-known act of parliament that supersedes most tenancy agreements and gives the green light to keep chickens; The Allotment Act 1950 “An

Act to amend the law relating to allotments and to abolish restrictions on the keeping of hens and rabbits”. It states:

“Notwithstanding any provision to the contrary in any lease or tenancy or in any covenant, contract or undertaking relating to the use to be made of any land, it shall be lawful for the occupier of any land to keep, otherwise than by way of trade or business, hens or rabbits in any place on the land and to erect or place and maintain such buildings or structures on the land as reasonably necessary for that purpose:

Provided that nothing in this subsection shall authorise any hens or rabbits to be kept in such a place or such a manner as to be prejudicial to health or a nuisance or affect the operation of any enactment.”

That being said, it is of course best not to enter into a dispute with your landlord and to act respectfully. We would advise sitting down to have a chat with them, perhaps over a cuppa in your garden so they can see how little your hens will impact the surrounding area.

Chicken owners do need to be mindful of their responsibilities to their neighbours to prevent noxious smells, noise nuisance (cockerels and built-up areas don't always work well together, for example) and to avoid attracting vermin by keeping the area around hen houses free from spilt food and waste.

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.) Care is defined as making sure your chickens' health is maintained at all times but, of course, if you're reading this article, we know that you will be doing this regardless.

## **Keeping the neighbours happy**

To avoid falling out with your neighbours it is wise to ensure your garden is secure and your chickens don't frequently escape.

The grass may be greener on the other side but if that grass is your neighbour's prized lawn, they won't be too happy seeing your chickens digging it up! Under the Animal Act, 1971 people who keep chickens are liable for "damage caused by trespassing 'livestock'".

It may be wise to let your neighbours know what your intentions are before you embark on your chicken keeping adventures. Some of our supporters tell us that they like to keep their neighbours happy with the occasional box of eggs from time to time, which may be something that could make or break your relationship with them. Remember, communication is key!

If you have any other questions about the permissions needed to keep chickens either in a garden or on an allotment, don't hesitate to contact our hen helpline. They have lots of advice on how to keep chickens on allotments as well as a worldly knowledge base of hen health.

## **Laws on large flocks**

If you keep 50 or more birds (which we wouldn't advise doing in your average back garden!), there is a legal requirement to register your flock with DEFRA. This sounds scary to some people, but it doesn't mean that men in white coats will be knocking on your door. What will happen is you will be included in a text service which sends out an alert if there are any cases of a notifiable disease in the UK. This enables you to protect your birds as quickly as possible, rather like Covid-19 track and trace. This service has been invaluable to hen keepers this year with the emergence of Avian Influenza finding its way across shores to the UK back in November 2020.

Here at the BHWT, we like to encourage all hen keepers to register their hens with DEFRA regardless of their flock size.

**For any additional help regarding allotments we would advise contacting your local council.**



If you'd like advice on your hen's health, why not visit our [Hen Health](#) page, where we discuss important things to look for in your hen's health, whether its personality or physical symptoms. Or, head to our [Hen Examination Guidelines](#) where we can show you where to find things like the crop or the wattle.



If you need to seek medical advice, click here to find your nearest [Hen Friendly Vet](#). You can also call Hen Central on [01884 860084](#) to speak to one of our rehoming assistants.



Giving a gift today helps fund our [Hen Helpline](#). It helps support hen keepers, giving them the best advice on how to care for their hens. If you have found our advice helpful, please consider giving a gift towards the [hen helpline here](#).

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