

# Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED  
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Minutes of the meeting of the Allotments Committee held on Monday, 18 July 2022, at the Town Hall, Highgate, Kendal, at 7.00 p.m.

Cllr G Archibald (Vice Chair)	Absent	Cllr K Blamire	Apologies
Cllr S Coleman	Present	Cllr J Cornthwaite	Present
Cllr A Finch (Chair)	Present	Cllr C Hardy	Apologies

## Site Representatives present

Canal Head	Deborah Allison
Castle Drive	Mrs E Kelly
Castle Haggs	Gwen Tordoff
Castle Haggs Ext	Jon Cox
Crow Tree	Brian Williams
Greenside	Ali Paddle

**Also present** in respect of Agenda Item No.5 (Minute No.A2/2022 below) was Cumbria County Councillor Shirley Evans.

**In attendance:** Chris Bagshaw (Town Clerk), Inge Booth (Democratic Services Assistant), Janine Holt (Council Services Officer) and Pierre Labat (Townscape Officer).

## A1/2022 Apologies

Apologies for absence were received and accepted from Cllrs K Blamire and C Hardy.

## A2/2022 Path Repairs at Sandylands Allotments

The Town Council had had problems with the surface of the footpath which ran through the heart of the Sandylands allotment. At its lowest point, it flooded and became very muddy and virtually impassable after rain. In winter, the route was often unusable. The Town Council had attempted to patch this path on a number of occasions and had scheduled further work this winter – mostly the compacting of self-binding aggregate on the worst bits. The land was owned by South Lakeland District Council, but the Town Council's allotment tenancy covered the whole of its landholding in this field.

Cumbria County Councillor Shirley Evans addressed the Committee, seeking co-funding for a project improving connectivity between Fowl Ing Lane and Jenkins Rise. Cllr Evans was supporting a Cumbria County Council footpath improvement scheme for the right of way between Fowl Ing Lane and Jenkin Rise, which included the section of path through the allotment. She explained that it was the main access path to the allotments from most locations and was very well used, particularly by Queen Katharine School pupils and the nearby nursery users. She informed the Committee that the County Council currently had

£20,000 put aside from the Environmental Improvement Fund, with a proposal to make the path the best it possibly could be. Officers had come forward with two suggestions, one by complete use of shale and one including some tarmac; the costs, however, were not yet known. South Lakes Housing, whose residents benefitted from the path, had promised a contribution of £1,000 and Cllr Evans hoped that the Town Council would consider also offering support to the proposal which would benefit the users of the allotments.

The Townscape Officer stressed the need to ensure that the contractors carrying out the work were aware of the problems caused to the path by heavy rain and for the need of the installation of a gully or other suitable drainage method. A Member having expressed concern to earlier mention by Cllr Evans of the potential for use of shale, Cllr Evans explained that it was, in fact, to be a self-binding aggregate.

**A3/2022      Declarations of Interest**

Cllr A Finch declared an interest in Minute No. A8/2022 as set out below.

**A4/2022      Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

No issues were considered for exclusion.

**A5/2022      Minutes of the Previous Meeting**

**Resolved:** To receive and accept the minutes of the previous meeting of the Allotments Committee held on and to authorise the Chair to sign them as a true record.

**A6/2022      Review of Spend against Budget**

In presenting the paper, the Council Services Officer asked Members if they wished now to consider County Councillor Shirley Evans' request at Minute No. A2/2022 above.

In response to a query, the Council Services Officer advised that there was some flexibility in the capital funding, although an amount of £30,000 had been put aside for the Canal Head extension scheme.

Committee Members expressed concern regarding at making a decision on any contribution to the path repairs at Sandylands allotments prior to any indication of costings, however, felt that match-funding South Lakes Housing up to a sum of £1,000 from the revenue budget would be appropriate.

A query having been raised in relation to the budget spreadsheet as presented not showing a breakdown on how money was being spent, the Town Clerk acknowledged that more detailed information was required and informed Members that the finance system was mid-change and that further consideration needed to be given to how this was presented. He undertook to ensure that the information was provided in a more appropriate format at the next meeting, however, assured Members that allotments spend was within budget.

**Resolved:**

(1) to accept the report;

(2) to contribute a sum from the revenue fund of up to £1,000 to Cumbria County Council for the path repairs at Sandylands allotments; and

(3) the Town Clerk to arrange for the production of a more detailed budget report to the next meeting.

#### **A7/2022 Asbestos Site Investigation – Underley Hill Allotment Gardens**

The Council Services Officer reported that the Council had been quoted a figure of up to £3,755 to investigate the extent of the asbestos contamination at Underley Hill Allotment Gardens. She provided some detail of the lengthy history of the site which was leased by the Town Council from South Lakeland District Council. The Committee was being asked to consider the quote and to indicate its approval for a timescale of appropriate works.

Members expressed strong concerns around health and safety and insurance, however, were also concerned that, should the Town Council commence with investigations, then this could be seen as taking on responsibility for the issue. Concern was also expressed in relation to insurance. The Town Clerk explained that, having been reunited with the Town Council's paper files now that the Team had moved back to the Town Hall, it would be much easier to check up on the back stories. The Council Services Officer advised that emails existed indicating that the District Council was responsible and that it was the District Council that had taken the decision to simply cordon off the area and to not condemn it. The Town Clerk reassured Members, explaining that the asbestos was inert if not disturbed; the area was cordoned off and the risk was to those trespassing in the location; this was not an emergency situation.

**Resolved:** Officers to carry out further investigation on the history of the site and as to who is responsible for the matter.

#### **A8/2022 Cockerels on Coley Barn Allotments**

***Note – Cllr A Finch declared a non-pecuniary interest in this item of business by virtue of the fact that he was a tenant of Kendal Town Council on Coley Barn Allotments. He abstained from voting on the matter.***

The Council Services Officer presented a report, explaining that in 2015 a complaint by a member of the public had been received with regard to the noise nuisance of the cockerels on Coley Barn allotments. At that time, the Committee had agreed that cockerels would be permitted in exceptional circumstances, with the tenant having to provide robust evidence to support their need for a cockerel(s). Two tenants had been granted approval, the main basis of the approval being that they kept rare breed birds. The birds were used for breeding to ensure the survival of bloodline. In the interim period, no further complaints had been received.

In November 2021 a complaint had been received from a local resident about the noise nuisance caused by the cockerels on Coley Barn. The resident found the situation intolerable and had reported it to the Environment Protection department of South Lakeland District Council. An Officer from the Environment Protection department had confirmed that the current noise caused by the cockerels was above the acceptable level and was a legal

nuisance. The Town Council, as landowners, was obliged to resolve the issue or face fines and legal costs.

The Council Services Officer offered three options for consideration by the Committee:-

- (1) To not permit cockerels on any allotments.
- (2) To allow cockerels on any allotments.
- (3) To allow cockerels in exceptional circumstances.

A lengthy discussion ensued, particularly with regard to Option (3) which was felt to be the best way forward. During consideration, it was brought to Members' attention that Town Council officers had not always been treated in an appropriate manner in trying to deal with the matter over the past few months. Members expressed the strong opinion that where tenants were abusive towards staff then their tenancies should be terminated with immediate effect.

The Council Services Officer indicated that, should Members pursue Option (3), then officers would ensure that the birds involved were indeed rare breeds and that everything was in order.

Members discussed the fact that, should Option (3) be pursued, then those keeping birds illegally should be given the opportunity to remove their birds within an appropriate timescale and, if this did not happen, then their tenancy should be terminated. In addition, those being allowed to keep rare breeds would need to be reminded about acceptable noise levels and that, if they continued to cause a nuisance, then their tenancies too would have to be terminated.

**Resolved:** To allow cockerels in exceptional circumstances (the plot holder will have to provide robust evidence as to the reasons for keeping a cockerel and will be subject to a trial period with restrictions in place. The situation will have to be closely monitored and he views of the surrounding residential area sought. This is the "Status Quo" situation as it applied to Coley Barn until recently, when it emerged that several cockerels were being kept on the site without permission.)

#### **A9/2022      Rabbit Control**

The Council Services Officer referred to the growing problem within Kendal of rabbits and asked Members to discuss what measures the Council could take to protect itself and allotment holders from rabbit infestations from surrounding, privately-owned land. She informed Members that she had been providing advice to allotment holders on netting and preventative measures. The Town Council could put up or fix existing fencing, however, was not able to fix the problem. She felt that it was necessary for the Council to put pressure on the landholders and the District Council. The District Council had advised that their estates management team was carrying out work in this regard and she undertook to make contact with them again on the matter. She was also keen to raise the profile of the issue with partner agencies and to engage at higher level than officer and at least look to reduce the problem if not resolve. She further suggested a PR campaign and inclusion of an article in a newsletter or the Westmorland Gazette.

Members further raised the issue of burrowing causing unsafe ground, particularly on Kendal's historic sites, and for the potential for injury. Also raised were the health and safety issue of myxomatosis and the burden of the rabbit issue on officers' daily routine. It was suggested that allotment holders should be advised that the Council was doing its best in this regard.

**Resolved:**

- (1) to note the report; and
- (2) officers to talk to partner agencies to look to reduce the problem, to consider an appropriate PR campaign and to advise allotment holders that the Council is doing its best to address the problem.

**A10/2022      Waiting List**

The Council Services Officer informed Members that she was struggling to let plots, despite the long waiting list. She was finding that she was offering plots but either getting no response, or the prospective tenants no longer required an allotment. This was time-consuming and resulting in plots being unworked for a considerable length of time. The Council Services Officer suspected that this problem would continue for some time until she had offered plots to all the people who had joined the waiting list during the 2020 lockdown.

The waiting list currently stood at 151 individuals. Ten plots were currently on offer to prospective tenants, and one plot vacant. 18 plots had been let since the last meeting of the Allotments Committee.

Members suggested the need for a quarterly email to those on the waiting list with an update on the current position and to make it clear that others were also waiting for plots. In addition, it was suggested, where no response was received, that those individuals should be removed from the list.

The Council Services Officer informed Members that the allotments systems had now been streamlined with the finance system. It was her intention now to get out and about and work on the list.

**Resolved:** To note the report.

**A11/2022      Site Representatives' Reports**

The Crow Tree representative, Brian Williams, informed the Committee that tenants had raised the possibility for the provision of a skip for a tidy-up day. The Council Services Officer explained that this had previously been done, however, had resulted in other individuals using the skip. The Townscape Officer added that tenants had also occasionally used the skip for inappropriate items, such as asbestos, glass, grass and soil. He felt that it would not be possible for the Council to provide a skip again.

Jon Cox, Castle Hags Ext representative, drew attention to the vast number of rats on the site, which was resulting in the loss of produce. The Council Services Officer acknowledged that there was a problem on this site and undertook to report this back to Pest Control. She

advised that the laws in respect of rat control had changed and explained that, if the environmentally-responsible approach of eradication was not working, then poison could be used as a last resort.

**Resolved:**

- (1) to note the reports; and
- (2) the Council Services Officer to contact Pest Control with regard to the rat problem at Castle Hags Ext.

**A12/2022 Project Updates**

The Townscape Officer reported that the contractor had promised to make a start on the Canal Head allotment extension at the end of July/beginning of August. Members acknowledged the problems currently faced by contractors, however, were keen for a start to be made and suggested a press release and regular updates on the situation. The Council Services Officer also explained that it was her understanding that work would commence at the end of July.

The Townscape Officer was pleased to inform Members that the Wattsfield fence had been successfully erected at the football field side. He had addressed the issue of a gap at the bottom of the doors where rabbits had been entering the site and added a wooden plate and this seemed to be working well. He referred to the roadside fence which needed dealing with in autumn and pointed out that the issue here would be with regard to maintenance of the hedge which was becoming wider and taller. The Council Services Officer indicated that the Town Council would need to take this on board.

The Townscape Officer circulated pictures of a push down water tap, the type of which he was suggesting could be used at Greenside. The cost of the tap was £76 and the bracket for the post £12. The plan was really to stop tenants' excessive use of water on the site rather than addressing the water theft issue raised at the previous meeting. The Townscape Officer provided details with regard to that issue, explaining that it had since been established that the main part of the problem was most likely to have been with regard to a leak in the pipework, although pointing out that the water company had been unhelpful as regards looking into this matter. The Council Services Officer was keen for the Council to move to the proposed push down tap across all of its sites and suggested that one or two be trialled initially.

Members expressed concern with regard to the theft issue not having been appropriately addressed by United Utilities and suggested that the company be approached again and asked to re-inspect the pipework. The potential for use of a water trough and valve system, which was quicker than a tap, was raised. Members though were keen to try out one tap for a period of time, in the location of the original leak/theft at Greenside, with allotment holders being updated on the situation and reason for this. Also raised was the fact that hose pipes could not be attached to push down style taps and the need to re-examine the Council's policy as water became a priority for people. It was suggested that this be done in spring once the new Canal Head site had been in operation for a while.

The Townscape Manager lastly informed the Committee of a good news story in relation to a Rinkfield allotment tenant who had recently appeared on Countryfile to talk about his hedgehog project. The tenant's scheme had been incredibly successful and he had since been offered a place at Kendal College on a woodworking course. The Townscape Manager also referred to the fact that the Council had recently provided Manna House with a plot at Castle Haggs Ext. The organisation was delighted and this was proving to be a huge success. Members suggested that these stories should be included within a future Council Newsletter.

**Resolved:**

- (1) one push down style tap to be installed and trialled in the location at Greenside described above;
- (2) the success stories referred to be put forward for inclusion in a future Council Newsletter; and
- (3) the project updates be noted.

The meeting closed at 8.25 p.m.