

Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED
www.kendaltowncouncil.gov.uk



Minutes of a meeting of the Allotments Committee held on Monday, 25 September 2023, in the Council Chamber at the Town Hall, Highgate, Kendal, at 7.01 p.m.

Cllr G Archibald (Vice Chair)	Present	Cllr J Cornthwaite	Present
Cllr L Edwards	Present	Cllr A Finch	Present
Cllr C Hardy	Apologies	Cllr L Hendry	Apologies

Site Representatives present

Castle Drive	Elizabeth Kelly
Castle Hags Ext	Jon Cox
Crow Tree	Bryan Williams
Underley Road	Chris Rowley
Wattsfield	Ros Taylor

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

A10/2023 Apologies

Apologies for absence were received and accepted from Cllrs C Hardy and L Hendry, and from Site Representatives Deborah Allison (Canal Head) and Gwen Tordoff (Castle Hags).

A11/2023 Declarations of Interest

Cllr Finch, for the purpose of transparency, reminded the Committee of his previously-declared interest as an allotment holder.

A12/2023 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no confidential items included within the agenda.

A13/2023 Minutes of the Previous Meeting

Cllr J Cornthwaite took the opportunity to offer a retrospective apology for his absence at the meeting of the Committee held on 12 June 2023.

Resolved: To receive the minutes of the previous meeting of the Allotments Committee held on 12 June 2023 and to authorise the Chair to sign them as a true record.

A14/2023 Minute Action Sheet

The Committee considered a report on actions taken by officers on resolutions or recommendations made at previous meetings.

In response to a query regarding Ref. No.7, the Town Clerk, pointing out that this was a confidential matter, explained that this matter was being progressed, with a solicitor having been approached.

Resolved: To note the report and the additional update provided at the meeting and outlined above.

A15/2023 Co-option of Members

The Chair explained that the Committee's new Terms of Reference allowed for six councillor members and three co-opted members. The three co-opted members had to be allotment tenants and would be able to vote as ordinary members, except on issues involving expenditure. The three co-optees did not have to be existing site representatives. Site representatives continued to have a role in the Committee's work, reporting on their respective site's issues, and assisting the Committee members in their management of the allotment estate.

The Committee was, therefore, asked to consider the co-option of three tenant members to the Committee.

Resolved: To co-opt, with immediate effect and in accordance with its new Terms of Reference, the following allotment tenants to the Committee:-

- Jon Cox
- Chris Rowley; and
- Ros Taylor

A16/2023 Review of Spend against 2023/24 Budget

The Council Services Officer presented a report reviewing spend against budget as at 12 September 2023. He advised Members that he would provide an explanation regarding use of the apportionment by the Management Committee to Allotments of £25,000 from the Community Infrastructure Level during consideration of the following item.

A request was made for the document relating to Interest Apportionment 2022/23 to be appended to the minutes.

Resolved: To note the report and to append the document relating to Interest Apportionment 2022/23 to the minutes.

A17/2023 Budget and Rent Review 2024/25

The Town Clerk presented a report, asking the Committee to consider a proposed draft budget for the forthcoming financial year 2024/25 and the plot rental charges for 2025.

The report draft Proposed Budget for 2024/25, was as follows:-

Item	2023-24	Est outturn	percentage	Proposed 2024-25	Notes
Water	1,800	1,800	100%	1,950	
Rent	950	1,040	109.5%	1,050	Anticipated rental increase for Castle Hags Ext
Pest control	3,000	3,000	100%	3,200	
Maintenance	8,800	8,800	100%	9,000	
Total	13,600	14,640	108%	15,200	

In addition, the report provided details in relation to estimated rental incomes. Although annual inflation for 2023 was running at around 6.5%, the Council had to balance this against the impact on Allotment Rents for 2025, by which time it was predicted that inflation would have stabilised. The current budget had increased the rental charge in 2024 by 3%. A similar increase was being proposed for 2025, which continued to compromise between necessary allowance for rising costs and an acknowledgement by the Council that Allotments met a Climate Change priority and were subsequently required not to be prohibitively expensive.

The Reserve level was increased by the apportionment by the Management Committee of £25,000 from the Community Infrastructure Levy, to initiate further expansion and improvement to the estate.

	2023	2024	2025	Notes
Income	23,671 (Outturn)	23,500 (Estimated)	24,200 (Proposed)	

The report, finally, provided details in relation to Allotment Reserves, as follows:-

	1 April 2023	Proposed 1 April 2024	Proposed 31 March 2025
Cash	42,886	68,225	44,000

The Town Clerk provided details in relation to the proposals contained within the report and answered questions raised by Members.

Concern was raised with regard to the proposal for an increase by 3% in the rental charge for 2025, given that inflation was currently quite high and that the Council's costs would increase as a result. It was, therefore, suggested that this should be increased, to a figure of 44p per square metre for 2025.

Reference was made to the Hardship Fund and the need to negotiate with people to split allotments.

Resolved: Subject to an amendment to increase the allotment rental charge for 2025 to 44p per square metre, to recommend the proposed budget requirements for the next financial year, as attached to the report and outlined above, for consideration by the Management Committee prior to presentation to Full Council.

A18/2023 Review of Tenancy Agreements

The Town Clerk informed the Committee that the Council should keep its Allotment tenancy agreements under review to ensure that they continued to represent best practice and could be legally enforced. It was prudent to give tenants as much notice as possible of any likely change to their tenancy agreements. With this in mind, any changes agreed by the Committee before January 2024 would not come into force until January 2025.

The Council's existing tenancy agreements, whilst containing many elements of best practice, did not conform to the Model Tenancy Agreement published by the National Association of Local Councils (NALC). NALC recommended that councils adhere to their model tenancy agreement as it assisted them when giving legal advice to councils on allotment-related matters.

As well as complying with the necessary legislation (known collectively as 'Allotment Acts'), the NALC model enabled a council to use a section of the Model to apply its own, specific rules (as allowed by the legislation and explained in the NALC guidance). This was the section which allowed the Council to reasonably control numbers of hens, size of structures, behaviour of tenants, etc. Additional conditions for consideration included discounts or preference for returning service personnel, a review of existing discounts (for instance currently some tenants received a discount for keeping hens rather than growing produce), and the appropriate sanctions for late payment, non-cultivation, anti-social/nuisance behaviour, etc.

The current Kendal Town Council, NALC recommended and NALC Guidance were appended to the report for information.

Resolved: To note the report and the recommendation that the Council adopt the NALC template for its agreements from January 2025, with officers submitting a draft version covering Kendal's specific needs for the Committee's approval at its next meeting.

A19/2023 Rats on Allotments

In the absence of the Council Services Officer, the Town Clerk presented a report which drew attention to the fact that rats had always been present on allotments and, to date, had been successfully managed with rodenticide administered by a specialist contractor.

Currently, however, from an allotment perspective, rats had been very problematic this year. The Council Services Officer had been informed by the contractor that the guidance on the use of rodenticide was changing. At the moment, it could only be used in limited amounts and by July 2024 will be phased out altogether. This would further exacerbate an already acute problem.

The worst affected allotment site this year had been Castle Haggs Ext, but numerous sites had seen an increase in activity. The Council Services Officer had met with contractor to discuss the problem and to identify why this year has been so bad. There were a number of reasons, as follows:-

- kitchen waste being composted on site;
- numerous non rat proof compost bins and storage containers on site (compost bins should have wire on the bottom of the bin);
- overgrown, uncultivated plots;
- difficulty in gaining access to plots;
- poor animal husbandry;

- general rubbish and building materials on site;
- adjacent land which is left to go wild, providing a safe haven for rats; and
- types of crops planted.

In order to alleviate the issue, the above-mentioned points needed to be addressed through:-

- engagement of the allotment holders;
- researching natural methods of controlling rat populations;
- promoting a dialogue with local landowners; and
- developing a strategy on managing rats on allotments.

In presenting the report, the Town Clerk informed the Committee that he was still taking legal advice on the legality of use of rodenticide which the Council's contractor had indicated would not be lawful from the following year.

Resolved: To note the report.

A20/2023 Surplus Food – Community Initiative

On behalf of the Council Services Officer, the Town Clerk presented a report which drew attention to the fact that making the best use of surplus produce on allotments had been raised in a number of forums over the last few years. The allotment holders currently had the facility to donate surplus produce to Waste into Wellbeing, with the allotment holder responsible for dropping off the produce. Some allotment holders found this prohibitive, so unfortunately, some produce went to waste.

Over this growing season, an increase in the incidents of stolen crops had been reported. The type of crops and quantity had also changed and it appeared that individual items were being taken at a time and not only produce that was ready to eat but items that would have to be taken home and cooked. The Council Services Officer believed that this is was a direct result of the cost of living crisis and increased burden on local residents.

To this end, it was being proposed to purchase and install 'food larders' in key locations near or on allotment sites. These food larders were to be used by allotment holders to donate their surplus produce. The food could be accessed by other allotment holders, directly by members of the community or collected by Waste into Wellbeing. It was anticipated that these food larders would complement the current arrangements with waste into wellbeing.

The idea was only in the very initial stages and needed to be further worked up to see if it could be a viable project. The project would be developed in liaison with representation from the Environment Committee, Waste into Wellbeing and allotment holders.

Members were asked if they had any further suggestions and it was recommended that the Committee approve the development of an allotment surplus produce scheme.

The Townscape Officer, whilst positive with regard to the proposal, expressed some concern with regard to available resources, as to where the produce was to be taken and around transportation.

The Committee discussed the matter at length, both welcoming the proposal, however, also expressing concerns regarding how this could work in practice. It was suggested that a pilot study might first be carried out on one allotment – a tenant on Greenside had indicated a keenness to take this forward. Also suggested was the need for the siting of more boxes in

which to put excess produce for people to take away, to be publicised through use of a telegram app. The Town Clerk suggested that an upcycled cupboard for surplus produce could be sited on the tow path between Castle Hags and Canal Head next summer, to be advertised by word of mouth. In addition, it was suggested that those people on the Allotments Waiting List might be informed of the scheme so that they might be able to reap the benefits, as well as drawing attention to the scheme through the Allotments Newsletter. It was raised that a different model should be trialed at Greenside, as suggested earlier in the discussion.

Resolved: To site an upcycled cupboard for surplus produce on the tow path between Castle Hags and Canal Head next summer, to be advertised by word of mouth and for those people on the Allotments Waiting List to be informed of the scheme in order that they might be able to reap the benefits, the scheme also to be mentioned within the Allotments Newsletter.

Discussion turned to surplus apples and to the potential for a community pressing day using the Orchard Group's apple press. It was suggested that more research should be carried out in this regard and Ros Taylor, Wattsfield Site Representative, indicated a willingness to assist.

Resolved: To look into the potential for a community apple pressing event.

A21/2023 Cumbria Plan Bee

The issue having been discussed at the last meeting of Full Council, the Chair asked the Committee to consider a suggestion that bee houses for solitary bees were sited appropriately on the Allotment Estate, and that tenants were suitably informed about the value of solitary bees and the risk presented by invasive Yellow-Legged Hornets (*Vespa Velutina*, also known Asian Hornets).

In introducing the item, the Chair stressed the importance of allotment holders keeping an eye out for Asian Hornets.

The Town Clerk believed that there were a number of suitable spaces on allotment sites for bee houses, and it was suggested that these should initially be trialed at Canal Head and at the top of Anchorite.

Ros Taylor, Wattsfield Site Representative, referred to a local expert on bumble bees who would be able to provide advice on the matter.

Resolved: To trial bee houses at Canal head and at the top of Anchorite.

A22/2023 Townscape Officer Update

The Townscape Officer provided verbal updates as follow:-

- Water Troughs – These were proving to be very successful – tenants liked them and they were easy to use. The Townscape Officer was keen to extend this scheme to other sites, for example Castle Hags, and to try out different, more cost-effective containers, for example, tubs with ballcock valves. He drew particular attention to the good example being set by the Town Council and to the fact that use of water troughs overcame the problems in relation to hose pipe bans.

The importance of further research, dialogue with tenants and robust consultation was raised.

Resolved: Further research and dialogue with tenants and robust consultation to be carried out in relation to the proposal to use water troughs at Castle Haggs.

- Fence at Castle Haggs Ext – The Townscape Officer drew attention to the state of the fencing around this site, pointing out that the work required was estimated to cost in the region of £10,000 to £15,000.

The Committee discussed how this could be funded, as well as potential alternative options for fencing. Also discussed was the need to prevent further weed growth around the perimeter of the site, as well as vermin. The Town Clerk suggested that discussion should take place with Westmorland and Furness Council around the need to move the access on that site. He also drew attention to that Council's plans for tree planting in that area which would improve biodiversity in that area. He undertook to talk to colleagues at Westmorland and Furness and to come up with an appropriate plan.

Resolved: The Town Clerk to carry out further research and to come back with an appropriate plan regarding fencing at Castle Haggs.

- Tap at Greenside – The Townscape Officer informed the Committee that the stop tap had not been fitted as yet.

Strong concern was expressed at the fact that a tap had been purchased but not used. The Town Clerk undertook to find a suitable site on which to instal the tap.

Resolved: The Town Clerk to find a suitable site on which to instal the stop tap originally purchased for Greenside.

Resolved: To note the verbal updates.

A23/2023 Allotment Statistics Report

The Town Clerk presented a report from Council Services Officer presented a report which showed that the waiting list currently stood at 112 individuals. The list had increased by 14 individuals since the last meeting. Nine plots were vacant, details of which were provided within the report. Five plots had been let since the last meeting.

A query was raised with regard to the routine followed by the Council Services Officer in relation to inspection of allotments, particularly where allotment holders were not taking up their responsibilities in an appropriate manner. It was felt that the next three months were crucial in this regard, it being pointed out that people would shortly be invoiced for the following 12-month period. Reassurance was sought that those people who needed to be moved on would receive notice to quit in a timely fashion.

The Town Clerk explained that he and the Council Services Officer had discussed this matter at length, pointing out that this was a labour-intensive task. He referred to the Council's new technology which had helped to some extent, although this was in its early stages and required some initial ground work – once initial inspections had been carried out using the system, management of allotments would become much easier in future. He informed the Committee, however, that additional resources may initially be required to carry out the ground work. The Town Clerk provided details of the lengthy process in relation to

moving on allotment holders, drawing attention to the initial inspection; due notice to improve; time to improve; following up at each stage; and then provision of notice to quit - all this could take up to ten weeks. The Town Clerk further drew attention to the problem of some plots being too large for some people to work and to the need for the Council to be more proactive in splitting some of these. He stressed the fact officers tried their best to manage the sites and that they would try to do more moving forward.

The need to restore the Committee's confidence and for the matter to be addressed quickly and rigorously was stressed. Raised was the potential for the Council Service Officer to be accompanied by either a Committee Member or a Site Representative when carrying out inspections so not just officer making decisions. The Town Clerk, pointing out that this may not be appropriate, suggested that contracts needed to be re-examined to ensure that procedures around non-cultivation of plots were more clearly reflected.

Following lengthy discussion, the Committee felt that the Town Clerk should be left to come up with an appropriate plan and to report back to the next meeting, also addressing resource allocation.

Despite this discussion, attention was drawn to the fact that the Council Services Officer was held in the highest regard.

Resolved: The Town Clerk to devise an appropriate plan in relation to persistent non-cultivation of plots, also addressing resource allocation, and to report back to the next meeting of the Committee.

Resolved: To note the report.

A24/2023 Site Representatives

Bryan Williams, Crow Tree Site Representative, drew attention to frustration being raised at this site with regard to the time being taken for some new allotment holders to start work on plots. The Chair made reference to similar problems in relation to a plot on Coley Barn.

Resolved: To note the verbal report from the Crow Tree Site Representative.

The meeting closed at 8.50 p.m.