

# Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED  
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Minutes of a meeting of the Allotments Committee held on Monday, 27 February 2023, in the Council Chamber at the Town Hall, Highgate, Kendal, at 7.00 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	Present

## Site Representatives present

Castle Hags	Gwen Tordoff
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), Janine Holt (Council Services Officer) and Pierre Labat (Townscape Officer).

## A33/2022 Apologies

Apologies for absence were received and accepted from Cllr C Hardy and from Site Representatives Deborah Allison (Canal Head), Elizabeth Kelly (Castle Drive) and John Youde (Underley Hill).

## A34/2022 Declarations of Interest

Cllr Finch reminded members of his previously declared interest as an allotment holder.

## A35/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

The Committee considered whether to exclude the press and the public from any items related to a confidential or commercially sensitive matter.

**Resolved:** To note that such an item appears later in the agenda and will be dealt with at that point.

## A36/2022 Minutes of the Previous Meeting

**Resolved:** To receive the minutes of the previous meeting of the Allotments Committee held on 12 December 2022 and to authorise the Chair to sign them as a true record.

## A37/2022 Minute Action Sheet

The Committee considered a report on actions taken by officers on resolutions or recommendations

made at previous meetings.

*A31/2022 – Waiting List* - The Council Services Officer reported that Cllr M Helme having advertised the relevant Underley Road site as a community plot through her Refugee Network, a good response had been achieved, with around ten people having shown an interest. Members wished to ensure that an appropriate press release was put out. The Committee was also keen to ensure offers of assistance and tools where possible. The Council Services Officer indicated that a meeting needed to be held on site with those interested and informed the Committee that the Council would be cutting hedges and a number of trees which needed to come down. The Town Clerk responded to a concern in relation to the Waiting List and the potential for people to think that this group might be jumping the queue. He explained how this would be managed in the context of the plot being brought in for community use.

**Resolved:** To put out an appropriate press release with regard to the aforementioned community plot at the Underley Road site.

*A32a/2022 – Site Representatives* - The Council Services Officer reported that there had been no move as yet on the baseline survey in relation to development of a plan for the maximisation of biodiversity on allotment sites. A meeting had taken place with Cumbria Wildlife Trust and it had been acknowledge that the two plots at Canal Head would always remain wet. With regard to the Underley Road site and the asbestos plot, the organisation had said that this should be left to wild and that it should not be entered. As regards the plot with trees, the Trust was keen to work with people to bring the trees back to fruit. The Council would work with the Trust and try to engage volunteers through an open day in the hope of getting the community to take the plot on board as a long term solution. In response to a query, the Council Services Officer informed the Committee that the Council was developing a good relationship with Cumbria Wildlife Trust who were keen to assist with any biodiversity projects, with the Council attracting the necessary volunteers.

**Resolved:** To note the report.

### **A38/2022      Review of Spend against 2022/23 Budget**

The Council Services Officer presented a report reviewing spend against budget which indicated that only £32 remained at the end of the year. The report included a Reserve Statement, as requested at the last meeting of the Committee.

**Resolved:** To note the report.

### **A39/2022      Canal Head Extension**

The Town Clerk presented a report advising that the Canal Head extension was approaching completion, with nine plots ready to let by the end of February. A further 12-16 plots should be available by the middle of March, as the site of the proposed wetland/wildflower area was planted up and the three soakaways completed. The level of surface water flooding had been greater than anticipated, but it was predicted to diminish as the surface planting took hold. The addition of three large soakaways, interrupting the flow to the lowest part of the site, should also assist in preventing the build up of surface water. On the lowest part of the site, there would be a wild planting area, using plants which were water tolerant and good pollinators, such as yellow flag iris, meadowsweet, marsh marigold and great burnet. Planting advice had been given by Cumbria Wildlife Trust following a site visit. This allowed the Council to actively increase the biodiversity value of the whole site whilst addressing the issue of surface water drainage and turning it to an advantage. The new plots were smaller than the average (around 60 square metres), but had the capacity to be doubled to

accommodate demand for larger plots. A persistent issue of anti-social behaviour and criminal damage had been reported to the Police earlier in the year. Since the design of the rabbit proof fencing had been amended, there had been no further incidents, but the site was being monitored. Any further damage, or indication as to possible perpetrators, would be dealt with by the Police.

The Townscape Officer referred to the three soakaways and explained that, during digging works, a layer of clay had been found. This he said, together with compacted soil, had been the reason for build up of surface water. The Town Clerk suggested that if the soakaways proved to work well, then this could also be a solution for Castle Hags, where surface water accumulated following heaving rainfall.

The Town Clerk further reported on anti-social behaviour which had been taking place since writing the report in the area along the canal path and informed the Committee that he had discussed the matter with the Police earlier in the day.

**Resolved:** To note the report.

#### **A40/2022      Site Signage**

The Town Clerk reported that a review of site signage was an action following a review of allotment risk assessments in 2021-22. Currently there was no uniform method of informing the general public that an allotment was managed or owned by the Town Council, where the allotment was (in a format recognisable by the emergency services), who should be contacted for issues relating to the site and what may or may not be allowed in terms of public access. In the event of an incident or emergency on a site, the information that the Council currently provided was not helpful. What was prominently displayed on each site was a warning about damage to the allotment, with a threat of a fine for offenders under the Allotment (sic) Act, 1922. The Allotments Act 1922 was still law. Section 19 of the act said:

***Penalty for damage to an allotment garden***

*(1) Any person who by any act done without lawful authority or by negligence causes damage to any allotment garden or any crops or fences or buildings thereon shall be liable on summary conviction to a penalty not exceeding five pounds, but this provision shall not apply unless notice of this provision is conspicuously displayed on or near the allotment garden.*

This section had been specifically repealed by the Statute Law (Repeals) Act 1993, presumably because it had been superseded by the Criminal Damage Act 1971, so the majority of the signs appeared now to be redundant. Additionally there were some ancillary notices at some sites relating to dog fouling, though it was not clear where these had come from, on whose authority, and how they might be enforced.

New signage would provide the name of the site, some geographical locators – postcode, grid ref or What3Words, a contact number, email and web address for the Town Council, and any other priority message felt to be important. It could be ‘Authorised access only’, ‘Access for allotment tenants only’, or more nuanced for some sites ‘Access to individual plots is restricted to authorised tenants only’. This might apply at sites where there was a tradition of public access through the site – Canal Head, Sandylands, Castle Hags for instance. Inclusion of the location of the nearest defib device would also address an issue raised within the risk assessment.

It was being proposed to use Allotment Development Funding to invest in new, uniform signage across the allotment estate. Depending on the final size and what existing poles or mounting arrangements could be re-used, the estate required in the region of 30-35 signs,

which would cost between £80 and £120, assuming aluminium dibond. A budget of £5,000 would allow for some new poles to be installed on some sites.

Members fully supported the proposal, however, proposed instead for a sum of £8,000, wishing to ensure that sufficient funding was set aside and not wanting to skimp on the signs. A suggestion was made for inclusion within the signage of the importance of biodiversity and non-use of pesticides, however, the Town Clerk suggested that this was a noticeboard issue, also pointing out that noticeboards should be erected on all sites.

**Resolved:** To authorise the use of up to £8,000 from the Allotment Reserve to install safe and uniform signage across the allotment estate.

#### **A41/2022 Allotment Statistics Report**

The Council Services Officer reported that the waiting list currently stood at 139 individuals. It had reduced by one individuals since the last meeting. 32 plots were vacant, details of which were provided within the report. Ten plots had been let since the last meeting, details of which were also provided. Outstanding Rent as of 15 February 2023 was £3,379.38 and related to 64 plots.

During discussion, the Council Services Officer informed the Committee that she did not envisage any problems in letting vacant plots.

**Resolved:** To note the report.

#### **A42/2022 Site Representatives**

Gwen Tordoff, Castle Hags Site Representative, informed the Committee that a few tenants had been considering giving up their plots and suggested that she would be willing to meet and help with any new tenants. The Council Services Officer advised that she had recently let a number of sites at Castle Hags and was now in a position to share details with Gwen. Gwen further referred to a stiff lock at the Castle Hags Extension which she had treated with WD40. The Townscape Officer said that this was appropriate, however, undertook to have a look when passing.

**Resolved:** The Council Services Officer to share details with the Castle Hags Site Representative of new tenants at Castle Hags.

**Resolved:** The Townscape Officer to inspect the lock at the Castle Heads Extension.

Jon Cox, Castle Hags Extension Site Representative, informed the Committee that the rat problem remained ongoing. The Council Services Officer explained, however, that the local pest control operative was unable to take the work on.

Brian Williams, Crow Tree Site Representative, drew attention to a previous question regarding the issue of skip provision.

Cllr L Hendry took the opportunity to ask whether a policy existed in relation to the collection of rubbish, mainly with regard to large plastic and recyclable waste which remained on empty or neglected plots. She also referred to the fact that some new tenants inherited this type of waste when taking on neglected plots. The Council Services Officer explained that the Council's policy, when letting plots, was to clear away rubbish. She pointed out the benefit of meeting new tenants on site due to the fact that once let, the plot became their responsibility. She stressed the fact that the Council did carry out clearance and pointed out that a lot had been spent on clearance in 2022/23. The Townscape Officer referred to a

previous Committee decision to ensure that sites were handed over to the highest standards possible. To this end, when plots were vacated, a systematic clear up was carried out in order to ensure that they were handed over safely and free from glass, etc. The Council Services Officer, however, drew attention to the fact that there would always be some allotments with an accumulation of rubbish, with tenants holding on to items which they thought may be useful. She was of the opinion, however, that there had been a recent change in culture, with people becoming keen to recycle. Both the Council Services Officer and the Townscape Officer referred to problems as a result of lack of manpower and the potential was therefore raised with regard to the potential for Site Representatives to become involved. It was suggested that they might carry out site meetings on the departure of old and arrival of new tenants, checking out the state of the plot and explaining what was required before reporting back to the Council. Further suggested was the potential for active community groups to carry out litter picking on allotment sites.

**Resolved:** To look into the matter of involvement of Site Representatives with regard to newly-let allotments.

**Resolved:** To look into the potential for active community group to carry out litter picking on allotment sites.

Chris Rowley, Underley Road Site Representative, had nothing to report on this occasion.

Ros Taylor, Wattsfield Site Representative, reported that people were starting to attend their plots. On the subject of rubbish, she explained that she tried to be proactive in this regard, advising officers of any concerns. She pointed out, however, the need for officers to be able to respond quickly. The Townscape Officer was pleased to refer to the new fencing at Wattsfield where he had not noticed any rabbit damage recently.

The Chair wished Site Representatives a successful growing season and thanked them for their contribution, advising that arrangements would be made for the next meeting to be held in May.

**Resolved:** To ensure that the 2023/24 Calendar of Meetings includes a May meeting of the Allotments Committee.

**Resolved:** To note the reports.

## **Part Two**

The next item was considered following a resolution to exclude the Press and Public, as well as those site representatives present at the meeting, due to the confidential or commercial sensitivity of the report.

### **A43/2022      Town Council Allotments**

The Committee considered an issue relating to the management of the Town Council's allotment estate.

**Resolved:** To approach a suitable solicitor to seek to progress the proposal.

The meeting closed at 7.50 p.m.