

Kendal Town Council

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



20 February 2023

To Members of the Allotments Committee and Site Representatives

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

Site Representatives as appropriate

Canal Head	Deborah Allison	Rinkfield	Tony Hayton
Castle Drive	Mrs E Kelly	Sandylands	Vacancy
Castle Haggs	Gwen Tordoff	Sedbergh Road	Vacancy
Castle Haggs Ext	Jon Cox	Shaws Brow	Vacancy
Coley Barn	Eric Ashton	Town View	Vacancy
Crow Tree	Brian Williams	Underley Hill	John Youde
Greenside	Kim Baker	Underley Road	Chris Rowley
Greenside	Ali Paddle	Wattsfield	Ros Taylor
Natland Road	Vacancy		

You are invited to a meeting of Kendal Town Council Allotments Committee on **Monday, 27 February 2023, at 7.00 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.**

Yours faithfully

A handwritten signature in black ink, appearing to read 'A B' followed by a flourish.

Chris Bagshaw
Town Clerk

AGENDA

Public Participation

Any member of the public who wishes to ask a question, make representations or present a deputation or petition at this meeting should apply to do so before the commencement of the meeting. Information on how to make the application is available on the Council's Website - <http://www.kendaltowncouncil.gov.uk/kendal-town-council/statutory-information/guidance-on-public-participation-at-kendal-town-council-meetings/> or by contacting the Town Clerk on 01539 793490.

1. Apologies

To receive and accept any apologies. If accepted, apologies will be considered to be for reasons approved by the council under the terms of local government act 1972, s85.

2. Declarations of Interest

To receive declarations by members and/or co-optees of interests in respect of items on this agenda.

3. Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

To consider whether there are any agenda items during consideration of which the press and public should be excluded.

4. Minutes from the Last Meeting

To receive the minutes of the meeting of the Allotments Committee held on 12 December 2022 and to authorise the Chair to sign them as a true record (see attached).

5. Minute Action Sheet

To consider a report on actions taken by officers on resolutions or recommendations made at previous meetings (see attached).

6. Review of Spend against 2022/23 Budget

To consider a report on budget spending (see attached).

7. Canal Head Extension

To receive an update on development of the new allotments at Canal Head (see attached).

8. Site Signage

To consider a report on site signage across the estate and make any necessary decisions (see attached).

9. Allotment Statistics Report

To receive an update on collection rates, waiting lists and other indicators (see attached).

10. Site Representatives

To receive verbal reports from Site Representatives, and to consider what actions may be taken where no site representative has been present.

Part Two

The following item will be considered after a vote to exclude the press and public under the Public Bodies Admission to Meetings Act, 1960. For reasons of confidentiality, it is likely that the item will be restricted to elected members and officers of the Town Council only.

11. Town Council Allotments

To consider an issue relating to the management of the Town Council's allotment estate.

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Minutes of the meeting of the Allotments Committee held on Monday, 12 December 2022, 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		

Site Representatives present

Castle Drive	E Kelly
Canal Head	Deborah Allison
Crow Tree	Bryan Williams
Underley Road	Chris Rowley

Also present: Cllr L Hendry

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

A25/2022 Apologies

Apologies for absence were received and accepted from Cllr C Hardy and from Site Representatives Ros Taylor (Wattsfield), Gwen Tordoff (Castle Hags).

A26/2022 Declarations of Interest

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

A27/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

A28/2022 Minutes of the Previous Meeting

Reference was made to the fact that Full Council had, on 5 December 2022, considered the minutes of the meeting of the Allotments Committee held on 31 October 2022. Attention had been drawn to an error contained within Minute No.A21/2022 (Canal Head Extension) and to the fact that "Head at Heron Hill School" should read "Head of Governors at Heron Hill School". This error had, therefore, been rectified within the hard copy due to be signed by the Chair and the electronic copy due to be published on the Council's Website.

It was noted that a query about asbestos at Underley had been answered at Full Council. The site was being reviewed in conjunction with Natural Kendal and colleagues from the Environment and Highways Committee.

Resolved: To receive the minutes of the previous meeting of the Allotments Committee held on 31 October 2022 and to authorise the Chair to sign them as a true record.

A29/2022 Review of Spend against 2022/23 Budget

The Council Services Officer presented a report reviewing spend against budget at October/November 2022. She explained that around £1,000 remained in the Revenue budget for the year and this would be spent before the end of March. The Canal Head project would require the full £30,000 to complete, which would leave £10,000 drawn from the reserve to develop the small new site at Town View. It was noted that the Finance statement didn't include a Reserve statement, but that this was included in the budget report.

Resolved: To note the report. Future finance reports to include a Reserves statement.

A30/2022 Canal Head Extension

The Council Services Officer presented an update report on development of the new allotments at Canal Head.

On the Castle side of the site, the boundary fencing had been completed and rabbit proofed. The gate had had mesh fitted to prevent rabbits entering the plots. The drainage plan and the plot division was delayed first by the very wet weather then by the very cold weather but would be completed as soon as possible. The additional drainage work had been agreed with the Chair, previously and would cost in the region of £1,200.

A site visit has been arranged with Cumbria Wildlife Trust to assess how the pond/soakaway and surrounding planting could best maximise the site's biodiversity.

She hoped that the whole site would be complete by 31 March 2023.

Resolved: To note the report.

A31/2022 Waiting List

The Council Services Officer reported that the waiting list currently stood at 140 individuals. The list had reduced by 32 individuals since the last meeting of the Committee. Four plots were vacant. 17 plots had been let since the last meeting. A breakdown of plots let by site was included within the report. There was some discussion concerning an un-listed plot at Underley Road which was formerly let by the District Council for a garden plot. This was now to be returned to the Town Council as a part of the larger allotment site. The Site Rep knew the history of the plot and had access to the large shed which occupied one side.

Resolved: The Council Services Officer will arrange a site visit with the Rep, to ascertain if volunteers could be found to manage the plot's fruit trees and re-purpose the shed.

Resolved: To note the report.

A32/2022 Site Representatives

The Rep from Canal Head asked if further information could be found on fruit trees and hedges at sites. The Council Services Officer confirmed this would be discussed with the Site Reps meeting. Developing policy on trees and hedges would enable issues to be responded to at Crow Tree and elsewhere. The Rep from Castle Drive reported that rats did not appear to be a problem anymore, though one or two plots looked a little ragged. The Council Services Officer confirmed that that these were on her reporting list. The trees at Underley and Canal Head were beginning to cause issues of shading. The Council Services Officer confirmed that some of these would be discussed with the district tree officer, but others were in private ownership.

It was confirmed that contractors were used for the bigger tree and hedge working and that when a plot become vacant, subdivision was usually considered.

Further work would be done on the importance of biodiversity on allotment sites, and how the Town Council could maximise their value in this regard.

Resolved: To note the reports.

Resolved: To develop a plan for the maximisation of biodiversity on allotment sites, which may include a baseline survey.

A32/2022 Budget 2023-24 and Rental Charges 2024

The Committee considered a proposed draft budget for the forthcoming financial year, 2023-24 and the plot rental charges for 2024. With regard to estimated rental incomes, although annual inflation for 2022 was running at around 11%, the Council had to balance this against the impact on Allotment Rents for 2024, by which time it was predicted that inflation would be significantly reduced. The proposed numbers represented the product of a 3% rise in rents in 2024, which was a compromise between necessary allowance for some rising costs and an acknowledgement by the Council that Allotments met a Climate Change priority and were subsequently required not to be prohibitively expensive.

Following discussion, it was suggested that the increase be quoted as price per square metre. This was currently 39p and about to rise to 40p in January. The Committee agreed that this should be limited to a penny increase on the square metre rate (the equivalent of 2.5%). It was noted that this would have little impact on the budget income, which also allowed for uncollected rents and the development of new plots.

It was noted that the projected Reserve spend was limited to the £10k earmarked for Town View. It was noted that the Committee had previously agreed a position that would see the Reserve drawn down to ensure a good level of investment in the estate. The Town Clerk observed that he would advise against spending capital on the sites the Council did not own as secure freehold, and that perhaps the Council should use this opportunity to seek the transfer of the remaining freeholds from the principal authority (currently SLDC but soon to be Westmorland & Furness). The Council Services Officer would report on the existing capital plan, with an additional draw down of £15,000 for the coming year to complete outstanding work on the Council-owned sites.

Item	2022-23	Est outturn	percentage	Proposed 2023-24	Notes
Capital work	40,000	30,000	75%	*25,000	30,000 drawn from Reserve for Canal Head. * Includes the £10k for developing community plot at Town View
Water	1,800	1,600	89%	1,800	
Rent	900	840	93%	950	Anticipated rental increase for Castle Hags Ext
Pest control	3,000	2,850	95%	3,000	
Maintenance	8,000	8,000	100%	8,800	
Total	53,700	43,290	81%	39,550	

	2022	2023	2024	Notes
Income	22,000	22,300	23,000	

	1 April 2022	Proposed 1 April 2023	Proposed 31 March 2024
Cash	68,119	38,119	13,119

Resolved: To recommend the above budget and spending proposals.

Resolved: To recommend a 1p (2.5%) increase in the rents for 2024.

Resolved: To contact the Chief Executive of the new Unitary authority (Westmorland & Furness) to initiate the process of returning the freeholds of the remaining allotment estate to the town.

Resolved: To distribute to members an answer to a query about the apportionment of interest on the allotment reserve.

The meeting closed at 8.07 p.m.

Allotments Committee - Minute Action Sheet - as at 20 February 2023

Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Actioned	Comments
12/12/2022	A29/2022	Review of Spend against 2022/23 Budget	Future finance reports to include a Reserves Statement	SD		Completed	
12/12/2022	A31/2022	Waiting List	Arrange visit with Underley Road Site Rep to ascertain if volunteers can be found to manage the plot's fruit trees and repurpose the shed	JH		18.1.23	In the first instance this plot is going to be offered as a community plot to Ukraine refugees, liasing with Cllr Helme.
12/12/2022	A32a/2022	Site Representatives	Develop plan for maximisation of biodiversity on allotment sites, which may include a baseline survey	JH		25.1.23	Met with Cumbria Wildlife Trust to discuss biodiversity opportunities on Canal Head and Underley Road sites.
12/12/2022	A32b/2022	Budget 2023-24 and Rental Charges 2024	Recommend budget to Council	CB		06/02/2023	
12/12/2022	A32b/2022	Budget 2023-24 and Rental Charges 2024	Recommend increase in rents to Council	CB		06/02/2023	
12/12/2022	A32b/2022	Budget 2023-24 and Rental Charges 2024	Contact CEO of new Unitary Authority to initiate process of returning freeholds of remaining allotment estate to the Town	CB			Not yet actionable
12/12/2022	A32b/2022	Budget 2023-24 and Rental Charges 2024	Circulate to Members answer to query about apportionment of interest on allotment reserve	CB			This appears not to have been done for several years, presumably because interest rates at small fractions of 1% made this practice a little token. The policy will be reviewed as interest rates rise.

Annual Budget - By Centre (Actual YTD Month 11)

	<u>Last Year</u>		<u>Current Year</u>				Agreed	<u>Next Year</u>	Carried
	Budget	Actual	Total	Actual	Projects	Committ		EMR	
500 Allotments									
5000 Allotments Capital Spending	0	0	40,000	24,255	40,000	381	0	0	0
5005 Allotments Gen Exp	0	0	8,000	6,702	8,000	1,266	0	0	0
5015 Allotment Water	0	0	1,800	1,088	1,800	0	0	0	0
5020 Allotment Rent	0	0	900	840	840	0	0	0	0
5025 Allotment Pest Control	0	0	3,000	2,076	2,500	0	0	0	0
Overhead Expenditure	0	0	53,700	34,960	53,140	1,647	0	0	0
Movement to/(from) Gen Reserve	0	0	(53,700)	(34,960)	(53,140)		0		
Total Budget Income	0	0	0	0	0	0	0	0	0
Expenditure	0	0	53,700	34,960	53,140	1,647	0	0	0
Movement to/(from) Gen Reserve	0	0	(53,700)	(34,960)	(53,140)		0		

<u>Month</u>	<u>Date</u>	<u>Reference</u>	<u>Source</u>	<u>Transaction Detail</u>	<u>Debit</u>	<u>Credit</u>
A/c Code 321 EMR-Allotments Reserve					Annual Budget	0
Centre (none)					Committed	0
Opening Balance						68,119.00
Account EMR-Allotments Reserve					Account Totals	0.00 68,119.00
Centre					Net Balance Month 12	68,119.00

Kendal Town Council Report

To: Allotments Committee	27 February 2023
From: Town Clerk	Agenda Item No. 7

Canal Head Progress

The Canal Head extension is approaching completion with 9 plots (on the east, Castle, side) ready to let by the end of February. A further 12-16 plots (on the west, Canal side) should be available by the middle of March, as the site of the proposed wetland/wildflower area is planted up and the three soakaways are completed.

The level of surface water flooding was greater than anticipated, but it is predicted to diminish as the surface planting takes 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. The soakaways are basically trenches full of locally sourced large gravel.

On the lowest part of the site, there will be a wild planting area, using plants which are water tolerant and good pollinators, such as yellow flag iris, meadowsweet, marsh marigold and great burnet. Planting advice has been given by Cumbria Wildlife Trust following a site visit. This allows us 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 are smaller than the average (around 60 square metres), but have the capacity to be doubled to accommodate demand for larger plots.

A persistent issue of anti-social behaviour and criminal damage was reported to the police earlier in the year. Since the design of the rabbit proof fencing was amended there have been no further incidents, but the site is being monitored. Any further damage, or indication as to possible perpetrators will be dealt with by the police.

Kendal Town Council Report

To: Allotments Committee	27 February 2023
From: Town Clerk	Agenda Item No. 8

Site Signage

A review of site signage is an action following a review of allotment risk assessments in 2021-22.

Currently there is no uniform method of informing the general public that an allotment is managed or owned by the Town Council, where the allotment is (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 we provide currently is not helpful.

What is prominently displayed on each site is 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 is 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 was specifically repealed by the Statute Law (Repeals) Act 1993, presumably because it is superseded by the Criminal Damage Act 1971, so the majority of the sign would appear to be redundant.

Additionally there are some ancillary notices at some sites relating to dog fouling, though it's not clear where these came from, on whose authority, and how they might be enforced.

The new signage will give 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 we think is 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 is a tradition of public access through the site – Canal Head, Sandylands, Castle Hags for instance. Include the location of the nearest defib device would also address an issue raised in the risk assessment.

Cost

I'm proposing that we 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 can be re-used, the estate requires in the region of 30-35 signs, which will 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.

Recommendation

That the committee authorises the use of up to £5,000 from the Allotment Reserve to instal safe and uniform signage across the allotment estate.

Allotments Committee 27th February 2023

Waiting List Update

The waiting list currently stands at 139 individuals. The waiting list has reduced by 1 individuals since last meeting.

Allotment site	Number of plots per site	Number on the waiting list	Change since last meeting
Aynam Road	3	7	-1
Canal Head	20	35	+1
Castle Drive	9	4	No change
Castle Haggs	33	31	-1
Castle Haggs Ext	47	30	-3
Coley Barn	44	18	+4
Crow Tree	24	25	-1
Greenside	48	21	No change
Natland Road	19	16	No change
Rinkfield	32	24	No change
Sandylands	25	16	+1
Sedbergh Road	42	5	+1
Shaw's Brow	22	16	+2
Town View	19	12	+2
Underley Hill	27	7	+2
Underley Road	36	8	+2
Wattsfield	42	22	-1

Vacant Plots

32 plots are vacant. Please find below sites with vacant plots:-

Castle Haggs Ext	5
Canal Head	3
Castle Haggs	4
Castle Drive	1
Coley Barn	2
Crow Tree	3
Greenside	2
Rinkfield	3
Sedbergh Road	1
Shaws Brow	1
Town View	1
Underley Hill	3
Underley Road	3
Wattsfield	1

Number of Plots Let Since Last Meeting

I have let 10 plots since the last meeting. Please find a breakdown of plots let by site:-

Update prepared by Janine Holt 15th February 2023.

Castle Drive	1
Castle Hags	1
Castle Hags Ext	1
Coley Barn	1
Crow Tree	1
Greenside	2
Rinkfield	1
Shaws Brow	1
Wattsfield	1

Outstanding Rent as of 15.2.2023 - £3379.38 (64 plots)