

# Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED  
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Minutes of the meeting of the Allotments Committee held on Monday, 31 October 2022, in the Council Chamber at the Town Hall, Highgate, Kendal, at 7.00 p.m.

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

## Site Representatives present

Underley Road	Chris Rowley
Wattsfield	Ros Taylor

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

## A13/2022 Apologies

Apologies for absence were received and accepted from Cllr K Blamire and from Site Representatives Deborah Allison (Canal Head), Jon Cox (Castle Hags Ext), Paul Huggonson (Sedbergh Road), Gwen Tordoff (Castle Hags) and Brian Williams (Crow Tree).

## A14/2022 Declarations of Interest

No declarations of interest were raised.

## A15/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

## A16/2022 Minutes of the Previous Meeting

**Resolved:** To receive the minutes of the previous meeting of the Allotments Committee held on 18 July 2022 and to authorise the Chair to sign them as a true record.

## A17/2022 Review of Spend against Budget

The Council Services Officer presented a report reviewing spend against budget at August 2022. It was raised that in previous reports, details on capital funding and exactly how much had been drawn down had been shown separately which had enabled the Committee to keep track on the situation. As currently displayed, it was felt to be unclear. The Town Clerk provided an explanation in relation to the figures as shown and the Council Services Officer undertook to ask for the details to be presented as requested to future meetings.

**Resolved:**

- (1) To note the report.
- (2) Officers to provide budget information to future meetings in the format as outlined above.

**A18/2022 Allotment Management Software**

Members were asked to consider a proposal to extend the functionality of the current Allotment Management Software to include mobile reporting.

The Council Services Officer explained that the Council currently used Rialtas software to manage the allotment database. Last year, the company had teamed up with a mobile technology company to offer an integrate app that could be used to make allotment inspection reports on site. This would mean that the Council Services Officer would be able to record her inspection visits as she made them, rather than taking notes to write up once she was back in the office. The app included the ability to attach pictures for the file, which meant that on return to the office, reports were generated almost instantaneously (the app downloaded and synced to the Rialtas system). The cost of the app was £150 per annum.

The Underley Road Site Representative indicated that he felt that he could be more active in his role if he had more information about the tenants on that site, for example when plots became vacant, although also aware of data protection regulations. The Council Services Officer advised that she could easily provide information on vacant plots and also that the Council was looking into sharing of information and had plans to seek authorisation from tenants in this regard. Members were keen to ensure that General Data Protection Regulations were adhered to.

**Resolved:**

- (1) To approve extension of the functionality of the current Allotment Management Software to include mobile reporting, as a cost of £150 per annum.
- (2) Officer to give further consideration to General Data Protection Regulations and the potential for sharing information with site representatives.

**A19/2022 Asbestos Site Investigation – Underley Hill Allotment Gardens**

The Town Clerk provided a brief update on the current situation following research tasks set at the last meeting (Minute No. A7/2022 refers) and referred to site visits carried out in early summer 2022 which had suggested that residents from adjacent properties had continued to trespass on the site, with some evidence of attempts at cultivation and residents having appeared to have made their own access points from their gardens.

The Town Clerk provided details of the history of the site and explained that the Town Council recognised the hazard to health presented by the disturbance of the asbestos deposits. On the site's Asbestos Register, none of the deposits scored for hazard in their existing undisturbed state. The site was outside and not frequented by staff, tenants, or the landlord. However, the presence of unlawful occupancy also had to be factored in, and it was this impetus, along with the Town Council's own policies to remove contaminants from its estate, that had caused a revised position and management plan which was attached to the report for information.

The Town Clerk informed the Committee that the Town Council should never have taken on this part of land, however, that it had been a numbered allotment at the time. He explained that the contamination would be very expensive to remove and cheaper to control as had been done for the last 12 years. Environmental Health had logged the land as an area of open space with contaminants and had indicated that it would be left to grow wild. The management plan indicated a need to inform residents that the land contained brown asbestos and that no digging, planting or trespassing should take place. This had been done and the land had been fenced off. The Town Clerk sought the Committee's opinion on whether this was enough and whether to move forward with decontamination or simply to leave alone.

Members expressed agreement with what had been done to date with regard to putting measures in place, stressing the need to write to residents on an annual basis to ensure that this remained in their minds.

In response to a query with regard to potential costs for work, the Town Clerk explained that an initial survey alone would cost around £3,500. Remediation to remove top soil and replace would cost tens of thousands. Another question was raised regarding the potential for the asbestos to leach out and the Town Clerk advised that, in particulate form, it was inert and remained in position.

Members were interested to hear feedback provided by residents and the Council Services Officer reported that she had written to them, however, had received no response. She acknowledged, though, that ownership of houses changed and the need to reiterate the situation from time to time.

As regards insurance, the Town Clerk undertook to check up on this, advising that the Council was covered for all risks however that this did not normally include land contamination and so there would be no insurance for the consequences of land contamination. He drew attention, however, to the District Council's contaminated land policy which stated that polluters must pay; he reminded the Committee that the District Council was the landowner and that this was, therefore, their responsibility.

Discussion took place with regard to the best way in which to rewild the site, using low growing shrubs such as Juniper, planted by someone suitably attired, and it was suggested that Natural Kendal be contacted for advice in this regard. The Committee was keen for a report to be brought back to a future meeting following officers having investigated options.

#### **Resolved:**

- (1) To note the report.
- (2) To commit to a survey and effective communications being carried out on an annual basis, as well as signage and fencing.
- (3) To approach Natural Kendal for advice with regard to suitable options for rewilding.

#### **A20/2022 Cockerels on Coley Barn Allotments**

Further to A8/2022, the Council Services Officer provided a verbal update. The noise nuisance from the cockerels at Coley Barn had abated and all parties were now content. She drew attention, however, to the fact that the nights had drawn in and of the need to re-assess the situation when it became lighter in the spring. The two tenants that kept rare breed birds remained and all the other cockerels had gone.

**Resolved:** To note the verbal update.

## **A21/2022 Canal Head Extension**

The Council Services Officer introduced a report on the extension of the available plots at Canal Head, the available land to let on the site having been extended to create over 30 new plots.

The report indicated that the current signage was inadequate, with new signs required at the entrances to the site. Troughs had been installed to a high standard, but there was a slight but perceived risk to the general public through drowning and foul water, mitigations for which were outlined. Since the contractors had left the site, there had been heavy rain, enabling the Town Council to identify where the issues might be with poor drainage, details of which were provided, together with details on work required to address the situation, including the creation of a small wetland feature with appropriate planting, at the expense of half of one new plot. This was a high priority task to be completed in the next six to eight weeks to avoid damage to the new paths. The gates were not fitted to the highest standard, but the rabbit proofing had always been agreed to be an aftersale installation by the Town Council. The perimeter fencing had been installed by the contractor, but due to various reasons dealt with elsewhere in the Council's review of the project, the rabbit proof element had been left incomplete. The Townscape Officer would complete this as a matter of high importance, burying the existing rabbit mesh, and installing fresh mesh around the gates. This should be completed in the next six weeks. The triangle on the canal side between the existing plots and the access path from the canal had been identified as being an area suitable for letting to a community garden project. Cllr A Blackman would be speaking to the Head of Governors at Heron Hill School who was keen to extend an existing scheme at the school. Other issues related to debris from the initial timber clearance left at the north, undeveloped, area of the site. This included old fencing, cut wood and brash. The area continued to attract anti-social behaviour in the form of fly-tipping and perhaps unauthorised camping, but there was no obvious sign of drug use. Officers would speak to the District Council about picking up the fly-tipping and about the timber piles. It was raised that the Town Clerk had recently encountered two men taking wood from the site. They had not sought permission, neither did they know who this might be gained from, and they were in a vehicle, suggesting that the gate by the tip end should now be locked to prevent further unauthorised access.

The report indicated that the total cost of the project to date was £24,626 and confirmation of costs on site signage, trough warning signs and planting for the wetland area was awaited.

The Council Services Officer informed Members that the work had been completed to a satisfactory level. She felt, however, that the Council had not been good with regard to communication on the project with the public and allotment holders and stressed the need in future for appropriate liaison with all partners. However, public feedback had been good, with a couple of tentative enquiries having already been received.

The Townscape Manager provided a further update on the project, explaining that the reason for flooding had been due to grass seed having been sown to prevent weeds from appearing on the new plots. This had included compacting of the soil which had resulted in flooding, with the water having nowhere to go. He informed the Committee of how this could be addressed by installing soakaways as described within the report and that this work would not be obstructive or take up any land and would not cost a huge amount of money, although the Council Services Officer indicated that a quote would be required. It was suggested, therefore, that a quote be sought and for the expenditure to be agreed by the Chairman of the Committee once received.

A query was raised as to when the allotments would be let and the Townscape Officer indicated that he had first to complete the fence at Wattsfield but aimed to have carried out the remaining work by December. The Council Services Officer reiterated the need for rabbit proof fencing and suggested that the plots would be ready to let in time for the next growing season.

Discussion took place on the rental fee and the extra work required by tenants to dig over the grassed plots, however, it was acknowledged that any plot required work when initially let, that a precedent should not be set and that there was a demand for allotments, so people would not be put off. Also raised were other problems faced by existing tenants on other sites.

It was suggested that the Council should have the right to move people on after one year's tenancy, if necessary, and the Council Services Officer agreed that there was a need to make improvements to the letting system during the next year in order to address unworked plots.

The Town Clerk updated Members with regard to the funding which had been allocated to the project, advising that £38,119 remained available in the Allotment Reserve for future projects. Officers further indicated, in response to a query, that the District Council had been approached with regard to recent fly tipping and on the stealing of wood referred to above.

### **Resolved:**

- (1) To note the report.
- (2) Quotes to be sought regarding the drainage work outlined within the report and detailed above, with expenditure to be agreed by the Chairman of the Committee once received.
- (3) The Council Services Officer to look at making improvements to the Allotments letting process during the forthcoming year.

### **A22/2022      Waiting List**

The Council Services Officer reported that she continued to struggle to let allotments, although a lot of names remained on the waiting list. She was finding that when she was offering plots to people who had joined the list during lockdown, they had either disappeared or no longer wanted an allotment. Whilst there were 172 people on the waiting list, she did not feel that this figure was representative of people wanting allotments.

The Council Services Officer informed Members that she was now inspecting allotments every six weeks. She had initially found a lot of plots which were not being worked and had sent out 74 letters to tenants of unworked plots. 13 plots had been handed back as a result of this. Her next visit had seen a big improvement, with only 25 needing to be contacted. 19 plots remained vacant and the Council Services Officer remained active in working on the list. She explained that people were still interested but that she needed to ensure that the right people were given the right plot. She further indicated that it was her intention to revisit allotments next year and to get to grips with the process.

The Council Services Officer raised the fact that some people were keen for a support mechanism and education on allotments and that she need to pick this up with site representatives. A suggestion was raised for the Council to reach out to New Beginnings and to find out if refugees living in Kendal were aware of the existence of allotments. The Town Clerk referred to another local council where refugee families provided assistance to allotment holders and that this was especially beneficial to asylum seekers who were unable to work.

Members asked for information on where the 19 vacant plots were, and the Council Services Officer undertook to include this within future reports.

The Council Services Officer lastly referred to a recent decision to locate areas for community allotments. She reported that three locations were currently being looked at, one on the triangular area at Canal Head regarding which discussions were taking place with South Lakes Housing and a Governor at Heron Hill School, another at Town View Fields Allotments and a third at Canal Head allotments.

**Resolved:**

- (1) To note the report.
- (2) The Council Services to discuss with site representatives options for a support mechanism and education on allotments.
- (3) The Council Services Officer to reach out to New Beginnings to make refugees living in Kendal aware of the existence of allotments.
- (4) The Council Services officer to include details in future reports on the location of vacant allotments.

**A23/2022 Site Representatives**

Ros Taylor, Wattsfield Site Representative, reported that this site was doing well and thanked the Town Council for the new fencing along the field and which was soon to be completed. She raised the fact that the Council's Allotments Waiting List system was somewhat cumbersome and that this was the right time of the year to move people on. She further drew Members' attention to the recent attack of a dog by another on a path nearby to the allotments which had resulted in the dog that had been attacked having to be euthanised. In response to a query, Ros Taylor and the Council Services Officer explained that the Horsetail weed infestation had been resolved on one of the allotments and that the tenant of the other allotment affected by this problem was on notice to quit. Ros Taylor believed that this was how problems continued and it was suggested that, for these types of reasons, an improved link between the Council and Site Representatives was required, particularly due to the fact that the non-working of plots could potentially be due to sensitive reasons. The Council Services Officer acknowledged the need to strengthen links between the Council and Site Representatives and to fill vacant plots.

Chris Rowley, Site Representative for Underley Road, thanked the Townscape Officer for finishing the plots on this site, however, expressed disappointment that one was not in use. The Council Services Officer confirmed that this was being looked into. Chris Rowley further expressed disappointment with regard to the orchard at the end of the Underley Road allotments which seemed to have deteriorated, once having been very well tended. He pointed out the speed at which it was deteriorating and wondered whether this could be used as a community plot. The Council Services Officer explained that this site belonged to the District Council and undertook to contact officers there in response to a suggestion by Members of the Committee for the Town Council to take over the orchard. Chris Rowley indicated a willingness to work on the site together with others. Chris Rowley also drew attention to a number of unused plots at Underley Road and the Council Services Officer explained that she had let some in the previous week. Chris Rowley raised the fact that Waste into Wellbeing had received around a tonne of food from allotment holders this year. He believed that there was more available and asked for boxes to be placed at the plots. He suggested that the cargo or trailer bike recently considered by the Town Council could be a

good method by which to collect the filled boxes for delivery to Waste into Wellbeing. Chris Rowley lastly referred to the issue of composting and difficulties with regard to moving food waste. Discussion took place on options, including potential use of aerobic and anaerobic digesters. It was suggested that research be carried out for the potential of the Town Council removing food waste and taking it to existing digesters within the area.

**Resolved:**

- (1) To note the reports.
- (2) Officers to work to strengthen links with Site Representatives.
- (3) The Council Services Officer to contact the District Council regarding the potential for the Town Council to take over the orchard at the end of the Underley Road allotments site.
- (4) Research be carried out for the potential of food waste to be taken by the Council to existing aerobic/anaerobic digesters within the area.

**A24/2022 Project Updates**

The Townscape Officer reported that he planned next to complete work at Wattsfield, followed by work at Canal Head and then on maintenance and tree work. He informed the Committee that the fence at the rear of Castle Haggs was in a very poor state and of his intention to look at this over the winter.

The Council Services Officer referred to the ongoing issue of rats and advised that the Council was working on this with a contractor based in Wigan. The problem was worst at Castle Haggs, with rats coming in from Fletcher Park, and there were now also rats at Sandylands. The Townscape Officer explained that the problem existed throughout the country, that traps were not proving to be successful and of the cons of using poison as a last resort, as well as the fact that there was a legal process to be followed before poison could actually be used. In response to a query with regard to contamination of water by rat poison, Members were advised that this was the contractor's and not the Council's responsibility. The Council Services informed Members that poison was now being used at Castle Haggs and at Coley Barn and that it would soon also be put out at Sandylands. Discussion took place on this issue, during which it was noted that whilst the current contractor was doing a good job, they only visited to check traps on a monthly basis, which was felt to be somewhat inhumane. In response to a concern regarding the checking of traps, the Council Services Officer undertook to check up on this, although she believed that this was being carried out as expected. She also raised the fact that she had been approached by a local contractor based in Kendal. Members raised that a local contractor would be able to check on traps more regularly and that there would be less travel involved which would be more environmentally sustainable.

**Resolved:**

- (1) To note the project updates.
- (2) The Council Services Officer to ensure that the current pest control contractor is checking on rat traps on a monthly basis.
- (3) The Council Services Officer to seek a quote from the Kendal-based pest control contractor.

The meeting closed at 8.22 p.m.