

Kendal Town Council

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



21 March 2022
Version 2

To Members of the Allotments Committee and Site Representatives

Cllr G Archibald (Vice Chair)	Cllr C Hardy
Cllr S Coleman	Cllr D Miles
Cllr A Finch (Chair)	

Site Representatives as appropriate

Canal Head	Deborah Allison	Sedbergh Road	Paul Huggonson
Castle Drive	Mrs E Kelly	Shaws Brow	Vacancy
Greenside	Kim Baker	Town View	Vacancy
Greenside	Ali Paddle	Underley Hill	Vacancy
Natland Road	Mike Shaw	Underley Road	Chris Rowley
Rinkfield	Tony Hayton	Wattsfield	Ros Taylor
Sandylands	Vacancy		

You are invited to a meeting of Kendal Town Council Allotments Committee on
Monday 28 March 2021 at 7.00 pm at the Town Hall, Highgate, Kendal.

Yours faithfully

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 on 29 November 2021, and affirm them as a true record.

5. Review of Spend against Budget

To consider a report on budget spending (see attached)

6. Poly-Tunnels Policy

To consider an amendment to the Poly-Tunnel Policy delegating to officers the power to approve poly-tunnels that are within the permitted measurements, reserving to the committee the consideration of larger poly-tunnels and appeals (see attached). The meeting may also consider any current requests for a Poly-Tunnel, or delegate these to officers as appropriate.

7. Town View Allotments/Nobles Rest wall

To consider a claim from South Lakeland District Council that the Town Council accepts liability for a broken wall at Noble's Rest.

Background

There is a section of drystone wall on the north side of Noble's Rest which has collapsed. The District Council, as our landlords at Town View Allotments, has proposed that the liability for repair falls on the Town Council, as the wall forms a part of the boundary of the Town View Allotment site. In response, so far, officers have observed that the wall is in fact beyond the boundary of the allotment, which is formed by a post and wire fence. Since it is assumed that the post and wire fence was installed by the District Council, when it was operating the allotment, it has seemed reasonable to assert that the boundary inherited by the Town Council, which is not specified in the lease, is indeed the post and wire fence.

The District Council is prepared to dispute this, and has quoted in the region of £1,500 from a contractor to carry out the repair to the wall.

Decision Required

The Committee's views are sought on whether they consider the wall should be repaired by the Town Council, either as a fulfilment of the Town Council's lease on Town View, or as a 'without prejudice' statement of goodwill. The alternative is to enter into dispute resolution proceedings with the District Council under the terms of the lease. The minimum fee for the service provided by the Royal Institute of Chartered Surveyors is in the region of £2,000.

8. Site Representatives

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

9. Project Updates

To receive reports from officers on other projects and longer-term plans.

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Minutes of the meeting of the Allotments Committee meeting held on Monday, 29 November 2021 at Mintworks, Kendal, 7.00 pm.

Cllr G Archibald (Vice Chair)	Present	Cllr C Hardy	Absent
Cllr S Coleman	Present	Cllr D Miles	Present
Cllr A Finch (Chair)	Present		

In attendance: Chris Bagshaw (Town Clerk), Ian Gordon (Democratic Services Assistant), Janine Holt (Council Services Officer), Pierre Labat, (Townscape Officer). Paul Casson (Allotment Holder)

Site Representatives also in Attendance:

Councillor Chris Rowley	Underlay Road
Ros Taylor	Wattsfield
Deborah Allison	Canal Head
Paul Huggonson	Sedbergh Road

A15/21/22 Apologies

None

A16/21/22 Declarations of Interest

None

A17/21/22 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

A18/21/22 Minutes of the Previous Meeting

The Committee received the minutes of the previous meeting held on 27 September 2021

Resolved: To accept them as a true record.

A19/21/22 Waste in Wellbeing. The working group received a verbal report on the use of allotment surplus and how it may be used as a contribution towards waste into wellbeing. In some cases, allotment holders limit their production as waste is an unwelcome by-product. It was felt that more information was needed to disseminate information about waste into wellbeing which could be via allotment representatives or new appointees. Also suggested a collection site on each allotment area would be advantageous to promote the idea.

Resolved: To gather views from Allotments via representatives on the feasibility of a scheme to produce and/or distribute excess food beyond the needs of the allotment owners and to check the legal status. Agreed to report back to the next meeting.

A20/21/22 Review of Spend against Budget

The Committee considered the report. A councillor asked that the budget report show an additional column identifying committed and anticipated spend broken down by topic/area. A question was asked if the impact of Storm Arwen on Friday 26 November necessitates a request for additional funding from the reserve funds to pay for clearing fallen trees. The Townscape Officer indicated an additional £2,000 could be needed.

Resolved: To accept the report

Resolved: To add an additional column to the 'Spend against Budget' report itemising any remaining budget committed to the year end. This column would be added after the 'Actual Spend To-date' and 'Remaining Budget'.

Resolved: To request up to £2,000 from full councils reserves to support additional tree work if needed arising from Storm Arwen.

A21/21/22 Site Representatives

The committee chair raised concerns about the sporadic input of some site representatives in the committee meetings. To address this concern, it was agreed to re-establish the more informal site representative meetings. An update report will be received at each committee meeting. The Vice-Chair asked if site reps could be notified in advance of any items that directly impact their allotment over and above notification in the agenda.

Resolved: To re-establish the site representatives meetings and to inform the site representatives if there are any items on the agenda relating to their particular sites.

A22/21/22 Canal Head Update

The Committee considered a report exploring the options extending the number of allotments at Canal Head. The Townscape Officer presented the amended proposal for the creation of 22 plots on site which included costings. The main feature of this proposal was that the ground work would not be undertaken and the tree roots left in situ. The Councillors discussed the merit of this approach and opinion was split. It was agreed that further professional advice should be sought and detailed costings be submitted for approval to the Chair and Vice Chair. It was noted that there would be no vehicular access in this updated scheme. To move this project forward, the Vice Chair proposed requesting a budget of £30,000 be allocated that would incorporate the removal of tree stumps and production of the maximum number of quality new sites. A councillor was concerned that there was an incomplete report making it very difficult for councillors to decide.

Resolved: To request a budget of £30,000

A23/21/22 Coley Barn Improvement Works

The committee considered a report on improving the unsecured soil between plots 9 and 10 with the installation of four gabion baskets.

Resolved: To approve the cost of £636 + VAT for the improvement on Coley Barn.

A24/21/22 Wattsfield Fence Quotes

The committee considered a written report tabled by the Council Services Officer identifying costings to improve rabbit proof fencing work at Wattsfield. Three contractors have submitted quotes. Quote 1 £2,508 + VAT, Quote 2 £3,240 + VAT, Quote 3 £1,300 + VAT. Quote 3 recommended retaining the existing gates and the Committee were satisfied that this would still provide protection against rabbits.

Resolved: To accept quote 3 at £1,300 + VAT and instruct the Council Services Officer to authorise this work to be started.

A25/21/22 Project Updates

The Committee considered the report from the Council Services Officer on project updates including a waiting list update and asbestos on Underley Allotments. The Council Services Officer also reported that annual invoices and allotment newsletter will be sent out next week. In addition, The Council Services Officer reported on discussions with SLDC on a rabbit suppression strategy. SLDC now have a small budget and are being more open to helping eradication of rabbits on allotments owned by SLDC. A councillor asked for an update on any progress on identifying those sites where excessive use of water is a problem and the plan to use water butts. No progress has been made yet. Proposed using any residual to produce any additional notice boards subject to not overspending.

Resolved: To appoint a specialist asbestos company to investigate the allotment land at Underley.

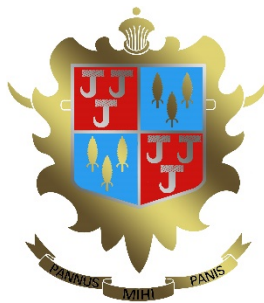
A26/21/22 Budget 2022-23. The Committee considered the draft budget for 2022-23. The committee requested increasing the pest control budget by £500 to £3,500. The Vice-Chair sought clarification on the use of reserves. Councillors believed reserves could only be used to purchase new allotments and pay for substantial improvements that otherwise would not have been funded through the normal revenue budget.

Resolved: To accept the budget with an increase in pest control to £3,500.

The meeting closed at 20.51

Allotments Budget Statement 21.22

<u>EXPENDITURE</u>	<u>Budget and Additional Funding</u>	<u>Actual Exp April - Feb</u>	<u>Remaining Budget</u>	<u>Projected Yr. Exp</u>
<u>ALLOTMENTS</u>				
Capital Spending (Asbestos Removal)	£5,000	£2,535	£2,465	£2,535
Allotment Exp From Reserves	£7,203			
Landscape Design & Site		£311		
Canal Head Landscape Design		£1,000		
Crow Tree Allotment Fencing		£5,892	£0	£7,203
Revenue Spending/Main	£7,806	£5,578	£1,765	£7,806
Waste		£463		
Water	£1,792	£2,444	-£652	£2,800
Rent	£900	£840	£60	£840
Pest Control	£2,500	£1,730	£770	£2,500
<u>Total Allotments</u>	<u>£25,201</u>	<u>£20,793</u>	<u>£4,408</u>	<u>£23,684</u>



KENDAL TOWN COUNCIL POLICY

Policy Name:	Poly-tunnels on Town Council owned and managed allotments				
Section :	Allotments Department				
Approval Authority:	Allotments Committee				
Responsible Executive:	Chair of the Allotments Committee				
Responsible Officer:	Council Services Officer	Contact:	janine@kendaltowncouncil.gov.uk	Date:	March 2022

1. Policy Statement

This policy sets out the procedure for applying and maintaining a poly-tunnel on Kendal Town Council owned and managed sites.

2. Reason for Policy

To provide clear guidance for Kendal Town Council officers and allotment tenants who wish to have a poly-tunnel on their plot.

3. Who Should Read This Policy

- Members of the Allotments Committee
- All Kendal Town Council officers who work within the allotments department
- Allotment tenants wishing to apply for a poly-tunnel on their plot.
- Allotment tenants who have a poly-tunnel on their plot.

4. The Policy

Any structure on the allotment must be temporary and maintained in safe order with an appropriate external appearance and condition.

Tenants may apply for 1 poly-tunnel in addition to one shed and one green house on their plot. Glass houses and poly-tunnels should cover no more than 20% of the allotment.

Permission from the Council Officers is required for poly-tunnels with the tunnel size and layout to be agreed to a **maximum** of 2.5m (H) x 4.5m (L) x 2m (W)

A request for a poly-tunnel within the conservation area may also require submission of a planning application to the local planning authority.

All applications have to be submitted in writing to the Council Services Officer, Kendal Town Council. Site representatives, neighbouring tenants and local residents will be consulted prior to approval being granted to install a poly-tunnel on the allotment.

All structures must be adequately secured to the ground to prevent uplift and kept within at least 1 meter of the boundary of the allotment, so as to not over shadow their neighbouring plots.

If a tenant has not sought prior permission from Council Officers, they will be asked to remove the poly-tunnel from the plot.

All poly-tunnels have to be removed from the plot (unless otherwise agreed) at the end of the tenancy. If the poly-tunnel is not removed, the Council may remove it and charge the tenant the full cost of removal and disposal.

It is suggested applicants discuss their proposed poly-tunnel with the Council Services Officer prior to making an application.

The Council Officers reserve the right to refuse an application.

The tenant has the right to appeal to the Allotments Committee. The Allotments Committee decision is final.

5. **Policy Review Date**

March 2025

Allotments Committee 28th March 2022

Waiting List Update

Once again, the demand for allotments has remained relatively static since the last meeting. The waiting list currently stands at 152 individuals which is a decrease of 8.

Allotment site	Number of plots per site	Number on the waiting list	Change since last meeting
Aynam Road	3	7	No change
Canal Head	20	37	No change
Castle Drive	9	8	-1
Castle Hags	33	43	-2
Castle Hags Ext	47	41	-3
Coley Barn	44	18	-2
Crow Tree	24	20	-1
Greenside	48	23	-6
Natland Road	19	20	No change
Rinkfield	32	25	No change
Sandylands	25	11	+1
Sedbergh Road	42	11	-5
Shaw's Brow	22	11	+1
Town View	19	6	+1
Underley Hill	27	12	+3
Underley Road	36	8	+2
Wattsfield	42	21	-1

Vacant Plots

There are currently 5 vacant plots.

Number of Plots Let Since Last Meeting

I have let 15 plots since the last meeting.

Asbestos on Underley Allotments

Soil testing is a specialised service. I have identified a company based in Carlisle who undertake contaminated land surveys. I am awaiting confirmation whether they will undertake soil testing and if so, the cost of this service.

Canal Head Development

Following on from a site meeting with Council Officers. It has been agreed that the Town Council will:-

- Install the boundary rabbit proof fencing
- Install a water supply
- Create main pathways

The need to undertake huge amounts of ground work and import top soil wasn't felt to be necessary. Allotment holders will be provided with a plot and they can undertake the work into making it a productive plot, as an incentive, we are suggesting that they are given a year rent free.

A provisional date of July has been agreed with the contractor to commence works. I am awaiting detailed costings and a work schedule.

Coley Barn Improvement Works

I am pleased to report this work has been completed.

Pest Control Services

Over the last 18 months we have encountered a number of issues with regard to the routine pest control services. With this in mind, we have changed supplier. The new supplier will be working with us from the 1st April.

Wattsfield Fence

The appointed contractor is scheduled to commence the installation of the rear rabbit proof fence in May. A quote for the installation of rabbit proof fencing on the front and side has also been requested. If approved, this work will be undertaken in autumn.

Waste into Wellbeing

I have been corresponding with the project development manager who has informed me that they will be expanding their drop off times to 7 days a week, this will help allotment holders who want to donate their produce. In response to the question last meeting in relation to the legality of donating the produce or asking tenants to grow specific crops. The tenancy agreement reads:-

4.10 The Tenant is not to use the allotment for any trade or business purpose but **solely for the cultivation of fruit, vegetables and flowers for the Tenant's domestic use**. The Tenant must not assign part or sublet any part of the allotment.

As the surplus produce is being donated for domestic use, I do not think there is an issue with the clause. Legally, I do not think we can ask tenants to grow specific crops to be donated. All vegetables are donated on an informal basis and are surplus to requirements.

Site Reps Meeting

I plan to re-establish these meetings after 1st April. The meetings will be held on a quarterly basis before each Committee meeting. This will ensure regular feedback can be received by the Committee.