



FOLKESTONE TOWN COUNCIL

Date of publication: 18 August 2020

AGENDA

Meeting: **Community Services Committee**
Date: **25 August 2020**
Time: **6.00 p.m.**
Place: **Virtual Zoom Meeting Link**

To: **The Community Services Committee**
(All other Councillors for information only)

YOU ARE HEREBY SUMMONED to attend a meeting of the Community Services Committee on the date and at the time and place shown above to transact the business shown on the agenda below. The meeting will be open to the press and public.

Any member who wishes to have information on any matter arising on the agenda which is not fully covered in these papers is requested to give notice prior to the meeting to the Town Clerk.

A handwritten signature in black ink that reads 'Jennifer Childs'.

Jennifer Childs
Town Clerk

- 1. APOLOGIES FOR ABSENCE**
To receive and approve any apologies for absence.
- 2. APPOINTMENT OF CHAIRMAN**
To appoint a Chairman for the Committee for the 2020/21 Municipal Year.
- 3. APPOINTMENT OF VICE CHAIRMAN**
To appoint a Vice Chairman for the Committee for the 2020/21 Municipal Year.
- 4. DECLARATIONS OF INTEREST**
To receive any declarations of either personal or prejudicial interest that Members may wish to make.

5. MINUTES

To receive the Minutes of the meeting of the Community Services Committee held on 4th February 2020 and to authorise the Chairman of the Committee to sign them as a correct record.

6. REVIEW OF THE TERMS OF REFERENCE

In line with Councils adopted standing orders the Town Clerk has requested that members review the Terms of Reference for the Community Services Committee. Any changes the Committee wish to make will need to be approved by Full Council at a future meeting.

7. WORKING GROUPS

The Committee is asked to approve nominations for membership to the 2020/21 working groups, after carefully considering whether a working group is absolutely necessary.

Folkestone Town Council is governed by s.101 of the Local Government Act 1972, which states that if the Council does not exercise a function itself it can only be delegated to a Committee, a Sub-Committee, or Officer as individual Councillors have no statutory authority to make a decision. When delegating authority to a Committee, Sub-Committee or the Town Clerk for delegation to her officers, the legal responsibility for any decisions still remains with Council as a whole corporate body.

Community Events (Volunteers)		Museum (Ambassadors)	
1.	Cllr Peter Gane	1.	Town Mayor
2.	Cllr Roger West	2.	Cllr Paul Bingham
3.	Cllr Conor McConville	3.	Cllr David Horton
4.	Cllr Jonathan Graham	4.	Cllr Roger West
5.	Cllr Nicola Keen	5.	Cllr
6.	Cllr	6.	Cllr
Environment (Champions)			
1.	Allotments - Cllr Roger West		
2.	Fairtrade - Cllr Jackie Meade		
3.	Flowers – Cllr Ann Berry		
4.	Trees - Cllr Richard Wallace		
5.	Plastic - Cllr Belinda Walker		
6.	Climate - Cllr Abena Akuffo-Kelly		

8. CHRISTMAS LIGHTS

The Town Clerk will update members on the various factors impacting on the ability to deliver any public events this year due to Covid-19 which includes Christmas Festivities. Due to the following it has been suggested that the necessary tests, inspections, installations are undertaken to turn the lights on without any publicity to hopefully help retailers and bring some Christmas Cheer to residents, the cost of this including 2021 insurance and insurance would be circa £25k:

- i) Insurers position / liability / duty of care to public, contractors, volunteers & employees.
- ii) Uncertainty and possibility of spikes, possibility of them being attributed to large gatherings.
- iii) Issues with events that have always been open to the public and public expectations, i.e. traditionally thousands would expect to be in attendance at our Christmas Lights Switch On & Fireworks Event.
- iv) Applications for Road Closures must be submitted at least 12 weeks in advance and accompanied by full event management plan (KCC no compromise on timing, even under current circumstances).

9. MATTERS AND RESOLUTIONS FROM OTHER COMMITTEES

Due to the coronavirus pandemic most meetings have been cancelled so the Town Clerk has been compiling agenda items and submitting them to Full Council for consideration, however, at the Full Council on 23rd July 2020 at minute 1718. Allotments Rules and Rent Review, Council considered Report C/20/268 and referred it back to committee.

RESOLVED: That Report C/20/268 be referred to the Community Services Committee for further consideration.

Proposed: Councillor Peter Gane

Seconded: Councillor Dylan Jeffrey

Voting: F: 16, Ag: 0, Ab: 0

10. TREE PLANTING UPDATE AND TREE WATERING / ADOPTION SCHEME

The Town Clerk will update members in respect of 2020/21 Tree Planting. The draft Tree Planting Schedule is attached for consideration but Committee are invited to consider additional sites and are asked to send any suggestions to Councillor Richard Wallace and Vicky Deakin (Communities & Events Officer) to be reviewed by KCC; and if suitable and within budget they may be included or added to the 2021/22 Tree Planting Schedule.

11. LITTER AND DON'T FEED THE GULLS CAMPAIGNS

The Town Clerk has been contacted by members, general public and other authorities regarding litter and don't feed the gulls campaigns, an 8 year old has written in seeking funding for litter picking equipment having got the support of her parents, friends and other volunteers to set up a Little Litter Pickers Saturday Scheme and residents of both the Leas and the Stade wish to see more signage to stop people feeding the seagulls and to take their rubbish home if the bins are full. Suggestions for a recycling fish have also been raised. Members views are sought on utilising the local projects budget to champion these initiatives.

12. BUDGET 2021/22

At this juncture the Committee is asked to consider proposals for possible growth or adjustments including non-recurring revenue expenditure for Community Services for next year. Committee is asked to be mindful of the ongoing pandemic, the restrictions imposed on everyone and the potential impact on the Council Tax Base. The Finance & General Purposes Committee will consider the full list of proposals put forward by all Committees at a future meeting ahead of submitting the budget request to Full Council in January 2021.

13. DATE OF NEXT MEETING – TBC

FOLKESTONE TOWN COUNCIL

Minutes of the Community Services Committee meeting held at the Town Council offices, The Town Hall, 1 – 2 Guildhall Street, Folkestone on Tuesday 4th February 2020 at 7pm.

Present: Councillors Abena Akuffo-Kelly, Paul Bingham, Peter Gane, Michelle Keutenius, Belinda Walker and Roger West (Chair).

Councillor Jonathan Graham was absent.

In attendance: Vicky Deakin – Communities & Events Officer

MYFOLKESTONE UPDATE PRESENTATION

MyFolkestone provided a presentation to the Committee in respect of this new platform, how it has developed since launching and their proposed projects for 2020.

1098. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Ann Berry.

1099. DECLARATIONS OF INTEREST

There were no declarations of interest.

1100. MINUTES

The Committee were asked to receive the Minutes of the meeting of the Community Services Committee held on 19th November 2019 and to authorise the Chairman of the Committee to sign them as a correct record.

RESOLVED: That the minutes of the meeting 19th November 2019 be received and signed as a correct record.

Proposed: Cllr Belinda Walker

Seconded: Cllr Michelle Keutenius

Voting: F:6, Ag:0, Ab:0

1102. CHRISTMAS LIGHTING AND FESTIVITIES

Further to the Christmas Lights Switch On Safety Advisory Group Debrief Meeting on 19th December 2019 the Communities & Events Officer updated the committee in respect of the existing Christmas lighting schemes and the 'Big Switch On' event held on Friday 22nd November 2019.

Further to Members considerations and suggestions regarding the provision and delivery of Christmas events / festivities for 2020 including any extension to the existing Christmas lighting schemes it was

RESOLVED: That the Communities & Events Officer will follow up on suggestions, research costs and viability with a full report to be brought to the next meeting on 7th April 2020.

Proposed: Cllr Peter Gane

Seconded: Cllr Paul Bingham

Voting: F:6, Ag:0, Ab:0

1103. TOURISM

The Communities and Events Officer updated the Committee in respect of the overall performance of the Visit Folkestone & Hythe website, its continued development and scheduled enhancements in partnership with the Folkestone & Hythe Tourism Board and Visit Kent. Members asked that a full presentation of the website be given at a Committee meeting once the new navigation has been deployed by Visit Kent.

RESOLVED: That FTC apply for funding from the District Future High Street Fund to promote, market and focus on the High Street in Folkestone.

Proposed: Cllr Peter Gane
Seconded: Cllr Belinda Walker
Voting: F:6, Ag:0, Ab:0

1104. CRICKET COACHING

Since 2010 the Community Services Committee has agreed to fund free Kwik Cricket Coaching for all the primary schools in the Town. The coaching has been hugely successful with most schools taking part with an average of 20 children per session. The Committee were asked if it wished to release the £2,100 earmarked in the Youth Facilities Budget for the cricket coaching to continue in 2020/21.

RESOLVED: That £2,100 be released from the 2019/20 Youth Facilities budget to support cricket coaching.

Proposed: Cllr Paul Bingham
Seconded: Cllr Michelle Keutenius
Voting: F:6, Ag:0, Ab:0

1105. ARMED FORCES DAY

Folkestone Town Councils community fun day in support of the national Armed Forces Day has been scheduled for Sunday 28th June 2020. The 2020/21 budget for this significant event is £22,800 subject to there being an air display element. The Communities and Events Officer updated the Committee in respect of confirmed / potential sponsorship and funding applications that have been made to support this event.

RESOLVED: That the Communities and Events Officer continues to plan for and organise the event on the scale and using the template / format of 2019 with this to be reviewed at the next Community Services Committee meeting on 7th April 2020.

Proposed: Cllr Peter Gane
Seconded: Cllr Michelle Keutenius
Voting: F:6, Ag:0, Ab:0

1106. FOLKESTONE MUSEUM REPORT CS/20/263

The Committee was asked to receive and note Report CS/20/263.

RESOLVED: To receive and note report CS/20/263.

Proposed: Cllr Peter Gane

Seconded: Cllr Paul Bingham

Voting: F:6, Ag:0, Ab:0

1107. FOLKESTONE CCTV REPORT CS/20/264

After the committee's consideration it was

RESOLVED: To receive, note and accept the recommendations of the report.

Proposed: Cllr Abena Akuffo - Kelly

Seconded: Cllr Belinda Walker

Voting: F:6, Ag:0, Ab:0

1108. LITTER BINS

The Communities & Events Officer provided an update in respect of costs to replace and/or restore litter bins. Members were asked for details of any damaged blue and gold bins in their Wards.

RESOLVED: That £4,000 be released from the 2019/20 Litter/Salt Bins, Bollards & Railings budget to repaint / renovate / restore litter bins as required and apportioned equally across all Wards within the funds available.

Proposed: Cllr Paul Bingham

Seconded: Cllr Michelle Keutenius

Voting: F:6, Ag:0, Ab:0

1109. MATTERS AND RESOLUTIONS FROM FULL COUNCIL

It was resolved as follows at Minute 1641 by Full Council on the 14th November 2019.

SMALL PARKS

There was discussion around the amount of money the District Council would transfer along with the parks, and whether this would be a dowry payment or if it would only be to cover the repairs that are needed immediately to the parks. It was felt that it was to complete any immediate repairs and not for ongoing maintenance. There was also discussion around how secure it would be once the Town Council had taken on the parks and spent money on them, if the District Council decided they wanted them back or to sell the land for housing. This detail would be in the leases which had yet to be agreed.

Councillor Dylan Jeffrey felt that the Town Council should be asking for a minimum payment from the District Council to take on these parks of around quarter of a million pounds over the 30-year lease period. It was also felt that it would be useful for Councillors to see a copy of the lease agreement before agreeing to take the parks on.

RESOLVED: To defer this item and request that it be taken back to the Community Services Committee to look at the proposal in more detail.

Proposed: Councillor Jackie Meade

Seconded: Councillor Nicola Keen

Voting: F: 13, Ag: 0, Ab: 1

It was felt that representatives from the Community Services Committee should carry out an inspection of the parks.

Further to Members considerations and a review of Report C/19/258 it was

RESOLVED: To defer this item and request that it be taken back to Full Council on the basis of establishing a Small Parks Working Group (Councillors Belinda Walker, Paul Bingham, Michelle Keutenius, Peter Gane and Abena Akuffo Kelly) who will undertake site visits of each small park further to which an update report of findings will be presented to Members.

Proposed: Councillor Peter Gane

Seconded: Councillor Abena Akuffo - Kelly

Voting: F: 6, Ag: 0, Ab: 0

1110. FOLKESTONE TOWN COUNCIL - TREE CHARTER BRANCH UPDATE

The Communities and Events Officer informed the committee that Folkestone Town Council is now an official Tree Charter Branch and provided an update in respect of the implications and responsibilities of being a Charter Champion, National Tree Week and Tree Charter Day. Members were asked to consider potential projects to help build the movement and create a legacy for the Tree Charter in our Community which will be led by the Environment Working Group and specifically, Councillor Richard Wallace (Tree Champion) further to feedback and suggestions.

1111. FAIRTRADE TOWN STATUS

Four of the five goals have been achieved and we are currently working towards Goal 4: *'Attract media coverage and popular support for the campaign'* and as such, have started the application process to be formally awarded Fairtrade Town Status by the Fairtrade Foundation.

Members views were sought in respect of how Folkestone Town Council can participate in and support Fairtrade Fortnight (24th February – 8th March) whilst attracting media attention and so facilitating achievement of 'Goal 4' and it was subsequently agreed that the Communities & Events Officer would investigate local events to participate in where possible.

It was suggested that a Steering Group meeting be arranged for as soon as is practical with details to be sent to all Councillors inviting their participation.

RESOLVED: That this item be deferred to the next meeting pending further research by the Communities & Events Officer, meeting of the Steering Group and identification of potential viable associated projects.

Proposed: Cllr Peter Gane
 Seconded: Cllr Belinda Walker
 Voting: F:6, Ag:0, Ab:0

1112. FOLKESTONE PRIDE

i) Folkestone Town Council received a request from a volunteer Events Coordinator for Folkestone Pride to fly the Pride Flag from the Town Hall ahead of the Pride Event scheduled for 18th July 2020.

Further to the Committees resolution after consideration of Report CS/14/167 (attached) at its meeting on 14.10.2014:

'That Folkestone Town Council continues to display all flags as listed in the report and at all other times only the Union flag and/or the Folkestone Flag will be flown.'

ii) It has also been requested that we consider a coloured lighting scheme to illuminate the Town Hall facade. There is currently no budget for this and given the Town Hall is a listed building, Folkestone Town Council would not receive planning permission for this installation.

Members views were sought and after much debate it was

RESOLVED:

- i) That only flags as listed in Report CS/14/167 are displayed.**
- ii) That an Item be brought to the next meeting to identify and consider potential ways Folkestone Town Council can support Folkestone Pride pending further research by the Communities & Events Officer and Members .**

Proposed: Cllr Peter Gane
 Seconded: Cllr Belinda Walker
 Voting: F:6, Ag:0, Ab:0

1113. COUNCIL WEBSITE

Folkestone Town Council is one of a number of parishes in Kent that has a free parish website developed by Kent County Council. Since 2005, Cantium have been providing the Web Hosting and Support Service at a rate of £150 per annum to all Parish Councils as a wholly owned subsidiary of KCC.

As of August 31st 2020, Parish Council websites will no longer be provided in their current form by Cantium as they are replacing their service as all websites need to be upgraded to meet the new regulations of The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018, which states that by 23rd September 2020, websites for all public sector bodies must be inclusive and accessible for all. These legal changes build on existing obligations of the Equality Act 2010 and the duty to make reasonable adjustments for the disabled.

Cantium have provided an offer to all existing parish website users based on a 3 year agreement which includes upgrading the sites to meet the regulations and hosting from September subject to acceptance by 31st January. The Town Clerk is currently getting comparison quotes from other providers of parish websites that are able to meet the new regulations provided by KALC and SLCC and will ensure the Council's website meets the new requirements within the statutory timeframe.

Noted

1114. DATE OF NEXT MEETING – 7th April 2020

.....Chairman

7 April 2020



FOLKESTONE TOWN COUNCIL

TERMS OF REFERENCE

Community Services Committee

1. To exercise the powers and duties of the Town Council on the following highways and transportation matters:
 - a) policy procedure and legislation
 - b) road traffic regulation and enforcement
 - c) highways management and maintenance
 - d) parking
 - e) road signs and signposting, including street naming
 - f) footway and street lighting
 - g) traffic orders
 - h) traffic calming measures
 - i) ferry, bus and railway issues, including bus shelters
 - j) cycling and cycle ways
 - k) community transport
 - l) public rights of way, footpaths and bridleways

2. To exercise the powers and duties of the Town Council on the physical environment of the town, including:
 - a) local projects (horticultural, leisure, sport and recreational facilities, Christmas lighting and festivities etc)
 - b) arts and libraries
 - c) education and health
 - d) public order and community safety (CCTV, Community Safety Plan, etc)
 - e) employment and economic development
 - f) management of open spaces and common land
 - g) public parks and gardens, recreation and pleasure grounds
 - h) markets
 - i) public conveniences
 - j) allotments
 - k) Folkestone Museum

3. To consider and make recommendations on:
 - a) bus shelters
 - b) car parking
 - c) Christmas lighting/festivities
 - d) public clocks
 - e) communications (Newsletter, Notice Boards, Website)
 - f) crime prevention

- g) events and Carnival
 - h) tourism and leisure
 - i) seating
 - j) regeneration
 - k) street cleansing
 - l) youth facilities
4. To increase public participation and consultation by developing a “Community Forum” programme.
 5. To prepare budgetary forecasts, where necessary, on any of the above activities for inclusion in the Town Council’s budget for the following financial year and submit these to the Finance and General Purposes Committee in the Autumn to calculate the precept for the ensuing year.
 6. To consider and make recommendations to the Council on any changes to these terms of reference that might be required to enable the committee to adapt to changing circumstances and be better prepared to carry out its mission.



Folkestone Town Council



Allotment Rules

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1 Definitions and Interpretations

- "The Council" means Folkestone Town Council, and includes any committee of the Council, or any allotment officer appointed by the Council under the Allotments Acts 1908 and 1950.
- "Allotments" means an area of land set aside by the Council, and protected by statute, for the purposes of leisure and of growing vegetables, flowers and fruit.
- "Allotment Tenant" means any person, 18 years or older and residing within the area of Folkestone, who is thereby entitled to rent an allotment plot situated within one of the Council's allotment sites.
- "Allotment Plot" means an area of land, of various sizes, within each allotment site, that is available to rent for an annual sum.
- "Allotment Rent" means the annual charge for renting an allotment plot for 12 months, from the 1st April to 31st March. This charge is reviewed annually by the Council, and any increases will be notified in writing prior to invoices being sent.
- "Minimum Charge" means the minimum invoice amount that will be issued by the Council.
- "Tenancy" The tenancy is a yearly tenancy starting on the 1st of April in the year specified in the tenancy agreement.

2 Eligibility Criteria and Allocation of Plots

- 2.1 To be eligible for an allotment a person must be 18 years or older and resident within the Town of Folkestone (Allotments Act 1908 Section 23 (1)).
- 2.2 The Council will supply information regarding available plots, on a site by site basis, to allow applicants to visit and inspect potential plots before making a decision to confirm their interest in a particular plot.
- 2.3 When someone confirms their wish to commence a new tenancy, having identified a vacant plot and clarified that they are eligible, then they will be asked to sign a Tenancy Agreement before being allowed to start work on the plot.
- 2.4 All allotment plots are let on an as seen basis, there is one waiting list. The Council is not able to carry out improvement or clearance works for new tenants.
- 2.5 When a vacant plot is not available, the Council operates a Waiting List for each site. When a plot becomes vacant the person on the top of a list is given first refusal for the tenancy. People are given two weeks to respond to this offer and if no response is received within this time, their name is removed from the waiting list. If they do not wish to or cannot take that plot at that point in time, the Council will allow them to defer whilst staying at the top of the list until another plot becomes available. In this instance, the plot will be offered to the next person on the list. Where, for example two plots become available at the same time, the Council will write to the first two people on the list regarding the two vacant plots and these will be allocated on a "first come first served basis".
- 2.6 The Council rents out plots of various sizes, and due to the increasing demand for allotment plots the Council is splitting a number of larger plots in order to increase the availability of space to prospective tenants. New tenants are being restricted to being able to rent a plot, according to what becomes available at the time. Existing tenants who currently rent more than one plot will not be affected, but will not be allowed to increase their holding, or retain this larger number of plots if they make an application to change sites.
- 2.7 Each allotment tenancy will be leased in the name of one person only, even if more than one person works on the plot. There will be no automatic right of inheritance. However, the other person can make a representation to the Council, before the tenant vacates the plot, seeking the Council's agreement to take over the tenancy. The Council will consider such representations on a case-by-case basis.
- 2.8 Plot allocation is restricted to the equivalent of two average size (126m²) plots per household. Tenants cannot go back on the waiting list for additional plots.

3 Allotment Tenant Responsibilities

- 3.1 The tenant shall keep their allotment plot in a good state of cultivation, and not allow weeds and grass to cause a nuisance to neighbouring plots. (See 6.3).
- 3.2 Tenants must only use their allotment plot for their own personal use and must not use their plot to carry out any business or grow produce for profit.
- 3.3 The tenant shall not deposit, or permit to be deposited any refuse, rubbish or extraneous¹ matter on their plot, or any other part of the allotment site. All waste from the permitted allotment activities shall either be composted on the plot or burnt as outlined in 3.4.
- 3.4 Bonfires are permitted under certain conditions, which are designed to prevent a nuisance being caused to neighbouring residents and other plot holders. Under the **Environmental Protection Act 1990** it is an offence to cause a nuisance through the generation of 'smoke emitted from premises so as to be prejudicial to health or a nuisance'. Therefore, the tenant must conform to the following requirements:
- No bonfires are permitted between 1 April and 31 August
 - From 1 September to 31 March, bonfires are permitted on Tuesdays after 12pm and the first and third Saturday of the month after 12pm.
 - Bonfires must be extinguished, if not burnt out, by dusk.
 - When permitted, only burn when suitable weather conditions permit, to avoid causing a nuisance (wind drift etc)
 - When permitted, only burn organic matter and dry vegetable matter that has been produced on your own plot. Do not burn material that has been given to you from other plots.
 - Do not set fire to massive piles of materials but start with a medium stack and add further material in stages.
 - Non-vegetable matter such as plastic, rubber, carpet or roofing felt must not be burnt, and flammable liquids such as old sump oil must not be burnt or used to light fires.
 - In the event of a reasonable complaint, from another tenant or member of the public, regarding a nuisance being caused by the bonfire, then the fire must be extinguished immediately.
 - All fires must be contained within an incinerator. No open fires are permitted.
- 3.5 The tenant shall not cause or permit any nuisance or annoyance to any other tenant, or obstruct or encroach onto other plots, paths, communal thoroughfares and roadways.

¹ Any matter which is not relevant/essential/pertinent to the use of an allotment.

- 3.6 The tenant shall not, without the written consent of the Council, cut or prune any trees growing in a communal allotment area.
- 3.7 The tenant shall not take, sell or carry away any minerals, gravel or clay from the allotment sites.
- 3.8 The tenant shall not plant conifers or trees that are non-fruiting or have nonedible fruits. When planting fruit trees the tenant must use dwarf rootstock.
- 3.9 The tenant shall not, without the written consent of the Council, plant a hedge or install any type of fence around or on their plot (see section 5.11).
- 3.10 The tenant is permitted to bring dogs onto the allotment site, however, for health and safety reasons any such dogs must be kept on a lead at all times. All faeces must be removed immediately and disposed of appropriately. Dogs must not be allowed to foul neighbouring plots.
- 3.11 The tenant shall not keep or allow other persons to keep animals or livestock (except hens or rabbits, but not cockerels) on their allotment plot. Although it is lawful to keep hens or rabbits on an allotment, the Council requests that it is advised in writing when this is intended and the tenant will need to demonstrate that this can be done in a way that is not detrimental to the health of the animals or fish and will not cause a nuisance to other allotment tenants - S12 Allotments Act 1950 see also the Animal Welfare Act 2006.. Any structure required to keep hens or rabbits on a plot is subject to the provisions of Section 5 of these rules.
- 3.12 The tenant shall not be permitted to keep bees and beehives on the allotments, without the written consent of the Council. The tenant will need to demonstrate that they are properly qualified, and that bee keeping will not cause a nuisance to other allotment tenants.
- 3.13 The tenant shall not alter or permit anyone to alter the water supply system on the allotments provided by the Council and shall not connect or permit to be connected a hose pipe to the water taps.
- 3.14 Tenants that are elderly or have a disability that makes it hard to carry water to their plots may be allowed to use a hose pipe to fill their water butts if they make representation to the Council on an annual basis. They must also show that they have made attempts to collect rainwater on their plots before they will be allowed to do so.
- 3.15 That tenants could be allowed to use hose pipes to fill their water butts only in dry periods of weather during the months of June, July and August when the Town Council has permitted this by placing a notice in the Allotments notice boards. Provided that a hose pipe ban has not been enforced by the Water Authorities.
- 3.16 All tenants should be encouraged to install rainwater collection systems.

- 3.17 The Tenancy of an Allotment is personal to the Tenant. Pursuant to **Section 27 (4) of the Allotment Act 1908**, tenants may not assign, underlet or part with possession of all or part of their Allotments (including any structure shed or greenhouse). Breach of this rule by any tenant may result in termination of the tenancy by the Council.
- 3.18 The Council reserves its right to change the allotment rules from time to time but will make such changes known to tenants in advance in an appropriate manner e.g. through the Council's website, on-site notice board or by letter. The Council will supply a copy of any updated rules, free of charge to any person who requests a copy. Tenants will be expected to comply with any rule changes, following the consultation and notification process.
- 3.19 Disputes and Tenant behaviour
- 3.19.1 Any disputes between tenants should be referred to the Council and the decision of the council will be binding on all tenants involved in the dispute
- 3.19.2 Tenants shall not at any time use offensive language or offensive / aggressive behaviour towards other tenants, Council Officers or members of the public. The Council shall reserve the right to issue one month's Notice to Quit if this condition is not adhered to.
- 3.19.3 The Council operates a complaints procedure, and details of this can be obtained from the Council, or via the Council website.
- 3.20 The tenant shall not, without the written consent of the Council, install or resize a pond on their plot(s). Requests relating to ponds on allotment plot(s) will be dealt with on a case by case basis. Factors that will be considered by the Council when dealing with such requests are as follows:
- Size of allotment plot
 - Proposed size of pond (max 1.5m & 50cms deep with sloping sides)
 - Proposed location of pond including proximity to communal paths and roadways (minimum distance away 2m).
 - Safety and Risks (the tenant must manage the risks to children & others that may enter the allotment site including providing signage and fencing)
 - Ponds must not be allowed to stagnate.
- 3.21 The tenant is required when entering or leaving the allotment site to lock the gate behind them.
- 3.22 The tenant will not use sunken baths or tanks for water or any other use. Baths being brought onto allotment land will be considered waste and tenants will be given notice to remove them.
- 3.23 Tenants are not permitted or allowed to bring carpets or underlay onto the allotment site, or to be used on any allotment plot in any way.

3.24 Pesticides, herbicides and inorganic fertilisers can be helpful when clearing and cultivating an allotment, however they can also be hazardous and have environmental implications. Council recommends trying to minimise the use of synthetic pesticides, herbicides and inorganic fertilisers, or reduce the levels of use over time by using crop rotation. If you do use them, remember they are not a quick fix and should only be used in specific situations - try to keep use to an absolute minimum and always adhere to the following important safety advice:

- a) put up a notice on your plot to advise tenants with Children or Pets to take all reasonable care and to ensure that other plots, grass roads and paths, hedges and trees are not contaminated or adversely affected, and make good or replant as necessary should any damage occur.
- b) select and use pesticides, whether for spraying, seed dressing or for any other purpose whatsoever, so that there is minimal risk to members of the public, birds and other wildlife, with the exception of vermin or pests.
- c) follow the instructions for use carefully and comply at all times with current pesticide regulations.

4 Council Responsibilities

- 4.1 The Council will provide and maintain computerised allotment records in accordance with the **General Data Protection Regulations**. The Council will also provide public access to staff during normal working hours. The public and allotment tenants can also contact the Council via telephone, 01303 257946 and via the Council's website, www.folkestonetc.kentparishes.gov.uk.
- 4.2 The Council will provide and manage a notice board on each allotment site and will permit allotment tenants and societies to use it to display suitable and relevant notices.
- 4.3 The Council will encourage and work with allotment associations and will endeavour to attend meetings when requested.
- 4.4 The Council will promote best practice on all its allotment sites and encourage sustainable environmental management. It will seek to make sites accessible and useable for all allotment tenants.
- 4.5 The Council will provide, and maintain in good working order, a water supply to every site, with water access points spaced around the site. The Council will arrange to have the water supply turned off during the winter months (between the beginning of November and late March each year) to protect against burst pipes. Tenants are not permitted to tamper with the main stopcock. Breach of this rule by any tenant may result in termination of the tenancy by the Council.
- 4.6 The Council will assist security by providing boundary fences and/or hedges, with lockable access gates at every site. Every tenant, at the start of their tenancy, is provided with an access gate key (£10 administration charge required, non-refundable) for their personal use only. In the interests of maintaining security

tenants are asked not to make copies for others to use. All keys provided by the Council remain the property of the Council, and together with any additional copies must be returned to the Council when a tenancy comes to an end.

- 4.7 The Council will arrange for ground maintenance operations to be carried out on every site through its Grounds Maintenance contracts. This will include grass cutting on all the roads, (but not the small paths between plots) and the boundary hedge.

5 Buildings and Structures

- 5.1 The Council will give permission on receipt of an Allotment Structure Permission Request Form for tenants to erect one shed and one greenhouse subject to the size of the plot. Greenhouses are to be no larger than 10'0" (3.05m) x 8'0" (2.44m) and sheds no larger than 8'0" (2.44m) x 6'0" (1.83m). Written permission from the Council is also required to erect any further provision or structure, such as poly tunnels and hen houses. Should permission be granted for additional or larger structures planning permission may be required.
- 5.2 The Council's consent is subject to tenants obtaining any appropriate planning permission and compliance with any applicable building control regulations. The tenant is liable for any costs in relation to compliance with planning and building control regulations. Any liability associated with failure to comply with current planning and building control regulations is the responsibility of the tenant.
- 5.3 All buildings and structures on allotments must only be used in connection with the use of allotment plots.
- 5.4 All such buildings should be maintained in a good state of repair and condition. If the Council is not satisfied with the state of repair it may require the tenant to remove the shed, green house or structure forthwith
- 5.5 Buildings and structures must not be installed on a permanent base.
- 5.6 When a tenancy ceases on a plot, the tenant will be expected to remove their buildings and structures from the allotment site before their plot is re-allocated. Such buildings, structures or belongings shall be removed by the end of one month from the end of the tenancy, unless otherwise agreed with the Council. Following the end of this period, any remaining structures on the plot will revert to the ownership of the Council and will subsequently be offered for use by the new tenant.
- 5.7 Tenants must not remove, demolish or alter in any way sheds or structures provided by the Council and the Council is not liable for loss or damage to any contents stored in sheds and structures owned by the Council.
- 5.8 Tenants are advised not to store valuable equipment and materials in their sheds or structures, and should not store petrol, oil, propane/LPG gas, lubricants or

other inflammable materials. Any weed killers or poisonous liquids should be clearly labelled.

- 5.9 Tenants are permitted to install compost bins and structures intended for such purpose. Tenants are also permitted to erect fruit cages and support structures for soft fruit and fruit trees. Barbed wire is not permitted on any allotment plot. Where possible all compostable material should be composted in an agreed compost area managed by the Allotment Association and contents burned under a controlled environment following receipt of permission from Folkestone Town Council.
- 5.10 Tenants are required to clear any broken glass from their plot and to ensure no sheets of glass are stored on the plot, unless they are framed in some way, to protect themselves and others from sharp edges.
- 5.11 The tenant can apply, in writing to the Council, for written consent to allow fencing to be erected around his/her plot for the protection of his/her crops, but, the tenant must not obstruct any of the paths around the allotment site. Such fencing and gates shall:
- Not exceed 1 metre in height
 - Be properly constructed and anchored to the ground
 - Not involve any sharp edges or rusty metal.
 - Not encroach onto paths which should be at least 1 metre wide
- 5.12 The Council operates a no smoking policy in all shared buildings and structures in accordance with **the Public Health (Tobacco) Act 2006**. Where applicable, 'No Smoking' signs will be displayed in clear view. These signs must not be obstructed, tampered with or removed.
- 5.13 The Council reserves the right to request the removal of any structures or objects that is not in keeping with Allotments Buildings and Structures. i.e. unsightly objects not in keeping with the Allotments which cause a nuisance to neighbours or neighbouring plot holders.
- 5.14 Erection of tents, yurts and other temporary structures, as well as daytime and overnight camping, are not allowed on allotment land.
- 5.15 Motor vehicles may not be parked overnight or deposited on allotment land. Caravans, Motorhomes and live-in vehicles are not permitted on any allotment land.

6 Site Management

- 6.1 The Council will arrange for regular site inspections, to ensure that each site is being properly maintained and used. The Council reserves the right to access any plot or structure in order to carry out these inspections.

- 6.2 The site inspections will include checking on the performance of the Council's Grounds Maintenance contractor, the cultivation of plots, the condition of site boundaries and identifying any other problems that the Council needs to resolve. It is also an opportunity for Council officers and members to meet allotment tenants, and to receive feedback.
- 6.3 Given the high demand for allotment plots the Council wishes to avoid plots being left uncultivated for lengthy periods, especially during the main growing season. However, the Council recognises that cultivation practices can vary during the seasons, and has prepared the following definition to help tenants understand what the Council is expecting:
- A minimum area equal to 80% of the total plot should be cultivated and in active use during the main growing season (March to September)
 - The Council will accept that space can be taken up by raised borders and internal paths, provided the minimum cultivation area is obtained.
 - Fruit trees are allowed (see section 3.8), but it is not acceptable to turn a plot into a fruit orchard, with fruit trees planted on grass. The minimum cultivation rule is still expected.
 - The Council will allow new tenants a reasonable period of time to reach these standards, especially if they have taken over a plot in poor condition.
- 6.4 Any site problems should be reported to the Council as soon as possible.
- 6.5 If it appears to the Council that the plot has not been cultivated, the tenant will receive a non cultivation letter giving them 14 days to respond. A maximum of two non cultivation letters will be sent to the tenant within a 12 month period, if after a reasonable period of time the plot is still uncultivated the Council shall reserve the right to issue one month's Notice to Quit.
- 6.6 Due to the coronavirus pandemic there are strict rules set down by Government regarding hand washes and social distancing that Council must ensure its tenants adhere too, tenants are therefore expected to regularly check the allotment noticeboards for updates and additional rules not covered within this document that must also be obeyed.

7 Termination of Allotment Tenancy Agreements

- 7.1 Tenants will have many reasons to terminate their tenancy agreement, but the Council requires confirmation of the cancellation in writing, giving a minimum of one month's notice. The Council will not refund any rent paid in that year when the cancellation is at the request of the tenant.
- 7.2 The Council reserves the right to terminate an allotment tenancy via one month's written Notice To Quit pursuant to **Section 30 (2) of The Allotment Act 1908** if:
- 7.2.1 Allotment rent is in arrears for 40 days or more (whether formally demanded or not); or

- 7.2.2 It appears to the Council that the Tenant of an allotment, after the commencement of the tenancy thereof; is resident outside the Town for which the allotments are provided.
- 7.2.3 It appears to the Council, not less than three months after the commencement of the tenancy thereof, the Tenant is not duly observing the rules affecting the allotment plot/site (**The Allotment Act 1908 Section 28**), or any other term or condition of his/her tenancy.
- 7.3 The Council will initially write to any tenant, where it is considering cancelling a tenancy agreement, explaining the reasons for its concern and asking the tenant for an explanation within 14 days. Sometimes a plot is not being cultivated due to illness, and the Council will take this into account, and not be unreasonable. A written Notice To Quit will only be issued after two non-cultivation letters have been issued and all reasonable efforts to resolve the issue have been unsuccessful.
- 7.4 In extraordinary circumstances, the Council may be required to cancel or temporarily suspend some tenancy agreements, where the land is required or appropriated under statutory provision, or for purposes for providing new services such as roads or sewers, building, mining or any other industrial purpose. In such unusual circumstances the Council shall give tenants 3 months notice in writing pursuant to **Section 1 of the Allotments Act 1922**. In all other circumstances the Council shall give tenants 12 months written Notice To Quit expiring before 6th April or after 29th September in any year.
- 7.5 The tenancy of an allotment plot shall, unless otherwise agreed in writing, terminate two months after the death of the tenant.

8 Charges

- 8.1 At the end of January each year tenants will be sent an invoice in advance for allotment rent and a Tenancy Agreement covering the forthcoming year - 1st April to 31st March. Invoices are on a strict 30 day payment term, should full or partial payment (if paying quarterly) not be received within this time frame it will be assumed that a new tenancy is not required and the plot will be offered to someone on the waiting list. New tenants starting during this year will initially be sent a reduced invoice, covering the period from their start date until the 31st March. After that they will receive the annual invoice in January.
- 8.2 The Council reviews its allotment charges on an annual basis, as part of its budget setting process, and tenants are then written to in January, giving them 3 months notice of the introduction of any new allotment charges.
- 8.3 Tenants wishing to pay allotments charges quarterly can do so only if they apply to the Council in writing; however they will be required to pay an administration charge of £10 per annum, unless otherwise agreed in writing, paid in advance

with the first quarters rent. The tenant is reliable for keeping up with his/her payments. See section 7.2.1 for rent arrears.

- 8.4 All new tenants will be required to pay a £50 deposit which will be returned at the end of the tenancy if the allotment is returned cleared ready for a new tenant to occupy.

9 Change of Address and Notices

- 9.1 Tenants should immediately inform the Council, in writing, of any changes in their contact details. Tenants will be required to surrender the tenancy of their plots if their new address is outside the town boundary, save in exceptional circumstances.
- 9.1 Notices to be served by the council on the tenant may be:
- a) Sent to the Tenant's last known address in the Tenancy agreement (or notified to the Council under these rules) by first or second class post, registered letter, recorded delivery or hand delivered', or
 - b) Served on the Tenant personally or
 - c) Left on the Allotment plot
- 9.1 Notices served under sub-paragraph a) above will be treated as properly served even if not received as a notice sent by post is presumed (subject to the contrary being proved) to have been received when the letter would ordinarily be delivered in ordinary course of post; **Interpretation Act 1978 Section 7**.

If you have any queries about these rules please contact the Allotment Manager on 01303 257946 or allotments@folkestone-tc.gov.uk .

Remember that your tenancy agreement is a legally binding document and if you do not adhere to the rules you may lose your tenancy.

The Council accepts no liability for any loss, damage or injury to tenants or their belongings occurring on their allotment sites.

Ward	Road	Location Description	W3W	Surface	Watering	Resident Approved	Resident Details	Cost
Broadmead	Broadmead Road	No .74. One new tree is dead . Others are fine . Could be KCC cost as they replace watering failures in new trees	KCC PAY?					£ 280.00
Broadmead	Dolphins Road	No166 . New tree pit tarmacked . Seems good site - can check neighbours' views .	270				Chener	
Broadmead	Downs Road	Several old stumps in small old pits . Check neighbours for most keen . Maybe replace one this year . Very recent stump at 13-15 . Stumps at 121-123 ; Dead tree at 184 Dolphins Road ,actually in Downs ; 173-175 large stump; 199-201 stump . Dead tree at 211-213 was not KCC insured . Gaps and tarmacked patches at Nos 12c (by long fence , 41-43 , 48-50,54.	520					
Broadmead	Dolphins Road	Opposite No.79 . Dead new tree needs replacement .	270					
Broadmead	Radnor Park Gardens	BH says No12 occupier is very keen on a blossom tree . Check details .	520					
Broadmead	Radnor Pk Ave	The line outside the top pond has one dead tree out of several . KCC pay?	KCC PAY?				Mr Flaherty	
Broadmead	Park Farm Road	Per BH the tarmac behind the Watkin Road houses used to have trees . Consider .Luxury?						
Broadmead	Radnor Park Road	No.9 has a large side hedge in RP Gardens and owner is happy for a normal tree. Can get details	520					
Broadmead	Trinity Gardens / Augusta Gdns	Detailed map and plan of 3 and more suggestions by a group of residents headed by Nathan Jones . 2 in existing pits [12 AG & 15 TG] , To discuss , but without some resident or ward funding we couldn't go more than two I suspect . Enthusiastic so should encourage . Ward Clir ?? be careful with addresses - different address on each side . 1040?						
Broadmead	Martha Close	Verge in Lucy Ave. at side of No 1 MC is not in front of windows and is prominent . Check neighbor	£270					
Broadmead	Pike Close	Verge in Lucy Avenue at side of No 1 PC is not near house and quite prominent . 100M away a tree has been snapped in the past , but the half left is quite healthy !	£270					
Broadmead	Cornwallis Avenue	No 62 Good prominent verge position at end of blocked junction with Lucy Ave . Mrs Teeelan happy with a medium tree	£270					
Broadmead	Lucy Avenue	red barked tree outside 106 could be dead . Maybe KCC . Occupiers of 106 seemed surprised that tree was dying but seemed to want to water it with grey water when that was pointed out.	KCC pay?					

Broadmead	Lynwood	Large verge next to garage block wall by sign saying 80-106 is very good place . Opposite side of No.108 could do with specimen tree . RW could fund as Town ward clir . ?	
Cheriton East	St Francis Road(Cheriton)	5 Saints streets' trees are pretty good but stump here at No23 . Not urgent	
Cheriton East	St Hilda's Road	Rather bare at top end . Could do filled pit at No 32 ?? Check No 32	520
Cheriton East	Geraldine Road	Empty pit No 34 . I can check ngr ? This was also 2019 so Barry may have had problem with it	270
Cheriton East	Kwik Fit 299 Cheriton Road	Modern empty tree pit . Last one died ??? If not ok , look at 249 , a nice,clear main road location. Check 249 neighbour if chosen KCC PAY?	
Cheriton East	Limes Road	Stump outside No16 , but not urgent . New Henry's Lime tree at No.12 is doing very well	520
Cheriton East	Surrenden Road	Old cherries : 98 chopped , opp 117 - dead tree . Dead at No5 . Well-treed road but replace one? Check for most positive neighbour	520
Cheriton East	Morehall Avenue	No. 92 has soft tarmacked pit . Occupiers like a tree per BH -name? Services may be a problem	
cheriton west	Appledore Crescent , West Cheriton	Council estate with several plantable grass verges at ends of terraces . Try verge next to No.65	270
cheriton west	Royal Military Avenue , Cheriton West	Fine avenue of mainly limes with only a few gaps . Nos 26, 117, 97 and 53 stumps . Maybe at least one should be replanted possibly at 53 or outside No3 . Wardens can check with any nbr.	520
cheriton west	Naseby Avenue	Potential long-term in verge at end of Fairfax Close where 3 Fairfax has a blind wall .	
East Folkestone	St John's Church Road	Empty tree pit BUT SMALL per BH . No 28 . 3rd choice in road ? Reserve ?	
East Folkestone	St John's Church Road	No.8 . Large empty tree pit . Check neighb. If 8 was left for a reason, there is a soft-tar tree pit outside church hall ? Would complement chrch.	270
East Folkestone	St John's Church Road	<i>Trees to be skirted only - one outside church Hall and one outside No 2 .</i>	
East Folkestone	Joyes Road	No.37-39. Rotten stump in old pit . Neighbor and BH keen on Silver Birch after not done in 2019	520
East Folkestone	Downs Road	Problems only- 109-111 good pear tree pulling up pavement ; No74 - large cherry tree nearly end of natural ; 117-119 : good tree but prune branch going into garden and unbalancing ,	Bailey

East Folkestone	Linden Crescent	Couple at No15 are very keen on an ordinary tree . Check details	520
East Folkestone	Harbour Car Park Tram Road	Check with David Sephton . Losses reported . David Sph Empty tree pit per BH . Will check address . Some car problems possibly ?	Mr & Mrs Parsons and Mrs N
East Folkestone	Eastcliff Gardens	5 new trees nr Youth Centre have hung on BUT one has top dead ? Filled in pit behind Wilmoths - was this too close to trade entrance to Wilmoths ? I expected to find a gap but not sure	Marshall and Mrs Rumsey
East Folkestone	Bradstone Avenue	BH says No 30 occupier is very keen on a blossom tree . Will get signature	
East Folkestone	Walton Road	Newish tree distressed per Belinda and Brian Mc Bride . Should be guaranteed	520
Folkestone Central	43 Westbourne Avenue ,new Central devt	Posb 2 on opp side from Cordova Court -tarmac stretch that used to have trees per BH . Reserve?	KCC PAY?
Folkestone Central	Earls Avenue	Grass Verge os 58 (flats) opp Kingsnorth Gdens has good ,highly visible gap . RW cld check nbrs	270
Folkestone Central	Shorncliffe Road	half dozen 2018 plantings ok BUT except dead ones at 98 &110 . RW will help water as not far away . KCC replace ?	KCC PAY?
Folkestone Central	Shorncliffe Road	Enormous stump corner of Kinsnorth Gardens . Quite solid . Reported but no danger	
Folkestone Central	Phoenix Court, Claremont Road	Long grass verge outside block of flats - good grass corner on Bellevue Street . 3 trees easy	810
Folkestone Central	St Michael's Place , Ravenlea Road	New row of , I am told, social housing has a verge plot opposite 1a Ravenlea which neighbours are hoping to plant with a tree and will water . Is this KCC or FHDC ? Check neighbours via Colin Ayris .	Ms A O'Brien
Folkestone Central	Ravenlea Road / Broadfield Road	Tree in newish pit in Broadfield Road , next to 12 Ravenlea is posb dead . New occupier of No 12 (adult daughter) will help watering if replaced . Names available .	KCC PAY?
Folkestone Central	Baldric Road	No 2 requests Rowan . Mrs Geurts also will water ,but we still want KCC watering ! Next year?	
Folkestone Central	Godwyn Road	No 2 is a large tree pit in good road . No reply from neighbour though.	
Folkestone Central	Godwyn Road	No 11 is stump and pit . Keen Mrs Gabriel will help . Confirm all interest in these roads	520
Folkestone Central	Bathurst Road	No.16 . Mrs Falvey is keen provided drive avoided .	270
Folkestone Central	Grimston Gardens	No 17 . The only blatant gap now in the Grimstons acc to PK. Maybe next year?	

NB - Many 2017-19 trees prospering .
 Nettle Trees, Hornbeam, 'Elm' (Canterbury Rd), Norway Maple , Henry's Lime all successful species.

But will discuss how to encourage watering while not abandoning KCC watering again . Maybe get volunteers after tree planted and

have a June and August 2021 drive around to spot trees in distress and ask for help ? ???

Key

Purple for trees just needing work .

Red for confirmatory action needed subject to money being available .

Blue in reserve for KCC/FHDC rejection or reservations