

KENDAL TOWN COUNCIL

Council : 2nd March 2009 at 8.00 p.m. in the Town Council Chamber, Town Hall, Kendal

PRESENT The Deputy Town Mayor (Councillor J. Bateson) in the Chair;
Councillors A. Robinson, M. Simpson, T. Clare, T. Rothwell, G. Vincent,
G. Murfin, G. Cook, M. Radice, P. Bramham, P. Beavan, R. Boden, C. Hogg,
J. Veevers and A. Kaye.

APOLOGIES Councillors C. Feeney-Johnson (Town Mayor), C. Mayho, R. Yates, G. Raymond
J. Brook, E. Farrell, P. Graham and K. Thompkins.

OFFICERS Liz Richardson (Town Clerk), John Hutchinson (Town Treasurer), Margaret
Graham (Secretary).

Also in attendance were David Sykes, Regeneration Manager, and Vicki
Caldwell, Project Officer, South Lakeland District Council.

The starting time of the meeting had been delayed to allow for the presentation of
the Wainwright Award to Mrs Wyn Newman, in recognition of her long service to
the senior citizens of the town.

Note: *Councillor Graham Vincent declared a personal interest in the following
item because he is a Member of South Lakeland District Council.*

603/08/09 NEW ROAD

Mr Sykes gave an overview of a report to SLDC Cabinet on 11 March 2009, and
invited questions and comments. He stressed that his presentation must not be
construed as the agreed line of the District Council, but it did present an
opportunity for the Town Council to enter a formal submission.

The report to Cabinet would cover a range of issues, including a review of the
legal advice, proposed future management of the area, and consultation with the
public/stakeholders. The legal advice section of the report took into account the
status of the land, what can and cannot be done, Statute (1910 Scheme and
1951 Byelaws), mechanism for deregistration and plans for replacement, and the
current use as a free car parking area and site for the Fair.

Mr Sykes then responded to individual queries from Members and indicated that,
where he was not able to give an answer, he would seek clarification from the
District Council's legal adviser. Questions raised by Councillors included:

- Did SLDC ask whether it was possible to change the use [by changing
existing Byelaws] and, if not, will you ask? (Mr Sykes will seek legal
clarification)
- What can the land be used for? Where will people park? (Mr Sykes
commented that the 1910 Management Agreement indicates common land
should be "public open space". A vehicle can be driven over common land,
but not parked on it)

- What about the Fair, and the public toilets? It was felt that siting the Fair on Gooseholme in the past had not been successful in poor weather conditions. (Mr Sykes said that the public toilets could be retained, with permission from the Secretary of State).
- Where would the people who currently use the area for car parking go? What about those people who start work very early, before the SLDC car parks are open? Mr Sykes said it was felt that sufficient car parking provision already existed in the town. He had recommended that there should be not be any enforcement of “no parking” at New Road until the results of the public consultation were known.

Some Members felt that some form of car parking (and/or coach parking) should be retained on New Road, whilst others were strongly of the opinion that this central area of the town should be given over to green open space. All were keen to ensure that the public consultation was properly resourced and undertaken.

Mr Sykes reassured the Council that the consultation would be very widely publicised throughout the town, a pro-forma would be available for responses, and written comments would be welcomed from the public, other authorities, businesses etc. He said that a further report on management proposals, costs, timescales etc, - taking into account the results of the consultation process - would be presented to SLDC Cabinet, probably in October 2009.

The Chairman expressed the thanks of the Council to Mr Sykes, who indicated that he would provide a copy of the Cabinet report to the Town Clerk and urged Members to make representation to the Cabinet if they wished to do so.

604/08/09 MINUTES – 2ND FEBRUARY 2009

Members considered the minutes of the meeting of full Council held on 2nd February 2009.

In respect of Minute 527/08/09 (Local Development Framework), Councillor Austen Robinson said there was a new possibility for planning authorities to go back to Central Government and negotiate to reduce the annual housing allocation. He suggested that South Lakeland District Council should be asked what was the position with this renegotiation, as this might well affect the number of sites within the town which are identified in the LDF as development land. Councillor Tom Clare pointed out that Cumbria County Council were seeking renegotiation of the Local Area Agreement. Some Members were supportive of the need to renegotiate the annual number in view of the current economic climate; others felt that, since the new Development Plan was to run from 2010 to 2025, they would expect 400 homes per annum to be a reasonable number to support economic growth. Other Members felt that the question was not so much how many houses should be built, but the need to ensure that new development was principally affordable housing for local people.

Councillor Geoff Cook raised a point of order. He said that the discussion was developing into a debate on an item which was not on the agenda.

RESOLVED that the minutes of the meeting of Council held on 2nd February 2009, having been circulated to the Council, be approved as a correct record and signed by the Chairman; and the issue of renegotiation of the annual housing allocation be placed on the agenda of a future Council meeting.

605/08/09 NOMINATIONS FOR THE OFFICE OF MAYOR AND DEPUTY MAYOR

The Town Clerk reported that the following nominations had been received for the offices of Mayor and Deputy Mayor in 2009 – 2010:-

Office of Mayor Councillor John Bateson

Office of Deputy Mayor Councillor John Veevers

Both Councillors having been duly nominated and seconded, it was

RESOLVED that the nominations for the offices of Mayor and Deputy Mayor be accepted.

605/08/09 MAYOR'S COMMUNICATION AND ANNOUNCEMENTS

Lists of engagements undertaken by the Mayor and Deputy Mayor were circulated.

The Deputy Mayor drew attention to the following:-

- The Mayor's Ball would now be held on **Friday, 8th May 2009**
- A Litter Pick round the town would be held on a Saturday in April, following a Kendal/Britain in Bloom theme (possible date 18th April)
- Two tickets for the Mary Wakefield Festival performance in Kendal Parish Church were available as the Mayor and Deputy Mayor were unable to attend – Councillors interested to let the Deputy Mayor know.

606/08/09 OUTSIDE BODIES

Councillor Maria Radice reported that there was to be a re-launch of Kendal MIND with a Road Show, on Friday, 20th March between 10.00 and 11.30 a.m. in the United Reform Church. It was suggested that the Mayor or Deputy Mayor should attend the relaunch.

NHS SOS continued to meet regularly and was pursuing objectives. Concerns had been raised that the Langdale Suite at Westmorland General Hospital was being used for patients with dementia, because Ward 2 had closed and there was nowhere else to go. Patients' families were getting no rest period and staff were demoralised.

A Mobile Scanner had been sited at WGH, but there was no information available on its use or how long it would remain at the Hospital. A planning application had been submitted for a Nursing Home on land between Asda and the Hospital.

RESOLVED that the information be noted.

607/08/09 ANNUAL TOWN ASSEMBLY AND ANNUAL REPORT

The Town Clerk brought Members up to date on the arrangements for the Annual Town Assembly, which was to be held on Monday, 23rd March 2009 at 7.00 p.m. for 7.30 p.m. There would be an introduction by the Mayor.

The Annual Report was being printed, and the Report and publicity flyers would be distributed before the meeting. Questions on the Annual Report could be put by members of the public. The Fire Service had confirmed that they would give a presentation.

All Members were encouraged to attend.

RESOLVED that the arrangements for the Annual Town Assembly and Annual Report be noted and endorsed.

608/08/09 KILLARNEY TWINNING

Councillor Gwen Murfin reported that she had tried to make contact with Killarney to get updated information, and had also tried to get together a small Committee – both without success. She felt that the way forward was to visit Killarney and speak to them, and there was an opportunity to do this by taking advantage of St Patrick's Day.

Councillor Rob Boden suggested that, if the arrangements with Killarney do not work out, the Council should consider establishing a Friendship Link with a location in the Developing World.

Councillor Clare pointed out that he had gone to Killarney last year, and they came to Torchlight. He suggested that the Mayor might visit, and the Deputy Mayor too, to build up a relationship, develop individual contacts on the tourism side, and encourage individuals to make contact.

RESOLVED that Councillor Murfin be requested to continue to progress twinning with Killarney.

609/08/09 REQUEST BY CIVIC SOCIETY TO USE TOWN COAT OF ARMS AND HAVE COPIES OF CHARTERS

The Town Clerk reported a request from Mr Trevor Hughes of the Kendal Civic Society to be allowed to use the Town Coat of Arms in a "Time Line" recording the history of Kendal from Roman times up to the present day. The project was to be installed in a small heritage museum lodged in Stricklandgate House, which had received Heritage Lottery Funding for this purpose. The Civic Society also requested copies of the various Town Charters.

Councillor Chris Hogg, Chairman of the Arts and Heritage Committee - at which this request had first been raised - recommended that the request be agreed in principle and the details agreed in liaison with Councillor Tom Clare - who indicated that he would be happy to discuss the Civic Society's requirements with them.

RESOLVED that the request for the use of the Coat of Arms and copies of the Town Charters be agreed in principle, and Councillor Tom Clare be asked to discuss the details with the Kendal Civic Society.

610/08/09 REPRESENTATION AND PROJECTS WITH KENDAL FUTURES BOARD

The Town Clerk referred to the presentation made by representatives of the Kendal Futures Board to the Management Committee on 16 February 2009 (Minute 569/08/09 refers). The Board representatives had expressed a wish to improve lines of communication with the Town Council, including a better understanding of the work in which the Council is currently engaged and any future plans. It had been made clear to the Board that the Town Council did not have sufficient staffing resources to envisage directly managing projects, but would be prepared to consider supporting and enabling partners. It was recommended that the Council:

- (a) compile a list of projects in which we are currently, or envisage being, engaged;
- (b) receive from KFB a list of projects which they think the Town Council might wish to take on;
- (c) ask representatives on Outside Bodies if they have identified any project in which the Town Council might become involved; and
- (d) comparing the above, identify/reaffirm which projects we wish to support and those we wish to take a lead on.

Related to this, the Management Committee had discussed how the Town Council representation on the Kendal Futures Board might become more co-ordinated and proactive. Options were suggested regarding representation on the Board.

RESOLVED that

- (1) the proposed actions in paragraphs (a) to (d) above be approved; and
- (2) the current (and any future) Town Council representative to the Kendal Futures Board becomes a Member of the Management Committee.

611/08/09 PAYMENT SCHEDULES

The Town Treasurer presented the Payment Schedule for January 2009. and elaborated on individual entries for the benefit of Members.

RESOLVED that the Payment Schedule be noted.

611/08/09 FINANCIAL REPORT FOR NINE MONTHS ENDED 31ST DECEMBER 2008

The Town Treasurer presented a financial report for the nine months ended 31st December 2008. The report had been submitted to the Audit, Grants and Charities Committee on 29 January 2009.

RESOLVED that the report be received.

612/08/09 REQUEST FOR DEVELOPMENT FUND MONIES FOR ALLOTMENT SIGNAGE PROJECT

The Chairman of the Allotments Committee, Councillor John Veevers, submitted a request for Development Fund monies totalling £2,000 to cover the provision and installation of new signage on all allotment sites. He pointed out that we currently have no recourse against offenders because signs are missing, obscured or illegible.

Councillor Boden felt it was inappropriate to consider this request in isolation, and that all bids to the Development Fund should be carried out at one time. However, Councillor Beavan pointed out that in the past the Allotments Budget had carried a lot of the costs involved in annual Kendal-in-Bloom projects and labour costs generally. It was proposed by Councillor Clare that the £2,000 requested be taken out of the Development Fund monies of £20,000 for 2009/2010.

RESOLVED that the request for £2,000 for the Allotment Signage Project, from Development Fund monies for 2009/2010, be approved.

613/08/09 PLANNING COMMITTEE

The Chairman of the Planning Committee, Councillor P. Beavan, presented the minutes of the meetings held on 2nd and 16th February 2009.

RESOLVED that the minutes of the Planning Committee meetings held on 2nd February and 16th February 2009 be received and approved.

614/08/09 ARTS AND HERITAGE COMMITTEE

The Chairman of the Arts and Heritage, Councillor Chris Hogg, presented the minutes of the meeting held on 27 January 2009.

RESOLVED that the minutes of the Arts and Heritage Committee held on 27 January 2009 be approved.

615/08/09 MAYORALTY, CEREMONIES AND TWINNING COMMITTEE

In the absence of the Town Mayor, the minutes of the Mayoralty Committee meeting on 9th February 2009 were presented by Councillor John Bateson, Deputy Mayor.

RESOLVED that the minutes of the meeting of the Mayoralty Committee held on 9th February 2009 be approved.

616/08/09 KENDAL-IN-BLOOM COMMITTEE

In the absence of the Chairman of the Committee, Councillor Tony Rothwell moved that the minutes of the meeting of the Kendal-in-Bloom Committee on 10th February 2009 be approved.

RESOLVED that the minutes of the meeting of the Kendal-in-Bloom Committee held on 10th February 2009 be approved.

Note: In respect of the following item:-

Councillor Paul Beavan declared a personal interest in the grant application by the Westmorland Youth Orchestra, because of his association with the organisation.

Councillors Maria Radice and John Veevers both declared a personal interest in the grant application by the Kendal Rugby Club, because they are members of the Club.

616/08/09 AUDIT, GRANTS AND CHARITIES COMMITTEE

The Town Treasurer brought Members up to date on the recommendations in the minutes of the meetings of the Audit, Grants and Charities Committee held on 29th January and 16th February 2009. The Committee's positive recommendations on a request from Kendal Rugby Club for support for a Youth Tour to Jersey in April 2009 were reported.

RESOLVED that

- (1) the minutes of the meetings of the Audit, Grants and Charities Committee held on 29th January and 16th February 2009 be approved;
- (2) the recommendations from the meeting on 29th January 2009 be authorised as follows:
 - (a) Minute 511/08/09 Section 137 items
In respect of the Town Council's statutory powers, only Section 137 items be identified in the Annual Accounts.
 - (b) **Grant Applications**
 - (i) Minute 513/08/09 Women's International Arts Festival
Approved that the £5,000 unused allocation be returned to the grants fund for re-allocation as required;
 - (ii) Minute 514/08/09 Young Cumbria
Approved that a grant of £1,000 be made to Young Cumbria towards the completion of building work at the Kendal Lads/Girls Club;
 - (iii) Minute 515/08/09 Westmorland Youth Orchestra
Approved that a grant of £300 be made to the Westmorland Youth Orchestra towards the purchase of musical instruments;
 - (iv) Minute 516/08/09 North West Air Ambulance
Approved that a grant of £1,000 be made to the North West Air Ambulance to support an identified need for a second aircraft and the ongoing costs of the service; and
 - (v) Minute 517/08/09 Kendal Rugby Club
Approved that a grant of £200 be made to Kendal Rugby Club to support a Youth Tour to Jersey for the Under 17's and Under 19's Colts in April 2009; and

- (3) the following recommendations from the meeting on 16th February 2009 be approved:

Minute 564/08/09 Review the effectiveness of Internal Audit

- (a) R. M. Miller and Company be asked to continue as the Town Council's internal auditors; and
- (b) the internal auditors be requested to include the Schools of Science and Art Charity Accounts within their audit.

617/08/09 MANAGEMENT COMMITTEE

The minutes of the meeting of the Management Committee held on 16th February 2009 were presented for Member's consideration and approval.

It was confirmed Data Protection for Members would be covered under the Council's application (Minute 571/08/09 refers). The photo-mosaic in memory of the late Councillor Batteson would be an agenda item for a future meeting of full Council (Minute 575/08/09 refers).

Three of the Committee's recommendations had been discussed and approved earlier in the meeting. (Minutes 607/08/09, 609/08/09 and 610/08/09 refer).

RESOLVED that the minutes of the meeting of the Management Committee meeting held on 16th February 2009 be approved, and the recommendations contained therein be adopted and/or endorsed, specifically:

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| Minute 569/08/09
(Minute 610/08/09 refers) | Representation and Projects with Kendal
Futures Board |
| Minute 573/08/09
(Minute 607/08/09 refers) | Annual Report and Annual Town Assembly |
| Minute 577/08/09
(Minute 610/08/09 refers) | Request by Kendal Civic Society to use Town
Coat of Arms and have copies of Charter
(for Stricklandgate House Time-Line) |

The meeting ended at 10.00 p.m.