

# KENDAL TOWN COUNCIL

## Management Committee : 18th May 2009 at 7.30 p.m. In The Mayor's Parlour, The Town Hall, Kendal

- PRESENT Councillors A. Robinson (Chairman), J. Bateson (Deputy Mayor), P. Beavan, R. Boden, T. Clare, G. Cook, C. Hogg and J. Veevers.
- APOLOGIES Councillors C. Feeney-Johnson (Town Mayor) and K. Thompkins.
- OFFICERS Liz Richardson (Town Clerk) and Margaret Graham (Secretary)

### 749/08/09 MINUTES OF 20TH APRIL 2009

Members discussed the minutes of the meeting of the Committee held on 20th April 2009, and matters arising from these and previous minutes.

#### Minute 673/08/09 – New Road

The Town Clerk confirmed that an Exhibition for Town Councillors would be available in the Town Hall on 30th June. In response to a query from Councillor Chris Hogg, Councillor Bateson reported that the Working Group was expecting the results of a survey of what happens to car parking when the Fair is on; it appeared that Taylors would be happy to consider alternative sites. Councillor Boden asked about the formal response to SLDC, by 6 July 2009. It was felt that the Town Council should flag up issues for consideration, reflecting Councillors' views, since it would be difficult to get a consensus. Councillor Clare said it was important to continue to send a representative from the Town Council to the Working Group meetings.

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

#### Minute 627/08/09 (16th March 2009) – Allocation of Land DPD

Councillor Beavan said that the Planning Committee, and the LDF Working Group, had considered a letter from SLDC in regard to "privately owned open spaces", which had been received after the discussion on the Allocation of Land DPD.

Councillor Clare said that it had been difficult to formulate a formal response since SLDC had not consulted the Town Council about "*publicly* owned open spaces". The Planning Committee/Working Group had defended most of the existing privately owned open spaces, but there were a few inconsistencies. For example, Kirkbie Kendal School was not on the SLDC list (although other school grounds were included), neither was the Cricket Ground at Shap Road, the Rugby Club Ground at Shap Road, nor the Bowling Club on Beast Banks.

On considering the criteria supplied by SLDC, in relation to visual aspects to/from the Town, the LDF Group had suggested that the Castle Green Hotel / Oaktree Road area should be omitted from the LDF.

The proposed response contained comments about protecting the landscape of the town, reflecting what people value. The response suggested that the “little field” sites around the town should be protected (as an “urban fringe conservation area”) in favour of development on the three big fields north of Morrisons.

Members were prepared to support the proposed response as that which the Committee and the Council would accept, and the Town Clerk was asked to submit this to SLDC.

Minute 629/08/09 (16 March 2009) – Kendal Futures Board

Councillor Clare suggested the possibility of Joanne Golton working up bids for Lottery / Heritage funding for a Parks / Townscape Heritage Project, and agreed to write to her.

Minute 681/08/09 – Town Calendar

Councillor Bateson said that 13 of 20 photographs submitted had been chosen for the 2010 Calendar. Miller Turner Printers were producing the calendar, which should be available to go on sale by the end of June 2009.

Minute 682/08/09 – Somervell Garden

The Town Clerk reported that the official opening on 11th May had gone very well.

Minute 684/08/09 – Mrs Avril Dobson

Councillor Bateson confirmed that a “get well” card had been sent to Mrs Dobson.

RESOLVED that

- (1) the minutes of the meeting held on 20th April 2009 be accepted as a correct record; and
- (2) the Town Clerk be requested to submit the response to SLDC in respect of “privately owned open spaces”

**749/08/09 MAYOR MAKING UPDATE**

The Town Clerk reported that good progress was being made on the final arrangements for Mayor Making. .

**750/08/09 NEW COMMITTEE STRUCTURE**

Members discussed a number of issues in relation to the new Committee Structure for 2010/2011 which needed to be addressed and/or clarified:

- **naming of the Committee where amalgamation and/or change of functions has occurred, i.e.**

Arts and Heritage with Mayoralty, Ceremonies & Twinning  
Environment with Highways & Infrastructure  
Festivals function (from A&H) to Christmas Lights

- **Relationship of the Committee to the Management Committee**
- **Maximising the potential of the Committees by finding willing volunteers to become Members** and a maximum of six per Committee except Planning and the new Environment/Highways Committee, where one Member per Ward would serve.
- **Number of Committee Members / Co-opted Members / Distribution**  
(e.g. 1 Ward Member on Planning, the other on amalgamated Environment / Highways; previously all former Mayors were on the Mayoralty Committee; Co-opted Members on (former) Arts and Heritage and Kendal-in-Bloom Committees)
- **Substitute Councillors (where main Members are unable to attend)**
- **Allotment Committee NOT to set rents**
- **Make-up of Management Committee** - suggested  
Chairmen of Committees plus  
2 – 3 ordinary Members and  
Mayor/Deputy Mayor if they are not Chairmen of other Committees, and  
the Town Council's representative to the Kendal Futures Board

RESOLVED that Council be asked to consider and determine the issues raised.

#### **751/08/09 POWERS OF WELL BEING**

The Committee considered a briefing note from CALC on the Power of Well-Being, a new statutory power which a town or parish council can use where it considers this will achieve the promotion or improvement of the economic, social or environmental well-being of the area. The briefing note explained how the new legislation differed from the general power in S.137 of the Local Government Act 1972, in that it gives councils very wide legal powers to act for the benefit of their communities and removes legal uncertainties. It also enables councils to step in to get things done which might never be achieved if left to other bodies. However, there are certain criteria to meet, for example a CLCA qualified Clerk. Members felt that this should be referred to Council for consideration for the 2010/2011 Mayoral year.

RESOLVED that the matter be referred to Council in the Mayoral year 2009/2010..

#### **752/08/09 EXCLUSION OF PRESS AND PUBLIC**

RESOLVED that, in accordance with Section 100(B)(2) of the Local Government Act 1972, the press and public be excluded from the following item of business as it contains exempt information as described in Schedule 12A of the Act.

### **STAFFING ISSUES**

In accordance with Section 100(B)(2) of the Local Government Act 1972, the following reports were excluded from inspection by members of the public as they contain exempt information as described in Schedule 12A of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006, as follows:-

- *Information relating to any individual [Paragraph 1]*
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#### **753/08/09 Town Clerk's Annual Appraisal**

The Town Clerk had formulated a proforma to enable Members to carry out her annual appraisal, in conjunction with her Job Specification. It was proposed that the Committee Chairman (Councillor Robinson) and the Town Mayor (Councillor Feeney-Johnson) carry out the appraisal, and that the Deputy Mayor (Councillor Bateson) be asked to sit on the appraisal panel as an observer.

RESOLVED that a panel of Members, as detailed above, carry out the annual appraisal of the Town Clerk.

#### **754/08/09 Town Handyman / Supervisor**

The Town Clerk reported that satisfactory references had been received in respect of the preferred candidate, and that the position had been offered to him but not yet accepted.

#### **755/08/09 READMISSION OF PRESS AND PUBLIC**

RESOLVED that the press and public be readmitted for the remainder of the meeting

### **ANY OTHER BUSINESS**

#### **756/08/09 Angel Yard**

It was felt that the Town Council should have had some input into the refurbishment/improvement of the Yard currently being carried out by SLDC. The Chairman will write to SLDC.

#### **757/08/09 Consultation on Cycle Scheme**

Members complained that they had been unable to see clearly the plans tabled at the consultation at full Council. They felt it was essential that documents/plans are made available to all Councillors at least a week before any consultation meetings take place, and that this should be insisted upon.

#### **758/08/09 Items over £1,000**

Members felt some clarification was needed on the report to Council on items over £1,000. The Town Clerk explained that she is not authorised to pay items over £1,000.

Whilst some items have already been agreed either in the budget or by Committee/Council, the Town Clerk and/or Town Treasurer need *authorisation from Council* to pay invoices over £1,000.

It was agreed to refer the matter to the Audit Committee for clarification, and that potentially the Council needed a Financial Management Report rather than (or as well as), a list of cheques.

RESOLVED that the Audit Committee be requested to look at these processes.

**759/08/09      Voting**

An issue had been raised at full Council on 11th May 2009 about requiring the results of a paper ballot (ie how each Councillor has voted) to be minuted. The Town Clerk had contacted CALC who advised that a Councillor could invoke this, but it did not seem appropriate in the case in point. It was felt there might be a need to modify Standing Orders to clarify the situations where a "recorded" vote can be requested / is required.

The meeting ended at 9.15 p.m.

**Summary of Information, Resolutions and Recommendations to Council**

Minute	Subject	Information / Resolution / Recommendation to Council	
749 (2)	Allocation of Land LDF	Res	Response to be submitted to SLDC
750	New Committee Structure	Res	Council to be asked to determine issues raised in relation to naming, number of Members on Committees, etc
751	Powers of Well-Being	Res	Refer to Council to consider for 2010/2011 Mayoral year
752	Town Clerk's Annual Appraisal	Res	Panel of Members to conduct appraisal
753	Town Handyman / Supervisor	Info	Town Clerk to report to Council on appointment
755	Angel Yard	Info	Chairman to write to SLDC
756	Consultation on Cycle Scheme	Info	Town Clerk to ask for information / plans / consultation documents to be made available to Town Councillors at least one week before consultation meetings take place
757	Items over £1,000	Info	Refer to Audit Grants and Charities Committee to look at processes
758	Voting	Info	Town Clerk to ask Council to consider modifying Standing Orders in respect of "recorded" voting