

KENDAL TOWN COUNCIL

**Minutes of the proceedings at a meeting of
Kendal Town Council
held on 6th July 2009 at 7.30 p.m.
in the Town Council Chamber, the Town Hall, Kendal**

PRESENT The Town Mayor (Councillor John Bateson) in the Chair;
Councillors A. Robinson, C. Mayho, M. Simpson, T. Clare, T. Rothwell,
M. Radice, P. Beavan, P. Bramham, J. Brook, E. Farrell, C. Feeney-Johnson,
C. Graham, C. Hogg, K. Thompkins and J. Veevers.

APOLOGIES Councillors G. Vincent, G. Murfin, G. Cook, K. Bracey, R. Boden, B. Jameson
and M. Kelly.

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

Also in attendance was David Sykes, Assistant Director, South Lakeland District
Council (for the Item on New Road, Kendal).

The Town Mayor proposed that Item 3 (Presentation on New Road) be brought
forward to the beginning of the meeting, and this was agreed.

107/09/10 PRESENTATION ON NEW ROAD, KENDAL

Note: *Declarations of a personal interest in this item were declared by
Councillors Clare Feeney-Johnson, Jonathan Brook, Clive Graham and Chris
Hogg, because they are Members of South Lakeland District Council.*

Mr David Sykes explained that the public consultation on New Road was taking
place over the next three weeks (the first and third weeks in the Westmorland
Shopping Centre, the second week in the Town Hall). A preview for Kendal
Town Council Members had been held in the Town Hall on 30th June.

The content of the exhibition panels set out the legal situation (bylaws, statutory
requirements) and proposals for future management. It was proposed to de-
register the northern strip and manage the remainder within statute. Views were
being sought on (replacement) common land opposite Goodacres and at Little
Aynam (Scout Hut site). Three illustrations had been prepared to encourage
debate on proposed landscaping:

- (1) basic minimum "greening"
- (2) trees and screening
- (3) landscaped design parkland

South Lakeland District Council had not been able to find suitable replacement
common land for the New Road main site.

The analysis of responses to the consultation would be carried out by Cumbria-
based CN Research.

Mr Sykes then responded to questions from the Councillors named:

(Councillor P. Beavan) The need for additional car parking was being looked at by the Kendal Futures Board through the Kendal Parking Study. It was acknowledged that long-stay car parking was the most stressed; there is (existing) capacity for short-stay; and there were no plans to provide free car parking.

(Councillor T. Clare) After the three week consultation, a further two weeks will be allowed for the Town Council to respond formally.

(Councillor T. Rothwell) The toilet block at New Road does not have permission and contravenes the Common Land Act; this would need to be addressed if it is to be retained or built into any new scheme.

(Councillor M. Simpson) Mr Sykes did not know about common land used for free parking within the Lake District National Park; he thought it would depend on where the town/village boundaries were, and the relevant bylaws and management schemes.

(Councillor T. Clare asked, if Aynam Road is to be designated "common land", would the Town Council get back the money it had contributed for the removal of the railings? Also, what about Ford Park for common land; its area is the same or bigger than New Road). Mr Sykes said that the decision of the Secretary of State could not be guaranteed, especially if the land in question is already provided with free access to the public.

(Councillor J. Veevers) Any replacement land must be in the ownership of the owner of the common land. SLDC had not been able to find a suitable alternative site.

(Councillor Maria Radice asked about alternative free parking on Sundays for those who attended the only Catholic Church in Kendal. Lack of parking would create problems for the elderly and disabled.) Mr Sykes responded that (SLDC) Councillors would consider whether free car parking was justified, either new build or acquired. This needed further investigation through the parking study.

(Councillor P. Bramham asked about free car parking for low-paid workers in the evening). Mr Sykes confirmed that car parking was free after 6.00 p.m.

(Councillor Simpson suggested "park and ride" could alleviate parking problems in the town). Mr Sykes agreed that alternative solutions were required; however, indications were that a lot of journeys into the town centre originated in Kendal.

(Councillor Chris Hogg) . The consultation has been and will continue to be widely publicised – in the Westmorland Gazette, on Lakeland/Bay Radio, on the SLDC website and in the SLDC newspaper.

The Mayor indicated that the Town Council hoped to arrive at a formal response, and thanked Mr Sykes for the presentation.

108/09/10 MINUTES – 8TH JUNE 2009

Members considered the minutes of the meeting of full Council held on 8th June 2009.

Minute 019/090/10 – Mayors Communication and Announcements

Councillor Clare Feeney-Johnson reported that she had attended the LSP event on 19th June, at which various presentations had been made including one on locality working. She had the document if any Councillor wanted to have a look at this. She felt that representation was needed from the Town Council as it was very important to get on the agenda. Mayor's Sunday had been very successful, with many organisations attending this historic event, which she felt the Council should retain.

Councillor Farrell *intimated* that Councillor Graham Vincent had said that "we are in effect a Christian Council" and this should be recorded in the minutes. Councillor Vincent was not present, therefore this could not be verified. It was proposed that this minute should be held over for clarification.

RESOLVED that, subject to the exception of Minute 019/09/10, the minutes of the meeting of Council held on 8th June 2009, having been circulated to the Council, be approved as a correct record and signed by the Chairman.

Note: *Councillor Enda Farrell asked that his vote against the above proposal be recorded. Councillor Jonathan Brook asked that his abstention be recorded.*

109/09/10 MINUTES OF ANNUAL GENERAL MEETING AND MAYOR MAKING CEREMONY, 21ST MAY 2009

Councillor Jonathan Brook pointed out that the cheque for Manna House had been accepted by *Mr Colin Greaves, Chairman of Manna House* (Minute 002/09/10 refers).

Councillor Enda Farrell felt that the Annual General Meeting and Mayor Making Ceremony should be separate events, and was advised that this issue would be on the agenda for the Management Committee and/or Mayoralty and Arts Committee.

RESOLVED that, subject to the amendment at Minute 002/09/10, the minutes of the Annual General Meeting on 21st May 2009 be accepted as a correct record and signed by the Chairman.

110/09/10 MAYOR'S COMMUNICATION AND ANNOUNCEMENTS

The Mayor introduced and welcomed Mr Geoff Maskell, the new Town Supervisor/Handyman.

Lists of engagements undertaken by the Mayor and Deputy Mayor were circulated for Members' information.

The Mayor drew attention to the following:-

- Actual judging of the six Primary School entries in Kendal-in-Bloom would take place the following week, before the schools break up for the summer
- The Lancashire Life Magazine interview/tour of the Mayor's Parlour would appear in the August issue.
- Mayor's Sunday, as Councillor Feeney-Johnson had said – had been a brilliant day which everyone enjoyed
- He thanked Andrew Billson-Page for the presentation of a mosaic of the Town Hall in memory of the late Councillor Charles Batteson. (The presentation had taken place just before the Council meeting)
- The Mayor had met the Ambassador from Slovenia at Oxenholme Station, prior to his twinning visit to Sedbergh. The Town Band had been invited to the Mayor's Parlour, and the musical event had been very much enjoyed.

111/09/10 OUTSIDE BODIES

Councillor Austen Robinson reported that he had attended a meeting of the Kendal Futures Board (as a replacement for Councillor Geoff Cook). There had been items relevant to the presentation by David Sykes on the New Road. He would pass the minutes of the meeting to the Town Clerk for onward distribution to Members.

112/09/10 ELECTION OF A REPLACEMENT REPRESENTATIVE TO THE KENDAL FUTURES BOARD

It was noted that Councillor Geoff Cook is now the Cumbria County Council representative on the South Lakeland Local Committee, and therefore has to step down as the Town Council's representative to the Kendal Futures Board. It was proposed by Councillor Feeney-Johnson, and seconded by Councillor Beavan, that Councillor Austen Robinson be nominated as the new representative to the Kendal Futures Board, as Chairman of the Management Committee.

RESOLVED that Councillor Austen Robinson be the Council's representative to the Kendal Futures Board.

113/09/10 PRAYERS AT COUNCIL – UPDATE FROM MANAGEMENT COMMITTEE

Reference was made to Minute 065/09/10 of the Management Committee meeting held on 22 June 2009. The Town Clerk reported that she had written to the National Association of Local Councils via CALC seeking guidance, and had been requested to provide further information. It was estimated that a response would be received in another two – four weeks. Councillor Clare suggested that discussion on the issue should be deferred until the advice had been received. Councillor Farrell agreed with this recommendation, in order to make the debate as democratic as possible.

RESOLVED that discussion on this item be deferred, pending receipt of advice/guidance from the National Association of Local Councils.

114/09/10 UPDATE ON THE LOCAL DEVELOPMENT FRAMEWORK

It was confirmed that a letter had been sent to South Lakeland District Council indicating the Town Council's preference that two large fields north of Morrisons be developed, rather than small plots around the town. Councillor Beavan said that he had checked the plans recently on the SLDC website and, although nothing had been taken out, more potential development sites has been added, including land at Hallgarth, Vicarage Park, Low Fellside, Helsington Mills and Shenstone. Councillor Clare reported that, in a recent meeting with Alastair McNeill of SLDC, discussions had included land around Lakeland Limited, the District Council's spatial strategy, public open spaces, the car parking strategy. The District Council had been asked to take account of the need for allotments land.

It was agreed that the Town Clerk should be asked to arrange a meeting of the LDF Group with SLDC in September, so that the Town Council's views could be made known before the start of the public consultation exercise. Councillor Robinson pointed out that around 50% of the population of South Lakeland lives in Kendal, therefore it was important that the Town Council's views were listened to. Not all of the South Lakeland area was covered by South Lakeland District Council's LDF; a large proportion lies within the Lake District National Park.

RESOLVED that the situation be noted, and the Town Clerk be asked to arrange a further meeting of the LDF Group with South Lakeland District Council representatives in September 2009.

115/09/10 PAYMENT SCHEDULES FOR APRIL AND MAY 2009

The Treasurer presented payment schedules for the months of April and May 2009, and responded to Members' queries on individual entries. Specifically, the new Town Supervisor had been asked to monitor (his) use of SLDC car parks in the town against the cost of an annual parking permit (currently £300). It was confirmed that the mobile phone currently used by the Town Handyman, Mike Mason, would be transferred to the Town Supervisor when Mike retires.

RESOLVED that the Payment Schedules for April and May 2009 be received.

116/09/10 KENDAL-IN-BLOOM COMMITTEE

The minutes of the meeting held on 9th June 2009 were presented by the Committee Chairman, Councillor Tony Rothwell.

Councillor Clare proposed a vote of thanks to the outgoing Chairman, Councillor Katy Thompkins.

Councillor Rothwell confirmed that the four planters removed from the Town Hall/Town Centre had been repositioned at the Shap Road/Appleby Road Junction. Councillor Clive Graham thanked the Committee for considering Far Cross (his Ward) and said that residents were very pleased with the results. Councillor Rothwell reported that there had been some stealing of plants (not vandalism) from the planters.

Councillor Feeney-Johnson made a plea for extra help with the Christmas 2009 Coffee morning in aid of Kendal in Bloom. Mention was made of the tree stump in Abbot Hall which it was felt had the potential to become a chainsaw sculpture provided the trunk was sound. It had been suggested to contact Tony Naylor (SLDC) about this, and to find out if the Kirkland Partnership would be interested in becoming involved.

Councillor Farrell suggested that the Committee might consider drought resistant plants for the future, as there would be less need to chase up watering in dry conditions. Councillor Rothwell responded that Horticare are involve in planting up a bed at the rear of the Cricket Club, and the Committee would be looking at sustainable planting.

RESOLVED that the minutes of the meeting of the Kendal-in-Bloom Committee held on 9th June 2009 be approved.

117/09/10 PLANNING COMMITTEE

The Chairman of the Planning Committee, Councillor Paul Beavan, presented the minutes of the meetings held on 8th and 22nd June 2009.

RESOLVED that the minutes of the meetings of the Planning Committee held on 8th and 22nd June 2009 be received.

118/09/10 MANAGEMENT COMMITTEE

The minutes of the meeting of the Management Committee held on 22nd June 2009 were presented for Member's consideration and approval. Councillor Clare (as Chairman of the meeting) and Councillor Robinson (Chairman of the Committee) expanded on the content and brought Members up to date on progress where appropriate:-

Minute 064/09/10 – Mayor Making Review

It was confirmed that the review of arrangements for the Annual General Meeting and Mayor Making would be discussed by the Mayoralty and Arts Committee on 13 July 2009.

Minute 065/09/10 – Prayers at Council

Councillor Clare asked that Council consider an amendment to the content of this minute and resolution which would reflect more accurately the discussion and recommendation: i.e.

Paragraph 3 be *amended to read* "The Chairman made it clear that discussion was to address how and where information could be obtained which would allow full Council to debate the issue and arrive at informed decision. He also reminded Members that it (the Committee) and Full Council would need to take account of the related matter of those civic services and parades utilising the parish church (or equivalent). It was suggested that"

Resolution to be amended to read

RESOLVED that

- (1) the Town Clerk be asked to approach the National Association of Local Councils, via CALC, for information on and guidance on the issue, *including best practice with regard to civic services*, so that this can be presented to full Council for its consideration; and
- (2) *Council be recommended not to discuss the matter until such advice has been received.*

Minute 067/09/10 - Coat of Arms

The Town Clerk would write to the owner of the Kendal Arms.

Minute 068/09/10 – Kendal Tourist Information Centre

Declarations of a personal interest in this item were made by Councillors Jonathan Brook, Clare Feeney-Johnson and Chris Hogg, as Members of South Lakeland District Council.

Councillor Austen Robinson felt that the actions of SLDC in not consulting the Town Council on reduced TIC hours were totally unacceptable. The Town Councillors represented the people of Kendal, who deserved to know what was going on in their town. If the Town Council had been consulted, it might have been able to offer some help.

Councillor Rothwell said this was another example of the Town Council not being consulted on relevant items and as such the District Council was not complying with the terms of the Parish Charter. Some Councillors did not seem to know about the Charter, and he asked for the help of SLDC Members in making Councillors aware of the terms of the Charter. Councillor Farrell felt that the District Council needed to be reminded of the White Paper, as Town/Parish Councils were the first layer of local government.

Councillor Mayho pointed out that, if the Town Council did not know what had been discussed, it could not comment. He was appalled that there had been no consultation, or evidence to support what the SLDC Cabinet had agreed. The Cabinet had been told that TICs were not best delivered by local authorities, and he wondered what evidence this statement was based on.

RESOLVED that, subject to the amendment proposed by Councillor Clare at Minute 065/09/10, the minutes of the meeting of the Management Committee meeting held on 22nd June be approved, and the recommendations contained therein be adopted and/or endorsed, and specifically:

Minute 065/09/10 – Prayers at Full Council

The amendments proposed by Councillor Clare be accepted, and the item be discussed only when the information and guidance is received from NALC via CALC;

6.7.2009

Council

Minute 068/09/10 – Kendal Tourist Information Centre

The Town Clerk be requested to write to South Lakeland District Council, expressing in the strongest possible terms dismay over the lack of consultation, and concerns that the terms of the Parish Charter are not being met;

Minute 069/09/10 – Signage Project

The Town Council agrees to take on responsibility for washing the signs once a year, and to report any vandalism to the District Council; and

Minute 070/09/10 – Bindloss Room Chairs

Approved that the chairs be sold at auction, subject to valuation.

The meeting ended at 9.45 p.m.

6.7.2009

Council

Signed

Date