

KENDAL TOWN COUNCIL

**Minutes of the proceedings at a meeting of
Kendal Town Council
held on Monday, 7th March 2016 at 7.45 p.m.
in the SLDC Council Chamber, the Town Hall, Kendal**

PRESENT The Deputy Mayor (Councillor S Coleman) in the Chair;
Councillors A Robinson, T Clare, G Cook, P Bramham, J Brook, C
Feeney-Johnson, J Veevers, G Archibald, S Emmott, D Evans, S Evans,
A Finch, M Severn, L Oldham, P Walker, A Blackman, K Bracey, C
Hardy, J Robinson, R Sutton and K Teasdale.

APOLOGIES Councillors G Vincent, G Tirvengadam, C Hogg (Mayor), R Hogg, K
Hurst-Jones and Officer Liz Richardson (Town Clerk)

OFFICERS Jack Jones (Town Treasurer) and Nicky King (Council Secretary)

963/15/16 ORDER OF BUSINESS

The Chair suggested that the order of business of the agenda be amended to bring forward item 4 (Presentation of the 2015 Wainwright Award) and this was agreed.

964/15/16 PRESENTATION OF THE 2015 WAINWRIGHT AWARD

The Chair congratulated Ms Cheryl Berry and presented her with the 2015 Wainwright Award. Ms Berry had been nominated by Mr J and Mrs D Robinson for her work during and after the December 2015 floods. She expressed her thanks for the award and commented that thanks were also due to a number of people who had assisted her with the help she had provided to victims of the floods.

965/15/16 PUBLIC PARTICIPATION

20'S PLENTY FOR KENDAL – Paul Holdsworth

Paul Holdsworth raised the following two issues:

1. Having read the minutes of the Management Committee meeting held on 22nd February 2016, he was concerned that Minute 920/15/16 did not make it explicitly clear that two options for speed limits had been considered by Members. He had, however, been reassured by both the Town Clerk and Councillor Archibald that this was the case.
2. He referred to the recommendation in Minute 920/15/16 that a volunteer be sought to lead on the next stage of the 20mph project. He emphasised the importance of this and urged Councillors to volunteer.

966/15/16 DECLARATIONS OF INTEREST

There were no declarations of interest made at this point.

967/15/16 MINUTES OF COUNCIL MEETING HELD ON 1ST FEBRUARY 2016

Members considered the minutes of the meeting of full Council held on 1st February 2016.

RESOLVED that the minutes of the Council meeting held on 1st February 2016 be approved as a correct record and signed by the Chairman.

968/15/16 MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS

The Chair was pleased to note that both the Mayor (Councillor C Hogg) and his wife (Councillor R Hogg) were doing well following the Mayor donating a kidney to his wife.

969/15/16 ORDER OF BUSINESS

The Chair suggested that the order of business of the agenda be amended to bring forward item 13 (Management Committee) and this was agreed.

970/15/16 MANAGEMENT COMMITTEE

The minutes of the Management Committee meeting held on 22nd February 2016 were presented by Councillor Emmott who proposed that they be approved as a correct record.

Councillor Emmott presented the following recommendations of the Committee:

971/15/16 20mph Speed Limit Project (Minute 920/15/16)

1. *That residential areas not include the arterial routes or town centre which would remain at 30mph throughout.*

Councillor Emmott commented that she didn't think the wording was abundantly clear and suggested the recommendation be amended to read *"That the 20mph speed limit should apply to residential areas not including the arterial routes or town centre which would remain at 30mph throughout"*.

Councillor Cook made the point that there are 20mph areas in existence and if arterial routes and the town centre were to remain at 30mph, some wording would need to be added to exclude such areas.

A general discussion then ensued as to the definition of residential areas and appropriate wording for the recommendation.

Councillor D Evans proposed a substantive motion to exclude arterial routes and those parts of the town centre not subject to a lower limit, for the purposes of the estimate. This was seconded by Councillor Emmott and carried unanimously.

RESOLVED That the recommendation in Minute 920/15/16 be amended by adding the words *“to exclude arterial routes and those parts of the town centre not subject to a lower limit”*.

The recommendation therefore would read:

“That the 20mph speed limit should apply to residential areas to exclude arterial routes and those parts of the town centre not subject to a lower limit”.

2. *That a volunteer be sought to lead on the next stage of the 20mph project to include the feasibility study.*

Councillor D Evans volunteered to lead on the next stage of the 20mph project. This was seconded by Councillor Severn and carried unanimously.

RESOLVED That Councillor D Evans lead on the next stage of the 20mph project to include the feasibility study.

972/15/16 **Spending Ideas Relating to Response to the Flooding** (*Minute 921/15/16*)

“That £4,000 be set aside from the flooding monies for enhancement works to Shap Road. Councillors Oldham and Clare to work on the project further and prepare documentation to present to Council”.

Councillor Emmott proposed that the recommendation be approved. This was seconded by Councillor D Evans and carried.

Councillor Clare advised that correspondence received from CCC Highways concerning a proposed cycle way on Shap Road would have implications on the enhancement works proposed. He suggested that Councillors Clare and Oldham report via the Management Committee to the next full Council meeting once more details were available.

Councillor D Evans expressed thanks to Councillors Clare and Oldham for taking this matter forward. He considered that it was an area of town in need of improvement.

Councillor Feeney-Johnson informed Members that she had seen the correspondence from CCC Highways and had asked whether it would be possible to set up a meeting with CCC Highways and Councillors Clare and Oldham to discuss ways in which to work together.

Councillor S Evans commented that, as one of the main routes into Kendal, it was important to make the area as attractive as possible.

Councillor Emmott proposed that the documentation to be prepared by Councillors Clare and Oldham for presentation to Council be deferred and this was carried unanimously.

- RESOLVED**
1. That Councillors Clare and Oldham report via the Management Committee to the next full Council meeting once more details of the proposed cycle way on Shap Road were available.
 2. That the documentation to be prepared by Councillors Clare and Oldham for presentation to Council be deferred.

OUTSIDE BODIES – REPORTS FROM COUNCILLORS

973/15/16 (a) Report on CALC meeting – Cllr R Sutton

Members noted the report prepared by Councillor Sutton following the CALC meeting held on 4th February 2016.

974/15/16 (b) Approval for Cllr R Sutton to replace Cllr K Teasdale on the Brewery Arts Committee

Members agreed unanimously to approve Councillor Sutton replacing Councillor Teasdale on the Brewery Arts Committee.

Councillor Cook thanked Councillor Teasdale for her work over last 2-3 years.

- RESOLVED** That Councillor Sutton replace Councillor Teasdale on the Brewery Arts Committee.

975/15/16 DRAFT LETTER FLOODING RELATED QUESTIONS TO RESPONSIBLE BODIES (Ref Management Committee minute 922/15/16)

Councillor A Robinson presented the draft letter which had been prepared by the Town Clerk for consideration by Council. The letter raised questions concerning the December 2015 floods and it was intended to issue the letter to all responsible bodies with a request that they respond to the questions relevant to them. Councillor A Robinson commented that Councillors had received ample time to consider the draft letter and proposed that it be issued by the Town Clerk. This was seconded by Councillor Feeney-Johnson and carried unanimously.

Councillor Clare agreed that Councillors had been given plenty of opportunity to comment on the draft letter. He thanked Councillor A Robinson for his work on the matter. He also advised that there was another drop in centre in Asda car park where residents could complete the application form for the Government's grant of £5,000.

Councillor Archibald commented that he was concerned to ensure sufficient staffing resource was available to follow up responses to the letter once issued. Councillor A Robinson proposed that Councillors should bear in mind additional support may be required and it may be necessary to allocate additional funding should Council need to seek professional advice to interpret responses. Councillor Archibald felt there needed to be some way of monitoring responses by regular feedback. Councillor A Robinson stated that he would be happy to collate the

responses but did not feel qualified to carry out in depth analysis of the contents of the replies.

Councillor Severn asked whether the pre–amble could make reference to the phrase “climate change” which it currently did not. Councillor Clare advised that caution should be taken when suggesting that the flooding was a direct result of climate change. Councillor Cook agreed and commented that nothing would be gained by adding the phrase. Councillor Archibald seconded Councillor Seven’s proposal. Members voted on the proposal with 2 Members in favour, 16 against and 4 abstentions.

Councillor D Evans pointed out an error on the second line of page 3 – 20015 should read 2015.

Councillor Emmott seconded Councillor A Robinson’s proposal regarding the interpretation of responses. This was seconded by Councillor Archibald and carried.

RESOLVED

That the Town Clerk issue the letter to responsible bodies, subject to the amendment discussed. Councillor A Robinson to collate the responses received. Councillors to bear in mind that additional professional support may be required to analyse and interpret the responses.

976/15/16

REPORT ON NOMINATIONS FOR MAYOR AND DEPUTY MAYOR 2016/17

The Town Treasurer advised that the following nominations for Mayor and Deputy Mayor of Kendal 2016/17 had been received:

Councillor Coleman nominated as Mayor - proposed by Councillor Archibald and seconded by Councillor Brook.

Councillor Blackman nominated as Deputy Mayor - proposed by Councillor Oldham and seconded by Councillor Bracey.

The Town Treasurer reminded Members that nominations could be made at any point up until the Mayor Making meeting.

977/15/16

AUDIT, GRANTS & CHARITIES COMMITTEE

The minutes of the Audit, Grants & Charities Committee meeting held on 25th January 2016 were presented by Councillor Severn who proposed that the minutes be approved as a correct record. This was seconded by Councillor D Evans and carried unanimously.

Councillor Severn commented that there had been a minute’s silence in memory of Councillor John McCreesh at the start of the meeting and asked that the Council Secretary record this in the minutes.

RESOLVED

That the minutes of the Audit, Grants & Charities Committee meeting held on 25th January 2016 be approved as a correct record of the

meeting.

Councillor Severn then presented the following recommendations of the Committee:

978/15/16 Budgetary Control Statement (Minute 809/15/16)

“That the Budgetary Control Statement for the nine months ending 31st December 2015 be received and forwarded to Council for approval”

Councillor Severn commented that the Statement had been considered at the last Council meeting and also drew Members’ attention to the issue of underspending and requested that further consideration be given to this matter in due course.

RESOLVED That the situation be noted.

979/15/16 Draft Risk Assessments (Minute 810/15/16)

“That the draft risk assessments be approved”.

Councillor Severn proposed that the draft risk assessments be approved. This was seconded by Councillor Archibald and carried unanimously.

RESOLVED That the draft risk assessments be approved.

980/15/16 General Grant Applications 2016/17 (Minutes 817/15/16 to 822/15/16)

“Recommendations from the Committee for grants to organisations in 2016/17”.

Councillor Severn proposed that the recommendations made by the Committee be approved. This was seconded by Councillor D Evans and carried unanimously.

RESOLVED That the recommendations made by the Audit, Grants & Charities Committee at its meeting on 25th January 2016 for grants to be awarded to organisations in 2016/17 (Minutes 817/15/16 to 822/15/16) be approved.

981/15/16 ALLOTMENTS COMMITTEE

The minutes of the Allotments Committee meeting held on 26th January 2016 were presented by Councillor Veevers who proposed that the minutes be approved as a correct record. This was seconded by Councillor Hardy and carried unanimously.

RESOLVED That the minutes of the Allotments Committee meeting held on 26th January 2016 be approved as a correct record of the meeting.

Councillor Bracey queried the current situation with the Natland Road access which had been shut off to allotment holders by NPS (minute

836/15/16). Councillor Veevers replied that this was being dealt with by the Assistant to the Town Clerk and Town Handyperson. He agreed that the situation was unacceptable and said he would persevere in getting an answer.

Councillor Veevers informed Members that the Allotments Committee annual meeting had been cancelled due to lack of interest. Alternative means of engaging with allotment holders in the future were being considered. Councillor Bracey suggested that the lack of response might have been due in part to the December 2015 flooding.

Councillor Feeney-Johnson remarked that the lack of interest in the annual meeting had been a topic of discussion by the Allotments Committee for some time. She advised that the Assistant to the Town Clerk had some good positive ideas for alternative ways of engaging with allotments holders in the future.

982/15/16 PLANNING COMMITTEE

The minutes of the Planning Committee meeting held on 1st February 2016 were presented by Councillor J Robinson who asked Council to receive these minutes.

RESOLVED That the minutes of the Planning Committee meeting held on 1st February 2016 be received.

983/15/16 KENDAL IN BLOOM COMMITTEE

The minutes of the Kendal in Bloom Committee meeting held on 8th February 2016 were presented by Councillor Oldham who proposed that the minutes be approved as a correct record. This was seconded by Councillor Bracey and carried unanimously.

RESOLVED That the minutes of the Kendal in Bloom Committee meeting held on 8th February 2016 be approved as a correct record of the meeting.

Councillor Oldham then presented the following recommendation of the Committee:

984/15/16 New Projects (Minute 889/15/16)

“That unallocated budget from the Kendal in Bloom and development funds from Environment and Highways Committees be spent on further improvements to the Shap Road area”.

This item had been discussed earlier in the meeting (see Minute 972/15/16).

Councillor Clare referred to page 4 of the minutes and commented that the recommendation in Minute 889/15/16 had yet to be put to the Environment & Highways Committee. He also made reference to the resolution which related to improvements on Queens Road suggested by

Tony Rothwell and wished to point out the whole of Kendal was being publicised as being open for business, not just along the Kendal in Bloom route.

Councillor A Robinson said that other forthcoming large events such as the Tour of Britain needed to be taken into account.

The Town Treasurer referred to the recommendation in minute 889/15/16 and advised that the unallocated 2016/17 budget would normally expire at end of March. He asked Members whether they wished to preserve these monies for the purpose of the Shap Road improvements, which could be done by either amending the Development Fund or transferring the money into reserves.

Councillor Cook proposed that any unallocated funds from the Kendal in Bloom Committee and development funds from the Environment and Highways Committee be transferred into the Development Fund or into reserves. This was carried unanimously.

RESOLVED

That any unallocated funds from the Kendal in Bloom Committee and development funds from the Environment and Highways Committee be transferred into the Development Fund or into reserves, as appropriate, for the purpose of improvement works to Shap Road.

FINANCIAL MATTERS

985/15/16

(a) Bank Payments Schedule: January 2016

The Town Treasurer presented the Bank Payments Schedule for January 2016. He drew Members' attention to the substantial payments to SLDC which were for retrospective rent now liable to VAT which had been reclaimed.

Councillor Veevers queried the payment to SLDC for the printing of business cards and asked who these were for. The Town Treasurer replied that he was aware that certain KTC Officers had been provided with cards.

Councillor Veevers also queried the payment to SLDC for timber for seat at Hawesmead Park. Councillor Emmott advised that the invoice was for timber for 5 seats which were to be reinstated in Hawesmead Park. Councillor Clare confirmed that this had been approved by the Environment and Highways Committee.

RESOLVED

That the Bank Payments Schedule for January 2016 be approved.

986/15/16

(b) Invoices over £2,000

The Treasurer reported that there were four invoices over £2,000 which required approval as follows:

- SLDC – service charge for offices and rooms within the Town Hall for

the April quarter - £2,475.00 plus VAT of £495.00, total £2,970.00

- B&C Shelter Solutions – replacement bus shelter at Sandylands - £4,066.00 plus VAT of £813.20, total £4,879.20. There would be a shortfall of £210.00 once monies had been received from the insurers.
- MD Hanafin & Sons Ltd – Sandylands fencing - £7,447.77 plus VAT of £1,489.55, total £8,937.32.
- Christmas Plus – dismantling of Christmas lights – £3,482.00 plus VAT of £696.40 VAT, total £4,178.40.

Councillor Veevers commented that it was cold in the SLDC Council Chamber and asked that the Town Treasurer speak to SLDC and request the heating be turned up for Council meetings. Councillor Clare also asked that the clock be altered to show the correct time.

Councillor Veevers proposed that payment of the four invoices be approved. This was seconded by Councillor Feeney-Johnson and carried unanimously.

RESOLVED That payment of the four invoices over £2,000 be approved.

987/15/16 EXCLUSION OF PRESS AND PUBLIC

It was proposed by Councillor Brook and seconded by Councillor Severn to move to Part II, this was carried unanimously.

RESOLVED That the press and public be excluded for the following items of business.

Part II

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*]
- Information relating to the financial or business affairs of any particular person (including the authority holding that information) [*Paragraph 3*]

STAFFING MATTERS [*Paragraph 1*]

988/15/16 Project Manager's probation (*Ref Management Committee minute 926/15/16*)

Councillor Emmott proposed that the Project Manager's contract be made permanent following completion of her six months' probation. This was seconded by Councillor A Robinson and carried unanimously.

RESOLVED That the Project Manager's contract be made permanent.

989/15/16 Council Secretary pay (*Ref Management Committee minute 927/15/16*)

Councillor Emmott proposed that the Council Secretary be paid for the additional hours worked over and above her contract for the months of April to December 2015. Also that she continue to keep a timesheet until July 2016 at which point a further review would be undertaken. This was seconded by Councillor Walker and carried unanimously.

RESOLVED That the Council Secretary be paid for the additional hours worked over and above her contract. Also that she continue to keep a timesheet until July 2016 at which point a further review would be undertaken.

FINANCIAL OR BUSINESS AFFAIRS [Paragraph 3]

990/15/16 Tender for Insurance Services (*Ref Audit, Grants & Charities Committee Minute 814/15/16*)

Councillor Severn proposed that Council accept the tender from Zurich Insurance plc for the Council's insurance requirements for a three year period beginning 1st April 2016, with an option to extend for a further two years. This was seconded by Councillor D Evans and carried unanimously.

RESOLVED That Council accept the tender from Zurich Insurance plc for the Council's insurance requirements for a three year period beginning 1st April 2016, with an option to extend for a further two years.

991/15/16 Invoice over £2,000

The Town Treasurer presented the invoice from Zurich Insurance plc for insurance services for the year commencing 1st April 2016 and requested approval for payment. Councillor Veevers proposed that the invoice be paid. This was seconded by Councillor Severn and carried unanimously.

RESOLVED That the invoice from Zurich Insurance plc for insurance services for the year commencing 1st April 2016 be paid.

992/15/16 Tender for Civic Planting contract commencing 1 October 2016 (*Ref Kendal in Bloom Committee Minute 895/15/16*)

Councillor Oldham proposed that Council accept the tender from Hortons Landscaping for the Council's civic planting contract for a three year period beginning 1st October 2016, with an option to extend for a further two years.

The Town Treasurer confirmed that the tenders received had been assessed on the basis of quality of price, that three satisfactory references for Hortons had been obtained and that a performance clause

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would be written into the contract in order to protect the Council's interests.

Councillor Feeney-Johnson seconded the proposal and this was carried with 1 abstention.

RESOLVED That Council accept the tender from Hortons Landscaping for the Council's civic planting contract for a three year period beginning 1st October 2016, with an option to extend for a further two years.

993/15/16 READMISSION OF PRESS & PUBLIC

RESOLVED that the press and public be re-admitted for the remainder of the meeting.

The meeting ended at 9.20 p.m.

Signature

Date