

# KENDAL TOWN COUNCIL

**Minutes of the proceedings at a meeting of  
Kendal Town Council  
held on Monday, 9<sup>th</sup> May 2016 at 7.30 p.m.  
in the SLDC Council Chamber, the Town Hall, Kendal**

- PRESENT** The Mayor (Councillor C Hogg) in the Chair;  
Councillors A Robinson, T Clare, G Vincent, G Cook, P Bramham, J  
Brook, C Feeney-Johnson, J Veevers, G Archibald, S Coleman, S  
Emmott, D Evans, S Evans, A Finch, L Oldham, P Walker, A Blackman,  
C Hardy, R Hogg, J Robinson, R Sutton, K Teasdale and J Owen
- APOLOGIES** Councillors M Severn, G Tirvengadam, K Bracey and L Richardson  
(Town Clerk)
- OFFICERS** Jack Jones (Town Treasurer) and Nicky King (Council Secretary)
- 1155/15/16 PUBLIC PARTICIPATION**
- None.
- 1156/15/16 DECLARATIONS OF INTEREST**
- Councillors Cook and Feeney-Johnson declared an other registrable  
interest in item 10.1 on the agenda (Kendal Northern Development Route  
Brief).
- 1157/15/16 MINUTES OF COUNCIL MEETING HELD ON 4<sup>TH</sup> APRIL 2016**
- Members considered the minutes of the meeting of full Council held on  
4<sup>th</sup> April 2016.
- Councillor Bramham proposed that the minutes be approved as a correct  
record and signed by the Chair. This was seconded by Councillor  
Coleman and carried with three abstentions.
- RESOLVED** that the minutes of the Council meeting held on 4<sup>th</sup> April 2016 be  
approved as a correct record and signed by the Chairman.
- 1158/15/16 MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS**
- The Mayor had circulated a list of engagements undertaken during March  
and April.
- He announced that Kendal had achieved the status of Organ Donor  
Town. A plaque had been unveiled earlier that afternoon.
- The Mayor highlighted an event of the Buzz Group (the Mayor's charity)  
that he had attended, as well as the opening of the Sandylands play area  
and commented on what a great job had been done. He also highlighted

the completion of work at Police Yard and said that the work carried out had made a big difference. He hoped similar projects could be carried out in the future.

The Mayor congratulated Councillor Severn and his wife on the birth of their new baby.

The Mayor reported that there would be a talk about the general history of Kendal on 18<sup>th</sup> May in the Mayor's Parlour with donations to the Mayor's charity. There were 12 places available. Carolyn Moffatt to email details to Councillors.

Lastly, the Mayor thanked Councillors again for their support during his recent period of absence.

## **1159/15/16      OUTSIDE BODIES – REPORTS FROM COUNCILLORS**

### **Brewery Arts Centre Meeting – Cllr R Sutton**

Councillor Sutton had circulated a report of the meeting of the Brewery Arts Trust which he attended on 23<sup>rd</sup> March 2016. There were no questions raised and Councillors noted the report.

## **1160/15/16      APPROVAL OF MEMORANDUMS OF AGREEMENT WITH CCC FOR VARIOUS BLOOM WORKS ON SHAP ROAD – AND – REQUEST FOR FUNDING FOR PLANTERS AT JUNCTION OF SHAP AND APPLEBY ROADS**

The Treasurer requested approval from Councillors for three agreements with CCC which were necessary in order to place planters on land belonging to them.

He further reported that KTC maintains three planters on the junction of Shap and Appleby Roads which were in very poor condition. It was expected that the Britain in Bloom judges would focus on this area and the planters would be an eyesore in their current state. It was proposed to replace them with three new planters at an estimated cost of £1,400. He requested Council to approve the purchase, subject to the Chairman of the Kendal in Bloom Committee confirming the detailed arrangements.

Councillor Vincent referred to the Cumbria Community Foundation and suggested that it might be possible to apply for funding for the new planters from the Foundation. Due to timescale, the Treasurer suggested that Councillors committed to purchase the planters and then retrospectively apply for funding from Cumbria Community Foundation.

Councillor Oldham proposed that the planters be purchased from existing budgets and funding be sought from Cumbria Community Foundation at a later date. This was seconded by Councillor Emmott and carried unanimously.

**RESOLVED** That the Mayor and Deputy Mayor be authorised to sign, on behalf of the Town Council, the three memorandums of agreement with CCC for bloom works at Shap Road. That three new planters be purchased for the junction of Shap and Appleby Roads from existing budgets. Funding from Cumbria Community Foundation to be sought at a later date.

**1161/15/16 KENDAL RUGBY CLUB – RECOGNITION OF PROMOTION**

The Mayor reported that various suggestions had been made for ways to recognise the promotion of Kendal Rugby Club. Ideas being considered were a buffet at the Town Hall or an open top bus parade. Availability of buses meant that possible dates were limited to Saturday 14<sup>th</sup> or Monday 16<sup>th</sup> May.

Councillor Feeney-Johnson said that she had attended the match and there had been a fabulous atmosphere with approximately 3,000 spectators. She remarked that the more support KTC could put behind teams the better. She recommended speaking to the rugby team to see what they would prefer.

Councillor Emmott supported Councillor Feeney-Johnson's comment and suggested inviting a representative to Mayor Making. Councillor Veevers was also in agreement.

Councillor Feeney-Johnson proposed that £500 be put aside for whatever event was decided and to speak to Kendal Rugby Club to seek their preference. This was seconded by Councillor Emmott and carried unanimously.

The Mayor emphasised congratulations to the Club on their great achievement.

**RESOLVED** That the sum of £500 be put aside to fund an event to recognise the promotion of Kendal Rugby Club. The Club to be asked what event they would prefer.

**1162/15/16 PLANNING COMMITTEE**

The minutes of the Planning Committee meetings held on 4<sup>th</sup> April and 18<sup>th</sup> April 2016 were presented by Councillor J Robinson who asked Council to receive these minutes.

**RESOLVED** That the minutes of the Planning Committee meetings held on 4<sup>th</sup> April and 18<sup>th</sup> April 2016 be received.

**1163/15/16 ENVIRONMENT & HIGHWAYS COMMITTEE**

The minutes of the Environment & Highways Committee meeting held on 11<sup>th</sup> April 2016 were presented by Councillor Clare.

Councillor Clare proposed that the minutes be approved as a correct record with one amendment to minute 1073/15/16; that the wording for

the recommendation be as per the recommendation in the minutes of the Management Committee meeting on 18<sup>th</sup> April 2016 (minute 1105/15/16). This was seconded by Councillor Blackman and carried unanimously.

It was further noted that the agenda contained two references to this recommendation relating to the Kendal Strategic Transport Infrastructure Study and Council agreed to consider the recommendation under the Management Committee heading.

**RESOLVED** That the minutes of the Environment and Highways Committee meeting held on 11<sup>th</sup> April 2016 be approved as a correct record of the meeting, subject to the amendment discussed.

**1164/15/16 MANAGEMENT COMMITTEE**

The minutes of the Management Committee meeting held on 18<sup>th</sup> April 2016 were presented by Councillor Emmott who proposed that they be approved as a correct record. This was seconded by Councillor Archibald and carried unanimously.

**RESOLVED** That the minutes of the Management Committee meeting held on 18<sup>th</sup> April 2016 be approved as a correct record of the meeting.

Councillor Emmott then presented the following recommendations of the Committee:

**1165/15/16 AOB – Urgent Items (Minute 1101/15/16)**

*That funding for a replacement tree and plaque on Kendal Green to celebrate the 400<sup>th</sup> anniversary of the death of Shakespeare be supported from the Kendal in Bloom Committee budget (up to a maximum cost of £500).*

Councillor Emmott proposed that the recommendation be approved. This was seconded by Councillor C Hogg and carried with 1 Member against.

Councillor Coleman asked for clarification on exactly where the tree would be planted. Councillor C Hogg replied that the land was owned by SLDC and as such it would be their decision.

**RESOLVED** That funding for a replacement tree and plaque on Kendal Green to celebrate the 400<sup>th</sup> anniversary of the death of Shakespeare be supported from the Kendal in Bloom Committee budget (up to a maximum cost of £500).

**1166/15/16 Northern Development Route Update (Minute 1105/15/16)**

*That subject to the revised wording of the brief being acceptable, the Committee recommend a contribution of £10k to the Kendal Strategic Transport Infrastructure study.*

Councillor Emmott proposed that the recommendation be approved. This was seconded by Councillor Clare who referred Members to the

revised wording circulated prior to the meeting. He highlighted the addition of wording *“in the north”* relating to the future growth of Kendal and *“M6 corridor”*.

Councillor Brook commented that *“in the north”* was too specific as strategic transport improvements would benefit the town as a whole, not just in the north. He added that in his opinion *“M6 corridor”* should be left in.

Councillor Cook supported Councillor Brook in his comment regarding *“in the north”*. He added that at this stage, KTC was being asked to contribute to a wide ranging study and should be giving the consultants a clean sheet of paper.

Councillor Emmott also agreed that *“in the north”* should be omitted. She commented that the study needed to reduce congestion and support any future growth.

Councillor Coleman said strategic transport improvements would not necessarily benefit Kendal alone and the study should look at the broader economic benefit to Kendal and the surrounding area.

Members considered the introduction and numbered points in the proposed wording of the brief which had been circulated and agreed the wording with the following amendments:

***Introduction:***

- It was proposed that the words *“in the north”* be omitted. Councillor Walker proposed acceptance. This was seconded by Councillor Brook and carried with 1 Member against and 1 abstention.
- It was proposed to add the words *“and Kendal Town Council”*. Councillor Emmott proposed acceptance. This was seconded by Councillor A Robinson and carried.
- It was proposed to add the words *“and the M6 corridor”*. Councillor Emmott proposed acceptance. This was seconded by Councillor Finch and carried.

***No. 4 – Improve resilience of the M6 by ensuring that when the latter is closed northbound diverted traffic is not reliant on one lane of one bridge in Kendal.***

Councillor Clare advised that the correct wording was actually slightly different to that circulated and that the word *“northbound”* should not appear. Councillor Feeney-Johnson suggested that as long as the wording caught the essence, Council should agree to it and, to avoid having to bring it back to a future meeting, the final version could be agreed by the Mayor and the Chairmen of Management and Environment and Highways Committees. This was seconded by Councillor A Robinson and carried unanimously.

Councillor Emmott proposed acceptance of the document with these amendments. This was seconded by Councillor Clare and carried with 2 against and 2 abstentions.

**RESOLVED** That subject to the amendments made to the revised wording of the brief, Council approve a contribution of £10k to the Kendal Strategic Transport Infrastructure study.

**1167/15/16** **Staff Childcare Voucher Scheme Proposal** (Minute 1108/15/16)  
*That the Committee recommended that Council introduce a childcare voucher scheme.*

Councillor Emmott proposed that the recommendation be approved. This was seconded by Councillor Feeney-Johnson and carried with 1 Member against.

**RESOLVED** That Council introduce a childcare voucher scheme.

**1168/15/16** **CHRISTMAS LIGHTS & FESTIVALS COMMITTEE**

The minutes of the Christmas Lights & Festivals Committee meeting held on 19<sup>th</sup> April 2016 were presented by Councillor Feeney-Johnson who proposed that they be approved as a correct record. This was seconded by Councillor Emmott and carried with 1 against.

**RESOLVED** That the minutes of the Christmas Lights & Festivals Committee meeting held on 19<sup>th</sup> April 2016 be approved as a correct record of the meeting.

Councillor Feeney-Johnson then presented the following recommendation of the Committee:

**1169/15/16** **Festival Grant Approval** (Minute 1119/15/16)  
*The committee approved the LDNPA grant application for the £7,500 requested as a one off amount.*

Councillor Feeney-Johnson explained that the LDNPA had applied for a grant of £7,500 for a new festival called Lakes Alive, the hub of which would be based in Kendal. While the request exceeded the limit of £5,000 for any festival grant application, the Committee had recommended approval as a one off amount in order to provide a strong start for this new festival.

Councillor Veevers commented that there was no detail provided in the minutes of what the grant monies would be going towards. Councillor Feeney-Johnson reassured Councillor Veevers that the grant application had been considered in depth by the Committee. The Mayor commented that details of the event had yet to be released to the press and public.

Councillor Walker seconded the proposal and expressed his opinion that KTC should be seen to support this event as it would bring significant benefits to the town and community. This was carried unanimously.

**RESOLVED** That Council approve the LDNPA grant application for the £7,500 requested as a one off amount for a new festival called Lakes Alive.

### **FINANCIAL MATTERS**

#### **1170/15/16 (a) Review of the Effectiveness of Internal Audit**

The Accounts and Audit Regulations 2015 require the Council to undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes. The review comprised two aspects, meeting standards and characteristics of effectiveness. The internal audit for 2015/16 had been carried out by R F Miller & Co.

The Audit, Grants and Charities Committee had considered the review at its meeting on 25<sup>th</sup> April 2016 and recommended its acceptance.

Councillor R Hogg proposed that the review be approved. This was seconded by Councillor A Robinson and carried unanimously.

**RESOLVED** That Council approve the review of the effectiveness of its internal audit arrangements in 2015/16.

#### **1171/15/16 (b) Review of the System of Internal Control and Annual Governance Statement 2015/16**

The Accounts and Audit Regulations 2015 introduced new requirements relating to governance, which apply to financial years 2015/16 onwards. Under the Regulations, the Town Council must ensure it has a sound system of internal control. Each financial year the Council must conduct a review of the effectiveness of the system of internal control and prepare an Annual Governance Statement (AGS) in accordance with proper practices. The AGS must be approved before the Council approves the annual accounts.

The Audit, Grants and Charities Committee had considered the report prepared by the Treasurer at its meeting on 25<sup>th</sup> April 2016 and recommended approval by Council.

Councillor R Hogg proposed approval of the review of the effectiveness of the Council's system of internal control and the Annual Governance Statement for 2015/16. Also that the Mayor and Town Clerk be authorised to sign the Statement at Section 1 of the Annual Return. This was seconded by Councillor Walker and carried unanimously.

**RESOLVED** That Council approve the review of the effectiveness of the Council's system of internal control and the Annual Governance Statement for 2015/16. Also that the Mayor and Town Clerk be authorised to sign the Statement at Section 1 of the Annual Return

**1172/15/16 (c) Finance Outturn Report – Year Ended 31st Mar 2016**

The Treasurer presented two reports on the Council's financial position as at 31<sup>st</sup> March 2016. The first provided figures showing actual income and expenditure against the original budget and the second reported on accountability and stewardship. It was highlighted that there had been a large underspending of around £31,000 for the reasons stated in the Finance Outturn Report.

The Treasurer advised that two amounts would be carried forward as part of the General Fund working balance. These were underspends of £7,368 from the Kendal in Bloom Committee for the purpose of improvement works to Shap Road and of £11,809 by the Christmas Lights and Festivals Committee to purchase new lights in 2016/17.

It was noted that the Town Council was in a sound financial position. The documents had been presented to the Audit, Grants and Charities Committee at their meeting on 25<sup>th</sup> April 2016 and recommended for approval.

Following consideration of the reports by Members, Councillor R Hogg proposed that the outturn statement for 2015/16 be approved, along with the carry forward and earmarking of unspent 2015/16 budgets as part of the General Fund working balance and the individual contributions to and from reserves, as shown in the outturn statement. This was seconded by Councillor Walker and carried unanimously.

**RESOLVED** That Council approves the outturn statement for 2015/16, along with the carry forward and earmarking of unspent 2015/16 budgets as part of the General Fund working balance and the individual contributions to and from reserves, as shown in the outturn statement.

**1173/15/16 (d) Annual Accounts 2015/16**

The Treasurer reported on the Council's Annual Accounts 2015/2016. These included an Income and Expenditure Account (showing comparative figures for the 2014/2015 financial year), Balance Sheet, Financial Reserves Statement and the Annual Return.

The Annual Accounts had been presented to the Audit, Grants and Charities Committee at their meeting on 25<sup>th</sup> April 2016 and approval had been recommended.

It was proposed by Councillor R Hogg and seconded by Councillor Bramham that the Annual Accounts 2015/2016 be approved and this was carried unanimously.

**RESOLVED** That Council approves the Annual Accounts and Accounting Statements 2015/16 (Section 2 of the Annual Return) and authorises the Mayor, Town Clerk and Town Treasurer, on behalf of the Council, to sign and submit the Annual Return.

**1174/15/16 (e) Schools of Science and Art Charity****2015/16 Annual Accounts**

The Treasurer presented the Receipts and Payments Account and Schedule of Assets for the Schools of Science and Art for the year ended 31<sup>st</sup> March 2016. It was noted that the opening balance at 1<sup>st</sup> April 2015 had been £15,773.02 with a closing balance on 31<sup>st</sup> March 2016 of £16,323.02. The Charity's income for the year was £550 (representing interest on its investments) while there had been no expenditure.

The Treasurer informed Members that in previous years the Charity made regular annual grants to Kendal College, Queen Katherine School and Kirkbie Kendal School of £50 each, resulting in £150 total expenditure. Additionally, in October 2014, the Council agreed to provide £1,000 to the Brewery Arts Centre in support of its bid to the Paul Hamlyn Foundation for funds to establish a Young Brewery Creative Council. The Centre was yet to request release of this money.

The Schools of Science and Art Accounts had been presented to the Audit, Grants and Charities Committee meeting on 25<sup>th</sup> April 2016 and recommended for Council approval. The Committee had also recommended that Council restart the regular annual grants and note the grant previously allocated to the Brewery Arts Centre. In order to publicise its availability, the Committee had made a further recommendation that the Charity's grants be referred to in the KTC newsletter.

**2016/17 Grant Applications**

Councillor Feeney-Johnson declared a personal interest at this point and left the room for the following item.

The Treasurer advised that two applications had been received:

- Sasha Johnson and Elise Graham to attend the Edinburgh Fringe Festival as members of the Ludus Youth Dance Company. The application was for £150 each towards the cost (understood to be around £350 per individual).
- Kendal College animal care students and tutors to visit Kenya. The application was for a sum of money towards the cost of the trip which was £2,165 per person. Currently three students are expected to take part.

At its meeting on 25<sup>th</sup> April 2016, the Audit, Grants and Charities Committee had recommended that Council approve grants of £125 each to Sasha Johnson and Elise Graham and £250 to Kendal College.

### **Authorised Signatories to Charity's Bank and Building Society Accounts**

The Treasurer advised that a formal minute of the Council was required by both Barclays Bank and Cumberland Building Society to confirm the authorised officer signatories for the Charity's accounts.

At its meeting on 25<sup>th</sup> April 2016, the Audit, Grants and Charities Committee had recommended that Council confirm that the Town Clerk and Town Treasurer are the Charity's authorised officials for financial transactions relating to its accounts with Barclays Bank and Cumberland Building Society.

It was proposed by R Hogg that all recommendations as put forward by the Audit, Grants and Charities Committee at their meeting on 25<sup>th</sup> April 2016, be approved by Council. This was seconded by Councillor Bramham and carried unanimously.

#### **RESOLVED**

1. That Council approves the Charity's accounts for 2015/16.
2. That Council agrees to restart the regular annual grants of £50 each to Kendal College, Queen Katherine School and Kirkbie Kendal School and notes the grant of £1,000 previously allocated to the Brewery Arts Centre.
3. That Council agrees that availability of the Charity's grants be referred to in the KTC newsletter.
4. That Council approves the following grants from the Charity's Funds:
  - (a) £125 to Sasha Johnson and £125 to Elise Graham, to assist in their attendance at the Edinburgh Fringe Festival.
  - (b) £250 to Kendal College to assist in its animal care students' visit to Kenya.
5. That Council confirms that the Town Clerk and Town Treasurer are the Charity's authorised officials for financial transactions relating to its accounts with Barclays Bank and Cumberland Building Society.

#### **1175/15/16**

#### **(f) Kendal Bid "City Dressing" Campaign**

At its meeting in February, Council approved a grant of £1,000 in 2016/17 to Kendal BID to promote the town in all major UK cities. The Treasurer advised that further consideration was needed to identify the source of funding. Following a general discussion in this respect, Councillor Cook proposed that £1,000 be released from monies allocated for flood relief projects. This was seconded by Councillor Archibald and carried unanimously.

#### **RESOLVED**

That £1,000 be released from monies allocated for flood relief projects for a grant to Kendal BID to promote the town in all major UK cities.

#### **1176/15/16**

#### **(g) CALC Subscription 2016/17**

The Treasurer reported that the CALC subscription for 2016/17 was unchanged from 2015/16 at £1,226. Councillor Brook proposed approval

of the CALC subscription. This was seconded by Councillor D Evans and carried unanimously.

**RESOLVED** That the CALC subscription for 2016/17 be approved.

**1177/15/16 (h) Bank Payments Schedule: March 2016**

The Town Treasurer presented the Bank Payments Schedule for March 2016.

**RESOLVED** That the Bank Payments Schedule for March 2016 be approved.

**1178/15/16 (i) Petty Cash Payments: January to March 2016**

The Treasurer presented the Petty Cash Payments for January to March 2016. Councillor Veevers questioned the payment of an employee's sight test. The Treasurer replied that it was common practice for good employers to pay for sight tests for staff using computers in their day to day work.

**1179/15/16 (j) Invoices over £2,000**

The Treasurer reported that there were 3 invoices and 1 payment over £2,000 which required approval as follows:

- SLDC – contribution to Kendal Futures Co-ordinator Role - £7,500.00
- Cumbria Pension Fund – April 2016 payroll - £2,005.04
- HMRC – Tax and NI – April 2016 payroll - £2,010.65.
- Mayor's Allowance 2016/17 - £5,000.00.

None of the amounts were subject to VAT.

Councillor Cook pointed out that due to the number of staff currently on the KTC payroll, payments for Cumbria Pension Fund and HMRC were likely to exceed £2,000 every month. Taking this into account he queried whether the amount of £2,000 for invoices requiring Council approval should be reconsidered. Councillor Emmott suggested that this be added to a future agenda for further discussion. The Treasurer advised that the matter would be looked at during the review of Standing Orders and Financial Regulations.

Councillor Cook proposed that payment of the 3 invoices and 1 payment be approved. This was seconded by Councillor Walker and carried unanimously.

**RESOLVED** That payment of the 3 invoices and 1 payment over £2,000 be approved.

**1180/15/16 EXCLUSION OF PRESS AND PUBLIC**

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

09.05.2016

Council

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]

**1181/15/16** **Town Handyperson's probation** (*Ref Management Committee minute 1111/15/16*)

Councillor Emmott proposed that the Town Handyperson's contract be made permanent following completion of his nine months' probation. This was seconded by Councillor Oldham and carried unanimously.

RESOLVED That the Town Handyperson's contract be made permanent.

**FINANCIAL OR BUSINESS AFFAIRS** [Paragraph 3]

**1182/15/16** **Approval of Christmas Lights contractor following tender exercise** (*Ref Christmas Lights & Festivals Committee minute 1120/15/16*)

The Treasurer summarised the evaluation of the three tenders received for the Christmas Lights tender. Councillor Feeney-Johnson proposed that Council accept the tender from Christmas Plus and appoint them as Christmas lights contractor. This was seconded by Councillor Emmott and carried unanimously.

RESOLVED That Council accept the tender from Christmas Plus and appoint them as Christmas lights contractor for a period of three years from 1 July 2016, with an option to extend for a further two years.

**1183/15/16** **READMISSION OF PRESS & PUBLIC**

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

The meeting ended at 8.56 p.m.

Signature .....

Date .....