

KENDAL TOWN COUNCIL

**Minutes of the proceedings at a meeting of
Kendal Town Council
held on Monday, 5th March 2018 at 7.30 p.m.
in the SLDC Council Chamber, the Town Hall, Kendal**

PRESENT The Mayor (Councillor A Blackman) 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, K Bracey, C Hogg, R Hogg, J Robinson, R Sutton, K Teasdale,
J Owen and D Rathbone

APOLOGIES Councillors G Vincent, J Brook, S Coleman, L Oldham, C Hardy and Liz
Richardson (Town Clerk)

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

1006/17/18 ORDER OF BUSINESS

The Chair suggested that the order of business of the agenda be amended to bring forward item 5 (Presentation of the Wainwright Award) and this was agreed.

1007/17/18 WAINWRIGHT AWARD TO DIANE HORNER, CHAIR OF KIRKBARROW RESIDENTS ASSOCIATION

The Wainwright Award is presented each year to the person, persons, club, association, society or other local body (political activities excluded), who, or which, in the opinion of the Administrators of the Trust, has done most during the year to promote the prestige of Kendal or has contributed significantly to the betterment of its inhabitants.

The Chair congratulated the 2017 winner, Mrs Diane Horner, and presented her with the Wainwright Award. Mrs Horner had been nominated by Councillor Finch for her work as Chair/Secretary of the Kirkbarrow Residents Association. She organises regular litter picks around the estate, fundraises, organises a variety of activities throughout the summer and half term breaks for the young people of Kirkbarrow and keeps residents updated on highways issues, road signs, health and safety, school news etc. In July 2017 she had also been awarded by Peter McCall the South Cumbria Police & Crime Commissioner's Outstanding Citizen Award for making a difference in the community.

Diane expressed her thanks for the Award and said she was thrilled and grateful to receive it. Being Kendal born and bred she said it was a pleasure to accept the Award and added that she found it both enjoyable and rewarding working with the residents and young people of Kirkbarrow.

1008/17/18 PUBLIC PARTICIPATION

David Fone – Identification of 'Grot spots' in the Town Centre

Mr Fone observed that local residents had been complaining for some time about 'grot spots' in the town centre. He suggested that a grot spot amnesty was required and asked that KTC worked with SLDC and CCC to improve these areas and the civic pride of the town.

The Mayor agreed that this should be discussed and taken forward by the Environment & Highways Committee at their next meeting.

Helen Jones – New Road

Helen Jones referred to the Parish meeting to take place on 15th March and acknowledged that, if a Parish Poll was called, the New Road Action Group were aware of the costs involved. She said this could have been avoided had SLDC been prepared to listen to their concerns. Work had now commenced at New Road to remove the contaminated surface, however SLDC's only concern had been tar and this had tested negative therefore there was no contamination. She remarked that Councillors had a duty of care to Kendal residents and hoped they would all attend the Parish meeting.

The Mayor confirmed that the Parish meeting was scheduled to take place at 7pm on Thursday 15th March at the Shakespeare Centre.

Councillor Archibald commented that in his opinion there were some inaccuracies in the information given by Helen Jones. He requested permission to correct them, however the Mayor rejected the request as it was not on the Agenda for that meeting.

RESOLVED That the Environment & Highways Committee discuss the suggestion of a "grot spot amnesty" and take this forward at their next meeting.

1009/17/18 DECLARATIONS OF INTEREST

There were no declarations of interest made at this point.

1010/17/18 MINUTES OF COUNCIL MEETING HELD ON 5th FEBRUARY 2018

Members considered the minutes of the meeting of full Council held on 5th February 2018.

The Treasurer referred to Minute 935/17/18, Exclusion of Press and Public as he had been contacted by a local resident who had been present at the Council meeting on 5th February. He suggested the following amendment to the wording as it was felt this more accurately recorded the sequence of events :

"At this point a member of the public requested permission to speak. Following recognition that no request to speak under Public Participation had been received, members of the public were not allowed to speak. An adjournment was proposed by Councillor Brook, seconded by Councillor Clare and carried unanimously. Afterwards the Deputy Mayor repeated his apology that Council could not accept a presentation that night without prior notification, but he extended an invitation to make such a presentation at a future meeting, including the next meeting, subject to them giving the required notice.

Councillor Veevers said there was no mention of the reason for the adjournment. The Treasurer replied that normally only limited minutes were produced for items in Part II of the meeting.

Councillor Cook proposed that the minutes be approved as a correct record, subject to the amendment suggested, and signed by the Chair. This was seconded by Councillor Owen and carried with five abstentions.

RESOLVED That the minutes of the Council meeting held on 5th February 2018 be approved as a correct record, subject to the amendment agreed, and signed by the Chairman.

1011/17/18 MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS

The Mayor presented his engagements that had been previously circulated.

He thanked the Deputy Mayor, Councillor Tirvengadam, for attending engagements on his behalf during his recent time abroad.

Well wishes were passed on to Councillor Finch for his forthcoming trip to Australia to attend a boxing event in the Commonwealth Games.

Due to bad weather the Mayor's Charity Dinner had been postponed to Friday 20th April 2018.

The Mayor informed Members that there was an article on the Mayor's Parlour in the Living publication available from the Westmorland Gazette office.

1012/17/18 CALL FOR NOMINATIONS FOR MAYOR AND DEPUTY MAYOR 2018/19

The Treasurer asked for nominations be made in writing with a proposer and seconder.

1013/17/18 ANNUAL REPORT 2017/18 AND ANNUAL TOWN ASSEMBLY APRIL 2018

The Treasurer advised that the Annual Report had gone to print setting. A couple of items were still awaited and would be chased this week. The Chairs of Committees would each give a 5 minute presentation at The Annual Town Assembly. There may have to be a change of venue to the Bindloss Room but this was to be confirmed.

1014/17/18 MANAGEMENT COMMITTEE

The minutes of the Management Committee meeting held on 19th February 2018 were presented by Councillor A Robinson who proposed that they be approved as a correct record. This was seconded by Councillor Cook and carried unanimously.

Councillor Clare referred to Minute 956/17/18 (Printing of Agenda papers) and asked whether Committee had considered disability when discussing the possibility of paperless meetings. He said that at least one current Councillor would not be able to read projected text and asked that consideration of the needs of the disabled be taken into account. It was further suggested that a braille copy of the KTC Newsletter should be made available and that Council liaise with Sight Advice as to the best way to provide all residents with awareness of agendas prior to meetings. Councillor A Robinson replied that the discussions had not reached such

depths, but proposed that when the matter was discussed by Council these comments should be taken into account. This was seconded by Councillor Cook and carried unanimously.

Councillor Clare also referred to Minute 958/17/18 and raised two questions:

1. Did discussions include reference to the proposed linear defences, and in particular the suggestion of 1.6m high walls which would radically alter some views of the river, such as that from Aynam Road? He suggested that Council needed to write to the Environment Agency urgently asking to be involved at the earliest opportunity in all stages of the location and design of linear defences through the town, including the possibility of having some glass walls as in Keswick.
2. With reference to the proposed impoundment of waters at Mintsfeet/Carus Green, did Committee consider the potential relationship with a northern development route, as recommended by Council after the temporary closure of Victoria Bridge? Again he suggested that Council should contact its partners on the northern development route requesting an urgent meeting with the Environment Agency.

Councillor A Robinson remarked that the Management Committee at their last meeting had recommended that the Environment Agency be invited to attend a meeting of the new Council following the May elections in order to give a further presentation. He added that the EA had put forward certain thoughts but not given any specific dates for responses to be submitted. It was not known when any public consultation would take place. Councillor Clare added that KTC needed to take a pro-active role in discussing proposals with the EA before a public consultation took place. It was suggested by Councillor C Hogg that the matter be discussed further by the Environment & Highways meeting at their next meeting on 26th March prior to it going before the new Council. Councillor Veevers proposed that it be brought forward for discussion as waiting for the formation of the new Council could result in the loss of expertise and knowledge amongst current Councillors. This was seconded by Councillor Bracey and carried with 1 abstention.

RESOLVED

1. That the minutes of the Management Committee meeting held on 19th February 2018 be approved as a correct record of the meeting.
2. That the needs of the disabled be taken into account when Council considers the possibility of paperless meetings.
3. That discussions with the Environment Agency be brought forward at the earliest opportunity.

1015/17/18

PLANNING COMMITTEE

The minutes of the Planning Committee meetings held on 5th and 19th February 2018 were presented by Councillor J Robinson who asked Council to receive these minutes.

RESOLVED

That the minutes of the Planning Committee meetings held on 5th and 19th February 2018 be received.

1016/17/18 AUDIT, GRANTS & CHARITIES COMMITTEE

The minutes of the Audit, Grants & Charities Committee meeting held on 29th January 2018 were presented by Councillor R Hogg who proposed that they be approved as a correct record. This was seconded by Councillor Bramham and carried unanimously.

RESOLVED That the minutes of the Audit, Grants & Charities Committee meeting held on 29th January 2018 be approved as a correct record of the meeting.

Councillor R Hogg then presented the following recommendations of the Committee and proposed approval:

1017/17/18 Review of Risk Assessments (Ref Minute 895/17/18)

That the risk assessments be forwarded to full Council for approval.

All Councillors had previously been supplied with a copy of the assessments.

Approval was seconded by Councillor Emmott and carried unanimously.

RESOLVED That Council approve the risk assessments.

1018/17/18 Cumberland Building Society – Temporary Investment (Ref Minute 897/17/18)

That the Treasurer can propose to invest money with the Cumberland Building Society on a temporary basis by seeking approval from the Chair of Audit, Grants and Charities Committee, prior to it being submitted to full Council for decision.

The Treasurer advised that it was proving unworkable to involve the Committee in investment decisions while keeping to the three months' notice with the Cumberland Building Society. He was seeking Council approval to consult with the Chair of the Audit, Grants and Charities Committee in order to invest money with the Cumberland Building Society on a temporary basis, prior to seeking Council approval.

Councillor D Evans asked whether this applied to withdrawals also. The Treasurer confirmed that it was for the investment and withdrawal of monies.

The proposal was seconded by Councillor Archibald and carried unanimously.

RESOLVED That the Treasurer can propose to invest or withdraw money from the Cumberland Building Society on a temporary basis by seeking approval from the Chair of the Audit, Grants and Charities Committee, prior to it being submitted to full Council for decision.

1019/17/18 OUTSIDE BODIES – REPORTS FROM COUNCILLORS

None.

FINANCIAL MATTERS**1020/17/18 (a) Bank Payments Schedule: January 2018**

The Town Treasurer presented the Bank Payments Schedule for January 2018. It was proposed by Councillor C Hogg that the Bank Payments Schedule for January 2018 be approved. This was seconded by Councillor D Evans and carried unanimously.

RESOLVED That the Bank Payments Schedule for January 2018 be approved.

1021/17/18 (b) Invoices over £3,000

The Treasurer reported that there were no invoices over £3,000 which required approval.

1022/17/18 (c) Approved Budget 2018/19: Use of Unallocated Budget

The Budget for 2018/19 was approved by Council at the January meeting, based on a Council Tax increase of £1.00 for a Band D property. The increase was proposed in order to fund further projects in the town. A combination of the Council Tax increase and an improved Council Taxbase created extra income of £17,830 compared to November's Draft Budget. This money was left unallocated in the Approved Budget and Council decided to consider allocating the resources at this meeting.

The Treasurer advised that the possibility of a Parish poll being called could result in a cost to the Council of approximately £14,000. The only identified finance available to meet these costs would be the £17,830 unallocated budget, which would significantly reduce the amount available for allocation to other projects. The Treasurer recommended that £14,000 be set aside from the unallocated budget, leaving £3,830 for allocated to projects. Council were asked to consider whether they wished to defer all consideration of allocating the budget until the outcome of the Parish meeting/poll process was known, or allocate modest amounts up to the limit of £3,830 to some of the bids/requests.

The 2018/19 Budget round had evaluated 17 bids totalling £72,750; since then, two further requests for resources had been identified. These included a request from the Environment and Highways Committee for an allocation of £1,000 for environmentally conscious schemes and a request from Lancaster Canal Regeneration Partnership (LCRP) of £2,250 per annum for the next two years. The Treasurer informed Members that LCRP were seeking an equal contribution from each of its partners, of which the Town Council is much the smallest, and considered that the request was out of proportion to KTC.

Councillor C Hogg expressed concern that some projects would not proceed if there was a Parish Poll. He asked whether there was another option. The Treasurer replied that the reality was some projects would not happen as a result of the Poll. It was not possible to increase the Council Tax and precept at this stage and it was too early in the financial year to utilise contingencies or reserves. He added that if the Poll was to be held, Council would want to make the consequences very clear.

Councillor Veevers proposed that the Treasurer's recommendations be approved.

Councillor Cook asked what would happen to the £14,000 if the Parish Poll did not go ahead. The Treasurer advised that a further report would be prepared for consideration omitting the reference to setting aside £14,000.

Councillor Archibald said it was a real shame that some projects would not go ahead as a result of the Parish Poll. He supported setting aside £14,000 in order to fund the Poll if it did proceed and supported Councillor Veevers' proposal. He asked the Treasurer what he considered to be a proportionate request for funding from LCRP. The Treasurer advised that most recently Council had supported the Partnership in the region of £200 per annum and suggested £200-£500 would be appropriate.

Councillor D Evans asked how much the contingency provision was and whether there was any reason it could not be used. The Treasurer confirmed that it was £8,000 for the coming year. It was usually £3,000 but an additional £5,000 had been built in for expected re-tendering of the planting contract, the exact cost of which was currently unknown. He advised against utilising the £8,000 at this stage.

Councillor Emmott asked where the Budget Working Party had placed the LCRP request in priority. The Treasurer advised that it appeared in the Action Plan so would be a priority. Councillor Feeney-Johnson added that the Partnership had changed significantly and had employed a Project Manager to look at how to deliver schemes. She recommended that KTC pick up the request at a future date. Councillor A Robinson suggested not sending any funding at the current time. He felt that Council should indicate their continued support but highlight that the request was not proportionate to KTC.

Councillor D Evans seconded the proposal to set aside £14,000 from the unallocated budget and this was carried with 2 abstentions.

Councillor Veevers proposed deferring consideration of the allocation of the remaining £3,830 unallocated budget until the outcome of the Parish meeting/poll process was known. This was seconded by Councillor Emmott.

Councillor Archibald proposed an amendment to the proposal; that £400 be allocated for environmentally important projects (as requested by the Environment & Highways Committee) to assist the plastic free town project to move forward. He also put forward a second amendment; that £400 be allocated to LCRP to show KTC's continued support. These amendments were seconded by Councillor J Robinson. A vote resulted in 5 Members in favour of the amendments and 13 against. It was subsequently unanimously agreed to defer allocation until the outcome of the poll was known.

RESOLVED

1. That £14,000 be set aside from the £17,830 unallocated budget as a provision against the potential costs of the forthcoming Parish meeting and a possible poll.
2. That consideration of the allocation of the remaining £3,380 be deferred until the outcome of the Parish meeting/poll process is known.

1023/17/18 (d) Advance Payment of 2018/19 Approved Grants

In considering its budget for 2018/19, Council agreed in principle that unspent 2017/18 General Grants and Festival Grants budgets at the end of February 2018 be used to make advance payments of grants already approved for 2018/19.

The Treasurer presented a report which had been circulated prior to the meeting which proposed the individual grants that could be paid in advance. He advised that there was an underspending of £5,537 in the General Grants budget and £6,550 in the Festival Grants budget. The appendix to the report highlighted 11 grants totalling £11,950 which would be suitable for advance payment. Council were asked to consider approving the advance payment of the grants highlighted.

Councillor S Evans asked whether the amounts shown were whole amounts or part funding. The Treasurer replied that they were full amounts as it was difficult to track part funding.

Councillor J Robinson proposed that the advance payment of the eleven grants highlighted be approved. This was seconded by Councillor Severn and carried unanimously.

RESOLVED That Council approve the advance payment of the eleven grants shown in the schedule in the Appendix to the report.

The meeting ended at 8.53 p.m.

Signature

Date