

KENDAL TOWN COUNCIL

Notice of Meeting

MANAGEMENT COMMITTEE

**Monday 18th March 2019 at 7.30 p.m.
in The Mayor's Parlour, Kendal Town Hall**

Committee Membership (10 Members)

Stephen Coleman (Chair)	Geoff Cook (Vice Chair)	Guy Tirvengadam (Mayor)
Alvin Finch (Deputy Mayor)	Jonathan Owen	Shirley Evans
Andy Blackman	Douglas Rathbone	Susanne Long
Paul Bramham		

AGENDA

1. APOLOGIES

2. PUBLIC PARTICIPATION

Any member of the public who wishes to ask a question, make representations or present a deputation or petition at this meeting should apply to do so before the commencement of the meeting. Information on how to make the application is available on the Council's Website - <http://www.kendaltowncouncil.gov.uk/kendal-town-council/statutory-information/guidance-on-public-participation-at-kendal-town-council-meetings/> or by contacting the Town Clerk on 01539 793490.

3. DECLARATIONS OF INTEREST

To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda

[In accordance with the revised Code of Conduct, Members are required to declare any Disclosable Pecuniary Interests (DPIs) or Other Registrable interests (ORIs) which have not already been declared in the Council's Register of Interests. Members are reminded that it is a criminal offence not to declare a DPI, either in the Register or at the meeting. In the interests of clarity and transparency, Members may wish to declare any DPI which they have already declared in the Register, as well as any ORI.]

4. MINUTES OF PREVIOUS MEETING AND MATTERS ARISING (not otherwise on the agenda). Minutes of meeting held on 18th February 2019 (*see attached*)

5. URGENT ITEMS OF BUSINESS (CONTACT THE CHAIR PRIOR)

6. REPORT ON WORK PROGRAMME (*see attached*)

7. REQUEST FOR SUPPORT REGARDING PROVISION OF FREE SPACE AT KENDAL OUTDOOR MARKET FOR TRADITIONAL SELLERS (REF KENDAL MARKET ACT 1978) (*see attached*)

8. COMMUNITY GOVERNANCE REVIEW CONSULTATION (*see attached*)

9. FUTURE OF THE TOWN CRIER ROLE

KENDAL TOWN COUNCIL

10. ITEMS FOR THE NEWSLETTER

- Summer 2019 Edition – deadline 14th June 2019, publication 22nd July
- Autumn/Winter 2019 Edition – deadline 20th September, publication 28th October

11. EXCLUSION OF PRESS AND PUBLIC

To consider whether members of the press and public should be excluded from the next item, which contains exempt information as described in Schedule 12A of the Local Government Act 1972

Part II (Excluded Items)

In accordance with Section 100(B)(2) of the Local Government Act 1972, the following report is excluded from inspection by members of the press and public as it contains 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]*

12. PART II STAFFING

- Town Treasurer Probation
- Update on KTC Staffing Structure Project

13. READMISSION OF PRESS AND PUBLIC

14. ANY OTHER BUSINESS

Liz Richardson

Town Clerk

By e-mail/post to: Members of the Committee
 All other Councillors (agenda only, for information)

Please note that only Committee Members will receive the minutes and attachments, but that other Councillors may request a copy of any agenda papers. Any Councillor who is not a Committee Member may still attend the meeting, as an observer.

Members of the Press and Public are welcome to attend the meeting.

KENDAL TOWN COUNCIL

Management Committee

**Monday 18th February 2019 at 7.30 pm
in The Mayor's Parlour, Town Hall, Kendal**

- PRESENT** Councillors Stephen Coleman (Chair), Geoff Cook (Vice Chair), Shirley Evans, Susanne Long and Paul Bramham
- APOLOGIES** Guy Tirvengadam (Mayor), Alvin Finch (Deputy Mayor), Jonathan Owen, Andy Blackman, Douglas Rathbone and Liz Richardson (Town Clerk)
- OFFICERS** Janine Holt (Assistant to the Town Clerk) and Nicky King (Council Secretary)
- 881/18/19 PUBLIC PARTICIPATION**
- None.
- 882/18/19 DECLARATIONS OF INTEREST**
- None.
- 883/18/19 MINUTES OF THE MEETING HELD ON 21ST JANUARY 2019**
- The Chairman presented the minutes of the meeting held on Thursday 21st January 2019, which had been approved by full Council on 4th February 2019.
- RESOLVED** That the minutes of the meeting of the Committee held on 21st January 2019 be accepted as a correct record.
- 884/18/19 MATTERS ARISING (Not on Agenda)**
- Janine Holt updated Members on the following matters:
- Minute ref 812/18/19 – Presentation on Re-Modelling and reconfiguration of South Lakeland House and Sympathetic Refurbishment of Kendal Town Hall.**
The Town Clerk was arranging for a further presentation to be made in either May or June. This would present an opportunity to raise points discussed at the last meeting, such as suitable office space for the Administrative Assistant and temporary accommodation arrangements for KTC staff during construction works.
- Minute ref 813/18/19 – Townscape Manager Annual Appraisal**
The Townscape Manager had been awarded a one spinal point increase following Committee's recommendation to Council.
- Minute ref 815/18/19 – Kendal Post Office Relocation to WHSmiths**
The Town Clerk had presented a draft letter in response to the Post Office relocation consultation at the February Council meeting. This had been approved and issued to Post Office Limited.

Minute ref 816/18/19 – Report on Work Programme

Committee had previously made a recommendation to Council that the £4,000 unspent funds from Environment & Highways Committee be used to pay for new planter trees and the £4,000 currently earmarked in the 2019/20 Development Fund for trees be used to pay for wood cladding thereafter. The recommendation had received Full Council approval and funds had been approved.

Ref Minute 818/18/19 – Review of Spend Against Budget

The Town Clerk had reported that matters had been passed on to the Treasurer.

Committee had previously resolved that the remaining IT and website budget be spent on website improvements with agreement for the Project Officer's computer to go ahead in the new financial year. It was noted that the Project Manager would be managing that process and would make a start prior to commencing maternity leave.

Ref Minute 819/18/19 – Any Other Business

It was noted that the Town Clerk was still to invite Stewart Game, Force CCTV Officer for Cumbria Police, and Kendal BID to attend a future Committee meeting to discuss the expansion of the CCTV system in Kendal.

Councillor Cook referred to minute ref 810/18/19 (Stumbling Stones project) which noted that KTC support for this project was still to be brought before Council. He pointed out that this was still the case.

RESOLVED

1. That Stewart Game, Force CCTV Officer for Cumbria Police, and Kendal BID were still to be invited to attend a future Committee meeting to discuss the expansion of the CCTV system in Kendal.
2. That KTC support for the Stumbling Stones project was still to be brought before Council.

885/18/19**URGENT ITEMS OF BUSINESS**

None.

886/18/19**REPORT ON WORK PROGRAMME**

Members considered the Work Programme for February 2019 from the Town Clerk which had been previously circulated.

Councillor Evans informed Janine Holt that she required some information from her relating to the purchase of a marquee for the Christmas Lights switch-on event. Janine Holt to re-send.

Councillor Coleman commented that the Council meeting venue was a project which required to be resolved. He requested that the matter be revisited by the Town Clerk in order to draw the issue to a close.

RESOLVED

1. That Janine Holt forward the required information to Councillor Evans on the purchase of a marquee.

2. That the Town Clerk revisit the Council meeting venue project in order to draw the matter to a close.

887/18/19**CONSIDERATION OF WHICH PROJECTS TO ASSIGN TO CIL FUNDING**

Members considered a report regarding CIL funding. Janine Holt reported that CIL payments currently stood at £12,167. The period in which these monies have to be spent is time limited with approximately 18 months remaining. The Town Clerk was seeking Committee's view as to whether they would be considering which projects to assign to CIL funding, or whether they would prefer a subgroup to undertake this task. She had also expressed a preference for centralised projects as opposed to Ward specific ones.

A general discussion then ensued. The Chair queried whether CIL funds could be spent on administration/officer time necessary to carry out projects. Members agreed this was something that required consideration when agreeing projects to be assigned. It was resolved that a subgroup should be formed with the remit to consider CIL funding and report back with recommendations. An email would be sent seeking 3 volunteers, with a request that Councillor Owen be a member of the sub-group if possible. It was noted that the Town Clerk suggested projects should be something physical and had suggested that cladding of tree tubs, yard signage enhancements, Christmas tree holders in brackets and castle directional signage might be good possible starting points. Councillor Cook agreed that the projects should be tangible.

RESOLVED

That a subgroup be formed with the remit to consider CIL funding and report back with recommendations.

888/18/19**UPDATE ON ANNUAL REPORT AND ANNUAL TOWN ASSEMBLY**

Janine Holt reported that a draft copy of the Annual Report had been circulated. She would seek clarification from the Town Clerk as to whether this had gone to print.

The Annual Town Assembly would be held at 7.30pm on Monday 1st April 2019 in the Bindloss Room. It was highlighted that Committee Chairs would be required to give an overview of the work of their respective Committee.

RESOLVED

Janine Holt to ascertain from the Town Clerk whether the draft Annual Report has gone to print.

889/18/19**ITEMS FOR THE NEWSLETTER**

The following suggestions were put forward, subject to space:

Summer edition:

- Eden South Lakeland Credit Union
- Grant applications

- Update from Allotments Committee
- Current ongoing projects (green wall etc)
- Wainwright Award 2018
- Kendal People's Cafe

890/18/19**EXCLUSION OF PRESS AND PUBLIC**

It was proposed by Councillor Evans and seconded by Councillor Cook 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*]

STAFFING MATTERS [Paragraph 1]**891/18/19**

Members were advised that interviews had taken place for a Project Officer (Mat Leave cover). An appointment had been made and the successful applicant was due to start week commencing Monday 25th February 2019.

892/18/19**READMISSION OF PRESS AND PUBLIC**

It was proposed by Councillor Evans to re-admit the press and public. This was seconded by Councillor Cook and carried unanimously.

RESOLVED

that the press and public be re-admitted for the remainder of the meeting (none were present).

893/18/19**ANY OTHER BUSINESS**

Councillor Evans advised that she had contacted Lynne Mayho (widow of Chris Mayho, former KTC Councillor) regarding the possibility of a donation to Sandgate School. Lynne Mayho had made a donation to the Schools of Science and Art Charity following the passing of her husband. She had expressed her consent for KTC to make a decision on whether monies should be passed onto Sandgate School. Councillor Evans suggested that she liaise with the Town Clerk and arrange to visit Sandgate School to ask their suggestions on the best way forward, eg. a regular annual prize or a specific project. Councillor Bramham commented that it would be nice to have a specific project to donate to, rather than monies being dissipated into general funds. Committee endorsed the suggestion and agreed Councillor Evans should approach Sandgate School.

RESOLVED

That Councillor Evans approach Sandgate School regarding a possible donation from the Schools of Science and Art Charity.

The meeting closed at 8.08pm.

Summary of Information, Resolutions and Recommendations to Council

Min	Subject	Information/Resolution/Recommendation to Council	
884	Matters Arising	RES	<ol style="list-style-type: none"> 1. That Stewart Game, Force CCTV Officer for Cumbria Police, and Kendal BID were still to be invited to attend a future Committee meeting to discuss the expansion of the CCTV system in Kendal. 2. That KTC support for the Stumbling Stones project was still to be brought before Council.
886	Report on work programme	RES	<ol style="list-style-type: none"> 1. That Janine Holt forward the required information to Councillor Evans on the purchase of a marquee. 2. That the Town Clerk revisit the Council meeting venue project in order to draw the matter to a close.
887	Consideration of which projects to assign to CIL funding	RES	That a subgroup be formed with the remit to consider CIL funding and report back with recommendations.
888	Update on annual report and annual town assembly	RES	Janine Holt to ascertain from the Town Clerk whether the draft Annual Report has gone to print.
893	AOB	RES	That Councillor Evans approach Sandgate School regarding a possible donation from the Schools of Science and Art Charity.

KENDAL TOWN COUNCIL WORK PROGRAMME – MARCH 2019

COMMITTEE	PROJECT TITLE	PROGRESS	PARTNERS	EST DATE OF COMPLETION	COMPLETED
MANAGEMENT Liz Richardson	Staffing Issues	Stacy Hurley started as Project Manager (maternity cover) – time on induction. Handover with Helen ongoing. Town Crier has resigned – last event will be Mayor Making (on agenda).			
	Consultations	None			
	CIL governance	CIL working group formed and meeting arranged for 14.03.19.			
	Dec 2015 Floods	Follow up work from EA Briefing meeting 11.02.19 and planning application.			
	Miscellaneous	Time spent on Wainwright Award, Charity Dinner, annual Health & Safety review, Annual Report and Annual Town Assembly.			
E&H Helen Moriarty	Infrastructure Projects	Asset plotting support and co-ordination. Development fund project research & actions re Kendal Castle Directional Signage project and Woolpack Yard. Highways and Transport steering group comments submitted. Sainsburys 106 site visit meetings with CCC and SLDC – initial wish list created for CCC to cost and specify within existing highways improvement scheme. Dockray Wall project planning. New horse field (by river) research and actions. Kendal College tree tub cladding project meeting and actions.			
MAYORALTY & ARTS Liz Richardson	Offices & Council Meeting Venue Lease	Requested SLDC advise on where TH refurbishment plans leave lease.	SLDC	TBC	
	Heritage	Heritage condition survey actions being		TBC	

		progressed. Proposed improvements to the War Memorial – lack of time to progress.		TBC	
	Mayor	The Mayor of Kendal's Fund for the Aged & Infirm are undertaking the name change – progress has been made and final approval now sought from the Charities Commission.		TBC	
	Regimental Freedom Parade	Meeting held at Parish Church. Final preparations in hand for 16 th March 2019 event. Further Media Release prepared and sent.	Duke of Lancs Regiment	March 2019	March 2019
CHRISTMAS LIGHTS & FESTIVALS Janine Holt	Christmas Lights	Meeting with Christmas Plus on 15.3.19; Cllr Evans is also attending. At this meeting the repair bill will be confirmed and the remaining budget used to purchase new motifs. Also hopefully meeting with a business owner in New Shambles who wants to discuss trees in holders there.		March/November 2019	
	Switch-On Event	Last week an email was sent to existing sponsors - no response to date. Reindeer have been booked as per Committee decision.		November 2019	
	Banners	Meeting with SLDC officers this week to discuss the current arrangements with contractor for the lamp post banners. Also, to avoid the problems experienced with the Kirkland Banner last year, we are looking to change our current policy to include that only our approved contractor can erect the banners. A decision on this will be made at the next Committee meeting.	SLDC	April 2019	
ALLOTMENTS Janine Holt	Letting Plots Mapping Exercise	All vacant plots have been offered and the database is currently up to date. Notice to quit letters will be issued this week to the small number of tenants with outstanding rent. The new database system is definitely an		Ongoing	

		<p>improvement but does have limitations especially with reports and the type of information that can be extracted.</p> <p>A baseline assessment was undertaken whilst on site visits recently. This is to be presented to the Committee meeting on 11th March.</p> <p>Following on from the site visits, we have to write to 37 allotment holders whose allotments are not at the standard expected.</p> <p>Encouragement for some community allotments - we currently have 4 allotments that are undertaking community projects. The surplus vegetable scheme is proving difficult to get off the ground.</p> <p>Rinkfield allotment site is a priority, not just the fencing but improving the whole site. Pierre and Janine are proposing to organise an 'open morning' one Saturday (probably at the beginning of May) to ascertain the views of allotments holders and to try to draw up some clear boundaries on plots as things seem to be rather confusing. Work on this will be ongoing for 2019/20.</p>			
KiB Janine Holt	KiB	<p>The planter trees have been successfully replaced. The spring planting was put back in with minimal damage to the plants. Positive feedback received from Kendal College with regard to the cladding of the planters.</p> <p>The school's competition has been launched with a more generic theme of 'books and authors' in the hope that schools that haven't been involved before may do so. This appears to have had the desired effect as Vicarage Park and St Thomas have expressed an interest and they haven't been involved in the last 5 years.</p>	Continental SLDC	Ongoing	

		<p>We will be writing to previous sponsors to see if they would like to continue sponsoring a planter.</p> <p>The fern project is progressing. A presentation was made to the last Committee meeting and a firm project proposal is expected early summer when the results of the trial will be available. Signage and a media release will be completed by 31st March 2019.</p>			
	CiB/BiB	Preparing paperwork for entry into CiB as per the agreement at the last Committee meeting.		March 2019	July 2019
	Bee Projects	Pollinator project – work is progressing and the findings will be reported in September 2019.	SLACC, SLDC	3 year project	
ACTION PLAN FOR KENDAL Helen Moriarty	Green Space Enhancement	Green Wall. Planning Application submitted via Hyde Harrington. Concerns raised by KTC Planning Committee and CCC. Addressed via KTC presentation, contractor confirmation and revised tender approach. Tender draft complete, ready to go when permission confirmed or otherwise. Decision expected on the 25 th of March. Current budget (£21,000) allows installation and a maintenance contract, subject to tender process.	SLDC	TBC	
	Misc	<p>GDPR. Continued SLDC pressure / meetings to improve broadband connection to upstairs office.</p> <p>Newsletter. Handover to Simon and Stacy.</p> <p>KTC Website. Design Works co-ordination to reach template stage.</p>		<p>March 2019</p> <p>March 2019</p>	

21 Feb 2019

Mrs Liz Richardson,
Clerk to the Kendal Town Council,
The Town Hall,
Highgate.

Dear Mrs Richardson.

Kendal Market Act 1978

Your council supported SLDC when it abolished the free market but asked for free space for the traditional traders selling their own produce (the market hall was built by public subscription for the sale of butter and eggs and provided with wooden benches and forms for that purpose).

I asked SLDC last year if I could sell damsons in the free space or not but was told I did not qualify. I subsequently found that SLDC has not granted free space to anyone apart from the 1978 traders, only one remains, occupying free space.

It is the claim of SLDC legal team they are obliged to follow the wording of the Act which was altered by the House of Lords committee of five hereditary peers.

I believe it is the duty of the SLDC to honour their original intention and ask the House of Lords for guidance. I do not believe the Lords intended to end this tradition and ask you to support my proposal.

Yours sincerely
Diamond Helmey

Farmer and former market trader in Stramington and the market Hall

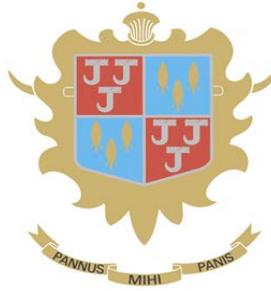
P.S. I enclose copy of Hand minutes which mentions your letter and a report on the purchase of the tolls.

KENDAL TOWN COUNCIL

Town Clerk
Elizabeth Richardson BSc (Hons)

Town Treasurer
Judith Lomax ACCA

Email:
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28 February 2019

Dear Mr Holmes

KENDAL MARKET ACT 1978

Thank you for your letter dated 21st February regarding the Kendal Market Act 1978 and free space for traditional traders to sell their produce (in your case damsons). I have found it difficult to determine your surname from your letter so I apologise if it is incorrect.

I have no knowledge of this Act, the role of KTC and current management of the indoor market. I will take your proposal for KTC to support your request to SLDC to honour their original intention and ask the House of Lords for guidance to our next Management Committee meeting on 18th March to gain the view of Members. In the meantime, I will look at the attachments you kindly included.

I will be in touch again when we have considered this matter.

Yours sincerely

Liz Richardson
Town Clerk

Cc Cllr S Coleman, Chair of Management Cmttee
Sion Thomas, Asset Manager, SLDC

KENDAL TOWN COUNCIL REPORT

To: Management Committee	18 th April 2019
From: The Town Clerk	Agenda Item No. 8

COMMUNITY GOVERNANCE REVIEW CONSULTATION

South Lakeland District Council is currently undertaking a Community Governance Review (CGR).

The aim of the review is to bring about improved and stronger community engagement, more cohesive communities, better local democracy and more efficient and convenient delivery of local services; ensuring electors across the whole District are treated equitably and fairly.

The period for initial submissions closed in November 2018. The Council has now published the draft recommendations and identified proposals for Parish arrangements (including both changes to, and retention of, existing arrangements) in response to the consultation comments received.

We are now launching our second round of consultation based on the draft recommendations and we welcome views from all stakeholders whether for or against the proposals.

The Council will then consider all responses and will draw up final recommendations on Parish governance arrangements for the District.

The final recommendations will be made in response to the outcome of the next consultation. They may significantly change the draft proposals.

The consultation is open from Monday 4 March 2019 and runs until Sunday 26 May 2019.

Further information is available at the following link:

<https://www.southlakeland.gov.uk/voting-and-elections/electoral-reviews/community-governance-review-2018-to-2019/submissions-and-recommendations-for-kendal-burneside-oxenholme-helsington-natland/>