

# KENDAL TOWN COUNCIL

## Management Committee

**Monday 19<sup>th</sup> March 2018 at 7.30 pm  
in The Mayor's Parlour, Town Hall, Kendal**

**PRESENT** Councillors Jonathan Brook (Chair), Austen Robinson (Vice Chair), Guy Tirvengadam (Deputy Mayor), Graham Vincent, Jon Robinson, John Veevers and Geoff Cook

**APOLOGIES** Councillor Andy Blackman (Mayor), Jonathan Owen and Clare Feeney-Johnson

**OFFICERS** Liz Richardson (Town Clerk), Nicky King (Council Secretary)  
Councillor Clare was also present for part of the meeting.

**1046/17/18 PUBLIC PARTICIPATION**

None.

**1047/17/18 DECLARATIONS OF INTEREST**

Councillor Tirvengadam declared an other registrable interest in Item 8 on the Agenda (Unity Festival Grant Application).

**1048/17/18 MINUTES OF THE MEETING HELD ON 19<sup>TH</sup> FEBRUARY 2018**

The Chairman presented the minutes of the meeting held on 19<sup>th</sup> February 2018, which had been approved by full Council on 5<sup>th</sup> March 2018. The minutes were accepted as a correct record of the meeting.

The Chair referred to Minute 957/17/18 (UK Healthy Cities Network). He recalled some discussion regarding Ulverston having recently worked towards Network status and the possibility of them being able to give advice on the process and the commitment that would be expected from the Council. He asked that a sentence noting this discussion be added to the minutes.

**RESOLVED**

1. That the minutes of the meeting of the Committee held on 19<sup>th</sup> February 2018 be accepted as a correct record.
2. That a sentence be added to the minutes noting the discussion regarding Ulverston having worked towards UK Healthy Cities Network status.

**MATTERS ARISING (Not on Agenda)**

**1049/17/18 Printing of Agenda Papers (Ref Minute 956/17/18)**

Councillor Clare raised his concern regarding the printing of agenda papers. At the meeting held on 19<sup>th</sup> February, the Management Committee had discussed the advantages and disadvantages of paperless meetings and the possibility of using a projector and screen for Members' papers. It was decided that due to forthcoming elections it was not the best time for a trial of paperless meetings, but

it was an aspiration for the future. The matter had also been discussed by Council on 5<sup>th</sup> March following Councillor Clare's request that consideration of the needs of the disabled (partially sighted Members) be taken into account. He had also suggested that that braille copies of the KTC Newsletter should be made available and that Council liaise with Sight Advice in this respect. Council resolved that these considerations would be taken into account when the matter was discussed again at a future meeting.

Councillor Clare asked that Management Committee agenda papers included the minutes of the previous Council meeting immediately preceding it. The Town Clerk replied that this was not possible since the minutes would not necessarily be ready and not approved by Council. She added that she closely monitored resolutions and if there was anything that needed to be carried forward to the Management Committee, she would do this as a matter of course to ensure items were picked up in a timely fashion.

**1050/17/18****Parish Poll** (Ref Minute 966/17/18)

Councillor J Robinson requested an update on the Parish Poll. It was advised that a Parish meeting had been held on Thursday 15<sup>th</sup> March 2018 and a question had been put forward to the Monitoring Officer at SLDC. Matters were now in abeyance while confirmation was awaited as to whether it was a legally acceptable question.

Councillor Veevers expressed his opinion that the cost of any Parish Poll should not have to be borne by KTC.

Councillor J Robinson commented that it was a Kendal issue and therefore the people of Kendal should be paying for it. KTC had no option but to carry any costs as that was the law.

It was noted that it had been indicated at the Parish meeting that KTC should have reserves set aside to cover the cost of a poll. The Chair suggested the Treasurer review reserves and provide Committee with a recommendation. Councillor A Robinson added that there should be a relatively substantial contingency for future elections/polls.

**RESOLVED**

That the Treasurer review reserves and provide Committee with a recommendation for a contingency provision for future elections/polls.

**1051/17/18****Kendal Park Run** (Ref Minute 955/17/18)

The Town Clerk had received an email from Brian Harrison advising that the idea of a Park Run in Kendal was all but dead. This was due to difficulties in finding a traffic free route. The concept of a run and fitness would however be taken forward. Brian Harrison was working with other running organisations to discuss an alternative event on a smaller scale to Park Run.

**1052/17/18 URGENT ITEMS OF BUSINESS**

None.

**1053/17/18 REPORT ON WORK PROGRAMME**

As the Town Clerk had been absent due to sickness she had not prepared a written report. She informed Members that she was concentrating on the following ongoing projects:-

- Remembrance Day 2018 and Regimental Parade
- Heritage Condition Survey
- Kendal in Bloom Competition. The Assistant to the Town Clerk was working on this item, along with Allotments maintenance work. It was noted that work had been done to improve drainage of tree tubs on Aynam Road. Tree tubs in the town centre were also being looked at, however this was a larger project. There were more tubs in a very busy area.

The Town Clerk advised Members that there could be a major problem with the Christmas Lights switch on this year due to the loss of the Lakeland Radio stage as a result of them having been taken over. She also reported the loss of two out of four sponsors. Councillor Brook asked that this be discussed at the next meeting of the Christmas Lights & Festivals Committee.

Councillor Vincent mentioned that the new owners of the Westmorland Shopping Centre were interested in being involved in community events and wanted to raise their profile. He suggested that there may be an opportunity for sponsorship.

Councillor Cook suggested that the Assistant to the Town Clerk contact Kendal BID at the earliest opportunity.

Councillor Tirvengadam asked why the sponsors had withdrawn. The Town Clerk advised that it was due to a change of management. She added that without the involvement of Lakeland Radio and the stage/bands etc there was a possibility the remaining two sponsors may withdraw as opportunity to raise their profile had been diminished.

**RESOLVED** That the Assistant to the Town Clerk submit a report to the Christmas Lights & Festivals Committee on the Christmas lights switch-on event for consideration at their next meeting.

**1054/17/18 KENDAL FUTURES BOARD – FUNDING AND HOURS**

Following the previous meeting held on 19<sup>th</sup> February 2018, the Town Clerk had written to Paula Scott, Project Co-ordinator, at KFB expressing the Committee's concern at the proposal to reduce the hours of the role. A reply addressing the points raised had been received and circulated to Members prior to the meeting.

Councillor Cook advised that CCC had also expressed some concerns. The matter had since been discussed at a meeting of KFB. No decision had been made and the matter was put in abeyance pending further discussions by the partners.

A general discussion ensued. Councillor Veevers remarked that KFB should have asked for an increase of funding contribution first to maintain the hours. Councillor A Robinson added that one element of discussion might have been that KTC wished to continue with the same number of hours and achieve more.

Councillor Vincent was not happy with the situation. He felt that 9 or 10 years was a long time to run with a contractor without going out to market. Councillor Veevers was in agreement. Councillor J Robinson commented that if it did go out to market they might find competitors charge significantly more.

Councillor Cook advised that as a County Councillor on the KFB Board he was not commenting.

Councillor A Robinson said that the partnership with KFB had evolved over time and current expertise within KTC meant that Council was possibly using KFB less than previously. He added that a review of KTC's relationship with KFB was required.

It was agreed that the Town Clerk would speak to Paula Scott concerning the outcome from the KFB meeting and the next steps. It was suggested that there should be a meeting between KTC, SLDC and CCC to discuss further.

**RESOLVED**

That the Town Clerk speak to Paula Scott concerning the outcome from the KFB meeting and the next steps. Meeting to be arranged between KTC, SLDC and CCC to discuss further.

**1055/17/18**

**UNITY FESTIVAL GRANT APPLICATION**

An application had been received from AWAZ Cumbria for a grant of £5,000 towards the costs of holding a Unity Festival in Kendal in 2018. Similar festivals had been held in Carlisle in the last two years. The aim was to celebrate the strengths and diversity of the people of Kendal by building community cohesion, celebrating diversity and fostering good relations, tackling prejudice and promoting understanding between and within its diverse communities. The festival would take place on Saturday 23<sup>rd</sup> June.

The Management Committee was being asked to consider the application as the next meeting of the Christmas Lights and Festivals Committee was not until 24<sup>th</sup> April, meaning that any recommendation from it would not be confirmed by Council until 14<sup>th</sup> May.

The Chair of the Christmas Lights & Festivals Committee was supportive of the application and considered that an award of £1,000 would be appropriate. The 2018/19 Festival Grants budget had a balance of £6,000 available.

Councillor Veevers proposed that an award of £1,000 be approved.

Councillor Cook observed that because it was a new event it could cost more to set up and proposed that an award of £2,500 be approved. This was seconded by Councillor J Robinson.

Councillor Veevers referred to the loss of sponsors for the Christmas Lights switch on, as reported by the Town Clerk earlier in the meeting, and said monies may be required for that project. Councillor J Robinson was happy to consider awarding more than £1,000 in the absence of any other confirmed requests for funding.

As a point of information Councillor Tirvengadam advised Members that costings for the festival had since increased.

Councillor A Robinson said the festival could have a positive impact on the town and agreed to an award of £2,500.

The Chair highlighted that AWAZ do not have formal accounts and this would need to be clarified before the release of any proposed grant.

The proposal for an award of £2,500 was carried with 2 abstentions, subject to confirmation of formal accounts.

**RECOMMENDATION** That an award of £2,500 be granted to AWAZ Cumbria towards the costs of holding a Unity Festival in Kendal in June 2018, subject to confirmation of formal accounts.

**1056/17/18 FLOODING DECEMBER 2015 - ISSUES RELATING TO RESPONSE TO THE FLOODING**

Councillor J Robinson presented a paper which had been prepared by Councillors J Robinson, A Robinson and Blackman. The paper addressed concerns previously expressed by Councillor A Robinson at the Management meeting held on 18<sup>th</sup> December 2017 and highlighted several recommendations.

Members discussed the recommendations put forward. In particular there was unanimous agreement with one recommendation which stressed that "The Planning Authorities be urged to ensure that enforcement is robust, proportionate and timely.....". It was agreed that enforcement was critical. The importance of design briefs was also raised and Members agreed that it would be politic to ensure that all sites have design briefs, not just larger development sites.

The paper suggested that the recommendations be picked up immediately post the May elections and beyond the Purdah period by the 'new' Town Council. The Chair questioned whether it was the right course of action to wait until after the elections and suggested that the matter be brought forward for immediate action. Members agreed that waiting may result in the loss of expertise amongst current Councillors as a result of the elections. It was agreed that the

Town Clerk would write a letter to all relevant parties highlighting the concerns and recommendations presented in the paper.

The Town Clerk advised that she had received an invitation to attend a meeting with SLDC, CCC and the EA to discuss flood defence measures on Friday 13<sup>th</sup> April at 2pm. A representative was required to attend as the Town Clerk was unavailable. It was suggested that she contact Councillor Blackman to ascertain his availability. Councillor J Robinson said he would try and attend subject to work commitments.

**RESOLVED**

1. That the Town Clerk write a letter to all relevant parties highlighting the concerns and recommendations presented in the paper regarding flooding matters.
2. That Councillor Blackman be asked to attend the meeting on flood defences subject to his availability.

**1057/17/18****ITEMS FOR THE NEWSLETTER**

Councillor Tirvengadam suggested the inclusion of a photograph of the Mayor presenting cheques to his chosen charities at Mayor Making. The Town Clerk replied that this had been included in previous years but was the choice of the individual Mayor.

**1058/17/18****EXCLUSION OF PRESS AND PUBLIC**

It was proposed by Councillor J Robinson and seconded by Councillor A Robinson 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]**1059/17/18**

The Town Clerk advised that the current Administrative Assistant was likely to take early retirement from 31<sup>st</sup> March 2018, subject to the relevant paperwork being finalised. Recruitment for a replacement would need to commence and the Town Clerk circulated a copy of the current job description for Members' consideration, along with a timetable for the recruitment process. It was noted that due to the forthcoming elections, the recruitment process would take longer than normal.

Councillor Veevers referred to item 5 in the job description and pointed out that it should state "liaison with the Mayor to check attendance". He also asked that IT literacy be added.

There was a discussion regarding use of a recruitment agency, however this was dismissed due to reservations concerning the calibre of applicants that would be put forward by agencies.

Councillor J Robinson commented that the job description contained very specific responsibilities and said other organisations are making job descriptions much more generic. He asked whether it would be worth asking SLDC and CCC for example job descriptions for similar roles. Town Clerk to look at examples.

**1060/17/18**

Following recent incidences of verbal abuse directed at the Assistant to the Town Clerk by allotment holders, the Town Clerk reported that she had consulted with the Police and a letter had been written to one individual concerned.

The Town Clerk also confirmed that the alarm company had attended to test the panic alarm and advise on its use. She had also had a meeting with SLDC to discuss the installation of CCTV within the office and the linking of the panic alarm to the main Town Hall system.

Councillor Veevers advised that the matter had been discussed by the Allotments Committee and it had been agreed that a clause be added to tenancy agreements from January 2019. The Town Clerk would draft a suitable clause for inclusion.

It was suggested that an 'open office' arrangement was not appropriate and allotment holders should be required to make an appointment if they had a grievance.

**1061/17/18**

### **READMISSION OF PRESS AND PUBLIC**

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

**RESOLVED**

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

### **ANY OTHER BUSINESS**

**1062/17/18**

Councillor Tirvengadam advised that he had attended a Regimental Parade meeting last week. He reported some uncertainty regarding the attendance of the Lord Lieutenant. The Town Clerk advised that she had been invited and said she would contact her to ascertain whether she intended to attend in person or whether a representative would be attending.

**1063/17/18**

The Town Clerk advised that she had received a proposer and seconder for Councillor Tirvengadam as Mayor for 2018/19. She had not received a nomination for Deputy Mayor 2018/19.

- 1064/17/18** The Town Clerk advised that everything had been sent out for the Annual Town Assembly and issued a reminder to Members about presentations by Chairs of Committees.
- 1065/17/18** It was pointed out by the Town Clerk that it was possible, post elections, that the Planning Committee may not be quorate. There would be 3 meetings of the Committee prior to June Council meeting when Committee membership would be decided. Members noted the situation.
- 1066/17/18** The Town Clerk had received correspondence from John Bateson of the Kendal Civic Society regarding the Kendal War Memorial. A benefactor had given some money for them to lead on improvements. For the time being the Civic Society was proposing some cleaning of the name plaques and was seeking permission to carry out the work.
- Following a general discussion it was agreed that more detail was required, along with a full method statement for the work. Councillor J Robinson said an idea of the finish should be requested and what it would look like afterwards. The Civic Society should also be asked how long they anticipate it will be before it would need further cleaning. It was further noted that the contractor would need to provide suitable public liability insurance and warranty.
- 1067/17/18** Councillor A Robinson reported that he had observed individuals using the Kendal Town Crest in connection with Mint Bridge (Rugby Club) on Facebook. It was highlighted that individuals should not be using the Crest. The matter had been raised with the Committee of Mint Bridge who had advised that they were not aware of the situation, but were aware that the logo was only available for use in an official capacity. The matter was being dealt with internally. It was noted that the issue was hopefully resolved but the Town Clerk to be informed if it continued.

The meeting closed at 9.38pm.



**Summary of Information, Resolutions and Recommendations to Council**

<b>Min</b>	<b>Subject</b>	<b>Information/Resolution/Recommendation to Council</b>	
<b>1050</b>	Parish Poll	<b>RES</b>	That the Treasurer review reserves and provide Committee with a recommendation for a contingency provision for future elections/polls.
<b>1053</b>	Report on Work Programme	<b>RES</b>	That the Assistant to the Town Clerk submit a report to the Christmas Lights & Festivals Committee on the Christmas lights switch-on event for consideration at their next meeting.
<b>1054</b>	Kendal Futures Board – Funding and Hours	<b>RES</b>	That the Town Clerk speak to Paula Scott concerning the outcome from the KFB meeting and the next steps. Meeting to be arranged between KTC, SLDC and CCC to discuss further.
<b>1055</b>	Unity Festival Grant Application	<b>REC</b>	That an award of £2,500 be granted to AWAZ Cumbria towards the costs of holding a Unity Festival in Kendal in June 2018, subject to confirmation of formal accounts.
<b>1056</b>	Flooding December 2015	<b>RES</b>	<ol style="list-style-type: none"> <li>1. That the Town Clerk write a letter to all relevant parties highlighting the concerns and recommendations presented in the paper regarding flooding matters.</li> <li>2. That Councillor Blackman be asked to attend the meeting on flood defences subject to his availability.</li> </ol>

# KENDAL TOWN COUNCIL

**Town Clerk**

Elizabeth Richardson BSc (Hons)

**Town Treasurer**

Jack Jones CPFA

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27 March 2018

Dear Doug, Andy and David

## **FLOODING – PLANNING AND DEVELOPMENT IN KENDAL**

I am writing on behalf of the Management Committee of Kendal Town Council.

The Town Council has already expressed concerns with respect to flooding for sites already developed or due to be developed in the short to medium term, for example Strawberry Fields, the Oaks, the land to the north of Laurel Gardens, south of Lumley Road and in the vicinity of Jenkin Crag Court.

We are also clear that while flooding during storm Desmond has served as a 'wake-up call' the issue is ongoing and likely to have more significant and frequent effects on the town in future if not managed adequately, as a result of run-off and the overflow of 'minor' water courses often, in addition to problems caused by overflow of main rivers.

The Town Council has a very direct responsibility for our current and future residents and businesses. We would therefore request that the following recommendations are enacted bearing in mind that run-off from any development should be no worse than the run-off from the current undeveloped site:

- County and District Councils to ensure that drainage proposals made by a developer are validated as adequate by an **independent** drainage consultant (at the developer's expense), particularly where the proposal involves residential development or there are known issues with flooding.
- The planning authorities to ensure conditions regarding phasing of drainage works are included in planning decisions and agreed by the Environment Agency, Cumbria County Council and South Lakeland District Council.
- That all the relevant authorities to monitor drainage conditions consistently, carefully and strictly before, during, at completion of each phase and at the completion of the development.

- The planning authorities to ensure that enforcement is robust, proportionate and timely to ensure they or other agencies do not have to pick up remedial costs after development is complete.
- SLDC to ensure that all allocated development sites in Kendal should have a design brief where there is potential for drainage or flooding related issues.

We feel that with elections in May and a 'new' Council that it would be useful to have a presentation to Council from Cumbria County Council as Lead Local Flood Authority and the EA on the current work and plans for the future, how the system needs to be and can be improved and how the Town Council might be able to contribute. It has been suggested that this be to June Council on 4<sup>th</sup> at 7.30pm – Doug and Andy would you or a colleague be available?

Yours sincerely,



Liz Richardson  
Town Clerk.

Cc Cllr Jonathan Brook, Chair of Management Committee & SLDC Portfolio Holder  
Cllr Austen Robinson, Vice-Chair of Management Committee  
Cllr Celia Tibble, CCC Portfolio Holder  
Lawrence Conway, CEO SLDC  
Katherine Fairclough, CEO CCC  
Dan Hudson, SLDC

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Mr Doug Coyle  
Cumbria County Council.

Mr Andy Brown  
Environment Agency.

Mr David Sykes  
South Lakeland District Council.