

# Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED  
www.kendaltowncouncil.gov.uk



**Minutes of a meeting of Kendal Town Council held in the Town Hall, Highgate, Kendal, on Monday, 5 June 2023, at 7.30 p.m.**

## Councillors

G Archibald	Apologies	A Blackman	Present
S Blunden	Apologies	J Brook	Present
D Brown	Present	A Campbell	Present
S Coleman	Present	J Cornthwaite	Present
J Dunlop	Present	L Edwards	Present
R Edwards	Present	D Evans	Present
A Finch	Apologies	C Hardy	Absent *
M Helme	Present	L Hendry	Present
E Hennessy	Present	H Ladhams	Apologies
S Long	Present	D Miles	Apologies
D Rathbone	Apologies	C Russell	Present
M Severn	Present	K Simpson	Present
R Sutton	Present	P Thornton	Apologies
G Tirvengadam	Apologies		

\* Subsequent to the meeting, it became apparent that Cllr C Hardy's apologies had been submitted prior to the meeting.

**In attendance:** Chris Bagshaw (Town Clerk) and Inge Booth (Democratic Services Assistant), Beki Winter (Kendal Community Land Trust) and Jamie Hooper, Emily Lyons, Katie Marston and Joshua Simpson (Kendal Pride).

## Public Participation

No items were brought forward by the public.

Beki Winter delivered a presentation on behalf of the **Kendal Community Land Trust** on their latest projects and developments. She explained that town and parish councils often set up community land trusts in areas which were in desperate need of affordable homes, which is why, she said, it was of importance for the Trust to have the support of the Town Council. This was a non-profit-making, member-owned organisation which was dedicated to providing affordable housing and other benefits to the local community. Unlike Housing Associations, the Trust was not subject to 'right to buy', and so could preserve affordable homes, prioritised for local people, long term. The Trust always ensured high sustainability build and community involvement from the outset, as well as management of biodiversity. Beki referred to two current projects, firstly one on land at Busher Walk where it was hoped that the Westmorland and Furness Council would transfer a piece of land in Kendal into the Trust's ownership so that it could create affordable homes for local people. The second project was at Fellside Methodist Church Sunday School Building. The Trust was hoping to purchase the Sunday School building through a community loan share scheme and grant funding. Consideration was also being given to a third potential project. Beki finally drew attention to the fact that the organisation was also marketing itself in order to promote being community-led and she asked Members to inform the Trust of any events or opportunities through which it could do this. In addition, she asked Members to contact the Trust with suggestions for any other potential sites.

Beki responded to questions raised by Members and asked them to collect a leaflet on the work of the organisation on their way out.

The Mayor thanked Beki for her presentation and for the contribution being made by the Trust, stressing the fact that affordable housing for local people was a key area of need within the Town.

Jamie Hooper, Emily Lyons, Katie Marston and Joshua Simpson delivered a presentation on **Kendal Pride** which was due to take place between 21 and 23 July 2023, with the Unity Festival also taking place on the Saturday. This was to be Kendal's first Pride celebration and would offer something different to other Pride festivals that took place across the UK. It would be known as Pride Done Differently. As well as fun and partying, a huge part of the festival would be aimed at introducing people to the outdoors. The Festival would further offer opportunities for people to enjoy the arts and creativity collaboratively through music, performances, a celebration of queer arts and drag performances. On the Saturday, a space would be created aimed at supporting families of LGBTQIA+ children and parents in the area to feel part of the community, signposting them to local services and groups. There would be free activities such as a roadshow from Rag Tag, theatre and play activities. Opportunities would be on offer for people to explore and experience the outdoors, with walking, trail runs, climbing and swimming. Details in relation to a project being run with Brathay and an LGBTQIA+ group were provided, and it was pointed out that this was an opportunity for them to enjoy Pride in their own home town. In addition, attention was drawn to work being carried out with Kendal Youth Zone. Attention was also drawn to an LGBTQIA+, outdoor-themed film night. In addition, there would be quiet moments during which to pause and reflect, including a vigil on Kendal Castle. The group referred to partnership working and the focus now to reach out to local businesses and organisations asking them to help to promote the event, to get involved and to contribute. Partners would, in time to come, be offered training in relation to the LGBTQIA+ population in order to assist in making South Lakeland a safe place for the community. The group closed, asking Members to offer assistance through supporting the festival and becoming involved.

The group responded to questions raised by Members and asked them to collect a festival flyer on their way out. Members indicated keenness in taking up the training on offer from the group.

The Mayor thanked the group for their presentation on an interesting and ambitious programme and offered to attend the Festival in a mayoral capacity.

### **17/2023 Minutes of Last Council Meeting**

Attention was drawn to the fact that Cllr K Simpson was shown as being absent for the meeting, however, that she had in fact been present.

**Resolved:** Subject to the amendment outlined above being made, to receive the minutes of the annual meeting of the Council held on 2 May 2023 and to authorise the Chair to sign them as a true record.

### **18/2023 Mayor's Communications and Announcements**

A report on the Mayor's recent activities had been included within the agenda. The Mayor pointed out that the majority of the events included within the list had been attended by former Mayor, Cllr D Rathbone.

Members expressed thanks to Cllr Rathbone for his commitment during his time as Mayor, remarking on the vast number of events which he had attended.

**Resolved:** To note the latest report from the Mayor.

### **19/2023 Co-option to Town Council**

Consideration was given to a nomination for co-option as a Member of Kendal Town Council to the casual vacancy in Stonecross Ward.

**Resolved:** To elect G Supka for co-option as a Member of Kendal Town Council.

**Note – Cllr G Supka signed his Declaration of Acceptance of Office and took up his seat immediately, having been provided with a copy of the agenda within the appropriate timescales.**

### **20/2023 Committee Membership**

It was reported that whilst Cllr L Edwards had been omitted from the list of nominations for committee places submitted to the Annual Meeting of the Council for a place on the Allotments Committee, it had been her intention to remain on that Committee.

**Resolved:** To accept the proposal for the addition of Cllr L Edwards on the membership of the Allotments Committee.

### **21/2023 Financial Regulations**

It was reported that the Audit, Grants and Charities Committee had been considering the Council's Financial Regulations, in line with its role to periodically review them. At its last meeting, the Committee had completed the process, and had resolved to commend the draft Financial Regulations, as attached to the report, to Council for adoption.

Members welcomed the document, remarking that this was the second time it had been put before Full Council and acknowledging that this would be the basis of the Council's financial processes moving forward. Attention was, however, drawn to the fact that the Audit, Grants and Charities Committee had also discussed the potential level of the Council's precept moving into the future and to the possible need for a separate Responsible Finance Officer. It was raised that the duties of the Responsible Finance Officer and the Town Clerk were separate and attention was drawn to the concept of each of those postholders looking out for one another and providing cover for each other during leave or sickness absence. It was suggested that this was a matter for consideration by the Management Committee.

**Resolved:** To adopt the Financial Regulations 2023, as attached to the agenda, with immediate effect.

### **22/2023 Biodiversity Policy**

Cllr E Hennessy, Chair of the Environment and Highways Committee, presented the draft Biodiversity Policy, which been recommended to Full Council for approval by that Committee on 15 May 2023. The Policy had been developed to reflect awareness of biodiversity challenges and the Council's role in meeting those challenges. The contents of the Policy would need to be borne in mind during consideration of all future decisions made by the Council.

**Resolved:** To adopt the Biodiversity Policy, as attached to the agenda, with immediate effect.

## **23/2023 Annual Governance and Accountability Return (AGAR) 2023 'Except Fors'**

It was reported that the Council's External Audit had been returned with an "except for" note observing that:-

"The smaller authority has disclosed that it made proper provision during the year 2021/22 for the exercise of public rights by answering 'yes' to Section 1, Assertion 4. However, as was reported last year, we are aware that it failed to do this and therefore should have answered 'No' to this assertion. It has also disclosed that it took appropriate action on all matters raised in reports from internal and external audit, by answering 'Yes' to section 1, Assertion 7, which on the basis of the above is not correct.

The issue related to a decision by the Council in 2021 to align the consideration of the AGAR with meetings the Council felt it was appropriate to hold in public during the changes in government regulations relating to the COVID pandemic. The Council had decided that arranging a late submission of the AGAR that year was a lesser risk to Council members and the public than holding a public meeting at the height of the pandemic. The external auditor had noted that the Council had not completed the Governance questionnaire correctly in this regard and subsequently had not completed the corresponding questionnaire correctly the following year, in that this related to the actions in that year and not the previous.

The control measure for this had been to ensure that the Governance questionnaire was completed correctly, with any 'No' responses explained to the External Auditor in the covering letter with the 2022-23 AGAR submission. There were no 'No' responses proposed for the 2023 submission.

**Resolved:** To confirm the Council's arrangements for dealing with the "except for" issues highlighted in 2022.

## **24/2023 AGAR 2023 Internal Auditor's Report**

Consideration was given to a report from the Internal Auditor, who had recently completed its audit for the year ended 31 March 2023. Whilst there were no points that had arisen during the period with regard to the financial statements, there had been an additional concern raised with regard to the cash funds held with Barclays Bank and Cumberland Building Society. The Internal Auditor's advice was to echo that as highlighted previously in relation to the level of funds invested with both institutions and to encourage the Council to consider investment opportunities. In the Internal Auditor's opinion, the general control environment at the Council was good, and they did not consider the issues raised to be fundamental to the operation of the Council. The Internal Auditor had seen nothing to suggest the possible weaknesses, as raised, created issues to the Council.

Strong concern was expressed with regard to the actual scope and sampling process which had been undertaken in relation to the internal audit and a question raised as to what extent the Internal Auditor could be relied on. The importance of being able to rely on the report from the Internal Auditor in voting on decisions relating to the council's governance was stressed. The Town Clerk explained that the Internal Auditor had followed guidelines set out in the Joint Panel on Audit and Governance (JPAG) Practitioner's Guide and that they had confirmed that they had followed the guidelines to the best of their ability, also carrying out the appropriate measures and checks. The Internal Auditor had been provided in advance with the necessary information to enable the audit to be carried out and had spent a day in the Town Council office. The Town Clerk, furthermore, stressed the fact that the Audit, Grants and Charities Committee had undertaken to become more involved in the process

moving forward. In response to a further query as to why the response to Objective L (the authority published the required information on a website/webpage up to date at the time of the internal audit in accordance with the relevant legislation) was “not covered”, the Town Clerk explained that he would follow this up and explain to the External Auditor why the Internal Auditor had not actioned this when finalising the paperwork.

**Resolved:** To accept the Internal Auditors’ Report 2022/23.

### **25/2023      AGAR 2023 Governance Statement**

Council discussed the completion of the AGAR Governance Statement 2023.

A number of concerns were raised around the need for all councillors to ensure that they understood the contents of the report; the fact that the Council should not simply rely on the Internal Auditor’s conclusions; whether the Council could feel confident with regard to the all the statements and with regard to some documents, which did not appear within the public domain. Attention was drawn to the need for the Responsible Finance Officer to put in place a process to record all financial management and procedures throughout the year together with supporting information. Notice was drawn to some erroneous figures supplied during the budget deliberations at the start of 2023. This led to a question about how a positive response could be given to this statement. The Mayor suggested that the fact that these errors had been noted at the time, corrected and set aside demonstrated that there were systems in place, enabling amendments and improvements to be made. The Town Clerk explained how this had since been addressed through an improved and reliable management system. The majority of Members felt comfortable with fully positive completion of the questionnaire.

**Resolved:** To agree with the Annual Governance statements in AGAR 2023.

### **26/2023      AGAR 2023 Accounting Statements**

Council discussed completion of the Accounting Statements in AGAR 2023 (Form 3, Section 2). It was raised that the Council’s precept had increased significantly and hoped that the Audit, Grants and Charities Committee would be considering this fact moving forward. The Town Clerk provided explanations with regard to increases in a number of the figures shown, particularly with regard to staffing costs due to recent recruitment. The need for the Council to more speedily unlock spending was stressed and it was questioned whether consideration should be given to taking on more staff in order to achieve this. In response to a query relating to the 20% increase in staffing cost, the Town Clerk undertook to share the updated staffing cost spreadsheet as necessary.

**Resolved:** To accept the Accounting Statement in the AGAR 2022/23.

### **27/2023      CALC Membership**

The Town Clerk reported that Cumbria Association of Local Councils (CALC) was the county-level association of NALC (the National Association of Local Councils). Kendal Town Council had been a member since its creation in 1974. The Council had to join CALC to be in NALC. NALC was the national representative body of councils in the Town Council’s sector (where principal authorities such as Westmorland and Furness Council were represented by the Local Government Association (LGA)).

Council was being requested to consider the Council’s subscription to the associations.

**Resolved:** To continue Kendal Town Council’s membership of CALC/NALC for 2023/24.

### **28/2023 Rural Market Towns Group**

The Town Clerk reported that the Rural Market Towns Group was a branch of the Rural Services Network (RSN) specifically aimed at supporting and promoting the interests of market towns in England's more sparsely populated counties. The annual fee for membership for 2023-24 was £133. Kendal Town Council had hosted an RMTG conference in the Town Hall in 2018.

Council was being asked to consider renewing membership of the Rural Market Towns Group.

**Resolved:** To renew Kendal Town Council's membership of the Rural Market Towns Group.

### **29/2023 Reports and Minutes from Committees**

The Council was presented with the following minutes from recent meetings of the Council's standing committees:-

- (a) Audit, Grants and Charities Committee held on 17 April 2023
- (b) Christmas Lights and Festivals Committee held on 24 April 2023
- (c) Planning Committee held on 2 and 15 May 2023

Attention was drawn to the need for improved thought as regards the positioning of items on agendas, it being felt that consideration of the minutes of the meeting of the Audit, Grants and Charities Committee should have taken place prior to consideration of the Annual Governance and Accountability Return.

**Resolved:** To receive the minutes of recent meetings of the Council's standing committees shown above.

### **30/2023 Reports from Representatives on Outside Bodies**

The Council considered the following reports from representatives on outside bodies:-

- (a) Integrated Care Community Meeting (a written report from Cllr R Sutton)
- (b) Kendal Community Theatre (a written report from Cllr R Sutton)
- (c) Lancaster Canal Regeneration Project Meeting (a written report from Cllr L Hendry) – It was raised that whilst this item had not been referred to on the agenda front sheet, the document had been included within the agenda pack.

**Resolved:** To receive the reports from representatives on outside organisations.

### **31/2023 Schedule of Payments**

The Council was presented with the schedules of payments for March 2023.

In response to a query, the Town Clerk explained that the contribution of £1,000 from Cumbria County Council to a footpath was in relation to the path through the allotments at Sandylands, for which the Town Council was most grateful. Attention was drawn to the need to be more specific in relation to the Gateway Church grant of £1,500 towards the Warm Hub.

**Resolved:** To receive the schedules of payments for March 2023.

The meeting closed at 9.16 p.m.