

KENDAL TOWN COUNCIL

**Minutes of the proceedings at a meeting of
Kendal Town Council
held on Monday, 13th May 2019 at 7.30 p.m.
in the SLDC Town Council Chamber, the Town Hall, Kendal**

PRESENT The Mayor (Councillor G Tirvengadum) in the Chair;
Councillors G Vincent, G Cook, P Bramham, J Brook, S Evans, A Finch
(Deputy Mayor), M Severn, A Blackman, C Hardy, C Hogg, R Sutton, D
Rathbone, P Gibson, E Hennessy, H Ladhams, D Miles and M Miles

APOLOGIES Councillors G Archibald, S Coleman, R Hogg, J Cornthwaite, J Dunlop, A
Edwards, S Long and C Rowley plus L Richardson (Town Clerk)

OFFICERS J Lomax (Treasurer) and N King (Council Secretary)

**1146/18/19 DECLARATION OF ACCEPTANCE OF OFFICE – NEWLY ELECTED
COUNCILLOR FOR THE STONECROSS WARD**

The Mayor welcomed Tina Becker, the newly elected Councillor for the Stonecross Ward. As the Town Clerk was not present the Declaration of Acceptance of Office was not signed, therefore she was not present in the capacity of a Councillor.

1147/18/19 PUBLIC PARTICIPATION

None.

1148/18/19 DECLARATIONS OF INTEREST

None.

1149/18/19 MINUTES OF COUNCIL MEETING HELD ON 1ST APRIL 2019

Members considered the minutes of the meeting of full Council held on 1st April 2019.

Councillor Finch proposed that the minutes be approved as a correct record and signed by the Chair. This was seconded by Councillor Hennessy and carried with two abstentions.

RESOLVED that the minutes of the Council meeting held on 1st April 2019 be approved as a correct record and signed by the Chairman.

1150/18/19 MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS

The Mayor presented his engagements that had been previously circulated.

He thanked everyone for their help and support during his year as Mayor of Kendal. He added that he had been proud to represent KTC.

1151/18/19 CALC SUBSCRIPTION 2019/20

Councillor Cook explained that KTC had been a member of CALC for a

number of years and proposed that Council approved the annual subscription for 2019/20. This was seconded by Councillor Severn and carried unanimously.

RESOLVED That the annual subscription for CALC membership 2019/20 be approved.

1152/18/19 MANAGEMENT COMMITTEE

The minutes of the Management Committee meeting held on 23rd April 2019 were presented by Councillor Cook who proposed that they be approved as a correct record. This was seconded by Councillor Evans and carried unanimously.

RESOLVED That the minutes of the Management Committee meeting held on 23rd April 2019 be approved as a correct record of the meeting.

1153/18/19 ENVIRONMENT & HIGHWAYS COMMITTEE

The minutes of the Environment & Highways Committee meeting held on 25th March 2019 were presented by Councillor Hennessy who proposed that they be approved as a correct record. This was seconded by Councillor Evans and carried unanimously.

Councillor C Hogg referred to minute 995/18/19 relating to a funding request for maintenance of a proposed new bus shelter on Valley Drive. He was unsure whether approval had been granted and asked for clarification. Councillor Hennessy replied that there had since been a further meeting of the Committee and, although the proposal did not meet KTC policy of selecting main access routes into the town centre that are well travelled, Committee were generally supportive of the request. Bearing in mind that £800 is held in a memorial account which would be used to fund the installation of the bus shelter, Members had agreed that Committee were more receptive to the proposal if the installation costs were being covered by the third party. They had tasked the Project Manager with obtaining more detailed information on costs should so that the matter may be considered further. Councillor C Hogg agreed to await confirmation of Committee's decision, but added that in light of KTC's green agenda and the fact that legacy monies are available for the installation, he felt the request should be approved.

Minute 987/18/19 was highlighted relating to Air Quality Monitoring Results. Recorded pollution levels in some areas of town are not acceptable. It was suggested that, as a Town Council, we should be pushing SLDC and CCC to deliver more stringent measures and the Environment & Highways Committee should consider setting a strong ambition of attaining really challenging figures such as 10ug/m³. The Mayor was supportive of the suggestion, given the climate emergency recently declared by KTC. Councillor Hennessy agreed to take the suggestion back to the Environment & Highways Committee.

RESOLVED

1. That the minutes of the Environment & Highways Committee meeting held on 25th March 2019 be approved as a correct record of the meeting.
2. That Committee consider pushing SLDC and CCC to deliver more stringent pollution level figures.

1154/18/19**PLANNING COMMITTEE**

The minutes of the Planning Committee meetings held on 1st April and 23rd April 2019 were presented by Councillor Rathbone who asked Council to receive these minutes.

Councillor Severn asked whether application reference SL/2018/1032, Land Adjacent to the North Side of Natland Mill Beck Lane, Kendal, had been taken to Appeal. Councillor Rathbone replied that a public enquiry will be held between 23-26 July and he would attend to represent the Planning Committee.

RESOLVED

That the minutes of the Planning Committee meeting held on 1st April and 23rd April 2019 be received.

1155/18/19**KENDAL IN BLOOM COMMITTEE**

The minutes of the Kendal in Bloom Committee meeting held on 8th April 2019 were presented by Councillor Blackman who proposed that they be approved as a correct record. This was seconded by Councillor Sutton and carried unanimously.

The following points were highlighted:

1036/18/19 – Kendal in Bloom Competition

The Kendal in Bloom Awards Ceremony will take place on Thursday 19th September. Councillor Blackman encouraged Councillors to put the date in their diaries.

1035/18/19 – Gardens and Community Spaces

Councillor nominations were requested for gardens and community spaces worthy of an award. Councillor Blackman asked Councillors to notify Janine Holt of suitable projects. The intention was to invite such residents to the award ceremony in recognition of their enthusiasm.

1039/18/19 – Keeping Kendal Mint Clean

This initiative is ongoing. A couple of litter picks have taken place recently, with a further event to be arranged in the near future.

1038/18/19 – Crocuses

Councillor Evans asked that the bank off Sedbergh Road into Sandylands be taken into account when the location of planting was discussed.

Councillor Evans also noted that Sizergh Castle has a national collection of ferns. During a recent visit she mentioned the KTC fern project and advised that the Head Gardener at Sizergh would be happy to offer support and advice.

1048/18/19 – Green Wall

Councillor Hennessey advised that following further discussions by the Environment & Highways Committee, the decision had been taken to temporarily postpone the project. He referred to a report produced by Councillor Rowley and agreed to circulate this to all Councillors.

RESOLVED

That the minutes of the Kendal in Bloom Committee meeting held on 8th

April 2019 be approved as a correct record of the meeting.

1156/18/19 CHRISTMAS LIGHTS & FESTIVALS COMMITTEE

The minutes of the Christmas Lights & Festivals Committee meeting held on 15th April 2019 were presented by Councillor Evans who proposed that they be approved as a correct record. This was seconded by Councillor C Hogg and carried unanimously.

The following points were highlighted:

Councillor Evans noted a correction on page 8 of the minutes "Summary of Information, Resolutions and Recommendations to Council". *Minute 1058, Tree Holders* should refer to *minute 1055, Food Festival*.

A new Father Christmas is being sought. Members were asked to pass on any suggestions to Councillor Evans.

The use of Abbot Hall as a venue for the start of the switch on event is looking unlikely. Alternative venues are being considered, including New Road, the Brewery and Abbot Hall Park. Councillor C Hogg commented that given current investment circumstances, it was understandable Abbot Hall had not responded. He said the same circumstances may also block use of Abbot Hall Park.

It was noted that Brian Harrison from Kendal BID had attended the meeting. Committee were seeking a closer working relationship with the BID following their re-election.

Councillor Gibson mentioned concern from members of the public regarding the welfare of the reindeer. Councillor Evans advised that KTC have dealt with the same company for several years. The reindeer are from the Cairngorms and are kept in natural habitats for most of the year. She said she would raise the matter with the reindeer company.

Councillor C Hogg was pleased to note planned improvements to Christmas lights at Wildman Street.

RESOLVED

1. That the minutes of the Christmas Lights & Festivals Committee meeting held on 15th April 2019 be approved as a correct record of the meeting.
2. Councillor Evans to raise the matter of reindeer welfare with the reindeer company.

Councillor Evans then presented the following recommendations of the Committee:

Note; Councillor Hennessy declared a non-pecuniary interest in respect of the grant application by KRUFC. Councillor Tirvengadum declared a similar interest in respect of AWAZ Cumbria.

1157/18/19

Grant Applications (Minute 1059/18/19)

That the following grants be approved:

1. AWAZ Cumbria - £2,000.
2. Kendal Mountain Festival - £5,000
3. Kendal Windows on Art - £750

4. KRUFC – fireworks display £1,500 and Rock on Kendal £1,500 (subject to clarification of the amount set aside in the budget and a more detailed application being received).
5. Kendal Torchlight - £5,000.

Councillor Evans asked Members to consider applications 1, 2, 3 and 5 and proposed that approval be granted. This was seconded by Councillor Sutton and carried unanimously.

The application from KRUFC was considered separately. Councillor Evans explained that Committee were seeking clarification of the amount previously set aside in the budget and a more detailed application had been requested. In the case of Rock on Kendal, the grant application submitted was to fund improved accessibility for disabled people attending the event, including a raised viewing platform and toilet facilities. Members agreed to consider the application further when more details were available.

RESOLVED That Council approve the following grants:

*AWAZ Cumbria - £2,000.
Kendal Mountain Festival - £5,000
Kendal Windows on Art - £750
Kendal Torchlight - £5,000.*

Application from KRUFC to be considered further when more details are available.

1158/18/19

Banners Update (Minute 1062/18/19)

1. *That the Christmas Lights & Festivals Committee take over the management and bookings of lamppost banners on Highgate.*
2. *That Council hand over the installation and taking down of KTC banners to the Christmas lights contractor, Christmas Plus, on the grounds of health and safety.*

Councillor Evans explained the background to the recommendations and proposed that Council grant approval. This was seconded by Councillor C Hogg and carried unanimously.

RESOLVED

1. That the Christmas Lights & Festivals Committee take over the management and bookings of lamppost banners on Highgate.
2. That Council hand over the installation and taking down of KTC banners to the Christmas lights contractor, Christmas Plus, on the grounds of health and safety.

Walking Festival

At this point in the meeting Councillor Blackman provided feedback on the Walking Festival which had taken place from 10-12 May. Councillor Blackman reported an increase in both attendance and proceeds. He had joined a group on Whitbarrow Scar which he said was an international group of people. Feedback received from participants was that the event was well organised, Kendal was a great town and the historic element was well liked. One criticism was mentioned, this was from a participant on a walk on the Scar on Sunday and related to the lack of places to get refreshments following the walk due to early closing.

Councillor Blackman said this was an evening economy issue which Council has discussed on previous occasions. A review meeting of the Walking Festival is scheduled for 22nd May when objectives will be set for 2020. A bigger and better event is planned for next year.

Councillor C Hogg asked whether there would be a press release. Councillor Blackman advised this would be issued following the review meeting. Councillor Evans reported good feedback from participants who had been staying at her guest house. It was acknowledged that there had been a mix up in respect of times for Mayor's Parlour visits. Councillor Blackman said that he had spoken to the people concerned to apologise and they had been offered tea and cake with the Mayor. Councillor Sutton mentioned there had been a banner for the first time this year and there were ideas for a hub during the event for the next year.

The Mayor commended Councillor Blackman and all involved in the initiative.

1159/18/19 AUDIT, GRANTS & CHARITIES COMMITTEE

The minutes of the Audit, Grants & Charities Committee meeting held on 29th April 2019 were presented by Councillor Severn who proposed that they be approved as a correct record. This was seconded by Councillor Cook and carried with one abstention.

Councillor Severn referred to minute 1102/18/19 relating to the Finance Outturn Report for year ended 31st March 2019 and highlighted that expenditure was over budget. He explained that the principal reasons for this was exceptional staff expenditure and the Parish Poll which had been reported throughout the year. He advised that during the meeting he had suggested that it appeared the use of reserves had allowed KTC to meet its obligations. The Treasurer confirmed this was the case.

RESOLVED That the minutes of the Audit, Grants & Charities Committee meeting held on 29th April 2019 be approved as a correct record of the meeting.

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

1160/18/19 General Grant Applications – Brewery Arts Centre (Minute 1104/18/19)

That a grant of £500 be awarded to The Kendal Brewery Arts Centre Trust Limited for their 'Our Digital Future' project. Council to be informed that limited budget is available and, should they consider the sum inappropriate, they should modify as they see fit.

Councillor Cook declared an interest in this item as he was a Member on the Board on behalf of CCC.

Councillor Gibson seconded the proposal and this was carried with two abstentions.

RESOLVED That Council approve a grant of £500 to the Kendal Brewery Arts Centre Trust Limited for their 'Our Digital Future' project.

1161/18/19**General Grants Criteria** (Minute 1105/18/19)

That Council approve the Grants Criteria 2020/21, subject to the amendments discussed.

Councillor Severn advised that Committee had agreed three amendments to the General Grants Criteria; (1) the requirement for a bank account in the name of the organisation applying; (2) accounts to be submitted with the application and (3) the requirement for a brief report on the use of the grant (for awards over £2,000). Councillor Bramham seconded the proposal and this was carried with one abstention.

RESOLVED

That Council approve the General Grants Criteria 2020/21 subject to the amendments highlighted.

FINANCIAL MATTERS**1162/18/19****(a) Review of Effectiveness of Internal Audit**

The Treasurer explained that 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 internal audit for 2018/19 had been carried out by R F Miller & Co. The review of the internal audit service comprised two aspects, meeting standards and characteristics of effectiveness. The Treasurer considered that the performance of R F Miller & Co was satisfactory in all respects. Members were asked to consider the review.

Councillor Severn proposed the approval of the review of effectiveness of internal audit. This was seconded by Councillor Cook and carried with one abstention.

RESOLVED

That the review of the effectiveness of the Council's internal audit arrangements be approved.

1163/18/19**(b) Review of the System of Internal Control and Annual Governance Statement 2018/19**

The Treasurer presented the Annual Review of the System of Internal Control and Annual Governance Statement 2018/19.

Under the Accounts and Audit Regulations 2015 the Town Council must ensure it has a sound system of internal control which:

- Facilitates the effective exercise of its functions and the achievement of its aims and objectives.
- Ensures that the financial and operational management of the authority is effective; and
- Includes effective arrangements for the management of risk.

Each financial year the Council must also 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 Treasurer advised that advice from the external auditors states that the results of the internal audit review must be considered before the AGS can be approved by Council and signed by the Mayor and Town Clerk. Members were advised that the report from the internal auditors had been received and was satisfactory.

The Treasurer considered that KTC had a good internal control framework which worked effectively.

Councillor Severn proposed approval of the review. This was seconded by Councillor Sutton and carried unanimously with one abstention.

RESOLVED

That the Town Council:

- 1) formally adopts the NALC publication "Governance and Accountability for Smaller Authorities 2019", as representing best practice in these areas, with effect for 2019/20;
- 2) approves the review of the effectiveness of the Council's system of internal control for 2018/19;
- 3) approves the Annual Governance Statement for 2018/19; and
- 4) authorises the Mayor and Town Clerk to sign the Statement at Section 1 of the Annual Return.

1164/18/19

(c) Finance Outturn Report – Year Ended 31st March 2019

The Treasurer presented the Finance Outturn Report for year ended 31st March 2019. The attached statement showed actual income and expenditure for 2018/19 compared to the Approved Budget for the year. The previous year's outturn was also shown, for information only.

The outturn statement confirms that, although the gross expenditure for 2018/19 excluding expenditure on Action Plan projects, was slightly over budget, the general fund balance increased by £3,890 from £50,122 to £54,012. Reserves remain at a healthy total level, currently £225,710.

Councillor Cook remarked that it should be highlighted that KTC spent more than came in last year. He added that it is incumbent on all Councillors to think about expenditure. Councillor Severn replied that the overspend was almost entirely due to exceptional staffing issues. Steps have been taken to ensure there is not a repeat by setting a more realistic staffing budget.

Councillor C Hogg also expressed concern and said KTC must keep a tight rein on expenditure and keep in line with budget. Councillor Severn commented that a warning had been distributed to all Committees as soon as the likely overspend became evident. He added that overspend is taken seriously and steps are being taken towards long term governance.

Councillor Brook advised that a working group was currently considering KTC staffing structure and cost. He noted that some issues are not quickly resolvable and a report would be submitted to the Management Committee for consideration in the near future.

It was proposed by Councillor Severn to approve the outturn statement for 2018/19 and the individual contributions to and from reserves as shown in the statement. This was seconded by Councillor C Hogg and

carried with two abstentions.

- RESOLVED** That Council approve:
- 1) the outturn statement for 2018/19; and
 - 2) the individual contributions to and from reserves as shown in the statement.

1165/18/19 (d) Annual Accounts 2018/19

The Treasurer presented for Members' approval a report in respect of the Council's Annual Accounts 2018/19. These included an Income and Expenditure Account (showing comparative figures for the 2017/18 financial year), Balance Sheet, Reserves Statement and the Annual Governance and Accountability Return (AGAR): Section 2, Accounting Statements.

The report seeks to explain the Accounts and, where appropriate, the reasons for significant variations from the 2017/18 figures. The Audit, Grants and Charities Committee had reviewed the Accounts and recommended their acceptance.

The Treasurer advised that the Internal Auditors had completed their report, the only matter highlighted being that KTC investments are held mostly in one account. This has been raised in previous years.

Councillor Brook proposed approval of the report and to authorise the Mayor to sign the AGAR. This was seconded by Councillor Rathbone and carried with two abstentions.

- RESOLVED** That Council:
- 1) approve the Annual Accounts and the Accounting Statements 2018/19 (Section 2 of the AGAR); and
 - 2) authorise the Mayor to sign the AGAR on behalf of the Council prior to its submission by the Treasurer to the External Auditor.

1166/18/19 (e) Bank Payments Schedule: March 2019

The Town Treasurer presented the Bank Payments Schedule for March 2019. It was proposed by Councillor Sutton that the Bank Payments Schedule for March 2019 be approved. This was seconded by Councillor Finch and carried with two abstentions.

- RESOLVED** That the Bank Payments Schedule for March 2019 be approved.

1167/18/19 (f) Petty Cash Payments: January – March 2019

The Treasurer presented the Petty Cash Payments for January to March 2019.

Councillor Hennessy proposed the approval of the Petty Cash Payments. This was seconded by Councillor Blackman and carried with one abstention.

- RSOLVED** That the Petty Cash Payments Schedule for January to March 2019 be approved.

1168/18/19**(g) Invoices over £3,000**

The Treasurer reported that there was one invoice over £3,000 which required approval as follows:

- SLDC – contribution to support the Kendal Futures Co-ordinator role - £7750.00 (no VAT)

Councillor Cook proposed that the amount be paid. This was seconded by Councillor Sutton and carried with 1 against and 1 abstention.

RESOLVED

That payment of the invoice over £3,000 be approved.

1169/18/19**(h) Festival and General Grants Payments – approval to pay before July 2019**

The Treasurer presented payments schedule for May 2019 in respect of approved general grants. She advised that Festival Grants would be presented at the next meeting. The Treasurer sought approval to release monies in order to pay the grants before July 2019.

Councillor Ladhams declared a non-pecuniary interest at this point, along with Councillor Severn whose wife works for Manna House – this is a pecuniary interest.

Members noted the payments schedule.

The meeting ended at 8.43 p.m.

Signature

Date