

Kendal Town Council

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



Minutes of the meeting of the Environment and Highways Committee held on Monday, 12 September 2022 at 7.03 p.m. in the Council Chamber at the Town Hall, Kendal.

Cllr G Archibald (Vice-Chair)	Present ***	Cllr S Blunden	Present
Cllr D Brown	Present	Cllr J Cornthwaite	Present
Cllr M Helme	Present	Cllr E Hennessy (Chair)	Present
Cllr S Long	Present	Cllr C Russell	Present **
Cllr K Simpson	Present *		

* arrived at 7.10 p.m. during consideration of Agenda Item No.5.

** arrived at 7.20 p.m. during consideration of Agenda Item No.7.

*** Left at 8.25 p.m. during consideration of Agenda item No.9.

In attendance: Cllr P Thornton arrived at 7.45 p.m. during consideration of Agenda Item No.7 (in non-voting capacity as not a Member of the Committee), Development and Delivery Manager (Helen Moriarty), Projects Officer (Anne-Marie Sanderson) and Democratic Services Assistant (Inge Booth).

Note - Prior to the commencement of the meeting, the Committee paid one minute's silent tribute to the memory of Her Majesty Queen Elizabeth II.

E14/2022 Apologies

There were no apologies for absence.

E15/2022 Declarations of Interest

No declarations of interest were raised.

E16/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

E17/2022 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Environment and Highways Committee held on 13 June 2022 and to authorise the Chairman to sign them as a true record.

E18/2022 E&H Budget 2022/23

The Committee considered a budget monitoring report for 2022/23, the Development and Delivery Manager providing details in relation to a number of items. The Chair explained that the Development and Delivery Manager, the Projects Officer and himself had recently met to discuss the budget, and that there were no concerns.

The Development and Delivery Manager referred to the fact that the Action Plan budget did not have to be spent by April and drew attention to a potential project for a community orchard near Canal Head rubbish dump in the walled garden of the house previously used by the Probation Service. The planting of more trees had been one of the recommendations of the Kendal Climate Change Citizens' Jury. This proposal raised some discussion, some Members questioning whether the budget should be spent on this type of project whilst the footpath audit due to be considered later on in the agenda provided an obvious opportunity to spend the money and also through which to provide greater biodiversity. The ambition to deliver such a biodiversity area on a section of Kendal Green was raised, as well as the Hallgarth biodiversity area. Also raised was the desperate need for work at Prickly Fell. Councillors stated that these initiatives had existing community support and should be explored further before researching Orchard opportunities.

It was pointed out that the Committee's budget meeting was due to be held in November. The Chair felt, the Committee having been very ambitious for a number of years, that now was the time to step back and give consideration to what projects could realistically be carried out. Attention was drawn, however, to the fact that there were a number of community groups willing to work on biodiversity projects and that now was, in fact, the time to accelerate this type of work, particularly while money remained in the budget. The Chair suggested that the Town Council could provide funding and expertise to community groups in order to manage Officer resources for other initiatives.

Also raised was the fact that the area proposed for a community orchard at Canal Head was shaded and, therefore, unsuitable. In addition, the potential for housing on this site was raised. The proposal for a community orchard somewhere in Kendal was, however, welcomed. The Chair reiterated that there was nothing concrete as to where the proposed community orchard should be, only that it needed to be sustainable.

It was raised that the Environment Agency were planting trees as part of the Flood Relief Scheme which could meet biodiversity requirements, the Chair explained that the Town Council's had made its own commitment to planting 500 trees.

Resolved: To receive the budget report.

E19/2022 Budget Proposals

The Committee considered a number of budget spend requests, as follows:-

- To fix the damaged wall at Nobles Rest Wall via the Green Spaces 'New Projects tbc' budget. Three quotes had been received and it was recommended that the contract be awarded to Jack Ellerby at a cost of £650 plus materials.

It was noted that the Town Clerk was currently looking at an alternative method of reporting on tendering. A query was raised as to whether it was actually the Town Council's responsibility to repair the wall within SLDC's Green Space. The Development and Delivery Manager responded that it was an ongoing debate but in the interest of minimising repair costs the Town Council could fund via the Green Spaces Improvements budget.

- To install a handrail at the Triangle Community Garden. Fellside Forum has £500 for the installation of a handrail and an additional £500 would enable a handrail of their choice to be installed. The £500 would be spent via the Green Spaces 'New Projects tbc' budget.
- The riverside bench at Dockray had been removed in advance of the new flood protection scheme. To reinstall the original bench, £1,000 was required to sand blast the iron work, install new slats and paint. The £1,000 could be allocated from the Green Spaces 'New Projects tbc' budget as above.

Whilst Members acknowledged the heritage aspect of refurbishing the existing bench, it was questioned as to whether a new bench, possibly made of recycled plastic, may be a cheaper alternative. The potential for making use of what existed rather than wasting it was also raised. It was suggested, therefore, that the relevant Town Councillor might be asked to seek the opinion of local residents and help Officers to weigh up options. Also raised was the possibility of an enthusiastic volunteer, or possibly Kendal College, refurbishing the bench.

- The Town Crests at Windermere Road and Kirkland were in need of repainting at a cost of £1500. The green spaces at both locations would be significantly improved with this investment and it was proposed the Green Spaces Improvements 'New Projects tbc' budget be utilised.

Members stressed the need for additional quotes to be sought for this work and suggested that, following these having been sought, officers consult with the Chair and Vice-Chair for approval.

- The Hallgarth Residents Association had requested that eight new bins be installed in several locations. Currently the new infrastructure budget could accommodate one new bin at a cost of £250. Council Officers recommended allocating funding in the next financial year subject to collection approval from South Lakeland District Council.

Attention was drawn to the fact that Hallgarth was short of bins and the need for the Town Council to offer more support was stressed, particularly taking into consideration the view to enhance footpaths, some of which had no bins at all and bearing in mind the need to promote appropriate disposal of dog waste. It was questioned whether an alternative budget line could be found in order to be able to offer more support. The Development and Delivery Manager suggested this could come from the 'Green Spaces Improvements' budget. The Chair explained that collection costs would first have to be looked into. It was suggested that assistance might be sought from the District Council and the Development and Delivery Officer undertook to mention the Town Council's ambition for more bins in other areas when discussing collection costs. The question of whether additional support may set a precedent was raised, there being many other areas in need of bins, and it was suggested that responding to this group and authorising bins up to an annual emptying cost of £500 would demonstrate that there was an open door. The Chair suggested that the wider issue might be looked into at the Committee's budget meeting. In the meantime, Members were keen for four bins to be installed in the Hallgarth area and it was proposed that this be looked into.

In addition, consideration was given to a biodiversity grant application from Manna House for the sum of £500 to create a wildlife area. In response to a query, Members were advised that the grant was towards not only biodiversity but also wildlife in the form of, for example, a hedgehog house and bug houses to increase pollination.

Resolved: To approve the budget spend requests relating to Nobles Rest Wall, Triangle Community Garden and Town Crests (subject to three quotes being sought).

Resolved: With regard to Dockray Bench, costs to be reviewed, alternative support for bench restoration sought and liaison with the relevant ward councillors if costs are still too high and a new one is required, to be brought back to a future meeting of the Committee.

Resolved: With regard to the Town Crests at Windermere Road and Kirkland, additional quotes be sought by officers and an appropriate contractor be appointed, subject to consultation with the Chair and Vice-Chair of the Committee.

Resolved: With regard to Hallgarth Bins, to approve the installation of one bin at a cost of £250 from the new infrastructure budget and to utilise funding from the Green Spaces Improvement Budget to pay for four additional bins, subject to agreement in relation to South Lakeland District Council collection costs, the matter of the four additional bins to be brought back to a future meeting of the Committee.

Resolved: To approve a biodiversity grant to Manna House for the sum of £500 to create a wildlife area.

E20/2022 Project Update Report

The Committee gave consideration to a report from the Development and Delivery Manager on ongoing projects.

Public Realm Improvements (Windermere Road Railing Improvements) – The Chair explained that the Town Council had planned to paint the railings, however, that the County Council were now going to replace the rails. This would free up £3,000. The County Council were currently consulting on the colour of the rails. Some discussion took place on the health and safety aspect of the railings and as to whether there was a need for them. It was also pointed out that the Town Council had a floral display mounted on the railings.

Climate Change (Electric Cargo Bike) – Discussion took place on the initiative and Members were advised that the Townscape Officer had been testing the bike. However, it was felt that the cargo bike was not appropriate for all of the work carried out by the Townscape Officer as there was not enough space for all of his equipment. The cost of such a bike was around £5,000 and it was noted that some jobs could be carried out. It was felt, however, that an e-bike with a trailer may be of more use. Members were keen to make a commitment to e-bikes and felt that more research was required. Cllr M Helme was keen to discuss the matter further with both SLACC and Wheelbase in Staveley. Other options to promote the use of e-bikes were discussed, such as asking Amazon to deliver to a depot outside Kendal and for parcels to be delivered from that site by e-bike throughout Kendal. The Chair stressed the need to focus on the success of the current initiative and to talk to local businesses and SLACC and also to find out the current figures in relation to fuel used by the Townscape Officer. Also raised was the need to ensure that the Townscape Officer was comfortable with any proposals.

Resolved: To receive the project update report.

Resolved: Discussions to take place between the Town Council, SLACC, Wheelbase and local businesses, on options available for use of e-bikes by Kendal Town Council.

Resolved: Details be sought in relation to fuel usage by the Townscape Officer.

E21/2022 Reports from Outside Bodies

Updates were provided on the action groups, as follows:-

Natural Kendal – The Chair reported that discussions had taken place on a mechanism by which individuals could apply for Biodiversity Grants via Natural Kendal.

South Lakes Action on Climate Change – Cllr M Helme referred to the refugee group and a forthcoming fund raiser for Outside In. She expressed an interest in the housing development aspiration which aimed to get housing developers to build sustainability, including solar panels, into all new homes. Cllr G Archibald referred to the covenant preventing people to instal solar panels. The covenant, he said, prevented people from intalling solar panels without the permission of the developer. This was seemingly due to the developer's roof warrantee which could be jeopardised by the installation of solar panels. It was suggested that developers might install the panels at building stage. A concern was raised, however, regarding the ever increasing cost of building materials and that by asking for more, developers may not be able to provide as many affordable homes. It was, however, pointed that that where developers were installing panels from the outset, for example by South Lakes Housing, the occupiers were delighted.

Kendal Northern Access Group – The meeting due to have been held on 7 September had been cancelled and re-arranged to be held on 13 September. A representative from Kendal Futures was to be present. Details would be reported to the next meeting of the Environment and Highways Committee.

Lancaster Canal Regeneration Partnership – There was nothing further to report.

20mph Working Group – A meeting was being arranged for the first week in October at which the amendments put to the Town Council by Cumbria County Council would be discussed. After this time, residents could be made aware of what was being planned.

Dark Skies – Members were informed that Jack Ellerby of Friends of the Lake District had won an award in relation to the work carried out at Cliff Terrace in which the Town Council had had a hand.

Resolved: To receive the updates on Action Groups.

E22/2022 Climate Hub Update

Following the recommendations of the Kendal Climate Change Citizens' Jury, the Council had been developing options to create a Climate/Sustainability Hub in partnership with Waste into Wellbeing. The Council had committed £10,000 per year for three years to Waste into Wellbeing to support their enterprise and connect a Climate Hub to their existing activity to strengthen the reach, appeal and impact of a Kendal Climate Hub.

The report provided a detailed update, explaining that Waste into Wellbeing were currently using Stricklandgate House for part of their operation. Stricklandgate House was embarking on exciting developments, also outlined within the report, and Trustees are keen to offer an enhanced space to Waste into Wellbeing to enable all of its services, including The Peoples Café, to operate from Stricklandgate House. Waste into Wellbeing and Stricklandgate House were currently reviewing lease options and, if successfully agreed, Waste into Wellbeing would oversee the extension to accommodate all of its services and to support Stricklandgate House's development in alignment with Waste into Wellbeing's needs.

A £75,000 Expression of Interest to the Shared Prosperity Fund had been submitted to support the Climate hub ambition; this funding would support the hub's development and programme of activities at Stricklandgate House.

Cllr R Russell presented the report, stressing the opportunity for the Centre to enhance its developmental and strategic roles for the Third Sector to address wellbeing, climate change and the needs of the disadvantaged and vulnerable. Creating these roles would greatly enhance the building renewal programme and the significance of Stricklandgate House within the new Unitary Authority of Westmorland and Furness.

Cllr Russell hoped that the commitment from the Town Council for £10,000 per year for three years would attract others to make similar contributions. He informed Members that a feasibility study to establish whether Stricklandgate House could be adapted to accommodate Waste into Wellbeing's aspirations would be brought to the November meeting of the Committee.

A question was raised with regard to the need to refurbish a third premises in Kendal when there may be potential for either the Town Hall/South Lakeland House or County Hall. Cllr Russell stressed the fact that the organisations involved were two grass roots organisations and that Stricklandgate House would be a manageable size for them. The Development and Delivery Manager added that the Town Hall/South Lakeland House had, in fact, been taken into consideration but were not appropriate. County Hall, had not, however, been considered. Cllr P Thornton, who looked after Westmorland and Furness Shadow Authority Assets, did not feel that County Hall would be a suitable fit. Cllr Russell suggested the potential for Town Councillors to visit Stricklandgate House. The Development and Delivery Manager reported that a reunion of the Climate Change Citizens' Jury was taking place on 29 September and undertook to check with them that the idea of this Hub met with their aspirations and Climate Jury recommendation.

Resolved: To receive the report.

Resolved: The Development and Delivery Manager to arrange a visit for Kendal Town Councillors to Stricklandgate House.

Resolved: The feasibility study for the refurbishment of Stricklandgate House be brought to the next meeting of the Committee, with a view to releasing the first £10,000.

E23/2022 Solar Made Easy Kendal Update

In partnership with Cumbria Action for Sustainability (CAfS) and following the completion of a town wide solar audit driven by the Solar Audit working group, the Town Council had launched the Solar Made Easy Kendal initiative to promote easier routes to solar installation for Kendal residents and businesses. An article in the Town Council Newsletter had aimed to encourage residents to register as part of a Kendal cluster to be connected to vetted suppliers.

The Projects Officer reported that there had been 106 registrations to date. Those who had registered had been sent a questionnaire to confirm their commitment and asked to provide a google pin of their homes to assist the supplier's desk top research. The responses were to be sent to CAfS and the Town Council's Projects Officer would be offering assistance to residents who required help with screen shots and google pins.

A meeting had been held in the previous week when it had been established that most of the properties registered were within the Conservation Area, which meant that Certificates of Permitted Development would be required. This Certificate cost £120 which, it was felt, may put some people off, however, the Vice-Chair was to meet with the Development Manager and the District Council to propose a streamline approach to complement the Solar Made Easy Kendal initiative.

Officers confirmed that CAFS would move forward with the next phase of the project and should re-examine in Spring to establish whether a further push was required.

Resolved: To receive the report.

E24/2022 Footpath Audit Update

It was reported that the Council had committed £29,000 to upgrade footpaths in Kendal to enable better access for all. Initially, funding had been committed to employ an external consultant to audit Kendal's footpaths, however, with additional resource, the audit had been completed by Town Council officers. The Projects Officer had progressed an audit of footpaths in Sandylands, Hallgarth, Heron Hill, Kendal Parks, Rinkfield, Collinfield and Kirkbarrow. This audit had been built on ward information supplied by councillors and full details to date were included in the Agenda.

Officers had prioritised the following paths for improvement during a phase one of improvements, in accordance with criteria, details of which were included in the report:-

- Kirkbarrow Adventure Access – Vicarage Drive to Echo Barn Hill (240 metres);
- Vicarage Park and Dean Gibson School Access – Vicarage Drive to Collinfield Lane (95 Metres); and
- St. Thomas' School Access – Hallgarth Circle to Underley Avenue (115 metres).

The total proposed metres of path to improve in Phase 1 was 450 metres. Estimate improvement costs per metre was £60, to allow for edging enhancements, groundworks, surfacing, hedging and biodiversity enhancements. The total estimate costs were £27,000.

The next steps for consideration were to confirm community support for improvements of the prioritised paths through informal conversations with users, formal contact with potential partners; confirmation of costings for prioritised paths; and confirmation of improvement permission from landowners of prioritised paths.

Members welcomed this fantastic piece of work carried out by the Projects Officer. The Chair pointed out that the improvements proposed were not necessarily the Town Council's responsibility, explaining that the works would set an example and create a template to demonstrate to other authorities.

Discussion took place with regard to the proposal for improvements to the footpath at Vicarage Park and Dean Gibson School Access. Members suggested that there were two footpaths in this location, one of which was already paved, and stressed the need to ensure that money was not wasted. The poor condition of the footpath in question was, however, acknowledged. Members welcomed the prioritisation of improvements for footpaths used by school children.

During consideration of the item, Cllr P Thornton, also a Member of the Westmorland and Furness Shadow Authority, asked the Committee if there was any appetite for the Town Council to take on responsibility for all of the footpaths within Kendal, if paid the current price paid to the County Council to look after them. He highlighted the potential thereby for more localised decisions in relation to the Town's footpaths. Members expressed a keen interest, and Cllr Thornton suggested, therefore, that the Town Council should approach the Shadow Authority on this matter, also carrying out the necessary research in relation to budgets.

Resolved: To receive the report.

Resolved: To confirm community support for improvements of prioritised footpaths through informal conversations with users, formal contact with potential partners, i.e. schools.

Resolved: To confirm costings for those footpaths prioritised above.

Resolved: To confirm improvement permission from the landowners of the prioritised footpaths.

E25/2022 Kendal Bike Storage Update

At E9/2022, Members had asked for a full audit of bike storage in Kendal. Officers had carried out further research on the Westmorland Shopping Centre Cycle Hub. Enquiries with duty staff indicated that the bike rack were better used at the weekend than during the week and that, whilst the lockers were reasonably well used, the two changing rooms were not. Periodic checks by officers confirmed that this cycle store was not well used during the week. Poor signage and difficult access could, it was felt, be contributing factors. Information about usage frequency of the repair stand was not available.

Town centre bicycle parking had been assessed, details of which were provided within the report, and totalled 108 bike parking spaces, with additional spaces available at business premises such as Booths, Brewery Arts and Mintworks.

Members were asked to consider whether the Town Council should better promote bike storage areas via a map, to be promoted via Visit Kendal and the reprint on Visit Kendal leaflets. In addition, they were asked to consider whether there should be liaison with South Lakeland District Council to discuss signage and promotion opportunities of the Westmorland Shopping Centre facilities.

Members questioned the suitability of the Cycle Hub in its current location at Westmorland Shopping Centre and whether it may be more useful if moved elsewhere. The potential of seeking users' views was raised and the Chair suggested that he could ask the Active Travel Group to look into this. In the meantime, he suggested that what existed should be better promoted, as proposed within the report.

Resolved: To receive the report.

Resolved: The Chair to ask the Active Travel Group to look into bicycle parking within Kendal Town Centre and to seek users' views.

Resolved: To better promote bike storage areas via a map to be promoted via Visit Kendal and the reprint of Visit Kendal leaflets.

Resolved: To liaise with South Lakeland District Council to consider signage and promotion opportunities of WSC facility.

E26/2022 Bus Shelter Maintenance

Following a request from a resident to Cumbria County Council, funding via Cumbria County Council had been secured to install a bench at the Westmorland Hospital bus stop. In addition, Kirkbarrow Residents' Association were installing a new bus shelter and had written to the Town Council to seek maintenance support. Members were asked to confirm these additions to the Asset Register, together with maintenance responsibilities.

A query having been raised with regard to the cost, the Development and Delivery Manager advised that this would come from the Infrastructure Maintenance Budget and would be detailed within the Budget report at the Committee's November meeting.

Resolved: To confirm the additions of Westmorland General Hospital (bench at bus stop) and Echo Barn Hill (bus shelter) to the Town Council's Asset Register.

E27/2022 River Kent Discharge

The Committee considered a report from the Chair who had, on 26 May 2022, observed the discharge of unknown matter into the River Kent from the outlet beneath Waterside adjacent to Lowther Street. It had subsequently been identified by the Environment Agency and United Utilities that there were a number of properties that had foul drainage mis-connected into the Lowther Street clean water drainage network. These mis-connections had been subsequently resolved to prevent further foul drainage discharges entering the River Kent.

The Chair had followed up the matter for further clarification, with the following responses having been provided to his queries:-

- Foul drainage was anything flushed into the foul drainage system and includes toilets, kitchens, bathrooms, etc.
- United Utilities had confirmed that the particular cross connections had been fixed.
- Cross connections were a constant issue. When domestic properties constructed and developed new properties and extensions, etc., they plumbed the foul drainage into the clean drainage pipe. It was a known problem and, working with United Utilities, the Environment Agency had an established phased process to resolve these issues. When a Contaminated Surfacewater Drain (CSW) was identified, United Utilities and the Environment Agency carried out an initial survey to assess the size and impact of the problem. The site was then scored and placed on a list of prioritised sites for a Phased 2 detailed investigation. Phase 2 identified the individual properties causing the problem and ensured that the cross connections are fixed. At the moment, the Lowther Street CSW was not on the list, as United Utilities had identified and resolved the problem. The only other site in Kendal on the priority list was West Street, Kendal CSW, where a Phase 1 was complete and was awaiting a Phase 2 investigation.

The Chair asked Members whether they wished for any further action to be taken on this matter or whether simply to keep the matter on file. Members expressing the opinion that there should be some level of scrutiny in this matter, the Chair informed them that the District Council had been talking of asking United Utilities to attend a meeting. He suggested, therefore, that he should write to the Chairman of the District Council's Scrutiny Committee in this regard. He further stressed the need for Town Council Members to remain aware and to keep a watch on any such activities.

Resolved: To receive the report.

Resolved: The Chair to write to the Chairman of the District Council's Scrutiny Committee to place this matter on record and, should that Committee invite United Utilities to a future meeting, to advise that the Town Council would like such matters to be considered.

The meeting closed at 9.00 p.m.