

# Kendal Town Council

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



28 March 2022

Dear Councillor,

You are summoned to attend a meeting of the Council commencing at **7.30pm** on **Monday, 16 May 2022**, for the purpose of transacting the business specified in the following agenda. The meeting will be held in the Town Hall, Highgate, Kendal.

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'C Bagshaw'.

**Chris Bagshaw**  
Town Clerk

## AGENDA

### Roll Call

The Clerk will take a roll call of council members present.

### Public Participation

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

### 1 Mayor and Deputy Mayor 2022

To elect a Mayor and Deputy Mayor for the coming municipal year. Also to resolve that the new Mayor and Deputy Mayor will take office immediately, having agreed to sign their declarations of acceptance of office at the Mayor Making ceremony on Thursday 19 May 2022, in accordance with the Local Government Act, 1972 s83(4)(c).

### 2 Apologies

To receive and accept any apologies. If accepted, apologies will be considered to be for reasons approved by the Council under the terms of Local Government Act 1972, s85.

### 3. Declarations of Interest

To receive declarations by Members of interests in respect of items on this Agenda

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

#### **4. Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

To consider whether there are any agenda items during consideration of which the press and the public should be excluded.

#### **5. Minutes of Last Council Meeting**

To receive the minutes of the meeting held on 4 April 2022 and affirm them as a true record (see attached).

#### **6. Chairs and Vice Chairs of Committees**

To receive nominations for and resolve the Chairs and Vice Chairs of the Following Committees of the Council:

- i. Management
- ii. Environment & Highways
- iii. Allotments
- iv. Christmas Lights & Festivals
- v. Audit, Grants & Charities
- vi. Kendal in Bloom
- vii. Planning

By convention the Mayor is the Chair of the Mayoralty and Arts Committee.

#### **7. Membership of Committees**

To receive nominations for and resolve the membership of the following committees:

- a) Management (1 ordinary member to be appointed)  
*Committee of 10 includes the Chairs of the other Committees, plus three additional members, of which one is the Chair of the Committee and another is the Vice Chair.*
- b) Environment & Highways (7 ordinary members to be appointed)  
*Committee of 9 including Chair and Vice Chair of Committee*
- c) Allotments (4 ordinary members to be appointed)  
*Committee of 9 including Chair and Vice Chair of committee, of which 3 are co-opted reps from Allotment sites.*
- d) Christmas Lights & Festivals (3 ordinary members to be appointed)  
*Committee of 5, including Chair and Vice Chair of Committee*
- e) Audit, Grants & Charities (6 ordinary members to be appointed)  
*Committee of 8, including Chair and Vice Chair of Committee*
- f) Kendal in Bloom (3 ordinary members to be appointed)  
*Committee of 10, including Chair and Vice Chair of Committee, of whom 5 are co-opted members from local interest groups*

- g) Planning (6 ordinary members to be appointed)  
*Committee of 8, including Chair and Vice Chair of Committee*
- h) Mayoralty and Arts (7 ordinary members to be appointed)  
*Committee of 9, including Chair and Vice Chair, who may be Mayor and Deputy Mayor*

**8. Schedule Of Meetings 2022-23**

To approve the proposed schedule of meetings for the forthcoming year (see attached).

**9. Representation on Outside Bodies**

To review the Town Council's representation at meetings with Outside Bodies and the arrangements for reporting back to the Council (see attached).

**10. Minutes from Committees**

To receive the draft minutes from the following Committees (may be received en bloc).

- i. Mayoralty and Arts Committee meeting on 19 April 2022 (*see attached*)
- ii. Planning Committee meetings on 4 April, 19 April and 3 May 2022 (*see attached*).
- iii. Audit, Grants and Charities Committee meeting on 25 April 2022.

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## Minutes of the Meeting of Kendal Town Council held on Monday, 4 April 2022 at 7.30pm at the Town Hall, Highgate, Kendal.

G Archibald	Present	R Hogg	Apologies
A Blackman	Present	H Ladhams	Present
J Brook	Apologies	S Long	Present
S Coleman	Apologies	D Miles	Present
G Cook	Present	T Perkins	Apologies
J Cornthwaite	Present	D Rathbone (Mayor)	Present
J Dunlop (Vice Chair)	Present	C Rowley	Apologies
A Edwards	Apologies	M Severn	Absent
S Evans	Apologies	K Simpson	Apologies
A Finch	Present	R Sutton	Present
P Gibson	Apologies	K Teasdale	Apologies
C Hardy	Absent	G Tirvengadum	Present
E Hennessy	Present	G Vincent	Present
C Hogg	Present	P Walker	Absent

**In attendance:** Simon Unsworth (Mayor's Attendant)

No police report was available as no police representative attended. The clerk is continuing to try and get this sorted.

**Resolved:** To note the council's disappointment

### 68/21/22 Apologies

Apologies were received from Cllrs J Brook, S Coleman, A Edwards, S Evans, P Gibson, R Hogg, T Perkins, C Rowley, K Simpson and K Teasdale.

### 69/21/22 Declarations of Interest

None.

### 70/21/22 Exclusion of Press and Public

None.

### 71/21/22 Minutes of the Last Meeting

The Council received the minutes of the meeting held on 7 March 2022.

**Resolved:** To accept the minutes as a true record.

### 72/21/22 Mayor's Communications

The Mayor submitted his report of activities for March 2022. Although it has been a quiet year, he declared it had been a pleasure and an honour to serve Kendal as its Mayor.

The council's attention was drawn to a sponsored walk being held as part of the Kendal Walking Festival – all proceeds will go to the Mayor's Charities.

**Resolved:** To note the report

### **73/21/22 Minutes from Committees**

The Council considered and received the following minutes:

- a) Planning Committee meetings on 7 and 21 March 2022
- b) Environment and Highways Committee on 14 March 2022

**Resolved:** To receive and note the minutes.

### **74/21/22 Standing Orders**

The council considered a report from the Clerk proposing an updated set of Standing Orders. It was six years since they were last reviewed. The new set is are compliant with current legislation and removes a number of existing anomalies. Terminology is also updated.

**Resolved:** To accept the new Standing Orders, to take with effect from 9 May 2022, when the newly elected Councillors take office.

### **75/21/22 Property Matters**

The Town Clerk updated the council on a number of issues. There are two sets of legal instruction out at the moment:

- Vicarage Drive. Kendal Town Council has been offered an area of land, which will allow for the completion of work on pathways. It may also support the Natural Kendal initiative as the land contains a range of different environments. The matter has been allocated to a solicitor.
- Mintsfeet riverside. Also currently with solicitors.

Nobles Rest: there is a dry stone wall that needs repairing and currently ownership of the wall (and therefore responsibility for repairs) is in dispute between SLDC and KTC. All the councillors on the Allotments committee are also SLDC councillors so there is a conflict of interest. The clerk asked the 7 non-SLDC councillors present for their advice. After some discussion amongst those councillors who were not affected by a Conflict of Interest, it was suggested that the Town Council offer, without prejudice, to pay for half of the full cost of the work (approximately £1,300) with SLDC meeting the other half.

**Resolved:** To put this proposal for cost sharing to the District Council.

### **76/21/22 Schedule of Payments and Budget Report**

The Council received the Schedule of Payments and Budget report.

**Resolved:** To note the report.

The meeting closed at 8.45pm

**Kendal Town Council****Draft Schedule of Meetings 2022-23**

All meetings at the Town Hall unless otherwise noted.

**Full Council Meetings (usually 7.30pm)**

Monday 16 May 2022 (Annual Meeting)	Mon 6 February 2023
Thursday 19 May 2022 (Mayor Making)	Mon 3 April 2023
Monday 1 August 2022	Mon 8 May 2023 (Annual Meeting)
Monday 3 October 2022	Thu 18 May 2023 (Mayor Making)
Monday 5 December 2022	Mon 5 June 2023

Mayor	
Deputy Mayor	

**Management Committee (usually 7.30pm)**

Office	Members	Date
Chair		Mon 30 May 2022
Vice Chair		Mon 4 July 2022
Mayor		Mon 5 September 2022
Deputy Mayor		Mon 7 November 2022
Chair of E&H		Mon 9 January 2023
Chair of Audit, Grants and Charities		Mon 6 March 2023
Chair of Planning		Tues 30 May 2023
Chair of Christmas Lights and Festivals		
Chair of Kendal in Bloom		
Chair of Allotments		
Ordinary member		
Ordinary member (Kendal Futures rep)		

Chairs of Committees may be substituted by vice chairs.

**Planning Committee (usually 6.30pm)**

Members	Dates
Chair	Mon 23 May 2022
Vice Chair	Mon 6 June 2022
	Mon 20 June 2022
	Mon 4 July 2022
	Mon 18 July 2022
	Mon 1 August 2022
	Mon 15 August 2022
	Mon 5 September 2022
	Mon 19 September 2022
	Mon 3 October 2022
	Mon 17 October 2022

	Mon 7 November 2022
	Mon 21 November 2022
	Mon 5 December 2022
	Mon 19 December 2022
	Mon 9 January 2023
	Mon 23 January 2023
	Mon 6 February 2023
	Mon 20 February 2023
	Mon 6 March 2023
	Mon 20 March 2023
	Mon 3 April 2023
	Mon 17 April 2023
	Tue 2 May 2023
	Mon 15 May 2023

#### Audit Grants and Charities Committee (usually 7pm)

Members	Dates
Chair	Mon 20 June 2022
Vice Chair	Mon 19 September 2022
	Mon 19 December 2022
	Mon 20 March 2023
	Mon 22 May 2023

#### Environment & Highways Committee (usually 7.30pm)

Members	Dates
Chair	Mon 13 June 2022
Vice Chair	Mon 12 September 2022
	Mon 14 November 2022
	Mon 16 January 2023
	Mon 15 March 2023
	Mon 15 May 2023

#### Allotments Committee (usually 7pm)

Members	Dates
Chair	Mon 18 July 2022
Vice Chair	Mon 10 October 2022
	Mon 12 December 2022
	Mon 27 February 2023
Co-optee	

Co-optee	
Co-optee	

### Christmas Lights & Festivals Committee (usually 7pm)

Members	Dates
Chair	27 June 2022
Vice Chair	26 September 2022
	21 November 2022
	20 February 2023
	24 April 2023

### Mayoralty & Arts Committee (usually 7pm)

Members	Dates
Chair	Mon 11 July 2022
Vice Chair	Mon 24 October 2022
	Mon 23 January 2023
	Monday 27 March 2023

### Kendal in Bloom Committee (usually 7pm)

Members	Dates
Chair	25 July 2022
Vice Chair	17 October 2022
Ordinary members	13 February 2023
	10 April 2023
SLDC	
Horticare	
Civic Society	
SLACC	
Other	

### Town Assembly

Monday 17 April 2023, 7.30pm



## Kendal Town Council

### Appointments to Outside Bodies 2022-2023 – 16 May 2022

<b>Organisation</b>	<b>No. of Reps</b>	<b>Representative(s) to 9 May 2022</b>	<b>Reports To</b>
Air Quality Working Group (SLDC)	1	Cllr G Archibald	Environment & Highways
BID Board	1	Cllr J Dunlop	Management & Council
Brewery Arts Centre	1	Cllr R Sutton	Council
Cumbria Association of Local Councils	2	Cllr R Sutton <b>Vacancy</b>	Council
Emergency Plan (Kendal Community Emergency Plan Group)	1	Cllr J Cornthwaite	Management & Council
Flood Working Group	2	Cllr S Evans and Cllr A Blackman	Management
Integrated Care Community/Healthy Towns Status (CCC)	1	Cllr P Gibson	Council
Lakes Line User Group	1	Cllr S Coleman	Council
Kendal Bus User Group	1	Cllr E Hennessy	Council
Kendal Dementia Action Alliance	1	Cllr R Sutton	Council
Kendal Futures Board	1	Cllr S. Long	Management & Council
Kendal Lads and Girls Club	1	Cllr A Edwards	Council
Kendal Mountain Festival	1	Cllr R Sutton	Christmas Lights & Festivals
Kendal Relief in Need Charity	2	Mayor and Deputy Mayor	Council
Lancaster Canal (Northern Reaches)	2	Cllr C Rowley Cllr A Blackman	Council
One Voice	1	Cllr R Sutton	Council
Rinteln Town Twinning Association	4	Mayor and Deputy Mayor Cllrs J Brook & A Blackman	Mayoralty & Arts
South Lakeland Action on Climate Change & Transition South Lakes	2	Cllr E Hennessy <b>Vacancy</b>	Environment & Highways
South Lakes Equality & Diversity Partnership	1	Cllr G Tirvengardum	Council

Commented [SJC1]: No longer exists

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## Minutes of the meeting of the Mayoralty and Arts Committee held on Tuesday, 19 April 2022 at 7.30pm in the Georgian Room, Town Hall, Kendal.

Cllr J Brook	Present	Cllr C Hogg	Present
Cllr G Cook	Present	Cllr D Rathbone (Chair)	Present
Cllr J Dunlop (Vice Chair)	Present	Cllr R Sutton	Present
Cllr A Finch	Apologies	Cllr K Teasdale	Present
Cllr P Gibson	Apologies	Cllr G Tirvengadam	Present

**In attendance:** Chris Bagshaw (Town Clerk) and Simon Unsworth (Project Officer)

### MA22/21/22 Apologies

Apologies were received and accepted from

### MA23/21/22 Declarations of Interest

None

### MA24/21/22 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

None

### MA25/21/22 Minutes of the Previous Meeting

The Council received the minutes of the meeting held on 21 February 2022.

**Resolved:** Accepted as a true record.

### MA26/21/22 Twinning Issues

It was reported that the group had met and discussed Twinning, focussing mainly on the relationship with Rinteln. The following points were made:

- It is hoped that the next council will be proactive in addressing the Twinning issue;
- There is a need to regain the impetus in a concrete and practical way;
- There is to be an event in June to celebrate the 30<sup>th</sup> anniversary of the twinning relationship with Rinteln, organised by the Rinteln Association, which will hopefully generate new interest;
- That the twinning relationship with Rinteln has almost been more focussed on the town-to-town links, whereas with Killarney it has traditionally been more council-to-council;
- The Council and councillors can do more to publicise the twinning and encourage any involvement from residents and organisations;
- There was a friendship agreement with town in China that could be reinvigorated;
- The Twinning subgroup will continue to meet to address this issue.

**Resolved:** The Twinning subgroup to continue to meet to progress the issue of Twinning vitality.

**MA27/21/22 Town Council Collection**

The following points were made:

- Parlour talks are beginning again and bookings are starting to come in;
- All KTC livery has been returned from the Mace Bearers and Town Crier;
- Councillors (especially ones being elected in May 2022) may not fully understand the parlour and picture store;
- The role of the Town Crier to be reviewed and updated and recommendations will be brought to a future M&A committee for discussion;
- The collection should be available online. This is to be investigated.

**Resolved:**

1. The Mayor's Attendant to write a parlour introduction to the new councillor induction pack;
2. The Mayor's Attendant to arrange three sessions to allow any councillor to come and see the parlour informally (SKU)
3. That the new M&A committee be taken around the parlour and picture store.

**MA28/21/22 Mayor's Insignia**

The Mayor's Attendant had nothing new to report on this issue.

**Resolved:** The Mayor's Attendant to chase as a priority.

**Roll of Honour**

The Clerk reported a recent issue in the press concerning the identity of a soldier buried in Holland. There are no details, other than names, of the men from Kendal who died during World War Two. Gathering information may be a big job but as we have equivalent information for the dead of World War One it probably needs to be addressed.

**Resolved:** That the Town Clerk investigate whether other organisations have any of this information and whether it can be collated.

**MA29/21/22 Newsletter**

The Committee offered the following items as articles for the forthcoming newsletter.

- New council and Mayor
- 30 years Twinning with Rinteln
- Mayor's Parlour
- Walking Festival
- Queen's Jubilee

**MA30/21/22 Review of Spend against Budget**

The committee reviewed a statement of their current budget.

**Resolved:** To note the report.

The meeting closed at 8.35pm

# Kendal Town Council

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## Minutes of a meeting of the Planning Committee held on Monday 4 April 2022 at 6pm in the Town Hall, Kendal.

Cllr J Cornthwaite	Present	Cllr D Rathbone (Chair)	Present
Cllr P Gibson	Apologies	Cllr C Rowley	Apologies
Cllr H Ladhams (Vice Chair)	Present	Cllr K Teasdale	Apologies
Cllr D Miles	Present	Cllr G Vincent	Present

**In Attendance:** Town Clerk

### **P153/21/22 Apologies**

Apologies were received and accepted from Cllrs Gibson, Rowley and Teasdale.

### **P154/21/22 Declarations of Interest**

None

### **P155/21/22 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

No issues were considered for exclusion.

### **P156/21/22 Minutes of the Previous Meeting**

The Committee received the minutes of the previous planning committee meeting held on 21 March 2022.

**Resolved:** To accept them as a true record.

### **P157/21/22 Planning Process and Issues**

No matters were considered.

### **P158/21/22 Net Biodiversity Gain Consultation**

The Committee considered a report on the Net Biodiversity Gain consultation from Defra, which had been submitted.

**Resolved:** To note the submission.

### **P159/21/22**

The Committee considered a consultation from the Lake District National Park Authority on second homes. They welcomed the opportunity to comment on an issue which has an impact on Kendal, despite Kendal not being in the National Park.

**Resolved:** To contact SLDC and LDNPA to express the Committee's belief that the two Planning Authorities should align their policies in this matter, to ensure that there are no gaps in the area which could lead detrimental outcomes in Kendal.

**Resolved:** To submit the following comments to LDNPA:

*1. We believe the Town and Country Planning (Use Classes) Order should be amended to create new use classes for Primary Homes, Secondary Homes and Short-term Holiday lets. Any change of use between these would require planning permission, with local circumstances being a material consideration.*

*Do you agree the number of second homes in the Lake District National Park should be controlled through the local authority planning function?*

**Yes**

*2. If a property is in England and available to let for short periods that total 140 days or more per year, it will be rated as a self-catering property and valued for business rates. The Valuation Office will work out the rateable value of the property based on its type, size, location, quality and how much income is likely to be made from letting it.*

*Small business rate relief is available if:*

- *The property's rateable value is less than £15,000*
- *The business only uses one property – you may still be able to get relief if you use more*

*You will not pay business rates on a property with a rateable value of £12,000 or less. For properties with a rateable value of £12,001 to £15,000, the rate of relief will go down gradually from 100% to 0%.*

*Do you support the proposal to remove furnished holiday homes from the small business rate relief?*

**Yes**

### **P160/21/22 Kendal Town Council Flood Relief Scheme Working Group**

The Chair of the Working Group reported that there had recently been a technical subgroup meeting with the EA to consider issues relating to the specification of the glass screens and associated materials, the schedule of payments and other matters. It was noted that many of the most prominent impactful elements of the tree removal were now complete for the season, allowing in-river access for the Summer. It was suggested that the scheme was a marked improvement, not only on the original plan, but also on the 1970s flood scheme it is replacing, which demonstrated much less of the environmental consideration that the current scheme includes.

**Resolved:** To note the report.

### **P161/21/22 Planning Applications**

The Committee considered the Planning Applications shown in Appendix 1.

**Resolved:** To submit the recommendations in Appendix 1 to the Planning Authority.

The meeting closed at 18.44.

**Kendal Town Council**

Applications for Planning Committee: 4 April 2022

**Appendix 1**

No.	App No./Type	Address/Proposed Development	Comments to SLDC	Observations/Recommendations
1	SL/2021/0626	<p><b>From land to the south of the A685, Appleby Road, Kendal to land immediately north of the A684 off Kinn Road, Kendal</b></p> <p>Proposed works for and use of replacement section of aqueduct, including earthworks and ancillary infrastructure including: new valve house buildings within fenced compounds with permanent vehicular access provision; installation of tunnel shafts; open cut connection areas at either end of the replacement section within temporary construction compounds, to include site accesses, storage areas, plant and machinery, and drainage infrastructure.</p>	15 April	The Committee noted that there appeared to be no net biodiversity plan. Assuming the development incorporated the recommendations of the arboreal survey and complied with relevant HSE guidelines they had <b><u>No Material Objections.</u></b>
2	SL/2022/0155	<p><b>Bull Gap House, 31 Beast Banks</b></p> <p>Replace wooden single glazed sash windows with like for like wooden double glazed sash windows</p>	7 April	The Committee welcomed the use of traditional materials. <b><u>No Material Objections</u></b>
3	SL/2021/1147	<p><b>Town and Village Green area, Kendal Fell</b></p> <p>Signs &amp; viewing platforms</p>	8 April 2022	The Committee noted that Kendal Town Council did not appear to be consulted in the development of the signs, which seemed anomalous in the context of town and village green areas in the

				parish. It requested that the Town Council be formally involved in any subsequent development concerning these areas. It otherwise welcomed the plans. <b><u>No Material Objections</u></b>
4	SL/2022/0246	<b>18 Laurel Gardens</b> First floor side extension	11 April	<b><u>No Material Objections</u></b>
5	SL/2022/0251	<b>High Park Cottage, Oxenholme</b> Variations of conditions 8 (Contamination) 9 (Construction management plan) & 11 (Foul and surface water drainage) attached to planning permission SL/2020/0726 (Construction of a new dwelling in place of the existing converted garage building)	12 April	Providing drainage, contamination and construction issues are resolved: <b><u>No Material Objections</u></b>
6	SL/2022/0260	<b>124 Stainbank Road</b> Single storey rear extension	12 April	It was noted that the plans did not give a useful indication of scale. There is a requirement for some net biodiversity gain. <b><u>No Material Objections</u></b>
	SL/2022/0274	<b>55 Finkle Street</b> Change of use of 2nd floor to dwelling with roof terrace with glazed balustrade	14 April	The Committee wondered how realistic it was to assert that no parking spaces would be required. <b><u>No Material Objections</u></b>
	SL/2022/0273 & SL/2022/0277	<b>Globe Inn, 8 Market Place, KENDAL</b> Installation of 2 retractable canopies to the front elevation	14 April	The Committee had concerns about the impact on the market, on the public highway and in what could become the effective privatising of a public space. Providing the area covered was not permanently enclosed, they had



				<b><u>No Material Objections.</u></b>
	SL/2022/0275	<b>Globe Inn, 8 Market Place, KENDAL</b> Internal Decorations and Minor alterations	15 April	<b><u>No Material Objections</u></b>
	SL/2022/0276	<b>56 Greenside</b> Single storey side return extension to rear of property and rebuild of existing rear utility room outbuilding.	18 April	<b><u>No Material Objections</u></b>
	SL/2022/0280	<b>34 High Fellside</b> Removal of rear conservatory, erection of rear porch and utility room, installation of glazed patio doors, new roof lights to front and rear elevation & new double glazed timber window to front elevation at ground floor level	18 April	Assuming the Conservation Officer is satisfied that the development does not compromise the visual amenity of the Conservation Area – <b><u>No Material Objections.</u></b>

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## Minutes of a meeting of the Planning Committee held on Tuesday 19 April 2022 at 6.30pm in the Town Hall, Kendal.

Cllr J Cornthwaite	Present	Cllr D Rathbone (Chair)	Present
Cllr P Gibson	Absent	Cllr C Rowley	Present
Cllr H Ladhams (Vice Chair)	Present	Cllr K Teasdale	Present
Cllr D Miles	Present	Cllr G Vincent	Absent

**In Attendance:** Town Clerk

### **P162/21/22 Apologies**

No apologies were received.

### **P162/21/22 Declarations of Interest**

None

### **P163/21/22 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

No issues were considered for exclusion.

### **P164/21/22 Minutes of the Previous Meeting**

The Committee received the minutes of the previous planning committee meeting held on 4 April 2022.

**Resolved:** To accept them as a true record.

### **P165/21/22 Planning Process and Issues**

The Committee discussed an issue which had arisen on Kendal Green, where a tree had been damaged in a storm. The Tree Officer had confirmed that the owner could fell the tree if required, but instead they had opted to leave it standing, following some work by a tree surgeon. Unfortunately, in the view of the neighbours, this left the tree still unsafe and now also unsightly, which did not contribute to the visual amenity of the Conservation Area.

**Resolved:** That the matter of the compromised visual amenity of the tree be brought to the attention of the Conservation officer and Tree officer at SLDC.

### **P166/21/22 Kendal Town Council Flood Relief Scheme Working Group**

The Chair of the Working Group reported that Craig Cowperthwaite had now retired from the Environment Agency and that the Flood scheme and the town would miss his expertise, patience and pragmatism. He hoped that the new management at the EA would continue his collaborative tradition. A new date was still being sought for an additional meeting of the

Working Group, but it looked likely that this would now be after the elections. Although there were a couple of negative comments about the glass wall scheme, the overwhelming response from the public to the Planning Application had been supportive.

**Resolved:** To note the report.

#### **P167/21/22 Footpath Diversion**

The Committee considered a proposed footpath diversion by the river at Kirkland. It was noted that the diversion served to tidy up the alignment of the rights of way on the paths around the Kendal Crest (footpaths 536209 and 536210).

**Resolved:** To support the realignment of the rights of way.

#### **P168/21/22 Planning Applications**

The Committee considered the Planning Applications shown in Appendix 1.

**Resolved:** To submit the recommendations in Appendix 1 to the Planning Authority.

The meeting closed at 19.20.

**Kendal Town Council**

Applications for Planning Committee: 19 April 2022

**Appendix 1**

No.	App No./Type	Address/Proposed Development	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2022/0284</a>	<b>48 Buttermere Drive</b> Refurbishment including external insulation with a rendered finish, replacement triple glazed windows, removal of existing conservatory and replacement of existing stepped access to the rear garden.	19 April	<b><u>No material objections.</u></b> The Committee commends this application for its use of Passivhaus standards and other sustainable measures. They also welcomed the extent of neighbour consultation.
2	<a href="#">SL/2022/0292</a>	<b>116 Burneside Road</b> Single storey extensions to porch and bay window	19 April	<b><u>No material objections.</u></b>
3	<a href="#">SL/2022/0293</a>	<b>116 Burneside Road</b> Rear raised deck / balcony replacing Juliet Balcony	19 April	<b><u>No material objections.</u></b> The Committee had concerns about the development creating overlooking issues, but were unsure about the angles, so their observation is conditional on this being acceptable to the Planning Officer. There should be some consideration of net biodiversity gain.
4	<a href="#">SL/2022/0307</a>	<b>34 Low Mead</b> Two storey rear extension	20 April	No material objections. The Committee drew attention to the neighbour's comment about boundary matters and would seek

				reassurance that this is a mapping accuracy issue, not an assertion of development rights over an adjacent property.
5	<a href="#">SL/2022/0226</a>	<b>Jewson Ltd, Stockbeck</b> Demolition of existing warehouse building and erection of new warehouse building	28 April	<b><u>No material objections.</u></b> Dependent on UU and LLFA conditions relating to impacts on flooding and adequate drainage. The Committee supported the additional biodiversity measures suggested by the Tree Officer.
6	<a href="#">SL/2022/0243</a>	<b>11 Nether Street</b> Replacement limestone perimeter wall	28 April	<b><u>Recommend refusal.</u></b> The Committee could not see how the development overcame the creation of a blind corner on the highway, which would be potentially less safe for pedestrians and vehicles. The development seemed to be out of proportion for its location in the Conservation Area and had no mention of biodiversity net gain.

# Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED  
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## Minutes of a meeting of the Planning Committee held on Tuesday 3 May 2022 at 6.30pm in the Town Hall, Kendal.

Cllr J Cornthwaite	Present	Cllr D Rathbone (Chair)	Present
Cllr P Gibson	Apologies	Cllr C Rowley	Present
Cllr H Ladhams (Vice Chair)	Present	Cllr K Teasdale	Apologies
Cllr D Miles	Present	Cllr G Vincent	Present

**In Attendance:** Town Clerk

### **P169/21/22 Apologies**

Apologies were received and accepted from Cllrs P Gibson and K Teasdale.

### **P170/21/22 Declarations of Interest**

None

### **P171/21/22 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

No issues were considered for exclusion.

### **P172/21/22 Minutes of the Previous Meeting**

The Committee received the minutes of the previous planning committee meeting held on 19 April 2022.

**Resolved:** To accept them as a true record.

### **P173/21/22 Planning Process and Issues**

**Resolved:** That the matter of the compromised visual amenity of the tree be brought to the attention of the Conservation officer and Tree officer at SLDC.

### **P174/21/22 Kendal Town Council Flood Relief Scheme Working Group**

The Chair asked if there were parallels to be drawn from the retrospective application about to be considered for the White Stiles filling station on Shap Road with the building work currently taking place at the filling station on Burton Road, which also appeared not to involve Planning Consent at this stage.

The Clerk reported that the correspondence with SLDC and LDNPA had shown support for the Committee's position on working together and coordinating Planning Policies.

There was also a lot of learning drawn from the issue of the tree on Kendal Green, referred to at the last meeting, however the impact of the 'surgery' on the visual amenity of the Conservation Area had not yet been resolved.

**Resolved:** That the Clerk follow up the queries about the filling station and pursue ascertain a response from a Planning Officer about the visual impact of tree work in a Conservation Area.

#### **P175/21/22 Flood Scheme Working Group**

The Chair of the Working Group reported that the group had not met formally since the latest Planning submission in the previous month and would now look forward to being reconstituted after the elections. The coping stones on the glass wall had been trialled with the new chamfering, but this was a work in progress.

**Resolved:** To note the report.

#### **P176/21/22 Planning Applications**

The Committee considered the Planning Applications shown in Appendix 1.

**Resolved:** To submit the recommendations in Appendix 1 to the Planning Authority.

The meeting closed at 19.40.

**Kendal Town Council**

Responses from Planning Committee: 3 May 2022

**Appendix 1 v2**

No.	App No./Type	Address/Proposed Development	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2022/0083</a>	<b>Stephenson Centre, Ann Street</b> Temporary pod to house 1 homeless individual in emergencies	12 May	The Committee was concerned that a 'temporary' installation might become permanent, and felt this would be inappropriate in the location. Whilst raising <b>No Material Objections</b> , it recommended the permission be given a timescale of 3-5 years after which further permission should be sought.
2	<a href="#">SL/2022/0347</a>	<b>Jenkin Cragg Farm, Fowl Ing Lane</b> Erection of an agricultural livestock building	13 May	Whilst recognising that agricultural buildings in rural/agricultural settings are usually treated differently for Planning purposes, the Committee was concerned about the scale of this building, added to existing structures. The application offered no detail about mitigations, and did not seek to address issues of climate change or biodiversity. On the basis that it did not address the Town Council's concerns (expressed through the Climate Jury recommendations) about the contribution to global heating from intensive dairy cattle production, did not feel they could support it as presented. <b>Recommend Refusal.</b>
3	<a href="#">SL/2022/0348</a>	<b>Jenkin Cragg Farm, Fowl Ing Lane</b> Erection of an agricultural covered muck midden	13 May	The Committee was unsure how the development would not create an additional burden of effluent on the existing drainage infrastructure, since the application gave no details about drainage



				management other than to say that surface water will drain into existing water courses. No mention was given to mitigation against pollution, climate change or biodiversity. <b><u>Recommend refusal.</u></b>
4	<a href="#">SL/2022/0303</a>	<b>4 Heron Hill</b> Alterations & extensions of existing garage & front entrance	16 May	<b><u>No material objections</u></b> , though some acknowledgement of the need for net biodiversity gain must be made.
5	<a href="#">SL/2022/0357</a>	<b>21 Spital Park</b> Single storey front porch extension	16 May	<b><u>No material objections</u></b>
6	<a href="#">SL/2022/0362</a>	<b>49 Shap Road</b> Replacement above ground fuel tank (Retrospective)	16 May	The Committee was disappointed to be considering a retrospective application, and urges the Planning Authority to do its utmost to promote better awareness of the requirements for planning consent, and the risks of not seeking it. Well-established and respectable companies should be aware of legislation. They were concerned that more should be done to screen the tank from surrounding properties, and that some attempt at contributing to net biodiversity gain ought to be possible on the site. However it had <b><u>no material objections</u></b> to the application, if the above is taken in to account.
7	<a href="#">SL/2022/0369</a>	<b>2 Hawesmead Avenue</b> First floor extension over existing single storey store extension and erection of	16 May	The plans showed no consideration of the need for net biodiversity gain and no indication about the surface treatment of the drive, which ought to be shown. However, the committee had <b><u>no</u></b>

		detached garage		<b><u>material objections.</u></b>
8	<a href="#">SL/2022/0371</a> & <a href="#">SL/2022/0372</a>	<b>50 Branthwaite Brow</b> Alterations to create smaller ground floor retail premises with self-contained dwelling unit on first floor (Retrospective resubmission of planning permission SL/2019/0669 & Listed Building Consent SL/2019/0670)	16 May 2022	The Committee was disappointed to be considering a retrospective application, and urges the Planning Authority to do its utmost to promote better awareness of the requirements for planning consent, and the risks of not seeking it. Well-established and respectable companies should be aware of legislation.  <b><u>No material objections.</u></b>
9	<a href="#">SL/2022/0307</a>	<b>34 Low Mead</b> Two storey rear extension	17 May 2022	Subject to the objections raised by the neighbour being satisfied, the Committee had <b><u>no material objections.</u></b>
10	<a href="#">SL/2022/0359</a>	<b>Unit 2a, Westmorland Shopping Centre</b> Change of Use retail unit (Use Class E) for the sitting and administration of computer-based driving theory test exams on behalf of the DVSA (Use Class Sui Generis)	18 May 2022	<b><u>No material objections</u></b>
11	<a href="#">SL/2022/0298</a> & <a href="#">SL/2022/0299</a>	<b>5 Thorny Hills</b> Replacement of 4 roof widows with Velux Conservation roof windows & re-roofing of the main house.	18 May 2022	<b><u>No material objections</u></b>
12	<a href="#">SL/2022/0383</a>	<b>16 Kentrigg</b> Timber framed garden studio and	20 May 2022	<b><u>No material objections,</u></b> though the application would benefit from some consideration of net

		landscaping		biodiversity gain.

# Kendal Town Council

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## Minutes from the Audit, Grants and Charities Committee meeting held at 7pm on Monday 25 April 2022 in the Georgian Room, Town Hall, Kendal.

Cllr G Cook	Present	Cllr D Rathbone	Present
Cllr J Dunlop (Chair)	Present	Cllr M Severn	Apologies*
Cllr P Gibson	Apologies	Cllr G Vincent	Present
Cllr R Hogg (Vice Chair)	Present		

\* see AGC 37/21/22

**In attendance:** Chris Bagshaw (Town Clerk)

### **AGC 37/21/22 Apologies**

Apologies were received and accepted from Cllrs P Gibson. Apologies were received from Cllr M Severn, but too late for consideration by the Committee.

### **AGC 38/21/22 Declarations of Interest**

None

### **AGC 39/21/22 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

None

### **AGC 40/21/22 Minutes of the Previous Meeting**

The Council received the minutes of the Audit, Grants and Charities meeting held on 31 January, 2022. It was noted that the Grant for Kendal Community Theatre had been split over two financial years for consideration, but did not appear on the current agenda. The Clerk noted that they should appear on a subsequent agenda.

**Resolved:** To accept them as a true record.

### **AGC 41/21/22 Budget Monitoring and Year End**

The Committee looked at a budget monitor and draft year end for the period ending 31 March 2022. The Clerk explained that he hoped this would be the last time the Committee saw budget and year-end information presented in this format - the product of a long-running spreadsheet which collated information recorded in Sage and manually copied over.

**Resolved:** To receive and note the budget monitoring report.

### **AGC 42/21/22 Grants Funding - General**

The Committee discussed the criteria upon which grants are offered. There was debate about whether grants were for ongoing costs or specific projects and it was noted that the Conditions were not yet sufficiently robust for the Committee to dictate this. It was also noted

that the 'Core Grants' had yet to be applied for or allocated, and this would be the subject of the next and subsequent Committee meetings.

**Resolved:** To include an explanation of the Grants and Funding process to new councillors elected in May 2022.

## **AGC 43/21/22            Grants Funding - Applications**

### **a) Bro Room**

Amount requested £1,000

It was noted that the applicant had made a good presentation to the Full Council earlier in the year.

**Resolved:** To offer a grant of £1,000

### **b) Autus**

Amount requested: £3,260

**Resolved:** To offer a grant of £1,000 towards the charity's work in Kendal.

### **c) Kendal Debt Centre**

Amount requested: £5,000

Whilst the Committee was supportive of the application, and noted that the Council had powers to fund such a project (under s142 of the Local Government Act ,1972), there was concern about a line in the organisation's Constitution which declared its aims to include the 'advancement of the Christian faith'. The Committee was unsure, and the Clerk was unable to give an immediate response, on the question as to whether this would be permitted under the Council's general rules of maintaining a distance from 'ecclesiastical' affairs.

**Resolved:** That the application be deferred for further legal advice.

### **d) Kendal Window on Art**

Amount requested: £500.

**Resolved:** To offer a grant of £500.

### **e) Growing Well**

Amount requested: £500

**Resolved:** To offer a grant of £500.

### **f) Wave Forward**

Amount requested: £4,000

The Chair left the room for the consideration of this item. The chair was assumed by the Vice Chair. The application was felt to be in a similar category to the first two items considered, so the Committee felt a similar amount of funding would be appropriate.

**Resolved:** To offer a grant of £1,000

**AGC 44/21/22            Future Grant Funding**

The Clerk reported the progress on the new system for Grants and Funding. The process would benefit from a single point of contact from May, with the new forms now available on the website. This pulls together all the funding opportunities the Council offers, and it is anticipated that efficiencies should be apparent quite quickly in payments and reporting.

**Resolved:** To note the report.

**AGC 45/21/22            Finance Systems**

The Clerk reported that the Rialtas Omega system was now partially installed, with the final work being done as the year end is completed. Training was scheduled for early June and it was anticipated that five users would be up and running by September.

**Resolved:** To note the report

**AGC 46/21/22            Standing Orders and Financial Regulations**

The Clerk reported that the Committee's recommendation to Full Council to adopt new Standing Orders had been accepted and that the new Standing Orders would come into service on 16 May 2022. The Clerk was now reviewing the Financial Regulations, so that these too would be aligned and up to date. Management Committee had been tasked by Full Council to review the Terms of Reference and scheme of delegation for committees, which would tie up the suite of changes.

**Resolved:** To note the report.

**AGC 47/21/22            Audit of Assets and Internal Audit**

The Clerk updated the Committee on the progress towards effectively auditing the Council's assets, which was revealing a small handful of anomalies to iron out. He also explained the process for reviewing the effectiveness of Internal Audit, to which he felt insufficient attention had been paid in recent years. He anticipated re-tendering for Internal Audit as soon as the current operation was complete.

**Resolved:** To note the report.

**AGC 48/21/22            AGAR Timetable**

The Committee reviewed a report on the timetable for completing the Annual Governance and Accountability Return (AGAR) for the year ending 31 March 2022. It was noted that scheduling problems last year led to an 'except for' response from the External Auditor, which the Council had anticipated, due to Covid-related problems, but nevertheless felt should be avoidable in a 'normal' year. The Committee noted that at present the Council was on schedule to meet the statutory deadlines for approval and presentation.

**Resolved:** To note the report.

The meeting closed at 20.36