

# Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED

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## Minutes of a meeting of Kendal Town Council held in the Council Chamber at the Town Hall, Highgate, Kendal, on Monday, 5 December 2022, at 7.30 p.m.

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

**In attendance:** Chris Bagshaw, Town Clerk, and Inge Booth, Democratic Services Assistant

### Public Participation

No items were brought forward by the public.

There was a short presentation by Michael Bult, Business and Development Manager, **Kendal Museum**. Mr Bult explained that he was present not only due to the Town Council's vested interest in the Museum building, but also to bring Members up to date on the workings of the Museum and future plans, as well as to seek the Town Council's help. Mr Bult pointed out that it was his main aim to promote the Museum to the community. He stressed that something radical needed to happen and he was seeking the Town Council's help to do this. The Museum currently opened for just three days a week and it was hoped to increase this to five days. The collection was owned by the District Council and would be in existence forever, however, Mr Bult felt that there was potential to change the building and to diversify and create a multi-attraction. His suggestion was to improve the internal facilities, firstly by converting the basement into a people's gallery in which local artists could display their work. Secondly, he wished to convert the existing lodge into a bird house in which to display 70% of the Museum's collection of taxidermy birds. This, he felt, could be done at a cost of approximately £70,000 to £80,000. He further proposed to convert a storage area above the World Wildlife Gallery to house the other 30% of the bird collection. Mr Bult recognised that some people may be put off by taxidermy and was suggesting building an interpretation room for people to enter prior to visiting the collection. This small room would house videos and interpretation boards through which to educate people on the subject. Mr Bult referred to his biggest proposal which was to refurbish the upstairs area of the building to create a community performance hall and thereby create endless opportunities through the provision of a 200 seat theatre-style venue. Mr Bult lastly explained that the Museum would also like to take Castle Dairy on board, that building being within the curtilage of the Museum. Mr Bult closed, explaining that he was keen to set up a

community fund-raising group which he had already started, to meet twice yearly with both the Town and District Councils and to set up a Friends of Kendal Museum Group, for which he had already found the first friend. The last thing that Mr Bult wished to raise with the Council was that the Museum wanted to buy and install a lift to open up all three levels, for which three quotes for between £22,000 and £25,000 had been received.

The Mayor thanked Mr Bult for his presentation and explained that the issue would be looked at by the Town Council. He asked the Town Clerk for clarification with regard to the formal link between the Museum and the Town Council. The Town Clerk explained the first link which was that the Council was the corporate body with sole trusteeship of the Museum. The building and the Allen Institute was leased by Kendal College. In addition, for some time, the Town Council had funded the collection modestly by £2,000 per year.

Mr Bult answered a number of questions raised by Members, explaining how he publicised the Museum through social media and a brochure which had been costly to produce. He informed Members that the Museum had not applied for Lottery funding in the correct manner and had, therefore, been unsuccessful, having applied for too much money and without support or match-funding. Members having raised concerns with regard to proposals in relation to the taxidermy collection, he explained that this needed to be turned around through education. He stressed the fact that customers liked the eclecticism of the collection and that the proposed interpretation room would deal with origins, thereby resulting in less of a shock for people. Mr Bult explained the importance of ensuring that Kendal Museum and Abbot Hall did not cross boundaries.

The Mayor thanked Mr Bult again, recognising the need to create and foster future dialogue.

#### **39/2022      Apologies**

**Resolved:** To receive and accept apologies for absence from Cllrs G Archibald, J Brook, A Campbell, D Miles, T Perkins and G Tirvengadam.

#### **40/2022      Declarations of Interest**

No declarations of interest were raised.

#### **41/2022      Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

There were no excluded items on the agenda.

#### **42/2022      Minutes of Last Meeting**

It was proposed by Cllr S Coleman, seconded by Cllr H Ladhams and, a vote having been taken,

**Resolved:** To receive the minutes of the meeting of the Council held on 3 October 2022 and to authorise the Chairman to sign them as a true record.

## **43/2022 Mayor's Communications and Announcements**

Members considered the latest report from the Mayor which was included within the Agenda.

The Mayor was pleased to point out that, despite the initial postponement, the Mayor's Parlour open days had now taken place and that it was planned to hold more of these tours in the following year, also with groups and individuals being able to seek to arrange bespoke tours. Attention was drawn to the fact that staff at Kendal Library were keen to visit the Parlour.

The Mayor further referred to the recent Christmas Light Switch On event which had been linked with the Kendal Mountain Festival for the first time. This, he said, had been a hugely successful event which had demonstrated the vibrancy of the Town. He also pointed out that he had represented the Council at a number of festivals, for example, the Wool Gathering.

The Mayor closed, thanking Members who had volunteered to assist at the Mayor's Coffee Morning on 17 December. He stressed the fact that any other Members were welcome to join in and suggested that they contact the Events Officer to volunteer their services, even if only for a short time. He felt that Members should be visible at such events and that this was vital for the Council's public persona. In addition, raffle prizes would be gratefully received.

**Resolved:** To receive the report.

## **44/2022 Minutes from Committees**

The Council was presented with the minutes from recent meetings of the Council's standing committees.

- (a) Allotments Committee on 31 October 2022 – It was queried whether the Council had yet issued a press release in relation to Canal Head Extension (Minute No.A21/2022), as it was felt that the public should be made aware of what course of action the Council was taking to remedy the flooding issues. The Town Clerk reported that a staff meeting on the matter had been held earlier in the day, and explained that there was now an additional problem of vandalism on the site. He agreed that there was a need to provide an explanation to the public and also with regard to the vandalism. In response to a question regarding Minute No.A19/2022 (Asbestos Site Investigation – Underley Hill Allotment Gardens), the Town Clerk advised that Natural Kendal was to be approached regarding suitable options for planting. In addition, officers were looking at how to include biodiversity in that area. It was pointed out that in Minute No.A21/2022, reference was made to Cllr A Blackman speaking to the Head of Heron Hill School and that this should, in fact, read "the Head of Governors at Heron Hill School." Members sought further details in relation to Minute No.A22/2022 (Waiting List) and the Town Clerk, as well as pointing out that more Members were required to join the Allotments Committee, explained that the traditional shortage of plots had become acute during lockdown, with approximately 100 additional names having been added to the list. He explained, however, that people who took on allotments often became dispirited and that this accounted for the high churn of tenants. There remained though over 100 names on the Waiting List and so there was still an element of shortage of plots. The next Council Newsletter would explain the work carried out by the Council Services Officer in relation to the process. In response to a further query regarding the

potential to split sites, the Town Clerk advised that the Council was quite flexible in this regard. The minutes were proposed by Cllr A Finch and seconded by Cllr J Cornthwaite.

- (b) Audit, Grants and Charities Committee on 28 September and 13 October 2022 – The Chair of the Committee thanked Cllrs S Coleman and L Edwards for offering to join the Committee and looked forward to welcoming them. The minutes were proposed by Cllr Dunlop and seconded by Cllr D Rathbone.
- (c) Christmas Lights and Festivals Committee on 26 September 2022 – The Chair of the Committee thanked those Members who had volunteered to marshal at the Christmas Lights Switch On event. Members praised the Committee and officers for the work put into running the event which had been well attended, with excellent feedback having been received. They further welcomed the changes in the event and the dark skies initiative. Questions were raised around the Kendal Cycling and Walking Festival idea and the Coronation event. The Committee would be meeting soon to discuss plans for the Coronation and the need to ensure that this was accessible to all parties was stressed. She advised that the Committee had provided a grant towards the Cycling and Walking Festival and concurred that earlier talks should be held with the Mountain Festival Committee next year and to work with the Westmorland and Furness Council to see how many people could attend the event. The Rinteln gazebo was popular and should be included in future plans, along with improved food and drink provision. The minutes were proposed by Cllr Ladhams and seconded by Cllr M Helme.
- (d) Environment and Highways Committee on 14 November 2022 – The Chair of Environment and Highways reported that the Committee remained busy. Attention was drawn to E35/2022 (Project Update Report) and draw down of CIL funding. He explained that this was an early bid, pointing out that it had not yet been resolved and that discussions had yet to take place on how the CIL funding would be used. The Management Committee would consider the budget at its January meeting. The minutes were proposed by Cllr Hennessy and seconded by Cllr S Blunden.
- (e) Kendal in Bloom on 17 October 2022 – The Chair of the Committee referred to Minute No.B14/2022 and was delighted to inform Members that Kendal had been awarded the Gold Award for Cumbria in Bloom. It was still hoped that Kendal would be asked to represent Cumbria in Britain in Bloom next year. He wished to draw Members' attention to the fact that the Townscape Manager had been instrumental in creating the Platinum Jubilee bed which had won first prize overall in Kendal. The Committee's commitment to wildflower planting across the town was welcomed and the Townscape Manager thanked for his expertise. The minutes were proposed by Cllr Blackman and seconded by Cllr L Hendry.
- (f) Management Committee on 7 November 2022 – The minutes were proposed by Cllr S Coleman and seconded by Cllr S Long.
- (g) Mayoralty and Arts Committee on 24 October 2022 – Cllr D Rathbone reported that there had been long discussions in relation to town twinning and also advised that a date was being sought on which to enable Members to view the Kendal Town collection. Attention was drawn to the fact that Cllr Rathbone was Chair of the Committee and Cllr J Dunlop Vice-Chair, and that this required correcting within the minutes. Some discussion took place with regard to Kendal's twinning with Killarney (MA17/2022), Cllr Rathbone pointing out that this relationship had not been as fruitful as previously now that Killarney Town Council no longer existed. It was, therefore, suggested that the Council might seek to identify appropriate community groups with

whom to move forward. Cllr Rathbone explained that this was already being done and welcomed any further suggestions. The minutes were proposed by Cllr D Rathbone and seconded by Cllr J Dunlop.

- (h) Planning Committee on 3 and 17 October and 7 November 2022 – Cllr D Rathbone was pleased to advise that the Committee had since agreed a response to the District Council's additional list of Call for Sites proposals in relation to the South Lakeland Local Plan 2021. The minutes were proposed by Cllr Rathbone and seconded by Cllr J Cornthwaite.

**Resolved:** To receive the minutes from the committees, with any suggested amendments outlined above to be made to the receiving committees.

Council was also being asked to accept two proposed amendments to Committee memberships. Members further sought a full copy of the up-to-date Committee Memberships List.

It was moved by Cllr S Coleman, seconded by Cllr M Helme, and

**Resolved:** To accept the following changes to Committee memberships:

- (1) Cllr L Edwards to replace Cllr S Coleman on the Allotments Committee.
- (2) Cllrs S Coleman and L Edwards to be added as Members on the Audit, Grants and Charities Committee.
- (3) Members to be provided with a full copy of the up-to-date Committee Memberships List.

#### **45/2022 Reports from Representatives**

The Council considered the following reports:

- (a) Carer Support South Lakes (a written report from Cllr R Sutton) – Cllr Sutton was not present at the meeting, however, no questions were raised.
- (b) Kendal Rinteln Association (a written report from Cllr A Blackman) – Cllr Blackman pointed out that the report was in two parts, his own Chairman's report and a beautifully written report from Cllr L Hendry on her visit to Rinteln between 24 and 28 October. Members echoed Cllr Blackman's sentiments with regard to Cllr Hendry's report.
- (c) Lakes Line Rail Users Group (a written report from Cllr S Coleman) – Cllr Coleman welcomed the 24% increase in services on the Lakes and Furness lines which would also involve six-carriage trains instead of the current three carriages. Members welcomed the improvements which had been made by Northern Rail.
- (d) SLACC Trustees (a written report from Cllr M Helme which although not included on the agenda had been circulated prior to the meeting) – Cllr Helme said that the burning issue was with regard to the Coalmine. She further referred to the good work being carried out in relation to the People's Café.

The Chair thanked representatives for their reports and Cllr Helme, seconded by Cllr Coleman, moved that they be received.

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

#### **46/2022      Notice of Motion – Short Term Holiday Letting and Housing Supply**

The Town Council's Planning Committee had been working on the issue of short-term holiday letting and its impact on the local housing market. Following research and consideration, it had proposed the following motion, proposed by Cllr A Campbell and seconded by Cllr H Ladhams (Vice-Chair of Planning Committee) to address the issue:-

*“The Council believes that everyone in Kendal should be able to buy or rent an affordable home in town and notes with deep concern the growing shortage of homes in Kendal and the surrounding parishes thanks to the increase in the number of second homes, holiday lets, and Airbnbs in the community leading to increasing house prices, increasing rent costs and an increasing number of residents seeking social-rented housing.*

*The Council also notes with deep concern the increasing incidences of eviction in South Lakeland District and the rising number of homelessness applications received by the District Council.*

*The Council recognises the importance of tourism and hospitality to Kendal's economy, providing jobs for locals and amenities to both locals and visitors. The Council also recognises that accommodation is a key requirement to sustaining a healthy tourism and hospitality sector.*

*However, without affordable housing, Kendal risks losing not only its local workforce but young people, families, and pensioners, who are being priced out of the community by rising housing costs. Fewer people using services like the Post Office, local transport, schools, and libraries, put those services at risk of closure and fewer workers damage Kendal's economy as local businesses struggle to recruit employees.*

*Current planning law is not sufficient to protect local homes for local people.*

*We, therefore, call on the Secretary of State for Levelling Up, Housing and Communities to protect local homes for local people by adopting the following reforms:*

- 1.      Require property owners to seek planning permission before converting their properties to second homes, Airbnbs and other holiday lets thereby handing local authorities the power to control the number and location of such properties in Kendal and the surrounding communities.*
- 2.      Grant local authorities the power to charge a council tax premium on second homes in excess of the current 100% maximum.*
- 3.      Grant planning authorities the power to demand more affordable homes from developers, up to 100% of a development.*
- 4.      Restrict developers' use of viability assessments to reduce the number of affordable homes built.*

*The Council, also urges South Lakeland District Council and Westmorland and Furness Council, when considering any planning application concerning a dwelling, to use any and all powers available to them to ensure that that dwelling becomes or remains a primary residence.*

*The Council also calls on South Lakeland District Council and Westmorland and Furness Council to join this Council and our Member of Parliament in lobbying Ministers to protect local homes for local people in Kendal and in our South Lakeland communities.”*

In the absence of Cllr Campbell, the Mayor proposed the motion as set out on the agenda. Cllr H Ladhams, seconding the motion, raised a number of amendments, details of which had been placed before Members prior to the meeting. The amended motion would read as follows:-

*“The Council believes that everyone in Kendal should be able to buy or rent an affordable home in town.*

*We note with concern that local people or people who wish to work here in Kendal or the surrounding parishes can't find affordable homes because of the increase in the number of second homes, holiday lets and Airbnbs.*

*The Council also notes with alarm the increasing incidences of eviction in South Lakeland District and the rising number of homelessness applications received by the District Council.*

*The Council recognises the importance of tourism and hospitality to Kendal's economy, providing jobs for locals and amenities to both locals and visitors. The Council also recognises that accommodation is a key requirement to sustaining a healthy tourism and hospitality sector.*

*However, without affordable housing, Kendal risks losing not only its local workforce but young people, families, and pensioners, who are being priced out of the community by rising housing costs. Fewer people using services like the Post Office, local transport, schools, and libraries, put those services at risk of closure and fewer workers damage Kendal's economy as local businesses struggle to recruit employees.*

*Current planning law is not sufficient to protect local homes for local people and, too often, developers are able to fall back on opaque ‘viability’ factors for reducing the affordability of their new housing.*

*We, therefore, call on the Secretary of State for Levelling Up, Housing and Communities to protect local homes for local people by adopting the following reforms:*

- 1. Require property owners to obtain planning permission before converting their properties to second homes, Airbnbs and other holiday lets thereby handing local authorities the power to control the number and location of such properties in Kendal and the surrounding communities.*
- 2. Grant local authorities the power to charge a council tax premium on second homes in excess of the current 100% maximum.*
- 3. Grant planning authorities the power to demand more affordable homes from developers, up to 100% of a development.*

4. *Grant planning authorities the power to suspend a development if developers attempt to exploit viability assessments to reduce the number of affordable homes without the express consent of the planning authority.*

*The Council, also urges South Lakeland District Council and Westmorland and Furness Council, when considering any planning application concerning a dwelling, to use any and all powers available to them to ensure that that dwelling becomes or remains a primary residence.*

*The Council also calls on South Lakeland District Council and Westmorland and Furness Council to join this Council and our Member of Parliament in lobbying Ministers to protect local homes for local people in Kendal and in our South Lakeland communities.”*

The Mayor having originally proposed the motion agreed to take the amendments on board.

Members spoke in support of the motion as amended, raising the importance of the provision of housing for young people in Kendal. Also raised was the issue of development of affordable housing on the edge of town which was felt to be speculative rather than needs assessed. The need to create affordable homes from existing buildings within the town was stressed. It was pointed out that other areas also suffered from similar problems, for example, Cornwall. The fact that Tim Farron MP was also keen to address the situation was highlighted.

A member pointed out that second homes were not always a bad thing, for example those in places such as Glenridding and, an amendment to the second proposed reform might reflect this. It was felt by others, however, that the current proposal as amended, which highlighted the issues within Kendal, would demonstrate that the Town Council was lobbying on the issue.

A vote was, therefore, taken on the motion as amended and moved and seconded above, and it was

**Resolved:** To carry the motion as amended and set out above.

***Note – At 9.30 p.m., in accordance with Standing Order 3x, a meeting shall not exceed a period of 2 hours, Council voted to continue the meeting.***

#### **47/2022 Notice of Motion – Retained EU Law (Reform and Revocation Bill)**

In September this year, the Government had introduced the Retained EU Law (Reform and Revocation) Bill. This Bill would result in existing legislation, which protected the environment, preserved wildlife, limited air and water pollution and regulated chemicals and food, being scrapped. Recently, in November 2022, the Government had restated its intention to push ahead, in spite of the universal condemnation voiced by national and local environmental and wildlife organisations. Locally, the effects of such revocation could be severe, impacting upon, and in some cases reversing, years of patient and vital work restoring habitats, balancing ecologies and protecting wildlife.

Council was asked to consider, therefore, a motion proposed by Cllr L Hendry and seconded by Cllr K Simpson, as follows:

*“Kendal Town Council condemns the Retained EU Law (Reform and Revocation) Bill, which will reverse decades of progress on environmental and wildlife protection, and will express its opposition in a letter to the Secretary of State for the Environment, Food and Rural Affairs.*



*The Council invites spokespeople from key local environmental and wildlife organisations to come and update us on their activities in opposing the bill and to indicate how the council may assist their campaign. Suggested organisations could include the Cumbria Wildlife Trust, RSPB, Friends of the Lake District and South Cumbria Rivers Trust.”*

In proposing the motion, Cllr Hendry referred to the “attack on nature Bill” and pointed out that, if pushed through, this would result in existing legislation being scrapped, with years of work on the protection of wildlife and diversity being put at risk. She was keen to find out what other local organisations were doing with regard to opposing the Bill and to see how the Town Council could support them. Cllr Simpson, as seconder, referred to the Town Council having declared a Climate Emergency and to how the Town’s livelihood was dependent on nature. She stressed the importance of cross-party support for the motion.

A number of Members spoke in support of the motion, keen to ensure that the Government did not trample on many years of work.

Following discussion, it was unanimously

**Resolved:** To carry the motion as read and set out above.

#### **48/2022      Schedule of Payments**

The Council was presented with the schedules of payments for September and October 2022. It was suggested that this item be placed further up the agenda for future meetings.

It was proposed by Cllr E Hennessy, seconded by Cllr A Blackman, and

**Resolved:** To receive the schedules of payments for September and October 2022.

The meeting closed at 9.40 p.m.