

**BARNARD CASTLE TOWN COUNCIL
SERVICES COMMITTEE**

3 APRIL 2017

PRESENT: Councillors Peat (in the Chair), Blissett (Town Mayor), Mrs Thompson, Mrs Grady, Harrison, Hinchcliffe and Yarker.

Also in attendance: One member of the press.

Officers: Mrs Woodward (Deputy Clerk) and Miss Atkinson (Services Officer).

The Chairman reminded members of the Committee that, as it was within the pre-election period ('purdah'), the town council must comply with restrictions outlined in Section 2 of the Local Government Act 1986.

78. ACCEPTANCE, OR OTHERWISE, OF APOLOGIES

None

79. DECLARATIONS OF INTEREST

In accordance with this Council's adopted Code of Conduct (Minute 17(b)/May/16 refers), Members were asked whether they had any personal or prejudicial interests in any matter on the agenda and, if so, to declare those interests at this point of the meeting. Members were reminded that a declaration could be given later in the meeting if a need arose during discussion. Cllr Harrison declared an interest in respect of item. 81.

80. SERVICES COMMITTEE MEETING – 20 FEBRUARY 2017 – MINUTES

Members were updated that instead of a fingerpost on the lamppost on Scar Top pointing down towards the Roman Way Picnic Site, there would now be a sign on the wall.

Resolved – That the Minutes be accepted as a correct record.

81. ALLOTMENTS

(i) General update

It was reported that there were three vacant allotment gardens. A viewing was arranged for one and responses were awaited from tenants on the waiting list in respect of the other two. The waiting list stood at 13 with two new applications received since the last meeting.

The water supply to the allotments had now been switched back on and preparations were in hand to send out the 2017/18 Tenancy Agreements and requests for payment.

The Services Officer attended an informative meeting of the National Allotment Society Northern Region Officers Forum on 22 March at Morpeth Town Council. The forum had requested that Barnard Castle Town Council hosted the next annual meeting in Spring 2018 and members were asked to consider this.

With regard to Avian Flu, those tenants who kept hens had been updated with the latest measures to be put in place. A further update was expected from the Department for Environment, Food and Rural Affairs after 30 April 2017.

Resolved – (a) That the information be noted; and
(b) That the town council hosts the National Allotment Society Northern Region Officers Forum during Spring 2018.

82. PLAY AREAS

(i) Repairs and Maintenance

Dawson Road required new brake blocks to the cable rider. Green Lane required three new plastic chain covers to the basket swing and a new bearing to the Rotate Spica. Estimates for parts were being sought.

Resolved – That the information be noted.

(ii) Dawson Road – Potential MUGA lighting

Pursuant to Minute 68 (iii)/Feb/17, as a result of purdah, the results of the consultation with residents regarding current use of the play area and MUGA and the potential for lighting of the MUGA, would be deferred until the next Services Committee. The Clerk had contacted Cockfield Parish Council for information regarding a similar external lighting scheme.

Resolved – That the information be noted.

(iii) Green Lane Playground Improvements

Pursuant to Minute 68(iv)/Feb/17, the Deputy Clerk had met with the Area Manager of a potential play provider company, whose contractor had experience of creating mini-cycle tracks. The estimated total cost was in the region of £10,000 to £12,000. This left a match funding requirement of approximately £4,000. Various funding options were to be explored, with an update reported to the next Services Committee.

Resolved – That the information be noted.

83. SCAR TOP PLAY AREA/ MINI GOLF FREEHOLD ASSET TRANSFER

It was reported that Council resolved on 20 March that the contract and deed relating to the freehold transfer of Scar Top Play Area and Mini Golf from Durham County Council be signed by two members, in readiness for completion, subject to repairs being carried out to Scar Top Play Area by DCC.

Resolved – That the information be noted.

84. DELIVERING DIFFERENTLY

The proposed transfers of green open space in the town from Durham County Council continued to be progressed by lawyers acting for the town and county councils.

A statutory notice relating to Woodleigh Grounds had been produced by the county council's 'Right to Bid' team. This related to the listing of Woodleigh as an asset of community value by the town council in 2014. As the proposed lease between Durham and the town council was classed in law as a 'disposal', this notice fulfilled a requirement that the county council, as the organisation managing the listing, should inform the town council, as the organisation that was granted the listing, and other interested parties that the county council, as the 'owner', was seeking to dispose of the asset to the town council, under a lease. For reasons of *clarity*, the parties to the proposed lease were not disclosed in the notice. A copy had been placed on the railings of Woodleigh and had caused some consternation, which was noted at the meeting of Council on 20 March, during the Q&A with Terry Collins, Chief Executive of Durham County Council.

Clarification relating to the position of, and access for DCC to, street lighting situated in and around the Demesnes had most recently been sought.

Further clarification was awaited on the operating protocols for the electricity supply to the performance area within Woodleigh Grounds, which was scheduled to be usable by end of April.

Resolved – That the information be noted.

85. MINI GOLF – 2017 SEASON

The 2017 season commenced on Saturday 8 April, with operating arrangements as approved at Services Committee on 20 February. A detailed report would be given at the next Services Committee.

It was reported that, due to the dilapidated condition of the old metal flag staffs, a set of nine new fibre glass flag staffs had been ordered a total net cost of £139.50 plus carriage.

Resolved – That the information be noted;

86. WEDNESDAY MARKET

In the six weeks from 15 February to 22 March, total rental receipts were £684.50, an average of £114 per week. During this period, there were two exceptionally poor trading days due to snow, rain and high winds.

The Town Council's Wednesday Market Rules & Regulations and Charging Schedule 2017 were approved and adopted by Council on 20 March. All traders would receive a copy to be duly signed.

Members were informed that 'Love Your Local Market' fortnight was 17 to 31 May. Durham County Council (DCC) would be promoting the nine markets which operated across the County, including Barnard Castle. DCC would be sending out flyers and a press release the week before and posting Tweets over the course of the fortnight.

Resolved – That the information be noted.

87. FLORAL AND OPEN SPACES

(i) Floral Displays 2017/18

The floral displays contract was determined in exempt session under Item 90, below.

(ii) Moss removal

There had been several reported slips and falls on the paths leading to Woodleigh. Whilst these paths were currently the responsibility of DCC, members of the public were being put at risk and as a health and safety measure, members ought to consider that it might be prudent to purchase moss and algae killer for use by the town council.

Wet & Forget moss removal and killer (two 5 litre bottles) could be purchased for £49.59. Every 5 litre pack yielded 30 litres of product to spray, with coverage of between 100 to 300 square metres depending on the porosity of the surface. Wet & Forget was non-caustic, non-acidic, contained no bleach and had been approved by the Health and Safety Executive (HSE). It could be used on any external surface and consequently, the town council could apply it across a wide variety of open spaces and assets, including War Memorials. A professional 5 litre sprayer to ensure efficient coverage would cost £39.99.

Resolved – (a) That the information be noted; and
(b) That two 5 litre bottles of moss removal and killer and a professional sprayer be purchased at a total cost of £89.58 out of 2017/18 floral and open spaces budget.

88. DOG FOULING

Pursuant to Minute 74(ii)/Feb/17, the town council had purchased another 6,000 poop scoop bags.

It was reported that Durham County Council would be implementing the new Public Space Protection Order (PSPO) on 1 June 2017. The introduction of the PSPO would mean that from 1 June, it would become a fineable offence in County Durham to:

- Allow a dog to stray;
- Fail to put a dog on a lead when asked by an authorised officer;
- Allow dogs into fenced off designated play areas.

The existing offence for allowing a dog to foul without picking it up would continue under the PSPO. Trained staff and police would be able to issue Fixed Penalty Notices (FPN) for £100 (discounted to £60 if paid within 10 working days) for breach of the PSPO. Failure to pay the FPN would lead to prosecution, with a maximum fine of £1,000.

A legal order would be produced showing details of all fenced off play areas in the County which were covered by the PSPO. This would include the town council's play areas at Green Lane, Marwood Drive and Bouch Way. From May onwards, DCC would be promoting the changes through a number of different ways, including:

- Civic Pride and Neighbourhood Wardens engaging with dog owners via attendance at community events where large numbers of dog owners were expected to be present (e.g. Dogs Trust events).
- PSPO print media distributed through dog related outlets (vets; grooming parlours; pet stores; etc).
- Face-to-face promotion/engagement by Neighbourhood Wardens whilst on patrols.
- General promotion of the PSPO implementation, including cards and posters displayed.
- Inclusion of relevant information as part of other Civic Pride complimentary work/activities (e.g. routine education activities in schools, at Dogs Trust microchipping events, Green Dog Walker activities and mini responsible dog ownership campaigns).
- Signage stickers placed around the County.

Members were reminded that pursuant to Minute 74(i)(b)/Feb/17, it was resolved that the town council would support DCC's community event in conjunction with the Dogs Trust, to be held in the Dawson Room, Woodleigh on 16 May. The event would include promotion of the PSPO.

Resolved – That the information be noted.

89. BIG SPRING CLEAN

The town council had participated in the Big Spring Clean on 11 March 10am to 12noon. In total, 17 adults and 3 children took part and collected 22 bags of rubbish and 2 milk crates; 10 of the bags were from the path leading from Teesdale School to The Hub.

Councillor Peat mentioned that a successful Tees Tidy Up had taken place on 1 April, with 16 volunteers collecting 25 bags of rubbish and a car bumper.

Resolved – (a) That the information be noted; and
(b) That thanks be given to those volunteers that participated in the town council's Big Spring Clean.

90. EXCLUSION OF PRESS AND PUBLIC (IN RESPECT OF CONTINUATION OF ITEM 87(i) AND ITEM 91).

Resolved – That, under the provisions of the Public Bodies (Admission to Meetings) Act 1960 §1(2), the press and public be excluded from the meeting during consideration of the matters referred to at continuation of item 87(i) and item 91, below.

87(i) FLORAL DISPLAYS CONTRACT 2017/18

Received – a report considering the floral display planting quotations and seeking to determine which company should be appointed to supply the 2017/18 planting so that the town was provided with an 'all year round' floral display.

Members were reminded that the agreed Floral and Open Spaces 2017/18 budget was £11,700. It was further noted that it was resolved at the February meeting of Services Committee that the three black round tubs in Woodleigh Grounds be removed and not included in the 2017/18 floral displays and that perennial planting of the Market Place toilet beds be also excluded from the contract.

Six companies were invited to submit quotations; only one quotation was received from Elm Ridge Gardens Ltd.

Resolved – That the 2017/18 floral display contract be awarded to Elm Ridge Gardens Ltd at the total net sum of £1,789.35.

91. ALLOTMENT TENANCY ISSUE

Received – a report outlining unapproved tree pruning on Town Head site by allotment garden tenants, which contravened the town council's allotment rules and which had led to planning enforcement action from Durham County Council. DCC's Tree Officer had visited the allotment site and assessed the condition of the trees. The trees had been damaged and needed to be tidied by a professional.

Members were asked to consider whether any action should be taken against the tenants (in line with the Allotment Tenancy Agreement/ Allotment Rules Contravention Procedure).

Resolved – (a) That a suitably qualified tree surgeon be engaged to tidy the cuts made to the trees on Town Head allotment;
(b) That the costs of this remedial work be recharged to the tenants who carried out the unauthorised pruning; and
(c) That, subject to these costs being paid, a final written warning be issued to the tenants, otherwise notice to quit be given.