

**BARNARD CASTLE TOWN COUNCIL
SERVICES COMMITTEE**

18 FEBRUARY 2019

PRESENT: Councillors Peat (in the Chair), Miss Blissett and Mrs Moorhouse.

Also in attendance: Cllrs Blissett; one member of the press.

Officers: Mr King (Town Clerk) and Mrs Woodward (Deputy Clerk).

61. ACCEPTANCE, OR OTHERWISE, OF APOLOGIES

Apologies were received from Councillors Child, Chatterjee and Mrs Thompson.

Resolved – That the apologies be accepted.

62. DECLARATIONS OF INTEREST

In accordance with this Council's adopted Code of Conduct (Minute 10/May/18 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.

63. SERVICES COMMITTEE MEETING – 17 DECEMBER 2018 – MINUTES

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

64. ALLOTMENTS

(i) General update

It was reported that there were two vacant allotment gardens, which were in the process of being re-tenanted. There had been two new applications since the last meeting. The waiting list currently stood at eight. One 'Notice to Quit' letter had been issued since the last meeting. Allotment garden inspections were due to take place shortly.

As a precautionary measure, the water supply on all sites was turned off at the end of December. This process identified a number of standpipe repairs that would be dealt with, prior to the supply being turned back on.

Resolved – That the information be noted.

(ii) Allotments Improvement Action Plan

The tree works on The Demesnes site had now been completed.

Pathways

Since 2008, the Council had undertaken a number of footpath improvements on four out of its five sites. The Harmire Road site was the only site not to have had its paths upgraded. The main pathway was laid to grass and there were three offshoot paths. In the past, tenants from the site had been in a position to maintain the main pathway, however, this was now not the case. The three offshoot paths were never 'laid' paths just walkways created by tenants over the years. These were now mainly mud and were hazardous as they became waterlogged and very slippery. Quotations from appropriate contractors were required for suggested solutions to the pathway issues sympathetic to the surroundings. Members were reminded that the town council had its own stock of gravel.

Allotment Garden Numerical Signs

There was currently no allotment numbering signage on any of the sites. The allotment garden numbering system did not always follow a logical pattern, as over time, gardens had been split/amalgamated. Sometimes, gardens could prove difficult to identify.

Individual numerical signs would alleviate confusion when formal inspections were required and also assist in maintaining accurate records. Quotations were required for appropriate signage.

Improvement works would be funded by the Allotment Improvement Holding Account; the current balance stood at £9,845.73. This was represented by £8,000 from the sale of non-tenantable land at the Town Head site in 2014 and the remaining balance accumulated over five years from roll-over income from the allotment budget.

Resolved – (a) That permission be granted to obtain quotations from appropriate contractors for suggested solutions to the pathway issues at Harmire Allotment Site; and (b) That permission be sought to purchase numerical signage for all allotment gardens.

(iii) Allotment Garden Waiting List

In 2008, due to a high waiting list, the Council took a decision to exclude non-parishioners from the waiting list (but to honour those existing tenants). Since then, numbers on the waiting list had dwindled from 42 in June 2013 to just 8 in January 2019.

During March and April, new tenancy agreements were issued to existing tenants. This was traditionally the time when tenants reviewed their circumstances; some might relinquish their gardens further reducing the list and increasing the risk of unallocated gardens.

Members were informed that there were currently seven allotment garden tenants who already lived outside of the administrative boundary. Previously, Members had in three instances applied an element of discretion when long-standing tenants had moved outside the parish boundary and had not been allowed to retain their gardens.

It was reported that following a recent press article regarding the waiting list, there had been two new enquiries, both of which had been from outside the parish.

Other than our own allotments sites, there were only three other local authority allotment sites in Teesdale. These were administered by Durham County Council and consisted of: Staindrop (15 plots); Bowes (9 plots); and Cockfield (2 plots).

It was acknowledged that whilst the town council had a legal obligation to provide allotment gardens for residents within its administrative boundary, there was no statutory prohibition on allotments being let to persons outside of the parish.

Consideration was given to the current rule of restricting the allocation of allotment gardens to Barnard Castle residents who lived within the administrative boundary of the town council. Members considered various options and decided to include non-parishioners in those parishes directly bordering Barnard Castle Parish. It was further proposed that the waiting list would give preference to parishioners.

The Tenancy Agreement and Allotment Rules were reviewed annually and therefore provided the flexibility to amend the ruling as appropriate.

Resolved – (a) That the current rule of allocation of allotment gardens be amended to include adjoining parishes directly bordering the boundary of Barnard Castle Parish, where there are no provision of allotment gardens; and
(b) That preference on the waiting list for an allotment garden be given to residents within the administrative boundary of the town council.

(iv) Annual Review of Tenancy Agreement & Allotment Rules

Received – a report providing members with suggested revisions for the 2019/20 season Allotment Tenancy Agreement and Allotment Rules. Two revisions were proposed to the Allotment Rules for 2019/20. One revision was proposed to the Allotment Tenancy Agreement for 2019/20. Changes were proposed to the Contravention Procedure.

Resolved – (a) That Allotment Rule 1 be amended to include adjoining parishes directly bordering the boundary of Barnard Castle Parish, where there are no provision of allotment gardens;
(b) That Allotment Rule 11 be amended to reflect the fact that tenants will be given two opportunities (i.e. two warning letters) to rectify any breach;
(c) That Allotment Tenancy Agreement 5s be amended in respect bringing dogs onto the allotment site; and
(d) That the Contravention Procedure be amended to remove the issue of 2nd warning letter and be approved for 2019/20.

(v) Dog Agility Licence

Members were reminded that the town council licenced the Dog Agility Club to access the water provided to the Demesnes allotment. The licence required the club to ensure the supply was secure and to manage it appropriately. The club provided a standpipe and maintained this at its own expense. The licence ran for a period of twelve months, from April to March. No change to the terms of the licence or to the fee (£25) were proposed for 2019/20. A copy of the licence was available in the office for inspection.

Resolved – That a licence for use of water by the Dog Agility Club be issued for 2019/20.

(vii) DCC Consultation on new allotment policy and tenancy agreement

Durham County Council (DCC) was currently reviewing its allotment provision. This included looking at all the sites they owned and at how activities on them should be managed. From 4 February, DCC was consulting with interested parties on a revised allotment policy and tenancy agreement. In addition, the consultation was open to other individuals, organisations and groups who could be impacted by DCC allotments. The consultation was available online at: <http://www.durham.gov.uk/consultation>

Members were reminded that there were no DCC owned allotments in the Barnard Castle parish.

Resolved – That the information be noted.

(vii) 'Services Operative' – Specification

Following the approval of the 2019/20 budget, provision had been made for an additional member of staff to undertake manual duties, including Allotments.

It was proposed that the job description for the 'operative' should include the key periodic tasks in allotments, which were shutting off and returning the water supply to prevent frost damage and examining reports of minor damage or vandalism to structures within the allotments.

Resolved – That the tasks outlined for Allotments be recommended to Resources Committee on 4 March as part of the Job Description of a 'Services Operative' to cover relevant duties.

65. PLAY AREAS

(i) Repairs and Maintenance

It was reported that Park Lane Playgrounds had carried out a quarterly inspection of all six play areas on 7 January 2019. One major issue was identified relating to a metal bench at Marwood Drive Play Area. This had now been rectified. Pursuant to Minute 36(i)(a)/Oct/18 and Minute 49(i)/Dec/18, remedial work to remove the tripping point in the gateway at Green Lane by soiling and laying grass mats was completed on 8 February.

(ii) Green Lane Playground Improvements (Goal Posts)

Pursuant to Minute 49(ii)/Dec/18, BS 8461:2005 + A1:2009 Football goals code of practice for their procurement, installation, maintenance, storage and inspection was purchased at a net cost of £122.00. A goal post was subsequently manufactured and installed on 28 January at a total net cost of £127.72.

(iii) Green Lane Playground Improvements (Cycle Track)

A donation of £800 had been received from Marwood Trust to be put towards the intended potential cycle track. This would be formally acknowledged at the next meeting of Barnard Castle Playing Fields Charity (town council was sole trustee) on 18 March 2019.

Further sources of funding for the cycle track were being explored.

(iv) 'Services Operative' – Specification

Following the approval of the 2019/20 budget, provision had been made for an additional member of staff to undertake manual duties, including Play Areas.

There were two types of task which a directly employed member of staff could undertake to potentially reduce the costs of play area repairs. If the council could draw on the services of a suitably qualified person, routine, weekly visual inspections of the six play areas could be carried out and minor repairs could be completed. Additional training might be required to a standard required by the Royal Society for the Prevention of Accidents (RoSPA). It was proposed that the job description for the 'operative' should include:

- Periodic visual inspections of play areas and reporting areas of damage, wear or vandalism;
- Routine minor maintenance of play areas and equipment, including cleaning, minor adjustment to equipment and replacement of consumable items.

Resolved – (a) That the information be noted; and
(b) That the tasks outlined for Play Areas be recommended to Resources Committee on 4 March as part of the Job Description of a 'Services Operative' to cover relevant duties.

66. DELIVERING DIFFERENTLY

It was reported that a meeting would take place between the Clerk and Town Mayor and representatives of Durham County Council to progress this issue.

A meeting was to be held on 26 February with Helen Lynch, DCC Head of Legal Services.

Resolved – That the information be noted.

67. MINI GOLF – 2019 SEASON

(i) Pre-season cleaning

A pre-season clean (clearance of leaves and power wash of the felt) was to be carried out by the town council's grounds maintenance contractor prior to the season opening on Saturday 6 April. In addition, the mini golf kiosk required re-decorating externally. Estimates were being sought, which were likely to be under £500 and could therefore be determined by the Clerk, in line with Financial Regulation 4a.

(ii) Operating Arrangements

Detailed arrangements were now being made for the 2019 mini golf season. The season would commence on Saturday 6 April and would close on Sunday 3 November 2019. During that period, and weather permitting, the course would be open every weekend, bank holidays and full weeks in line with local school holidays.

Members recalled that it was resolved to reduce the main summer opening in 2018 (7 days per week) from 8 weeks to 6 weeks, in line with local school holidays (Minute 28(b)/July/17 refers) and it was proposed that this continued for 2019.

Opening times for 2019 low season (6 April to 24 May and 2 September to 3 November) would once again be 10:30 am to 4:30 pm.

In 2017, it was resolved that during high season (25 May to 1 September), the course would open between the hours of 10:00 am to 6:00 pm. This was continued for 2018 season and it was proposed that these hours continued for 2019 high season, with a review at the end of the season.

Ticket prices remained the same as 2017 and 2018 seasons.

In 2017, the course was operated by four attendants. In 2016 and 2018 five attendants were employed to assist with shift cover during holidays. For the 2019 season, three attendants were returning. Interviews would be held week commencing 18 February and subject to satisfactory references and DBS checks, two additional attendants would be recruited.

The mini golf kiosk would continue to be an official leaflet distribution outlet for Visit Durham with the literature rack available within the kiosk to signpost visitors to other attractions in the local area. This was provided and stocked on a regular basis at no cost to this council. Free use of the course would again be available to local schools during term time for practical lessons and also available for private hire by groups and organisations outside the normal operating hours. Information about hire of the course, Booking Forms and Terms of Hire were available on the town council's website.

In 2018, a generic banner advertising the mini golf course was hung in the banner frame at the entrance to Scar Top during the season. This would continue for 2019.

Pursuant to Minute 50(b)/Dec/18, it was resolved that, in principle, a credit/debit card payment facility be introduced to the Mini Golf Service for the 2019 season, subject to a cost-benefit comparison of different providers.

There were arrange of solutions available to enable card payments to be taken. The most affordable solution, at an approximate net cost of £100, was to purchase an android mobile phone (no subscription), to be topped up monthly, plus a transaction fee to the town council of 1.75%.

Resolved – (a) That the operating arrangements for the 2019 Mini Golf season be confirmed;
(b) That it be delegated to the Clerk to authorise external decoration of the Mini Golf Kiosk, up to net cost of £500, in line with Financial Regulation 4a; and
(c) That a provider for electronic card payments for 2019 Mini Golf season be determined.

68. WEDNESDAY MARKET

(i) General Update

In the eight weeks from 12 December to 6 February, inclusive (excluding 26 December when there was no Wednesday Market) total rental receipts were £862.50, an average of £108 per week. There had been one new trader. One charity benefitted from the free charity pitch. The waiting list stood at fifteen.

Pursuant to Minute 51(b)/Dec/18, when it was resolved that a request be made to Durham County Council to consider moving street trading in Barnard Castle from 'Prohibited Streets' to 'Consent Streets', a letter was sent to DCC Regeneration and Local Services on 20 December. An email response was received on 21 December from DCC Licensing Manager, explaining the process to be followed. A senior management report would follow a pre-consultation phase. Subject to senior management approval, the statutory consultation process would then be followed. The consultation period was for 28 days.

Following this formal public consultation, the matter would then be decided on by the General Licensing and Registration Committee.

If approved, and subject to any appropriate controls deemed necessary e.g. road traffic measures etc., the committee would make a resolution to designate the streets as consent streets to come into force from a date not less than one month following the date the resolution was made.

The timescale was approximately 3 to 4 months to make or change a street trading designation.

(ii) 'Services Operative' – Specification

Following the approval of the 2019/20 budget, provision had been made for an additional member of staff to undertake manual duties, including the Wednesday Market.

As part of the operation of the Wednesday Market, there were two stints of supervision required on site as well as the set-up and taking down of no parking signs. 'No Parking' signs were placed at four locations on Tuesday afternoons. This took approximately 15 minutes in a route from and back to Woodleigh. On Wednesdays, additional signs were placed at 7:30, bollards at three points on the market access road were raised and the 'No Access' and 'No Parking' signs must be checked and reset, as required. The set-up of the market was supervised on site from 7:30 to 9:00. During this 90 minute period the defibrillator cabinet was checked weekly. Rents were collected at 11:00, which took up to 30 minutes. In total, preparing for and supporting the Wednesday market took up between two and a quarter and two and a half hours per week.

Recommendation – (a) That the information be noted; and
(b) That the tasks outlined for Wednesday Market be recommended to Resources Committee on 4 March as part of the Job Description of a 'Services Operative' to cover relevant duties.

69. FLORAL AND OPEN SPACES

(i) Floral Displays 2019/20

The quotation for the 2019/20 floral displays contract were considered in confidential session, under item 75, below.

(ii) Upper Demesnes Haymeadow

Pursuant to Minute 26(ii)/Jul/18, when it was reported that North Pennines AONB Partnership had surveyed the Haymeadow as part of the 'Plugging the Gaps' project and planted approximately 400 plug plants collected in Teesdale, recommendations had been received about the planting and management. It was suggested that the area of the hay meadow containing the plug plants was cut once a year, preferably in September, once the wildflowers had finished flowering and the cuttings removed. Many of the wildflowers were late-flowering, slow-growing perennial plants.

If the area became dominated by coarse grasses or weeds, such as nettles, the area might also be cut in March-April and the cuttings removed.

(iii) Operation Spruce Up

Pursuant to Minute 40(ii)/Oct/18, Cllr Peat, the Clerk and Deputy Clerk met with Steve Johnson, Durham County Council (DCC) on 22 January to update on actions as a result of Operation Spruce Up in the town, overseen by DCC. A trial recycling bin was to be positioned by the entrance to Scar Top, with further bins replacing current bins around town if deemed successful. Weeding and planting around the town was continuing.

Resolved – That the information be noted.

70. PUBLIC SEATS

There was nothing to report.

Resolved – That the information be noted.

71. WAR MEMORIALS

(i) General Update

Pursuant to Minute 43(b)/Oct/18 and Council Minute 86(2)(vi)(h)/Jan/19, a suitable stone for the Merchant Navy Memorial had been found and was now in-situ in the Remembrance Garden, Galgate Greens. A plaque was awaited. It was suggested that appropriate wording should be brought to the next meeting following consultation with Merchant Navy representatives.

(ii) North East War Memorials Project

A letter was circulated from North East War Memorials Project (NEWMP) requesting financial support for the bespoke website. Members felt that information was already replicated on The Bowes Museum WWI site.

Resolved – That no financial support be given to North East War Memorials Project.

72. DOG FOULING

An email from a concerned resident had flagged up a particular hotspot for dog fouling on Galgate. It was suggested that Durham County Council's 'Do It Online' web portal (<https://doitonline.durham.gov.uk/>) for reporting was perhaps not widely known about. Observation and reporting, enabling the Wardens to establish patterns and intelligently target known irresponsible behaviour, was helpful and was practically the biggest assistance that anyone locally could provide.

Durham would cleanse 'hot spots' and would investigate where there was a reasonable chance of catching repeat offenders. Durham's enforcement powers allowed them to take effective action where this was needed.

The Clerk had asked DCC for an update on monitoring and inspection activities in Barnard Castle Parish under the Public Space Protection Order (PSPO).

Resolved – That Durham County Council's 'Do It Online' web portal for dog fouling reporting be widely publicised.

73. DURHAM WILDLIFE TRUST

Pursuant to Minute 44/Oct/18, when it was resolved that further discussions be held with Durham Wildlife Trust (DWT) with regards to improving access to the path leading from the Lower Demesnes to the River Tees, it was proposed to open out the vista near where people park on the Lower Demesnes and carry out works to Flatts Wood paths. DWT had suggested a further meeting with the town council and DCC.

Resolved – That the information be noted.

74. BIG SPRING CLEAN

Submitted a request to contribute to the Big Spring Clean campaign occurring in County Durham and Darlington. Litter-pick sticks and bags were provided free of charge and arrangements were made to collect all bagged litter. Barnard Castle Ramblers had once again expressed an interest in joining forces with the town council. Traditionally, the town council organised the litter pick on the Saturday morning before Easter weekend. It was suggested that Marwood Parish Council might wish to join forces to litter pick their areas.

Resolved – (a) That the town council supports the 2019 Big Spring Clean on Saturday 30 March 10am to 12noon; and

(b) That it be noted that the Ramblers' Association would be undertaking a litter pick of Gypsy Lane, in Marwood Parish on Sunday 24 March..

75. EXCLUSION OF PRESS AND PUBLIC (IN RESPECT OF CONTINUATION OF ITEM 69(I) AND ITEM 76, BELOW)

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 69(i) and item 76, below.

76. ALLOTMENT TENANCY ISSUE

Submitted: A report seeking the committee's discretion in the application of allotment rules for an existing tenant.

Resolved – That, in this particular instance, approval be given for the current tenants to take over the tenancy of Crook Lane, Allotment Garden 6, in addition to their current garden, and be charged for one garden per annum with the proviso that they continue to manage the communal area.

77. FLORAL DISPLAYS 2019/20 QUOTATIONS

Quotations for the 2019/20 floral displays were submitted by two contractors.

Resolved – That the 2019/20 floral display contract be awarded to One3One Solutions (HMYOI Deerbolt), with an instruction that spring bulb planting be incorporated in the winter planting scheme submitted