

**BARNARD CASTLE TOWN COUNCIL  
COUNCIL MEETING**

**7<sup>TH</sup> SEPTEMBER, 2009**

(NOTE – Prior to the meeting, in accordance with the decision at Minute 186(2)/Mar/09 and for the third meeting in succession, a 15-minute slot was allocated for public participation. No questions had been raised in advance and no members of the public were present at the meeting.)

**PRESENT:-** Councillor Yarker (Town Mayor)(in the Chair); Councillors Mrs Bailes, Blissett (Minutes 61 to 75 inclusive), Cooke, Mrs Dixon, Mrs Hamilton, Harrison, Hinchcliffe (Minutes 61 to 65, 71 and 75), Watson and Wood (Minutes 61 to 64 inclusive).

**Also in attendance:-** Mr O. Graham (Groundwork North East)(for Minute 71 only).

**61. APOLOGIES:-** Councillors Peat and Wheeler.

**62. DECLARATIONS OF INTEREST**

In accordance with standard local government procedures, 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. There were no declarations of interest at this juncture.

**63. EXCLUSION OF PRESS AND PUBLIC (in respect of Minutes 64 and 65 below)**

**Resolved** – That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the matters referred to at Minutes 64 and 65 below on the grounds that they may involve the likely disclosure of exempt information as defined in Parts 1 and 7 of Schedule 12A of the said Act.

**64. APPLICATION OF MEMBERS' CODE OF CONDUCT**

Submitted – Pursuant to Minute 60/Aug/09, a report on the specific comments and views expressed at the Council meeting on 20<sup>th</sup> July, 2009, about which a number of Councillors had concerns. The issues involved were discussed in detail, with the Member in question responding accordingly. He also raised issues of concern to him.

**Resolved** – That the Member in question be asked to confirm that he will respect the terms and conditions of the Members' Code of Conduct and that he is willing to respect other Members of Barnard Castle Town Council and its officers and will work with them both politely and in harmony.

(NOTE – The Member in question immediately stated that he was happy to confirm and accept the above).

**65. TOWN COUNCIL'S OFFICE – SECURITY**

Submitted – Pursuant to Minute 52/Jul/09, a further report on this council's office security arrangements, including details of health and safety requirements and possible future accommodation options.

**Resolved** – That Durham County Council be contacted for advice on further security options for this Council's office and for further information on possible future accommodation options, including Woodleigh and Teesdale House.

(The press and public returned to the meeting at this point)

(NOTE - At this point, the Clerk requested that agenda items 71 and 75 (concerning the Dawson Road Playingfield Proposals and Service and Project Updates) be brought forward for consideration and this was agreed.)

#### **71. DAWSON ROAD PLAYINGFIELD – PROPOSALS**

Submitted - Pursuant to Minute 47(2)/Jul/09, the final proposals from five play companies for Phase 1 of the Dawson Road playingfield project were on display at the meeting. Mr O. Graham of Groundwork North East was in attendance to give further details of the equipment and answered Members' questions.

It was also reported that Dawson Play (the local community group) had had to postpone their 'Barney's Biggest Tombola' event scheduled for 5<sup>th</sup> September, 2009 but it had subsequently been rescheduled for 19<sup>th</sup> September, 2009. This event would be used for the final community consultation exercise. The preferred equipment options would be incorporated in a tender document that Groundwork North East would submit, on behalf of this Council, to contractors by 25<sup>th</sup> September, 2009, with responses to be received back at this Council's office no later than 15<sup>th</sup> October, 2009. Consequently, in accordance with this Council's Financial Regulations, at least one Member was required to be present with the Clerk when the tenders were opened. Subsequently, a report would be submitted to the Council meeting scheduled for 19<sup>th</sup> October, seeking determination of the preferred contractor.

It was confirmed that Dawson Play, with the help of Groundwork North East, was continuing to pursue grants from Community Spaces and Veolia Environmental Trust and those funds would be used towards Phase 2 of the project.

**Resolved** – (a) That the proposals, as submitted, for Phase 1 of the Dawson Road playingfield project be agreed as a basis for the final community consultation exercise.  
(b) That unless anything untoward is proposed and subject to the associated finance being available, the preferences arising from the consultation exercise be included in the tender document.  
(c) That it be agreed that Councillor Harrison be present for the receipt of tenders process.  
(d) That Mr O. Graham be thanked for his attendance.

#### **75. SERVICE AND PROJECT UPDATES**

Submitted – A report providing updates of some of this Council's services and current projects. The four items included in the report were as follows:-

##### **(1) War Memorials**

It was reported that the work to the main Memorial in The Bowes Museum grounds, the Durham Light Infantry (DLI) Memorial in the same grounds and the Boer War Memorial in upper Galgate commenced on 10<sup>th</sup> August, 2009, with P & S Coverdale Masonry Contractors Ltd carrying out the restoration, repair and cleaning work, albeit that some of the work was temporarily halted because of the filming of the 'Antiques Roadshow' in The Bowes Museum grounds. It was commented that P & S Coverdale should be commended on their co-operation to date.

It was stated that grants for all three Memorials had now been obtained and that, notwithstanding the grants received, this Council was contributing more than 50 per cent of the overall cost. It was hoped that the work to all three Memorials would be complete by mid to late September 2009, with the work to the surrounds to the main Memorial then to be undertaken before Remembrance Sunday 2009. No detailed costings had yet been agreed for the work to the surrounds but it was considered that there was sufficient Council funding available to meet all eventualities.

As far as the surrounds to the DLI Memorial were concerned, Members were reminded that this Council had decided to take no action at this stage, primarily because of funding difficulties but also because The Bowes Museum's impending landscape study and the installation of an adjacent footpath by the Barnard Castle Vision team had to be taken into account.

**Resolved** – That the updated situation be noted.

### **(2) Allotment Issues**

It was reported that, at a meeting of the Allotments and Play Areas Working Group on 3<sup>rd</sup> August, 2009, Members were asked to decide on the preparation work considered necessary for the Crook Lane site to become allotment garden plots. In addition, it was decided that three businesses should be asked to submit quotations to carry out the work. At a further meeting of the Working Group on 7<sup>th</sup> September, 2009, it was determined that the quotation submitted by Trevor Atkinson & Co Limited be accepted.

Other issues discussed at the Working Group meeting on 3<sup>rd</sup> August included the formation of allotment associations, the revised list of allotment representatives and rodenticides.

**Resolved** - That the updated situation be noted.

### **(3) Newsletter**

It was reported that the Editorial Board had met on 3<sup>rd</sup> August, 2009 to determine the articles to be included in the Summer 2009 edition of the Newsletter (No.10). An eight-page edition had once again been produced and was due for circulation during the week commencing 7<sup>th</sup> September, 2009, using the same distribution arrangements as previously. Copies of the Newsletter had been previously sent out to Councillors.

Also at the Board meeting on 3<sup>rd</sup> August, there was an initial discussion on the future of the Newsletter. It was agreed that the current format should remain for Newsletters published during 2009/10 and until the Quality Status process had been completed. It was provisionally agreed that a more flexible approach might be adopted in respect of the size of the Newsletters from 2010/11 onwards. Cost comparisons would be further investigated by the Board for submission as part of the 2010/11 budgetary process.

**Resolved** – That the updated situation be noted.

### **(4) Castle Floodlights**

It was reported that, whilst preparations in respect of the new Castle floodlights had been at an advanced level for some time, further delays had been encountered. Durham County Council's bat survey had shown that there were no colonies of bats in the vicinity of the Castle. All new lampposts and lamps had been ordered and notification of delivery dates was awaited. The tenders for the floodlights themselves had been returned to the County Council for assessment. The footpath closure would only be instigated once all of the equipment had been delivered.

A launch event was to be organised (by the Town Council and the Barnard Castle Vision) once a project completion date was imminent. It was looking increasingly unlikely that the event would take place at Halloween.

**Resolved** – That the updated situation be noted.

**66. COUNCIL MEETING – 20<sup>TH</sup> JULY, 2009 – MINUTES**

**Resolved** – That the Minutes be accepted as a true and accurate record.

**67. SPECIAL COUNCIL MEETING – 10<sup>TH</sup> AUGUST, 2009 – MINUTES**

**Resolved** – That the Minutes be accepted as a true and accurate record.

**68. 'EN BLOC' ITEMS**

Submitted – In accordance with Minute 72/Aug/04, a further set of items with the accompanying recommendations to be moved 'en bloc'. The four items considered at the meeting were as follows:-

**(1) Planning Committee Meeting – 20<sup>th</sup> July, 2009 – Minutes**

**Resolved** – That the Minutes be received.

**(2) Planning Committee Meeting – 3<sup>rd</sup> August, 2009 – Minutes**

**Resolved** – That the Minutes be received.

**(3) Planning Committee Meeting – 24<sup>th</sup> August, 2009 – Minutes**

**Resolved** – That the Minutes be received.

**(4) Mayoral Activities**

It was reported that, since the Council meeting on 20<sup>th</sup> July, 2009, the Town Mayor and Deputy Town Mayor had attended the following:-

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|---------------------------------|--|
| <b>22<sup>nd</sup> July</b>     | <b>(Town Mayor accompanied by Town Mayoress (Mrs Marie Yarker))</b><br>Richmond Town Council's Heritage Day, including guided tours of places of interest in Richmond. |
| <b>8<sup>th</sup> August</b>    | <b>(Town Mayor)</b><br>Informal meeting with Ms. D. Jenkins of the Barnard Castle Vision.  |
| <b>28<sup>th</sup> August</b>   | <b>(Town Mayor accompanied by Town Mayoress)</b><br>Opening of Zara Countrywear shop (Market Place).   |
| <b>28<sup>th</sup> August</b>   | <b>(Town Mayor accompanied by Town Mayoress)</b><br>'Meet our Olympians' celebration evening (The Cricketers Arms).  |
| <b>29<sup>th</sup> August</b>   | <b>(Town Mayor accompanied by Town Mayoress)</b><br>Old Comrades of L(Nery) Battery Twentieth Reunion (Barnard Castle Rugby Club).                                     |
| <b>3<sup>rd</sup> September</b> | <b>(Deputy Town Mayor)</b><br>Durham Rural Community Council's Participatory Budgeting Event.  |

**Resolved** – That the information be noted.

## **69. REPRESENTATION ON OTHER BODIES**

### **(1) South West Durham Heritage Corridor Partnership – Update**

Pursuant to Minute 218(1)/Apr/09, Councillor Cooke reported that the South West Durham Heritage Corridor Partnership was continuing to make progress in respect of Stage 2 of the project and it was confirmed that the new Project Manager was seeking more funding for the project. However, the Working Group were still in the process of obtaining agreements with those private land-owners whose land included the Heritage Line in order to continue with the project. It was also reported that there was now a link from the Council's website to the Partnership's website.

Concerns were raised in respect of the Heritage Line being available for multi-users (such as cyclists and walkers using the path at the same time) and it was agreed that those concerns would be conveyed at the next meeting of the Partnership scheduled for 16<sup>th</sup> September, 2009.

**Resolved** – That the information be noted.

### **(2) Teesdale Local Councils' Forum – Update**

Submitted - Pursuant to Minute 41(3)/Jul/09, a report on further discussions about the membership of the Teesdale Local Councils' Forum, with particular reference to attendances at meetings. With the Teesdale Action Partnership scheduling its meetings up until the Spring of 2010, the Forum was being asked, at its next meeting on 14<sup>th</sup> September, 2009, to agree to a sequential schedule of meetings. As all of those meetings were scheduled for Mondays, there was a danger that clashes would occur with Town Council meetings.

It was also reported that at the 14<sup>th</sup> September Forum meeting, consideration would be given to the appointment of a representative for 2009/10 on the Executive Committee of the County Durham Association of Local Councils.

**Resolved** – That the information be noted.

## **70. COUNTY DURHAM ASSOCIATION OF LOCAL COUNCILS – EXECUTIVE COMMITTEE – NOMINATIONS**

It was reported that the Annual General Meeting of the County Durham Association of Local Councils was to take place on 31<sup>st</sup> October, 2009. The Association had resolved that all member local councils should indicate whether they wished to make nominations to a number of specific positions on the Association's Executive Committee. Individual councils could each either put forward different nominees or indicate that they were happy with the existing postholder being renominated.

The membership of the Association's Executive Committee, as from the Annual General Meeting, would be the 6 postholders referred to above, 14 members nominated by the 14 local forums of the Association and 'members of a kindred spirit'. As stated at Minute 69(2) above, the Teesdale Local Councils' Forum was scheduled to meet on 14<sup>th</sup> September, 2009 and to agree its nomination at that meeting. The local forums' appointments will be automatic appointments.

**Resolved** – That the County Durham Association of Local Councils be advised that no other nominations are being put forward from this Council.

## **71. DAWSON ROAD PLAYINGFIELD – PROPOSALS**

Considered earlier in the meeting.

## **72. DURHAM COUNTY COUNCIL/TEESDALE ACTION PARTNERSHIP ISSUES**

Submitted – Pursuant to Minute 42/Jul/09, a report incorporating an update on Durham County Council issues and specifically referring to the Charter between the County Council and local councils. It was hoped that the Charter would be agreed by all councils at the County Durham Association of Local Councils' Annual General Meeting on 31<sup>st</sup> October, 2009. However, it was understood that the officers involved had been redirected to another project so there could be a further delay.

It was also reported that the double taxation issue could reach a conclusion by the end of September 2009. This would enable local councils to include proposed figures in their budgetary deliberations. Further information on each council's situation had been sought via the County Durham Association, with a deadline of 11<sup>th</sup> September, 2009.

An update was also provided on the Teesdale Action Partnership, including details of the first meeting of the Partnership on 23<sup>rd</sup> July, 2009. Discussion ensued on the fact that the Co-ordinator was not yet in post which raised concerns that the Partnership funding might not be distributed effectively before the end of the financial year. Additionally, it was considered that town and parish council representation on the Action Partnerships was still insufficient.

**Resolved** – That County Councillor Bell be contacted regarding a working relationship in respect of any issues raised via the Teesdale Action Partnership and its Task Groups relating to Barnard Castle.

## **73. BARNARD CASTLE VISION**

Submitted – Pursuant to Minute 43/Jul/09, a fourth briefing note jointly written by Mrs A. Ward of the Barnard Castle Vision and the Clerk which provided an update on the Vision's ongoing projects, with particular reference to the presentation on Town Council matters to be given at the next Members' briefing session scheduled for 17<sup>th</sup> September, 2009.

Discussion ensued on the various advertisements that were shown in The Box in Galgate and it was considered disappointing that information about the Wednesday Market was not included.

**Resolved** – That the information be noted.

## **74. STREET/DEVELOPMENT NAMING AND NUMBERING**

Submitted – Pursuant to Minute 58/Aug/09 and the consideration given to the naming of the care home development at John Street, a report summarising the intricacies of the naming and numbering processes involving Durham County Council and local councils. Members expressed their disappointment that local councils' views were not given greater consideration.

**Resolved** – That Durham County Council be urged to work in conjunction with this Council on future street/development naming and numbering matters.

## **75. SERVICE AND PROJECT UPDATES**

Considered earlier in the meeting.

**76. SOCIETY OF LOCAL COUNCIL CLERKS – REGIONAL CONFERENCE – 9<sup>TH</sup> JUNE, 2009**

It was reported that, pursuant to Minute 217/Apr/09, the Assistant Clerk and one of the Service Administrators had attended the Annual Regional Conference of the Society of Local Council Clerks at Peterlee on 9<sup>th</sup> June, 2009. The Conference had proved to be extremely beneficial to both members of staff, with a number of key issues addressed and plenty of opportunity to 'network' with other local council clerks. Information was provided on the Conference's component parts.

**Resolved** – That the information on the 2009 Regional Conference be noted.

**77. USE OF BUDGETARY CONTINGENCIES**

Submitted – A report summarising the following four potential projects, the costs of which the Council had previously agreed to investigate:-

- i) Bede Road Bus Shelter – Installation of a Seat;
- ii) Charles Dickens/King's Court Care Home Blue Plaque;
- iii) Blue Plaque Trail Leaflet; and
- iv) Memorial Plaque – Diana, Princess of Wales.

It was highlighted to Members that, despite the use of the Contingencies budget for a recent small project, the use of the Contingencies budget was normally for projects which were considered urgent and/or had associated health and safety issues. Furthermore, it was considered that if other projects were suggested during the year, those projects should be investigated and assessed as part of the Council's main budgetary process for possible implementation the following year. Members' views were sought on how best to consider the proposed projects.

**Resolved** – (a) That it be agreed that the Contingencies budget continue to be specifically used for projects which are considered urgent and/or have associated health and safety issues.

(b) That the four projects listed above be considered during the 2010/11 budgetary process.

**78. CITY OF CULTURE BID**

It was reported that the Executive Committee of the County Durham Association of Local Councils had given its support to Durham County Council's City of Culture bid for 2013 and had asked individual local councils whether they would like to lend their support to the bid, the themes of which were listed. The County Council had stated that all areas of the County would benefit from, and be involved in activities arising from, a successful bid which should bring economic, social and cultural rewards, leaving a lasting legacy. Expressions of interest had to be submitted by 16<sup>th</sup> October, 2009. It was also reported that the Teesdale Action Partnership had indicated its support for the bid.

**Resolved** – That Durham County Council be advised that this Council fully supports the City of Culture bid for 2013 in anticipation of Teesdale benefiting from the economic, social and cultural rewards.