

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING**

7TH DECEMBER, 2009

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

PRESENT:- Councillor Yarker (Town Mayor)(in the Chair); Councillors Mrs Bailes, Blissett, Cooke, Mrs Dixon, Mrs Hamilton, Harrison, Hinchcliffe (Minutes 104 to 112 inclusive), Peat, Watson and Wood.

Also in attendance:- Police Constable Marsh and Williamson (Barnard Castle Police) (for Minute 106 only).

104. APOLOGIES:- Councillor Wheeler.

105. 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.

106. ATTENDANCE OF POLICE REPRESENTATIVE

In accordance with the arrangements agreed at Minute 176(b)/Mar/09, Police Constable D. Williamson and Police Constable H. Marsh from Barnard Castle Police attended the meeting. Members were informed of current priorities which included the Police and Communities Together (PACT) priorities, Operation Winter Nights, crime trends and policing during the Christmas period. A 'question and answer' session ensued with references made to the Community Speedwatch scheme and Neighbourhood Watch.

Resolved – That Police Constable Williamson and Police Constable Marsh be thanked for their attendance.

107. COUNCIL MEETING – 19TH OCTOBER, 2009 – MINUTES

Resolved – That, subject to the addition of Councillor Peat to those present at the meeting, the Minutes be accepted as a true and accurate record.

108. '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 ten items considered at the meeting were as follows:-

(1) Planning Committee Meeting – 19th October, 2009 – Minutes

Resolved – That the Minutes be received.

(2) Administrative Support Committee Meeting – 21st October, 2009 – Minutes

Resolved – That the Minutes be received.

(3) Special Modernisation Committee Meeting – 21st October, 2009 – Minutes

Resolved – That the Minutes be received.

(4) Planning Committee Meeting – 2nd November, 2009 – Minutes

Resolved – That the Minutes be received.

(5) Finance Committee Meeting – 2nd November, 2009 – Minutes

Resolved – That the Minutes be received.

(6) Modernisation Committee Meeting – 9th November, 2009 – Minutes

Resolved – That the Minutes be received.

(7) Planning Committee Meeting – 16th November, 2009 – Minutes

Resolved – That the Minutes be received.

(8) Special Modernisation Committee Meeting – 19th November, 2009 – Minutes

Resolved – That the Minutes be received.

(9) Finance Committee Meeting – 23rd November, 2009 – Minutes

Resolved – That the Minutes be received.

(10) Town Mayor's Activities

It was reported that, since the Council meeting on 19th October, 2009, the Town Mayor had attended the following:-

- 4th November** Barnard Castle School's visit with County Councillor Rowlandson to Teesdale House to discuss how a council works.
- 8th November** **(accompanied by Consort (Mrs Diane Gregory))**
Remembrance Sunday – Church Service and Further Act of Remembrance.
- 11th November** Armistice Day Remembrance – Laying of wreath at Durham Light Infantry Memorial in The Bowes Museum grounds in conjunction with Durham County Council.
- 27th November** **(accompanied by Town Mayoress (Mrs Marie Yarker))**
Hadrian Healthcare Group - Official opening of Orchard Manor.
- 27th November** **(accompanied by Town Mayoress)**
Town Council's Christmas Festival Event 'Around the Tree'.

Resolved – That the information be noted.

109. REFERRAL FROM MODERNISATION COMMITTEE – TRAINING PROGRAMME 2010/11

Reference was made to the recommendation of the Modernisation Committee, at Minute 25 of the set of Minutes at sub-section (3) of Minute 108 above, regarding a prospective training programme for 2010/11 which was considered to be a natural progression from the 2009/10 training programme and remained in line with the 'Training Statement of Intent' which was one of the mandatory Tests in the Quality Council scheme. The Modernisation Committee had been mindful of the fact that the proposed 2010/11 training budget was likely to remain at £1,500 (Finance Committee Minute 27(a)(2)/Nov/09 refers).

Resolved – That the training programme for 2010/11, the schedule of further training for inclusion in that programme if practical and the resultant initial training requirements for 2011/12, as now submitted, be approved.

110. 2010/11 NEW BUDGETARY ITEMS

Submitted – Pursuant to Finance Committee Minute 31/Nov/09, a report outlining new items for potential inclusion in the Council's 2010/11 budget. It was confirmed that, at this stage, the Council was not making final decisions as to included budgetary items, albeit that a number of deferred/excluded items would not re-appear later in the budgetary process.

Resolved – (a) That the recommendations of the Finance Committee be approved as follows, with those items incorporating budgetary amounts progressing to the next stage of the budgetary process:-

- (1) Bede Road Bus Shelter – Installation of Seat - £150;
- (2) Charles Dickens/King's Court Care Home - Blue Plaque - £106;
- (3) Blue Plaque Trail Leaflet - That consideration of this item be deferred and not be included in the prospective 2010/11 budget, pending investigations to be made into alternative funding options;
- (4) Memorial Plaque – Diana, Princess of Wales - £60;
- (5) War Memorial Plaque and Book of Remembrance - That consideration of this item be deferred and not be included in the prospective 2010/11 budget, pending further investigations as to where the Book of Remembrance would be located and who would be eligible to be named on the War Memorial Plaque;
- (6) Play Areas – Inspection Repairs and Signage - (a) That the relevant contractors be contacted to establish any equipment/installation guarantees; and
(b) That the outcome of (a) above be considered at the next Finance Committee meeting scheduled for 21st December, 2009;
- (7) Valuation and Repair of Chains of Office - £500;
- (8) Development of Mayoral Role – Citizenship Award - That consideration of this item be deferred and not be included in the prospective 2010/11 budget, pending potential sponsorship funding being sought;
- (9) Improved Website - That consideration of this item be deferred and not be included in the prospective 2010/11 budget, pending further quotations being sought;
- (10) Office Move - £5,000;
- (11) Laptop and Software for Clerk - £800;
- (12) Services Administrators – Balancing of Salaries – Considered at Minute 123 (C) below;
- (13) Pensions/Gratuities – Considered at Minute 123 (A) below;

- (14) 'Barnard Castle' Signs - That consideration of this item be deferred and not be included in the prospective 2010/11 budget, pending investigations being made into alternative funding;
- (15) Business Interruption Cover - £50;
- (16) Legal Cover - £50;
- (17) Nameboard at Teesdale House - £400; and
- (18) Market Place Public Toilets – Considered at Minute 114 below.

111. REPRESENTATION ON OTHER BODIES

(1) Barney Guild – Meeting on 27th October, 2009

Councillor Peat reported that he had attended (as this Council's representative) a Barney Guild meeting on 27th October, 2009. He gave a brief summary of items discussed at that meeting, including the fact that the Guild would support the re-opening of the Market Place public toilets.

Resolved – That the information be noted.

(2) Teesdale Local Councils' Forum – Update

Submitted – Pursuant to Minute 86(2)/Oct/09, a report confirming that a Special meeting of the Forum (with the future of the Forum the only agenda item) had been scheduled for 9th December, 2009. Attached to the submitted report was a discussion paper (incorporating options for the future of the Forum) produced by the Forum's Chairman and Vice-Chairman, including options involving departure from the County Durham Association of Local Councils.

Resolved – That the Forum be advised that this Council supports the option of no change to the current arrangements.

112. DURHAM COUNTY COUNCIL/TEESDALE ACTION PARTNERSHIP ISSUES

Submitted – A Teesdale Action Partnership document incorporating updates on the Playbuilder funding programme, a Board meeting summary and the Partnership's priorities. It was noted that the Market Place public toilets were referred to as being Victorian. However, it was known that that was not the case.

Resolved – (a) That the Teesdale Action Partnership be advised that the Market Place public toilets are not Victorian but, having been built in 1913, are Edwardian.
(b) That the overall information be noted.

113. BARNARD CASTLE VISION

Submitted – In accordance with the standard arrangements, a 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. It was also reported verbally that copies of all Sub-Group meeting Minutes would in future be posted on the Vision's website. Discussion ensued in respect of the Clerk's or the Assistant Clerk's current non-attendance at the Sub-Group meetings due to the overall workload and competing priorities and the circulation of Vision press releases to Members.

Resolved – (a) That the attendance of the Clerk or the Assistant Clerk at Vision Sub-Group meetings be discretionary, i.e. when it is considered to be of particularly beneficial use to this Council.
(b) That all Vision press releases be issued upon receipt to Members, via email where possible.

114. MARKET PLACE PUBLIC TOILETS – PROPOSED RE-OPENING

Submitted – A report updating Members regarding the proposed re-opening of the Market Place public toilets, including potential capital costs in respect of their refurbishment and annual revenue costs. It was also reported that the Teesdale Action Partnership had agreed to contribute capital funding, with local County Councillors also being asked to 'chip in', and should any shortfall arise, it had been suggested that this Council could make a capital contribution. This would be in addition to the prospective annual revenue contribution which might be reduced if Durham County Council made a contribution.

Resolved – That this Council agrees in principle to the Market Place public toilets being re-opened, subject to the full capital costs of refurbishment and the annual revenue costs being confirmed.

115. SERVICE AND PROJECT UPDATES

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

(1) War Memorials

It was reported that the restoration project covering the three main War Memorials in the Town was largely complete. Investigations were being carried out regarding the insurance arrangements.

Investigations were being undertaken with regard to the possibility of regilding some of the lettering on the main Memorial. Whilst that process did not form part of the original restoration work, following a promise of a donation from a local businessman towards the possible cost, discussion had taken place with the War Memorials Trust with regard to possible additional grant-funding.

It was also reported that one of the Service Administrators had attended a conference run by the War Memorials Trust in Newcastle upon Tyne on 2nd December, 2009. The Conference covered the expectations and role of custodians, including the setting-up of a maintenance plan for each Memorial.

Resolved – That the updated situation be noted.

(2) Christmas Lights Update

Pursuant to Minute 56(3(i))/Aug/09, it was reported that the three-year Christmas lighting improvement project had commenced. It was acknowledged that there were a number of motifs still not working correctly but efforts were being made for rectification as a matter of urgency.

It was also reported that the improvements to the Market Cross lighting had been hampered by the need for Listed Building Consent and an insufficient timescale to complete the work. However, the project would be progressed early in 2010 to ensure that the display would be fully operational for the 2010 Christmas period.

Resolved – That the information be noted.

(3) Castle Floodlights

It was reported that, pursuant to Minute 89(2)/Oct/09, the first phase of the overall Castle floodlights scheme had commenced and a new and improved set of street lights were installed, with the installation of a pole near the bridge and the disconnection of two old poles requiring attention before the work was considered complete. It was anticipated that the installation and commissioning of the floodlights would now take place in January 2010.

Discussions were ongoing about an associated 'switch-on' event and it was intended that the Town Council would have full involvement in the arrangements for that event.

Resolved – That the updated situation be noted.

(4) Allotments and Play Areas Issues

Following a meeting of the Allotments and Play Area Working Group on 20th October, 2009 and pursuant to Minute 89(3)(b)/Oct/09, it was reported that work was almost complete on the conversion of the Crook Lane site to allotment garden plots. The installation of the water supply had been delayed but the site was in the process of being mapped into allotment plots. It was considered that the majority of the plots would be classed as half-plots.

It was also reported that work on Phase 1 of the Dawson Road play area would commence early in 2010. This was due to the unexpectedly long lead-in time required for the items of equipment. Additionally, planning permission had had to be applied for as one of the items of equipment would be 4 metres high when installed.

Resolved – That the information be noted.

(5) Poppy Appeal 2009

A summary was provided of the arrangements surrounding the Poppy Appeal 2009. References were made to the efforts of Mr G Moore, Councillors Harrison, Peat and Yarker (Town Mayor) and Mrs R Peat and to Barclays Bank for the counting arrangements. The amount raised from Street, House-to-House and static collections was £5656.85 which was £355.72 lower than the 2008 collection.

Resolved – That the information be noted.

(6) Annual Floral Competition

A summary was provided of the Garden Competition Working Group meeting on 20th October, 2009, when it was determined that the Competition arrangements for 2010 should be progressed on a similar basis to that of the 2009 Competition, with the inclusion of local school and nursery children's gardens to be considered.

It was also recommended that the Working Group's name should change to reflect the extended Competition categories.

Resolved – (a) That it be agreed that the Garden Competition Working Group be renamed the Floral Competition Working Group.

(b) That the arrangements for the 2010 Floral Competition be noted.

(7) The Upper Demesnes – Proposed Hay Meadow/Wild Flower Meadow

Pursuant to Minute 96/Oct/09, Councillor Peat provided a verbal update on the further investigations made in respect of the project to provide a hay meadow/wild flower meadow on the Upper Demesnes. This included a response from Durham County Council's Environment Department supporting the project and suggesting that the area could be placed under this Council's management. However, other departments of the County Council had yet to respond to the proposal.

It was also reported that a community meeting was scheduled for 19th December, 2009 to gauge public opinion on the project.

Resolved – That the updated situation be noted.

(8) Newsletter

It was reported that, following the Editorial Board meeting on 27th October, 2009, the eleventh edition of the Newsletter had been intended to be delivered during the week commencing 23rd November, 2009 but that had proved to be impossible. Subsequently, it had been decided that that edition would be a New Year edition, albeit that another Newsletter was due to be issued before the end of the financial year.

The Editorial Board had also agreed at their October meeting to submit to the Finance Committee a 2010/11 recommended budgetary figure of £5,400 for four eight-page editions of the Newsletter. However, the Board had asked for cost comparisons to be sought in respect of the production of the Newsletter and those comparisons would be submitted to an urgent meeting of the Board so that, if recommended, a revised budgetary figure could be submitted to the Finance Committee meeting scheduled for 21st December, 2009.

Resolved – That the overall situation be noted.

116. EVENTS UPDATES

Submitted – A report providing summaries of two recent Council events as follows:-

(1) Remembrance Arrangements

It was reported that the previously agreed changes to the Remembrance Sunday arrangements had taken place as planned (Minute 90(1)/Oct/09 refers) and it appeared that the improvements were well received (with one complimentary letter received). However, despite promptings, the Two Minutes Silence became a longer Silence and there had been widespread criticism of the fact that the wreaths were not laid in the Church. It was considered that further discussion was needed on both issues.

It was also reported that for the first time in Barnard Castle, civic leaders from this Council and Durham County Council formally honoured the Two Minutes Silence on Armistice Day (11th November) and the Silence and laying of wreaths took place at the Durham Light Infantry Memorial in The Bowes Museum grounds, with the Town Mayor laying the first wreath.

Members were also made aware of a written apology from the Director of The Turrets Youth Theatre following the appearance of a photograph in the Northern Echo with members of The Turrets standing on the steps of the main Memorial in The Bowes Museum grounds.

Resolved – That the information be noted.

(2) Christmas Festival Event

Pursuant to Minute 90(2)/Oct/09, it was reported that this Council's Christmas Festival event was generally considered to be a notable success, with about 400 people in attendance. Richmond Town Pipes and Drums delivered Santa who, helped by John Challis and Steve Luck, switched on the Christmas tree lights, with approximately 150 children visiting Santa in his Grotto. Families also enjoyed the other activities, including refreshments, within the Methodist Church Hall.

The winners of the Christmas Decorations Competition organised by the Barney Guild had their prizes (which had been funded by local businesses) presented by the Town Mayor during the event and the Pipes and Drums Band performed on Scar Top until the event finished.

Resolved – That the information be noted.

117. AUDIT OF ACCOUNTS 2008/09 – FINAL REPORT

Submitted – Pursuant to Minute 30/Jun/09 and following completion of the 2008/09 Audit by this Council's External Auditor, a report seeking approval of this Council's 2008/09 Annual Return. The External Auditor had raised two issues requiring decisions from Members and which related to the need to increase the level of Fidelity Guarantee and this Council's Risk Assessment process (see also Minute 118 below).

Resolved – (a) That the 2008/09 Annual Return be approved and accepted, with the issues raised being dealt with as determined at (b) below and at Minute 118 below.
(b) That an increase of £50,000 (resulting in a revised total of £150,000) be made to the level of Fidelity Guarantee.
(c) That it be reconfirmed that the Risk Assessment document be reviewed during the cycle prior to the formulation of the budget each year.

118. RISK ASSESSMENT AND FINANCIAL MANAGEMENT

Submitted – Pursuant to Minute 27/Jun/09, this Council's Risk Assessment and Financial Management document was submitted for review in accordance with the decision to review the document during the cycle prior to the formulation of the budget each year.

Resolved – That the Risk Assessment and Financial Management document, as now submitted, be approved.

119. SUSTAINABLE COMMUNITIES ACT AMENDMENT BILL

Submitted – Pursuant to Minute 92(B)/Oct/09, a report incorporating an interim reply letter from Helen Goodman, M.P. Additionally, seven Members of Parliament had each been given a reasonable opportunity to introduce a piece of legislation, such as a Bill, which might have a chance of becoming law and local councils were being asked to write to those Members of Parliament in an attempt to persuade one of them to adopt the Sustainable Communities Act Amendment Bill.

Resolved – That letters be sent to the seven Members of Parliament asking them to adopt the Sustainable Communities Act Amendment Bill.

120. STREET AND OPEN SPACES CARE – RESTORING CIVIC PRIDE IN OUR TOWN

Submitted – A report by Councillor Watson who expressed concern at what he considered to be the dirty and neglected state of Barnard Castle's streets and open spaces, suggested perceived sources of the problem and put forward recommendations to attempt to improve matters.

Resolved – (a) That this Council convenes a meeting of key personnel (such as representatives of Durham County Council's Street Care, the Street Care Wardens, Police Constable Support Officer for Barnard Castle, Heads of Primary and Secondary Schools, representatives of Youth Organisations in the Town and representatives from the Barney Guild, Barnard Castle Vision and Crime Prevention Campaign to Protect Rural England) to establish a Street Care Strategy Partnership for the Town.
(b) That the Street Care Strategy Partnership should identify resources to support and sustain the strategy and establish the contributory role of each participant within the Strategy, including engaging the community.
(c) That the scope of the Street Care Service and the role of and the working relationship with the newly appointed Wardens be confirmed.

121. CONSULTATION DOCUMENTS

(1) County Durham Local Development Framework – Core Strategy Issues Paper

Submitted - 'The County Durham Plan', officially known as the Local Development Framework issued by Durham County Council.

The document was the first stage in the preparation of the Core Strategy and it would help shape the future of County Durham in respect of issues such as planning, housing, the environment, transport, minerals, waste and renewable energy. Whilst the deadline for comments on the consultation had passed, Members considered that this Council's views should still be submitted. It was highlighted that there would be further consultations on further versions of the document.

Resolved – That Durham County Council be advised of the following views of this Council in respect of the County Durham Local Development Framework – Core Strategy Issues Paper:-

(a) that the development of affordable housing be considered a fundamental issue in Teesdale, particularly in Barnard Castle, to encourage and maintain a younger generation in the area;

(b) that the involvement of town and parish councils in respect of local traffic management issues be considered necessary to aid the delivery of an improved local transport network;

(c) that public transport be re-examined and overhauled to provide a better service to specific locations, such as hospitals and higher education sites; and

(d) that town and parish councils be given a stronger role in respect of planning and economic development issues.

(2) Development of Travel Schemes and Alternatives to Bus Services across County Durham

Submitted – A report outlining proposed changes to Durham County Council's existing travel facilities with the aim of developing a countywide network of accessible vehicles that would complement the existing services and would provide a transport solution for those people who did not have access to a bus service through geographical isolation or could not use conventional bus services through mobility/disability issues.

A new service would be introduced called Link2 which would provide a network of taxibus type services that would cater for travel in places where there was limited or no public transport, or where there were local links that could not be made without a change of bus. However, the service would only be available between 8.00 a.m. and 6.00 p.m. on Mondays to Fridays. It was highlighted that the proposals would mean that the Teesdale Voucher Scheme previously operated by the former Teesdale District Council (allowing a concessionary pass for bus services to be exchanged for travel on taxis and which could be used 24-hours a day, 7 days a week) would be withdrawn.

Resolved – That Durham County Council be advised that the Teesdale Voucher Scheme should be retained due to the rural nature of the area.

122. EXCLUSION OF PRESS AND PUBLIC (in respect of Minutes 123 and 124 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 123 and 124 below on the grounds that they might involve the likely disclosure of exempt information as defined in Parts 1 and 7 of Schedule 12A of the said Act.

123. REFERRALS FROM ADMINISTRATIVE SUPPORT COMMITTEE

Reference was made to the recommendations of the Administrative Support Committee, at Minutes 11, 12 and 13 of the set of Minutes at sub-section (2) of Minute 108 above, regarding the following matters:-

(A) Local Government Employee Pension Scheme

Pursuant to Minute 81/Sep/07, a report updating Members on the request from this Council's employees to join the Local Government Employee Pension Scheme. It was confirmed that there were no alternative employee pension schemes and that the employer contribution rate (currently 19.7 per cent) was not negotiable. Potential current and future costs were provided to aid Members in their deliberations. Members were advised that should a local council determine not to provide a pension scheme, an alternative option was to consider the provision of a retirement gratuity for an employee. It was noted that this item had been included in the list of new items for potential inclusion in the 2010/11 budget recommended by the Finance Committee at Minute 31/Nov/09 and referred to at Minute 110 above.

Resolved – That it be agreed that this Council's employees be provided with the opportunity to join the Local Government Employee Pension Scheme, that a provisional budgetary allocation of £8,000 be included in the 2010/11 budget and that this item progress to the next stage of the budgetary process.

(B) Leave Without Pay

Members were informed of a recent request from an employee regarding the practicality of taking leave without pay. There was no existing relevant policy within this Council's employee policies.

Resolved – That it be agreed that any request for leave without pay only be granted under exceptional circumstances and at the discretion of the Clerk or, in the case of the Clerk, at the discretion of the Council.

(C) Services Administrator – Accelerated Incremental Progression

Members were informed of a letter from a Services Administrator requesting that consideration be given to her accelerated incremental progression because of changed circumstances and an equal level of responsibility with the other Services Administrator. This would result in both members of staff being on the same salary point within the same salary scale with effect from 1st April, 2010. Members were advised of the potential additional costs arising from such a request.

It was noted that this item had been included in the list of new items for potential inclusion in the 2010/11 budget recommended by the Finance Committee at Minute 31/Nov/09 and referred to at Minute 110 above.

Resolved – That it be agreed that the request from the second Services Administrator for an accelerated increment as from 1st April, 2010 be approved, that a provisional additional budgetary allocation of £467 (resulting in a revised total cost for the second Services Administrator of £12,090 and a revised total staffing on-costs figure of £5,840) be included in the 2010/11 budget and that this item progress to the next stage of the budgetary process.

124. MEMBERS' CODE OF CONDUCT – OVERALL SITUATION

Submitted – Pursuant to Minute 100/Oct/09, a report summarising details of a recent complaint submitted to Durham County Council's Standards Committee by a Member of this Council.

An initial assessment of the complaint had been carried out by an Assessment Sub-Committee of the local Standards Committee and details of alternative courses of action which they could have taken were listed along with the subsequent conclusion.

Discussion ensued at the meeting on the overall situation, not least on the Standards Committee's procedures.

Resolved – That this Council's further course of action in this matter, as now discussed, be approved.