

**BARNARD CASTLE TOWN COUNCIL  
COUNCIL MEETING****1<sup>ST</sup> MARCH, 2010**

(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, Peat, Watson and Wood (Minutes 147 to 154 inclusive).

**Also in attendance:-** Mr D. Woods (Chairman of The Witham Hall Trustees)(for Minute 149 only) and Mrs A. Ward (Barnard Castle Vision) (for Minutes 149 and 150 only).

**147. APOLOGIES:-** Councillor Hinchcliffe.

**148. 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. Councillor Mrs Dixon declared interests in respect of Minutes 157 and 158 and took no part in the discussion or voting thereon and Councillor Harrison declared interests in respect of Minutes 157, 158 and 166 and took no part in the discussion or voting thereon.

**149. THE WITHAM HALL REDEVELOPMENT – ATTENDANCE AT MEETING BY TRUSTEES' CHAIRMAN**

As a result of concerns expressed at the Council meeting on 18<sup>th</sup> January, 2010 (Minute 142/Jan/10 refers) in respect of the retail units incorporated within the redevelopment proposals for The Witham Hall, Mr D. Woods, Chairman of The Witham Hall Trustees, attended the meeting and explained the background involved. Mrs A. Ward, representing the Barnard Castle Vision team who were working in partnership with the Trustees, was also in attendance. Members were informed of the current difficulties The Witham Hall was experiencing in raising sufficient revenue to cover ongoing maintenance costs. The redevelopment proposals not only incorporated community activity space but also incorporated the small retail units to effect further means of revenue. The proposed redevelopment also allowed for the expansion of community activity. Mr Woods considered that the retail units would complement existing businesses within the Town and result in additional trade generally. He responded to Members' questions.

**Resolved** – (a) That the information be noted.

(b) That Mr Woods be thanked for his attendance.

**150. 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. As Mrs Ward was in attendance for Minute 149 above, she had agreed, as a 'one-off' arrangement, to remain at the meeting to answer any relevant questions from Members. It was also confirmed that copies of all Board and Sub-Group meeting Minutes were being posted on the Vision's website.

**Resolved** – (a) That the information be noted.

(b) That Mrs Ward be thanked for her attendance.

## **151. COUNCIL MEETING – 18<sup>TH</sup> JANUARY, 2010 – MINUTES**

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

## **152. ‘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 six items considered at the meeting were as follows:-

### **(1) Planning Committee Meeting – 25<sup>th</sup> January, 2010 – Minutes**

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

### **(2) Modernisation Committee Meeting – 10<sup>th</sup> February, 2010 – Minutes**

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

### **(3) Christmas Festival Committee Meeting – 15<sup>th</sup> February, 2010– Minutes**

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

### **(4) Finance Committee Meeting – 15<sup>th</sup> February, 2010 – Minutes**

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

### **(5) Planning Committee Meeting – 22<sup>nd</sup> February, 2010 – Minutes**

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

### **(6) Town Mayor’s Activities**

It was reported that since the Council meeting on 18<sup>th</sup> January, 2010, the Town Mayor had attended the following:-

**21<sup>st</sup> January** (accompanied by Town Mayoress (Mrs Marie Yarker))  
Barnard Castle Vision’s and The Witham Trustees’ private presentation of the plans for The Witham Hall redevelopment (The Witham Hall).

**23<sup>rd</sup> January** Informal meeting with Ms D. Jenkins of Barnard Castle Vision.

**26<sup>th</sup> February** Barnard Castle Vision’s Scar Top Workshop (The Witham Hall).

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

## **153. REFERRAL FROM CHRISTMAS FESTIVAL COMMITTEE**

Reference was made to the recommendation of the Christmas Festival Committee, at Minute 29 of the set of Minutes at sub-section (3) of Minute 152 above, regarding the Christmas Festival Contingency Fund being used towards the costs of additional Christmas tree lights and improvements to the Crib as part of the 2010 Christmas lighting improvements. These items were considered to be urgent as negative comments had been received from the public in respect of the 2009 Christmas tree lights and the perspex screen of the Crib had been damaged during dismantling.

**Resolved** – That a contribution from the Christmas Festival Contingency Fund be used towards the costs of additional Christmas tree lights and improvements to the Crib as part of the 2010 Christmas lighting improvements.

## **154. REPRESENTATION ON OTHER BODIES**

### **(1) Barney Guild – Meetings on 25<sup>th</sup> January and 23<sup>rd</sup> February, 2010**

Submitted – A report by Councillor Peat that summarised items discussed at the Barney Guild meetings on 25<sup>th</sup> January and 23<sup>rd</sup> February, 2010, including a presentation in respect of The Witham Hall redevelopment proposals, details of a 'Wayfinding' company who were due to submit a report to the Barnard Castle Vision in respect of tourist and welcome signage in Barnard Castle and proposals for improvements, a review of the 2009 Christmas events and potential ideas for 2010 Christmas events, involvement with The Meet's scarecrow competition, a loyalty card scheme update and a shopfront improvement scheme update.

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

### **(2) Teesdale Local Councils' Forum – Meeting on 22<sup>nd</sup> February, 2010**

Submitted – Pursuant to Minute 136/Jan/10, a report summarising the issues discussed at the Teesdale Local Councils' Forum meeting on 22<sup>nd</sup> February, 2010, including an update on Teesdale Action Partnership issues (presented by the Partnership's Chairman (County Councillor Harrison)), the County Council's Winter maintenance programme (with two officers in attendance), activities of the County Council's Neighbourhood Services Department (presented by the Street Scene Manager (South)), matters arising from the meeting of the County Durham Co-ordination Group of Local Council Clerks on 16<sup>th</sup> February, 2010, an update on the Durham Dales Centre Trust and the North Pennines Area of Natural Beauty Partnership and the Transport to Hospitals issue. Future attendances and the difficulties created by the County Council's venue time restrictions were also discussed.

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

### **(3) Teesdale Residents and Travellers Forum - Meeting on 9<sup>th</sup> February, 2010**

Councillor Blissett summarised those issues in respect of Barnard Castle discussed at the Forum's meeting on 9<sup>th</sup> February, 2010, including proposals for Bridgegate whereby temporary traffic restrictions would be in place which would entail a 'No Parking' restriction for all vehicles during the migration periods only.

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

## **155. STREET AND OPEN SPACES CARE**

Submitted – Pursuant to Council Minute 140/Jan/10, a report updating Members on various initiatives that were currently being undertaken by a number of organisations in respect of street and open spaces care.

Further discussion ensued in respect of the matter. Members re-iterated that this Council should be at the forefront of establishing a Street Care Strategy for Barnard Castle, with the involvement of key personnel.

**Resolved** – (a) That it be retrospectively approved that Councillor Watson represent this Council on the Teesdale Action Partnership's Scar Top Task and Finishing Group.

(b) That a specific Working Group, consisting of Councillors Cooke, Harrison, Peat and Watson, be set up as a necessary first stage of this Council's proposals in respect of a Street Care Strategy for Barnard Castle.

## **156. SERVICE AND PROJECT UPDATES**

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

### **(1) Dawson Road Play Area**

Pursuant to Council Minute 115(4)/Dec/09, it was reported that work had commenced on Phase 1 of the Dawson Road play area and that planning permission had been given for the item of equipment that would be 4 metres high when installed. It was also confirmed that Dawson Play, with the help of Groundwork North East, had been successful in a funding application to Home Housing Group who had granted the project £34,000.

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

### **(2) War Memorials**

Pursuant to Council Minute 115(1)/Dec/09, an update was provided on the following War Memorials matters:-

#### **(A) Gilding**

Following a promise from a local businessman to meet part of the cost of regilding the lettering to the granite tablet on the main Town Memorial, it was reported that The War Memorials Trust had stated that the lettering should remain gold (i.e. as originally intended) but as the inscriptions were still considered legible, no financial assistance would be possible. Two quotations had been received in the sums of £370 and £976 (plus VAT).

It was confirmed that the promised donation was £200 which would leave shortfalls of £170 or £776. The 2009/10 revenue budgetary allocation for War Memorials was fully spent but £150 had been approved for 2010/11.

**Resolved** – That the quotation in the sum of £370 be approved to regild the lettering to the granite tablet on the main Town Memorial, with the costs over and above the promised donation met from the 2010/11 War Memorials budget.

#### **(B) Insurance**

Following a half-year insurance review and the completion of the restoration work to all three Memorials, it was reported that the associated insurance arrangements had been investigated. Valuations had been received and this Council's insurers had provided figures for all risks cover of £700 and impact damage only of £280. Both quotations would result in an overspend to the 2010/11 Insurance budget.

**Resolved** - That the War Memorials be insured for impact damage only, resulting in an agreed overspend in respect of the 2010/11 Insurance budget.

#### **(C) Annual Monitoring and Inspection**

It was reported that a condition of the grant funding received for the restoration of The Boer War Memorial, the Durham Light Infantry Memorial and the main Town Memorial was that a maintenance plan for each of those Memorials should be put in place. It was suggested that, because of his earlier involvement in the restoration project, Councillor Blissett should accompany a Services Administrator on the annual inspections.

**Resolved** - That Councillor Blissett and a Services Administrator be authorised to carry out The Boer War Memorial, the Durham Light Infantry Memorial and the main Town Memorial annual inspections.

### **(3) Newsletter**

Pursuant to Council Minute 115(8)/Dec/09, it was reported that the eleventh edition of the Newsletter had been eventually produced and distributed during the period end of January/beginning of February 2010.

It was also reported that before the end of the 2009/10 financial year, a twelfth edition would be produced in order to meet Quality Council criteria and budgetary approvals. That edition would be the last produced under the current publishing arrangements.

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

#### **(4) Mini Golf**

Pursuant to Council Minute 89(4)/Oct/09, it was confirmed that the 2010 Mini Golf season would commence on 27<sup>th</sup> March. The season's opening arrangements were outlined, as was a prospective closing date of 5<sup>th</sup> September. As far as staffing was concerned, the Mini Golf Supervisor and the Attendant would be returning for third and second years retrospectively. Clean-up and repair work was being carried out and it was hoped that press and radio coverage would once again be obtained to promote the course.

It was also reported that the Barnard Castle Vision team had redevelopment plans for the Scar Top area. The Town Mayor (Councillor Yarker), Councillor Watson and the Clerk had attended a meeting on 26<sup>th</sup> February, 2010. Whilst it was suggested at that meeting that there might be a more suitable location for the Mini Golf course, it was agreed that every effort should be made to ensure that it remained within the overall area of Scar Top.

**Resolved** – That the arrangements for the 2010 season be noted.

#### **(5) Castle Floodlights**

Pursuant to Council Minute 115(3)/Dec/09, it was reported that a meeting had taken place between representatives of the floodlighting contractor (Urbis), Durham Council Council's Street Lighting Section, the Barnard Castle Vision, English Heritage and the Town Council, to view the testing of the several light programmes. It had yet to be determined which lighting programme would be used for the majority of the lighting time and delegated powers were sought for two Councillors and the Clerk in respect of this.

It was confirmed that the commissioning of the floodlights would take place at the end of March 2010, with an associated 'switch-on' event. The Assistant Clerk had been fully involved with the arrangements for the event in partnership with Mrs A. Ward of the Barnard Castle Vision.

**Resolved** – (a) That delegated powers be given to the Town Mayor (Councillor Yarker), Councillor Watson and the Clerk to determine which lighting programme will be used for the majority of the lighting time.

(b) That the information regarding the event arrangements be noted.

### **157. ALLOTMENT ISSUES**

Submitted – A report providing updates on three allotments issues as follows:-

#### **(1) Crook Lane**

Pursuant to Council Minute 115(4)/Dec/09, it was confirmed that the installation of the water supply was complete. Due to recent weather conditions, the site had not yet been mapped but it was still considered that the site would be tenanted by the end of March 2010.

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

#### **(2) Review of Tenancy Agreement and Policy Updates**

Submitted - Pursuant to Council Minute 182(iv)/Mar/09, a revised Allotment Garden Tenancy Agreement and Allotment Rules had been reviewed by the Allotments and Play Areas Working Group at a meeting on 25<sup>th</sup> January, 2010. The revisions incorporated

further views from tenants and advice from the National Society of Allotment and Leisure Gardeners Limited.

**Resolved** – That the revised Allotment Garden Tenancy Agreement and Rules be approved for issue to all allotment tenants with their allotment rental requests for 2010/11.

### **(3) Improvements to Raby Avenue**

It was reported that at the same Allotments and Play Areas Working Group, Members had been reminded of specific works that had been undertaken to the Raby Avenue allotment site during the overall allotment improvement works during 2008/09. However, the path to the left of the site had not been included in those works and it was a continuing difficulty for those tenants adjacent to it because of its slippery and dangerous surface. A quotation had been obtained from Groundwork North East to carry out appropriate improvements to that path, at an approximate cost of £100 (materials only, with no charge for labour) and there were sufficient funds in the 2009/10 Allotments budget to cover the cost.

**Resolved** – That the left-hand-side pathway improvements to the Raby Avenue allotment site be carried out by Groundwork North East, with the cost being met from the 2009/10 Allotments budget.

### **158. BUDGETARY RE-ALLOCATION OF STAFFING COSTS/DETERMINATION OF 2011/12 ALLOTMENT RENTAL**

Submitted – Pursuant to Council Minute 129(a)(i)/Jan/10, a report outlining the outcome of the investigations into the option of incorporating salary costs in the provision of this Council's allotments service. It had been confirmed that no local councils contacted in respect of the matter incorporated staffing costs when determining allotment rentals.

Notwithstanding this, discussion ensued in respect of incorporating salary costs in the provision of all of this Council's services and it was suggested that appropriate recording measures could be in place by the beginning of April 2010 with a view to the arrangement being introduced for 2011/12.

It was also reported that this Council's 2011/12 allotment rental had to be determined at this meeting, due to the requirement for tenants to be given 12 months' notice.

The report also recommended that an Allotments Strategy should be considered to meet the overall need to define expenditure and to maintain the allotments in general. It was suggested that such a Strategy could be overseen by the Allotments and Play Areas Working Group and that tenants could be requested to submit ideas to help with the construction of the Strategy.

**Resolved** – (a) That the incorporation of salary costs in the budgets for all of this Council's services be further investigated.

(b) That this Council's 2011/12 Allotment rental be £40 per plot.

(c) That an Allotments Strategy be formulated by the Allotments and Play Areas Working Group.

### **159. PROPOSED FLORAL DISPLAYS 2010**

Submitted – A report in respect of matters to be taken into account before any floral display improvements could be introduced and outlining various options for potential improvements. It was confirmed that Durham County Council would be installing additional floral displays as in 2009 and it was anticipated that the Barney Guild would be installing hanging baskets again.

**Resolved** – That option B (no hanging baskets to be installed and additional tubs to be purchased) is the preferred option for this Council's 2010 floral displays.

**160. DURHAM COUNTY COUNCIL/COUNTY DURHAM ASSOCIATION OF LOCAL COUNCILS – UPDATE**

Consideration of this item was deferred to the Council meeting scheduled for 19<sup>th</sup> April, 2010.

**161. CONSULTATION DOCUMENTS**

Submitted – A report providing details of two consultation documents as follows:-

**(1) Sustainable Design Supplementary Planning Document – Issues Paper**

It was reported that Durham County Council had produced an Issues Paper that set out the requirements for a comprehensive design guidance document. The final document would be the 'Sustainable Design Supplementary Planning Document' and it would complement the emerging County Durham Plan (Local Development Framework).

**Resolved** - That delegated powers be given to the Planning Committee to consider the Sustainable Design Supplementary Planning Document and complete the associated questionnaire.

**(2) Contaminated Land Inspection Strategy**

It was reported that, whilst Durham County Council's Contaminated Land Inspection Strategy had been submitted for public consultation, it had been confirmed by the County Council's Contaminated Land and Development Department that the document was unlikely to be changed. It was also confirmed that, from historic records, there was only an insignificant risk of contaminated land being found within the Town's boundaries.

The subject matter was considered to be of a specialist nature and the consultation document was comprehensive. It was therefore recommended that the document be acknowledged as being in existence for the health and safety of County Durham residents.

**Resolved** – That Durham County Council's Contaminated Land Inspection Strategy be acknowledged.

**162. INFORMATION BOX, LOWER GALGATE – TIMESCALE FOR REMOVAL**

Consideration of this item was deferred to the Council meeting scheduled for 19<sup>th</sup> April, 2010.

**163. SCHEDULING AND TIMES OF COUNCIL MEETINGS – MUNICIPAL YEAR 2010/11**

Submitted – A report incorporating a recommended schedule of meetings for the 2010/11 Municipal Year, based on the standard six/seven-week cycle of meetings. A starting time of 7.00 p.m. was recommended for all meetings in the schedule, albeit with a 15-minute public participation 'slot' at 6.45 p.m. Particular reference was made to the proposed change to the January budget meeting date. The venue would hopefully continue to be the Council Chamber at Teesdale House.

It was reported that it was intended that the main four Committees of the Council would determine their 2010/11 meeting dates during the next Council cycle. The need for Committee meetings (primarily to appoint Chairmen and Vice-Chairmen) immediately after the Annual Council meeting on 10<sup>th</sup> May, 2010 was also highlighted. The Administrative Support Committee and the various Working Groups would meet as and when required.

It was acknowledged that the results of the Modernisation Committee's review of the role of the Town Council might affect overall arrangements later in the year.

**Resolved** – (a) That the following schedule of Council meetings during the 2010/11 Municipal Year be approved and that all meetings commence at 7.00p.m., with a public participation 'slot' 15 minutes before each ordinary meeting:-

**2010**

Monday, 10<sup>th</sup> May (Annual Meetings)  
Monday, 7<sup>th</sup> June  
Monday, 19<sup>th</sup> July  
Monday, 6<sup>th</sup> September  
Monday, 18<sup>th</sup> October  
Monday, 6<sup>th</sup> December

**2011**

Monday, 17<sup>th</sup> January  
Monday, 24<sup>th</sup> January (budget)  
Monday, 7<sup>th</sup> March  
Monday, 18<sup>th</sup> April  
Monday, 9<sup>th</sup> May (Annual Meetings)

(b) That a representative from Durham Constabulary be invited to attend the Council meetings scheduled for Mondays, 7<sup>th</sup> June and 6<sup>th</sup> December, 2010.

(c) That the determination of the meeting arrangements for the Council's Committees and Working Groups be noted.

(d) That all five of the Council's current Committees meet immediately after the Annual Council meeting on 10<sup>th</sup> May, 2010 to appoint Committee Chairmen and Vice-Chairmen.

**164. EXCLUSION OF PRESS AND PUBLIC (in respect of Minutes 165 to 169 below)**

**Resolved** – That, under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the matters referred to at Minutes 165 to 169 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.

**165. STANDARDS COMMITTEE PROCEDURES**

Consideration of this item was deferred to the Council meeting scheduled for 19<sup>th</sup> April, 2010.

**166. TOWN HEAD ALLOTMENTS – SPECIFIC LEGAL AGREEMENT**

Submitted - Pursuant to Council Minute 89(3(b))/Oct/09, it was reported that legal advice had been sought on the Town Head Allotments matter to ensure that the process was being carried out correctly. That advice recommended that a new Agreement should be prepared.

**Resolved** - That a new lease be prepared in respect of the garage and general access arrangements to the property in question, with the costs being met from the 2009/10 Allotments budget.

**167. FLORAL DISPLAYS 2010 - TENDERING PROCEDURE**

Submitted – Pursuant to Minute 159 above, a report on the intention, prior to the next ordinary Council meeting scheduled for 19<sup>th</sup> April, 2010, to carry out the tendering processes for the 2010/11 floral displays so that quotations could be accepted at that meeting. Information was provided on prospective tenderers and the scheduling of the work.

**Resolved** – (a) That the following businesses be asked to submit quotations for the 2010 Summer and 2010/11 Winter/Spring supply of the floral displays contents:-

- (i) Carlbury Garden Centre, Piercebridge;
- (ii) Castle Gardens, Bishop Auckland;
- (iii) Elm Ridge Gardens Limited, Darlington; and
- (iv) Durham County Council.

(b) That Durham County Council be asked to submit a quotation in respect of the associated watering.

(c) That the Summer floral displays be erected during the working week commencing 1<sup>st</sup> June, 2010.

#### **168. GROUNDS MAINTENANCE CONTRACT 2010/11**

Submitted – A report regarding the annual awarding of the contract for the maintenance of the Council's open spaces and litter-picking. It was confirmed that the Council's Auditors were satisfied with this Council's current arrangements as 'best value' was being obtained. Specific references were made to the current contractor's excellent local support service and his extremely competitive rates (with his charge for grass-cutting of four of this Council's five play areas to remain the same for the fourteenth year in succession).

**Resolved** – That Robson Horticulture Ltd. be appointed for open-space maintenance and litter-picking arrangements for the period 1<sup>st</sup> April, 2010 to 31<sup>st</sup> March, 2011.

#### **169. ASSET TRANSFERS**

Consideration of this item was deferred to the Council meeting scheduled for 19<sup>th</sup> April, 2010.