

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING****19TH APRIL, 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. Whilst no members of the public were present, a question had been raised in advance of the meeting. The question was in respect of the recent increase in the Town Council's Precept and the resultant effect on the 2010/11 Council Tax bill. The Council's response to the question was read out during the public participation 'slot' by the Finance Committee's Chairman (Councillor Mrs Hamilton).)

PRESENT:- Councillor Cooke (Deputy Town Mayor)(in the Chair); Councillors Mrs Bailes, Blissett, Mrs Dixon, Mrs Hamilton, Harrison, Hinchcliffe (Minutes 170 to 177 inclusive), Peat and Watson.

170. APOLOGIES/ANNOUNCEMENTS

(1) Apologies for Absence:- Town Mayor (Councillor Yarker) and Councillor Wood.

(2) Announcements:- It was reported that Mr Norman Jackson who had been Town Mayor in 1975/76 and Urban District Councillor and Town Councillor for a number of years had died. Members spoke about Mr Jackson's attributes. A Minute's Silence was observed in Mr Jackson's memory.

It was also reported that a letter had been received from Councillor Wheeler announcing his resignation from the Town Council (due to health reasons). Whilst it was reported that formal recognition of Councillor Wheeler's service would take place in due course, Members made initial comments about him. Reference was made to the resultant North Ward vacancy and the Clerk sought authorisation for the election process to commence.

Resolved – That the Clerk be authorised to commence the election process for the North Ward vacancy.

171. 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.

172. COUNCIL MEETING – 1ST MARCH, 2010 – MINUTES

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

173. '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 – 1st March, 2010 – Minutes

Resolved – That the Minutes be received.

(2) Special Modernisation Committee Meeting – 8th March, 2010 – Minutes

1 Council Meeting 19th April, 2010 – Minutes

Resolved – That the Minutes be received.

(3) Planning Committee Meeting – 15th March, 2010 – Minutes

Resolved – That the Minutes be received.

(4) Finance Committee Meeting – 15th March, 2010 – Minutes

Resolved – That the Minutes be received.

(5) Modernisation Committee Meeting – 22nd March, 2010 – Minutes

Resolved – That the Minutes be received.

(6) Planning Committee Meeting – 29th March, 2010 – Minutes

Resolved – That the Minutes be received.

(7) Christmas Festival Committee Meeting – 29th March, 2010 – Minutes

Resolved – That the Minutes be received.

(8) Planning Committee Meeting – 12th April, 2010 – Minutes

Resolved – That the Minutes be received.

(9) Town Mayor's Activities

It was reported that since the Council meeting on 1st March, 2010, the Town Mayor had attended the following:-

10th March	(accompanied by Consort (Mrs Noreen Staples)) Andalucia, Galgate – opening of new ladies accessories department.
26th March	(accompanied by Town Mayoress (Mrs Marie Yarker)) Screening of 'Julie and Julia' at The Witham Cinema (The Witham Hall).
27th March	(accompanied by Town Mayoress) Castle Floodlights 'Switch-On' Event (Scar Top).
6th April	(accompanied by Town Mayoress) Presentation and viewing of painting donated in memory of Mr Len Robinson (Richardson Community Hospital).

Resolved – That the information be noted.

(10) Royal Garden Party 2010 – Result of Draw

It was reported that, pursuant to Minute 144/Jan/10, the successful nominations, drawn completely at random, came from Sherburn Village Parish Council and Pitlington Parish Council.

Resolved – That the information be noted.

174. REFERRALS FROM MODERNISATION COMMITTEE

(1) Election of Town Mayor/Deputy Town Mayor by Seniority

Reference was made to the recommendation of the Modernisation Committee, at Minute 50(A) of the set of Minutes at sub-section (5) of Minute 173 above, regarding the election of the Town Mayor and the Deputy Town Mayor by seniority, on a one-year term basis, to be introduced from the Annual Council meeting scheduled for 10th May, 2010. It was also

recommended that further investigations be undertaken by the Modernisation Committee (as part of the overall review of the role of the Town Council) on the potential introduction of two-year terms for the Town Mayor and the Deputy Town Mayor, with the conclusion to be included in the final review document. Discussion ensued in respect of the positions of Town Mayor and Deputy Town Mayor not being compulsory.

Resolved – (a) That the election of the Town Mayor and the Deputy Town Mayor by seniority, on a one-year term and non-compulsory basis, be introduced from the Annual Council meeting scheduled for 10th May, 2010.

(b) That further investigations be undertaken by the Modernisation Committee (as part of the overall review of the role of the Council) on the potential introduction of two-year terms for the Town Mayor and the Deputy Town Mayor, with the conclusion to be included in the final review document.

(NOTE – Prior to the above matter being considered, Councillor Cooke declared an interest. It was agreed that Councillor Mrs Hamilton should assume the Chair for this item only.)

(2) Introduction of Corporate Plan

Reference was also made to the recommendation of the Modernisation Committee, at Minute 50(B) of the set of Minutes at sub-section (5) of Minute 173 above, in respect of the introduction of a Corporate Plan being considered as part of the 2011/12 budgetary process, initially for introduction on a three-year basis.

Resolved – That further investigations be made in respect of the introduction of a Corporate Plan being considered as part of the 2011/12 budgetary process.

175. REPRESENTATION ON OTHER BODIES

(1) Barney Guild – Meeting on 23rd March, 2010

Submitted - The Minutes of the Barney Guild meeting on 23rd March, 2010 which Councillor Peat, this Council's representative on the Barney Guild, was unable to attend. Items discussed included the Guild's involvement with The Meet's scarecrow competition, a Public Relations and Marketing Plan, the overall Town Centre toilets situation and an update on a funding application that would help towards the costs of 'retailers' workshops'.

The future of the Guild was also discussed, with the next scheduled meeting on 27th April, 2010 to be attended by retailers only to agree a way forward in respect of the leadership, focus and direction of the Barney Guild.

Resolved – That the information be noted.

(2) Teesdale Action Partnership – Scar Top Task and Finish Group – Membership

It was reported that, pursuant to Minute 155(a)/Mar/10, when it was retrospectively agreed that Councillor Watson should represent this Council on Teesdale Action Partnership's Scar Top Task and Finish Group, subsequent discussions had highlighted that the Town Council had not been offered a place on the Group, albeit that Councillor Watson was entitled to a place via his membership of the Partnership Forum, as a member of the public. In addition, the Town Mayor (Councillor Yarker) was also a member of the Task and Finish Group as a member of the public. The previous decision therefore needed to be rescinded.

Resolved – (a) That the current situation be noted.

(b) That the decision at Minute 155(a)/Mar/10 be rescinded.

(c) That a letter be sent to the Teesdale Action Partnership's Co-ordinator to clarify this Council's representation on the Scar Top Task and Finish Group.

(3) Teesdale Local Councils' Forum – Meeting on 12th April, 2010

Submitted - Pursuant to Minute 154(2)/Mar/10, a report summarising the issues discussed at the Teesdale Local Councils' Forum meeting on 12th April, 2010, including an update on Teesdale Action Partnership issues, the inadequacy of the Rural Transport consultation process and the need to invite the Head of Transport at Durham County Council to the next Forum meeting, current anomalies in respect of responsibilities for play provision in Teesdale, the County Council's Winter Maintenance Programme, the recent issue of the updated version of Standing Orders by the National Association of Local Councils and a short review of the Forum's constitution.

An item in respect of links with various bodies was also discussed, with the meeting attended by an officer from the County Durham Association of Local Councils, a Local Councils' Support Officer from Durham County Council and a Principal Area Action Partnership Co-ordinator to aid progression on the matter.

The final item discussed at the meeting was the setting up of a Clerks' Forum for the Teesdale area. It was considered that such a Forum would be beneficial to the area's local councils.

Discussion ensued at this meeting in respect of the Charter between the County Council and local councils and the general lack of knowledge within the County Council of its existence.

Resolved – (a) That the information be noted.

(b) That the Clerk be authorised to make further investigations into the setting up of a local Clerks' Forum.

(c) That a letter be sent to Durham County Council to express concerns in respect of the lack of knowledge within that Council of the Local Councils Charter.

176. DURHAM COUNTY COUNCIL/COUNTY DURHAM ASSOCIATION OF LOCAL COUNCILS – UPDATE

Submitted – A report providing an update on the main issues in respect of Durham County Council and the County Durham Association of Local Councils, including the Local Councils Charter, response times given for consultation documents in general, overall support and help for local councils provided by the County Council, Double Taxation issues and the current period of 'purdah'.

Resolved – That the information be noted.

177. 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 Minute 156(1)/Mar/10, it was confirmed that work was near to completion on Phase 1 of the Dawson Road play area. Members were asked to consider the possibility of two celebratory events.

It was also confirmed that there was insufficient funding for the installation of a Multi Use Games Area (MUGA) to be considered at this point. However, Dawson Play were still awaiting the outcome of two further community funding applications. Investigations were currently being made into any additional maintenance/ongoing costs that may be associated with a MUGA.

Resolved – (a) That a ribbon-cutting ceremony take place during the week commencing 26th April, 2010.

(b) That the office be authorised to organise a celebratory event to take place in June 2010.

(2) Newsletter

Pursuant to Minute 156(3)/Mar/10, it was reported that the twelfth edition of the Newsletter had been recently produced and distributed so that, for accounting purposes, it was the fourth edition issued during the financial year 2009/10. It was also reported that a complimentary letter had been received from a local resident who had received positive comments from other residents in respect of that edition of the Newsletter.

It was confirmed that the next Newsletter would be issued towards the end of May 2010 following a meeting of the Editorial Board scheduled for 26th April, 2010.

Resolved – That the situation be noted.

(3) Castle Floodlights

Pursuant to Minute 156(5)/Mar/10, it was reported that the floodlights had been commissioned and the associated 'switch-on' event had taken place on 27th March, 2010 (the relevant costs were submitted for Members information). It was confirmed that the lights were now the overall responsibility of this Council, including the costs of both the electricity and the maintenance.

Discussion ensued in respect of the reprogramming of the agreed set coloured sequence of the floodlights for special events. It was confirmed that Durham County Council officers had agreed to carry out the reprogramming, almost certainly at no cost to this Council.

Resolved – (a) That the office be delegated to select the floodlights' coloured sequences for special events.

(b) That a letter of thanks be sent to the relevant Durham County Council officer in respect of his commitment to the Castle floodlights project.

(4) Additional Bus Stops – Harmire Road and Newgate

Pursuant to Minute 94/Oct/09, it was reported that Durham County Council had agreed that consideration be given to the provision of additional bus stops on Harmire Road, as requested by this Council, and also on Newgate, following a request from County Councillor Bell. An initial consultation process had been followed by a public consultation exercise.

However, in respect of the proposed Harmire Road bus stop locations, there had been a number of objections from adjacent residents. It had been indicated by a County Council officer that a letter from this Council supporting the installations might help the matter to continue to be progressed.

Resolved – (a) That the overall situation be noted.

(b) That a letter be sent to Durham County Council in support of the proposed Harmire Road bus stop locations.

(5) Market Place Public Toilets

Members were reminded that this Council had allocated substantial finance (from both its capital and revenue budgets) towards the re-opening of the Market Place public toilets. Concerns were expressed that the original deadline of early Summer 2010 for the re-opening was unlikely to be met and whilst it was understood that there were ongoing discussions about alternative disabled public toilet facilities, possibly to be provided via the proposed community toilets scheme, no updated information was available at this point.

Resolved – That a letter be sent to Durham County Council requesting an update on the issue and that it be progressed as a matter of urgency.

178. CO-OP PETROL STATION, PROSPECT PLACE – ENTRANCE/EXIT ARRANGEMENTS

Submitted – Pursuant to Minute 141/Jan/10, a report providing an update in respect of the Co-op Petrol Station, Prospect Place and this Council's request that forecourt road safety improvements be made to the entrance/exit arrangements. It was confirmed that all responses had recommended that no further action should be taken, with no letter to be sent to The Co-operative Group. Discussion ensued on the matter, with dismay expressed at the lack of empathy shown, and Members agreed that further action should be taken to improve the situation.

Resolved – That Councillors Cooke and Watson be authorised to carry out a survey on the entrance and exit arrangements, with a view to presenting Durham County Council with relevant evidence that improvements to the arrangements are necessary.

179. THE WITHAM HALL REDEVELOPMENT PLANNING APPLICATION – SPECIAL COUNCIL MEETING

Pursuant to Minute 149/Mar/10, it was reported that The Witham Hall redevelopment planning application would be submitted to Durham County Council's Planning Department by 22nd April, 2010. In view of the size and significance of the application and the interest the proposals had created, coupled with the fact that this Council had previously agreed a policy regarding the consideration of such applications, the application should be referred to full Council to formulate a recommendation to the County Council.

Resolved - That a Special Council meeting to consider the above planning application, be scheduled for Thursday, 29th April, 2010 commencing at 7.00 p.m.

180. 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) providing an update on the Vision's ongoing projects.

Resolved – That the information be noted.

181. FLORAL DISPLAYS

Submitted – Pursuant to Minute 159/Mar/10, a report outlining the need for further consideration to be given to this Council's floral displays. The inadequacy of the decision at the Council meeting on 1st March, 2010 was referred to. It was therefore recommended that that decision be rescinded and the matter given further consideration by the setting-up of a Working Group, with all relevant organisations, such as the Barnard Castle Vision, involved.

In the meantime, it was recommended that for 2010/11, the floral displays consist of this Council's existing tubs and a number of hanging baskets along the Market Place and Horsemarket. Those businesses requested to submit quotations at Minute 167/Mar/10 would be sent the required details immediately following this Council meeting and would be asked to submit quotations by 5th May, 2010. A Special Council meeting would be required to agree the successful quotation.

Resolved – (a) That the decision at Minute 159/Mar/10 be rescinded.

(b) That a specific Working Group, consisting of Councillors Blissett, Mrs Dixon, Mrs Hamilton, Harrison, Peat and Watson, be set up to review the Town's floral displays.

(c) That the floral displays for 2010/11 consist of this Council's existing tubs and a number of hanging baskets along the Market Place and Horsemarket.

(d) That a Special Council meeting be convened to agree the successful tenderer.

182. INFORMATION BOX, LOWER GALGATE – TIMESCALE FOR REMOVAL

Councillor Mrs Hamilton had asked for this agenda item in view of continuing comments from members of the public that the information box in lower Galgate should be removed. Members were reminded that the siting of the box was a temporary one, with the relevant planning permission stating that, unless an application to renew the consent was received, the box should be removed on or before 9th July, 2010 and the land re-instated to its former condition on or before 9th August, 2010.

Resolved – That a letter be sent to the Chairman of the Barnard Castle Vision to remind that organisation of the planning permission conditions in respect of ‘The Box’.

183. REVISED INSURANCE ARRANGEMENTS – EFFECT ON 2010/11 BUDGET

Submitted – Pursuant to Minute 110/Dec/09, a report in respect of this Council’s insurance arrangements, including a revision to the overall cost of this Council’s current insurance policy which produced an overspend in the Insurance budgetary allocation. This was due to changes relating to Business Interruption Cover and Legal Cover premiums and a change to the War Memorials Impact Only cover premium (Minute 156(2)/Mar/10 refers). With this in mind, Members were requested to consider whether they wished to pursue the Legal Cover option as previously agreed.

Resolved – (a) That the Legal Cover be added to this Council’s insurance policy.

(b) That the prospective overspend on the Insurance budgetary allocation be approved.

184. ANNUAL TOWN AND COUNCIL MEETINGS – 10TH MAY, 2010 – PROCEDURES

Submitted – A report on the formats of the Annual Town and Council meetings scheduled for 10th May, 2010, including a number of associated procedures. It was confirmed that short meetings of this Council’s Committees and, for the first time, this Council’s Working Groups would also take place and reference was made to the previous advertising of the main meetings in the Teesdale Mercury and potential advertising on Radio Teesdale. Members were reminded that the Annual Town Meeting was not a meeting of the Town Council but a meeting of all of the electors from within the Town of Barnard Castle.

Resolved – (a) That the overall formats and procedures be approved.

(b) That the two Annual meetings be advertised in the Teesdale Mercury and on Radio Teesdale.

185. 2009/10 BUDGETARY CHANGES

After further consideration, it was determined that this item would be submitted to the Finance Committee meeting scheduled for 26th April, 2010.

186. PARTIAL COLLAPSE OF THE CASTLE OUTER WARD PERIMETER WALL

Submitted – A report by Councillor Watson regarding the partial collapse of the Castle outer ward perimeter wall and the lack of progress made in respect of necessary repairs. Whilst it was acknowledged that the legal owner of the wall in question had yet to be ascertained, concerns were expressed that Durham County Council had not carried out necessary repairs as a duty of care to the public.

Resolved – That Durham County Council be sent a letter to request that that Council carries out the necessary repairs to the Castle wall as a matter of urgency.

187. BARNARD CASTLE LANDSCAPE PROJECT, STAGE 1 - ROMAN FORD PICNIC SITE IMPROVEMENT WORK

Submitted – A report by Councillor Watson in respect of the Barnard Castle Landscape Project, Stage 1 which encompassed the Roman Ford picnic site (also known as the

Sculpture Garden) and included an update on the works carried out during this part of the project.

It was also reported that Stage 2 of the project, subject to the approval of funding streams, would include improvements to Scar Top and the grounds of Woodleigh.

Resolved – (a) That this Council writes to thank the volunteers involved in the Barnard Castle Landscape Project, Stage 1.

(b) That this Council refers the litter problem, underage drinking and antisocial behaviour problems identified in the report to the Streets and Open Spaces Care Working Group for preventative action, in conjunction with the relevant partner bodies to be involved in the initiative.

(c) That the information be noted in respect of Stage 2 of the project.

(d) That this Council includes the Roman Ford picnic site maintenance, the restored Woodleigh Garden and the seating area adjacent to the County Bridge in its review of the Town's floral displays.

(e) That, following this Council's review of the Town's floral displays, this Council establishes a list of potential volunteers to work on garden and green areas, in conjunction with either Groundwork North East or Robson Horticulture, as appropriate.

188. ENFORCEMENT OF PARKING REGULATIONS

Submitted – A report by Councillor Watson in respect of the lack of enforcement of parking regulations in the Town. It was acknowledged that the re-instatement of the Traffic Management Working Party had already been put forward and rejected. However, it was also reported that a County Council's Highways Department officer was willing to attend a Council meeting to discuss any relevant issues.

It was also confirmed that all town and parish councils were statutory consultees for any changes to current traffic arrangements.

Resolved – (a) That this Council brings the residents' concerns to the attention of Durham County Council's Highway Department and Durham Constabulary and requests effective enforcement.

(b) That an invitation be extended to a relevant officer from the County Council's Highways Department to attend a Council meeting to discuss the matter further.

189. EXCLUSION OF PRESS AND PUBLIC (in respect of Minutes 190 and 191 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 190 to 191 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.

190. STANDARDS COMMITTEE PROCEDURES

Submitted – Pursuant to the Standards training session on 11th February, 2010, a report summarising the overall Standards Committee procedural issues that had emanated from that training session, allowing Members to re-iterate their views more formally and make appropriate decisions.

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

191. ASSET TRANSFERS

Consideration of this item was deferred to the Council meeting scheduled for 7th June, 2010.