

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING****18TH OCTOBER, 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 Cooke (Town Mayor)(in the Chair); Councillors Mrs Bailes, Blissett, Mrs Dixon, Mrs Hamilton, Harrison, Hinchcliffe (Minutes 87 to 90 inclusive and 95(7)), Peat, Watson and Yarker.

Also in attendance:- Mr M. Morley (Project Architect) and Mr B. Robinson (Durham County Council Estates Department - Project Manager)(both for Minute 95(7) only).

Officers:- Mr Bosworth (Town Clerk) and Mrs Plant (Assistant Clerk).

87. APOLOGIES/ANNOUNCEMENTS

(1) Apologies for Absence:- Councillor Wood.

(2) Announcements:- It was reported that Mr Michael Wheeler, who had been Town Mayor six times and an Urban District Councillor and Town Councillor for a number of years, had died. Members spoke about Mr Wheeler's attributes. A Minute's Silence was observed in Mr Wheeler's memory.

Resolved – That a letter of condolence be sent to Mrs R. Wheeler.

88. DECLARATIONS OF INTEREST

In accordance with this Council's adopted Code of Conduct (Minute 20/Jun/07 refers), Members were asked whether they had any personal or prejudicial interests in any matter on the agenda and, if so, to declare those interests at this point of the meeting. Members were reminded that a declaration could be given later in the meeting if a need arose during discussion. There were no declarations of interest at this juncture.

89. HONORARY FREEMEN – SIGNING OF SCROLLS AND PRESENTATION TO MR WILKINSON

In the light of the announcement at Minute 87(2) above and following discussions with Mr Wilkinson and the Town Mayor, it had been agreed that consideration of this item should be deferred to a meeting to be scheduled in the near future.

(NOTE - At this point, the Clerk requested that agenda item 95(7) be brought forward for consideration and this was agreed.)

95(7). SERVICE AND PROJECT UPDATES - MARKET PLACE PUBLIC TOILETS

In the light of a recent press release submitted by Durham County Council in respect of the Market Place public toilets without any reference to the Town Council's involvement in the project, the Project Architect, Mr M. Morley and the Project Manager, Mr B. Robinson attended this meeting to present initial ideas for feedback prior to the submission of the planning application. Members were informed that a number of options to refurbish the existing toilets had been explored but all were considered too costly. Consequently, the option presented at this meeting consisted of a new toilet block above ground.

It was stressed that the County Council's Conservation Officer had been involved with the proposed design and it was anticipated that the construction would be built using reclaimed local materials to blend in with the surrounding environment. Mr Morley and Mr Robinson responded to Members' questions.

- Resolved** – (a) That the information be noted.
(b) That Mr Robinson and Mr Morley be thanked for their attendance.
(c) That clarification be sought from Durham County Council as to how the maintenance costs are to be funded.

90. COUNCIL MEETING – 6TH SEPTEMBER, 2010 – MINUTES

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

91. '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 seven items considered at the meeting were as follows:-

(1) Planning Committee Meeting – 13th September, 2010 – Minutes

Resolved – That the Minutes be received.

(2) Modernisation Committee Meeting – 20th September, 2010 – Minutes

Resolved – That the Minutes be received.

(3) Finance Committee Meeting – 27th September, 2010 – Minutes

Resolved – That the Minutes be received.

(4) Planning Committee Meeting – 4th October, 2010 – Minutes

Resolved – That the Minutes be received.

(5) Christmas Festival Committee Meeting – 4th October, 2010 – Minutes

Resolved – That the Minutes be received.

(6) Special Modernisation Committee Meeting – 11th October, 2010 – Minutes

Resolved – That the Minutes be received.

(7) Town Mayor's Activities

It was reported that, since the Council meeting on 6th September, 2010, the Town Mayor had attended the following:-

8th October **(accompanied by Town Mayoress (Miss R Abrahams))**
Durham County Council Chairman's Civic Reception and Dinner (County Hall, Durham).

Resolved – That the information be noted.

92. REFERRALS FROM COMMITTEES

(1) Finance Committee – 2011/12 Budget – Initial Consideration

Reference was made to the recommendation of the Finance Committee, at Minute 20(a) of the set of Minutes at sub-section (3) of Minute 91 above, regarding the initial consideration of the Council's 2011/12 budget, that no specific guidelines should be imposed on the budgetary process, provided a realistic economic approach was adopted.

A number of issues were discussed, including the need to determine an overall approach to the exercise (based on the prospective Newsletter article approved at Council Minute 67/Aug/10), the Council's reserves target of £50,000, the delay in the introduction of the Corporate Plan until 2012/13, the requirement that individual budgetary bids should be in more detail than in previous years, the possible inclusion of staffing costs within the overall costs for specific services, the double taxation situation and the perceived need (because of the economic situation) to work in closer partnership with other bodies and organisations and to develop the arrangements whereby volunteers are encouraged to support the team efforts.

Resolved – That approval be given to the recommendation of the Finance Committee that no specific guidelines should be imposed on the 2011/12 budgetary process, provided a realistic economic approach is adopted.

(2) Modernisation Committee – Honorary Freeman – Criteria

Reference was made to the recommendation of the Modernisation Committee, at Minute 28 of the set of Minutes at sub-section (6) of Minute 91 above, regarding the Honorary Freeman scheme which outlined the criteria for future nominations. It was noted that it was recommended that applications were to be evidence-based, the scheme must not have a Town Councillor bias, the number of Honorary Freeman at any one time must be restricted and the Council's decisions on applications were to be final. The exceptional nature of the award was also emphasised. The proposed scheme had been circulated for Members' detailed perusal.

Resolved – That the Honorary Freeman scheme, as now submitted by the Modernisation Committee, be approved.

93. FLORAL AND OPEN SPACES WORKING GROUP – MEMBERSHIP

It was reported that, subsequent to the decision to combine the Street and Open Spaces Care Working Group with the Floral Displays Working Group (Minute 74(3)/Sep/10 refers), Councillor Mrs Bailes had expressed an interest in being a Member of the combined Working Group despite not being a Member of either of the original two Working Groups. Concern was again expressed about the Working Group having a prospective membership of 7. However, Councillor Mrs Dixon volunteered to resign from the Working Group.

Resolved – That the Floral and Open Spaces Working Group's revised membership for the remainder of the Municipal Year 2010/11 consist of Councillors Mrs Bailes, Blissett, Mrs Hamilton, Harrison, Peat and Watson.

94. REPRESENTATION ON OTHER BODIES

Submitted – A report providing specific updates of some of this Council's representations on other bodies. The four items included in the report were as follows:-

(1) County Durham Clerks' Co-ordination Group – Meeting on 7th October, 2010

It was reported that the County Durham Clerks' Co-ordination Group had met on 7th October, 2010 after a lengthy recess period. The main matter discussed involved the issues surrounding the County Council's overall process in respect of consultation

documents, the County Council having formed a consultation co-ordination group consisting of officers from all of the Council's services, resulting in improved continuity. Other matters discussed included the County Council's community buildings and their future (with a report to be submitted to the Council's Cabinet in December 2010), the County Durham Partnership Forum and its proposed Health Networks and the impending development of a local councils' handbook, including details of services provided. It was also reported that the double taxation issue would be dealt with as part of the County Council's medium-term financial plan and that currently there were no service devolution plans.

Resolved – That the information be noted.

(2) Landscape Partnership Steering Group

It was reported that the Landscape Partnership project, initiated by Barnard Castle Vision, had recently appointed two officers, with Town Council Members meeting them both at a meeting on 4th October, 2010. A Welcome and Introduction to the Partnership had also taken place on 21st September, 2010.

Additionally, a Landscape Partnership Steering Group had been set up which Councillor Peat originally became a member of as a volunteer. However, everybody was keen to retain his services on the Group as a Town Council representative. It was noted that there would be opportunities for other Councillors to get involved in the project in the future, not least in respect of Scar Top, but it was specifically Councillor Peat's membership of the Steering Group that was being sought at this point.

It was also reported that the Partnership had been renamed the Heart of Teesdale Landscape Partnership.

Resolved – That Councillor Peat be nominated as this Council's representative on the Heart of Teesdale Landscape Partnership's Steering Group.

(3) South West Durham Heritage Corridor Partnership

It was reported that, pursuant to Minute 45(5)/Jul/10, it had recently been formally confirmed that, due to a lack of funding, the above project had had to be abandoned, with the Partnership resultantly being dissolved. Councillor Cooke's representative role on the Partnership was therefore defunct.

Resolved – That it be noted that the South West Durham Heritage Corridor Partnership has been dissolved.

(4) Teesdale Local Councils' Forum – Meeting on 13th September, 2010

It was reported that, at the Teesdale Local Councils' Forum meeting on 13th September, 2010, the Acting Co-ordinator of the Teesdale Action Partnership had clarified a number of issues, including the role of County Councillors. Other attendees at the Forum meeting included one of the Local Councils' Support Officers from Durham County Council, the Programme Development Officer from the Landscape Partnership and the County Council's Section Manager for Passenger Transport who gave an informative and realistic presentation of local transport issues. The meeting concluded with discussions about the future attendance by Police representatives at Forum meetings, the Charter review process and concerns about consultation documents.

Resolved – That the information be noted.

95. SERVICE AND PROJECT UPDATES

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

(1) Floral and Open Spaces Matters

Pursuant to Minute 74(3)/Sep/10, it was reported that the Floral and Open Spaces Working Group had met on 15th September, 2010, with the main purpose being to discuss the 'floral displays' in Barnard Castle, using the basis of a 'blank canvas'. It was fully recognised that the review needed to be far-reaching so that there could be a co-ordinated overall plan with a specific medium to long-term aim. Ideas put forward included more extensive bulb-planting, welcoming entrances to the Town, a move towards more permanent planting schemes, commemorative beds and special attention for the small open space areas throughout the Town.

The second meeting of the Working Group on 29th September, 2010 was used to formulate further ideas and to attempt to produce an overall plan of action, with a number of recommendations submitted for Council consideration at this meeting. It was also considered that other important matters needed to be addressed, including the seeking of professional advice, the ideas of the public being sought via the Newsletter, the arguments for and against the use of volunteers (particularly beyond the initial impetus) and the need for a pilot Town Council project.

Reference was made at the Working Group meetings to the Landscape Partnership project and the need to work with and embrace the concepts involved. It was seen as an opportunity not only for potential funding but also for the availability of professional advice and expertise, provided the 'bigger picture' did not hinder the smaller projects in which the Town Council would inevitably be involved.

Resolved – That the following recommendations of the Floral and Open Spaces Working Group be approved:-

- (a) that the new Working Group be named the Floral and Open Spaces Working Group;
- (b) that the long-term aim of the project be an entry in the Northumbria in Bloom Competition within 4/5 years;
- (c) that a co-ordinated approach to the whole project be adopted;
- (d) that the views of the public be sought via the Council's Newsletter;
- (e) that a close working relationship be formed with the Landscape Partnership team;
- (f) that the use of volunteers wherever possible be agreed in principle;
- (g) that a move towards more permanent planting schemes be adopted as an overall concept;
- (h) that this Council's pilot scheme within the overall project be the Garden of Remembrance in Galgate and that all options for that area be investigated as a matter of urgency;
- (i) that a co-ordinated approach be investigated further in respect of the small open space areas throughout the Town; and
- (j) that other issues to be urgently explored include a themed floral display on the paved lower Galgate area, mass bulb-planting in green areas throughout the Town and improvements to the entrance approaches to the Town.

(2) Newsletter

Pursuant to Minute 74(1)/Sep/10, it was reported that there had been a further delay in the publication and circulation of the latest edition of the Newsletter. In view of the timescale now involved and to avoid convening another Editorial Board meeting at very short notice,

it was recommended that the Clerk (as Editor of the Newsletter) be given delegated powers to adjust the content accordingly.

- Resolved** – (a) That the revised Newsletter situation be noted.
(b) That the Clerk be authorised to adjust the content of the current Newsletter where necessary.

(3) Website

Submitted - Pursuant to Minute 47(5)/Jul/10, an update in respect of the Town Council's new website, including the facts that the initial build of the website was complete, this Council's two Service Administrators' training had taken place, the uploading of content onto the 'template' site was in progress and the County Council's web team would be testing the website prior to it going 'live' during November 2010.

Whilst the County Council's web team had provided a generic website address, it had been suggested that the Town Council might like to acquire/purchase its own 'Uniform Resource Locator' (URL) address, such as www.BarnardCastleTownCouncil.gov.uk, which was considered beneficial as it would provide the Town Council with its own identity and a higher profile. There was a registration fee of £100 (providing cover for two years) and the current reregistration fee (again for two years) was £66.

- Resolved** - (a) That individual photographs of Members be included on the Town Council's website.
(b) That the additional expenditure to be incurred in respect of the URL address be met from the general 'Communications' underspend.
(c) That the overall situation be noted.

(4) Mini Golf – Review of 2010 Season

Submitted – A summary of the 2010 Mini Golf season and the relevant income and expenditure figures. The Mini Golf Supervisor, as part of his duties, had submitted an 'end-of-term' report and inventory of equipment. The main issues raised were summarised, including the need for some repair work. Reference was also made to the general situation in respect of the redevelopment of the Scar Top area and the need for the Council to be involved in future discussions.

- Resolved** – (a) That the overall situation be noted.
(b) That the repair work outlined in the submitted report be authorised.
(c) That the Scar Top redevelopment situation be noted.

(5) Poppy Appeal/Remembrance Sunday/Armistice Day

It was reported that arrangements for the 2010 Poppy Appeal were well underway. It was emphasised that procedures had been put in place to ensure that the arrangements generally worked smoothly and that it was imperative that this Council abided by the strict rules laid down by the Royal British Legion regarding collection dates. It was also reported that Barclays had been approached to assist in the counting of the collection monies.

The Council's arrangements for Remembrance Sunday were also well advanced and, following a meeting with the Vicar of St Mary's Church, a number of minor changes had been made to the detailed arrangements, including alterations to the processional timings. The main change within the Church was the re-instatement of the arrangement involving the wreathbearers depositing their wreaths towards the front of the Church.

Reference was also made to Armistice Day in the light of last year's ceremony organised by Durham County Council, albeit because that Council's Cabinet had been meeting in Barnard Castle on that day. It had been confirmed that the County Council would not be organising a similar ceremony this year and it was therefore suggested that a small Barnard Castle ceremony organised by the Town Council might take place.

Resolved - (a) That the Poppy Appeal and Remembrance Sunday arrangements be noted.

(b) That it be agreed that no official Barnard Castle ceremony is to take place on Armistice Day.

(6) Christmas Festival Event

Pursuant to Minute 18 of the set of Christmas Festival Committee Minutes at sub-section (5) of Minute 91 above, it was confirmed that arrangements for the Event, to take place on Friday 26th November, 2010 commencing at 6.00 p.m., were ongoing, based on the previous years' format, and that it was fully recognised that there were a number of matters still to be finalised, including the anticipated attendance of a celebrity to assist Father Christmas with the Christmas tree lights switch-on.

Resolved – That the situation be noted.

(7) Market Place Public Toilets

Considered earlier in the meeting.

96. CODE OF RECOMMENDED PRACTICE ON LOCAL AUTHORITY PUBLICITY – CONSULTATION

Submitted – A report outlining a Government consultation document 'Code of Recommended Practice on Local Authority Publicity'. The Code was grouped into seven principles and a copy was circulated for Members' information. It was stressed that the Code was mainly aimed at local authorities whose publications were politically motivated and were seen as wasting taxpayers' money by not including material directly related to council services. However, it was considered that the principles of the Code had given all local councils a reason to review policies or procedures that they currently used when producing their own publications.

Resolved – (a) That the 'Code of Recommended Practice on Local Authority Publicity' be welcomed and generally supported, subject to the following comments:-

- i) the Code should include a reference to the Quality Status scheme recognising the Communication and Community Engagement criteria; and
- ii) the principle in respect of 'Appropriate use of publicity' is vague and needs to be clearer, with more detail to be included.

(b) That it be agreed that this Council's Newsletter is consistent with the Code

97. 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. References were also made to the separate meeting arrangements between the Vision's Chairman and the Town Mayor and the Clerk.

Specific discussion centred on the Vision's proposed wayfinding units which were to be located at various sites in Barnard Castle. The Vision had asked if the Town Council would assume the maintenance responsibility for the units, as Durham County Council was

unwilling to carry out that role, with the scheme potentially having to fold should the maintenance issue remain unresolved.

Resolved – (a) That the information in the submitted report be noted.

(b) That further information in respect of the potential maintenance costs of the wayfinding units be sought from the Vision before a decision on the project can be considered further.

98. DURHAM COUNTY COUNCIL MATTERS

Submitted – A report summarising Teesdale Action Partnership matters, including the Partnership priorities for 2011/12 and the fact that a series of informal officer meetings were taking place to discuss the working arrangements between the Partnership and local councils, with a number of proposals to be eventually submitted to the Partnership Board and the Teesdale Local Councils' Forum.

It was also reported that Councillor Peat and the Assistant Clerk had attended the Local Councils' Charter review meeting on 27th September, 2010. It had been acknowledged at that meeting that particular difficulties had been experienced in respect of consultation documents and it was confirmed that this section of the Charter was being scrutinised separately (Minute 94(1) above refers). Details of any prospective changes would be submitted to the County Council's Cabinet for approval and it was anticipated that the revised Charter would become effective during the early part of 2011.

Resolved - That the information be noted.

99. NORTH WARD VACANCY – UPDATE

It was reported that, pursuant to Minute 50/Jul/10, there had been a further delay in the commencement of the election process for the current North Ward vacancy, caused by the non-publication of the latest Newsletter. This link involved the need to advertise the vacancy (in addition to using other advertising avenues) in the Newsletter. With the possibility of an election actually taking place, it was imperative that notification of the vacancy and the resultant processes reached as wider audience as possible. It was anticipated that the Newsletter would be published in the following 2-3 weeks and the relevant Notice of Election would be produced to fit in with that timescale.

Resolved – That the updated situation be noted.

100. AUDIT OF ACCOUNTS 2009/10 – FINAL REPORT

Submitted – Pursuant to Minute 34/Jun/10 and following completion of the 2009/10 Audit by this Council's External Auditor, a report seeking approval of this Council's 2009/10 Annual Return. The External Auditor had raised two issues requiring decisions from Members, one relating to the 'Review of Effectiveness of Internal Audit' document (which was required to be reviewed at least annually) and the other relating to the need to increase the level of Fidelity Guarantee.

Resolved – (a) That the 2009/10 Annual Return be approved and accepted, with the issues raised being dealt with as now determined.

(b) That the 'Review of Effectiveness of Internal Audit' document be reviewed at least annually.

(c) That an increase of £100,000 (resulting in a revised total of £250,000), with the first additional premium to be payable from the 2011/12 Insurance budget, be made to the level of Fidelity Guarantee.

101. TRAINING UPDATE

Submitted – A report summarising progress made to date in respect of the 2010/11 Training Programme and highlighting the requirement to consider a preferred alternative day to schedule the outstanding ‘in-house’ courses as there were no Monday evenings free.

Reference was also made to the outstanding and relatively costly Chairmanship training, consisting of six modules, as an opportunity had arisen for Members to attend an alternative one-day ‘Chairing Meetings’ course offered by Durham County Council at a more reasonable cost.

It was noted that the invitation to Durham County Council’s recent free training course ‘Community Leadership, Neighbourhoods and Community Development’ had been accepted by Councillor Cooke (Town Mayor) and he submitted a review of the course for Members’ information.

Resolved – (a) That Councillors Blissett, Cooke (Town Mayor) and Peat be authorised to attend the ‘Chairing Meetings’ one-day course scheduled for 24th January, 2011.

(b) That Wednesday be the preferred alternative day to schedule ‘Being a Good Councillor’ Modules 4 and 5 training.

(c) That Councillors Blissett, Cooke (Town Mayor) and Mrs Dixon be authorised to attend the County Council Planning Department’s Section 106 Agreements/Community Infrastructure Levy training scheduled for 21st October, 2010.

102. PROPOSED GIRL GUIDES’ HUT, BIRCH ROAD – SUBMISSION OF PLANNING APPLICATION

Submitted – A report outlining a request from The Guide Association Barnard Castle District for this Council to submit the proposed Girl Guides’ Hut planning application on the Association’s behalf to take advantage of the associated reduced planning fee, with local councils eligible for a 50% reduction in the fee.

Discussion ensued about the benefits and repercussions of fronting such applications and concerns were expressed that a precedent would be set which could potentially create difficulties in the future in respect of similar applications from various Barnard Castle sources. It was also reported that should this Council submit the Guide Hut planning application, it would then be eliminated from being a consultee during the whole of that specific planning application process. Reference was made to a prior application, albeit submitted some time ago, which was declined because of concerns about it being ‘the thin end of the wedge’.

Resolved – That, for the reasons given above, this Council does not accede to the request to submit the Girl Guides’ Hut planning application on behalf of The Guide Association Barnard Castle District or to any requests of a similar nature in the future.

103. EXCLUSION OF PRESS AND PUBLIC (in respect of Minutes 104 to 107 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 104 to 107 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.

104. REVIEW OF AUDIT ARRANGEMENTS

Submitted – Pursuant to Minute 36(b)/Jun/10, a report summarising the conclusion of the investigations to identify an Internal Auditor with an understanding of the local government framework to undertake this Council's future internal audits. The key areas for consideration were outlined and information received regarding the service to be provided was supplied in respect of those who had submitted quotations.

Resolved – (a) That Mr Gordon Fletcher be appointed to carry out this Council's internal audit for 2010/11.

(b) That the decisions at Minutes 238/Apr/09 and 11/May/10, in respect of Addisons of Galgate, Barnard Castle, be accordingly revoked.

105. FUTURE TEESDALE HOUSE MEETING ARRANGEMENTS

Submitted – A report clarifying the current situation in respect of Teesdale House and this Council's prospective meeting arrangements, including the overall plans for civic premises throughout County Durham and the fact that the County Council was asking, as an interim measure, that most meetings of the Town Council (and all meetings of the Teesdale Local Councils' Forum) be finished by 8.30 p.m. at the latest. Particular arrangements for full Council meetings might be possible.

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

(b) That the interim measure of an 8.30 p.m. finish for all of the Council's subsidiary body meetings be agreed to.

106. PLAY AREA ISSUE

Submitted – A report on an incident at the Green Lane play area on 28th August, 2010. Details were provided of the incident and the actions taken by all responsible parties since that date.

Resolved – That the information be noted.

107. STANDARDS COMMITTEE MATTERS

Submitted – Pursuant to Council Minute 86/Sep/10, a report providing a further update on Standards Committee matters, including a revised date for the prospective meeting between Members and a relevant officer.

It was also reported that the Government had announced that it fully intended to abolish the Standards Board regime with effect from late 2011 or early 2012. Members would be kept informed as and when further information was received.

Resolved – (a) That the revised arrangements for the meeting with a relevant officer be approved.

(b) That clarification be sought prior to the meeting at (a) above as to its parameters.

(c) That the Standards Board situation be noted.