

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING**

18TH APRIL, 2011

(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 but one member of the public was present for part of the meeting (Minutes 189 to 195(1) inclusive.))

PRESENT:- Councillor Cooke (Town Mayor)(in the Chair); Councillors Mrs Bailes, Blissett, Mrs Dixon, Mrs Hamilton, Harrison, Peat, Robinson, Watson, Wood and Yarker.

Also in attendance:- County Councillor R. Bell (Minutes 198 to 203 inclusive).

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

189. APOLOGIES:- Councillor Hinchcliffe.

190. WELCOME TO COUNCILLOR ROBINSON

It was reported that, pursuant to Minute 180/Mar/11, the only accepted candidate for the North Ward vacancy had remained as a candidate until the end of the Election process and had therefore been elected unopposed. That candidate, Thom Robinson, had signed his Declaration of Acceptance of Office on 11th March, 2011 and had duly become a Councillor for the North Ward from that date. The Town Mayor welcomed Councillor Robinson to his first meeting. Whilst it was understood that some Members wanted to comment on a recent article published in the Teesdale Mercury that incorporated Councillor Robinson's views about the Town Council, concerns were expressed at the meeting that such comments were neither appropriate nor advisable.

Resolved – That no further action be taken regarding the Teesdale Mercury article.

191. 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. Councillors Mrs Bailes, Blissett and Wood declared interests in respect of Minute 202 and took no part in the discussion or voting thereon.

192. COUNCIL MEETING – 7TH MARCH, 2011 – MINUTES

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

193. '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 – 14th March, 2011 – Minutes

Resolved – That the Minutes be received.

(2) Finance Committee Meeting – 14th March, 2011 – Minutes

Resolved – That the Minutes be received.

(3) Modernisation Committee Meeting – 21st March, 2011 – Minutes

Resolved – That the Minutes be received.

(4) Planning Committee Meeting – 28th March, 2011 – Minutes

Resolved – That the Minutes be received.

(5) Christmas Festival Committee Meeting – 28th March, 2011 – Minutes

Resolved – That the Minutes be received.

(6) Town Mayor's Activities

It was reported that, since the Council meeting on 7th March, 2011, the Town Mayor and Deputy Town Mayor had attended the following:-

- 24th March** **Town Mayor (accompanied by Town Mayoress (Miss R. Abrahams))**
Barnard Castle Vision's launch of Barnard Castle Business and Investment Guide (NeST, Newgate).
- 8th April** **Town Mayor**
Meeting with Ms D. Jenkins of Barnard Castle Vision (Town Council office).
- 13th April** **Deputy Town Mayor**
Mind and Rethink Mental Health Charity Awareness - Time to Change Sofa Campaign (Market Place).
- 16th April** **Town Mayor (accompanied by Town Mayoress)**
Barnard Castle Cricket Club - Opening of Club extension '20/20 KidZone'.

Resolved – That the information be noted.

(7) Royal Garden Party 2011 – Result of Draw

It was reported that, pursuant to Minute 159/Jan/11, the successful nominations, drawn completely at random, came from Belmont Parish Council and Brandon and Byshottles Parish Council.

Resolved – That the information be noted.

194. REFERRALS FROM COMMITTEES

(1) Planning Committee – Substitute Committee Member Arrangements

Reference was made to the recommendation of the Planning Committee, at Minute 65 of the set of Minutes at sub-section (1) of Minute 193 above, regarding the substitute Member place on the Planning Committee. It was noted that, whilst the substitute Member arrangement was introduced in 2001, it had become apparent that the circumstances which necessitated the substitute Member attending a Committee meeting had become somewhat confused.

Resolved - That the substitute Committee Member arrangements, as now submitted by the Planning Committee, be approved.

(2) Finance Committee – 2011/12 Earmarked Reserves

Reference was made to the recommendation of the Finance Committee, at Minute 52(b) of the set of Minutes at sub-section (2) of Minute 193 above, regarding four specific budgetary items in 2010/11 being transferred into 2011/12 as earmarked reserves. It was noted that, whilst those allocations (none of which were spent (in whole or in part) in 2010/11) would normally be transferred into the Council's general reserves and whilst the

use of earmarked reserves was to be kept to a minimum, it was considered by the Finance Committee that all four items should be transferred as suggested.

Resolved – That approval be given to the recommendation of the Finance Committee that four specific budgetary allocations for 2010/11, namely the Laptop and Software for the Clerk (£800), the office move (£5,000), the Nameboards at Teesdale House (£400) and the Market Place Public Toilets (£13,000), be transferred into 2011/12 as earmarked reserves.

195. REPRESENTATION ON OTHER BODIES

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

(1) Barney Guild – Meeting on 28th March, 2011

It was reported that, at the Barney Guild meeting on 28th March, 2011, matters discussed centred on the arrangements for two celebration weekends for which funding had been secured from Barnard Castle Vision. Whilst similar funding had been obtained for the Courtesy Toilet Scheme, concerns were expressed at the meeting as to how that scheme would be funded in future years.

It was also reported that a Guild member, Ms L. Franklin of the Butterwick Hospice Shop, had been nominated to be a co-opted member of this Council's Christmas Festival Committee to replace Ms R. Hamilton who was no longer a member of the Guild.

Resolved – That the information be noted.

(2) Heart of Teesdale Landscape Partnership

It was reported that, whilst most of the Heart of Teesdale Landscape Partnership work was referred to in a separate report at Minute 198 below, meetings of the Partnership were taking place on a reasonably regular basis, with the next meeting scheduled for 28th April, 2011. This would follow the deadline (20th April) for the submission of detailed individual bids emanating from the 200+ 'expressions of interest' which had been previously put forward. It was confirmed that the overall Partnership bid would be submitted in June 2011, a copy of which would be sought by this Council.

It was also confirmed that the Partnership worked under the auspices of Barnard Castle Vision. However, the Partnership Chairman (Mr W. Weston) was now acting in a voluntary capacity and was not an official member of the Vision team.

Resolved – That the information be noted.

(3) Teesdale Local Councils' Forum – Meeting on 11th April, 2011

It was reported that, at the Forum's meeting on 11th April, 2011, consideration was given to a request from the Teesdale Action Partnership to bring forward the consideration of a nomination for the Forum's representation on the Partnership during 2011/12. However, the Forum did not agree to that request and would continue to determine its nomination at the Forum's Annual General Meeting.

It was also reported that, notwithstanding the Forum's previous decision to only allow members of the County Durham Association of Local Councils to vote on the nomination of a Partnership representative, Durham County Council had contacted all local councils who were not members of the Association, providing each of them with the opportunity to nominate a representative to the Partnership for 2011/12. Whilst no nominations were resultantly received, the issue of non-members being allowed to take part continued to be a bone of contention (not just for Teesdale).

Other issues discussed at the April Forum meeting included accountability issues surrounding some of the bids for Heart of Teesdale Landscape Partnership funding and the fact that all local council clerks had to be classed as employees for the purposes of PAYE and National Insurance contributions.

Resolved – That the information be noted.

(4) Teesdale Marketing Limited

It was reported that Councillor Mrs Hamilton, this Council's representative on Teesdale Marketing Limited, had attended that body's Annual General Meeting on 29th March, 2011. As agreed at Minute 10(b)/May/10, she was accompanied by Councillor Cooke. Councillor Mrs Hamilton provided a summary of the meeting.

It was also noted that, notwithstanding previous difficulties, the Teesdale Marketing Chairman had promised to telephone the Clerk with a view to a 'working together' approach being adopted between the two bodies. However, to date, that telephone call had not been made.

Resolved – That Teesdale Marketing Limited be requested to consider a Town Councillor becoming a member of that body's Board.

(5) Teesdale Residents and Travellers Forum – Meeting on 5th April, 2011

It was reported that, at the Forum's meeting on 5th April, 2011, issues discussed in respect of Barnard Castle centred on the temporary traffic restrictions along Bridgegate, to be installed from 23rd May until 13th June, 2011. It was confirmed that Bridgegate Tyres would again be co-operating in respect of disabled residents' parking. It was also confirmed that the Police command vehicle would again be parked in Bridgegate during the migration period.

Resolved – That the information be noted.

(6) Charity for Advancement of Trade, Commerce and Art

It was reported that a letter had been received from the Executive and Trustees of the Will of Mrs E. M. Sheppard who had bequeathed that the Trustees set up a Charity for the Advancement of Trade, Commerce and Art in Teesdale. Councillor Yarker (as Mr Yarker) had been asked to be a Committee Member but he was willing to provide the Council with update reports in respect of the work of the Charity.

Resolved – That the information be noted.

196. BARNARD CASTLE VISION

Submitted - In accordance with the standard arrangements, a report incorporating 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, including the 'Courtesy Toilet Scheme', the revised Witham Hall situation, the Market Cross situation and the Shop Front scheme.

The Town Mayor (Councillor Cooke) and the Clerk also verbally reported on the outcomes of their individual meetings with the Vision Chairman on 8th April, 2011. Discussion ensued in respect of questions from other Members being submitted to the Town Mayor prior to the meetings with the Vision Chairman.

Resolved – (a) That the information be noted.

(b) That an appropriate agenda item, seeking questions from Members, be included for all Council meetings taking place immediately prior to the Town Mayor's meetings with the Barnard Castle Vision Chairman.

197. 'ROPE BRIDGE' ACROSS RIVER TEES – OVERVIEW

Pursuant to the briefing meeting on 31st January, 2011 concerning the 'Rope Bridge' across the River Tees project (fronted by Teesdale Marketing Limited), it was recognised that this Council had not yet formulated a view in respect of the project, partly because of the type of meeting it was.

Members were also asked to consider whether they wished, as a general policy, to provide initial comments on key proposals for Barnard Castle (following appropriate presentations) before those proposals were submitted through the planning consultation process

Resolved – (a) That, in view of the fact that the feasibility study remains outstanding, no decision be taken in respect of the 'Rope Bridge' across the River Tees project at this juncture.

(b) That, in respect of any future presentation for a relatively large potential project in Barnard Castle, the relevant presenter be requested to provide a detailed and informative presentation so that the Council's view can be formulated.

198. FLORAL AND OPEN SPACES ISSUES

Submitted – Pursuant to Minute 179/Mar/11 and following a meeting of the Floral and Open Spaces Working Group on 4th April, 2011, a report summarising the resultant floral display ideas for the lower Galgate area emanating from site visits by four companies. The report also included further details in respect of the submission of specific project bids to the Heart of Teesdale Landscape Partnership, following this Council's initial 'expressions of interest'. Both the Town Gardens project and the two Welcome signs would be carried out as Town Council projects without the Partnership's involvement. Similarly, bulb-planting could be co-ordinated by this Council.

Resolved – (a) That approval be given to the overall proposals for the 2011 floral display in lower Galgate, with delegated powers given to the officers to determine the detailed arrangements for the display.

(b) That it be agreed that bids in respect of the Mini Golf course, the Garden of Remembrance, the Heritage Wheel and the Upper Demesnes Hay Meadow be submitted to the Heart of Teesdale Landscape Partnership.

199. 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) Annual Floral Competition 2011

It was reported that a meeting of the Floral Competition Working Group had taken place on 10th March, 2011, with the proposed arrangements for the 2011 Competition discussed. It was confirmed that the Competition this year would be linked with The Royal British Legion's 90th Anniversary celebrations and, with this in mind, the Floral categories of the Competition would be loosely themed around 'remembrance'.

Resolved – That the updated situation be noted.

(2) Newsletter

It was reported that Edition No. 15 of the Newsletter had been produced, published, distributed and paid for by the end of March 2011. A summary of the 2011/12 Newsletter publication arrangements was provided (Minute 181(3)/Mar/11 refers), including the fact that quotations would be imminently sought and a meeting of the Editorial Board would be convened to determine the publication arrangements and the contents of Edition No. 16.

Resolved – That the updated situation be noted.

(3) Dawson Road Play Area Phase 2

It was reported that, pursuant to Minute 181(2)(i)/Mar/11, planning permission for the installation of a Multi Use Games Area (MUGA) on the Dawson Road playingfield had been granted. It was noted the planning permission allowed for the installation of floodlights for the MUGA if that proved feasible. Funding for the project had still to be resolved.

Resolved – That the information be noted.

(4) Market Cross Lighting

It was reported that, pursuant to Minute 115(2)/Dec/09, approval had been given to the Listed Building Consent application for the spotlights to be replaced by halide floodlights on the Market Cross, as part of the Christmas lighting improvement scheme but (as previously agreed) to be on display throughout the year. It was noted that the associated press coverage had made no mention of the fact that this was a Town Council project.

Resolved – That the information be noted.

(5) Market Place Public Toilets

It was reported that, pursuant to Minute 95(7)/Oct/10, the outline proposals for the replacement Market Place public toilets being built above ground had been quashed for various reasons. Whilst it had not been reported directly to the Town Council, it was almost certain that the existing toilets would now be refurbished. It was confirmed that, in respect of the access issues associated with the Disability Discrimination Act, the current stepped access arrangements were considered to be reasonably accessible to the majority of disabled users, provided a clear notice advised where alternative toilets for wheelchair users could be found.

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

(b) That Durham County Council be informed that the detailed plans should be made available to this Council as soon as is practical.

200. DOG FOULING

Councillor Mrs Hamilton had asked for this matter to be discussed at this meeting in view of the number of complaints received in respect of the amount of dog fouling being left by irresponsible dog owners around the Town. Discussion ensued, primarily about the specific problem areas around the Town. However, it was stressed that it was known that Durham County Council were striving to tackle the issue in various ways.

Resolved – (a) That a letter be sent to Durham County Council expressing this Council's concerns regarding dog fouling in Barnard Castle.

(b) That Councillor Robinson be authorised to investigate the option of this Council providing appropriate dog fouling bags.

201. ANNUAL TOWN AND COUNCIL MEETINGS – 9TH MAY, 2011 – PROCEDURES
Submitted – A report on the formats of the Annual Town and Council meetings scheduled for 9th May, 2011, including a number of associated procedures. It was confirmed that short meetings of this Council's Committees and Working Groups would also take place and reference was made to the previous advertising of the main meetings in the Teesdale Mercury and 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.

It was noted that there was a need for a Special Council meeting the same evening to consider specific urgent matters, including the floral display tenders.

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.
(c) That a Special Council meeting also be convened on 9th May, 2011.

202. HOME TO SCHOOL/COLLEGE TRANSPORT POLICY – CONSULTATION

Submitted - A report summarising Durham County Council's draft Home to School/College Transport Policy, including details of the five areas that the Policy covered. It was noted that the current service was an enhanced one and was more than the County Council was obliged to provide by law. However, that Council was reviewing the service, due to increasing financial pressures, to provide one that simply satisfied legal requirements, to achieve budgetary savings of approximately £5.5 million.

Whilst having declared an interest in this matter, Councillor Blissett outlined the disadvantages of reducing the service in a rural area but took no part in the further discussion or voting thereon.

Resolved – That Durham County Council be advised that the Home to School/College Transport policy should not be reduced due to the rural nature of the local area.

**203. DRAFT RIGHTS OF WAY IMPROVEMENT PLAN FOR COUNTY DURHAM
2011-14 – CONSULTATION**

Submitted - A report summarising Durham County Council's draft Rights of Way Improvement Plan (2) - 'Paths for People' and incorporating the most relevant section of the draft Plan for Members' information. The Plan would enable the County Council to develop a high quality path network fit for 21st Century travel, recreation and enjoyment and fitted within the County Council's broader strategic framework. It was noted that the County Council had a statutory duty, under the Countryside and Rights of Way Act 2000, to produce a Rights of Way Improvement Plan. The deadline for responses was 13th May, 2011.

Resolved – That the draft Rights of Way Improvement Plan for County Durham 2011-14 be acknowledged.

204. EXCLUSION OF PRESS AND PUBLIC (in respect of Minutes 205 to 207 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 205 to 207 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.

205. OFFICE ACCOMMODATION

Submitted – Pursuant to Minute 169(d)/Jan/11 and the determination of an immediate short-term office accommodation option, a report summarising the further preparatory work and determination of associated costs that had been carried out, including a proposed layout of the office. Discussion ensued and concerns were expressed in respect of a specific health and safety issue.

Resolved – That consideration of this matter be deferred for further investigations to be made in respect of the health and safety issue.

206. 2011 FLORAL DISPLAYS – TENDERING ARRANGEMENTS

Submitted – Pursuant to Minute 198 above, a report on the proposed tendering processes for the 2011/12 floral displays so that quotations could be accepted at a Special Council meeting to be scheduled following the Annual meetings on 9th May, 2011. 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 2011 Summer and 2011/12 Winter/Spring supply of the floral displays contents:-

- (i) Eggleston Hall Gardens;
- (ii) Elm Ridge Gardens Limited, Darlington;
- (iii) Ravensworth Nurseries; and
- (iv) Woodburn Nursery, Darlington.

(b) That Durham County Council be asked to submit a quotation in respect of the associated watering but that the officers be given delegated powers to explore other options.

(c) That the Summer floral displays be erected during the working week commencing 31st May, 2011.

207. CO-ORDINATION OF NON-TOWN COUNCIL ACTIVITIES

Submitted – A report summarising a recent issue that had arisen regarding the co-ordination of a non-Town Council activity.

Resolved – That the information be received.