

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING**

6TH JUNE, 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 two members of the public were present during the 15-minute slot.

PRESENT:- Councillor Cooke (Town Mayor)(in the Chair for Minutes 18 to 36 inclusive and 38 to 40 inclusive); Councillor Harrison (Deputy Town Mayor)(in the Chair for Minute 37 only); Councillors Mrs Bailes, Blissett, Mrs Dixon, Mrs Hamilton, Peat, Robinson (Minutes 20 to 40 inclusive), Watson, Wood and Yarker.

Also in attendance:- Sergeant C. Knox (Durham Constabulary)(Minutes 18 to 20 inclusive) and two members of the public (Minutes 18 to 20 inclusive and Minute 37).

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

18. APOLOGIES:- Councillor Hinchcliffe.

19. 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. Councillor Cooke (Town Mayor) declared an interest in respect of Minute 37 and left the Council Chamber during the discussion of that matter and also declared an interest in respect of Minute 30. Councillor Mrs Dixon declared an interest in respect of Minute 36 and took no part in the discussion or voting thereon.

20. ATTENDANCE OF POLICE REPRESENTATIVE

In accordance with the arrangements agreed at Minutes 176(b)/Mar/09 and 186(b)/Mar/11, Sergeant C. Knox attended the meeting. Members were informed of current priorities (including Operation Hansel and Operation Summer Nights) and the travellers' migration period. Reference was also made to the Constabulary's restructuring situation. A 'question and answer' session ensued, with references made to anti-social behaviour in the Town and Neighbourhood Watch arrangements.

Resolved – That Sergeant Knox be thanked for his attendance.

(NOTE – At this point, the Clerk requested that agenda item 37 (concerning the Town Mayor's non-attendance at events) be brought forward for consideration and this was agreed. It was also agreed that the two members of the public (Mr and Mrs Hill) be allowed to speak on this matter. As Councillor Cooke (Town Mayor) had declared an interest in respect of this matter, he left the Chair and the Council Chamber. Councillor Harrison (Deputy Town Mayor) chaired the meeting during the discussion at Minute 37.)

37. TOWN MAYOR – NON-ATTENDANCE AT EVENTS

Submitted – Pursuant to Minute 161/Jan/11, a report summarising details of three events that were due to take place at The Beaconsfield, including two specific events of The Meet and the Aviation Day buffet lunch, and that the Town Mayor (Councillor Cooke) would be generally expected to attend. However, he could not attend as it had been confirmed in writing by Mrs Hill of The Beaconsfield that it was 'with regret' and 'due to a previous incident', Councillor Cooke would not be allowed to enter The Beaconsfield. Mr and Mrs Hill spoke on the matter

and also sought an apology from Councillor Cooke for the incident. Discussion ensued in respect of the matter.

Resolved – That it be suggested to Councillor Cooke that he should apologise to Mr and Mrs Hill for the previous incident.

(NOTE - At this point, it was agreed that Councillor Cooke should be allowed to re-enter the Council Chamber.)

The Clerk read out the above resolution to Councillor Cooke who replied by indicating that he would not be apologising. Further discussion ensued.

Resolved – That the Clerk be authorised to seek further advice in respect of what options are available for the means of redress in respect of this matter.

21. COUNCIL MEETING – 18TH APRIL, 2011 – MINUTES

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

22. SPECIAL COUNCIL MEETING – 9TH MAY, 2011 – MINUTES

Resolved – That, subject to the following correction, the Minutes be accepted as a true and accurate record:-

in respect of those present at the meeting, 'Councillor Mrs Dixon' be deleted.

23. ANNUAL TOWN MEETING – 9TH MAY, 2011

(1) Minutes

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

(2) Confirmation of Course of Action

It was reported that, as the Annual Town Meeting was technically not a decision-making meeting of the Council, formal confirmation was required in respect of the following course of action agreed at that meeting:-

(A) **Flatts Wood**:- That the letter from the member of the public in respect of the works to Flatts Wood be forwarded to Marwood Estates.

Resolved – That the above course of action be confirmed and approved

24. ANNUAL COUNCIL MEETING – 9TH MAY, 2011 – MINUTES

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

25. SPECIAL COUNCIL MEETING – 9TH MAY, 2011 – MINUTES

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

26. '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 fifteen items considered at the meeting were as follows:-

(1) Planning Committee Meeting – 18th April, 2011 – Minutes

Resolved – That the Minutes be received.

(2) Modernisation Committee Meeting – 20th April, 2011 – Minutes

Resolved – That the Minutes be received.

(3) Planning Committee Meeting – 4th May, 2011 – Minutes

Resolved – That the Minutes be received.

(4) Administrative Support Committee Meeting – 9th May, 2011 – Minutes

Resolved – That the Minutes be received.

(5) Christmas Festival Committee Meeting – 9th May, 2011 – Minutes

Resolved – That the Minutes be received.

(6) Finance Committee Meeting – 9th May, 2011 – Minutes

Resolved – That the Minutes be received.

(7) Modernisation Committee Meeting – 9th May, 2011 – Minutes

Resolved – That the Minutes be received.

(8) Planning Committee Meeting – 9th May, 2011 – Minutes

Resolved – That the Minutes be received.

(9) Allotments and Play Areas Working Group Meeting – 9th May, 2011 – Notes

Resolved – That the Notes be received.

(10) Editorial Board Meeting – 9th May, 2011 – Notes

Resolved – That the Notes be received.

(11) Floral Competition Working Group Meeting – 9th May, 2011 – Notes

Resolved – That the Notes be received.

(12) Floral and Open Spaces Working Group Meeting – 9th May, 2011 – Notes

Resolved – That the Notes be received.

(13) Planning Committee Meeting – 16th May, 2011 – Minutes

Resolved – That the Minutes be received.

(14) Town Mayor's Activities

It was reported that, since the Annual Council meeting on 9th May, 2011, the Town Mayor, accompanied by the Town Mayoress (Miss R. Abrahams), had attended the following:-

Council Meeting 6th June, 2011 – Minutes

- 17th May Barnard Castle Scout Group's Annual Parents' Night and Annual General Meeting (Scout Headquarters, Wilson Street).
- 23rd May Richmond Town Council's Mayor Making Ceremony (Town Hall, Richmond).
- 27th May The Meet's Veterans' Football Match (Glaxo Sports Field).
- 28th May Crowning of The Meet's Carnival Queen (Scar Top).
- 29th May The Meet's Pet Show (Lower Demesnes).
- 29th May The Meet's Crazy Bowls (The Bowes Museum).
- 29th May The Meet's Rhythm and Blues, including 'Cream Tea on the Lawn' with the Assistant Secretary of The Meet Committee (Lower Demesnes).
- 30th May The Meet's Grand Parade and Showground activities (Lower Demesnes).

Resolved – That the information be noted.

(15) Michael Wheeler – Honorary Freeman Presentation – Letter from Mrs Rita Wheeler

Resolved – That the letter be received.

27. EXCLUSION OF PRESS AND PUBLIC (in respect of Minutes 28 to 30 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 28 to 30 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.

28. OFFICE ACCOMMODATION

Submitted – Pursuant to Minute 17/May/11, a report summarising the updated situation in respect of the proposed office accommodation at 42 Galgate, including the fact that professional advice had been sought in respect of the shop-front windows, which confirmed that the windows were not currently dangerous, and that relevant plans, incorporating a slight revision to the approved general layout, were currently being drawn up.

It was also confirmed that relevant legal advice had been sought in respect of the agreed Tenancy Agreement for 42 Galgate and the solicitor's response was circulated to aid Members' deliberations.

Resolved – (a) That the Clerk be authorised to follow the legal advice received and to schedule a meeting with the landlord to renegotiate the Tenancy Agreement and the shop-front windows situation and that two other Members of this Council, of the Clerk's choice, be present at that meeting.

(b) That, should renegotiations be unsuccessful with the landlord, further legal advice be sought.

(c) That, in an effort towards the office staff moving into the agreed office accommodation, a planning application in respect of the Change of Use and internal works to the premises be submitted as soon as possible.

29. CO-ORDINATION OF NON-TOWN COUNCIL ACTIVITIES – UPDATE

Submitted – Pursuant to Minute 207/Apr/11, a report summarising the current situation in respect of a recent issue that had arisen regarding the co-ordination of a non-Town Council activity. It was confirmed that no further action would be necessary.

Resolved – That the updated information be noted.

30. STANDARDS COMMITTEE MATTER

Submitted – A report summarising details of a recent complaint submitted to Durham County Council's Standards Committee by a Member of this Council. It was stressed that, following further advice received from Durham County Council's Legal Services, there could be no discussion undertaken in respect of the matter at this meeting.

Resolved – That the situation be noted.

(The press and public were permitted to return to the meeting at this point)

31. REPRESENTATION ON OTHER BODIES

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

(1) Barney Guild – Meeting on 26th April, 2011

It was reported that, at the Barney Guild meeting on 26th April, 2011, matters discussed centred on the arrangements for the celebration weekend in May 2011 and the Guild's overall financial situation and it was confirmed that the funding for the Courtesy Toilet Scheme would last for at least 2 years

Resolved – That the information be noted.

(2) Heart of Teesdale Landscape Partnership Steering Group – Overview Update

It was reported that the overall bid by the Partnership to the Heritage Lottery Fund would be submitted, as scheduled, during June 2011. It was also reported that a number of meetings of the Partnership's Steering Group had taken place and the projects to be included in the bid had been sorted out. That exercise was partly based on the outcome of an exhibition of prospective projects in St. Mary's Parish Hall on 6th May, 2011, with those attending asked to fill in forms conveying their individual preferences. A relatively small number of attendees did this, albeit that a proportion of them had 'vested interests' which obviously made it more difficult to be objective.

Resolved – That the information be noted.

(3) Police Consultative Committee – Current Situation

Pursuant to the Teesdale Local Councils' Forum meeting on 16th May, 2011 where it was reported that members of the Police Consultative Committee had been advised that there would be no further meetings of that body, it was reported that subsequent investigations had established that the reality was that the format of the Consultative Committee was currently under review. It was anticipated that the Committee format would be remodelled and adjusted into a Forum format in the near future, with the existing members of the Police Consultative Committee being automatically invited to become Forum members.

Resolved – That the information be noted.

(4) Teesdale Local Councils' Forum – Meeting on 16th May, 2011

It was reported that, as the Forum meeting on 16th May, 2011 was the Annual General Meeting, only formal and procedural items were included on the agenda, i.e. the main appointments and the attendances of the Police at Forum meetings.

It was also reported that there was yet again a poor attendance of local council representatives at the meeting and it was agreed that this would be looked at again by the Forum, with a small Committee set up to review the Forum's Constitution.

Resolved – That the information be noted.

(5) Teesdale Residents and Travellers Forum – Meeting on 12th May, 2011

It was reported that, at the Forum's meeting on 12 May, 2011, issues discussed in respect of Barnard Castle centred on the temporary traffic restrictions on Bridgegate, the Police command vehicle again being parked in Bridgegate during the migration period. Whilst the drop bollard at the lower Demesnes was not working properly and the overhead barrier was not being locked correctly, it was agreed that any necessary repairs would be carried out before the migration period.

Resolved – That the information be noted.

(6) Trustees of Dawsons Cottages – Current Situation

Pursuant to Minute 10/May/11, it was reported in writing that investigations had confirmed that the administrator of the Charity had changed but the Charity's Scheme had not changed and consequently this Council was still required to nominate two representatives. It was also reported that, whilst the administrator had been advised by Durham County Council that the use of Teesdale House for meetings of the Trustees was no longer possible, an alternative venue had been found in Barnard Castle and the administrator would be scheduling a meeting of the Trustees in the near future.

It was verbally reported at the meeting that that meeting of the Trustees had subsequently taken place and it had been agreed that improvements would be made to the cottages soon.

Resolved – That the information be noted.

(7) School Governors – Updated Information

Pursuant to Minute 10/May/11, it was reported that investigations had confirmed that a principal authority School Governing body did not have to appoint specifically from its local council anymore. Both Councillors Blissett and Hinchcliffe were Governors under the 'Community Governor' category and, as such, were actually appointed as Mr Blissett (Montalbo Primary School) and Mr Hinchcliffe (Barnard Castle C. E. Controlled Primary School, Green Lane).

It was noted that Barnard Castle School's Governing Body was administered under a charity scheme, with the current scheme stating that a nominated Governor had to be appointed from this Council. The term of office for this Council's representative was due to expire in June 2011 and, whilst revision of the current scheme was not anticipated, confirmation had yet to be received that the term was to be extended, notwithstanding the renomination of Councillor Mrs Hamilton at the Annual Council meeting.

Resolved - That the school governor representation for Barnard Castle C. E. Controlled Primary School, Green Lane and Montalbo Primary School be deleted from this Council's list of School Governor Representation.

32. FLORAL AND OPEN SPACES ISSUES

Submitted – Pursuant to Minute 198/Apr/11, a report summarising various floral and open spaces issues, including the fact that there had been a delay in the 2011 floral displays being put in place and, whilst there had been no official response from the Heart of Teesdale Landscape Partnership because the final ‘rubber-stamping’ decisions had not yet been taken, it was likely that the four bids submitted to the Partnership for inclusion in their overall bid would receive the following outcomes:-

- (1) Mini Golf ‘scheme within Scar Top’ - £20,000 allocated (£15,000 requested) but with provision made for the Mini Golf hut;
- (2) Garden of Remembrance, Galgate - £10,000 allocated (against a request for £20,000);
- (3) Heritage Wheel – not approved; and
- (4) Upper Demesnes Hay Meadow - £2,500 allocated (as requested)

In respect of (1) above, Members were asked whether the Floral and Open Spaces Working Group should determine some of the detail, including the design for the Mini Golf hut. In respect of (2) above, it was considered that a revision of the estimate might be required as a further £10,000 would be difficult to acquire. In respect of (3) above, whilst it was disappointing to learn that the Heritage Wheel would not be progressed via the Partnership, it was put to Members as to whether it was worth pursuing this option any further. In respect of (4) above, it was considered gratifying that the Hay Meadow project would be able to continue.

It was noted that, as far as the projects not submitted to the Partnership were concerned, the Town Gardens project was still a strong possibility for this Council to develop. The Landscape Partnership team had included a project in its bid which involved new gardens being formed in various parts of Barnard Castle and it was thought that the Gardens project could be carried out separately.

It was also reported that the scheme for the two Welcome signs (proposed replacements for ‘The Bowes Museum’ sign in Galgate and the Barnard Castle sign on the Town side of the County Bridge) was at an advanced stage because a local businessman had offered to pay, by way of a donation, the total costs for the signs and the associated work. It was confirmed that neither of the signs were the responsibility of Durham County Council and The Bowes Museum had agreed to the change to the Galgate sign. Details of the proposed signs had been circulated for Members consideration.

Resolved – (a) That the Floral and Open Spaces Working Group be authorised to determine some of the detail in respect of the Mini Golf ‘scheme within the Scar Top scheme’, including the design for the Mini Golf hut.

(b) That the scheme for the two replacement Welcome signs be approved.

33. 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 Witham Hall situation, NeST and the Shop Front scheme. It was also reported that the Vision had been successful in winning two of the four categories and was commended in another category at The Action for Market Towns National Awards. A celebration event was scheduled for Friday, 24th June, 2011 at NeST and the Town Mayor had been invited to attend.

It was also reported that, since the last ordinary Council meeting on 18th April, 2011, there had been no meetings between the Vision Chairman and the Town Mayor. However, the Clerk had met with the Vision Chairman on 20th May, 2011 with discussion concentrating on the Heart of Teesdale Landscape Partnership bids and the decision-making procedures, the revised staffing arrangements within the Vision team, the reporting relationship to Durham County Council and contact information about various projects in which there was a common interest. Discussion ensued in respect of the meetings between the Vision Chairman and the Town Mayor and whether those meetings were beneficial to the Council.

Resolved – (a) That the information be noted.
(b) That the Modernisation Committee be authorised to review the overall liaison arrangements between the Vision and this Council.

34. AUDIT OF ACCOUNTS 2010/11

Submitted – A report confirming that this Council's accounts for the financial year 2010/11 had been examined and approved by this Council's Internal Auditor and seeking approval to Section 1 (Accounting statement) and Section 2 (Annual governance statement) of the 2010/11 Annual Return. The report also outlined the remaining stages of the process, leading to the final submission of the Annual Return to the External Auditor by 24th June, 2011. The accounts had to be approved by the External Auditor by 30th September, 2011.

A copy of the Internal Auditor's report was also circulated for Members' information.

Resolved – (a) That the content of the Internal Auditor's report be noted.
(b) That Sections 1 and 2 of the 2010/11 Annual Return be approved.

35. EFFECTIVENESS OF INTERNAL AUDIT SERVICE

Submitted – A report summarising the need to review the effectiveness of this Council's Internal Audit arrangements following the completion of this Council's final 2010/11 accounts. It was confirmed that the annual nature of such a review was emphasised in the Accounts and Audit Regulations. The areas which must be considered, reviewed and documented in such a review were summarised in the submitted report and a checklist to assist Members in carrying out the principal aspects of the Review of Internal Audit (Compliance with Standards and Overall Effectiveness) was also circulated.

Resolved – (a) That it be agreed that the Council's system of internal audit is effective.
(b) That it be approved that this review forms part of the Council's annual governance statement.

36. TEESDALE ACTION PARTNERSHIP – CHARLES DICKENS CELEBRATIONS 2012

At this point of the meeting, it was determined that, due to time constraints, consideration of this matter would be deferred.

38. TOWN CLERK – FUTURE WORKING ARRANGEMENTS/REPLACEMENT ARRANGEMENTS

(A) Future Working Arrangements

Submitted – A report highlighting the fact that the Modernisation Committee had reached a stage in the review of the role of the Council where the final report had to be written and suggesting that it would be prudent for the Clerk to 'work from home' to compose the report, thereby avoiding constant interruptions. It was anticipated that a total of 12 working days would be sufficient to complete the task.

Resolved – That the Clerk's 'working from home' arrangements, to compose the review of the role of the Council report, be approved.

(B) Replacement Arrangements

Submitted – A report outlining the requirement that the Administrative Support Committee commence the co-ordination process of arranging a replacement Clerk in consideration of the current Clerk's impending retirement, albeit that the Modernisation Committee and the Finance Committee would also need to be involved before anything was submitted to full Council.

Resolved – That the relevant Committees be authorised to carry out the detailed work on replacement structures.

39. TOWN'S COAT-OF-ARMS – USAGE

At this point of the meeting, it was determined that, due to time constraints, consideration of this matter would be deferred.

40. CONSULTATION MATTERS

At this point of the meeting, it was determined that, due to time constraints, consideration of the following Consultation matters would be deferred:-

- (1) Area Action Partnerships – Overview and Scrutiny Review;
- (2) The County Durham Plan; and
- (3) The Future of Local Public Audit.