

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING**

5TH SEPTEMBER, 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 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, Peat, Robinson (Minutes 84 (part) to 99 inclusive), Watson, Wood (Minutes 81 to 91 (part) inclusive) and Yarker.

Also in attendance:- Ms R. Jobson (Royal British Legion) and Mr G. Moore (both Minute 83 only); Dr A. Allen (Barnard Castle Vision)(Minute 84 only).

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

81. APOLOGIES:- Councillor Hinchcliffe.

82. 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.

83. ATTENDANCE OF ROYAL BRITISH LEGION REPRESENTATIVE

As a result of this Council's ongoing organisation of the local Poppy Appeal and the successful inclusion of a Poppy Appeal theme in the 2011 Floral Competition, Ms R. Jobson from the Northumbria Branch of the Royal British Legion was in attendance and a gave a short presentation on the Legion's work and the links with this Council.

Also in attendance was Mr G. Moore, a stalwart of this Council's efforts with the local Poppy Appeal, who was presented with his 20 years' service badge by Ms Jobson.

Resolved – That Ms Jobson and Mr Moore be thanked for their attendances.

84. ATTENDANCE OF BARNARD CASTLE VISION REPRESENTATIVE

Pursuant to Minutes 160(b)/Jan/11 and 172/Mar/11, Dr A. Allen from Barnard Castle Vision was in attendance and provided an update on the Vision's current projects, partly based on a briefing note (submitted by Mrs A. Ward of the Vision and the Clerk). Issues discussed included the NeST, Digital Dale, the Shop Front scheme, The Witham Hall redevelopment and the Woodleigh situation (Minute 91 below also refers).

Resolved – (a) That Dr Allen be thanked for her attendance.

(b) That the information be noted.

85. COUNCIL MEETING – 18TH JULY, 2011 AND CONTINUATION COUNCIL MEETING – 1ST AUGUST, 2011 – MINUTES

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

in respect of Minute 73(3) (Consultation Matters - Draft Cemeteries Policy), add the following to the resolution:-

‘and the relevant Durham County Council officers be written to at the same time.’

86. SPECIAL COUNCIL MEETING – 1ST AUGUST, 2011 – MINUTES

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

87. ‘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 nine items considered at the meeting were as follows:-

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

Resolved – That the Minutes be received.

(2) Administrative Support Committee Meeting – 1st August, 2011 – Minutes

Resolved – That the Minutes be received.

(3) Special Finance Committee Meeting – 1st August, 2011 – Minutes

Resolved – That the Minutes be received.

(4) Planning Committee Meeting – 8th August, 2011 – Minutes

Resolved – That the Minutes be received.

(5) Special Christmas Festival Committee Meeting – 8th August, 2011 – Minutes

Resolved – That the Minutes be received.

(6) Planning Committee Meeting – 22nd August, 2011 – Minutes

Resolved – That the Minutes be received.

(7) Special Christmas Festival Committee Meeting – 22nd August, 2011 – Minutes

Resolved – That the Minutes be received.

(8) Town Mayor’s Activities

It was reported that, since the Council meeting on 18th July, 2011, the Town Mayor and Deputy Town Mayor had (as indicated) attended the following:-

21 st July	(Deputy Town Mayor accompanied by Deputy Town Mayoress (Mrs P. Harrison)) Teesdale Business Partnership’s Celebration Launch (NeST, Newgate).
24 th July	(Town Mayor accompanied by Town Mayoress (Miss R. Abrahams)) Richmond Town Council’s Mayor’s Civic Sunday Service (St. Mary’s Church, Richmond).

Resolved – That the information be noted.

(9) Teesdale Action Partnership – Change of Co-ordinator

It was reported that, following a change within Durham County Council's Assistant Chief Executive's Office department, a new Teesdale Action Partnership Co-ordinator (Mr C. Morgan) had been appointed.

Resolved – That the information be noted.

88. REFERRALS FROM CHRISTMAS FESTIVAL COMMITTEE – 2011 CHRISTMAS LIGHTING DISPLAY

(1) Tendering Process

Reference was made to the recommendation of the Christmas Festival Committee, at Minute 14(a) of the set of Minutes at sub-section (5) of Minute 87 above, emanating from that Committee's review of this Council's 2011 Christmas lighting display installation and dismantling arrangements. It was noted that the service had been subject to a tender process.

Resolved – That, as recommended by the Christmas Festival Committee, the tender from Lamp-Lighter, Barnard Castle, in the sum of £3,600 (excluding VAT), for the installation and dismantling service in respect of the Town's Christmas lighting display, be approved.

(2) PAT Testing and Associated Repairs

Reference was made to Minute 14(b) of the set of Christmas Festival Committee Minutes at sub-section (5) of Minute 87 above, emanating from that Committee's review of the PAT Testing and associated repairs required for this Council's 2011 Christmas lighting display. One expression of interest (from Lamp-Lighter, Barnard Castle) had been received and, at Minute 18 of the set of Christmas Festival Committee Minutes at sub-section (7) of Minute 87 above, Members considered a requested breakdown of Lamp-Lighter's quotation. A number of stipulations were set by the Committee and Lamp-Lighter was requested to submit a revised quotation based on those stipulations, with three other separate quotations sought.

It was stressed that the Committee were working within a short timescale for this work to be carried out before the anticipated installation date and it was recommended that delegated powers would be advisable.

Resolved – That the Christmas Festival Committee be given delegated powers to determine which company should be chosen to provide the PAT Testing and associated repair service for this Council's 2011 Christmas lighting display.

89. REPRESENTATION ON OTHER BODIES

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

(1) Barney Guild - Meetings on 18th July and 22nd August, 2011

Submitted – The Minutes of the Barney Guild meeting on 18th July, 2011. It was noted that the Guild had agreed to contribute £80 towards the cost of this Council's Christmas Festival leaflet. It was reported that, at the meeting on 22nd August, 2011, the Guild's financial situation was discussed and an update was provided by the Heart of Teesdale Landscape Partnership.

Resolved – That the information be noted.

(2) Lady Barnard Memorial Fund

Pursuant to Minute 10/May/11, it was reported that it had been subsequently confirmed that the charity had been dissolved and the charity name had been removed from the Register of Charities by the Charity Commission. The charity (and Councillor Blissett's and Councillor Yarker's memberships thereof) would therefore be deleted from this Council's Representation on Various Bodies list.

Resolved – That the information be noted.

(3) Teesdale Local Councils' Forum – Meeting on 25th July, 2011

It was reported that, at the Forum meeting on 25th July, 2011, a presentation had been given on Heart of Teesdale Landscape Partnership matters, discussion had ensued in respect of reporting relationships on Travellers matters and individual memberships of Teesdale Action Partnership's Task and Finish Groups had been encouraged. In addition, Councillor Cooke (representing Stainton and Streatlam on the Forum) was re-appointed as the Forum's representative on the Executive Committee of the County Durham Association of Local Councils and there was a brief discussion on cemetery space availability.

It was also reported that the Clerk of Hamsterley Parish Council had referred to a recently submitted planning application for wind turbines in that area and to general concerns about the potential introduction of industrial-type eyesores into Teesdale in the future. The Forum agreed that all local councils in Teesdale should be asked to oppose the current planning application, not least because of the precedent it would set. The associated letter from the Forum Chairman was circulated.

Recommendation – (a) That the general information about the Forum meeting be noted.
(b) That this Council writes to Hamsterley Parish Council to support the opposition to the current wind turbine planning application, on the assumption that that opposition has fully taken into account Local Development Plan policies.

(4) Teesdale Action Partnership – Dickens in Teesdale

Pursuant to Minute 46/Jun/11, it was reported that the Dickens in Teesdale group had been working towards the celebratory events in 2012, with a successful 'A Taste of Dickens' evening on 5th August, 2011. A financial appraisal had been made of the prospective 2012 events and approximately £20,000 would be required for the largescale Christmas event to be co-ordinated by this Council. Whilst there would be a 'Dickens tester' in this Council's 2011 Christmas event, it was considered that the larger 2012 event would only work properly if a number of other organisations were involved.

It was also confirmed that this Council (and particularly the Town Mayor) would also be involved in the re-enactment of Dickens' arrival in Teesdale (to take place in August 2012), with a coach and horses and general entertainment involved.

Resolved – That, in respect of this Council's 2012 Dickens Christmas event, the involvement of other organisations be supported.

90. SERVICE AND PROJECT UPDATES

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

(1) Floral Competition

Pursuant to Minute 64(1)/Aug/11, it was reported that a further meeting of the Floral Competition Working Group had taken place on 3rd August, 2011 to review the 2011 Competition arrangements and to discuss initial ideas and arrangements for the 2012 Competition. It was confirmed that the 2011 Competition had been generally well received, with a number of facets being extremely successful.

As a result of the discussions on the 2012 Competition, outline decisions were made by the Working Group, including that the same two-day format would be used, the Competition was to be renamed the 'Garden Competition and Show Day', the introduction of an additional category, i.e. baking, for the Saturday event, the theme to be Dickensian (with an element of this to be incorporated within the Garden categories for entrants to be awarded additional points) and alternative venues to be explored in case of space problems in the Methodist Church Hall.

Resolved – That the information be noted.

(2) Floral and Open Spaces Issues

(A) Floral and Open Spaces Working Group Meeting - 3rd August, 2011

Submitted – Pursuant to Minute 64(2)/Aug/11 and following a meeting of the Floral and Open Spaces Working Group on 3rd August, 2011, a report summarising the progress to date on a number of relevant matters, including the fact that the full bid to the Heritage Lottery Fund had been submitted by the Landscape Partnership in mid-June 2011 and included three of this Council's bids.

The Working Group considered further options as to the detail of the Mini Golf scheme which was an integral part of the planning application for the Scar Top scheme as a whole. In respect of that application, the County Council's Assets Department had objected to the inclusion of part of the play area within the grounds of Woodleigh.

The Working Group discussed this Council's bid for £20,000 in respect of the Garden of Remembrance project and the fact that £10,000 had been allocated in the Partnership's final submission. It was acknowledged that the reduced prospective allocation meant that there was a need to examine the details of the project again.

It was reported to the Working Group that, whilst ownership and responsibility arrangements were key factors, the Partnership's bid included a reference to the Town Gardens but there was no overall organisation that had been assigned to oversee the project. The Working Group also considered whether the Heritage Wheel project, not approved by the Partnership, should be continued as a Town Council project. It was also reported that the Upper Demesnes Hay Meadow management documentation remained outstanding.

A meeting involving Landscape Partnership officers, Councillor Peat, the Clerk and the Assistant Clerk had taken place on 27th July, 2011. At that meeting, it was agreed that a separate approach should be made by the Partnership to Durham County Council with a view to that Council's officers being invited to a meeting in an attempt to drive the matter forward in respect of the difficulties which currently existed regarding areas of responsibility and maintenance issues (see sub-sections (B) and (C) below).

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

- (a) that a meeting be convened as soon as possible between this Council, the Landscape Partnership and relevant officers from Durham County Council with a view to addressing current and future green area maintenance and responsibility issues;
- (b) that the Mini Golf 'scheme within the Scar Top scheme' be themed on 'A Journey through Teesdale';
- (c) that advice from a local stonemason be sought as to how the building of the Mini Golf hole themes might be constructed;
- (d) that the potential underspend from the 2011/12 Floral Displays budget of £2,184 be allocated to the Garden of Remembrance project, if required;
- (e) that, should the Garden of Remembrance project not require the potential 2011/12 Floral Displays budget underspend, as stated in (d) above, that sum be allocated to the Town Gardens project;
- (f) that the Town Gardens project be overseen by this Council; and
- (g) that, partly due to financial constraints, the Heritage Wheel project be not progressed any further at this time.

(B) Maintenance Issues

Prior to the meeting referred to in resolution (a) in sub-section (A) above, an urgent meeting was held between the Street Scene Manager (South) at Durham County Council, the Clerk and the Assistant Clerk on 18th August, 2011 to discuss the ongoing open and public spaces maintenance problems in Barnard Castle.

The outcomes of that meeting were summarised in a 'Position Statement' which was attached to the submitted report and which had been circulated at the Landscape Partnership meeting on 23rd August, 2011.

Resolved – That the information be noted.

(C) Landscape Partnership Meeting – 23rd August, 2011

Pursuant to sub-section (B) above, it was reported that, at the Landscape Partnership meeting on 23rd August, 2011, a brief overview of the County Council's Green Infrastructure Strategy was provided. However, discussion centred on the County Council's assets register and possible discrepancies, reasons behind recent maintenance issues and future maintenance programmes. It was highlighted that the Galgate green areas (including the Garden of Remembrance) were not registered as being in the ownership of the County Council. However, whilst investigations were continuing, it was confirmed that the County Council would continue to maintain those areas, including the carrying out of necessary tree works.

The Landscape Partnership confirmed that within the overall funding bid to the Heritage Lottery Fund, an amount had been earmarked for maintenance regimes to be carried out for at least 10 years.

It was acknowledged that a further meeting between relevant officers would be beneficial to discuss the logistics of the main Landscape Partnership projects, including this Council's schemes, prior to any project commencement.

Resolved – That the information be noted.

(3) Market Place Public Toilets

Pursuant to Minute 64(7)/Aug/11, it was reported that the work on the Market Place public toilets had commenced during the early part of August 2011 and had been scheduled for six weeks but that the work in respect of the associated electricity connection might not necessarily be carried out during that time period. It was also reported that information from Durham County Council regarding the project was sparse.

In addition, Members' views were sought in respect of a request submitted on behalf of the Farmers' Market for the provision of an external electricity supply to feed the Market's lights and chillers. It was stressed that this Council was not being asked to contribute towards the facility.

Resolved – That, subject to the facility being made available for use by any organisation (not just the Farmers' Market) and subject to this Council not having to make a financial contribution, it is considered that an external electricity supply should be installed.

(4) Dawson Road Playingfield – Multi Use Games Area

With the overall financial package in place for the installation of a Multi Use Games Area (MUGA) at Dawson Road playingfield (Minute 64(3)/Aug/11 refers) and pursuant to Minute 47(1)(b)/Jul/10 (when it was determined that this Council's preferred style of MUGA was a wooden-boarded structure), concerns were outlined regarding the option of MUGA chosen following recent discussions with Groundwork North East, including the facts that wooden-boarded MUGAs were renowned for being noisier when balls were kicked against them, were not fully transparent, were more easily damaged and were prone to vandalism, thereby causing higher ongoing maintenance costs

It was therefore suggested that Members considered the type of MUGA that had been recently installed at Oakenshaw. A photograph showing that MUGA (a galvanised steel structure with steel grid panels, coloured in dark green) was circulated.

Resolved – (a) That the preferred MUGA type option be a galvanised steel structure with steel grid panels (end panels x 3 metres high, side panels x 2 metres high), coloured in dark green.

(b) That, accordingly, the previously preferred decision to opt for a wooden-boarded structure, as determined at Minute 47(1)(b)/Jul/10, be rescinded.

91. WOODLEIGH ISSUES

Submitted – A report providing details in respect of issues surrounding Woodleigh. The three issues included in the report were as follows:-

(1) Closure of Tourist Information Centre

It was reported that Durham County Council had decided to close the Tourist Information Centre facility in Woodleigh by the end of September 2011. It was confirmed that the matter was further discussed at a meeting of the Teesdale Action Partnership's Tourism Task and Finish Group on 2nd September, 2011 and that reference was made to the recently submitted planning application for the building (sub-section (2) below refers).

It was also reported that The Witham Hall facilities would be transferred to Woodleigh when the Hall's redevelopment commenced and anticipated dates of that work were noted. It was also noted that an element of Teesdale Marketing Limited's food initiative would be carried out in Woodleigh. Various works would be undertaken before the new Woodleigh facility was opened. Whilst a number of other buildings in Barnard Castle would display tourism leaflets, etc., the main tourist facility in the Town would continue to be Woodleigh, with The Witham Hall staff expected to provide a general tourism information service, albeit on a reduced basis.

Resolved – That the situation be noted.

(2) Planning Application – Change of Use

In connection with what was reported at sub-section (1) above, consideration was given to a Change of Use planning application in respect of Woodleigh. It was noted that, because of its significance, the application had been referred to full Council.

The County Council had submitted the application for a Change of Use from a Tourist Information Centre to a box office, including meeting space and an information point for visitors, with part of the building to incorporate a kitchen and catering facility (for use by Teesdale Marketing Limited's food initiative) and minor internal alterations. A Design and Access Statement and other relevant documents had been circulated for Members' information. Discussion ensued and reference was made to various Local Development Plan policies relevant to the application.

Resolved – That the Change of Use is recommended.

(3) Long-term Future

It was reported that, as far as the long-term future of Woodleigh was concerned, Durham County Council had not made any decisions, even of a provisional nature. It was noted (Minute 90(2)(A) also refers) that the Scar Top play area planning application had had to be altered because the County Council's Assets Department had objected to part of the Woodleigh grounds being used because of the general uncertainty of the future of Woodleigh. Consequently, it was considered that there was little that could be done at this stage about this Council's interest in Woodleigh.

Resolved – That the situation be noted.

92. FIELDS IN TRUST – THE QUEEN ELIZABETH II FIELDS CHALLENGE

Submitted – A report outlining a scheme, the Queen Elizabeth II Fields Challenge, launched by Fields in Trust (FIT) to celebrate the Queen's Diamond Jubilee in 2012. It was confirmed that, whilst becoming a Queen Elizabeth II Field would not add any additional protection to any play areas or playingfields already under the protection of FIT, the status of each area would change. However, if Bouch Way was to be nominated, it would safeguard that play area from being developed in the future. Other benefits were outlined.

Resolved – That all of this Council's play areas (Bouch Way, Dawson Road, Green Lane, Kalafat and Marwood Drive) and its playingfield (Ten Fields) be nominated as Queen Elizabeth II Fields.

93. SECTION 106 UPDATE

It was reported that Durham County Council had carried out extensive investigations in respect of the Section 106 situation for the whole of the County and it was confirmed that the funds allocated for projects to be carried out in Barnard Castle had all been spent. The only funds remaining in the former Teesdale District Council area related to a development in Gainford.

Resolved – That the information be noted.

94. TAXI FARES FOR CROSS-BORDER JOURNEYS

Submitted – Pursuant to Minute 72/Aug/11, a report summarising taxi charges and fares policies, specifically in respect of any journey ending outside the area in which a taxi was licensed, including the fact that the Government's current Transport Committee had recently published a report on proposed taxi reforms, including proposals to change cross-border hiring. However, it was noted that should the proposed changes be approved, reform was not likely to take place until at least 2013/14.

Resolved – That the information be noted.

95. TRAFFIC MANAGEMENT IN BARNARD CASTLE

Submitted – A report by Councillor Watson regarding traffic management issues in Barnard Castle, including specific reference to the County Bridge and the disablement of the associated camera monitoring system, civil parking enforcement and the unclear general involvement of Durham Constabulary.

Resolved – That, mindful of the Charter adopted by Durham County Council and the seriousness of the situation, the Town Council urgently arranges a meeting with Mr D Wafer, the County Council's Strategic Traffic Manager, and Durham Constabulary to discuss rectification of the problem of lack of general enforcement and camera monitoring, pending the introduction of the Civil Parking Enforcement arrangements.

96. THE REVISED ROPE BRIDGE PROPOSAL

Submitted – A report by Councillor Watson regarding the revised 'Rope Bridge' across the River Tees proposal and the fact that the awaited feasibility study had now been completed by Durham County Council. It was noted that this Council had previously determined that, in view of the fact that the feasibility study remained outstanding, no decision was to be taken in respect of the matter (Minute 197(a)/Apr/11 refers). However, it was considered disappointing that this Council had learnt of the completion of the feasibility study via a recent press statement.

Resolved – (a) That copies of the feasibility study report be obtained and an urgent meeting be arranged with relevant Durham County Council officers to examine the report and establish working arrangements with this Council.

(b) That, to ensure the interests of the Town are upheld, local knowledge respected and the Charter fulfilled, the Town Council negotiates a seat on the project board.

(c) That, given the well documented environmental concerns registered locally, the Town Council invites interested parties (including local County Councillors) to join forces to ensure a cohesive response to this very sensitive project.

97. LOCAL HYPERACUTE STROKE SERVICES

Pursuant to Minute 80/Aug/11, it was reported that, in respect of proposed changes to hyperacute stroke services in County Durham and Darlington, i.e. to consolidate those services at the University Hospital of North Durham, a local public consultation meeting had taken place on 1st September, 2011. Discussion ensued and Members who attended that consultation meeting provided additional information to aid deliberations.

Resolved – That NHS County Durham and Darlington be advised that this Council supports a consolidated hyperacute stroke service, subject to patient travel times from Barnard Castle and the Teesdale area being scrutinised and considered further.

98. THE WITHAM HALL REDEVELOPMENT – HERITAGE SURVEY

It was reported that, as part of The Witham Hall Trustees 'and partners' application to the Heritage Lottery Fund for a grant towards the Hall's renovations, a proposal had been included to develop a programme of learning activities in promoting the local heritage of the area and enabling heritage-related events to take place in The Witham Hall. It was anticipated that a specific member of staff would be employed to carry out the programme of activities.

Resolved – That this Council supports The Witham Hall Trustees' proposal to develop a programme of learning activities in promoting the local heritage of the area and enabling heritage-related events to take place in The Witham Hall.

99. SCHEDULING OF SPECIAL COUNCIL MEETING

It was recommended that, as the audited accounts of the Barnard Castle Meet Committee had not yet been received (Minute 16(a) of the set of Minutes at sub-section (3) of agenda item 87 above refers), a Special Council meeting be convened on 19th September, 2011 to consider the Finance Committee's recommendation. It was likely that a Special Finance Committee meeting would be scheduled for 12th September, 2011 so that any recommendation arising therefrom could be assimilated properly before submission to full Council.

In addition, it was reported that it was almost certain that there would be a further item on the agenda for the prospective Special Council meeting on 19th September, namely the results of a further meeting of Pubwatch, scheduled for 7th September, 2011, on the ban imposed on Councillor Cooke (Town Mayor).

Resolved – That a Special Council meeting be scheduled for Monday, 19th September, 2011 commencing at 7.30 p.m.