

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING**

4 MARCH 2013

(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 4 members of the public were present during the 15-minute slot.)

PRESENT:- Councillor Harrison (Town Mayor)(in the Chair); Councillors Mrs Bailes, Blissett, Cooke, Mrs Grady, Hinchcliffe (Minutes 129 to 136 inclusive), Peat, Watson, Wood and Yarker.

Also in attendance:- 4 members of the public (Minutes 129 to 140 inclusive).

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

129A. ANNOUNCEMENTS

It was reported that Councillor Mrs Margaret Hamilton, who had been Town Mayor three times, a District Councillor and Town Councillor for a number of years, had died.

It was also reported that Honorary Freeman, Mr Alan Wilkinson, who had been Town Mayor from 1978 to 1981 and 1990/91 and an Urban District Councillor and Town Councillor for a number of years, had also died.

The Town Mayor invited Members to speak in remembrance of Councillor Mrs Hamilton and Mr Wilkinson. A Minute's Silence was observed in Councillor Mrs Hamilton's and Mr Wilkinson's memory.

129B. APOLOGIES:- Councillor Robinson.

130. DECLARATIONS OF INTEREST

In accordance with this Council's adopted Code of Conduct (Minute 72(a)/Sep/12 refers), Members were asked whether they had any personal, pecuniary 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 Blissett declared a personal interest in Minute 140 and took no part in the voting thereon.

131. COUNCIL MEETING – 21 JANUARY 2013 AND CONTINUATION COUNCIL MEETING – 28 JANUARY 2013 – MINUTES

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

132. REVIEW OF MEMBERSHIP

Submitted – A report summarising the issues arising from the notification of the casual vacancy in the Town Council following the death of Cllr Mrs Hamilton, including the procedure around a casual vacancy, the consequent vacancies in committee and working group membership and in the Town Council's representation on external bodies.

Resolved – (a) That the casual vacancy arising from the death of Cllr Mrs Margaret Hamilton be held open until the whole Council election scheduled for 2 May 2013.

(b) Consequent vacancies arising in committees and working groups of this council, together with the Town Council's representation on Teesdale Marketing Limited be held open until the Annual Meeting on 13 May 2013.

133. ELECTIONS

Submitted – A report summarising the timetable and processes in respect of the County Council and town/parish council elections within County Durham taking place on 2 May 2013, including information on the nomination forms, notification of results, the ‘purdah’ period and that fact that Durham County Council had reiterated that the costs with which the Town Council would be recharged were still unknown, should an election take place.

Members were also reminded that, following The Boundary Committee for England’s review of electoral arrangements in County Durham, from this election, there would be two Town Council Wards with the Barnard Castle North Ward consequently abolished.

Resolved – That the information be noted.

134. ‘EN BLOC’ ITEMS

Submitted – In accordance with Minute 72/Aug/04, a further set of items with the accompanying recommendations to be moved ‘en bloc’. The ten items considered at the meeting were as follows:-

(1) Planning Committee Meeting – 21 January 2013 – Minutes

Resolved – That the Minutes be received.

(2) Christmas Festival Committee Meeting – 28 January 2013 – Minutes

Resolved – That the Minutes be received.

(3) Modernisation Committee Meeting – 4 February 2013 – Minutes

Resolved – That the Minutes be received.

(4) Planning Committee Meeting – 11 February 2013 – Minutes

Resolved – That the Minutes be received.

(5) Finance Committee Meeting – 11 February 2013 – Minutes

Resolved – That the Minutes be received.

(6) Allotments and Play Areas Working Group Meeting – 26 February 2013 – Notes

Resolved – That the Notes be received.

(7) Floral and Open Spaces Working Group Meeting – 26 February 2013 – Notes

Resolved – That the Notes be received.

(8) Town Mayor’s Activities

It was reported that since the last Council meeting on 21 January 2013, the Town Mayor and Deputy Town Mayor had attended the following:-

29 January	Publicity photo-shoot to mark the commencement of ScarTop/Mini Golf redevelopment works (Scar Top)
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29 January	(accompanied by the Town Mayoress (Mrs P. Harrison)) HMYOI Deerbolt's production of 'Never Again'
20 February	(Deputy Town Mayor) County Durham & Darlington NHS Foundation Trust Launch of Teesdale Baby Café (Sure Start, Galgate)
28 February	(accompanied by the Town Mayoress) Big Tree Plant with Green Lane Primary School (Green Lane Play Area)
2 March	(accompanied by the Town Mayoress) Barnard Castle School's Musicians & Military Wives Choir Concert (The Bowes Museum)
3 March	(accompanied by the Town Mayoress) Barnard Castle Girl Guides 'Thinking Day Service' (Girlguiding Headquarters Birch Road),

Resolved – That the information be noted.

(9) Royal Garden Party 2013 – Result of Draw

It was reported that, pursuant to Council Minute 124/Jan/13, the successful nomination, drawn completely at random, came from Edmondsley Parish Council.

Resolved – That the information be noted.

(10) Chairman's Medal – Results

It was reported that, pursuant to Council Minute 116/Dec/12, the successful nomination for the Chairman's Medal from the Teesdale Action Partnership area, and as nominated by this Council, was Barnard Castle Cricket Club for the 'immense contribution it had made to the Teesdale area'.

It was also reported that the NHS County Durham (County Durham Primary Care Trust) – Rural Ambulance Implementation and Monitoring Groups' Durham Dales Ambulance Monitoring Team, on which Councillor Cooke represents this Council, had also been awarded a Chairman's Medal for the 'immense contribution the group had made to both the Weardale and Teesdale Area Action Partnership areas'.

Resolved – That the information be noted.

135. REFERRALS FROM COMMITTEES AND WORKING GROUPS

(1) Modernisation Committee – Review of the Town Council Constitution

Reference was made to the recommendation of the Modernisation Committee at Minute 16 of the set of Minutes at sub-section (3) of Minute 134 in respect of the review of the Town Council's Constitution, which summarised and concluded the committee's review of the Town Council's decision-making structures and made recommendations on the future of the Town Council's committees, their powers and delegated authority and the mechanisms by which these would operate. It was noted that the Committee had considered how the proposals would fit into a future meeting cycle and the processes by which these would be implemented as changes to the Town Council's constitution for the 2013/14 municipal year. The report that had been submitted to the Modernisation Committee was also circulated to aid Members with

their deliberations. The benefits in cost, effectiveness and performance were outlined to demonstrate clearly the improvements expected.

Resolved - (a) That the Council redraws its constitution to reserve matters of policy to full Council, the approval and monitoring of work programmes to standing committees and the implementation of agreed programmes to officers.

(b) That four standing committees are established: namely - Resources, Services, Partnership and Planning, with Terms of Reference as submitted.

(c) That role specifications be prepared for committee chairs.

(d) That 'Service Champions' be associated with individual services within the remit of each committee, by that committee.

(e) That each Member of the Council will serve on only two standing committees.

(f) That the handover of responsibility between outgoing and incoming committees be as detailed below:

New Committee	Outgoing Committee or Working Group
Resources	Administrative Support Committee Editorial Board Finance Committee Modernisation Committee
Services	Allotments and Play Areas Working Group Floral and Open Spaces Working Group Prevention of Dog Fouling Working Group
Partnership	Christmas Festival Committee Community Events Working Group Floral Competition Working Group
Planning	Planning Committee

(g) That the schedule of meetings for the municipal year 2013-14 be as follows:

Proposed Schedule of Meetings for 2013/14

Partnership Committee	Services Committee	Resources Committee	Council
			13 May 2013*
20 May 2013	10 June 2013	24 June 2013	8 July 2013
22 July 2013	9 September 2013	23 September 2013	7 October 2013
21 October 2013	4 November 2013	18 November 2013	2 December 2013
9 December 2013	16 December 2013	13 January 2014	20 January 2014
10 February 2014	24 February 2014	10 March 2014	24 March 2014

All meetings commence at 6.00pm on Mondays. *Annual Meeting

Planning Committee			
8 May 2013 (Wed)	5 August 2013	4 November 2013	27 January 2014
20 May 2013	19 August 2013	18 November 2013	10 February 2014
10 June 2013	9 September 2013	2 December 2013	24 February 2014
24 June 2013	23 September 2013	16 December 2013	10 March 2014
8 July 2013	7 October 2013	30 December 2013	24 March 2014
22 July 2013	21 October 2013	13 January 2014	7 April 2014
			23 April 2014 (Wed)

All Planning meetings commence at 5.30pm on Mondays (5.30pm on the following Wednesday if that Monday is a public holiday – as indicated)

(2) Modernisation Committee – Document Retention Policy

Reference was made to the recommendation of the Modernisation Committee at Minute 15 of the set of Minutes at sub-section (3) of Minute 134 in respect of a 'Document Retention' Policy for the Council. It was noted that consideration had been given to the criteria by which the Council would retain documents locally (because of a re-occurring matter), archived at Durham County Records Office (because of a lack of storage space and the items having to be kept for legal reasons) or disposed of and the timescales that would apply to differing types of documents, in line with the model as recommended by the National Association of Local Councils.

Resolved - That the recommendation of the Modernisation Committee to introduce the submitted Document Retention policy be approved.

(3) Finance Committee – Circulation of Council Paperwork Review

Reference was made to the recommendation of the Finance Committee at Minute 50 of the set of Minutes at sub-section (5) of Minute 134 in respect of the review of the trial period of the circulation of Council paperwork being delivered by email, to those Councillors who indicated they required the service. It was confirmed that during the trial period, a considerable saving on the 2012/13 postage budget had been made. It was acknowledged that the circulation of documents by email would continue to be not acceptable to all Members.

Resolved – That the recommendation of the Finance Committee that agendas and associated documents continue to be delivered by email to those Councillors who have indicated they require the service and hard copies of the documents to be distributed to those Councillors at the meetings themselves be approved.

(4) Allotments and Play Areas Working Group – Review of Tenancy Agreement and Rules

Reference was made to the recommendation of the Allotments and Play Areas Working Group at Note 50 of the set of Notes at sub-section (6) of Minute 134 in respect of a revised Allotment Garden Tenancy Agreement and revised Allotment Rules.

It was noted that the proposed revisions were mainly required for general administration purposes, that this review had coincided with the recent launch of Durham County Council's Allotment Garden Lettings Policy for County Council directly-let allotments only and, whilst that Council's policy was broadly in line with this Council's Allotment Tenancy Agreement and

Rules, a few best practices had been picked up. The revised Tenancy Agreement and Allotment Rules had been circulated for Members' deliberations.

Resolved – That the revised Allotment Garden Tenancy Agreement and Rules, as submitted, be approved for issue to all allotment tenants with their allotment rental requests for 2013/14.

(5) Floral and Open Spaces Working Group – Mini Golf Revised Operational Arrangements

Reference was made to the recommendation of the Floral and Open Spaces Working Group at Note 30 of the set of Notes at sub-section (7) of Minute 134 in respect of revised operational arrangements for the mini golf course for the 2013 season, following construction of the new course, including a proposed high and two low seasons and the fact that this would create four seasonal Mini Golf Attendant positions.

Resolved – (a) That the 2013 season will commence on completion of the reconstruction of the course.

(b) That the proposed length of season, daily hours of opening, other initiatives and Mini Golf Attendant working arrangements, as submitted, be approved.

(c) That recruitment of the additional seasonal posts be overseen by the office and be carried out immediately following this Council meeting.

(6) Floral and Open Spaces Working Group – Big Spring Clean 2013

Reference was made to the recommendation of the Floral and Open Spaces Working Group at Note 34 of the set of Notes at sub-section (7) of Minute 134 in respect of LitterFree Durham's recent request to local councils asking for their support towards the Big Spring Clean litter pick initiative. It was noted that LitterFree Durham acknowledged that the collection of litter was legally the responsibility of Durham County Council for this area and that the group was seeking the help of volunteers through this initiative to additionally combat the issue.

Resolved – (a) That this Council supports the Big Spring Clean 2013 initiative.

(b) That this Council works with neighbouring Parish Councils and organises a team of volunteers to carry out a litter pick around the entrances to the town on a specific date during the Big Spring Clean 2013.

136. REPRESENTATION ON OTHER BODIES

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

(1) Barney Guild Meetings – 9 January and 13 February 2013

It was reported that at the Guild meeting on 9 January, issues discussed included 'brown' tourist signage, tourist bedroom browser, the Wednesday Market and the setting up of a new Guild website. At the Guild meeting on 13 February, issues discussed included future events, 2013/14 strategy and action plan, parking and shopping buses.

Resolved – That the information be noted.

(2) Teesdale Residents and Travellers Forum Meeting – 5 February 2013

It was reported that at the above Forum meeting, issues discussed in respect of Barnard Castle centred on the security of the Lower Demesnes and that in anticipation of the 2013 traveller migration period, Bowman Tyres would be approached in respect of temporary parking in the company car park for Bridgegate residents, the Section 14 Traffic Regulation Order would be initiated for the Bridgegate lay-bys, that investigations would be made into the

issuing of permits for Bridgegate residents to use the Hole-in-the-Wall car park free of charge during the Section 14 Traffic Regulation Order and that investigations would be made into possible funding options for the purchase of some hardcore for Shaw Bank.

Resolved – That the information be noted.

(3) Smaller Local Councils' Forum – Meeting on 14 February 2013

It was reported that at the above Forum meeting, presentations from Durham County Council's Head of Direct Services and the Education and Enforcement Manager on Joint Working between the County Council and Parish Councils and an update on the County Durham Plan were provided, updates were given on the Local Councils Working Group meeting and NALC's Smaller Local Councils Committee and issues discussed included the sale of Community Buildings and Capital receipts and HMRC Real Time Information and Payroll Provision. The Clerk also confirmed that he had been nominated as one of two Clerks to represent the Smaller Local Councils Forum at the Local Councils Working Group.

Resolved – That the information be noted.

137. SERVICE AND PROJECT UPDATES

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

(1) Mini Golf – A Journey through Teesdale

Pursuant to Minute 122(1)/Jan/13, it was confirmed that work on the replacement mini golf course had started on schedule and that drainage work, levelling of the site, setting out of holes and installation of kerbing was complete. All appropriate signage, including funding banners, were on display together with a plan of the site. The Stonemason had taken delivery of the stone for the 6 monoliths and detailed carving work was underway. It was also confirmed that preparation work had commenced for the community engagement workshop being delivered by Groundwork North East.

Resolved – That the information be noted.

(2) Garden of Remembrance

Pursuant to Council Minute 115(1(ii))/Dec/12, it was confirmed that in respect of the Garden of Remembrance Improvement Project, the relaying and the cleaning of the paving, the revamping and resetting of the seats and the post, chain link and gate works were now complete. The new memorial plaque and litter bins were on order and a team of volunteers would be digging in compost prior to the flower bed border being imminently replanted. In addition, the bench dedicated to the Durham Light Infantry had been relocated and was now sited by the DLI War Memorial in the grounds of The Bowes Museum.

Resolved – That the information be noted.

(3) Green Lane Play Area – Big Tree Plant

Pursuant to Minute 111(1(B))/Dec/12, it was reported that the Groundwork North East officer overseeing the delivery of the Big Tree Plant project in conjunction with the Heart of Teesdale Landscape Partnership, including the tree plant at Green Lane play area, had arranged three planting sessions for volunteers from Green Lane Primary School, Teesdale YMCA and a Community Event to plant the trees. It was confirmed at the meeting that all of the trees had been subsequently planted.

Resolved – That the information be noted.

138. COMMUNICATIONS PLAN

Submitted – A report outlining a draft communication plan for the Town Council for the next financial year, identifying the channels of communication to be used, the seasonal, key-messages on which communication should be focussed and made recommendations on changes to the Town Council's corporate identity. Discussion ensued in respect of the proposal to revise the design of the Town Council logo.

Resolved – (a) That this Council retains the Town's Coat of Arms as its corporate identity.
(b) That the Town Council adopts the Communication Plan, as submitted, including the operation of linked Facebook and Twitter pages to promote the Council and its activities.

139. BARNARD CASTLE VISION

Submitted - A briefing note (written by Mrs A. Ward of the Barnard Castle Vision) providing an update on the Vision's ongoing projects, including The Witham, NeST, the Barney Guild, town centre vacancy rates and the Heart of Teesdale Landscape Partnership.

Whilst there had been an expectation for a Barnard Castle Vision representative to be in attendance at this meeting (Minute 160(b)/Jan/11 refers), it was reported that that custom was no longer practical because of revised staffing arrangements. However, it was noted that one-to-one meetings between the Town Mayor and the Chairman of Barnard Castle Vision and the Clerk and the Chairman of the Vision would continue.

Resolved – (a) That the information be noted.
(b) That the Clerk submits an update report following meetings with the Chairman of Barnard Castle Vision in conjunction with the existing briefing note.
(c) That the decision taken at Minute 160(b)/Jan/11 be rescinded.

140. OUTLINE PLANNING APPLICATION - LAND SOUTH OF HMYOI DEERBOLT, STARTFORTH PARK

Submitted – An outline planning application in respect of a residential development comprising of 75 dwellings and associated infrastructure for land south of HMYOI Deerbolt, Startforth Park from the Ministry of Justice. A Design and Access Statement had been circulated for Members' information.

Resolved - That conditional approval be recommended subject to the following matters being taken into consideration:-

- (i) Durham County Council Planning Officers must ensure that an agreement in accordance with Section 38 of the Highways Act 1980 is entered into prior to the start of the residential development commencing **AND** that Durham County Council subsequently adopts the adjacent Startforth Park existing highway;
- (ii) that, in respect of the design proposals, consideration should be given to the provision of bungalows within the range of house types (paragraph 6.7 of the Design and Access Statement refers);
- (iii) that, in respect of the design proposals, at least 30% of the proposed dwellings' should be allocated as affordable housing provision on site, or within the direct locality of Barnard Castle (paragraph 6.8 of the Design and Access Statement refers); and
- (iv) that it be acknowledged that there is a distinct lack of public transport services to most of the destinations as listed in paragraph 1.12 of the Design and Access Statement.

141. EXCLUSION OF PRESS AND PUBLIC (in respect of Minutes 142 and 143 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 142 and 143 below on the grounds that they may involve the likely disclosure of exempt information as defined in Parts 1, 3 and 4 of Schedule 12A of the said Act.

142. GROUNDS MAINTENANCE CONTRACT 2013/14

Submitted – A report regarding the annual awarding of the contract for the Council's grounds maintenance contract. It was confirmed that the Council's Auditors were satisfied with this Council's current arrangements as 'best value' was being obtained. Specific references were made to the current contractor's consistent local support service and his competitive rates.

Resolved – That Robson Horticulture Limited be appointed to provide the Council's grounds maintenance works for the period 1 April 2013 to 31 March 2014.

143. REFERRAL FROM FLORAL AND OPEN SPACES WORKING GROUP

(1) 2013/14 Floral Displays – Tendering Process

Reference was made to the recommendation of the Floral and Open Spaces Working Group (Note 33 of the set of Notes at sub-section (7) of Minute 134 refers) in respect of the quotations received for the 2013/14 tub planting to provide the Town with an 'all year round' floral display.

It was considered disappointing that from the agreed four businesses that had been asked to submit quotations, in accordance with the arrangements outlined at Minute 127(1)/Jan/13, only two had responded.

Resolved - That the Floral and Open Spaces Working Group's recommendation to accept the tender from Sam Turner & Sons, Piercebridge, in the sum of £748.40 (+VAT), in respect of the 2013/14 tub planting, be approved.