

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING
22 SEPTEMBER 2014**

PRESENT: Councillor Blissett (Town Mayor)(in the Chair); Councillors Cooke, Deacon, Mrs Grady (Minutes 59 to 67 and 74), Harrison, Hinchcliffe (Minutes 59 to 68 and 74), Kinch, Marshall, Mrs Moorhouse (Minutes 59 to 70 and 74), Peat and Robinson.

Also in attendance: Mrs M. Dent and Mrs J. Urwin (NHS Durham Dales, Easington & Sedgfield CCG – Ambulance Patient Reference Group)(Minutes 59 to 61 and 74), 6 members of the public (one of whom filmed the meeting)(4 for Minutes 59 to 61 and 74) and one member of the press.

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

59. ACCEPTANCE, OR OTHERWISE OF APOLOGIES

Apologies had been received from Councillor Yarker.

Resolved – That Councillor Yarker's apologies be accepted.

60. PRESENTATION TO FORMER COUNCILLOR WATSON

The Clerk read out a citation to mark the recent retirement of former Councillor Watson after 38 years of local government service in Barnard Castle. Following the moving of a resultant motion by the Town Mayor (and its seconding by the Deputy Town Mayor), a number of Councillors spoke about former Councillor Watson.

Resolved - That, on behalf of the residents of Barnard Castle, the grateful thanks of this Council be extended to former Councillor Watson for the eminent local government service he has rendered with distinction, for Barnard Castle Town Council, during the period 1976 to 2014.

On behalf of the Council, the Town Mayor then presented Mr Watson with a gift and he made a speech of thanks.

61. 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. Councillors Deacon and Robinson declared a personal interest in Minute 77 and left the meeting during the voting on the matter.

NOTE – At this point of the meeting, it was agreed to bring agenda item 74 forward.

74. AMBULANCE RECONFIGURATION

Submitted – A report summarising the 'Public Engagement Event' held on 16 September to discuss proposed changes in the local ambulance service, i.e. to reduce the skills mix in doubled crewed ambulances, made by the Clinical Commissioning Group, and recommended a response from the Town Council to be made by 25 September.

Members discussed the implications of the proposed changes and the feelings conveyed at the public meeting which had taken place in Barnard Castle on 16 September. Members of the Dales Rural ambulance Monitoring Group were invited to contribute information to the discussion.

Members voiced their strong opposition to the proposed changes. It was noted that the CCG has provided no evidence that the proposed changes would improve ambulance response times in Teesdale and Weardale. Members considered the proposals ill founded, poorly rationalised and clearly detrimental to the people of Teesdale and Weardale in that they would diminish the service for which ring-fenced funding had been in place since 2008 by removing qualified paramedics from the Dales. The changes would result in a worse and less equitable ambulance service for the people of Teesdale and Weardale.

The council concluded that the CCG and NEAS had sought to obfuscate their motives in making the proposals. They had evidently failed to heed the views of front-line staff, of patients and of carers. They had manipulated and misreported data in an attempt to substantiate their assertions but had proved incapable of directly offering cause and effect rationalisation, robust objectives or clear metrics. It was noted that expressly not engaging in a proper consultation, the officers of the CCG had placed the CCG in a position of breaching its statutory responsibilities under the Health and Social Care Act 2012.

Resolved - That the Town Council responds to the CCG with its strong opposition to these changes and validates this with the synopsis of local feeling detailed in Section 3 of the submitted report and the consolidated view of the council as expressed at the meeting.

62. COUNCIL MEETING – 30 JUNE 2014 – MINUTES

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

63. SPECIAL COUNCIL MEETING – 28 JULY 2014 – MINUTES

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

64. SPECIAL COUNCIL MEETING – 11 AUGUST 2014 – MINUTES

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

65. 'EN BLOC' ITEMS

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

(1) Planning Committee Meeting – 30 June 2014 – Minutes

Resolved – That the Minutes be received.

(2) Planning Committee Meeting – 14 July 2014 – Minutes

Resolved – That the Minutes be received.

(3) Partnership Committee Meeting – 14 July 2014 – Minutes

Resolved – That the Minutes be received.

(4) Governance Document Review Task & Finish Group Meeting – 18 July 2014 – Notes

Resolved – That the Notes be received.

(5) 2014 Autumn/Winters Events Task & Finish Group Meeting – 21 July 2014 – Notes

Resolved – That the Notes be received.

(6) Planning Committee Meeting – 28 July 2014 – Minutes

Resolved – That the Minutes be received.

(7) Services Committee Meeting – 28 July 2014 – Minutes

Resolved – That the Minutes be received.

(8) Planning Committee Meeting – 11 August 2014 – Minutes

Resolved - That the Minutes be received.

(9) Governance Document Review Task & Finish Group Meeting – 26 August 2014 – Notes

Resolved – That the Notes be received.

(10) Planning Committee Meeting – 27 August 2014 – Minutes

Resolved – That the Minutes be received.

(11) Planning Committee Meeting – 8 September 2014 – Minutes

Resolved – That the Minutes be received.

(12) Resources Committee Meeting – 8 September 2014 – Minutes

Resolved – That the Minutes be received.

(13) 2014 Autumn/Winters Events Task & Finish Group Meeting – 11 September 2014 –Notes

Resolved – That the Notes be received.

(14) 2014 Summer Events Task & Finish Group Meeting – 19 September 2014 – Notes

Resolved – That the Notes be received.

(15) Town Mayor's Activities

It was reported that, since the Council meeting on 30 June 2014, the Town Mayor had attended the following:-

2 July	Aviation Day (HMYOI Deerbolt).
4 July	Speech Day & Prize-giving presentation followed by a Valediction and lunch (Barnard Castle School, Newgate).
4 July	Big Walk and Talk (Teesdale School).
7 July	Flatts Wood Footpath Improvements Launch Event (Heart of Teesdale Landscape Partnership)
12 July	(accompanied by the Town Mayoress (Mrs K. Blissett)) Musical Evening (St Edwin's Church/Mayor of Darlington, High Coniscliffe).
13 July	(accompanied by the Town Mayoress) Mayor's Civic Sunday (Richmond Town Council, St Mary's Church).
17 July	Prize Giving Evening (Teesdale School, Prospect Place)
23 July	(accompanied by the Town Mayoress) At Home with the Mayor (Bishop Auckland Town Council, Town Hall, Bishop Auckland).
25 July	(accompanied by the Town Mayoress) Mayor's Charity Evening (Shildon Town Council).
29 July	(accompanied by the Town Mayoress) Charity Fundraising Event (Sunderland City Council, Moti Raj Restaurant, Sunderland).
4 August	(accompanied by the Town Mayoress) Service to commemorate beginning of WW1 (Durham County Council, County Hall, Durham).

4 August	(accompanied by the Town Mayoress) WW1 Centenary Light Parade – (The Bowes Museum, Newgate).
16 August	It's a Knockout Event (Teesdale Community Resources, The Hub)
17 August	(accompanied by the Town Mayoress) Summer Gala (Ferryhill Town Council, Ferryhill Market Place).
11 September	(accompanied by the Town Mayoress) Mayoral Quiz & Curry Night (Stockton Borough Council, Norton).
16 September	Ambulance Service Public Consultation (Glaxo Sports & Social Club).
18 September	DCC Planning Committee Meeting Re; Barnard Castle School Residential Development (The Witham).
19 September	(accompanied by the Town Mayoress) Brass at Bowes (Durham County Council, The Bowes Museum, Newgate).

Resolved – That the information be noted.

66. UPDATES AND REFERRALS FROM COMMITTEES

(1) Services Committee

(a) Smoke Free Play Areas - Consultation

It was reported that consideration had been given to Durham County Council's consultation in respect of the implementation of a voluntary code to make play areas in County Durham smoke free. It was noted that, whilst the initiative would not be enforceable, polite notices would be installed to ask people to respect it in an attempt to protect children from them becoming future lifelong smokers. It was also noted that, if the consultation concludes in support of the initiative, DCC's play areas would be declared smoke-free.

In association, Play areas owned by town/parish councils and community associations were being encouraged to also sign up to the voluntary code and views were requested as to which potential sign would work best, whether the signs should be a static sign or vinyl sticker sign and whether local council's would be willing to help meet some of the financial costs of the signs. The deadline for comments was 17 October 2014.

Whilst the Services Committee had recommended that this council signs up to the code, following discussion, it was considered that, as the code was not enforceable and the cost of the signs excessive, it was a fruitless exercise and a waste of resources.

Resolved – That this council does not sign up to the voluntary code to make play areas/parks in County Durham smoke-free.

(b) Big Spring Clean

It was reported that a letter had been received on behalf of LitterFree Durham, to thank all those organisations who took part in the 2014 campaign, which included this council, and asked whether the same organisations were willing to be involved in the Big Spring Clean 2015 campaign.

Resolved – (a) That this Council organises a team of volunteers to carry out a litter pick as part of the Big Spring Clean 2015.

(b) That this Council organises a team of volunteers to carry out a town weeding project, starting at Scar Top, in June 2015.

(2) Planning Committee

It was reported that, at the Planning Committee meeting on 8 September, consideration was given to a revised planning application proposing the erection of 4 no. wind turbines with maximum tip height of 125m (previously 5 turbines with maximum tip height of 115m), control building, substation, site compound and other ancillary buildings with site access from Windy Bank Road to the north of the site (previously access from B6282 to the south).

In spite of the fact that the proposed wind turbines would be sited 12km away from Barnard Castle, it was noted that the 'Zone of Theoretical Visibility' indicated that the tips of the four turbines would be visible from certain parts of the town.

It was also noted that, at the council meeting on 5 September 2011, consideration was given to Hamsterley Parish Council's request to support the opposition to the original wind farm planning application (reference CMA/6/48), which was subsequently agreed to on the assumption that the opposition had fully taken into account Local Development Plan policies (Minute 89(3(b))/Sep/11 refers).

Resolved – That planning application reference CMA/6/48, for the erection of 4 no. wind turbines and associated structures on land between Woodland and Hamsterley Forest be refused on the grounds that the development does not accord with Policy 22 of The County Durham Plan (Pre-Submission Draft Local Plan October 2013) and Policy C5B of the Teesdale Local Plan (2002) in that:-

- i) the development would cause unacceptable harm to the amenity of nearby residential occupiers and local communities by reason of visual dominance and noise;
- ii) the development would significantly harm the landscape, character and appearance of the area; and
- iii) the development would unacceptably damage the landscape setting of adjacent land.

(3) Resources Committee

It was reported that, at the Resources Committee meeting on 8 September, consideration was given to a number of recommended amendments to the council's Standing Orders and Financial Regulations following a review of those documents by the Governance Document Review Task and Finish Group. The amendments subsequently agreed by the Committee had been circulated to members to aid their deliberations.

Resolved – That the recommended amendments to the council's Standing Orders and Financial Regulations, as submitted, be adopted.

67. CLERK'S UPDATE

Submitted – A report outlining recent activities undertaken by the Clerk and staff by the scheme of delegation and provided updates in respect of correspondence with Durham County Council over a range of issues, including Scar Top Play Area/Mini Golf Freehold, Woodleigh, asset and service transfers including the town council's expression of interest in the Demesnes, Scar Top, the grounds of Woodleigh, the market place public toilets and the maintenance of open spaces and green areas in the town, Boundary Extension Proposal, Neighbourhood Plan and that the sale of land to the rear of Bede Road was progressing accordingly. Discussion ensued in respect of the proposed closure of County Bridge during the school holidays in October by Northern Gas Networks for essential gas main replacement works and the impact this would have on local businesses. It was noted that County Councillor Bell had proposed an alternative closure period.

Resolved – (a) That this Council supports County Councillor Bell's alternative County Bridge closure period from 29 October to 2 November with an imperative to complete the works within five days.

(b) That the information be noted.

68. REPRESENTATION ON OTHER BODIES

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

(1) Barnard Castle Business Guild Meetings – 16 July and 17 September 2014

At the Guild meeting on 16 July, matters discussed included ongoing project updates, i.e. the revised town shopping map, bedroom browser and town banners and potential projects to increase footfall.

Councillor Peat advised that the 17 September Guild meeting had been cancelled.

Resolved – That the information be noted.

(2) Teesdale Local Council's Forum Meetings – 24 July 2014

At the above meeting, items discussed included high speed wifi, road safety measures and relationships between local council clerks and councillors.

Resolved – That the information be noted.

(3) Teesdale Residents' and Travellers' Forum Meeting – 5 August 2014

At the above Forum meeting, issues discussed in respect of Barnard Castle centred on the security of the lower Demesnes, as difficulties were still being experienced with residents/tenants of the properties at The Mill leaving the overhead barrier open. Whilst letters to those properties would be sent to remind property owners of this insecurity, investigations would be made into other encampment deterrents.

It was also reported that improvement works to Shaw Bank were being carried out to create an improved hard standing for the site following the area becoming a quagmire during the last two-year's migration periods.

Resolved – That the information be noted.

69. AUDIT OF ACCOUNTS 2013/14 – FINAL REPORT

Submitted – Pursuant to Minute 34/Jun/14 and following completion of the 2013/14 Audit by this Council's External Auditor, a report seeking approval of this Council's 2013/14 Annual Return. The External Auditor had raised two minor issues, a rounding difference and the reported fixed asset figure. However, it was noted that correct procedures had been followed in respect of this issue.

Resolved – That the 2013/14 Annual Return be approved and accepted, with the minor issues raised being noted.

70. BARNARD CASTLE VISION

Submitted – A report detailing recent activity by, and promoted by, the Vision, including The Witham, NeST, Barnard Castle Business Guild, town centre promotion event, town centre vacancy rates, the Heart of Teesdale Landscape Partnership and the Market Cross lighting scheme.

Resolved – That the information be noted.

71. COUNTY DURHAM ASSOCIATION OF LOCAL COUNCILS – NOMINATION OF CANDIDATES FOR EXECUTIVE COMMITTEE VICE-PRESIDENT POSTS

It was reported that a further Vice President vacancy had arisen on the Executive Committee and that nominations for both positions were required so that they could be filled at the AGM on 8 November 2014.

Resolved – That Councillor Bill Jeffrey, of Peterlee Town Council, and Councillor David Kinch, of Barnard Castle Town Council, be nominated for the posts of Vice President on CDALC's Executive Committee.

72. FLY A FLAG FOR THE COMMONWEALTH

It was reported that the National Association of Local Councils was encouraging town councils to take part in the 2015 Fly a Flag for the Commonwealth on Commonwealth Day, 9 March 2015.

Resolved – That the town council participates in the 2015 Fly a Flag for the Commonwealth with the cost of the flag allocated to the 2014/15 Events budget.

73. DONATION OF ARTWORKS

It was reported that the Town Council had been asked to be the custodian of four Douglas Pittuck artworks (County Bridge, Barnard Castle School, Figures in the Street and a portrait) and a print of an Elijah Yeoman photograph (Abbey Bridge toll gates) on behalf of the Town by a local resident with the intention for them to be put on public display as soon as a suitable location had been found.

Resolved – That the town council agrees to be the custodian of four Douglas Pittuck artworks (County Bridge, Barnard Castle School, Figures in the Street and a portrait) and a print of an Elijah Yeoman photograph (Abbey Bridge tollgates).

74. AMBULANCE RECONFIGURATION

This item was considered earlier in the agenda.

75. WEDNESDAY MARKET – ADDITIONAL INFORMATION

Submitted – A report setting out details of a request from Durham County Council, as market operator for the Barnard Castle Wednesday Market, for information to supplement the bid made by the town council to run the Wednesday market in August 2013 in so much as how the town council would propose to store and transport the safety barriers used to protect the market and in particular how it would cover the identified costs of this additional activity.

Resolved - That the Town Council responds to Durham County Council to indicate that it will not increase the original sum offered in its tender (£1) and cannot accept responsibility for the storage and delivery of the safety barriers in the manner proposed.

76. LAND SOUTH OF HMYOI DEERBOLT, STARTFORTH PARK

Submitted – A report summarising the details of an application of Reserved Matters for 64 dwellings, associated landscape and infrastructure on land South of HMYOI Deerbolt, Startforth following the approval of outline planning permission granted in June 2013.

It was noted that the matters raised by this council in respect of the outline planning application had been addressed, albeit that the affordable housing element had been agreed at 15% (Minute 140/Mar/13 refers) and with that in mind, there were no apparent grounds to consider reversing the town councils original decision.

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

- (i) that, in respect of the design proposals, at least 30% of the proposed dwellings' should be allocated as affordable housing provision in line with other recent residential developments in Barnard Castle (e.g. 6/2012/0047/DM).

77. BARNARD CASTLE WALLS TRUST

It was reported that the Town Mayor had received a letter from the Barnard Castle Walls Trust requesting support for its work towards the progression of the repair works to the Outer Ward perimeter walls of Barnard Castle. It was recommended that, as the trust had yet to be constituted, the council should only offer support in principle pending the creation of a working constitution for the trust that was consistent with the council's legal powers to participate in it.

Resolved – That the town council supports the Trust in principle and that Councillor Marshall be nominated as this Council's representative on the Trust.