

**BARNARD CASTLE TOWN COUNCIL  
COUNCIL MEETING  
21 SEPTEMBER 2015**

**PRESENT:** Councillors Mrs Moorhouse (Town Mayor) (in the Chair); Harrison, Yarker, Marshall, Blissett, Deacon, Hinchcliffe, Peat, Mrs Grady (until Minute 70f), and Mrs Thompson (Minute 64 onwards).

**Also in attendance:** Seven members of the public (one of whom filmed the meeting); two members of the press.

**Officers:** Mr King (Town Clerk), Mrs Woodward (Deputy Clerk).

**PUBLIC QUESTION TIME**

Having been duly notified prior to the meeting, a member of the public, Mr Robinson, asked a question of the Town Council regarding the procurement of a Fireworks display for the Christmas lights switch on.

As the question had not been submitted to a particular councillor, the Town Mayor duly answered the question. Mr Robinson then asked for all the individual councillors present to respond to the question. The Town Mayor refused the request as contrary to the council's published policy. Mr Robinson refused to accept the response and when asked to remain silent, refused to do so.

At this point, the Town Mayor adjourned the meeting for 10 minutes.

After 10 minutes, the Town Mayor attempted to open the meeting. Mr Robinson began to disrupt the meeting. Councillor Blissett proposed a motion under Standing Order 10 (xiv) to exclude Mr Robinson for disorderly conduct. This was seconded and a vote taken:

**Resolved** – That Mr Robinson be excluded from the meeting.

**61. ACCEPTANCE, OR OTHERWISE OF APOLOGIES**

Apologies were received from Cllrs Cooke (due to personal reasons) and Kinch (due to illness).

**Resolved** – That Cllrs Cooke's and Kinch's apologies be accepted.

**62. 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 that point of the meeting. Members were reminded that a declaration could be given later in the meeting if a need had arisen during discussion. Councillor Blissett declared an interest in respect of item 63 and left the meeting for the duration of this item.

At this point Mr Robinson was still refusing to leave the meeting and was continuing to disrupt proceedings. The Clerk, after contacting the police for to formally record the disruption, ejected Mr Robinson from the meeting.

### **63. EAST WARD VACANCY**

Submitted – a report containing an overview of the expressions of interest received in response to the advertisement of a vacancy on the Town Council for co-option. It was confirmed that two expressions of interest had been received following the deadline on 14 September from Miss Blissett and Mrs Thompson. Letters from the candidates were attached to the report.

Miss Blissett and Mrs Thompson were present at the meeting and were invited to speak on their suitability. Members were offered the opportunity to question both candidates. A secret ballot was then held. Each member present was handed a voting slip to record their vote for the East Ward vacancy. The Deputy Clerk acted as adjudicator on the counting of the votes with the following result:

<b>Candidate</b>	<b>Votes</b>
Miss Kelly Blissett	3
Mrs Belinda Thompson	5

**Resolved** – (a) That Mrs Thompson be co-opted to fill the East Ward vacancy on the Town Council and  
(b) That Miss Blissett be thanked for her interest in the vacancy.

Councillor Mrs Thompson then signed the Declaration of Acceptance of Office.

### **64. COUNCIL MEETING – 29 JUNE 2015 – MINUTES**

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

### **65. SPECIAL COUNCIL MEETING – 6 JULY 2015 – MINUTES**

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

### **66. SPECIAL COUNCIL MEETING – 20 JULY 2015 – MINUTES**

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

### **67. SPECIAL COUNCIL MEETING – 10 AUGUST 2015 - MINUTES**

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

### **68. 'EN BLOC' ITEMS**

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

#### **(1) Woodleigh Working Group – 23 June 2015**

**Resolved** – That the Draft Notes be received.

#### **(2) Christmas Lights Working Group – 25 June 2015**

**Resolved** – That the Notes be received.

#### **(3) Planning Committee Meeting – 29 June 2015**

**Resolved** – That the Minutes be received.

#### **(4) Planning Committee Meeting – 6 July 2015**

**Resolved** – That the Minutes be received.

#### **(5) Partnership Committee Meeting – 6 July 2015**

**Resolved** – That the Draft Minutes be received.

**(6) Christmas Lights Working Group – 14 July 2015**

**Resolved** – That the Notes be received.

**(7) Events T&F Group – 16 July 2015**

**Resolved** – That the Notes be received.

**(8) Planning Committee Meeting – 20 July 2015**

**Resolved** – That the Minutes be received.

**(9) Services Committee Meeting – 20 July 2015**

**Resolved** – That the Draft Minutes be received.

**(10) Events T&F Group – 23 July 2015**

**Resolved** – That the Draft Notes be received.

**(11) Christmas Lights Working Group – 27 July 2015**

**Resolved** – That the Draft Notes be received.

**(12) Planning Committee – 10 August 2015**

**Resolved** – That the Minutes be received.

**(13) Planning Committee – 24 August 2015**

**Resolved** – That the Minutes be received.

**(14) Planning Committee – 7 September 2015**

**Resolved** – That the Draft Minutes be received.

**(15) Resources Committee – 7 September 2015**

**Resolved** – That the Draft Minutes be received.

**(16) Town Mayor's Activities.**

It was reported that, since the Council meeting on 29 June 2015, the Town Mayor and Deputy Mayor had attended the following:

30 June	Mayoral Visit to Mr & Mrs Swinbank (Abbeyfield, Galgate, Barnard Castle)
1 July	Teesdale Aviation Day, (Town Council, Remembrance Gardens)
2 July	<b>(Deputy Town Mayor)</b> Memorial Service for Cllr Muriel Gordon (Shildon Town Council, St John's Church, Shildon)
5 July	<b>(Deputy Town Mayor)</b> Mayor's Civic Service (Colburn Town Council, St Cuthbert's Church, Colburn)
8 July	100th Birthday Celebration Betty Downham (Beaconsfield Court, Galgate)
8 July	Pre show Reception (Castle Players, Garden House, Cotherstone)
9 July	Opening of Yves Saint Laurent 'Style is Eternal' (The Bowes Museum, Newgate)
14 July	School End of Year Prize-giving ceremony (Teesdale School, Prospect Place)

18 July	<b>(Deputy Town Mayor)</b> Mayor's Civic Church Service & Parade (Sunderland City Council, St Benet's RC Church, Monkwearmouth)
25 July	<b>(Deputy Town Mayor)</b> Family Fun Day & Mayor's Charity Morning (Chilton Town Council, Miners Welfare Recreation Centre, Chilton)
25 July	<b>(Deputy Town Mayor)</b> 80's Theme Night & Disco (Spennymoor Town Council, KGH Club, Spennymoor)
25 July	Garden Party (Marie Curie– Vane House, Galgate)
29 July	Shop Opening (YMCA Teesdale Shop, 18 Horsemarket)
3 August	RWC 2015 Celebration Dinner (Durham County RFU, Barnard Castle School, Newgate)
4 August	Honorary Freeman Presentation, Mr J Swinbank (Abbeyfield House, Galgate))
1 September	Yves St Laurent 'Youth is Eternal', private viewing (Town Council, The Bowes Museum, Newgate)
6 September	<b>(Deputy Town Mayor)</b> Welcome to Walking with the Wounded, Walk of Britain 2015 (Walking with the Wounded, Scar Top)
11 September	<b>(Deputy Town Mayor)</b> Annual Charity Dinner (Colburn Town Council, Hanson Sports & Social Club, Colburn)
15 September	<b>(Deputy Town Mayor)</b> Open Evening (HMYOI Deerbolt, Bowes Road, Startforth)
18 September	<b>(Deputy Town Mayor)</b> Comedy Night (Bishop Auckland Town Council, Bishop Auckland Football Club)
20 September	<b>(Deputy Town Mayor)</b> Mayor's Civic Service (Spennymoor Town Council, St Paul's Gardens, Spennymoor)

**Resolved** – That the information be noted.

## **69. UPDATES AND REFERRALS FROM COMMITTEES**

### **(1) Woodleigh Working Group**

#### **(i) Membership**

**Resolved** – That committee chairs be nominated to join the Woodleigh Working Group to ensure a quorum of three at all times.

#### **(2) Planning Committee**

##### **(i) Planning application DM/15/02418/FPA & DM/15/02419/LB – Teesdale House – Provision of 3 further no. C3 residential units with associated works.**

It was reported that the application was for proposed residential development only and that the town council had requested a Section 106 Agreement, for additional open space/play provision. King Street was now anticipated to be closed until 30 September 2015. The town council praised the quality of the build and opportunities for employment the project had brought.

**Resolved** – That the information be noted.

### **(3) CHRISTMAS LIGHTS WORKING GROUP**

It was reported that, as part of the fixed budget of £6,500, white LED icicle lights were to be purchased by the town council, but that there was a shortfall to run the entire fascia of buildings, both sides, between Methodist Church and Market Cross . It was also noted that an independent group '*Barnard Castle Christmas Lights*' was now established.

**Resolved** – (a) That the town council purchase an additional 120 metres (600 metres in total) of icicle lights, at an additional cost of £690, to become town council assets, with donation of £690 from Barnard Castle Christmas Lights.

(b) That the Christmas Lights Working Group be dissolved and that decisions relating to Christmas lights revert to the town council's Partnership Committee.

### **(4) PARTNERSHIP COMMITTEE**

#### **(i) Dementia Friendly Communities**

**Resolved** – That Councillor Deacon be the Town Council's nominated representative for Dementia Friendly Communities and that the arrangements for reporting relevant business to the Council be affirmed.

#### **(ii) Aviation Day**

**Resolved** – That the annual Teesdale Aviation Day Service be Friday 24 June 2016 to allow request for an RAF Flypast to be made.

### **(5) RESOURCES COMMITTEE**

#### **(i) Market Cross Lighting**

The town council had previously approved a scheme developed in consultation with Durham County Council to provide external floodlighting of the Market Cross using LED spotlights mounted on street lighting columns at the junction of Market Place, The Bank and Newgate. Funding had been secured by private donation and from TAP. As part of the funding conditions, evidence was required of complying with the council's financial regulations for the purchase of the capital equipment.

Within the terms of the town council's financial regulations, the equipment specified by the county council's street lighting engineers was proprietary and fell within the exemption to the general rules for obtaining quotations for goods and services set out in Financial Regulation, 11(a)(vi). This equipment was proprietary because, in the engineers' opinion it was the only equipment appropriate to be attached to their lamp posts.

The county council had supplied a quotation provided by their approved lighting supplier, MacLean Electrical, which totalled £7,727.61 plus VAT. This was consistent with the quotation supporting the town council's original bid for TAP funding and maintained the overall scheme cost of £11,614 plus VAT, which was entirely covered by the acquired, external funding. This amount was above the delegated limit for Resources committee to approve.

**Resolved** – That lighting units, as specified by Durham County Council's street lighting engineer, be purchased by DCC, then recharged to the town council at a cost of £7,727.61 plus VAT.

**(ii) Banking Arrangements (CONFIDENTIAL)**

It was reported that pursuant to Resources Minute 33/Jun/15, it was resolved that a mixed payments plan be taken up from 13 October 2015. It was further resolved that the council would continue to work towards increasing the number of payments made via direct debit and receive as many receipts as possible by BACS. The procedure for all payments (including BACS) was dealt with under item 77 in confidential session.

**70. REPRESENTATION ON OTHER BODIES**

**(a) Barnard Castle Business Guild**

At its quarterly meeting, held on 19 August 2015, it was confirmed that the Business Guild intended to hold a Community Day on the Demesnes on Saturday 28 May 2016, in support of the Barnard Castle Meet.

**(b) Teesdale Residents' and Travellers' Forum**

A meeting was held on 21 July to review the May/June traveller period. It was confirmed that 2015 had seen fewer travellers in transit and fewer reported issues.

**(c) Teesdale Local Councils Forum**

The next meeting was on 3 November when Durham Constabulary Chief Constable Mike Barton would be in attendance.

**(d) Smaller Local Councils Forum**

The NALC AGM was on 28 October and it was confirmed that Councillor Kinch would be attending.

**(e) Castle Walls Trust**

There was no update

**(f) Teesdale Marketing Ltd.**

There was no update

**(g) South West Durham Heritage Corridor Partnership**

A meeting of the Bishop Auckland to Barnard Castle Railway Path Sub Group was held on 12 August, to discuss bringing sections of the route back in to use, as part of the wider footpaths network, that Teesdale Action Partnership had helped to fund. It was reported that Stockton and Darlington Group was also looking to open up the old Stockton & Darlington (S&D) line and looking at World Heritage Status. As the Barnard Castle to Bishop Auckland line was part of the wider S&D line, it was suggested that the two projects be combined.

**(h) Dementia Friendly Communities**

There was no update.

**Resolved** – (a) That the information be noted; and

(b) That Councillor Kinch represent the town council at the meeting of the NALC AGM on 28 October 2015.

**71. AUDIT OF ACCOUNTS 2014/15 – FINAL REPORT**

Submitted – Pursuant to Minute 33/Jun/15 and following completion of the 2014/15 Audit by this Council's External Auditor, a report seeking approval of this Council's 2014/15 Annual Return. There were no issues reported.

**Resolved** – That the 2013/14 Annual Return be approved and accepted.

## **72. BARNARD CASTLE WEDNESDAY MARKET**

Received – a report setting out the response from Durham County Council, to the bid made by the town council to run the Wednesday market. A draft contract was circulated. Durham County Council had provided clarification about the role of the market operator with respect to the barriers, in particular that all costs associated with the storage, transportation, use, repair and maintenance be the responsibility of the market operator. The opportunity to store and operate barriers from Woodleigh now offered a way of overcoming the uneconomic burden, which would have required the town council (as bidder) to operate the market at a loss that could not be reasonably justified to the precept payers of Barnard Castle.

**Resolved** – (a) That the Town Council responds to Durham County Council to indicate that it would not increase the original sum offered in its tender (£1).

(b) That the Town Council accepts responsibility for the storage and delivery of the safety barriers from Woodleigh;

(c) That costs of waste collection be borne by Durham County Council.

(d) That the Town Council does not work in partnership with the Business Guild on Wednesday Market.

## **73. CLERK'S UPDATE**

Submitted – A report outlined recent activities undertaken by the Clerk and staff and provided updates in respect of correspondence with Durham County Council over a range of issues, including Scar Top Play Area/Mini Golf Freehold Asset Transfer, Woodleigh, Asset and Service Transfers.

**Scar Top Play Area/Mini Golf Freehold Asset Transfer** – The town council's solicitor had received information from Durham County Council's (DCC) solicitor regarding this transfer and, in particular, the funding conditions related to the two grants in place with:

The Northern Dales Leader Programme; and

The Big Lottery Fund.

Due to additional work involved in reviewing, negotiating and agreeing papers, legal fees were estimated to be in the region of £2,000 plus VAT and disbursements, including land registry fees.

The town council was expected to meet DCC's legal and surveyor's fees capped at £700 in total. Given the extreme delays in this process, the town council's dissatisfaction at these county-based costs had been repeatedly registered. It was noted that the purchase price was £650, as originally approved by council in December 2013.

**Woodleigh** – The lease was now settled and the town council had the keys. Imminent work was anticipated to repair the roof and rainwater goods. Initial meetings had been held with the town council's partner organisations. County Durham CAB would be leading on internal, structural works.

**'Ask' and 'Delivering Differently'** - Proposals were being considered together at the Local Councils Working Group meeting on 28 September. Information regarding the frequency of grass cutting and grounds maintenance had been received and would be reported to Services Committee in October.

**Sale of land to the rear of Bede Road** was complete.

**Meet Weekend Fun Fair** – A meeting was arranged on 24 June by Durham County Council, to discuss a request from Barnard Castle Business Guild that the annual fair be relocated from the town's main pay-and-display car park to an alternative location. There was no action for the town council at this time. Additional activity between the Business Guild and the county council was anticipated.

**Code of Conduct Training** – Members were reminded about this training session at County Hall on Wednesday 18 November.

**Resolved** – (a) That the information be noted;  
(b) That, with respect to the freehold transfer of the Scar Top play area and mini golf, approval be given to fund, from reserves, the town council's legal fees plus disbursements up to £2,500;  
(c) That the town council refused to fund the county council's costs due to the extreme delay in progressing this transfer;  
(d) That approval be given to undertaking internal work to Woodleigh through the contract managed by CAB with their building contractor.

#### **74. VISION UPDATE**

**Submitted** – a report from the Vision that detailed activities at The Witham, Town Centre and Heart of Teesdale (HoT) Landscape Partnership. A press release was circulated that reported Board Members had agreed to end the partnership on 18 September. HoT would continue to deliver projects until March 2016. It was reported that the Chair of the Vision Partnership Board had resigned and that the Vision had no resources to take forward further projects. New funding streams were highlighted.

**Resolved** – That the report be noted.

#### **75. EXCLUSION OF PRESS AND PUBLIC (IN RESPECT OF ITEMS 76. AND 77. BELOW)**

**Resolved** – That, under the provisions of the Public Bodies (Admission to Meetings) Act 1960 §1(2), the press and public be excluded from the meeting during consideration of the matters referred to at Item 76 and 77 below, due to the confidential nature of the business to be transacted.

#### **76. HONORARY FREEMAN SCHEME**

**Submitted** – a report for members to consider the nomination of Mr Parkin Raine to the town council's Honorary Freeman Scheme. It was noted that under the Local Government Act 1972, the decision to appoint an honorary freeman must be made at a meeting of the full council, specially convened for that purpose. The town council was asked to consider the nomination against the scheme criteria and make an appropriate recommendation for onward submission to a future special meeting of the full council.

**Resolved** – That Mr Parkin Raine be nominated to the Honorary Freeman Scheme, to be considered at Special Council on 5 October 2015.

#### **77. BANKING ARRANGEMENTS (CONTINUATION OF ITEM 69.(5)(ii))**

**Resolved** – That the circulated procedure for all payments (creditors) be approved.