

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING**

19 SEPTEMBER 2016

PRESENT: Councillors Blissett (Town Mayor) (in the Chair), Cooke, Mrs Grady (from Minute 48), Harrison, Hinchcliffe, Mrs Moorhouse, Peat, Rowell, Sutherland, Mrs Thompson and Yarker.

Also in attendance: Mr Craig Morgan, Durham County Council (until Minute 49); three members of the public; 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, Mrs Rita Wheeler, submitted a question of the Town Council regarding the Town Council's view on cyclists riding on public and permissive paths along Percy Beck and Flatts Woods.

As the question had not been submitted to a particular councillor, the Town Mayor gave a factual response, then invited other members to give their views. Cycling was not permitted on public paths. The permissive paths were owned by Marwood Estates and signs stipulated no cycling. The police had enforcement powers for public paths only. Marwood Estates could take civil action against cyclists or could close paths to the public if they so wished. Members felt that Marwood Estates ought to be contacted to determine its views and position on the matter, together with status of the notices. It was felt that notices needed to be clearly marked i.e. "by order of Marwood Estates." The matter was deferred for formal resolution in the council meeting (minute 52). The Town Mayor concluded that Mrs Wheeler would receive a written response once a definitive answer had been received.

Mrs Wheeler thanked the town council.

46. ACCEPTANCE, OR OTHERWISE OF APOLOGIES

Apologies were received from Cllr Kinch, who was unwell.

Resolved – That the apologies be accepted.

47. DECLARATIONS OF INTEREST

In accordance with this Council's adopted Code of Conduct (Minute 17(b)/May/16 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. None were declared at this juncture.

48. DURHAM COUNTY COUNCIL BUDGET CONSULTATION – PRESENTATION

Craig Morgan, Co-ordinator Teesdale Action Partnership, Durham County Council, presented information about the proposals on potential cuts to the County Council's 2017/18 Budget.

Key proposals for making savings in 2017/18 included continuing to reduce management and back office posts, accommodation, supplies and services; continuing to find new ways of working, smarter purchasing and effective commissioning of services; implementing changes to youth support, adult social care and home to school transport;

and using reserves to delay making some savings until 2018/19.

It was noted that there was a TAP meeting at The Witham on Wednesday 28 September, where DCC Chief Executive, Terry Collins, would present information on the proposed budget cuts and answer questions. There was also a consultation stall on the town's Wednesday Market on 28 September. Members noted that the consultation closed on Friday 7 October.

Resolved – (a) That the presentation be received and;
(b) That individual members respond to the DCC consultation by Friday 7 October.

49. COUNCIL MEETING – 27 JUNE 2016 – MINUTES

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

50. SPECIAL COUNCIL MEETING – 25 JULY 2016

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

51. SPECIAL COUNCIL MEETING – 1 AUGUST 2016

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

52. TOWN MAYOR'S ANNOUNCEMENTS

Councillor Blissett updated members on the success of the Mayoral event 'Playing a Round in Barney' on 14 September. Approximately £200 had been raised for the Mayor's Charity.

Following public question time, the matter of the Town Council's view on cyclists riding on public and permissive paths along Percy Beck and Flatts Woods was formally raised.

Councillor Harrison congratulated Barnard Castle Cricket Club on its latest successes.

Pursuant to Planning Committee immediately prior to this council meeting, Councillor Harrison reported that under delegated powers, the Planning Committee had considered an outline planning application for 40 dwellings on land north and east of Startforth Morritt school and had resolved to object to this on the grounds of the impact it would have on views from the castle and the impact on services in the town. It was likely that further applications would be received for this site and Planning Committee had resolved that in the event that Durham County Council determined to approve the outline application, future applications would be referred to full Council for consideration.

Resolved – (a) That the information be noted;
(b) That a letter of congratulations be sent to Barnard Castle Cricket Club on behalf of the town council;
(c) That it be delegated to the Clerk to contact Marwood Estates regarding clarification of cycling prohibition signs on permissive paths along Percy Beck and Flatts Woods and;
(d) That further planning applications pertaining to 40 residential dwellings on land to the North and East of Startforth Morritt Memorial School be referred for consideration to full Council.

53. '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) Planning Committee – 27 June 2016

Resolved – That the Minutes be received.

(2) 1940s Event Task & Finish Group – 4 July 2016

Resolved – That the Notes be received.

(3) Planning Committee Meeting – 11 July 2016

Resolved – That the Minutes be received.

(4) Partnership Committee – 11 July 2016

It was reported that a letter from the Town Mayor had been sent to the Mayor of Louveciennes.

Resolved – That the information and Draft Minutes be received.

(5) Planning Committee Meeting – 25 July 2016

Resolved – That the Minutes be received.

(6) Services Committee – 25 July 2016

Councillor Blissett reported that the War Memorials had been inspected and work completed. A detailed report would be submitted to Services Committee on 17 October.

Resolved – That the Draft Minutes and information be received.

(7) Planning Committee – 8 August 2016

Resolved – That the Minutes be received.

(8) Planning Committee – 22 August 2016

Resolved – That the Minutes be received.

(9) Planning Committee – 5 September 2016

Resolved – That the Draft Minutes be received.

(10) Resources Committee Meeting – 5 September 2016

Councillor Peat challenged the draft minute that 'Services Committee be reminded that the contract for play area safety surfacing perimeter repairs should have been considered and awarded under its own delegated authority'. He proposed that this be rescinded and deleted from the Draft Resources Minutes.

Resolved – (a) That the Draft Minutes be received and;

(b) That Resources Committee item 30(c) be deleted from the draft minutes.

(11) 1940s Event Task & Finish Group – 6 September 2016

Resolved – (a) That the Draft Notes be received; and

(12) Town Mayor's Activities.

It was reported that, since the Council meeting on 27 June 2016, the Town Mayor, accompanied by the Mayoress and his Consort, had attended the following:

29 June	Community Dinner (Hartlepool Borough Council, The Riffy, Hartlepool)
02 July	Speech Day & Prize Giving (Barnard Castle School, Newgate, Barnard Castle)

15 July	Mayoress At Home (Great Aycliffe Town Council, School Aycliffe Lane, Newton Aycliffe)
16 July	Mayoress at Home (Stockton Borough Council, Town Hall, Stockton on Tees)
16 July	Garden Party (Abbeyfield, Galgate, Barnard Castle)
17 July	Mayor's Civic Service (Sedgefield Town Council, St Edmund's Church, Sedgefield)
18 July	School End of Year Prize-giving (Teesdale School, Prospect Place, Barnard Castle)
23 July	Tea in the Park, Welcome the Flying Scotsman (Shildon Town Council, Locomotion, Shildon)
7 August	Mayor's Civic Service (Hartlepool Borough Council, St John Vianney, Hartlepool)
15 August	Mayoress At Home (Hartlepool Borough Council, Civic Centre, Hartlepool)
20 August	Mayor's Charity Coffee Morning (Chilton Town Council, Pavilion, Miners Welfare Recreation Ground, Chilton)
02 September	Fly the Red Ensign for Merchant Navy Day (Sunderland City Council, Civic Centre, Sunderland)
09 September	Town Band Concert (Ferryhill Town Council, St Lukes Church Hall, Ferryhill)
12 September	Charity Afternoon Tea (Durham County Council, Durham Castle)
14 September	Playing A Round in Barney (Town Council, Mayor's Charity Event, Barnard Castle)
18 September	Mayor's Civic Service (Spennymoor Town Council, St Andrew's Church, Spennymoor)
19 September	Song Launch 'The Boys From Poor House Yard' (The Bowes Museum, Newgate)

Resolved – That the information be noted.

54. UPDATES AND REFERRALS FROM COMMITTEES

(1) PARTNERSHIP COMMITTEE

(i) 1940s Event – 23 TO 25 June 2017

At the meeting of the 1940s Task & Finish Group on 4 July (note 21/Jul/16 refers), recommendations were made for onward referral to Partnership Committee, subsequently resolved as follows:

- (a) That a budget of £2,000 be allocated to next 1940s weekend from the 2017/18 Events budget;
- (b) That the £454 underspend from the 2016 1940s weekend be earmarked for spend against the 2017 1940s weekend;
- (c) That the 1940s Event Task & Finish Group continues;
- (d) That a dedicated 1940s Facebook page be established, linked to the town council's Facebook page; and
- (e) That a flypast be applied for by end September 2016, with dates extended to 23 to 25 June 2017 inclusive to enable optimum chance of a successful application.

Resolved – That the information be noted.

(ii) Aviation Day – 23 June 2017

It was resolved that 2017 Aviation Day be programmed into 2017/18 Events programme with budgetary allocation.

Resolved – That the information be noted.

(iii) Windage testing – Newgate Lampposts

It was reported that The Bowes Museum had agreed to fund the purchase of four additional swan motifs and refurbish four out of the five existing motifs for Christmas lighting displays. It was resolved that Roch NDT be the approved contractor to windage test nine lampposts on Newgate at a maximum cost of £600 from the Christmas lighting budget.

Resolved – That the information be noted.

(2) SERVICES COMMITTEE

(i) Floral Displays 2017/18

It was resolved that any underspend in Floral Displays budget at end of the 2016/17 financial year be earmarked for 2017/18 floral displays.

Resolved – That the information be noted.

(ii) Demesnes Public Meeting

Pursuant to the Committee's decision at its last meeting (17b/Jun/16), a public meeting was held in Woodleigh on 7 September, chaired by the Town Mayor.

The purpose of the meeting was to gather the views of residents on the use of the Demesnes; gauge the extent to which there was considered to be anti-social behaviour associated with the area; and look at the threats and opportunities posed by the space and its management. The meeting considered the role of the town council in managing the space in the event that the transfer from Durham County Council took place. A detailed report would be presented to Services Committee on 17 October.

Resolved – That the information be noted.

(3) PLANNING COMMITTEE

(i) Planning Application DM/16/02284/PNT – Land Opposite Service Station and on South Side of Darlington Road – Telecom Base Station.

Pursuant to Minute 34(ii)/Aug/16, Durham County Planning had subsequently refused prior approval for the following reasons:

“The development by reason of its siting, height and cumulative impact with adjacent street lighting and signage, would be unduly prominent and harmful to the setting of the nearby grade II listed milestone marker and Barnard Castle Conservation Area.”

Planning Committee resolved that it be delegated to the Clerk to send a letter to Durham County Council strongly voicing the town council's concerns regarding determination of the application to the detriment of the town's social and economic growth.

Resolved - That the information be noted.

(4) RESOURCES COMMITTEE

(i) Distinction of roles of Chair and Vice Chair of Resources Committee

It was resolved that (a) the distinction of duties, such that the Chair of the Resources Committee leads on financial matters and the vice chair of the Resources Committee leads on personnel matters in the council's constitution, be agreed in principle; and (b) That the recommended changes be made to Standing Orders, Financial Regulations and the Staff Handbook.

Resolved – That the information be noted.

(ii) Budget 2017/18 – Timetable & Basic Assumptions

Approval was given to the budget setting timetable for 2017/18 as follows:

Committee/ Council	Date	Item
Partnership	3 October 2016	Proposals for additional expenditure and new projects.
Services	17 October 2016	Proposals for additional expenditure and new projects.
Resources	31 October 2016	Proposals for additional expenditure and new projects (including submissions from other committees).
Council	14 November 2016	Submission of recommended projects.
Resources	16 January 2017	Examination of entire proposed budget.
Council	23 January 2017	Presentation of formulated recommendations and approval of budget.

Resolved – That the information be noted.

(iii) Play Area Safety Surface Repairs

It was resolved that Abacus Playgrounds be awarded the contract to carry out perimeter wetpour safety surface repairs to Marwood Drive, Green Lane and Bouch Way play areas at a total cost of £4,500 from Play Areas Repairs and Future Provision Reserve Fund and Bouch Way Play Area Earmarked Funds.

Resolved – That the information be noted.

55. REPRESENTATION ON OTHER BODIES

(1) Barnard Castle Business Guild

There was nothing to report

(2) Teesdale Residents' and Travellers' Forum

There were no actions. The next meeting was on 1 November.

(3) Teesdale Local Councils Forum

There had been no meeting.

(4) Smaller Local Councils Forum

It was reported that the AGM was on 22 October. The following motion was proposed by Councillor D.A. Fleming (Bishop Auckland Town Council):

That County Durham Association of Local Councils agree the following policy statement:

"We are proud to live in a diverse and tolerant society. Racism, xenophobia, homophobia, religious intolerance and hate crimes have no place in our county. County Durham Association of Local Councils condemns all such intolerance and hate crimes unequivocally. We will not allow hate to become acceptable and will work with the Police & Crime Commissioner and others to fight prejudice and hate crimes. We reassure all people living in the area that they are valued members of our communities."

Councillor Kinch was seeking Council approval to vote on the following recommendation:

"That the above policy statement be agreed by CDALC Executive Committee for discussion by Members and that all individual member councils be encouraged to agree the statement and consider how they could promote equality, diversity and social cohesion at the local level."

(5) Teesdale Marketing Ltd.

There was nothing to report.

(6) South West Durham Heritage Corridor Partnership

There was nothing to report.

(7) Dementia Friendly Communities

A meeting of Dementia Action Alliance was scheduled for 28 September. A meeting was arranged on 14 October with Nicky Tulloch, Dementia Advisor, to progress the town becoming a Dementia Friendly Community.

(8) Walkers are Welcome

Councillor Mrs Thompson reported that a meeting was held on 8 September confirming Chair, Secretary, Treasurer and the group's constitution. Barnard Castle Walkers Are Welcome (BCWAW) was working towards completing and submitting an application for Barnard Castle to become a Walkers are Welcome Accredited Town.

As full accreditation was getting nearer, a bank account was to be opened and funding was being sought for Insurance, Website etc. So far the BCWAW group had operated without any funds. They now sought funding of up to £300 for initial expenses. BCWAW also requested a link or web page on the Town Council's website until they secured funds to set up their own website.

When BCWAW received full accreditation, a launch event would be held and involvement of the Town Mayor was requested.

BCWAW continued to make links with other organisations and was actively seeking volunteers. A training day was being arranged for volunteers on footpath reporting. A survey of all footpaths BCWAW was taking responsibility for would take place and regular surveillance would be carried out. A list of eight walks starting in Barnard Castle had been agreed as part of the application and a marketing plan developed.

Once full accreditation as a Walkers are Welcome town was achieved, Barnard Castle would be the first Walkers are Welcome accredited town in County Durham.

Resolved – (a) That the information be noted;

(b) That approval be given to Councillor Kinch to vote in favour of the motion proposed at CDALC AGM on 22 October;

(c) That the request for a link on the Town Council's website for Walkers are Welcome be approved and;

(d) That the request for funding for BCWAW be considered by Partnership Committee as part of the 2016/17 Events Budget.

56. AUDIT OF ACCOUNTS 2015/16

Pursuant to Minute 28/Jun/16 and the Council's approval of Section 1 (Accounting Statements) and Section 2 (Annual Governance Statement), the Annual Return, together with all additional supporting documentation, was duly submitted to the Council's External Auditor, BDO LLP of Southampton, by the agreed date of 4 July 2016.

The External Auditor had until 30 September to submit their response and issue a Notice of Conclusion of Audit for 2015/16. It was reported that the town council had not yet received the full and completed Annual Return from BDO LLP. BDO had confirmed that the audit work had been completed, but that changes to audit arrangements this year had resulted in a backlog of audits to receive sign-off by the director. Once received, a decision would be required from this Council to show that the Return was approved and accepted.

As the Council's income and/or expenditure for 2015/16 was over the £200,000 threshold, an 'Intermediate Audit' was required in support of the External Audit.

The 2015/16 budget for Internal and External Audit expenditure was set at £1,460 as it was anticipated that this Council would be likely to incur expenditure in excess of £200,000. The correct procedure for internal and external audit fees was that the costs were accrued at the year-end so that each year's accounts included the fees for that year.

Resolved – That the report be noted.

57. YOUTH COUNCIL

Received – a report considering the practical steps which would be taken by the YMCA as the town council's partner in establishing a Youth Council for Barnard Castle, following an initial meeting, set up by the YMCA with local young people in July.

A timeline was put forward as follows:

- **September to December 2016** – recruit young people; write initial action plans.
- **December 2016 to January 2017** – consider town council budget proposals as consultee.
- **January to April 2017** – work with other youth organisations in Barnard Castle to establish priorities and drum up interest and involvement from other young people in the area.
- **January 2017** – set up social media accounts for the youth council; work with other organisations to advertise and support these pages.
- **March 2017** – young people interested in being in youth council update town council of work and progress.
- **September 2017** – Youth council gets ratified within the town council.

Resolved – That the information be noted.

58. CLERK'S UPDATE

Received – a report providing an opportunity to review activities undertaken by the Clerk and staff and summarising the Clerk's forthcoming leave on 30 September.

There had been a number of substantive issues moving forward since 27 June:

Scar Top Play Area/Mini Golf Freehold Asset Transfer

There had been no further developments.

Asset and Service Transfer

Comments on a draft lease for the Woodleigh Grounds had been returned by the council's solicitor to Durham County Council (DCC). The DCC solicitor was currently reviewing the amendments proposed for the lease and was taking instruction. It was noted that indicative costs would be required for 2017/18 budget setting.

Public Space Protection Order

It was reported that Durham County Council was carrying out a Public Consultation concerning the implementation of a countywide Public Space Protection Order (PSPO) for dog control. Any introduced PSPO would replace the existing countywide Dog Control Order and would enable additional enforcement powers to encourage responsible dog ownership.

The four elements to the Revised Order (which would replace the existing Dog Control Order) would be that, if agreed, it would be an offence to:-

- Allow a dog to foul without picking it up (this was already an offence under existing countywide Dog Control Order);
- Allow a dog to stray;
- Fail to put a dog on a lead when directed to do so by an authorised officer;
- Allow dogs in fenced play sites which were Durham County Council owned and managed. This could also be extended to Town Council play areas.

The consultation would be taken to Services Committee on 17 October to allow a response to be made before the closing date for the consultation, which was 5 December 2016.

As a related issue, DCC officers had stressed that existing Wardens and PCOs could only act as a deterrent and their numbers were finite across County Durham, however they would try to assist in parish council controlled parks. Where parish and town councils had park staff or wardens they could be trained to the required standard and would be able to issue fixed penalty notices. Members noted this could be considered within the context of the 2017/18 budget.

Boundary Commission Review of Parliamentary Constituencies

It was reported that starting from 13 September, there was a twelve week consultation under way by the Boundary Commission for England on its review of Parliamentary constituency boundaries – the 2018 Review. This ended on 5 December 2016.

In County Durham the proposed West Durham and Teesdale constituency retained nine wards from the existing North West Durham constituency. Included in this constituency was also the ward of Barnard Castle West from the existing Bishop Auckland constituency, and two wards from the existing Blaydon constituency.

The average constituency size which was aimed for was 75,000. The building blocks for the review were the county council divisions. To balance the books, Barnard Castle West (6,319) was part of West Durham and Teesdale PC (74,502), whereas Barnard Castle East (6,492) remained part of Bishop Auckland PC (72,967). The net effect would be that the parish of Barnard Castle would be split between two parliamentary constituencies.

Members were informed that there was a local consultation event to be held at Darlington Mercure Kings Hotel on 17 and 18 November 2016 and that members could submit individual written and on-line responses.

All members present opposed the division of Barnard Castle into two separate parliamentary constituencies. It was further noted that a pressure group was emerging called 'Keep Teesdale Together' and that a public meeting may be prudent once further information was forthcoming.

Resolved – (a) That the information be noted;
(b) That Services Committee consider proposals from Durham County Council regarding a Public Space Protection Order at its meeting on 17 October and;
(c) That a consultation response to the Boundary Commission for England be considered at Council on 14 November or, if convened, at a Special meeting of Council.