

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING**

23 JANUARY 2017

PRESENT: Councillors Blissett (Town Mayor) (in the Chair), Harrison, Peat, Yarker, Cooke, Kinch, Mrs Moorhouse, Sutherland and Mrs Thompson.

Also in attendance: One member of the public; one member of the press.

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

77. ACCEPTANCE, OR OTHERWISE OF APOLOGIES

Apologies were received from Councillors Hinchcliffe and Rowell. It was noted that Councillor Grady was not in attendance.

Resolved – That the apologies be accepted.

78. 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.

79. COUNCIL MEETING – 14 NOVEMBER 2016 - MINUTES

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

80. TOWN MAYOR'S ANNOUNCEMENTS

Councillor Blissett gave thanks to everyone involved in the Christmas lights switch-on event 2 December, which was very successful. It was reported that the Lord Lieutenant had personally praised the town's festive lights. Congratulations were extended to Barnard Castle Christmas Lights (BCCL) in recognition of its fundraising and initiatives working in partnership with the town council to improve the town's Christmas lighting displays.

Members were invited to the Mayoral event 'Fun & Games' in Barney on 22 February with the legendary Barney Quiz.

A copy of the Barnard Castle Masterplan, written by Durham County Council (DCC), which updated the former Vision Plan, was circulated. The town council had had no involvement in the plan, which would form part of the County Plan.

It was also reported that Terry Collins, Chief Executive, DCC, would attend the next Council meeting on 20 March. Members and the public were welcome to submit questions in advance, which must be received by the Clerk on or before Monday 6 March.

Councillor Blissett proposed that the 1940s event be an annual fixed event coinciding with Armed Forces Day. This was seconded and members voted in favour unanimously.

Finally, it was reported that Barnard Castle's Dementia Friendly Community had been activated on the Dementia Friends website. The next stage was to work through the recognition process to get publicly recognised for the town's continuing work towards becoming dementia-friendly. Organisations across all sectors of the community were being asked to commit to delivering change by agreeing to deliver at least three actions.

A draft action plan for the town council was circulated and approved.

Resolved – (a) That the information be noted;

(b) That questions to Terry Collins, Chief Executive, DCC, be submitted to the Clerk on or before 6 March;

(c) That, henceforth, the town council's 1940s event be a fixed annual event on the same weekend as Armed Forces Day.

(d) That the town council approves an action plan committing to three actions to deliver change to people with dementia in Barnard Castle as follows:

(i) To fully support the town's Dementia Friendly Community group by offering a free location to hold meetings and to actively engage with these;

(ii) To endeavour to ensure that all Councillors and staff were trained and training maintained in Dementia Awareness and that changes were made to policy, procedure and practice where necessary and practical; and

(iii) To actively promote the town as a Dementia Friendly Community, encouraging change and striving to get all sections of the community involved in making the town Dementia Friendly.

81. '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 Meeting – 14 November 2016

Resolved – That the Minutes be received.

(2) Governance Task & Finish Group – 17 November 2016

Resolved – That the Notes be received.

(3) Governance Task & Finish Group – 25 November 2016

Resolved – That the Notes be received.

(4) Planning Committee Meeting – 28 November 2016

Resolved – That the Minutes be received.

(5) Partnership Committee Meeting – 28 November 2016

Resolved – That the Draft Minutes be received.

(6) Planning Committee Meeting – 12 December 2016

Resolved – That the Minutes be received.

(7) Services Committee Meeting – 12 December 2016

Resolved – That the Draft Minutes be received.

(8) Governance Task & Finish Group – 13 December 2016

Resolved – That the Draft Notes be received.

(9) Woodleigh Working Group – 9 January 2017

Resolved – That the Draft Notes be received.

(10) Planning Committee Meeting – 16 January 2017

Resolved – That the Draft Minutes be received.

(11) Resources Committee Meeting – 16 January 2017

Resolved – That the Draft Minutes be received.

(12) 1940s Task & Finish Group – 17 January 2017

Resolved – That the Draft Notes be received.

(13) Town Mayor's Activities

It was reported that, since the Council meeting on 14 November 2016, the Town Mayor/ Deputy Town Mayor accompanied by the Mayoress/ Deputy Mayoress and or his Consort, had attended the following:

17 November	Grand re-launch (Wm Morrisons, Galgate)
27 November	Christmas Tree Lighting Event (The Friends of The Bowes Museum, The Bowes Museum, Newgate)
30 November	Granting of the Freedom of Richmond (Richmond Town Council, Town Hall, Richmond)
2 December	Annual Christmas Tree Light Switch On (Town Council Event, Scar Top)
4 December	Mayor's Christingle Service (Town Council Event, St Mary's Parish Church, Newgate)
6 December	Civic Carol Service (Sedgefield Town Council, St Edmund's Church, Sedgefield)
8 December	Chairman's Christmas Carol Concert (Durham County Council, County Hall, Durham)
9 December	Motown Christmas Charity Evening (Shildon Town Council, Civic Hall, Shildon)
11 December	Civic Carol Service (Shildon Town Council, Shildon Civic Hall, Civic Hall, Shildon)
11 December	Carol Service (Spennymoor Town Council, Town Hall, Spennymoor)
12 December	Mayor's Civic Carol Service (Ferryhill Town Council, St Luke's Church, Ferryhill)
14 December	Service of Nine Lessons and Carols (Barnard Castle School, Newgate)
25 December	Care Home & Hospital Visits (Barnard Castle)
20 January	Burns Night (Hetton Town Council, Hetton Centre, Hetton)

Resolved – That the information be noted.

82. UPDATES AND REFERRALS FROM COMMITTEES

(1) PLANNING COMMITTEE

At the Planning Committee Meeting on 28 November and 12 December, the following items were resolved and agreed for onward notification and referral to this council meeting:

(i) Tree Preservation Order (TPO)

That a recommendation be made to Resources Committee on 16 January 2017 that the town council applies for a TPO to protect trees on the green area fronting Harmire Road, following the proposed sale of Barnard Castle Police Station and adjacent green area.

(ii) DM/16/03310/FPA – 162 Dwellings – Land at the East of Deerbolt HMYOI and North of Bowes Road, Startforth

Resolved – (a) That the information be noted; and
(b) That the planning application for 162 dwellings on land at the East of Deerbolt HMYOI and North of Bowes Road, Startforth, be considered at item 87.

(2) PARTNERSHIP COMMITTEE

At the Partnership Committee Meeting on 28 November, the following items were resolved and agreed for onward notification to this council meeting:

(i) 1940s Event 23 to 25 June 2017

That an application be made for a street collection permit on behalf of the Poppy Appeal for 23 to 25 June 2017 inclusive.

Resolved – That the information be noted.

(3) SERVICES COMMITTEE

At the Services Committee Meeting on 12 December, the following items were resolved and agreed for onward referral and notification to this council meeting:

(i) Play Areas – Dawson Road – MUGA lighting

(a) That the views of residents bordering Dawson Road regarding the use of the play area and the potential for lighting the MUGA should be canvassed; and
(b) That a report on available funding sources to invest in developing Dawson Road play area should be prepared and shared with the proposed Youth Council.

(ii) Green Lane Improvements Funding Offer

That approval be given to accept the grant offer from the Durham County Council Neighbourhood budget of £8,143 to fund playground improvements to Green Lane play area.

(iii) Delivering Differently Consultation

That a second consultation event be arranged on Saturday 7 January 10am to 2pm in the Dawson Room, Woodleigh.

(iv) Wednesday Market barrier renewal

That approval be given to purchase ten replacement market barriers (2.3m) from First Fence at a cost of £227.90 excl. VAT, to be funded from market receipts and to dispose of damaged barriers as scrap metal.

(v) Operation 'Spruce Up'

That the town council registers interest in Operation 'Spruce-Up'.

Resolved – That the information be noted.

(4) RESOURCES COMMITTEE

At the Resources Committee Meeting on 16 January 2017, the following items were resolved and agreed for onward referral and notification to this council meeting:

(i) Woodleigh Working Group

(b) That the town council proceeds with the transfer of management of open spaces from Durham County Council (subject to reservations) and that this be reflected in the 2017/18 budget;

(c) That £186.88 be netted off ATDC invoice for rent;

(d) That a programme of maintenance for the building be drawn up and prioritised;

(e) That estimates be sought for painting of window frames;

(f) That estimates be sought for secondary double glazing; and

(ii) Review of Governance Documents

That the documents reviewed and amended by the Task & Finish Group to date, namely: Statement of Constitution; Protocol on the Use of Council Facilities and Resources by Councillors; Employees' Code of Conduct; Officer Member Protocol; Risk Management Policy and Staff Handbook be recommended to Full Council for approval at its meeting on 20 March 2017.

(iii) Budget 2017/18 – Final Report

(a) That the following changes to budgetary allocations for 2017/18 be recommended to full Council on 23 January 2017:

(i) Co. Durham Association (Expenditure Item 7) be **£715 (increase of £5)**;

(ii) Local Government Pension (Expenditure item 15) be **£17,381 (increase of £1,445)**;

(iii) Employer on-costs (Expenditure item 16) be **£8,080 (increase of £740)**;

(iv) Business Rates and Water Rates (Expenditure item 18) be **£2,500 (decrease of £2,162)**

(v) Floral and Open Spaces (Expenditure item 41) be **£11,500 (decrease of £2,200 on previously submitted figure)**.

(b) That an Earmarked Reserve in 2017/18 of £2,200 be set up for maintenance of additional open spaces transferred from DCC;

(c) That a detailed reserves review, with comparison of last 4 years' reserve levels, be presented at next Resources Committee on 6 March 2017;

(d) That proposed Youth Council (new Expenditure item 52) be **£500 (decrease of £1,500 on previously submitted figure)** subject to investigations on administrative costs;

(e) That Dementia Friendly Town (new Expenditure item 53) be **£500 (no change on previously submitted figure)** subject to further detail on spend.

(f) That Town Mayor's Charity Fund (Expenditure item 40) be renamed Town Mayor's Civic Fund aimed at raising the profile of the town, within objectives, guidance and evaluation to be established by full Council.

(iv) Internal Audit 2016/17 – Half Year Internal Control Reports

(b) That the recommended action that the town council determines its own procedures and charges for the running of the Wednesday Market be referred to Services Committee on 20 February.

(v) Sub Station Lease

That the lease be appropriately signed by two members on behalf of Barnard Castle Town Council.

(vi) Tree Preservation Order – Police Station, Bede Kirk

That the town council applies for a TPO to protect trees on the green area fronting Harmire Road, following the proposed sale of Barnard Castle Police Station and adjacent green area.

(vii) Draft Public Service Ombudsman Bill Consultation

That the town council submits a response to NALC on the Draft Public Service Ombudsman Bill that the LGO be retained and extended to cover parish and town councils, beginning with larger councils (based on NALC definition of a larger council) in the first instance.

(viii) Royal Garden Parties 2017

That Councillor Blissett, Town Mayor, be nominated to be put forward to CDALC to be entered into the draw.

Resolved – (a) That the information be noted; and
(b) That the recommended changes to budgetary allocations for 2017/18 be considered at item 85.

83. REPRESENTATION ON OTHER BODIES

(1) Barnard Castle Business Guild

A meeting was held on 13 December 2016 attended by seven members. The Treasurer was Kendra Macfarlane, Acting Secretary Leah Hobson and Acting Chairman Neil Stokell. It was reported that The Business Guild was becoming more of a social group rather than taking on a proactive role. Members questioned the Business Guild's objectives and its value.

(2) Teesdale Residents' and Travellers' Forum

A meeting was held on 17 January. Appleby Horse Fair was 8 to 14 June 2017. Temporary Areas of Acceptance would be available. DCC Wardens would provide cover and the police would deal with unauthorised encampments. Water bowsers were provided for animal use only. It was reported that there had been reduced numbers of members attending meetings.

(3) Teesdale Local Councils Forum

There was nothing to report.

(4) Smaller Local Councils Forum

It was reported that Ian Holt, Neighbourhood Protection Manager, DCC had attended the meeting on 18 November. The issue of dog fouling and issuing fixed penalty notices had been raised in the context of the proposed Public Space Protection Order (PSPO). Members were informed that the town council's fenced play areas could be included in the Order and that a member of staff could potentially issue fines if trained. The fines would go to DCC to pay towards legal costs of prosecuting offenders. Members were informed that there was a free training session on 16 February on Purdah.

(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

Meetings of Dementia Action Alliance were held on 16 November (minutes circulated) and 18 January. It was reported that The Alzheimer's Society was restructuring and that there was to be a county wide action plan in force from April 2017.

(8) Walkers are Welcome (WaW)

A meeting was held on 17 January. The town now had Walkers are Welcome accreditation, the first town in County Durham to achieve this. The town was now part of a nationwide network and included on the UK WaW website. A marketing plan was being created, together with leaflets and a booklet of walks. Fundraising was being explored. The group was working on a launch event with Montalbo School. Councillor Blissett suggested that Memory Walks could be developed linking in with Dementia Friendly Town.

Resolved – That the information be noted.

84. YOUTH COUNCIL

Members were informed that the proposed Youth Council, formed under a resolution of Council (24/May/16 refers), continued to meet to develop proposals for its formal constitution and operation as an advisory sub-committee of Full Council. Initial discussions had been held with Barnard Castle School with a view to collaborating on the involvement of young people in the project. To date, initial requests from the YMCA for involvement from Teesdale School had not, yet, resulted in any similar discussions.

Initial discussions had also been held with the town's primary schools about delivering some sessions, involving representatives of the proposed Youth Council, with Year 6 pupils. In particular, ways of linking directly into existing school councils was being explored.

The young people were developing proposals around the openness and operation of the proposed Youth Council. Their intention was to bring recommendations, including on constitution and procedure to the next meeting of Full Council on 20 March. Hannah Parratt, of the YMCA, who was mentoring the development of the proposed Youth Council, had been provided with the council's current constitutional documents, including Standing Orders, so that the proposed Youth Council documents were consistent with these.

Feedback was received from the group of young people who visited with Hannah at the last Council meeting in November. The young people had not expected there to be so many people to speak in front of, but they were pleased by how welcoming and positive councillors had been. The group was excited by the experience and the level of engagement shown by the town council.

Proposed Youth Council members would attend meetings of the Services and Partnership Committees in the next cycle. The young people would either be aged over 16 or would be accompanied by an adult with DBS clearance, to comply with safeguarding procedures.

Resolved – That the information be noted.

85. APPROVAL OF BUDGET 2017/18

Received – a report summarising the Town Council's budget preparations for the next financial year and setting out comprehensive recommendations from the Resources Committee to establish the Precept and overall budget for 2017/18.

It was noted that where the Precept was greater than £140,000 additional information would need to be provided in relation to Council Tax Regulations 2003.

At the final meeting of the Resources Committee on 16 January, it was resolved that the town council would 'calculate the budget on the basis of assumed need and incorporate growth items considered to date'. Savings of £3,700 were identified. It was recommended that Floral and Open Spaces be reduced by £2,200, to be offset by the creation of an earmarked reserve of £2,200. It was further resolved that the proposed new item 'Youth Council' be decreased by £1,500. Resources Committee recommended the total 2017/18 demand on Durham County Council be £183,359, made up of Precept of £177,011 and LCTRS grant of £6,348, equating to an increase in the gross Precept figure compared to 2016/17 of 3.07%.

Councillor Peat proposed that a further saving could be made by reducing the Christmas Lights budget by £1,000 as BCCL had raised a lot of money to complement the town's lighting displays. This was seconded and approved.

Councillor Mrs Moorhouse proposed that the new item 'Dementia Friendly Town', be removed, with groups applying to the 'Town Mayor's Charity Fund.'

Councillor Harrison declared an interest in respect of fees and charges (allotments) and did not vote.

Resolved – (a) That the following rentals and charges be agreed:

Play Areas

- (a) Tens Field - £100 – no change
- (b) Gate Licence Fee - £1 – no change.

Allotments (per plot)

- (a) 2017/18 – the allotment plot rental had already been determined - £45 – no change.
- (b) 2018/19 - £47 - increase of £2.

Mini Golf – 2017 season

- (a) £3 per round for all users – increase of £1;
- (b) £9 group ticket (up to four players – saving £3) – increase of £3;
- (c) £15 loyalty ticket (7 rounds bought in advance) – increase of £5;
- (d) £1 lost ball – increase of £0.50; and
- (e) £6 damaged club – increase of £1.

Dawson Room Hire Charges (per hour – min 2 hours)

- (a) Community - £12.50 – no change;
- (b) Repeat Community - £10 – no change; and
- (c) Commercial - £20 – no change.

The following were resolved 'en bloc'.

- (b) That any Contingency budgetary requirement continues to be transferred from the Council's general reserves, up to a maximum of £1,500;
- (c) That an Earmarked Reserve of £2,200 in 2017/18 be set up for maintenance of additional open spaces transferred from DCC;
- (d) That the Christmas Lights budget (Expenditure item 36) be **£5,500 (decrease of £1,000)**;
- (e) That the proposed new item 'Dementia Friendly Town' be removed from 2017/18

budget;

(f) That a 2017/18 precept of £175,511 be approved (being the Town Council's net budget demand of £181,859 less the LCTRS Grant of £6,348); and

(g) That the revenue budget for 2017/18 be as detailed in the Appendix to this minute.

86. ELECTIONS 4 MAY 2017

It was reported that the elections timetable for Thursday 4 May 2017 had been released by the Electoral Commission. Publication of notice of election would be no later than Monday 27 March but Durham County Council could choose to start the process earlier.

Nomination papers must be in the hands of the returning officer by 4pm on Tuesday 4 April. It was the candidates' responsibility to ensure their nomination forms and consent to nomination forms were completed properly and delivered by hand to the Electoral office/ returning officer. More detail was available at the following link:

<http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-in-england-and-wales>

The Clerk was attending training on the Election process on 1 March at County Hall. Town Council staff were unable to assist candidates in completing nomination forms.

Resolved – That the information be noted.

87. PLANNING APPLICATION – 162 DWELLINGS – LAND AT THE EAST OF DEERBOLT HMYOI AND NORTH OF BOWES ROAD, STARTFORTH

Submitted – a report considering the town council's response as consultee to the submitted planning application DM/16/03310/FPA by Kier Living, for 162 dwellings with associated highways, external works and new access roads; new car park and road link to HMYOI Deerbolt. The statement of community involvement was circulated for information.

Resolved – That the town council objects strongly to the scale, nature and layout of the application for the following reasons, in particular, and with regard to the relevant retained policies of the Teesdale Local Plan (2002):

(i) The application and proposed development was contrary to policy GD1. The development should not be permitted because it was out of keeping with the character and appearance of the area and was without regard and inappropriate to the setting of neighbouring buildings, notably the castle and Scar Top landscape features and open spaces of the surrounding area, particularly those bordering the River Tees. The development would also generate unacceptable levels of traffic on the local road network, particularly Lartington Lane leading to the A67 crossing County Bridge and into Barnard Castle via Bridgegate.

(ii) The application and proposed development was contrary to policy BENV3. The proposed development would cause significant harm to the character, quality and distinctiveness of the landscape, particularly views from the Castle and Scar Top to the south.

(iii) The proposed development was of significant scale and was unsupported by amenities and local services easily accessible on foot and was consequently contrary to policy C1. Information supporting the proposal was outdated and inaccurate particularly with respect to primary school capacity. The lack of provision for schools, health centres and community facilities in Startforth and adjacent to the proposed development was

key.

(iv) Taken together, the consequent pressure on Barnard Castle, and in particular the Barnard Castle conservation area, demonstrated that the proposal was contrary to policy BENV4. The proposal would generate excessive traffic, parking, noise and other environmental problems which would be detrimental to the character and appearance of the conservation area. In particular increased vehicle movements on the A67 and demands for additional parking in and around Barnard Castle would adversely affect the setting of a conservation area and, hence, should not be permitted.

(v) The information supplied with the proposal had been deemed 'insufficient' to allow a full assessment of the risks from land contamination; to determine whether the development would cause a statutory noise nuisance; the impact on local air quality with increasing volume of traffic on surrounding routes; or to assess the surface water management, flood risk or the management of foul water associated with the development. These deficiencies were significant and Barnard Castle Town Council opposed the application in principle whilst this information was lacking.

88. REQUEST FOR GRANT OF COPYRIGHT TO NORTHERN DALES RICHARD III GROUP

It was reported that a request had been received from the Northern Dales Richard III Group for copyright permission from the town council to reproduce the white boar, depicted on the town crest, as part of the group's visual identity and as part of their anticipated publications.

As a group founded in and likely to continue as local to Barnard Castle, the Northern Dales Richard III Group was exploring developing a unique logo that could be used informally in letterheads but also on items produced by the group.

Part of the group's purpose in its constitution was to promote public education on the topic of Richard III and his period, and to disseminate any research by publication, for the benefit of the locality and any visitors and residents. Consequently, this year the group would be creating for publication a tourist guide or gazetteer, which it hoped would be available via tourism outlets in Teesdale and further afield, giving residents and visitors a guide to Richard III/Wars of the Roses/late 15th Century locations within an hour's drive of Barnard Castle.

One of the options the group wished to explore in developing a logo was to use the image of the boar which was unique to the town crest. The council held the copyright for this particular version of the crest. Although granted by the College of Arms, there was no copyright in the description, which was how the arms were granted, rather than as an image, as such. It was therefore possible for the town council to grant permission for the group to reproduce the boar as suggested, which could be done with a specific acknowledgement of the town council as the copyright owner. It was suggested that within the uses described, this should be at no charge.

Resolved – That copyright approval be given to the Northern Dales Richard III Group to reproduce, with an appropriate acknowledgement, the white boar from the town crest, in the version belonging to the town council, without charge.

89. CLERK'S UPDATE

Submitted – a report providing opportunity to review activities undertaken by the Clerk and staff and summarising the Clerk's forthcoming leave 7 to 10 February, 20 to 22 February and 2 to 3 March.

Under the specific authorisation of Council Minute 39(a)/June/16, a contract to clean Woodleigh had been awarded to Diamond Commercial Cleaning, following receipt of competitive quotations to undertake the work.

There had been a number of substantive issues moving forward since 14 November:

Asset and Service Transfer including ***Scar Top Play Area/Mini Golf Freehold Asset Transfer*** –

The town council's solicitor had reviewed the documentation from the Big Lottery regarding taking on the obligations for the grant initially awarded to Durham and was happy with the drafting. A report was being prepared on the title and searches and also liaising with Durham County Council's solicitor for a final form of the novation agreement with DEFRA, contract and transfer.

The Clerk had attended a meeting with Ian Thompson, DCC's Corporate Director of Regeneration and Local Services on 17 November to further explore issues affecting those transfers.

Insurance Claim – Further correspondence had been received from the solicitors representing the other party in this claim related to Green Lane play area. The claim had been re-denied by the Town Council's insurers in January. To date, no further correspondence had been received by them.

Resolved – That the information be noted.

90. EXCLUSION OF PRESS AND PUBLIC (IN RESPECT OF ITEM 91, 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 matter referred to in item 91, below, due to the confidential nature of the business to be transacted.

91. RE-FELTING MINI GOLF COURSE QUOTATIONS

Received – a report considering the quotations for re-felting of the Town Council's mini golf course: 'A Journey Through Teesdale' and seeking to determine which company should be appointed to undertake the works prior to the start of the 2017 season.

Four quotations were received.

Resolved – (a) That Urban Crazy be appointed as approved contractor to carry out re-felting of the town council's mini golf course at a total cost of £6,133 (with 50% deposit paid upfront to confirm order); and

(b) That up to £250 be approved for skip hire to remove old mini golf course felt.