

**BARNARD CASTLE TOWN COUNCIL
ANNUAL COUNCIL MEETING**

15 MAY 2017

PRESENT: Councillor Blissett (the outgoing Town Mayor) (in the Chair for Minute 1 only); Councillor Mrs Moorhouse (Town Mayor) (in the Chair from Minute 2 onwards); Councillors Miss Blissett, Chatterjee, Dr Child, Hallimond, Harrison, Peat, Sutherland, Mrs Thompson and Wilkes.

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

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

1. ELECTION OF TOWN MAYOR FOR MUNICIPAL YEAR 2017/18

Councillor Mrs Moorhouse was proposed and seconded. There were no other nominations.

Resolved – That Councillor Mrs Moorhouse be elected Town Mayor for the Municipal Year 2017/18.

Following the passing of the resolution, Councillor Mrs Moorhouse signed the Declaration of Acceptance of Office.

2. ELECTION OF DEPUTY TOWN MAYOR FOR MUNICIPAL YEAR 2017/18

Councillor Peat was proposed and seconded. There were no other nominations.

Resolved – That Councillor Peat be elected Deputy Town Mayor for the Municipal Year 2017/18.

Following the passing of the resolution, Councillor Peat signed the Declaration of Acceptance of Office.

3. COUNCILLORS' DECLARATIONS OF ACCEPTANCE OF OFFICE

It was confirmed that all eleven elected Councillors had now signed their Declarations of Acceptance of Office.

Resolved – That the information be noted.

4. ACCEPTANCE, OR OTHERWISE OF APOLOGIES

None.

5. 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.

(i) Request for Dispensation

Received from Councillor Peat – a request for dispensation under Section 33 of the Localism Act Act 2011, to speak and vote on all non-financial matters relating to Christmas Lighting Displays.

Resolved – That a dispensation, in all non-financial matters relating to Christmas Lighting Displays, be given to Councillor Peat, as Chair of Barnard Castle Christmas Lights, for the full term of this Council until May 2021.

6. COUNCIL MEETING – 20 MARCH 2017 – MINUTES

Councillor Peat queried the repairs to Scar Top Play Area. Notwithstanding the statement of Terry Collins, Chief Executive of Durham County Council, on 20 March, the Clerk updated members that Durham County Council had only ordered the parts on the day of the meeting (15 May 2017).

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

7. EN BLOC ITEMS

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

- (1) Planning Committee Meeting – 3 April 2017 – Minutes**
- (2) Partnership Committee Meeting – 3 April 2017 – Draft Minutes**
- (3) Services Committee Meeting – 3 April 2017 – Draft Minutes**
- (4) Planning Committee Meeting - 24 April 2017 – Draft Minutes**
- (5) Resources Committee Meeting – 24 April 2017 – Draft Minutes**
- (6) 1940s Event Task & Finish Group – 27 April 2017 – Draft Notes**

Resolved – That the *en bloc* items be received.

8. REVIEW OF 2016/17 MAYORAL YEAR (COUNCILLOR BLISSETT)

Received – a report containing a list of Mayoral Events for noting. The outgoing Town Mayor (Councillor Blissett) reported verbally on his 2016/17 Mayoral Year, based on the circulated list of events attended.

Resolved – (a) That the report of Mayoral Activity be received;
(b) That the cordial thanks of the Council be extended to Councillor Blissett, Mrs Karen Blissett and Miss Kelly Blissett on the manner in which they had conscientiously carried out the Mayoral role during the Municipal Year 2016/17; and
(c) That the Town Council's Annual Report for 2016/17 be received (Item 9).

9. TOWN COUNCIL'S 2016/17 ANNUAL REPORT

Received – the Town Council's Annual Report for 2016/17 including summary of unaudited accounts.

Resolved – That the 2016/17 Annual Report be received for information.

10. RECEIPT OF NOMINATIONS TO COMMITTEES

Submitted – a report setting out the outcome of the ballot for committee places carried out on 12 May and recommending nominations to the council's four standing committees, based on that outcome.

Following the election on 4 May, incoming members indicated their committee preferences, drawn at random on 12 May.

There were vacancies on three committees, although it was anticipated that two of these would be taken up by any newly co-opted member.

Resolved – That the membership of the Council's four principal Committees, for the Municipal Year 2017/18 be as follows, subject to the filling of the vacancy in the East Ward and to an annual review:

Resources (7)	Services (6)	Partnership (8)	Planning (5)
John Blissett	Belinda Thompson	Rima Chatterjee	George Hallimond
Judi Sutherland	Roger Peat	Mark Wilkes	Frank Harrison
Sandra Moorhouse	Kelly Blissett	Roger Peat	John Blissett
Belinda Thompson	Richard Child	Judi Sutherland	Mark Wilkes
Frank Harrison	George Hallimond	Kelly Blissett	
	Rima Chatterjee	Richard Child	
		Sandra Moorhouse	
(2) Vacancies	(0) Vacancies	(1) Vacancy	(1) Vacancy

11. CONFIRMATION OF COMPOSITION OF COMMITTEES & ELECTION OF CHAIRS

A Chair for each Committee was elected for 2017/18, nominated from within eligible members (item 10, above).

Resolved – (a) That Councillor Harrison be elected as Chair of Planning Committee;
 (b) That Councillor Peat be elected as Chair of Services Committee;
 (c) That Councillor Sutherland be elected as Chair of Partnership Committee;
 (d) That Councillor Blissett be elected as Chair of Resources Committee; and
 (e) That Vice Chairs, be voted upon at the first ordinary meeting of each Committee.

12. ADOPTION OF THE COUNCIL'S CONSTITUTION

Received – a report presenting the approved version of the council's Constitution, including its Standing Orders, Financial Regulations, operational policies and procedures for adoption for the 2017/18 municipal year.

Resolved – That the approved Constitution, including Standing Orders, Financial Regulations, Policies and Procedures, be adopted for the municipal year 2017/18.

13. REVIEW OF CONCURRENT FUNCTIONS AND ASSOCIATED EXPENDITURE

Submitted – A report reviewing the concurrent functions and associated expenditure incurred by this Council, i.e. services carried out by this Council that were paid for through the precept but were also services delivered by Durham County Council elsewhere in the County.

Resolved– That the concurrent functions and associated expenditure be noted.

14. REVIEW OF REPRESENTATION ON OR WORK WITH EXTERNAL BODIES AND ARRANGEMENTS FOR REPORTING BACK

Submitted – A report presenting a list of bodies to which the Town Council nominated representatives and reaffirming the arrangements for reporting relevant business to the Council.

A written report of the relevant body, based upon minutes (or draft minutes) circulated to the office, would be made as part of a portfolio report to the next available meeting of the full Council. Members (and where relevant, the Clerk), would have the opportunity to speak to that item at the meeting.

Resolved – (a) That, for the Municipal Year 2017/18, this Council's representatives on the various bodies listed be as follows:

- | | | |
|----|---|---|
| a. | Teesdale Business Guild (1) | Awaiting official invitation for rep |
| b. | County Durham and Cleveland Branch of the Society of Local Council Clerks (1) | Clerk |
| c. | Friends of the Upper Demesnes (2) | Councillors Peat (Deputy Town Mayor) & Dr Child |
| d. | Police & Crime Commissioner Community Panel | Awaiting information |
| e. | St Mary's Barnard Castle Parish Hall Association (1) | Councillor Blissett |
| f. | CDALC Smaller Local Councils' Forum | Councillors Sutherland & Clerk |
| g. | Teesdale Local Councils' Forum (2) | Councillors Sutherland & Mrs Moorhouse (Town Mayor) |
| h. | Teesdale Residents' and Travellers' Forum (1+ deputy) | Councillors Blissett (& Harrison) |
| i. | Walkers are Welcome (1) | Councillor Mrs Thompson |
| j. | Dementia Friendly Communities (2) | Councillors Harrison & Blissett |
| k. | Hall Benefaction (1) | Awaiting Information |
| l. | The Management Committee of Trustees of the Barnard Castle Mechanics Institute and Witham Hall Community Association(1) | Councillor Hallimond |
| m. | Trustees of Dawson Cottages (2) | Councillors Wilkes & Miss Blissett |
| n. | Teesdale Marketing Limited (1) | Councillor Peat
(Deputy Town Mayor) |

(b) That the reporting arrangements, as submitted, be affirmed; and

(c) That the verbal updates be received.

15. REVIEW OF THE COUNCIL'S AND/OR EMPLOYEES' MEMBERSHIPS OF OTHER BODIES

Resolved – (a) That the Council confirms and agrees to renew its membership of the following bodies:

- (i) County Durham Association of Local Councils; and
- (ii) National Society of Allotment and Leisure Gardens.

(b) That the Council confirms and agrees to renew its employees' membership of the following body:

- (i) Society of Local Council Clerks.

16. REVIEW OF INVENTORY OF LAND AND ASSETS INCLUDING BUILDINGS AND OFFICE EQUIPMENT

Submitted –The Town Council's Asset register to 31 March 2017. It was noted that the audit value was the actual purchase cost, which remained the same until disposal. If assets were gifted, the value reflected the actual cost to the Town Council.

Resolved – That the inventory of land and assets, as submitted, be approved.

17. REVIEW AND CONFIRMATION OF ARRANGEMENTS FOR INSURANCE COVER IN RESPECT OF ALL INSURED RISKS

Submitted – A report presenting the arrangements for insurance undertaken by the Town Council for the year. The year 2017/18 was the second year of a three-year agreement with Zurich Municipal.

The insured risks were reviewed for 2017/18 and adjusted figures had been made for inventory of equipment to cover additional furniture purchased for Woodleigh and Christmas Lights.

A full copy of the insurance schedule continued to be maintained in the office for inspection.

Resolved – That the information be noted.

18. SETTING THE DATES, TIMES AND PLACE OF ORDINARY MEETINGS OF THE FULL COUNCIL FOR THE YEAR AHEAD

Submitted – A schedule of the dates, times and place of Council meetings and Partnership, Services, Resources and Planning Committees during the Municipal Year 2017/18.

Resolved – (a) That the following schedule of Council meetings during the Municipal Year 2017/18 (all Mondays) be confirmed:

2017	2018
19 June	22 January
18 September	19 March
13 November	14 May (Annual Meeting)

(b) That the following schedule of Partnership Committee meetings during the Municipal Year 2017/18 (all Mondays) be confirmed:

2017	2018
22 May	5 February
10 July	9 April
2 October	
27 November	

(c) That the following schedule of Services Committee meetings during the Municipal Year 2017/18 (all Mondays) be confirmed:

2017	2018
22 May	19 February
24 July	9 April
16 October	
11 December	

(d) That the following schedule of Resources Committee meetings during the Municipal Year 2017/18 (all Mondays) be confirmed:

2017	2018
5 June	15 January
4 September	5 March
30 October	23 April

(e) That the following schedule of Planning Committee meetings during the Municipal Year 2017/18 (all Mondays) be confirmed:

2017	2018
22 May	15 January
5 June	5 February
19 June	19 February
10 July	5 March
24 July	19 March
7 August	9 April
21 August	23 April
4 September	8 May
18 September	
2 October	
16 October	
30 October	
13 November	
27 November	
11 December	

(f) That it be confirmed that the official starting time for all the Council meetings listed be 6.00 pm, with a public participation 'slot' comprising the first 15 minutes at each ordinary meeting, if invoked;

(g) That it be confirmed that the official starting time for all meetings of the Partnership, Services and Resources committees listed be 6.00 pm (except Services on 22 May 2017 and 9 April 2018, to be 7.00 pm);

(h) That it be confirmed that the official starting time of all meetings of the Planning Committees listed be 5.30 pm;

(i) That it be confirmed that Council and Committee meetings be held in The Dawson Room, Woodleigh.

19. APPOINTMENT OF AUDITORS FOR FINANCIAL YEAR 2017/18

(A) Internal Auditor

It was determined at Minute 19(A)/May/16, that the Council's Internal Auditor for the financial year 2016/17 should be Mr Gordon Fletcher. In accordance with standard procedures, a decision in respect of the financial year 2017/18 was sought.

Resolved – That Mr Gordon Fletcher be appointed as this Council's Internal Auditor for the financial year 2017/18.

(B) External Auditor

At Minute 103/Jan/16, it was resolved that the town council opted in to Smaller Authorities' Audit Appointments Ltd (SAAAL) as the procurement body to appoint auditors and manage audit contracts on its behalf from 2017/18 for a five year period. In accordance with Section 7 and Schedule 3 of the Local Audit and Accountability Act 2014, Mazars LLP had been appointed as the town council's External Auditor for a period of five years from 1 October 2017. The appointment of BDO LLP, as the town council's current external auditor, would expire on 30 September 2017.

Resolved – That the information be noted.

20. APPOINTMENT OF BANKERS FOR FINANCIAL YEAR 2017/18

It was determined at Minute 20/May/16, that Barclays Bank PLC should be appointed as this Council's Bankers for the financial year 2016/17. In accordance with standard procedures, a decision in respect of the financial year 2017/18 was sought.

Resolved – That Barclays Bank PLC be appointed as this Council's Bankers for the financial year 2017/18.

21. REVIEW OF POLICE ATTENDANCE AT COUNCIL MEETINGS

Based on the agreed dates of the council meetings during the 2017/18 municipal year, the meetings that a Police representative should attend were determined.

Members were reminded that in addition to the Police attending council meetings, the public were invited to attend the regular PACT (Police and Communities Together) meetings should they wish to raise specific issues.

Resolved - That a representative from the Police be invited to attend the Council meetings scheduled for 18 September 2017 and 19 March 2018.

22. UPDATES AND REFERRALS FROM COMMITTEES

(1) Partnership Committee

(i) 1940s Event – 23 to 25 June 2017

It was resolved that any underspend from the 2017 1940s event be earmarked for spend against 2018 1940s weekend.

(ii) Barnard Castle Christmas Lights (BCCL)

It was resolved that thanks be given to BCCL for the donation of £228.50 to fund the extra cost of purchasing additional icicle lights for 2017/18 Christmas lighting displays.

(iii) Christmas Lighting 2017/18

It was resolved that it be recommended to Resources Committee that the 45 column motifs surplus to requirements be considered for disposal, at their scrap value.

(iv) Town Map

It was resolved that thanks be given to Allan Jones for his time spent in designing the map.

Resolved – That the information be noted.

(2) Services Committee

(i) Allotments

It was resolved that the town council hosts the National Allotment Society Northern Region officers Forum during Spring 2018.

(ii) Moss Removal

It was resolved that two 5 litre bottles of moss removal and killer and a professional sprayer be purchased at a total cost of £89.58 out of 2017/18 floral and open spaces budget.

(iii) Big Spring Clean – 11 March

It was resolved that thanks be given to those volunteers that participated in the town council's Big Spring Clean.

(iv) Floral Displays Contract 2017/18

It was resolved that the 2017/18 floral displays contract be awarded to Elm Ridge Gardens Ltd at the total net sum of £1,789.35.

(v) Allotment Tenancy Issue

Councillor Harrison declared an interest.

It was resolved (a) That a suitably qualified tree surgeon be engaged to tidy the cuts made to the trees on Town Head allotment;
(b) That the costs of this remedial work be recharged to the tenants who carried out the unauthorised pruning; and
(c) That, subject to these costs being paid, a final written warning be issued to the tenants, otherwise notice to quit be given.

Resolved – That the information be noted.

(3) Resources Committee

(i) Elections

It was resolved that the process for filling the vacancy on the East Ward be considered at the Annual Council meeting on 15 May; and

That thanks and acknowledgement be given to Councillors Hinchcliffe, Yarker, Cooke, Kinch and Mrs Grady, for their service and contribution to the town.

(ii) Budget Monitoring Reports

It was resolved that thanks be given to Services Officer (Finance) in preparing clear and detailed financial reports; and

That it be delegated to the Clerk to write to Smaller Local Councils Forum to request election costs and prompt invoicing for elections to ensure prudent budgeting.

(iii) Disposal of Assets

It was resolved that those Christmas motifs which were surplus to requirements be disposed of, at their scrap value, and removed from the Council's asset register; and

That any income received be allocated to the General Reserve.

(iv) Calendar of Council Meetings 2017/18

It was resolved that the Calendar of Council and Committee Meetings for 2017/18 municipal year be recommended for approval to Council on 15 May 2017.

(v) Training Programme 2017/18

It was resolved that the 2017/18 training programme, as submitted, be approved.

(vi) Process for the Nomination of Committee Places 2017/18

It was resolved that the procedure agreed by Full Council in 2013, as submitted, be used for nomination to committees at the Annual Council Meeting on 15 May 2017.

(vii) Woodleigh

It was resolved that two window vinyls be purchased for the replacement sash window from William Smith at the cost of £170 excluding VAT; and

That £177.23 be netted off next Association Teesdale Day Clubs (ATDC) invoice for rent.

Resolved – (a) That the information be noted:

(b) That the process for filling the vacancy on the East Ward be considered by Annual Council (*under item 24*); and

(c) That the Calendar of Council and Committee Meetings for 2017/18 municipal year be recommended to Annual Council (*under item 18*).

23. CLERKS UPDATE

Submitted – A report outlining recent activities undertaken by the Clerk and staff and summarising the Clerk's forthcoming leave.

There had been a number of substantive issues moving forward since 20 March:

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

The final documents relating to the novation of funding conditions for freehold transfer had been received on 15 May. No action had yet been taken by Durham County Council (DCC) to complete the repairs to the play area, which were reported to be due for completion within two weeks on 20 March. The Clerk reported that the parts had been ordered on 15 May.

Insurance Claim – Further correspondence had been received from the council's insurers. A site visit was to be held with the council's insurer and the claimant's advocate on 18 May, to clarify outstanding technical issues. The Council had resolved not to admit liability and settle out of court (Minute 102/Mar/17 refers).

Tens Field –Fields in Trust (the National Playing Fields Association) had denied application for a wayleave made by Ward Hadaway, acting on behalf of Barratt Homes. This was to enable Northumbrian Water to lay a drain from Green Lane. It was anticipated that Barratt Homes would seek to reapply, addressing the issues raised by FiT. A surveyor's report was needed, paid for by Barratt Homes. Northumbrian Water had statutory powers to enforce if approval was not given.

Citizens' Advice Barnard Castle – A request had been received from Citizens' Advice County Durham, which licensed use of areas within Woodleigh from the town council, for the council to consider making a donation in support of its work. Members noted that the council did not have a donations budget and had not since March 2016. In the current financial year, any financial support would introduce a deficit to the council's agreed budget.

The Town Clerk anticipated being on leave on 2 June. In addition, the office would close for the Spring Bank Holiday on 29 May.

Resolved (a) That the information be noted; and
(b) That further information be sought in relation to the nature of funding requested from Citizens' Advice County Durham, to be considered at Council on 19 June.

24. EAST WARD VACANCY – CO-OPTION

Received – a report considering the options available to the town council in filling the vacancy in the East Ward, following the 4 May election, and a process for completing this prior to the statutory deadline of 23 June 2017.

Members were given a choice: either to advertise the vacancy and canvass expressions of interest, or to approach those candidates unsuccessful in the West Ward election, who had already demonstrated an interest in being a town councillor.

At the time of the meeting, four people had expressed an interest in being co-opted.

Councillor Sutherland proposed that the unsuccessful candidate with the highest number of votes in the West Ward election be approached with a view to co-opting onto the town council. This was seconded but fell upon voting.

A recommended procedure for voting to fill the vacancy following advertisement was then discussed. Candidates submitting a statement would be invited to attend Council on 19 June. Each would be offered two minutes to state their suitability, in turn, with the order determined by a draw. Members would then be offered an opportunity to question the candidates together. At the conclusion of the question and answer session, members could either resolve to proceed directly to a secret ballot or resolve to exclude press and public (including the candidates) pending a debate on the suitability of the candidates.

Once a vote was called, the Clerk would issue each Member (including the Town Mayor) with a ballot paper marked with the names of the candidates. Each Member would vote, in secret, by placing a cross against the name of their chosen candidate and then folding the ballot papers. The Clerk would count the ballot papers in front of Members. If there were more than two candidates, the council would use the procedure set out in Standing Order 8a. The co-option would be decided by the achievement of an absolute majority. With 11 Members entitled to vote, a tie was not anticipated. However, in the event of a tie, the Town Mayor would exercise her casting vote.

Resolved – (a) That Members advertise the vacancy for co-option, using the specification based on the recommended specification published by NALC, with those wishing to express an interest submitting a supporting statement by noon on 12 June; and
(b) That co-option be determined using the agreed mechanism, above, at Council on 19 June.

25. EXCLUSION OF PRESS AND PUBLIC (IN RESPECT OF ITEM 26 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 at item 26 below, due to the confidential nature of the business to be transacted.

26. HONORARY FREEMAN SCHEME

Received – a report submitting three nominations to the Honorary Freeman Scheme, which had been received from a resident (who was also a member of the town council) and were sponsored by another member of the town council.

Resolved – That an appropriate recommendation be made to a special meeting of the town council, to be held immediately after the next ordinary meeting of full council on 19 June 2017.