

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING**

19 MARCH 2018

PRESENT: Councillor Mrs Moorhouse (Town Mayor) (in the Chair); Councillors Peat, Blissett, Miss Blissett, Chatterjee, Child, Kirkbride, Sutherland and Mrs Thompson.

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

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

111. ACCEPTANCE, OR OTHERWISE OF APOLOGIES

Apologies were received from Councillors Harrison and Wilkes.

Resolved – That the apologies be accepted.

112. DECLARATIONS OF INTEREST

In accordance with this Council's adopted Code of Conduct (Minute 12/May/17 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; none were declared at this juncture.

113. COUNCIL MEETING – 22 JANUARY 2018 – MINUTES

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

114. SPECIAL COUNCIL MEETING – 19 FEBRUARY 2018 – MINUTES

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

115. TOWN MAYOR'S ANNOUNCEMENTS

Councillor Mrs Moorhouse (Town Mayor) gave an update on the general discussion, which took place at the Annual Town Meeting on 12 March. The following issues were highlighted, which affected the town and its residents:

Richardson Hospital;
Asset Transfers;
Castle Walls; and
Bede Kirk.

On 16 March, an evening was held at St. Mary's Parish Hall to thank volunteers. The event was well attended and much appreciated by volunteers who received a certificate of achievement and a town crest badge.

The Town Mayor extended congratulations to Barnard Castle Christmas Lights and Music at the Heart of Teesdale for winning Teesdale Business Awards: Best Community Engagement Project and Best Social Enterprise, respectively. Music at Heart of Teesdale also received a High Sheriff Youth Award.

Resolved – That the information be noted.

116. '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 seven items considered at the meeting were as follows:

- (1) **Planning Committee Meeting – 5 February 2018 – Minutes**
- (2) **Partnership Committee Meeting – 5 February 2018 – Draft Minutes**
- (3) **Planning Committee Meeting – 19 February 2018 – Minutes**
- (4) **Services Committee Meeting – 19 February 2018 – Draft Minutes**
- (5) **Planning Committee Meeting – 5 March 2018 – Draft Minutes**
- (6) **Resources Committee Meeting – 5 March 2018 – Draft Minutes**
- (7) **Woodleigh Working Group – 8 March 2018 – Draft Notes**
- (8) **Town Mayor's Activities.**

It was reported that, since the Council meeting on 22 January, the Town Mayor and Deputy Town Mayor, along with their respective Consorts, had attended the following:

26 January	Fund Raiser (Barnard Castle School, Newgate)
05 February	Choral Evensong (Barnard Castle & Cundall Manor School, Durham Cathedral)
15 February	Royal Visit (HRH The Prince of Wales, The Bowes Museum, Newgate)
15 February	Awards Ceremony (Teesdale Development Awards, The Witham) & (Deputy Town Mayor)
17 February	Valentines Ball (Bishop Auckland Town Hall, Bishop Auckland)
23 February	Civic Charity Dinner (Hetton Town Council, Houghton Le Spring)
26 February	Mayor's Curry Night (Hartlepool Borough Council, Sheesh Mahal, Seaton Carew)
08 March	Mayor's Charity Curry Night (Stockton on Tees Borough Council, Jolsha Indian Restaurant)
9 March	Annual Civic Reception & Dinner (Richmondshire District Council, Colburn)
11 March	Photo shoot (Bede Kirk, Harmire Road) & (Deputy Town Mayor)
12 March	Fly a Flag for the Commonwealth (Town Council, Remembrance Gardens Newgate)
15 March	Durham High Sheriff Youth Awards Ceremony (County Durham Community Foundation, Wynyard Hall)
15 March	Annual General Meeting (The Association of Teesdale Day Clubs (Mickleton Village Hall)
16 March	Volunteer Thank You Presentation (Town Council, St Mary's Parish Hall, Newgate)

Resolved – (a) That the Minutes and Draft Minutes/Notes be received; and
(b) That the information be noted.

117. CIVIC FUND

It was reported that the town council would host the next Annual Allotment Society's Northern Region Allotments Officers' Forum on Thursday 26 April. It was expected that a light lunch would be provided. Representatives from town and parish councils across County Durham and Cleveland would attend the Forum.

Resolved – That approval be given to fund a light lunch at the National Allotment Society's Northern Region Allotments Officers' Forum at £5.00 per head out of the 2018/19 Civic Fund.

118. UPDATES AND REFERRALS FROM COMMITTEES

(1) PLANNING COMMITTEE

(i) Disposal of Durham County Council Asset – Outreach Centre, off Bede Road.

It was resolved that the town council expresses its disappointment that an alternative use could not be found for the Outreach Centre and the resultant waste of resources created by disposal of the building, which was only opened in 2011 at a reported cost of £600,000.

(ii) DM/18/00435/FPA – Former Ambulance Station, Victoria Road – Demolition of ambulance station and erection of 3 no. dwellings with associated development.

It was resolved that the town council supports the application with reservations about the relatively small size of the detached dwellings proposed and the consequent use of space not being maximised to its full potential. The town council supports the view that a short terrace would be preferable in this location. The town council had particular concerns about work, which had already commenced before granting planning permission and the potential for nuisance and contamination, already identified by DCC officers. In particular, the town council would draw attention to the completion of demolition on the site by 5 March 2018.

Resolved – That the information be noted.

(2) PARTNERSHIP COMMITTEE

(i) Remembrance Sunday & Battle's Over: A Nation's Tribute – 11 November 2018

It was resolved that (a) a project group, reporting directly to Partnership Committee, be established to programme events for 'Battle's Over: A Nation's Tribute' comprising Cllrs Peat, Kirkbride, Child, Miss Blissett and Blissett, a representative from Barnard Castle School, English Heritage and The Bowes Museum; and

(b) The project group determines the type of beacon and location for lighting.

It was proposed that Friends of The Bowes Museum be invited to attend the project group.

(ii) English Heritage Sensory Garden

It was resolved that (a) the town council welcomes the proposed English Heritage Community Orchard project in principle, to be formally considered by future Planning Committee; and

(b) The town council offers its support with advertising and community consultation.

(iii) The Bowes Museum 125th Anniversary – Celebration of the Swan

It was resolved that it be recommended that the conditions for town council contribution of £2,000 towards the Swan project had been met, for onward referral to Special Council on 19 February.

At Special Council on 19 February, it was subsequently resolved that the town council rescinded the offer of £2,000 to the joint project with The Bowes Museum as it was not a viable option to spend public money on.

(iv) 2018/19 Community Events Programme

It was resolved that (a) delegated authority of £3,000 spend for 2018 1940s event be given to the office, in discussion with 1940s project group;
(b) Friday 30 November be set as the date of the 2018 Christmas Tree Lights Switch-on event; and
(c) Delegated authority be given to the Clerk to contact the organisers of the Juggling Convention to explore the feasibility of extending the activities on offer, with town council support, for consideration at next Partnership Committee on 9 April.

(v) Scar Top Banner

It was resolved that (a) A diary booking system be adopted to manage use of the banner frame on Scar Top, with an assumed maximum duration of four consecutive weeks (28 days) per booking;
(b) Priority be given to voluntary and community groups based in or centred upon Barnard Castle;
(c) Use of the banner frame be offered in the first instance to The Meet and the Castle Players;
(d) Access to the frame be free for voluntary and community groups; and
(e) Use of the frame by any commercial organisation be at an administrative charge of £50 per booking, on the same basis as the agreed fee for commercial use of the performance area in Woodleigh Grounds.

Resolved – (a) That the information be noted; and
(b) That a representative of Friends of The Bowes Museum be invited to attend the project group for Remembrance Sunday - Battle's Over: A Nation's Tribute.

(3) SERVICES COMMITTEE

(i) Town Head Access Lane

It was resolved that delegated authority be given to the Clerk to give permission, in principle, to the new owner of the former ambulance site on Victoria Road, to clear away ivy and banked up soil in the Town head access lane and to hold any further discussions, for onward referral to Resources Committee on 5 March.

(ii) Annual Review of Tenancy Agreement & Allotment Rules

It was resolved that (a) Tenancy Agreement 5e be amended to include the removal of any self-seeded trees before they become established;
(b) Tenancy Agreement 5h be amended with respect to the trees;
(c) A data protection statement be added to the Tenancy Agreement and allotment rental payment slip for 2018/19; and
(d) The Contravention Procedure be approved for 2018/19.

(iii) Dog Agility

It was resolved that a licence for use of water by the Dog Agility Club be issued for 2018/19.

(iv) Pest Control Policy

It was resolved that the council adopts the CRRU Best practice and Guidance for Rodent Control and the Safe Use of Rodenticides as its control policy.

(v) Mini Golf 2018 Season – operating arrangements

It was resolved that it be delegated to the Clerk, in consultation with Chair of Services Committee, to commission a generic mini golf banner to advertise the service out of mini golf income.

(vi) Mini Golf 2018 Season – Installation of Power

It was resolved that electrical works be approved of costs up to £1,215 out of 2017 season mini golf income.

(vii) Wednesday Market

It was resolved that (a) it be delegated to the Clerk to purchase a market stall with walk-in tables under the Durham County Council market scheme; and

(b) A charge for the stall be £10, together with an additional bond, yet to be determined.

(viii) Floral and Open Spaces

It was resolved that (a) the office strives to get three estimates for planting of the town's 2018/19 summer and winter floral displays, to be presented for consideration at next Services Committee on 9 April;

(b) The Gateway Bed by Niche Living be partly used again to create a 'Dig for Victory' vegetable display managed by Veg Out in Barney; and

(c) Twelve planted hanging baskets be purchased for the hanging basket tree in front of the Post Office in Galgate at a cost of £300 out of 2018/19 floral displays budget.

(ix) Tree Planting – Upper Demesnes

It was resolved that (a) approval be given, subject to DCC Tree Officer consent, to Trees for Teesdale planting trees along the north wall of the Demesnes allotments; and

(b) A £50 donation be given to Trees for Teesdale out of 2017/18 Floral and Open Spaces budget.

It was reported that DCC had given approval and trees would be planted by the end of March.

(x) Big Spring Clean

It was resolved that (a) the town council supports the 2018 Big Spring Clean on Saturday 24 March 10am to 12 noon; and

(b) Marwood Parish Council be approached to participate.

(xi) Play Area Inspections and Maintenance

It was resolved that (a) Park Lane Playgrounds be awarded the play areas inspection contract for 2018/19 at a cost of £720; and

(b) It be delegated to the Clerk to investigate other self-employed, reliable contractors to undertake play area maintenance and repairs.

(xii) Allotment Tenancy Issue

It was resolved that, in this particular instance, approval be given for the tenant to take over the tenancy of Allotment Garden 26 on The Demesnes, in addition to their current garden.

Resolved – That the information be noted.

(4) RESOURCES COMMITTEE

(i) Medium Term Financial Plan

It was resolved that the Medium Term Financial Plan 2018-2021 be approved.

(ii) Reserves Review

It was resolved that the Ten Fields Lease earmarked reserves be retired and any outstanding balance transferred to the General Reserve.

(iii) Review of Governance Documents

It was resolved that the review of governance documents, in the form of the Draft Constitution submitted, be recommended to Council for approval and adoption at the Annual Council Meeting.

(iv) Re-charge for the by-election held on 4 May 2017

It was resolved that payment of £2,243.96 to DCC for the by-election held on 4 May 2017 be approved, funded out of the town council's elections budget.

(v) Town Head Access Lane

It was resolved that (a) the council gives permission, in principle, to the new owner of the former ambulance station on Victoria Road, to clear away ivy and banked up soil in the Town Head access lane; and

(b) Delegated authority be given to the Clerk to hold any further discussions in relation to this development.

(vi) CCLA

It was resolved that independent financial advice be sought to inform any decision to invest council's reserves.

(vii) Staffing – Review of Job Descriptions

It was resolved that (a) the revised job descriptions, as presented, be approved;

(b) The outcome of the Clerk's appraisal, under Standing Order 19c, be approved;

(c) A 2018/19 round of appraisals, under Standing Order 19c, be approved; and

(d) Additional tasks not currently specified in job descriptions be considered by Woodleigh Working Group at a future meeting.

Resolved – That the information be noted.

(5) WOODLEIGH WORKING GROUP

(i) Asset & Service Transfers

It was resolved that the town council registers with Open Spaces Society for £45 out of 2017/18 floral and open spaces budget.

(ii) Woodleigh External Decoration

It was resolved that a revised estimate be sought for external decoration of down pipes/guttering and other woodwork (including any un-repaired windows).

Resolved – That the information be noted.

119. REPRESENTATION ON OTHER BODIES

(1) Teesdale Residents' and Travellers' Forum (Councillors Blissett (& Harrison))

A meeting was held on 13 February. Appleby Fair was confirmed as 7 to 13 June 2018. Temporary stop overs would be available at Shaw Bank and Broomielaw from 25 May to 22 June inclusive. Water cubes were to be used rather than bowsers on site. Parking restrictions on Bridgegate would continue. Harmire Industrial Estate was under new ownership, however the same problems continued, so the inability to counter illegal camping by travellers remained.

(2) Teesdale Local Councils Forum (Councillors Mrs Moorhouse and Sutherland)

There was nothing to report.

(3) Smaller Local Councils Forum (Councillor Sutherland)

There was a Forum on 22 February, attended by Ron Hogg, Police and Crime Commissioner. It was reported that PACT meetings were not being well attended and would be cut from 170 to 88 per year across the County.

Ian Darling from Keir Services spoke about affordable housing and recommended that there should be a local lettings policy.

Andrew Langley from Evolve presented information on the General Data Protection Regulations (GDPR). Every council must have a policy on personally identifiable data and hard copy data must either be archived or destroyed with suitable certification.

A discussion was held on pre-planning applications. The Forum asked that pre-planning information be made public for full transparency to the community of potential developments.

(4) Dementia Friendly Communities (Councillors Harrison and Blissett)

A meeting of Durham Dementia Action Alliance was held on 24 January and minutes circulated. A meeting of Barnard Castle Dementia Friendly Community Group was held on 12 March. Mark Henderson from Darlington and Durham Fire and Rescue Service (DDFRS) attended to explain how health and wellbeing checks were carried out. It was explained that as the town only had a retained fire service, the same level of visits and services were not offered compared to more urbanised areas. The reduced service offered by DDFRS would be flagged up at the next Teesdale Action Partnership meeting.

(5) Walkers are Welcome (Councillor Mrs Thompson)

It was reported that Barnard Castle Walkers Are Welcome (BCWAW) would have a stall at the Farmers' Market on 7 April 2018. There would be guided Yard Walks and Abbey Bridge walk on the day. Leaflets would be on sale from the stall. These included 'Bygone Barney' and 'Exploring Barnard Castle's Yards', which had been printed using funding from County Durham Community Foundation.

The accreditation review of BCWAW Annual Return was received and feedback was very positive.

The next meeting would be held on Wednesday 25 April 2018 6.30pm at The Old Well.

(6) The Richardson Hospital – Community Hospitals Reference Group (Councillor Sutherland)

The group met on 19 February. Over the winter months, the inpatient beds had been used to roughly 85% occupancy. Sixteen beds were routinely open with two more beds that could be opened flexibly if needed.

It was recognised that there was often a need for ongoing rehabilitation in Teesdale because of the lack of specialist nursing homes.

The hospital was still underused. Durham County Council was looking at health and social care related teams that might wish to relocate into the hospital.

Some outpatient clinics were not being held as regularly. Diabetes services had been taken on by primary care doctors and moved from the Richardson to the GP surgery. One ongoing problem was that the Doppler machines measuring blood flow in the feet were old machines and required patients to rest before taking measurements, resulting in bottlenecks in treatment. It was hoped that a newer machine might be purchased via Friends of the Richardson Hospital.

A discussion was held surrounding poor communication from County Durham and Darlington Foundation Trust about services available at the Richardson Hospital. Friends of the Richardson Hospital were promoting and publicising services.

Resolved – That the information be noted.

120. CCLA

At the Special Council meeting held on 19 February, it was resolved that it be delegated to the Clerk to investigate options as to whether it would be appropriate to invest the town council's long-term balances in one or more investment funds. At Resources Committee meeting on 5 March, it was further resolved that independent financial advice be sought to inform any decision to invest the council's reserves.

A quote of £395 had been received from James Ryan Thornhill Ltd of Beeston, Nottinghamshire, which specialised in providing advice to local councils. This could be approved under Financial Regulation 11a(ii), but required a decision of council as there was no defined budget covering this amount, which would otherwise be taken from the Council Administration cost centre (101).

Resolved – That James Ryan Thornhill Ltd be contracted to provide independent financial advice to the council for a sum of £395 to be drawn from cost centre 101.

121. NEIGHBOURHOOD PLAN

Received – a report providing an overview of the neighbourhood planning process, the town council's engagement with it to date and the opportunities to take the process forwards, or not.

The town council established a budget of £7,500 to progress a neighbourhood plan in 2014/15. In the summer of 2014, the parish was duly approved as a neighbourhood planning area. Both neighbouring parishes (Marwood and Startforth) were approached to canvass their appetite for a joint plan covering a larger area. At that time, neither wished to proceed on that basis.

The draft County Durham Plan was withdrawn in September 2015, following criticism by the Planning Inspector. In August 2016, the town council responded to the first issues and options stage of public consultation on the resurgent county plan.

In 2016, Startforth also started development of a neighbourhood plan for its parish, which was being taken forward by a community group. The town council had been supportive of its efforts.

Neighbourhood plans had been developed in a number of localities nationally and had currently been approved locally for Great Aycliffe and Whorlton and Westwick. There had been a mixed response to how these had been treated in the consideration of development applications made within relevant parishes and in the attitude of principal planning authorities to neighbourhood plans as statutory documents. In particular, the experience of Morpeth Town Council in Northumberland had been that specific neighbourhood plan policies had been overruled by the planning authority. This pattern had been reportedly seen elsewhere.

Principal planning authorities were providing support to communities in producing neighbourhood plans. Durham was committed to providing support locally.

For Barnard Castle, the key issues, which had not changed substantially since the previous County Plan was withdrawn in 2015, were that:

- Potential development sites within the parish boundary were limited.
- The emergent County Plan might define development parameters for these sites such that there was little scope for a neighbourhood plan to add value, particularly considering the extent of the town's conservation area. A neighbourhood plan developed in the absence of, or in advance of, a County Plan would be of limited value.
- Development in 'Barnard Castle' was actually development in Marwood or Startforth.
- Wider issues, such as the options of alternative through routes for HGVs, would inevitably be effective outside the parish boundary and were therefore best addressed through commentary on the redrafted County Plan.

It was suggested that it might be prudent to wait for the publication of a consultation draft of the renewed County Durham Plan, expected Summer 2018. It was proposed that the issue might be considered in more depth in a special meeting, to which contributions could be invited from the Startforth group and county planners.

Resolved – That an open meeting be organised to explore the feasibility of proceeding with a neighbourhood plan for Barnard Castle, prior to a Special Meeting of Full Council.

122. CLERK'S UPDATE

Received – a report outlining recent activities undertaken by the Clerk and staff and summarising the Clerk's forthcoming leave. It was reported that the Clerk would be attending a training course on 2 May and would be on leave 21 to 23 March, 29 March, 3 and 16 April.

One decision had been made under regulation 7(2)(b) of the Openness of Local Government Bodies Regulations 2014, relating to a contract with a local electrician to install electrical works to the mini golf kiosk at £700 net (following the decision of Services Committee Minute 76(iii)(b)/Feb refers). Members were informed that works would commence 20 March.

There had been a number of substantive issues moving forward since 22 January:

Asset and Service Transfer – Correspondence was received on 13 March confirming that the county council intended to advertise the disposal (by lease) of Woodleigh Grounds and Demesnes under the terms of section 123 of the Local Government Act, 1972. A decision was expected by 14 April. In all other respects, a draft lease for Woodleigh Grounds should be available for consideration by Full Council. A request from DCC for the town council to cover the cost of advertising the disposal (£318.50) had been declined.

Woodleigh Windows – Work was scheduled to begin in the week commencing 19 March, dependent upon the weather.

Bede Kirk – The Town Mayor, Deputy Town Mayor, Clerk and other Councillors attended the County Council's Highways Committee on Friday 16 March to consider the town council's application to register Bede Kirk as a village green. Local supporters of the application also attended. Additional evidence was submitted in support of the application on 15 March.

In line with the county solicitor's legal advice and following a request from the solicitor acting for Durham Constabulary, the Highways Committee was deferred until 11 May. DCC Cllr Rowlandson requested that the Committee meeting be held in Barnard Castle.

Barnard Castle Christmas Lights (BCCL) – a meeting was held on 8 March with BCCL, the Clerk and Chairs of Committees, as resolved at Council (Minute 87(b)/Nov/17). BCCL had received the lighting display (town council assets) from Christmas Plus on 22 February 2018. All lights had been tested and checked. Eight strings of Christmas tree lights and eight sets of icicle lights needed replacing. The first year of the SLA would focus on maintaining the current display and Years 2 to 3 on future enhancements. A further meeting would be held in October in advance of display installation.

Town War Memorial – Pursuant to Services Committee Minute 61(ii)(b)/Dec/17, a quotation had been received for specialist repair works to the Town Memorial in the grounds of The Bowes Museum. Works encompassed filling several hair-line cracks with a clear stone resin at a net cost of £95.00 and repointing the stepped areas with a strong hydraulic lime mortar at a net cost of £680.00. Members recalled that following the annual War Memorial inspections, a pre-application was made to the War Memorials Trust on 28 September. On 12 February, the Trust responded that the Town Memorial was eligible for funding and a full grant application for funding was now required.

A decision was required from members whether to pursue a grant with the War Memorials Trust for 75% of costs, which was not guaranteed to be either successful or the outcome known in time for works to be carried out prior to centenary Remembrance commemorations in November.

Hannah Hauxwell – The following email was received from Andrew Snell on 2 March: "Following the recent death of Hannah Hauxwell, I feel it is so very important that a fitting memorial to this inspirational lady who in my opinion is on a par with Beatrix Potter when it came to the love and preservation of the land and Baldersdale. I'm therefore planning to open a museum about the life of Hannah and the way of life she fought so hard to preserve. I would therefore like the council to endorse the idea."

Resolved – (a) That the information be noted;
(b) That approval be given for repair works totalling £775.00 to be carried out to the Town War Memorial funded out of the 2017/18 budget and the War Memorials earmarked reserves; and
(c) That more information be sought, for consideration at a future Partnership Committee, to the request submitted by Andrew Snell regarding a museum about Hannah Hauxwell.

123. EXCLUSION OF PRESS AND PUBLIC (IN RESPECT OF ITEM 124, 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 124, below, due to the confidential nature of the business to be transacted.

124. WOODLEIGH RENTAL AGREEMENT – ASSOCIATION TEESDALE DAY CLUBS

Resolved – That £182.41 be netted off next ATDC invoice for rent.