

**BARNARD CASTLE TOWN COUNCIL
ANNUAL COUNCIL MEETING**

14 MAY 2018

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

1. ELECTION OF TOWN MAYOR FOR MUNICIPAL YEAR 2018/19

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 2018/19.

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 2018/19

Councillor Sutherland and Councillor Blissett were both individually proposed and seconded. A secret vote was taken. Each member was handed a voting slip to record her or his vote for Deputy Town Mayor. The Clerk counted the ballot papers in front of Members and the Deputy Clerk acted as adjudicator on the counting of the votes with the following result:

Member	Votes
Cllr Sutherland	3
Cllr Blissett	8

Resolved – That Councillor Blissett be elected Deputy Town Mayor for the Municipal Year 2018/19.

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

3. ACCEPTANCE, OR OTHERWISE OF APOLOGIES

None.

4. 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.

5. COUNCIL MEETING – 19 MARCH 2018 – MINUTES

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

6. 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 – 19 March 2018 – Minutes**
- (2) Planning Committee Meeting – 9 April 2018 – Minutes**
- (3) Partnership Committee Meeting – 9 April 2018 – Draft Minutes**
- (4) Services Committee Meeting – 9 April 2018 – Draft Minutes**
- (5) Planning Committee Meeting – 23 April 2018 – Minutes**
- (6) Resources Committee Meeting – 23 April 2018 – Draft Minutes; and**
- (7) Planning Committee Meeting – 8 May 2018 – Draft Minutes.**

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

7. REVIEW OF 2017/18 MAYORAL YEAR (COUNCILLOR MRS MOORHOUSE)

Received – a report containing a list of Mayoral Events for noting. The Town Mayor (Councillor Mrs Moorhouse) reported verbally on her 2017/18 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 Mrs Moorhouse and Mr Ian Moorhouse and Councillor Peat and Mrs Peat on the manner in which they had conscientiously carried out the Mayoral role during the Municipal Year 2017/18;
(c) That thanks be given to Councillors for support, especially Cllr Peat and additional thanks be extended to the staff; and
(d) That the Town Council's Annual Report for 2017/18 be received (Item 8).

8. TOWN COUNCIL'S 2017/18 ANNUAL REPORT

Received – the Town Council's Annual Report for 2017/18, including summary of unaudited accounts.

Resolved – That the 2017/18 Annual Report be noted.

9. CONFIRMATION OF COMPOSITION OF COMMITTEES & ELECTION OF CHAIRS

Received – a report presenting a draft nomination roll for committee membership, in line with Council resolution 6b/May/14, when it was decided that existing committee places would stand without any changes and would remain in place for the full term of the council (four years), unless any individual councillor indicated a wish to change to another committee.

It was noted that there was currently a co-optee vacancy on Partnership Committee.

Nominations to committees were confirmed as follows:

Partnership (8+2)

Judi Sutherland
 Kelly Blissett
 Rima Chatterjee
 Richard Child
 Sandra Moorhouse
 Roger Peat
 Ian Kirkbride
 Mark Wilkes
 +Bowes Museum Rep
 +Vacant

Planning (5)

Frank Harrison
 John Blissett
 George Hallimond
 Mark Wilkes
 Kelly Blissett

Resources (6)

John Blissett
 Frank Harrison
 Sandra Moorhouse
 Judi Sutherland
 Belinda Thompson
 Ian Kirkbride

Services (6)

Roger Peat
 Belinda Thompson
 Kelly Blissett
 Richard Child
 Rima Chatterjee
 George Hallimond

A Chair for each Committee was elected for 2018/19, nominated from within eligible members, above.

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

10. 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 2018/19 municipal year.

Resolved – That the approved Constitution, including Standing Orders, Financial Regulations, Policies and Procedures, be adopted for the municipal year 2018/19.

11. 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.

12. 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 2018/19, this Council's representatives on the various bodies listed be as follows:

- | | |
|--|--|
| a. Teesdale Business Association (1) | Awaiting official invitation |
| b. County Durham and Cleveland Branch of the Society of Local Council Clerks (1) | Clerk |
| c. Friends of the Upper Demesnes (2) | Councillors Peat & 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 |
| 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 & Kirkbride |
| 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 Miss Blissett & Hallimond |
| n. Teesdale Marketing Limited (1) | Councillor Peat |

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

(c) That the verbal updates be received.

13. 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;
- (ii) National Society of Allotment and Leisure Gardens;
- (iii) Open Spaces Society; and
- (iv) British Pest Control Association – Affiliate Member.

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

- (i) Society of Local Council Clerks.

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

Submitted –The Town Council's Asset register to 31 March 2018. 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.

15. REVIEW OF THE COUNCIL'S EXPENDITURE UNDER SECTION 137 OF THE LOCAL GOVERNMENT ACT 1972

The town council's total expenditure for 2017/18 under section 137 of the Local Government Act 1972 was £607.00. It was noted that the expenditure threshold for 2017/18 was £32,460.16 (£7.57 per electorate total 4,288).

Resolved – That the information be noted.

16. 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 2018/19 was the third and final year of a three-year agreement with Zurich Municipal.

The insured risks were reviewed for 2018/19 and adjusted figures had been made for inventory of equipment to cover the freehold transfer of Scar Top play area during 2017/18. A full copy of the insurance schedule continued to be maintained in the office for inspection. It was noted that an exercise to compare the costs of available insurance cover would be undertaken prior to budget setting for 2019/20.

Resolved – That the information be noted.

17. 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 2018/19.

Resolved – (a) That the following schedule of Council meetings during the Municipal Year 2018/19 (all Mondays) be confirmed:

2018	2019
18 June	21 January
24 September	18 March
19 November	13 May (Annual Meeting)

(b) That the following schedule of Partnership Committee meetings during the Municipal Year 2018/19 (all Mondays) be confirmed:

2018	2019
21 May	4 February
2 July	1 April
8 October	
3 December	

(c) That the following schedule of Services Committee meetings during the Municipal Year 2018/19 (all Mondays) be confirmed:

2018	2019
21 May	18 February
16 July	15 April
22 October	
17 December	

(d) That the following schedule of Resources Committee meetings during the Municipal Year 2018/19 (all Mondays) be confirmed:

2018	2019
4 June	14 January
10 September	4 March
5 November	29 April

(e) That the following schedule of Planning Committee meetings during the Municipal Year 2018/19 (all Mondays, except Tuesday 28 August following the public holiday) be confirmed:

2018	2019
21 May	14 January
4 June	28 January
18 June	4 February
2 July	18 February
16 July	4 March
30 July	18 March
13 August	1 April
28 August	15 April
10 September	29 April
24 September	
8 October	
22 October	
5 November	
19 November	
3 December	
17 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 21 May 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; and

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

18. APPOINTMENT OF AUDITORS FOR FINANCIAL YEAR 2018/19

(A) Internal Auditor

It was determined at Minute 19(A)/May/17, that the Council's Internal Auditor for the financial year 2017/18 should be Mr Gordon Fletcher. In accordance with standard procedures, a decision in respect of the financial year 2018/19 was sought.

Resolved – That Mr Gordon Fletcher be appointed as this Council's Internal Auditor for the financial year 2018/19.

(B) External Auditor

At Minute 103/Jan/16, it was resolved that the town council opted in to Smaller Authorities' Audit Appointments Ltd (SAAA) 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. Members were informed that annual returns were now called Annual Governance and Accountability Returns (AGAR).

Resolved – That the information be noted.

19. APPOINTMENT OF BANKERS FOR FINANCIAL YEAR 2018/19

It was determined at Minute 20/May/17, that Barclays Bank PLC should be appointed as this Council's Bankers for the financial year 2017/18. In accordance with standard procedures, a decision in respect of the financial year 2018/19 was sought.

Resolved – That Barclays Bank PLC be appointed as this Council's Bankers for the financial year 2018/19.

20. REVIEW OF POLICE ATTENDANCE AT COUNCIL MEETINGS

Based on the agreed dates of meetings during the 2018/19 municipal year, it was determined that the Police be invited to attend two meetings of Full Council. Members noted that a new Inspector was due to start in July and members extended an invitation.

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, to include the new Inspector, be invited to attend Council meetings on two dates during the 2018/19 municipal year.

21. UPDATES AND REFERRALS FROM COMMITTEES

(1) Planning Committee

(i) Speed limit consultation – A67 Bowes Road

It was resolved that the town council objects to the proposed reduction in the length of the existing 40mph speed limit, which should be reviewed to 20mph, particularly in the built up area.

It was further resolved that the town council's objection be upheld. In particular, members had concerns about the increase in volume of traffic generated from Startforth Park housing development, the number of junctions coming onto the A67 and the impact on children walking to schools in Barnard Castle. As mitigation, the town council strongly advised the consideration of a 20mph speed limit in the built up area.

Resolved – That the information be noted.

(2) Partnership Committee

(i) 1940s Event – 22 to 24 June 2018

It was resolved that members promote the weekend and confirm availability to assist throughout the 1940s weekend.

Resolved – That the information be noted.

(3) Services Committee

(i) Allotments

It was resolved that the town council undertakes to switch off/ on the water supply at allotment sites using staff or volunteer resources – with any risk of damage falling to the council.

(ii) Play Areas – Green Lane Playground Improvements

It was resolved that (b) residents' views be sought for one or two full size football goals versus five a side goals and a possible location identified;
(c) depending on the outcome of discussions with residents, a revised estimate for five a side goals be considered at a future Committee; and
(d) revised quotations from local construction companies be sought for a simple cycle track around the existing Green Lane play area.

(iii) Allotment Improvement Action Plan – Tree works quotations

It was resolved that tree works contract on the Demesnes allotment site be awarded to Thom Robinson Arboriculture at a net cost of £760.

(iv) Floral Displays 2018/19

It was resolved that the 2018/19 floral display contract be awarded to Elm Ridge Gardens Ltd at the sum of £1,812.08

Resolved – That the information be noted.

(4) Resources Committee

(i) Calendar of Council Meetings 2018/19

It was resolved that the schedule of meetings be recommended to the council for approval and adoption at the Annual Meeting on 14 May 2018 (considered at item 17).

(ii) Training Programme 2018/19

It was resolved that the 2018/19 training programme, as submitted, be approved.

(iii) General Data Protection Regulations (GDPR)

It was resolved that (a) the information regarding the council's responsibilities and progress in implementing GDPR be noted;
(b) the revised Data Protection Policy be approved and submitted as part of the draft constitution for adoption at the council's annual meeting in May (considered at item 10); and
(c) the council requires members to establish a dedicated email address to use exclusively for council business.

Members were informed that an amendment to GDPR had subsequently been passed that town and parish councils no longer needed to appoint a Data Protection Officer.

(iv) Website

It was resolved that (a) payment of £578.36 to Durham County Council (DCC) for 2017/18 hosting and support of town council website be approved, funded out of SLA compliance budget; and
(b) the town council enters into an SLA with DCC for 2018/19, with the costs borne out of the GDPR compliance budget.

(v) Constitution

It was resolved that the revised Standing Orders be approved for submission to Annual Council in May 2018, to be recommended for adoption as part of the town council's constitution (considered at item 10).

(vi) Reserves – Independent Financial Advice

It was resolved that the town council does not invest in the CCLA Property Fund.

(vii) Risk Register

It was resolved that the revised Risk Register be adopted and recommended for full Council for approval (considered in exempt session, under item 24).

(viii) Staffing

It was resolved that the role of Vice Chair of Resources Committee in relation to staffing, be clarified.

Resolved – (a) That the information be noted; and
(b) That members establish a dedicated email address to use exclusively for council business.

22. 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 19 March:

Asset and Service Transfer – The period for advertising the 'disposal' of Woodleigh Grounds had now expired. Confirmation had been received from the town council's solicitor of the following:

- The 'final' amended version of the Woodleigh Grounds lease.
- The amended title of the Demesnes. The boundary had been redrawn.

Responses were still awaited from the town council's solicitor on the following:

- Confirmation from DCC that the equipment specifications and funding retention file relating to the Scar Top play area would be forwarded to the town council following the freehold transfer, irrespective of the confirmation of title from land Registry, which was awaited; and
- Any indication of the progress that had (or would) be made in relation to the other leases to be drawn in the same form as Woodleigh Grounds and covering, inter alia, Scar Top, Bridgegate and various floral beds around the town.

Woodleigh Windows – Window repairs had been completed and signed off by Durham County Council. All windows had been externally decorated as part of this work and there was now an openable window in each room of the building. As reported to Resources on 23 April, Durham County Council had asked the contractor who undertook this work to provide a quotation for remedial work and decoration to the building's guttering. Any work to the guttering would be the responsibility of the town council. A quotation was still awaited.

CDALC/SLCC Anti-Bullying Campaign – The Clerk attended a training session organised by the County Durham and Cleveland County Training Partnership at Shotton Hall on 2 May. The event acknowledged the prevalence of bullying and harassment in the local council sector, which could manifest itself between councillors as well as between individual councillors and staff, staff and councillors and occasionally, between 'the council', or a group and staff.

The SLCC had launched a national RESPECT campaign in Durham and Cleveland as a result of the training. RESPECT, in this context, promoted: **R**eputation, **E**ducation, **S**etting a budget for responsibility training, **P**olicies & Procedures, **C**ode of Conduct and **T**eamwork. The issue was also being prioritised by Sue Baxter, the Chairman of the National Association of Local Councils. It was widely acknowledged that the remedies under the Code of Conduct were often seen to be ineffective. The SLCC was working with the Association of Democratic Services Officers and Lawyers in Local Government, which represented those officers in principal councils who must manage the Code of Conduct. It was suggested that the council supported the principle of the RESPECT campaign and received more information on it as part of the 2018/19 training programme.

SLCC – The Clerk, as a director of the Society of Local Council Clerks (SLCC), had been nominated to take the vacant seat on the Board of the Smaller Authorities Audit Appointments Ltd (SAAA), the sector led company appointed by the Ministry of Housing, Communities and Local Government as the 'specified person' to procure and appoint external auditors to smaller authorities, performing the functions set out in the relevant legislation, and managing the ongoing audit contracts awarded for the 5 year period commencing 1 April 2017. This would require three off-site meetings per year. The costs were borne by the SAAA. Members noted that attendance at these meetings would be taken using lieu time. The appointment was subject to confirmation by the board of the SAAA. Information would be cascaded at future meetings of the council as part of the Clerk's report.

Bede Kirk – The town council's application to register Bede Kirk as a village green was re-considered by the County Council's Highways Committee on 11 May, in St Mary's Parish Hall, Barnard Castle, following the adjournment of the meeting initially held on 16 March at County Hall. The Town Mayor and other councillors attended with the Clerk, who made a representation in support of the application, as applicant. The Town Mayor made a separate representation on behalf of the local council, in line with the county council's procedure. Local supporters of the application attended and a representation was made by a member of the public on behalf of local residents. The Highways Committee supported the application 6-2 in favour. Bede Kirk is now protected as a village green in law.

Resolved (a) That the information be noted;
(b) That the principle of the RESPECT campaign be supported and that the town council received more information on this as part of its 2018/19 training programme;
(c) That thanks and congratulations be extended to all those who gave presentations to DCC Highways Committee on 11 May in support of registering Bede Kirk as a village green; and
(d) That it be delegated to the Clerk to write to the Durham Police, Crime and Victims' Commissioner on behalf of the town council, to clarify the position on management of Bede Kirk and future options for its upkeep and maintenance.

23. EXCLUSION OF PRESS AND PUBLIC (IN RESPECT OF ITEM 24 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 24 below, due to the confidential nature of the business to be transacted.

24. RISK REGISTER

Received – a report reviewing the Council's approach to Risk Assessment and Financial Management in the form of the Risk Register.

Resolved – (a) That the revised Risk Register be approved and adopted; and
(b) That the risk register, redacted where necessary, be made available to the public on request.