

**BARNARD CASTLE TOWN COUNCIL
COUNCIL MEETING**

21 JANUARY 2019

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

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

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

PUBLIC QUESTION TIME

Having been duly notified prior to the meeting, a resident, Mr Tom Deacon, presented a question to the Town Council. He asked whether the Town Mayor agreed that the plans to take out various leases on land around Barnard Castle, such as the Demesnes and Scar Top, amounted to double taxation which increased the burden on the people of Barnard Castle, whilst freeing up money for Durham County Council to spend in other towns and villages.

The Town Mayor answered that she had received a written response today regarding leases from Durham County Council Chief Executive, Terry Collins, but had not yet had time to consider this. She asked whether it would be acceptable to send the resident a written reply to his question. Mr Deacon responded that it was, as long as the Teesdale Mercury was copied into the response.

Mr Deacon then called on the Town Council to cease its plans to take over various tracts of land around the town, stating that the Council had stolen the electorates' money to top up the Council's general reserves. He asked whether the Town Mayor agreed that there should be a reduction in the precept for this year.

The Town Mayor responded that as she had not had time to consider this question, she would, again, offer a written response to the resident.

Mr Deacon acquiesced and asked for the response to be copied to the Teesdale Mercury.

81. ACCEPTANCE, OR OTHERWISE, OF APOLOGIES

None.

82. DECLARATIONS OF INTEREST

In accordance with this Council's adopted Code of Conduct (Minute 10/May/18 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

It was reported that a request had been received from Councillors Mrs Moorhouse, Peat, Kirkbride, Blissett, Miss Blissett, Harrison, Chatterjee, Child and Raw, under Section 33 of the Localism Act 2011, to speak and vote on non-financial matters relating to the community group 'Barney Brighter Together.'

Resolved – That it be noted that dispensation under Standing Order 13(e) had been granted to Councillors Mrs Moorhouse, Peat, Kirkbride, Blissett, Miss Blissett, Harrison, Chatterjee, Child and Raw relating to the community group 'Barney Brighter Together', compliant with Section 19 of the Council's approved Code of Conduct.

83. COUNCIL MEETING – 19 NOVEMBER 2018 – MINUTES

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

84. TOWN MAYOR'S ANNOUNCEMENTS

The Town Mayor officially noted the passing of Honorary Freewoman, Marie Yarker and the Council's attendance at the thanksgiving service on 4 January.

Cllr Blissett had been successful in being selected to attend the Royal Garden Party on 21 May.

The Town Mayor hosted an event at The Witham on 9 January, 'Making Barney Brighter Together', an independent initiative to create a dialogue between businesses in Barnard Castle and the statutory sector to generate ideas for ways to promote the town to residents and visitors. The response was overwhelming; approximately 75 people attended.

Resolved – That the information be noted;

85. '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 eight items considered at the meeting were as follows:

- (1) Planning Committee Meeting – 19 November 2018 –Minutes;**
- (2) Planning Committee Meeting – 3 December 2018 –Minutes;**
- (3) Partnership Committee Meeting – 3 December 2018 – Draft Minutes;**
- (4) Planning Committee Meeting – 17 December 2018 – Minutes;**
- (5) Services Committee Meeting – 17 December 2018 – Draft Minutes;**
- (6) Planning Committee Meeting – 14 January 2019 – Draft Minutes;**
- (7) Resources Committee Meeting – 14 January 2019 – Draft Minutes; and**
- (8) Town Mayor's Activities**

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

86. UPDATES AND REFERRALS FROM COMMITTEES

(1) PARTNERSHIP COMMITTEE

(i) Poppy Appeal

It was resolved (b) That thanks be given to all the Poppy Appeal volunteers, Councillors, HMYOI Deerbolt, Poppy Knitters, Morrisons and Barclays Bank;

(c) That collection volunteers be sought for 2019 Poppy Appeal;

(d) That thanks be given to staff; and

(e) That discussions be held with The Witham to support with recruitment for volunteers.

(ii) Mayoral Event – Fashion Through the Ages

It was resolved that another charity fashion event be considered.

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

It was resolved that thanks be extended to all those involved; and

That thanks be given to staff.

(iv) Christmas Lights Switch-On Event – 30 November 2018

It was resolved that thanks be given to all participants and staff; and

That a follow up meeting be held to review the event and plan for Christmas 2019.

(v) Budgetary Bids – Community Events

It was resolved (a) That the Community Events Budget for 2019/20 be £7,140 (increase of £140); and

(b) That the fee to commercial organisations to licence use of the performance area, or any other area under the town council's control, and to book the Scar Top banner frame should be £50.

(vi) Budgetary Bids – Christmas Lighting

It was resolved that the Christmas Lighting budget be set at £6,500 for 2019/20

(no change) and recommended as such to Full Council on 21 January 2019.

Resolved – That the information be noted.

(2) SERVICES COMMITTEE

(i) Green Lane Playground Improvements (Goal Posts)

It was resolved that the town council purchases a copy of British Standards for goalposts, with a view to exploring the feasibility of manufacturing and installing its own bespoke goalpost.

(ii) Mini Golf – Review of 2018

It was resolved (b) That, in principle, a credit/debit card payment facility be introduced to the Mini Golf Service for the 2019 season, subject to a cost-benefit comparison of different providers;

(c) That existing attendants (aged 24 and under) returning for 2019 Mini Golf season, be paid £7.70 per hour; and

(d) That new attendants (aged 16 to 17) be paid £5.50 per hour, increasing to £7.70 upon reaching their 18th Birthday.

(iii) Wednesday Market

It was resolved that a request be made to Durham County Council (DCC) to consider moving street trading in Barnard Castle from 'Prohibited Streets' to 'Consent Streets'.

Cllr Mrs Moorhouse asked for clarification, which was duly given by the Clerk. DCC had asked whether the town council would consider moving street trading to 'Consent Streets' as Barnard Castle was one of only two communities with 'Prohibited Streets.' This request for change would trigger a 28 day public consultation by DCC. The town council would have time to consider and respond to the consultation in the usual way. The matter would then be referred to DCC Licensing Committee, to decide whether 'Consent Streets' could apply. The change would benefit events in the town.

(iv) Dog Fouling

It was resolved that thanks be given to staff and the grounds maintenance contractor for removing dog mess on and around the Town Memorial in the grounds of The Bowes Museum.

(v) Durham Wildlife Trust

It was resolved that it be delegated to the Clerk to explore opening up further vistas with DCC and Raby Estates.

(vi) Budgetary Bids 2019/20

It was resolved (a) That the Play Areas expenditure be £14,000 – increase of £2,500;

(b) That the Play Areas 2019/20 income be £100 (no change);

(c) That the 'Play Areas Repairs and Future Provision Reserve Fund' continues, with any underspends from the year end transferred to this fund; and

(d) That the play areas inspection contract awarded to Park Lane Playgrounds be extended for the 2019/20 financial year.

(e) That Wednesday Market expenditure be set at £3,000 (no change) and income at £7,000 for 2019/20 (decrease of £1,000); and

(f) That the scale of fees and charges remains as set in February 2017 (Minute72(ii)/Feb/17 refers).

(g) That War Memorials 2019/20 budgetary allocation be £500 (no change); and

(h) That, if a suitable stone cannot be found locally, a dressed stone with embedded plaque for Merchant Navy Memorial be purchased at a cost of £200 from Dunhouse Quarry, out of War Memorials Earmarked Reserves.

(i) That the Floodlighting budget be £700 (no change).

(j) That the Floral and Open Spaces 2019/20 budget be £9,500 (no change);

(k) That the total Floral and Open Spaces 2018/19 underspend be earmarked for additional Grounds Maintenance in 2019/20; and

(l) That Lowfield Gardens be requested to carry out the 2019/20 floral displays watering service.

(m) That the Mini Golf income be £10,000 and expenditure £10,000 (no change); and

(n) That the 2019/20 fees and charges be as follows (no change):

£3.00 per round for all users (£2.50 plus 20% VAT);

£9.00 group ticket (up to 4 players – saving £3.00) (£7.50 plus 20% VAT);

£15.00 loyalty ticket (7 rounds in advance – saving £6.00) (£12.00 plus 20% VAT);

£1.00 lost ball (83p plus 20% VAT); and

£6.00 damaged club (£5.00 plus 20% VAT).

(o) That the 2019/20 dog fouling budget be £200 (decrease of £100).

(p) That the 2019/20 Allotments expenditure be £4,217 (no change) and income be £4,217 (no change); and

(q) That the Allotment rental for 2020/21 remain at £47.00 (no change).

It was noted that Cllr Peat had found a suitable stone for Merchant Navy Memorial and that this was now in-situ in the Remembrance Garden, Galgate Greens.

(vii) Grounds Maintenance Contract

It was resolved that the 2019/20 grounds maintenance contract be awarded at full Council on 21 January 2019.

Resolved – (a) That the information be noted;
(b) That the 2019/20 grounds maintenance contract be considered at item 94, below; and
(c) That thanks be given to Cllr Peat for finding and positioning an appropriate stone for Merchant Navy Memorial.

(3) RESOURCES COMMITTEE

(i) Budget 2019/20 – Cost Centre Report

It was resolved (a) That the draft 2019/20 budget be recommended to full Council on 21 January;

(b) That in principle, any request to levy an amount on the precept be not included in budget consideration without prior discussion at relevant Committee or Council;

(c) That an Ear Marked Reserve (EMR) of £850 for 'Replacement of IT and Software' be established;

(d) That the request from The Witham for a £10 levy on the precept (£18,272) be not recommended to full Council;

(e) That the Neighbourhood Plan EMR of £7,500 be retired and returned to the General Reserve; and

(f) That the £2,500 from the General Reserve, funded by the retirement of the Neighbourhood Plan EMR, be applied to support the 2019/20 revenue account.

(ii) Asset Transfers

It was resolved that Councillor Mrs Moorhouse approach DCC Chief Executive to express concerns in relation to delays in asset transfers.

Cllr Mrs Moorhouse reported that she had had a response back today, 21 January, but had not yet had time to review this.

(iii) Scar Top Flag Pole

It was resolved that the town council does not submit an application for advertising consent to display flags on the existing Scar Top flagpole.

(iv) Staffing

It was resolved (a) That the salary calculations underpinning the base budget recommendations be noted; and

(b) That the mini golf attendants (aged 24 and under) be paid £7.70 per hour for the 2019 season.

Resolved – (a) That the information be noted; and
(b) That the draft 2019/20 budget be considered at item 89, below.

87. REPRESENTATION ON OTHER BODIES

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

There had been no meetings since Council on 19 November. The next meetings were on 5 February and 2 April 2019.

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

There was nothing to report.

(3) Smaller Local Councils Forum (Councillor Sutherland)

A meeting was held on 22 November. Issues considered at the meeting included Parish Council Basic and other allowances, the establishment of a NALC Diversity Commission, the introduction (from 2020) of Business Rates relief on public toilets and the creation by Durham County Council of a 2019 Year of Culture Steering Group, which was likely to invite participation from local schools.

There was also discussion about whether Parish Council Chairs should be required to undergo training before being able to take up this position. It was noted that there was currently no mechanism to mandate training for members of local councils, though training for Chairs was offered each year by the County Durham and Cleveland County Training Partnership, of which CDALC was a member, but that this item might form part of the discussions of the Committee on Standards in Public Life, which was expected to report on the Standards Regime early in 2019.

The next meeting would take place on 21 February 2019, in Murton.

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

A meeting was held on 16 January.

Members of the group, who made the fiddle mats, went to the Manor House with two representatives from YMCA, to present 30 mats to residents of the Dementia Wing. They were very well received.

The group had a stall at the Christmas Lights Switch-on but the bad weather and the position of the stall, away from the main action, meant that there was not much activity. However, it did let people know about the group and raised £52 which would go towards material for the fiddle mats.

The new Winter/Spring events leaflet was almost complete. There were some new additions to the list; the Witham's accessible films and the café on bank, which was willing to take up the dementia friendly café event.

The Freemasons from Strathmore Lodge made a donation to the Social Afternoon, held monthly at the Cricket Club, which was used to support their Christmas event.

Cllr Kirkbride would work with Castle Players on their funding application to the James Knott Foundation for a grant to develop work on the playlet based on the children's book 'Grandma'. It was hoped that this would be completed and into schools by the Summer term.

The group was working to ensure that any application for funding from TAP contained a section on how the applicants would ensure access/participation for those with dementia.

There were plans to hold a follow-up open meeting in January or February to up-date the community on what had been done in the past year, to gain ideas for future projects and provide further training.

(5) Walkers are Welcome (Councillor Mrs Thompson)

The AGM was held on 21 November. The current Treasurer was resigning and more people were needed on the group. The next meeting was on 23 January.

(6) Barnard Castle HGV Action Group (Cllr Sutherland)

The HGV Action Group met with a group of County Councillors representing the Teesdale area and asked them to back a permit scheme. County Cllr Bell had reported that another traffic census would take place, possibly in February. This could help provide evidence on the validity of a permit scheme.

Cllr Peat updated members on the NFU meeting held on 16 January regarding the possible upgrade of the A66, which was currently preferable to A69. The aim was to encourage more freight, although there would be consideration for cyclists, walkers and the environment. It was unknown whether travellers would be allowed on the upgraded routes. There were currently no maps showing main junctions, however, the upgrade would close as many cross over points as possible. A public consultation would begin Spring/Summer 2019 and the scheme was set to take place 2023 to 2028. There was a website in construction

<https://highwaysengland.co.uk/projects/a66-northern-trans-pennine/>

Members were concerned that traffic would be routed through the town during the upgrade construction, which ought to be avoided. They also saw the upgrade of the A66 as an opportunity to encourage people to visit the town and make it easier for people to access. It was important that the Council's position of reinforcing the need for a relief road and reducing HGVs through the town was fed into the County Plan alongside this consultation.

Resolved – (a) That the information be noted; and
(b) That Cllr Peat request that the town council and Barnard Castle HGV Action Group be put on circulation list for information regarding the A66 upgrade.

88. INTERNAL AUDIT 2018/19 – HALF YEAR REPORTS

Received – a report detailing the half-year internal audit checks which had been carried out by Mr Gordon Fletcher during November 2018, as approved by Resources Committee on 4 June (Minute 7/Jun/18 refers).

The internal control checks were risk based assessments of systems that this Council had in place and were undertaken to ensure that there was an adequate level of effective control. The 2018/19 checks were carried out on the following:

Budgetary Control

Accounts Payable Creditors

Income Collections and Banking Arrangements

Main Accounting.

Full assurance was awarded to all areas of work, with no issues found.

Resolved – That the information contained in the reports be noted.

89. APPROVAL OF BUDGET 2018/19

Submitted – a report summarising the Town Council's budget preparations for the next financial year and setting out comprehensive recommendations from the Resources

Committee to enable the Town Council to set a budget and to establish its Precept for 2019/20.

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 meeting of Resources Committee on 14 January, it was resolved that the town council would 'calculate its budget on a lower percentage precept increase per Band D household'. Subsequently, the request from The Witham for a £10 levy on the Precept (£18,272) was not recommended to full Council and £2,500 from the General Reserve (funded by the retirement of the Neighbourhood Plan Earmarked Reserve) was applied to support the revenue account.

The following were resolved 'en bloc'.

Resolved – (a) That the following rentals, fees and charges be approved:

Play Areas

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

Allotments (per plot)

- (a) 2018/19 – the allotment plot rental already determined - £47 – no change;
- (b) 2019/20 - £47 – no change; and
- (c) Gross income - £4,217 – no change.

Mini Golf – 2019 season

- (a) £3 per round for all users – no change;
- (b) £9 group ticket (up to four players – saving £3) – no change;
- (c) £15 loyalty ticket (7 rounds bought in advance) – no change;
- (d) £1 lost ball – no change;
- (e) £6 damaged club – no change; and
- (f) Gross income - £10,000 – no change.

Woodleigh Licence (as per agreements)

- (a) Gross income - £12,750 – no change.

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

- (a) Community - £12.50 – no change;
- (b) Repeat Community - £10 – no change;
- (c) Commercial - £20 – no change; and
- (d) Gross income - £1,500 – no change.

Woodleigh, Scar Top & Demesnes Charges

- (a) Electricity (performance area) charged at the prevailing metered rate (New);
- (b) Commercial use (other than by a community, voluntary or not-for-profit group) - £50 (New); and
- (c) Scar Top Banner Frame commercial booking (other than by a community, voluntary or not-for-profit group) £50 (New).
- (d) Gross income - £250 *pro tem*.

Wednesday Market

- (a) Standard Pitch (0-6m) - £10 – no change;
- (b) Large Pitch (6-10m) - £15 – no change;
- (c) Additional metre (or part) beyond 10m - £2 – no change;
- (d) Charity Pitch - £0 – no change; and
- (e) Gross income - £7,000 – **decrease of £1,000.**

- (b) That any Contingency budgetary requirement continues to be transferred from the Council's general reserves, up to a maximum of £5,000;
- (c) That a 2019/20 precept of £190,936 be approved;
- (d) That the revenue budget for 2019/20 be approved as detailed in the Appendix to this Minute; and
- (e) That, on receipt of the precept and LCTRS Grant, £140,000 of this sum be deposited in the town council's CCLA public sector deposit account.

90. COUNTY DURHAM PLAN

It was expected that the County Durham Plan would be considered by the County Council's cabinet on 16 January, setting out potential development in the county until 2035.

It was further expected that the cabinet would approve the Pre-Submission Draft stage of the plan ahead of a final, six-week consultation, which would begin later this month. The plan would then be submitted to the Secretary of State ahead of an examination in public later in the year.

The plan was based on evidence about the county in addition to challenges and opportunities identified by people who lived and worked in County Durham over the course of the previous rounds of consultation, in which the town council had participated.

A number of changes had been made to the plan following the most recent consultation in summer 2018. These included changes to the number of proposed housing sites, more flexibility in policies included in the plan to allow them to better meet challenges faced by town centres and safeguarding of two potential routes for a possible Northern Relief Road around the City of Durham. The number of homes needed over the course of the plan had also changed in line with the latest Government methodology, which had reduced the figures in parts of the county including Teesdale.

The timing of approval of the Pre-Submission Draft meant that it was not possible to formally consider it at this meeting. The consultation period was likely to close before the next meeting of Council, scheduled for 18 March. It was deemed sensible to set a time for a Special Council Meeting to consider the Pre-Submission Draft. There should be an opportunity to hold this prior to Services Committee on 18 February.

Resolved – That a Special Council Meeting be convened on Monday 18 February 2019 at 5.30pm to consider a response to any consultation on the Pre-Submission Draft of the County Durham Plan.

91. CLERK'S UPDATE

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

It was reported that on 18 January, a notice to quit had been served on an allotment tenant under Regulation 7(2)(b)(ii) of the Openness of Local Government Bodies Regulations 2014, issued under s43(2) of the Local Audit and Accountability Act 2014.

There had been a number of substantive issues moving forward since 19 November 2018:

Asset and Service Transfer – With regard to the leases for the Demesnes and Woodleigh Grounds, correspondence was received from the town council's solicitor on 21 December 2018 indicating that she had sent an e-mail on that day to the solicitor for Durham County Council asking for an update on the draft amends previously sent to her and asking for an estimate as to when DCC was likely to have considered these. A reply was still awaited. An interim bill from the town council's solicitor was expected. Correspondence was received from the town council's solicitor on 14 January asking for the right of access to the Dog Agility Area across the land leased to BC Rugby Club and the access to the Rugby Club across the land to be leased to the town council. This was provided.

The Head of Estate for Durham Constabulary confirmed on 10 December 2018 that an independent valuation of the village green at Bede Kirk had been obtained 'in the last week'. She indicated that, once this valuation had been reviewed internally, she would respond to the town council. A reply was awaited.

Helen Goodman MP – On 9 January, a request for information relating to 'decision by the Town to approve the fireworks display on the Demesne (sic) in 2019' was received. A response was sent via email on 10 January indicating that the fireworks display was run without the involvement of the town council and that approval rested with Durham County Council. Cllr Peat confirmed that, in his capacity as Chair of Barnard Castle Christmas Lights, he had received a similar letter on 21 January.

Marie Yarker – It was reported that the office was closed to enable all staff to attend the memorial service for Honorary Freeman, Mrs Marie Yarker, which was held on Friday 4 January.

Pittuck Mural – A request had been received from a local group which was holding a public meeting to discuss maintaining the 'Pittuck Mural' for posterity. The mural would be open to viewing at St Mary's Parish Hall between noon and 7pm on Monday 28 January and there would be a short presentation about the mural at 6pm, followed by a discussion. Two invitations relating to this had previously been forwarded to all members.

Volunteering Matters – A letter was received on 13 December from this organisation, wishing to bring to the Council's attention its Volunteer Transport Scheme. The scheme gave housebound people the ability to get to GP appointments and had now been extended to hospital visits. Such a request would normally be responded to with the information that the council no longer had a donations budget and providing links to information about the Town Mayor's Charity. This would be done, but the letter also asked if the Council could assist in advertising locally for volunteer drivers. The letter would be circulated for information.

Pact Meetings – Durham Constabulary had confirmed that following the January meeting, future PACT meetings would no longer be held in Woodleigh, but would transfer to a room at the Quad Hub in Wilson Street.

SLCC Board – It was reported that the Clerk had been elected as Chair of SLCC Board on 17 January. Reports would be included with the Clerk's update at Council meetings.

It was reported that up until the next ordinary meeting of the Town Council, on 18 March 2019, the Town Clerk would be on leave from 19 to 29 March inclusive and was attending the SLCC Practitioners Conference on 14 and 15 February 2019.

Resolved – (a) That the information be noted; and
(b) That congratulations be extended to the Clerk on being elected as Chair of SLCC.

92. EXCLUSION OF PRESS AND PUBLIC (IN RESPECT OF ITEMS 93 AND 94 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 items 93 and 94 below, due to the confidential nature of the business to be transacted.

93. WOODLEIGH – GUTTERING QUOTATIONS

Submitted – a confidential report seeking a decision to award a contract to repair the guttering to Woodleigh.

Resolved – That it be delegated to the Clerk, in consultation with the Town Mayor and Chair of Resources Committee, to appoint a contractor within the approved net budget of £15,000.

94. GROUNDS MAINTENANCE CONTRACT 2019/20

Submitted – a confidential report seeking a decision from Council to extend the existing Grounds Maintenance Contract for the 2019/20 season.

Resolved – That the town council's existing grounds maintenance contract with Robson Horticulture Ltd be extended for the period 1 April 2019 to 31 March 2020.