

## 05 June 2018, Kirkby Stephen Town Council

### Ordinary Meeting of the Town Council

Kirkby Stephen Town Council, Local Links, Vicarage Lane, Kirkby Stephen, Cumbria, CA17 4QX  
Tel. 017683 74854 | clerk@kirkby-stephen.com | [www.kirkbystephen.com](http://www.kirkbystephen.com)  
Starting at 18.45pm

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**Attending:** Cllrs. J. Johnstone, A. Birtles, G. Lumley, D. Marsh P. Richardson, J. Sowerby, D. Gilmour, D. Thornton. KSTC.  
Cllr. P. Dew. CCC. Cllr. T. Ladhams. EDC. Cllr. V. Kendal EDC and 13 members of the Public.

#### **Participation of Public**

A member of the public spoke in connection with the development proposal by the rugby club at **Westgarth Park** which adjoins their property. Concerns were expressed in connection with noise nuisance and questions were raised as to whether or not the development could incorporate soundproofing and a concern about overspill into the public space at West Garth Road. An observation was also made and photographs submitted regarding rubble 'dumped' on the site and spoiling the amenity of the area. It was not agreed that these photographs were evidence of dumping.

**Appleby Horsefair.** A member of the public spoke in connection with the activities of travellers over the last few days. Complaints were raised over excrement on footpaths and a general lack of respect for the town including the war memorial. Incidents raised included two children racing with no helmets and a general feeling that the behaviour was intimidatory. The member of the public was asked whether they had called at 101 (they had not) and it was emphasized that where actual criminality has occurred the more reports to the police the better. Mention was made of a drunken brawl being shown live on Facebook on Sunday night and two or three hundred travellers drinking on the road in the centre of town in an area where no drinking is permitted. The encampments along the verges of the A685 between Edensyde and Winton had been particularly chaotic and presented a risk to both travellers and the resident public. Police presence throughout had been noted to be totally inadequate. The toilets at Stoneshot had been vandalised. The cleaner had been abused and stones thrown at her car.

It was noted that the **Police and Crime Commissioner** would be holding a meeting at Local Links in the morning between 10 and 12 and members of the public were encouraged to attend. The Council itself will take the first slot with the Police and Crime Commissioner and it was agreed that all councillors would attend to emphasise the level of concern.

On the positive side it was noted that Eden District Council had promptly cleaned horse muck and litter from the town centre and have been very responsive to phone calls.

It was agreed that the council had got to work on getting more support from the police for Kirkby Stephen during the Appleby horse fair - The general feeling was that police presence had been very thin on the ground.

**Participation of District Councillors**

Cllr Kendall announced that she no longer represented Eden District Council on the Yorkshire Dales National Park Authority. Eden District Council had elected and nominated counsellor William Patterson to take on this role. Cllr Kendall had continued her investigation of the litter problem and had identified the bring site at Hobson's Lane as the source of the problem. She undertook to investigate what had happened to the credits associated with this site and which the council could claim. The amount involved was expected to be £500 to £600.

Cllr Kendall also reported on bus and train links between Kirkby Stephen Appleby and Penrith and on the effectiveness of the community bus. Bus times and train times were not well co-ordinated and it was unfortunate that the Kendal bus had been discontinued.

Counsellor Kendall mentioned the problems that have been encountered in Kirkby Stephen over the last few days in respect of the Horse fair traffic.

App 1.

**Participation of County Councillor**

Cllr Dew spoke to a report given as Appendix 1.

He reiterated his 'vocal' opposition to the Appleby Horse Fair in view of the comments made earlier in public participation. He touched on the Midland Hill Bridge and the issue of a bid for funding due in 2019 2020. Cllr Dew raised concerns over the closure of the A66 over seven consecutive weekends in autumn and the impact this would have on the town and concerns over police enforcement regarding trucks on the A685.

Faraday Road had been surveyed and it has now been accepted that it required resurfacing. The bollards for the space outside the visitor centre were on order. He also expressed concerns regarding the future of Appleby Heritage Centre

Cllr Dew touched on an issue regarding budget hotels raised in correspondence in the Herald.

**Participation of Police**

None

18/028 **Apologies & DPI's.** None

18/029 **Minutes.** The Chairman was authorised to sign the minutes of the Ordinary Meetings held on the 10 April and 8 May 2018 as a true record.

18/030 **Planning 18/0383.** PENNINE PARK RUGBY CLUB, WESTGARTH ROAD KIRKBY STEPHEN, CA17 4TF  
Variation of condition 2 (plans compliance) to layout and elevations of changing rooms attached to approval 07/0265.

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Correspondence had been received opposing the development by a neighbour and during public participation. After discussion it had been agreed that the council SUPPORTED the application but noted the concerns of a resident which would be passed onto the club.

- 18/031 **Planning 18/0369.** 5-11, WESTBROOK FIELDS KIRKBY STEPHEN, CA17 4SB  
The conversion of two 2-storey blocks containing 4no. flats per block (8 total), into 4no. semi-detached 2-storey dwellings.  
SUPPORTED
- 18/032 **Planning 18/0355.** PENNINE VIEW CARAVAN PARK, STATION ROAD KIRKBY STEPHEN, CA17 4SZ  
Proposed change of use of 8 no. touring pitches to 8 no. static pitches / camping pods. Part retrospective.  
SUPPORTED
- 18/033 **Planning 18/0362.** THE OLD GRAMMAR SCHOOL, VICARAGE LANE KIRKBY STEPHEN, CA17 4QX  
Crab Apple (T1): Remove epicormic growth, crown raise to 15 metres and crown reduce to create a maximum of 1.5m clearance of adjacent property; Cherry (T2): Crown raise to 1.5m; Ash (T3): Remove and treat stump; Cherry (T4): Crown raise to 1.5m and remove trunk growth; Apple (T5): Crown raise to 1.5m; Kirkby Stephen Conservation Area.  
SUPPORTED
- 18/034 **Appleby Horse fair update.**  
Events surrounding the build up to the Appleby Horse Fair in Kirkby Stephen were discussed. Members of the travelling community had engaged in some challenging behaviour in the town. It was agreed that in respect of trotting and of the encampment along the A685 Edensyde to Winton there was considerable danger to both travellers and road users. Residents reported feeling intimidated by horses and people. It was noted that many travellers do respect the town and that a lot of businesses in the town make a lot of money but need to do more to help tidy up. One licensee had a rung the Chairman and apologized admitting that the events of Sunday night had simply got out of control. There were a number of illegal encampments in the town. Particular concern was expressed about those surrounding the school and in the car park at Christian Head where two caravans had taken up a total of 14 spaces.

The Chairman congratulated Eden District Council on their prompt (next morning) response to the build up of litter and to the vandalism of the public toilets at Stoneshott which were reopened within 6 hours.

Cllr Dew spoke in connection with the police - firstly he noted that they had 'upped' their presence according to Sgt Milburn and that inspector Gaynor Taylor had inspected the A685 and assessed it as not requiring further action. Police strategy had been to 'contain rather than coerce' and 'manage'. Cllr Dew said that the police can only do their best and that the event lasts only for a few days.

After discussion it was resolved that the council would seek to work with MASCG to review the strategy that they adopted in the lead up to the fair and to ensure that

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the Kirkby Stephen's needs were better recognised and better served in terms of policing.

**18/035 Poetry Path.**

Mr Capel, who under the aegis of the East Cumbria Countryside project (since wound up), had commissioned the Poetry Path Public Art installation attended the meeting to present this item in connection with the letter he had written to the council which was read out. The issue was that some of the stone carvings had been commissioned and sited on private land adjacent to a right of way and were subject to an agreement that would expire next year. The position of the stones was quite site specific and it was agreed that some of the significance of the work would be lost if they were to be relocated. Mr Capel brought a copy of the agreement against which they were originally commissioned and noted that in retrospect he should have dealt with it differently. It was proposed that the Council could 'assume ownership' of the work however, after further discussion it was agreed that the council's interest was to safeguard the poetry path which was very popular and that the Clerk would contact Nateby Parish to discuss how working together we could carry out our 'duty of care' to protect the stones.

**18/036 Kirkby Stephen Conservation Area Article 4 Directives**

A letter was read out in connection with the need to protect the conservation area using Article 4 directives. It was agreed to raise this at next month's meeting with Eden District Council Planners when training on the Emerging local plan would be delivered and to consider further. The Clerk would contact Eden District Council's Conservation Officer to enquire further.

**18/037 Obesity Crisis/Speed Watch**

A letter had been received from Dr Galea. A GP in Kirkby Stephen, it was felt that the letter had been written at cross purposes in so far as it criticised the activity of Speed Watch volunteers while advocating volunteer engagement with action on obesity issues. It was agreed that it was in the nature of volition that it was a volunteer's choice as to what they wanted to volunteer about and that the letter might usefully have been directed towards the encouragement of outdoor activities outdoor gym etc without denigrating volunteers engaged on other initiatives. It was agreed that speeding was a police matter but in the absence of adequate resource the police had setup a system that allowed volunteers to participate.

After further discussion it was agreed to write to Dr Galea offering him the opportunity to publicise the concerns he had raised in the community newsletter. There was an opportunity to include leaflets in connection with public health with the newsletter. The Council was signed up to the Cumbria healthy weight initiative through the Cumbria Association of Local Councils.

**18/038 Emergency Planning**

Cllr Waker updated on the emergency planning group. It had been decided to wind the group up and transfer the activity to the community interest company. It was agreed that Cllr Walker would advise ACT and Helen Aitken of the decision.

**18/039 Finance.**

The following payments were approved:  
04/06/2018, Mrs Joyce Fothergill, 104909 V29 £15.00

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04/06/2018, Ibex Internet Ltd 104910 V30 £144.00  
04/06/2018, Cerberus Printing Ltd 104911 V31 £550.00  
04/06/2018, Ravensworth Nurseries 104912 V32 £159.60  
04/06/2018, North West Arboricultural Services Ltd 104913 V33 £780.00  
04/06/2018, Joan Johnstone 104914 V34 £29.70  
04/06/2018, Cumbria CVS 104915 V35 £10.50  
04/06/2018, Christian Barnes 104918 V36 £46.00  
04/06/2018, Christian Barnes 104918 V37 £32.20  
04/06/2018, Matthew Howarth BACS V38 £60.00  
04/06/2018, Hall's Newsagents 104916 V39 £84.34  
04/06/2018, The Supermarket Online 104917 V40 £148.24  
06/01/2018, System IT DD o/s £36.00  
14/06/2018, Plusnet – EST DD o/s £65.00  
20/06/2018, EDC DD V41 £254.00  
25/05/2018, Salaries BACS V24-27 £3,442.27  
25/05/2018, Nest BACS V28 £78.67

A further payment on the Jubilee Charity Account was authorised to fund the cost of insurance which would be reported at the next meeting of the trust.

18/040 **Bank Reconciliation Kirkby Stephen Town Council at 31/05/18**

Balance B/fwd	£104,375.44		
Receipts in	£248.60	Payments out	£11,475.82
		Balance C/fwd	£93,148.22
Totals	<b><u>£104,624.04</u></b>		<b><u>£104,624.04</u></b>

**Bank Balance  
C/fwd**

Market	£8,772.67	
HICA	£82,213.78	
Current	<u>£3,908.77</u>	
		£94,895.22

Less o/s chqs

Chq 104901	£297.00	
Chq 104907	£450.00	
Chq 104908	<u>£1,000.00</u>	
		-£1,747.00
		<u>£93,148.22</u>

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**Portfolio Reports**

- 18/041 To receive updates and proposals from Councillors relating to:
1. Town Council Administration (None)
  2. Community Planning. Donations Box for Christian Head car park It was resolved to cost the provision of a suitable donations box for the Christian Head car park (Cllr. Richardson)
  3. Community. (Cllr Birtles) The next phase of surveys had commenced focusing on youth opinion. The lease for the Christian Head car park had been received and was awaiting review. No problems were anticipated.
  4. Highways. It was resolved that the clerk would attend the Highways England consultation meeting in Penrith on the 18<sup>th</sup> June regarding the dualling of the A66 and report back. Cllr Sowerby and the Clerk had met with Eden District Council to agree the location of a litter bin at Birkbeck Gardens which it was hoped would be used by dog walkers. Issues with Broom lane Drains and Westgarth Gully Pots were logged.
  5. Open Spaces Stenkrith Park – Stenkrith had been strimmed yesterday and was due 3 strims a year under the current agreement. It was agreed to schedule the next strim before the 29<sup>th</sup> July and to address the overgrowth at the sculptures there for a planned ‘Walkers are Welcome’ event.
  6. Property. Heavy Goods Vehicle Monitoring. Clerk to contact Cumbria Safety Partnership to enquire as to the provision of an 'intelligent' camera to monitor HGV and unlicensed traffic. Cllr Dew noted that HGV and traffic infringements were a police matter.
  7. Tourism & Events Cllr Walker reported that the Western Dales bus S4 had been extended to Brough from the 22 June. It was agreed that the first passengers would make a good photo opportunity. Clerk to write and thank Western Dales.

18/042 **Date of Next Meeting**

3 July 2018 following a training session on the emerging local plan by Eden District Council at 6:00pm at Kirkby Stephen Masonic Hall. The meeting is expected to start at 6:45pm

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**Chairman**

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**Date**

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## Appendix 1

Report to Kirkby Stephen Town Council meeting 5 June, 2018 – Phil Dew Cumbria County Councillor.

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### Highways

I met with Highways England/Cumbria Constabulary on Wednesday, 9 May, 2018, to discuss diversion arrangements following closure of the A66 - and in particular the problem of high-sided vehicles getting stuck at Midland Hill Bridge. Phil Cueto of Highways England said the company is reviewing its policy and making plans to improve signage on the A66 but this might not take place until 2019/20.

Highways England is carrying out major road repairs on the A66 at Kirkby Thore in September/October and the road will be closed for seven consecutive weekends. I met with Steve Mason of Highways England on Friday, 11 May, 2018, and asked for reassurance that the HGV ban would be enforced. I was told that temporary Variable Message Signs [VMS] will be installed along the A66 to warn HGVs not to travel on the A685, but I insisted that more should be done.

Four teams of highways operatives are currently assigned to filling potholes. A jet-patcher, known as Velocity, has been hired to speed up the process. This will be deployed on Faraday Road as a stop-gap measure because the surface needs to be relayed. A survey has been carried out but the work has not yet been commissioned.

The bollards are on order and should be fitted before the end of July.

The work on Bollam Lane should be carried out this month.

[Agenda Item 13.4] I am interested to know what is going to be discussed at the Highways England meeting in Penrith on 19 June, 2018. If Kirkby Stephen by-pass is on the agenda the Town Council needs to form a view if one is going to be expressed.

[Agenda Item 13.6] The HGV restriction needs to be enforced on a regular basis to deter rogue drivers.

### Appleby Horse Fair

Concern has been expressed about the encampments on the A685 between Kirkby Stephen and Brough. The site was visited by representatives from the Multi-Agency Strategic Coordinating Group [MASCG] on Monday morning – including a police inspector [Gaynor Taylor] – who deemed the encampments to be within acceptable limits. The overarching concern is safety, and because of the large number of travellers involved the policy is to contain rather than coerce and manage rather than move. The situation is monitored around the clock. Phase 1 will come to an end on Thursday, 7 June, and hopefully travellers will then move to Appleby.

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I have consistently spoken out against the fair – because of the expense and disruption it causes – but until a way is found to stop it we have a duty of care which can't be ignored. Any response has to be proportionate, practical and possible given the limited resources available. Some local residents have an unreasonable expectation of what the police can achieve. Police officers have to try and maintain public order not incite a riot. On the whole they have done a good job for which we should be grateful.

### **Appleby Heritage Centre**

The future of Appleby Heritage Centre is still very uncertain and remains under discussion. A long term solution has yet to be found.

### **Extreme Weather**

Various meetings have been held to discuss the lessons to be learned from the extreme weather in March, 2018. I will be attending a meeting on 28 June, 2018, in Penrith, when I hope some policy decisions will be made.

### **All Weather Pitch**

EDC is still discussing its grant funding criteria. KSGS has been granted planning permission for residential development on land adjacent to the Mountain Rescue headquarters. Sale of that land will release funds for the All Weather Pitch.

### **Premier Inn**

Following the last Town Council meeting in May an article appeared in the CWH suggesting I was in favour of a Premier Inn for Kirkby Stephen. In fact I was simply quoting what had been said at a meeting that I chaired on 7 May, 2018. However it has come as a surprise to some to discover that this is indeed an aspiration of the Town Council, contained within its vision statement. I have written a letter to the CWH to set matters straight.

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