

2 April 2019, 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
Starting at 18.45pm

Attending: Cllrs J Johnstone (Chairman), Paul Richardson (Vice Chairman) A. Birtles, J. Sowerby, D. Marsh, D. Thornton, M Walker, J Sowerby, G, Lumley.

Cllr. P. Dew, CCC, Cllr. V. Kendall.

3 members of the public were present.

Participation of Public

(None)

Participation of District Councillor Valerie Kendall.

Councillor Kendall had noted the item in the last minutes regarding a town flag and wondered if the Town Council needed the services of the same 'vexillologist' who had advised Appleby Town Council? It was resolved that the flags were really more like banners! Re Planning a process was in hand to amend instructions to the public to include a description of material planning considerations because people don't know how to comment effectively, the public space protection order signage would proceed without waiting for the rebrand of Eden District Council and lastly Cllr Kendall announced that this would be her last meeting as a District Councillor for Kirkby Stephen. She felt that her inability to drive was jeopardizing the extent to which she could be useful in the town. The chairman proposed a vote of thanks to both Valerie Kendall and Trevor Ladhams who was also retiring. Trevor had served 5 terms over 20 years and had done great service to the town. He was unable to attend this meeting for health reasons and the Council sent it's good wishes. Cllr Kendal was presented with bouquet of flowers. Cllr Johnstone also recorded her thanks to Town Councillors Judy Sowerby and Glenys Lumley for their contributions to the Town Council neither were standing for the next council.

Participation of County Councillor Phil Dew.

Cllr Dew Spoke to a report given as Appendix 1.

A traffic survey would be carried out on Faraday Road to determine the extent of speeding following a resident raising their concerns at the previous Town Council Meeting. A routine Care Quality Commission inspection of the Upper Ede Medical Practice has been carried out. A 'Living Well Coach' has been appointed as part of a social prescribing approach. Cllr Dew had attended a fundraising launch of the Base Resilience Project for Kirkby Stephen Mountain Rescue aiming to improve facilities at the team's base in Kirkby Stephen. Upper Eden Heritage Railway: more volunteers were needed to help with catering, a campaign to stop infilling of two key bridges was underway and the new Cumbria Wildlife Trust car park at Smardale will soon be open. Cllr Dew had raised the problem of HGVs on the A685 with the PCC. The PCC planned the increased use of CCTV in outlying towns to be funded by Local Councils. The Chairman commented that she had only learned of these plans in the press. Cllr Dew had attended another MASCG meeting. He had raised dissatisfaction with the Draft Appleby Fair Strategy 2019-2022 and asked for clarification on the police numbers available in Phase 1 of the fair (less than had been

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promised by the Gold Commander). Town Councillors were dismayed to hear this. No additional temporary stopping places have been identified and the use of Cote Moor was proposed. EDC have a duty to find additional stopping places. Pedestrian safety in the Town is an issue. Positive achievements so far in the proposed policing of town during the 2019 Appleby Fair include: Increase in Police numbers, CCTV installed, On-street drinking orders imposed. The A685 carriageway will be kept clear, A 101 (Appleby) menu option to be available, Police meetings daily.

The cultural evening is going ahead on Monday, 29 April, 2019 adverts are posted in the town. Cllr Dew encouraged councillors to attend.

Participation of Police

(None)

18/164 **Apologies.**

(None)

18/165 **Declarations of Pecuniary Interest.**

(None)

18/166 **Minutes.**

The minutes of the meetings held on the 5 March 2019 were approved as a true record subject to a number of alterations required by Cllr Dew regarding his participation.

18/167 **Planning**

19/0198, Site address: 22 ST LUKES ROAD, KIRKBY STEPHEN BUSINESS PARK KIRKBY STEPHEN CUMBRIA, CA17 4HT Description: Construction of a B1/B2/B8 Industrial building.
Supported

18/168 **Planning**

19/0123, Site address: THE EDEN EMPORIUM, MARKET STREET KIRKBY STEPHEN, CA17 4QT Description: Change of use from A1 Antiques shop and cafe back to its original use class D1 place of worship.
Supported

18/169 **Planning**

19/0109, Site address: 8A PENNINE VIEW, STATION ROAD, KIRKBY STEPHEN, CA17 4SZ Description: Part change of use of 8A Pennine View, Station Road, Kirkby Stephen from residential to child minding Services.
Supported.

18/170 **Conservation Area Appraisal**

A small group met with Paula Smith, Conservation Officer, Planning and Economic Development Team, Eden District Council on 13th March and the following have agreed to be involved going forward Ann Sandell, Anne Taylor, Margaret Gowling, Jim Poulson for Upper Eden History Society plus Councillor Dorothy Thornton. Following the meeting Paula has provided a revised brief to include a word count and fill in a few gaps.

Ann and Margaret are now working through item '2. An account of the town's historical, social and economic development.' in timeline order in quoting published facts working mainly from our knowledge and known sources. There is also a need for some historical development for the nearby area to be included and this boundary area has been reduced at our request. This will be followed by more in-depth character appraisals for the distinct areas of the town. The new

timescale is Summer 2019.

Paula has said that it her intention to include the, long awaited, Management Plan within the appraisal documents. It will be necessary to consider those items that are historically important within the Conservation Area that may require additional protection. Suggestions so far include railings and cart stones. It is usual to include any historical assets like windows, doors and chimneys.

Cllr Thornton commended Ann Sandell for the very substantial amount of work she had undertaken to do. The Clerk raised concerns about the very short notice (one day) given to participants in the process and had spoken to the Conservation Officer to request reasonable lead times for meetings.

18/171 Licence to Occupy/Staffing Matters

The draft 'Licence to Occupy' had been returned. Cllr Birtles had reviewed it and it was agreed that he would respond to pursue a number of queries about wording he had previously requested which had not been implemented. It was noted that there had still not been a formal exchange of documentation between the Town Council and the Library service as to a service level agreement or staffing roles. It was agreed to keep the situation under close review.

18/172 Devolution

An update was given regarding the restrictive covenants proposed by Eden District Council on assets proposed for devolution at Stoneshott Toilets/carpark as discussed at a meeting of Eden District Council's Executive on the 5th March. Councillors had been circulated with the minutes of that meeting.

The Executive had resolved (without reference to the Town Council) that the transfer would take place subject to a restrictive covenant to be imposed at the discretion of the Head of Legal Service. It was agreed that restrictive covenants could potentially devalue the assets and be a consideration for councillors as to whether to proceed. It had been specifically agreed by Jane Langston and Neil Buck in meetings with the Town Council that there would be no covenant. It was therefore felt that the agreement reached by these officers had been effectively undermined by Legal Services who had not been party to the negotiation.

As the minute of the executive was a decision of the council. The resolution could not be revisited for six months. It was agreed to defer further discussion until the formation of the new council had been completed.

18/173 Clerk's Report

Correspondence had been received from a parishioner asking for the council to justify the increase in its precept. The clerk had replied and the reply was read out. It was **resolved** that the reply should form the basis of a statement in the community newsletter.

Correspondence was read out from Inspector Jo Walker announcing a reduction in Police numbers for the Appleby Fair Period over that previously announced to the council by the Gold Commander. It was **resolved** that the Clerk would write to express the council's disappointment. A proposal had been received in respect of the Picturing Kirkby Stephen initiative proposed by artist Karen McSkimming. It was **resolved** to offer a 'Kirkby Stephen Town Council' prize of £50 to be awarded for the best entry from a Kirkby Stephen Grammar School pupil.

18/174 Portfolio Reports

Portfolios.

Town Council Administration. JJ.

The Council recorded its sincere thanks to outgoing councillors Judy Sowerby and Glenys Lumley for their service.

Community Planning. AB.

Kirkby Stephen All Weather Pitch update. AB noted that he had prepared and circulated a record of the tender process and actions adopted by Kirkby Stephen Sports Association which had been acknowledged as satisfactory by Eden DC’s signature fund administrators. The KSSA was clear to appoint contractors.

A proposal had been received from a local shop owner for the support of a Kirkby Stephen Banner project. 48 businesses had committed to buying a banner and the project had a total cost of £813.20. It was resolved that the Town Council would contribute £333.20 from Town Forum Funds to the cost of the project.

Community. PR.

Highways. JS.

The slow rate of change of the traffic lights in the town centre was noted as an item for possible future attention and monitoring. MW had been looking into companies who operated electricity charging stations for electric cars.

Open Spaces. DT/JJ.

It was noted that the Chairman had ordered the summer plants.

Property. DM/DG.

Tourism & Events. MW.

AB had attended an Eden Tourism Launch; the event had been a productive networking evening with presentations on the use of Cumbria Tourism’s Data and the Westmorland Dales Landscape Initiative

Mountain Rescue had held its 50th Annual Meeting and launched a Resilience Plan to improve its base in Kirkby Stephen and its ability to respond to emergencies.

Marshalls had volunteered for the Easter Rally and a payment of £1000 was approved to Encounter Eden.

18/175 **Finance**

Payments were approved as follows:

- 22/03/2019, Companies House, 000009, V179, £15.00
- 25/03/2019, Craig Chamberlain, BACS, V180, £102.60
- 25/03/2019, Lee Modlin, BACS, V181, £75.00
- 25/03/2019, The Supermarket Online, BACS, V182, £100.60
- 01/04/2019, System IT, DD, V5, £36.00
- 14/04/2019, Plusnet, DD, V6, £66.91
- 01/04/2019, Waterplus.co.uk, BACS, V1, £140.24
- 01/04/2019, Cumbria CVS, BACS, V2, £52.50
- 01/04/2019, Cumbria CVS, BACS, V3, £10.00
- 01/04/2019, J Popple, 000010, V4, £127.50
- 25/03/2019, Salaries, BACS, V183-187, £3, 360.91
- 31/03/2019, Nest, BACS, V188, £72.59

18/176 **Finance**

The Bank reconciliation was approved as follows

Balances Remaining

VAT to be reclaimed	-£5,591.65
Street Cleaning	£3,507.69
Open Spaces	£4,427.75
Grants	£1,997.88
Administration	£2,710.83
Community & Council Centre	£17,553.15

Miscellaneous	£8,297.93
Cloisters	£194.30
Market	£8,394.35
Allowances	£0.00
Calor Fund	£1,937.44
Total	£43,429.67

Bank Reconciliation Kirkby Stephen Town Council at 31/03/19

Balance B/fwd	£47,930.20		
Receipts in	£744.03	Payments out	£5,244.58
		Balance C/fwd	£43,429.65
Totals	<u>£48,674.23</u>		<u>£48,674.23</u>

Diffce £0.00

Bank Balance C/fwd

Market	£0.00	
HICA	£0.00	
Current	£0.00	
Cumberland	£43,517.24	£43,517.24
<u>Add</u> o/s rec'ts		£0.00
<u>Less</u> o/s chqs		-£87.59
		£43,429.65

18/177 Exclusion of Press & Public

It was resolved to exclude the press and public by a resolution of the council on the grounds that publicity would prejudice the public interest by reason of the confidential nature of the business in respect of the following agenda item.

PART TWO

18/178 Staffing Matters

[REDACTED]

18/179 **Chairman's report on staffing matters**

[REDACTED]

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Chairman

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Date

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Chairman's Initials

Appendix 1

Report to Town Council meeting 5 March, 2019 – County Councillor, Phil Dew.

Highways

The Eden Traffic Management Officer visited KS on Wednesday, 27 March 2019. The double yellow lines at the junction of Brougham Lane and Faraday Road will be completed in due course. A traffic Survey will be carried out on Faraday Road to determine the extent of speeding. The parking bay on Market Street outside McColl's is due for completion this year. The Charter Stone will be left in place. Proposed new waiting restrictions on Hartley Road will go out for consultation.

Upper Eden Medical Practice [UEMP]

A routine Care Quality Commission inspection of the practice was carried out on Friday, 15 March, 2019. The report is awaited with interest. I visited the practice on Friday, 22 March, 2019, and met [REDACTED] the Practice Manager. The practice is in good heart and has a full complement of GPs but some patients are still failing to notify missed appointments. There are ongoing plans to extend the facilities in Kirkby Stephen. A Living Well Coach – [REDACTED] – has recently been appointed as part of a social prescribing approach to health care. Practices are being organised into Primary Care Networks which is the latest central government initiative. This process has to be completed by the end of May, 2019.

Kirkby Stephen Mountain Rescue Team [KSMRT]

Last year KSMRT celebrated its 50th anniversary. On Tuesday, 26 March, 2019, I attended the launch of the Base Resilience Project at the Westmorland Hotel, Tebay. The aim is to raise £40,000 to improve facilities at the team's base in KS.

Upper Eden Railway Heritage Partnership [UERHP]

A meeting of the UERHP, which I chair, was held on Monday, 25 March, 2019. There is a need for more volunteers to help at Kirkby Stephen East Station – especially those with a food hygiene qualification to help staff the buffet car. There is an ongoing campaign to prevent the proposed infilling of two key bridges [by the Historical Railways Estate] on the Kirkby to Waitby road. The new Cumbria Wildlife Trust car park – located in Smardale - is due to open [officially] in May.

Police and Crime Commissioner [PCC]

I visited the PCC, Peter McCall, on Friday, 22 March, 2019, to discuss the ongoing arrangements for AHF. The PCC is keeping a close eye on developments. I also mentioned the continuing problem of HGV violations of the 18T weight restriction on the A685. I asked for a simplified method of reporting vehicle numbers. The PCC mentioned his plans for the increased use of CCTV in outlying towns.

Multi-Agency Strategic Coordinating Group [MASCg]

I attended my second MASCg meeting on Monday, 25 March, 2019. I expressed the general discontent felt with the Draft Appleby Fair Strategy 2019-2022 - the consultation process was inadequate and the draft strategy needs much more work. I asked for clarification on the police numbers available in Phase 1 of the fair – which has since been forthcoming. No additional temporary stopping places have been identified and the use of Cote Moor was discussed. I expressed in the strongest possible terms the resident's opposition to any relaxation of the current order restricting encampments on Cote Moor. Going forward EDC will need to be more proactive in

finding additional sites. There is an ongoing plan to board up railings in Kirkby Stephen - at the discretion of the owners – in order to prevent the tethering of horses. The concern is that this might simply exacerbate the problem elsewhere in the town if it is done in a piecemeal fashion. No solution has yet been found to sulky racing or horses in general. From a health and safety perspective horses and pedestrians simply do not mix. More work needs to be done on this issue. When all is said and done, officers are genuinely doing their best to make improvements.

From a general point of view progress has been made. Police numbers will increase and their response will be more robust. CCTV cameras and body-cams will be used to gather evidence of law-breaking. PSPOs have been posted and on-street drinking will not be tolerated. Encampments will be restricted on the A685 and the carriageway will be kept clear. A dedicated 101 hotline will be available to report incidents. Daily Community Action Group meetings will be held to gather feedback. There will be an RSPCA presence to oversee animal welfare.

The cultural evening is going ahead on Monday, 29 April, 2019, and I hope people will make an effort to attend. I am visiting Billy Welch at his home in Darlington on Thursday, 25 April, 2019. I hope we will be able to work together to make the 2019 fair a success for all concerned.