

## 01 October 2019, Kirkby Stephen Town Council

### Ordinary Meeting

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 6.45 pm at Local Links

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**Attending:** Cllrs J Johnstone, M Walker, G Wren, C, Lynch, A Birtles and 4 members of the Public.

#### **Public Participation.**

A member of the public congratulated the Council and Kirkby Stephen Community Arts on the SPOKE Celebration connected to the Tour of Britain. It was agreed that the events had been very well received.

Following the SPOKE event, it was noted that the owners of Pennine Park had expressed committed interest and support for the Jubilee Park Project and interest in linking the two sites in some way. It was agreed that Cllr Wren would meet with them and Kirkby Stephen Community Arts to discuss it further. Councillors agreed that the treatment of the hard standing and perimeter of the park should be considered for inclusion in an eventual scheme at the entrance to the park.

Cllr Walker had attended the Eden Tourism Network meeting and had learned that the LEP is in a position to offer substantial Capital Funding for projects which will be completed by 2021. Expression of interest forms are available from Corrine Watson.

[Corrin.watson@thecumbrialep.co.uk](mailto:Corrin.watson@thecumbrialep.co.uk).

#### **Participation of District Cllrs S Lancaster/P Dew (EDC/CCC).**

Cllrs Dew and Lancaster were absent. Cllr Dew was attending the Eden District Council consultation on its plan to 2023 and had contributed a written report which was read out by the Clerk and which is appended as Appendix 1.

#### **Participation of Police**

No report from PCSO Janet Allinson was available.

19/069 **Apologies, Cllrs Thornton (Holiday), Lancaster (Unwell), Richardson (Holiday), Cllr Dew EDC/CCC**

19/070 **Declarations of Pecuniary Interest.** Cllr Birtles Declared a Pecuniary Interest in Agenda Item 4 (19/072) Planning 19/0598 and signed the register accordingly.

19/071 The **Minutes** of the meeting held on the 3 September 2019 were approved as a true record subject to minor amends.

19/072 **Planning** 19/0598 Site address: Hewitson & Harker LAND TO THE REAR OF 22A - 2B MARKET SQUARE, KIRKBY STEPHEN, CA17 4QT.  
(Cllr Birtles left the room for discussion of this item.)

A member of the public neighbouring the proposed development site spoke opposing the proposed development. The following issues were raised:

- Change of character from green space to developed townscape within the conservation area.
- Loss of a mature, established tree-lined boundary.

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- Over powering neighbour's garden space to rear of adjacent property.
- Loss of light arising from linear development adjacent to and along the southern boundary of the neighbouring property.
- Loss of habitat for Bats, Squirrels and Owls.
- Exceptional difficulties arising from the absence of parking arrangements for residents. The existing parking arrangements were difficult. It was anticipated that in addition to the parking required for cars connected to the eventual occupants of the proposed development. Existing parking arrangements would need to be altered to facilitate emergency access from the congested market place area displacing more vehicles that were currently habitually parked at the access to the site.
- Arrangements for the delivery of materials to site given the restricted access would require careful management.

Councillors had previously responded to a pre-application consultation on the 4<sup>th</sup> June and the minute 19/032 from that meeting read: 'Councillors agreed that the development as proposed would not overlook anyone and was well designed. However, there was no parking included with the scheme and it was feared that up to six residents' vehicles could be looking for parking in the public areas of the town and contribute to town centre congestion. It was noted that the site could be made accessible to vehicles from the direction of Mellbecks/Stoneshot. For new houses there was generally a requirement for parking as follows: 2 cars for 2 bedrooms. 1.5 cars for 1 bedroom. It was agreed that the council would only support the scheme were parking for at least one car per house included.' It was noted that these previously expressed concerns had not been addressed. Councillors accepted that there were further grounds for objection based on the loss light and overbearing impact on the neighbouring property which they had not previously considered.

Councillors **OBJECT** to the proposed development on the grounds of: Loss of Light/Overlooking and Highways and Access Concerns. In addition, it was agreed that the trees on site were of value and that loss of habitat was an issue of concern. It was agreed that the clerk would contact Eden DC Planning to enquire as to the arrangement of a site visit including access to the neighbouring property.

19/073 **Planning.** 19/0608 Site address: GORTON HOUSE, MARKET STREET KIRKBY STEPHEN, CA17 4QW. **SUPPORTED.** Previous concerns had been expressed about the condition of this building and its conservation around this proposition of new use was very much welcomed.

19/074 **Vacancy for a councillor** It was **RESOLVED** to re-advertise the vacancy for a period of 14 days.

19/075 **Eden District Council Plan Consultation**  
Councillors reviewed the comments they had contributed to the Town Council's response.

It was agreed that there was a common view as to the need for specific and measurable targets and that the ambitious target of Zero Carbon by 2030 was simply not achievable within the district council's powers (for example it had no control of road and transport infrastructure) Councillors agreed that specific measurable targets were a better and more relevant measure.

Cllr Wren did not feel that sustainability was an appropriate first consideration for Eden District. Councillors agreed that the District should have a continuing role in the direct provision of council owned houses and that it should not seek to make housing

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unaffordable by adopting environmental performance measures that made housing unaffordable.

There was concern about the impact of green policies on tourism.

The council's full response can be seen here:

<https://www.kirkby-stephen.com/app/uploads/20101002-Kirkby-Stephen-TC-Response-to-EDC-Plan-consultation.pdf>

19/076 **Finance**

Receipts and payments were approved and ratified including approval in principle of Salaries, PAYE & NIC as follows:

August Schedule <https://www.kirkby-stephen.com/app/uploads/20190903-Bank-Rec-Payments-for-Approval.pdf>

September Schedule <https://www.kirkby-stephen.com/app/uploads/20190930-Bank-Rec-Payments-for-Approval.pdf>

The bank reconciliation for the months of August/September was also approved with a closing balance of £98,657.17 & £96,045.29 respectively.

19/077 **Signature Fund/ All Weather Pitch**

Councillors specifically **RATIFIED** the payment of £75,000 (No 154 – 13/9/2019) to Kirkby Stephen Community Sports Association from Eden District Council's Signature Fund Award. This Payment had been made with the specific approval of each councillor as follows: by email 13/9/2019: Cllrs Johnstone, Birtles, Lancaster, Lynch, Richardson, Walker, Wren (text) and Thornton (Phone). Ordinarily a payment of this size would be made after a council meeting. It was noted that:

- KSTC received a grant of £75k to pass to the Kirkby Stephen Sports Association on Friday 6th September.
- The grant was conditional on the Grammar School making a substantial award from the proceeds of the sale of land, this has been confirmed in an email/letter dated 11 July 2019 from Garry Hartley the Head Teacher which is held on file by the Clerk.
- The conditions of grant allow Eden District Council to 'claw back' the grant from the Town Council if the project is not fully executed or if the project is underspent.
- The grant has been released to us later than expected and requested by Eden DC and has been made ahead of this meeting 13 September 2019 because KSCSA now had a stressed cashflow having acted to commission the works in good faith on the announcement and confirmation of the award when the work could be commissioned in the school holidays with a minimum of disruption.

19/078 **Clerk's report/Correspondence**

A member of the public had written to complain about an opinion piece in the Newsletter. It was not felt appropriate to offer a letters page or a 'right of reply' because the publication was relatively infrequent and the relevance of replies would be affected by untimely publication. It was **AGREED** that opinion pieces would be discouraged. The contribution of KSGS Work Experience student Sam Holmes was recognised. He had completed a database of commercial premises in the town and was thanked for an excellent piece of work.

It was **AGREED** that the clerk would look into the provision of signage at Mellbecks following an approach from a member of public.

The Council had made 6 recommendations for scrutiny topics to Eden District Council. The minutes of the Scrutiny Co-ordinating board of the 18 July did not reflect that any of the council's suggestions had been considered. The council's previous requests for scrutiny through Eden District Ward Councillors had also not received attention. It was **AGREED** that the clerk would write to the chairman Cllr D Banks to enquire whether the Town Council's submission had been considered.

Evergreen Building. There had been reports of an alarm ringing at the Evergreen Building. It appeared that there had not been any trespass burglary.

Leaf blower. It was **AGREED** to purchase a Leaf blower for use in the Town Centre.

19/079 **Portfolios**

To receive reports if available:

1. Town Council Administration. **Community Newsletter redesign feedback**, The Chairman and Council congratulated the Council and Community Centre Manager on the new look Newsletter which was a significant improvement. It was noted that the Newsletter had actually been produced at a lower cost than previously.
  2. Community Planning. AB had attended a recent meeting of the **Eden District Council Communication Peer Challenge Group** where the positive contribution made by officer was recognised and communication issues more broadly challenged.
  3. Community. The **All Weather Pitch** opening on the 28<sup>th</sup> had been an excellent event with good family atmosphere, councillors were delighted by the presence of the new facility and it was recognised that new life had been breathed into the Town The Chairman singled out EDC's Doug Huggan, Claire Smithson, Andrea Dixon and Cllr Birtles and for their contribution to the fundraising effort and Cllr Birtles excellent speech at the opening. Cllr Birtles noted that the Kirkby Stephen Community Sports Association had been discussing the need for a more active involvement amongst its trustees with the community at large. Councillor Wren confirmed that she would like to put herself forward for a role as trustee which was welcomed.
  4. Highways. None
  5. Open Spaces. Cllr Johnstone had arranged for a clear up at the **Masonic Hall Gardens** ahead of the **Walkers are Welcome** meeting. Cllrs Johnstone, Thornton, Richardson and the Clerk would meet Mid October to develop a new green spaces maintenance plan.
  6. Property. AB would look into the current standing of the licence to occupy agreement at Local Links.
  7. Tourism & Events. Feedback on the Tour of Britain and **SPOKE** organised by Kirkby Stephen Community Arts. SPOKE was series of free events over three days to celebrate the Tour of Britain visiting Kirkby Stephen on 10th September promoting the town and neighbouring parishes as a visitor destination. KTSC in partnership with Kirkby Stephen Community Arts devised a 3-day festival of events linking cycling with participatory arts and performance. Over the 3 days SPOKE engaged with over 2,000 people, served 204 free drinks and ice-cream, gave away over 500 free snacks, relied on 32 volunteers, hosted 2 student work placements, and used 14 local suppliers for goods and services. SPOKE involved over 700 pupils from local schools and we distributed 500 Education Activity Packs. KSCA has plans to revive CHEER! during the 2020 Tour of Britain in another UK town – spreading Kirkby Stephen's name to other communities. Media Coverage was extensive and positive for Kirkby Stephen. A full report can be found at Appendix 2. The Chairman proposed a vote of thanks to Councillor Lynch for bringing the festival together.
- Xmas Trees and Lights** the Clerk would prepare an offer/order form regarding town centre Christmas Trees for circulation to Town Centre Traders, Christmas Lights Switch on would be 29<sup>th</sup> November. A theme for Christmas Windows needed to be resolved. **Easter Rally 2019** feedback was positive however Encounter Eden will be withdrawing from

future events meaning that the event is sustainable only on the basis of locally organised volunteers acting to organise and run it. It was said that the Railway would not be seeking involvement in the Rally because it diluted their effort at the station it was agreed that the **Easter Rally 2020** was in jeopardy and would require further consideration. **Walkers are Welcome Gathering**, It was agreed to present the Japanese visitors with a ceramic thimble celebrating the Loci Stone as a souvenir of their visit, the clerk would write a letter of explanation to accompany the gift. Cllr Walker would arrange for the reading of the Market Charter on the 26<sup>th</sup> October.

19/080 **Date of next meeting**  
12 November 2019 (Quarter 2 Finance + Budget Review)

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**Chairman**

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**Date**

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**Appendix 1**  
**Report of County Cllr Phil Dew**

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**Highways**

The traffic management officer visited Kirkby Stephen on 20 September, 2019, as planned. Keep clear markings will be painted at various strategic points in the vicinity of The Crescent to try and improve parking. These will be replaced by single yellow lines and timed parking restrictions once a Traffic Regulation Order has been approved. The road markings will be refreshed along Market Street and in the Market Square – including those saying ‘No Entry’. The mini-roundabout has been re-marked and the warning signs will be re-aligned in due course. The timing restrictions and disabled bay outside the pharmacy will also be followed up. A cemetery sign has been ordered.

I have had a complaint about the un-adopted road off Mellbecks leading to Levens Close. The run-off is causing blocked drains and other problems. This is being looked into.

The parking bay in the vicinity of McColls is ongoing as is the review of HGV permits.

**Appleby Horse Fair**

The MASCG met on Monday, 23 September, 2019. Matthew Neal was ill and Rob O’Connor chaired the meeting. The meeting discussed at length my request for: (1) an economic impact study (2) the purchase of land for temporary stopping places (3) a group to investigate the development of an income stream to offset the costs associated with the fair. No decisions were made. Gypsy traveller representatives Bill Lloyd and Billy Welch supported my position.

Chief Inspector Rob Melloy of the RSPCA has emailed me to say that there will be an RSPCA presence in KS next year.

**Borderlands Inclusive Growth Deal**

I am hoping that Kirkby Stephen will be the market town nominated by Eden Local Committee for the Borderlands Place Programme. I will be drawing up a Place Plan and Outline Business Case in due course with the help of Kellie Bradburn-Sims our Community Development Officer. There is potential funding of three million pounds [£3m] so this could have a significant impact on the town.

**Burial Board**

The boon day didn’t take place as planned on Saturday, 28 September, 2019, owing to unforeseen circumstances.

**Astro**

I attended the opening of the new Astro pitch on Saturday, 28 September, 2019. This was a tremendous achievement and I congratulate all those who played a part in bringing the project to completion.

**Council Plan 2019-2023**

The Council Plan consultation is ongoing and I will be attending an open meeting at Rheged on Tuesday, 1 October, 2019, to hear what EDC has to say in greater detail. I spoke at the Council meeting held on 12 September, 2019, and expressed my concern about the precarious state of the Council’s finances which were highlighted in the recent auditor’s report. The Council cannot afford to be profligate with its limited resources and any programme must be cost effective.

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**Appendix 1**

**Report of Cllr Conrad Lynch 'SPOKE' a three-day celebration of cycling.**

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**SPOKE : A CELEBRATION OF CYCLING**

**8-10 SEPTEMBER 2019**

**SUMMARY REPORT**

**REMIT**

To create a free event to celebrate the Tour of Britain visiting Kirkby Stephen on 10<sup>th</sup> September, to promote the town and neighbouring parishes as a visitor destination, to promote local commerce, to engage our local community and raise the media profile of Kirkby Stephen and the Upper Eden. Cllrs Alex Birtles, Sandy Lancaster and Conrad Lynch were tasked by fellow Councillors to co-ordinate the celebrations.

**THE EVENT**

KTSC in partnership with Kirkby Stephen Community Arts devised a 3 day festival of events linking cycling with participatory arts and performance. The mini festival included a family day, musical theatre, sunset cinema and two commissioned pieces (CHEER! A dance performance made with the KOSH Dance Company & local primary school children and Katie Hale's POETRY PEBBLES which will find a permanent home in Jubilee Park).

SPOKE was generously funded by Kirkby Stephen Town Council, Eden District Council, Cumbria County Council, Yorkshire Dales National Park Authority, The Finn Family Fund, Out of Eden & The Cumberland & Westmorland Herald.

The project was supported by Westmorland Family, Cactus Creative, Sweet Spot Events, Shared Experience Theatre Company, Kirkby Stephen Silver Band, Pennine View Park, Packhorse/Pennine Events, Coop, PFK, Coast to Coast Cycles, Eden E-Motion, Costa, Pennine Hotel, KSSSC, The Mulberry Bush, Upper Eden Visitor Centre/CIC, Kirkby Stephen Parish Church, Lyon Equipment, Kings Arms Hotel, Only Willow, Stay Lambing Live, The Flower Shop, KSPS, Warcop Primary School, Brough Community Primary School, KSGS, Nelson Barn, J T Atkinson, Saddleback Coffee, Brough Castle Ice Cream Farm, Mini Eden, Mic Macs, & Hazel McWhirter.

We would also like to thank all the local businesses that dressed windows/displayed the jersey bunting, our bicycle donors and the 15+ jersey knitters.

**OUTCOME**

Over the 3 days of SPOKE we engaged with over 2,000 people, served 204 free drinks and ice-cream, gave away over 500 free snacks, relied on 32 volunteers, hosted 2 student work placements, and used 14 local suppliers for goods and services.

SPOKE involved over 700 pupils from local schools and we distributed 500 Education Activity Packs.

We commissioned two pieces of art – CHEER! and the POETRY PEBBLES both with a lasting legacy beyond the celebrations in Kirkby Stephen. There will be permanent poetry panel in Jubilee Park to mark the tours visit and we have plans to revive CHEER! during the 2020 Tour of Britain in another UK town – spreading Kirkby Stephen's name to other communities.

**MEDIA & IMAGES**

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We secured the following media coverage :-

TV - 3 News slots on ITV & 2 News slots on BBC

RADIO- 4 Interviews/Features and 1 live report BBC Radio Cumbria.

PRINT & ONLINE - 1 feature - The News & Star, 1 news item - Westmorland Gazette, 4 features/news items – Cumberland & Westmorland Herald

ONLINE ONLY - 1 feature - Stage Lady/Theatre Review, 2 articles - Cumbria Crack, 1 article - Cumbria 24, 1 feature – Cumbria Guide, 1 feature – Tour of Britain Official Guide