

## 3 December 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, D Thornton, S Lancaster, M Walker, C, Lynch, A Birtles, P Richardson.  
Cllr P Dew CCC/EDC and 3 members of the Public.

#### **Public Participation.**

A member of the public commented on the successful switch on the Christmas lights on Friday night and the favourable impression made by the council's Christmas newsletter. A member of the public commented that the development at Whitehouse Farm was ongoing with a Portacabin and toilet erected on her property boundary. A member of the public commented on the need to install double yellow lines up to the corner at Redmayne House and to control obstructive parking with double yellow lines from there, to the approach to the Fire Station at Christian Head. The heavy leaf fall was also commented on and it was agreed by councillors that the leaf blower should be 'deployed' on the Christian Head car park.

#### **Participation of Cllr S Lancaster (EDC).**

'After our last meeting I emailed the Leader and Chief Exec to ask why Kirkby Stephen was overlooked for the Borderlands funding. As yet I have not received a reply!

I've had contact with Neil Buck (EDC) with regards to the devolution of the toilets/carpark and the restrictive covenant which had been added to the agreement. He has asked the Legal Department to remove the covenant and return the forms to the Town Council to be signed. Hopefully this will not take much longer! Neil has asked Jane Langston to speak to Matthew Neal about the transfer of the Visitor Centre but I have not heard anything to date so will chase this up.

I have raised the subject yet again of EDC buying Watter Yatt but they still seem reluctant to do so. I will persevere with that one!

I have contacted the Community Warden with regards to the litter pickers required by Village Verges and we can borrow any we need for now and get them delivered to Kirkby. I have emailed Mike to ask how many he needs for now and then I will arrange delivery.

#### **Participation of Cllr Dew (EDC/CCC).**

Cllr Dew spoke to a written report appended. He touched on Eden District Council's Housing and Scrutiny Committee, noting successful prosecutions for Drug Offences and Anti-Social Driving. He noted that there were 39 key actions arising from the Council Plan 2019 23 for Eden District Council to complete by the 31<sup>st</sup> March. He touched further on his disappointment with the Borderland Inclusive Growth Deal nomination made in favour of Penrith rather than Kirkby Stephen. Cllr Dew was unhappy with the outcome of the MASCG meeting held on the 25 November. The draft Evaluation Report for the 2019 Fair which included the Action Points for the 2020 Fair was discussed. No mention was made of his request for (1) an economic impact study (2) the purchase of land for temporary stopping places (3) a group to investigate the development of income streams to offset the costs associated with the fair. Cllr Dew stated that he represented the views of 15 parishes and over 5,000 residents and therefore expected his views to be taken seriously and not ignored. He had also referred to the letters that had been sent in by several parishes and Kirkby Stephen Town Council. No progress had been made on identifying and purchasing temporary stopping places raising the prospect of a 'perfect storm' in 2020.

MASCG had also looked at the amended Encampment Protocol which specifically mentions the need to seek the views of Parish Councils and make the necessary changes.

**Participation of Police**

None

19/093 **Apologies**, Cllr G Wren (work commitment)

19/094 **Declarations of Pecuniary Interest.** Cllr Birtles Declared a Pecuniary Interest in Agenda Item 6 (19/098) Planning 19/0724 and signed the register accordingly.

19/095 The **Minutes** of the meeting held on the 12 November 2019 were approved as a true record subject to minor amends.

19/096 **Planning** 19/0822 Site address: 30 MARKET STREET, KIRKBY STEPHEN, CA17 4QW. Description: Change of use from 1no. retail unit to 2no. retail units with two associated 1no. bedroom apartments above, and alterations to change of use of former cottage from workshop and storage space to 2no. bedroom dwelling and associated works. Councillors were supportive of the scheme noting that adequate parking was provided.

19/097 **Planning** 19/0808 Site address: LAND AT LEVENS HOUSE FARM, NATEBY ROAD, KIRKBY STEPHEN, CA17 4AA. Description: Discharge of condition 2 (access road, drainage and utility services) and condition 4 (colour and type of stone, render and slate) attached to approval 18/0045.

Councillors were unable to access Eden DC planning portal owing to a service outage to examine the condition to be discharged. It was noted that the Road access to Melbecks was still incomplete with drainage issues on Melbecks being a constant problem requiring the removal of material from the development site from blocked drains and gullies despite a number of houses on site being occupied. It was felt that a site visit/inspection was required.

19/098 **Planning** 19/0724 Site address: THE BAND ROOM, MARKET STREET KIRKBY STEPHEN, CA17 4QW. Description: Change of use of workshop into two holiday apartments and associated alterations. Cllr Birtles left the room for discussion of this item. Councillors resolved to object to the application on the grounds of there being insufficient parking/road access. Parking congestion was a particular problem in this area and the development did nothing to mitigate its impact in displacing Town Centre parking.

19/099 **Evergreen Building**

It was RESOLVED that if the building was offered to the Council by the Trustees it would be accepted as a gift subject to survey/surveyor's advice. It was AGREED that, if offered/accepted, the council would seek funds to refurbish the building to an acceptable standard and then licence it for use by youth groups, without offering exclusive occupation to any one group in order to maximise the benefit of the building as a community asset.

It was RESOLVED to appoint Cllr Johnstone and Birtles to lead discussions/negotiations with the trustees/other parties and to report back to the Council in due course.

19/100 **Finance**

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

November Schedule <https://www.kirkby-stephen.com/app/uploads/20191202-Bank-Rec-Payments-for-Approval.pdf>

The bank reconciliation for the month of November was approved with a closing balance of £108,378.73.

19/101 **Internal Auditor**

The report of the internal auditor was received and noted. No action was advised.

19/102 To receive reports if available:

**1.1 Town Council Administration.** The response of the Leader and CEO of Eden District Council to the council's letter had crossed with the council's letter. EDC Chief Executive's letter was circulated and discussed. Councillors agreed that issues raised under '**Local Plan Review**' were misunderstood. The council did not plan a refresh of the Neighbourhood plan, since it was superseded by the Local Plan. A new deed of transfer regarding **Stoneshot Toilets and Carpark** had just been received for signature. The issues raised regarding a restrictive covenant had been addressed. The deed had been passed to Cllr Birtles for a technical reading and would come to a meeting in the new year for decision. Councillors were minded to accept the transfer subject to the installation of a coin operated admission system and the completion of the agreed works. The council had been signposted to sources of financial support for electric charging points which could be of relevance to Stoneshot. A commitment to the repair of damaged equipment in the play areas, prior to transfer was also given. Councillors agreed that the Clerk should approach Cumbria County Council, through the proper channels regarding adoption of the **play area to the east of South Road**, as the lease had only six years left to run, at which point the area reverted to its Freehold owner, Cumbria County Council. The Chief Executive stated that the **Visitor Centre** could be transferred, without EDC objection to the CIC, if the Town Council thought that was appropriate. The initial transfer would be to the Town Council. Councillors questioned the following statements in respect of **MASCG**, '*High Impact encampments*' occurring only within 1.5 miles of Appleby, encampments on the A685 were very high impact in 2018 and 2019 (How does this get judged) and '*enforcement of unauthorised encampments is different to Appleby*' (How & Why?) Councillors maintain their scepticism regarding the strategic priorities to which MASCG works and are disappointed by the extent to which the call of Cllr Dew for an economic impact study, the purchase of land at Watter Yatt and elsewhere for use as temporary stopping places and the establishment of a group to investigate the development of income streams associated with the Horsefair, had not been addressed. EDC's preferential treatment of Penrith in the **Borderlands Inclusive Growth Initiative** was also criticised together with the District Council's Penrith centric approach generally. Overall it was agreed that the meeting had been productive and had resulted in a number of issues being expedited. It was AGREED that the Chairman would make a further response including a reference to THE Town Council's request for a biannual meeting.

**1.2 Town Council Administration.** Councillors were reminded to advise the Clerk of budget items which they felt should be incorporated into the draft budget before the end of December. The January meeting would set the budget and precept for the 2020 2021 year. Cllr Birtles suggested that the council should make some provision

for youth initiatives in view of likely developments at the Evergreen Building on Redmayne Road.

1.3 **Town Council Administration.** A member of the public had approached the council as to acting as a co-optee. The clerk would be meeting with them tomorrow and it was hoped that a co-option to the council's vacancy could be effected in January.

2. **Community Planning.** It was agreed that the council would write a letter of support to the **Brough Memorial Trustees** in their bid for permanent equipment.

3. **Community.** An possible organiser for the Easter Rally was researching the Rally with a view to deciding whether to act as an organiser going forward.

4. **Highways.** None.

5. **Open Spaces.** The council placed on record its thanks for the tremendous voluntary effort that had gone into the Xmas Lights and Xmas Windows. There were thanks for the lighting teams and participants in the window dressing competition. The need to replace some festoons was noted with a view to doing this in February.

6. **Property.** The **Burial Board** was congratulated on the recent boon day and the renewed commitment to raising the standard of the grounds and chapel. The difference was very noticeable and very welcome.

7. **Tourism & Events.** Cllr Lynch had attended the **Eden Tourism Summit** at the North Lakes Hotel and drew councillors attention to information on the summit online <http://www.visiteden.co.uk/tradesection/business-support-and-engagement/eden-tourism-summit>

Much of the discussion had focussed on Green Issues/Practice, Brexit and their implications for inbound tourism. Eden had seen the largest increase in occupancy rates. A shortage of staff, Parking, Rail and Online were all listed as key issues.

To resolve 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 2---

19/103 **Staffing Matters.**

[Redacted text block]

19/104 **Date of next meeting.**

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**Chairman**

.....

**Date**

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*Chairman's Initials*

**Appendix 1**  
**Report of CCC/EDC Councillor Phil Dew**

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**Report to Kirkby Stephen Town Council – December 2019**

**Highways**

Planned highways work is ongoing. Please inform me if grit bins need replacing/filling.

**Appleby Horse Fair**

The MASCG met on Monday, 25 November, 2019. We discussed the draft Evaluation Report for the 2019 Fair which included the Action Points for the 2020 Fair. No mention was made of 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 income streams to offset the costs associated with the fair. I pointed out that I represent the views of fifteen parishes and over 5,000 residents and therefore expect my views to be taken seriously not ignored. I also referred to the letters that had been sent in by several parishes and Kirkby Stephen Town Council all of which were summarily dismissed by the Chair, Matthew Neal. A compromise was eventually reached and I await the final report with interest. Unfortunately no progress has been made on identifying and purchasing temporary stopping places so we face the prospect of a perfect storm in 2020. Interestingly we also looked at the amended Encampment Protocol which specifically mentions the need to seek the views of Parish Councils and make the necessary changes. EDC should act on its own high sounding words. I have received no response to my personal representations to the Leader of the Council, Virginia Taylor; the Chief Executive, Rose Rouse; or the Director of Corporate Services, Matthew Neal.

**Borderlands Inclusive Growth Deal**

Penrith was duly nominated as the 'small market town' for Eden District at the Local Committee Chairs and Leadership meeting in Kendal on 15 November, 2019, despite my objections. I suggested that the three million pounds [£3m] would be better shared out among the four Eden towns but that idea was rejected out of hand.

**Burial Board**

Hazel is currently drawing up a plan of the new cemetery so that a comprehensive and definitive record exists which shows the location of each grave.

**Kirkby Stephen Youth Provision**

I am in favour of KS Town Council taking responsibility for the Evergreen Building and carrying out essential renovation work. The issue of youth provision needs to be considered carefully before any formal commitments are made.

**Council Plan 2019-2023**

I am waiting, with interest, to see the detailed delivery plans for 2019/20, given that there are 39 key actions to complete by the end of March 2020, in three months' time.

**EDC Housing and Communities Scrutiny Committee**

The committee met on Thursday, 21 November, 2019, and received a presentation from police officers who are part of the Eden Proactive Team. The team deals mainly with public order issues, drug offences and anti-social driving. There have been a number of successful prosecutions and this has led to a reduction in incidents. Officers encouraged members of the public to report issues of concern.

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*Chairman's Initials*

**Christmas Hampers**

Liz Wright the Children's Rights Officer for Carlisle and Eden is putting together Christmas hampers for the 35 young people who have recently left care in Carlisle and Eden. **A list of suitable items can be obtained from our Community Development Assistant [email amy.frith@cumbria.gov.uk].**

**Conservative Candidate for Penrith & the Border Constituency**

I have met, and spoken to, Dr Neil Hudson, the Conservative candidate for Penrith and the Border, and think that he will represent the constituency well if elected on 12 December, 2019. If he is successful, Dr Hudson will be the only vet in parliament.