

14 January 2020, 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

Starting at 6.45 pm at Local Links

Attending: Cllrs J Johnstone, D Thornton, S Lancaster, M Walker, C, Lynch, A Birtles, P Richardson, G. Wren.
Cllr P Dew CCC/EDC and 2 members of the Public.

Public Participation.

A concern was raised about how the town puts in place cover for key public service roles. The school crossing was currently out of operation owing to sickness. Cllr. Dew noted that Cumbria County Council did not have an obligation to provide cover for this service. It was requested that this matter be followed up with County.

In respect of the proposed 'Kirkby Stephen Bench Walk Project' it was said that the council did not have a list of its benches. The clerk noted that the list compiled by a former councillor had been supplied on the 6 January 2019. The organisers had offered to visit and check benches and supply photographs/notes on condition

Complaints had been received regarding the decommissioning of a building mounted street light at in the ginnel adjacent to Costa Coffee. It was noted that some other local councils had entered into agreements with building owners to maintain exterior lighting on their properties and this was significantly cheaper than installing a street lamp in the pavement. There were many such ginnels linking the main street to Faraday Road and Mellbecks. Cllr Dew felt that residents walking at night needed to take some individual responsibility and carry torches if they knew they would be walking such a route.

Participation of Cllr S Lancaster (EDC).

Cllr Lancaster spoke to a written report given as Appendix 1. She touched on issues regarding recycling and rubbish collection, she did not support a fortnightly service. She noted proposals to change/simplify Eden District Council's scrutiny processes. & ITV filming in Kirkby Stephen (coverage of the Town's successful High Street) Together with proposals to reduce member representation of the Yorkshire Dales National Park Authority.

Participation of Cllr Dew (EDC/CCC).

Cllr Dew spoke against the proposals to simplify/reduce Eden District Council's scrutiny process.

In his report he touched on the likely future role of Eden District Council's Director of People and Place (Les Clark) in leading on Appleby Horsefair for Eden District Council and the recognition given to the Cumbria Constabulary for their successful policing in the district. He concluded that 'we were well served'.

He also thanked the people of the town for their encouraging response to the appeal for Xmas gifts/support for the county's care leavers. County officers had been delighted with the positive response and he noted that opportunities for continuing support would be developed.

Cllr Dew noted a suggestion that KS station should be developed as a key transport hub with a café and visitor centre and a 'free bus' subsidised by the rail operator Arriva Rail North.

Cllr Dew asked the council to consider CCC/EDC plans for the Kirkby Stephen to Brough cycleway (5th on a list of CCC Highways Transport Improvement Schemes). He felt that a contribution of £5k from Kirkby Stephen Town Council would move the scheme to the top of the list and invited the council to consider this. One way of ensuring the project is prioritised over other schemes was to make a financial contribution. Cllr Dew invited the Councillors to consider this proposition.

Participation of Police

None

19/105 **Apologies, None**

The Chairman welcomed Rachael Girvan to the meeting as an observer. Mrs Girvan had expressed interest in being co-opted as a councillor.

19/106 **Declarations of Pecuniary Interest.** Cllr Birtles declared an Interest in Agenda Item 7.3 and signed the register accordingly. Cllr Richardson declared a Pecuniary Interest in Agenda Item 7.3 and signed the register accordingly.

19/107 The **Minutes** of the meeting held on the 3rd December 2019 were approved as a true record.

19/108 **Finance** Receipts and payments were approved and ratified including forward approval in principle of regular payments salaries, PAYE & NIC as follows: December Schedule <https://www.kirkby-stephen.com/app/uploads/20200102-Bank-Rec-Payments-for-Approval.pdf>

The bank reconciliation for the month of Decemeber was approved with a closing balance of £98,183.59.

19/109 **Finance 3rd Quarter Budget Monitor**

The Clerk presented the third quarter budget monitor (<https://www.kirkby-stephen.com/app/uploads/20200102-3rd-Qtr-Budget-Monitor-rev-8-Jan.pdf>).

Councillors were asked to note that the budget outturn (Column D line 53) had been revised to £62,049.

19/110 **Finance 2020 2021 Budget**

The Clerk gave a presentation on the draft budget. Figures had been prepared on a historical cost basis and based on this year's in year expenditure. Increments of salaries had been taken into account and an inflation allowance based on the CPI of 1.7 % (ONS) had been applied selectively. Since the budget had been prepared Eden District Council had given an updated figure for it its index linked SLA Street Cleaning of £7160, a minor change. Table 1 showed the draft budget for 2020 21 by heading as given in the budget monitor. Draft Precepts for each were shown on the basis that they would balance the budget.

The clerk drew councillors attention to Table 2 showing precept, other income, expenditure and reserve. Lines 1 to 3 used the audited figures from the council's annual accounts, lines 4 used the estimated budget figures for 2019 20 presented when the budget was set in the previous year and line 5 used budget figures from Table 1 which could be amended in the meeting.

Councillors noted that there was a discrepancy between the revised budget outturn projected for 2020 21 shown in the 3rd Qtr. budget monitor of £62,049 and the figure used in line 4 table 2 of £47,549. The figures had been prepared on this basis because in year transactions had significantly distorted the budget particularly in respect of the restricted funds received and disbursed in respect of Lady Anne's Way and the Signature Grant Funding of the All-Weather Pitch.

Councillors were asked to bear in mind an increase in restricted reserves and two exceptional transactions, an over budget recovery of £6,094 (19/109) of vat ending in the current year and dating back to 2017 18 together with an unpaid/unclaimed figure of £5k budgeted for and due on signature of an agreement for the council's occupation of the Local Links building which was unlikely to fall in the year ending 2020. As both of these were in the council's favour councillors were free to reduce the precept to take account of them.

Councillors were reminded of the briefing they had received in the previous year regarding the council's low reserves. The clerk noted that while auditors did query high reserves (2.5 x precept for local councils) Low reserves were not raised as an audit matter! The council could hold a reserve in excess of £200k without raising an audit query. The estimated position at 31 March 2021 was approximately £55k. The council was asked to bear in mind the need to hold an increased reserve arising from the proposed devolution of assets from Eden District Council (Toilet Block and Carpark at Stoneshot) and a possible transfer of the Evergreen Building to the council. In addition to the clerk's expressed concern that the historically low reserve be incrementally increased.

Councillors went through each budget heading item by item noting proposed increases in expenditure of £3,000 on the maintenance of the cloisters together with increased expenditure on tree management, Edensyde and open space maintainance. A significantly increased grant of £1,500 was proposed for Jubilee Park anticipating the costs of a tree survey and to create a small contingency for further works preparatory to a bid to the Heritage Lottery Fund. Provision of £1,500 for youth work was also suggested in the grants budget. Grass cutting was estimated at £5,700.

Table 3 shows that the draft budget showed the Band D precept at £149.28 an increase of 14.33% in the previous year and an actual increase of £18.71 annum

19/111 **Precept**

Cllrs Birtles and Richardson declared an interest and signed the register in respect of agenda item 7.3 grants and were absent from the room for discussion of grants relating to the Easter Rally £1,000 and support of the Visitor Centre £1,000.

Councillors raised the amount of budgeted expenditure proposed for the maintenance of the Masonic Gardens in Silver Street by £500.

Councillors set a total precept requirement of £94,046 taking account of £1,879 of Council Tax Reduction Scheme Grant broken down as follows:

1	<i>Street Cleaning</i>	<i>£8,169</i>
2	<i>Open Spaces</i>	<i>£13,383</i>
3	<i>Grants</i>	<i>£7,663</i>

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4	Administration	£22,694
5	Community & Council Centre	£31,886
6	Miscellaneous	£1,553
7	Cloisters	£4,577
8	Market	£0
9	Increase in reserve	£5,000
TOTAL		£95,925
Precept requirement less £1,879 CTRS		£94,046

Adoption of the budget was proposed by Cllr Johnstone, seconded by Cllr Richardson and unanimously approved. The Clerk was authorised to apply for a precept of £94,046, less Council Tax Reduction Scheme Grant by the 24 January 2020.

- 19/112 **Planning** 19/0904, LAND AT CHRISTIAN HEAD, KIRKBY STEPHEN, CA17 4HA
Discharge of conditions 3 (carriageways etc), 4 (visibility splays), 5 (access), 6 (footway link), 7 (parking), 8 (highway fence/boundary wall), 9 (construction phase management plan), 10 (landscape), 11 (construction environmental management plan), 12 (construction surface water management plan), 13 (surface water drainage), 14 (maintenance and operation of surface water management), 15 (timber acoustic fence), 16 (noise insulation) attached to approval 17/0922.
The Council reiterates its previous opposition to the application. (19/084)
“Councillors unanimously OBJECTED to the application on the grounds of Road Safety. It is considered that the proposed Soulby Lane entrance is very dangerous and that the entrance to the site should not be positioned in the proposed location. Further development is anticipated at Dargue’s Field and future development of adjacent sites should be considered. As this area serves as the drop off point for coaches at Kirkby Stephen Grammar School the council believes that road traffic engineers should ultimately redesign the layout of the junctions in this area. The road survey did not take place during a period when auction traffic was using the road and a false picture of the extent of congestion/hazard has been obtained. It is considered that a site visit is essential.”
After further discussion it was agreed that Cllr Lancaster would attend and speak at the Planning Committee to raise the council’s concerns over need for an engineered traffic solution at the entrance to the site.
- 19/113 **Planning** 19/0860, SANDWATH FARM, KIRKBY STEPHEN, CA17 4HE
Change of agricultural land to siting of 12 static holiday caravans.
The proposal was unanimously supported.
- 19/114 **Planning** 19/0877, THE GRANARY, SILVER STREET, KIRKBY STEPHEN, CA17 4RB
Proposed rear two storey extension. The proposal was unanimously supported.
- 19/115 **Planning** 19/0871, HALLS NEWSAGENTS, 8 MARKET SQUARE KIRKBY STEPHEN CA17 4QT, Listed Building Consent for the addition of information plaque adjacent to front door. The proposal was unanimously supported.
- 19/116 **Planning** PAVEMENT OUTSIDE OF TOURIST INFORMATION CENTRE, MARKET SQUARE KIRKBY STEPHEN, CA17 4QN, Siting of bronze statue/sculpture. The proposal was unanimously supported. Note that the council is the applicant!

19/117 **Planning** applications at Croglam Park and the Black Bull 19/0913 and 19/0894 were deferred to the council's next meeting on the 5th February. The Clerk was asked to consider and report back on whether a planning committee should be established to look at applications outside of the council's main business.

19/118 **Devolution of Services**

The council had not previously proposed to accept the transfer until EDC had provided a revised agreement, offered following the Leader and Chief Executive's visit last year, because the previous draft agreement had proposed that the title to the property should be encumbered with a covenant controlling the Town Council's future use and disposal of the property. The revised agreement appears to remove this condition and therefore the council is now in a position to review whether the transfer could be progressed.

Cllr Birtles spoke to a report he had prepared and tabled (given as Appendix 3) regarding the agreement for the proposed devolution of Stoneshot Carpark and Toilet which had been supplied to us by Eden District Council on the 3rd December.

In summary Cllr Birtles advice was that:

1. Title should be inspected prior to transfer.
2. The contract should perhaps be made conditional on the completion of the schedule of works.
3. There should be equivalence in the indemnities which each party to the agreement is required to give.
4. There should be clarity over the agreement the Council thought it had with EDC regarding the proposed tapered relief of 'controllable expenses' so as to ensure a value equivalent to the original offer.
5. A Local Authority Search should perhaps be carried out at a cost of up to £150.

The clerk had received a phone call on the 13th January from Neil Buck EDC in which he had raised the prospect that the 100% tapered relief proposed for the first year would not be paid. He had also referred to TUPE (Transfer of Undertakings, Protection of Employment legislation) suggesting that it would apply in respect of the cleaner's employment. The clerk noted that no disclosure of cost/liability arising as a result of TUPE had been communicated. The clerk noted that the agreement made no reference to TUPE and given that the maintenance of the toilets was currently contracted out to Amey – a contractual arrangement which also does not feature in the revised agreement – it was not understood how TUPE would apply as it was the property rather than the service that was being transferred.

It was RESOLVED that in addition to the points raised by Cllr Birtles, the issue of the whole amount of tapered relief and TUPE would need to be resolved and clarified to the Town Council's satisfaction prior to a decision being taken.

The 2020-2021 budget had been prepared on the basis that the first year of operation would be revenue neutral because of the offered tapered relief of 100% in the first year and therefore no provision had been made for costs associated with the operation of the toilet block in the 2020-21 budget. The council believed that it would have effectively had a year in which to develop a business plan for the continuing operation of the block.

The council RESOLVED to defer the matter for further consideration. It was accepted that Eden had acted to expedite the transfer in good faith following the Chief Executive's visit, however the agreement in its current form did not provide a basis on which to proceed. It was further agreed to explore with Eden District Council whether it would be willing to accept the Town Council providing a contract to Eden District Council in order to expedite matters

19/115 Portfolios. To receive reports if available:

1. Town Council Administration. Notice was given of the EALC Councillor and Clerk Forum on Transparency being held on 19th February. The clerk would attend.
2. Community Planning. The publication of the Community Plan was imminent.
3. Community. Cllr Richardson confirmed that he would be organising the Commercial Vehicle Rally in Easter.
4. Highways. None
5. Open Spaces. It was resolved to respond with a budget of £1,000 2020/21 to the need for replacement and supply of Xmas lights following a debriefing meeting with the installers.
6. Property. None.
7. Tourism & Events. It was resolved to confirm the council's willingness to take part in the ACT Mobility Project, clerk to follow up. A vote of thanks was recorded for John Carey for his work on transport matters. The council was updated on the Friends of Settle & Carlisle Line proposals for improved bus connections in Kirkby Stephen which it was agreed should be progressed alongside the ACT initiative. The council resolved to support 'in principle for the development of the 'Kirkby Stephen Bench Walk Project': The project will be led by Nateby and Wharton WI with support from CCC – CDO, Westmorland Dales Partnerships, Kirkby Stephen Community Arts and Walkers are Welcome. The project had been summarised as follows: 'A map of all benches in and around the town will form the basis of a number of accessible to all walking routes around the town. An event in late spring organised by the group will be the launch pad for the project and will include a range of inclusive activities for all. The project aims to support the dementia friendly community campaign in Kirkby Stephen, help to reduce isolation and loneliness, as well as encouraging more activity across the community.'

19/116 Date of Next Meeting 4 Feb 2020

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Appendix 1

Report of Eden District Councillor Lancaster. 14 January 2020

After a lovely family Christmas and New Year I have been well and truly thrown back into EDC.

I am on a Task and Finish group to look into the best way to take the waste and recycling contract when the current contracts come to an end in 2022. We have a very tight deadline to get the work finished with a report due to the executive and full council in March this year. There are a variety of options put forward by a very comprehensive report [REDACTED] and we will be researching each idea and speaking to the report writers and local authorities who use various contracts. One of the options is a fortnightly collection of general waste but with potential issues with that already flagged up I will not be supporting this option.

Another group I've been assigned to is the Budget Scrutiny Committee. This has been traditionally set up in November with a view to looking at the upcoming budget but with a new interim financial officer in place who is very keen to see EDC's rather archaic budgeting system brought rapidly up to date, this looks like it may be a permanent committee meeting four times a year to ensure the budget remains on track.

At full council last week, it was voted on and passed that the current scrutiny system within EDC will change. After a working group was set up to look at how scrutiny works and input from The Centre for Public Scrutiny in London it has been decided to reduce the number of scrutiny committees to one. This will be made up of 12 cross party members meeting no less than 6 times per year. They will have the authority to set Task and Finish groups to supplement the work. This will allow all members of council to be involved in whichever subject they feel drawn to and/or have relevant experience in. The idea is that work will be completed quickly and efficiently and prevent what has seemed in the past to be a "rubber stamping" procedure of reports already implemented.

As you will be aware, we had Tim Backshall from ITV's Border News here yesterday in Kirkby. He was filming and talking to businesses about our High Street which bucks the national trend of major decline. Hopefully we will see him again as his parting words were "If you have any big issues coming up, let me know and we'll come back!" The news report is expected to be shown on Thurs in the 6pm news programme.

At the last Audit and Review committee at Yorkshire Dales National Park Authority it was agreed to recommend to the full authority a reduction of numbers to 16 from 25. This is due to a national trend and the Glover report which was published recently. My position as Eden's representative would be secure but it would mean losing some of the State appointed members and some of the Parish members from within Yorkshire. It still has to be voted on and passed by the full authority but it seems likely that it will go through.

Appendix 1

Report of Cumbria County Councillor/Eden District Councillor Dew. 14 January 2020

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

Appleby Horse Fair: Les Clark, the new Director of People and Place, will be taking responsibility for the Fair in 2020. The next meeting of the MASCG will be held on 24 February, 2020. This will leave just over two months until the first gypsy/traveller caravans arrive in May. CCC Highways has concluded that it is not cost effective to erect any permanent barriers to prevent encampments on the A685 and Cumbria Police has said that that it cannot maintain the same presence on the A685 in 2020. The most effective way of reducing encampments on the A685 would be for EDC to purchase suitable land for temporary stopping places but so far it has refused to act and I have still 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. The current situation will be exacerbated if Watter Yat is put up for sale by Kirkby Stephen and District Angling Association and caravans are subsequently banned from the site. That could result in an additional 80+ caravans being parked on the A685. EDC is the lead authority and must act now rather than wait for the inevitable chaos in May/June.

Borderlands Inclusive Growth Deal: CCC Eden Local Committee and EDC are developing a business case for Penrith's bid in the Borderlands Place Programme. The sum involved is £3m. Officers have to show that the investment will have an impact across Eden District. Providing a bus service would be a big step in the right direction. It might be worth sending a letter making that suggestion

Settle-Carlisle Railway Integrated Transport Network [John Carey]: There is a suggestion that KS station should be developed as a key transport hub with a café and visitor centre and a 'free bus' subsidised by the rail operator Arriva Rail North linking the station to KS and Brough and also the Westmorland Dales. This would help to realise the untapped tourist potential of the area and increase use of the railway by creating an integrated public transport network using as its blueprint the One Public Transport System currently being introduced in Cornwall.

Kirkby Stephen to Winton Cycleway: Walking/cycling is a key element of CCC/EDC plans for sustainability and tourism going forward and also providing an integrated transport network. The much-mooted Kirkby Stephen to Brough cycleway is currently 5th on a list of CCC Highways Transport Improvement Schemes. One way of moving the project up the list is for the local community to make a financial contribution. Is that something the Town Council would consider doing?

Council Plan 2019-2023: I am still 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 less than three months' time.

Burial Board: The Burial Board is planning to meet in the next few weeks to consider its plans going forward.

Kirkby Stephen Youth Provision: Discussions are ongoing.

Policing: The Chief Constable, Michelle Skeer, addressed CCC members on 9 January, 2020. Mrs Skeer gave an upbeat report and highlighted the ongoing increase in the number of officers. Cumbria Police had been criticised in the national press for initiating a 'week of action' at the start of the New Year with a focus on anti-social behaviour and other offences which residents are most concerned about. It is important that these issues are taken seriously throughout the year. Several new initiatives, including the recently established Eden Proactive Team, should help ensure that this does happen.

Christmas Hampers: Liz Wright the Children's Rights Officer for Carlisle and Eden put out a request in November, 2019, for donations towards Christmas hampers for care leavers in Eden District. The local community responded very generously and Liz Wright was very appreciative.

Conservative Candidate for Penrith & the Border Constituency: Dr Neil Hudson, the Conservative candidate for Penrith and the Border, was duly elected as our MP on 12 December, 2019. Dr Hudson is the first vet in parliament.

Appendix 3

Report of Cllr Birtles regarding proposed transfer agreement in respect of Stoneshot Toilet and Carpark.

**Devolution of Public Conveniences – Draft Agreement and Transfer
To be considered at the meeting of Kirkby Stephen Town Council on Tuesday 14th January 2020
(Agenda Item 9)**

Introduction

The latest draft Agreement from EDC in this matter, received in November 2019, following, it seems, intervention by the Chief Executive, Rose Rouse, appears on the face of it to facilitate a transfer of the Stoneshot toilets and car park to the Town Council unencumbered. This reflects the wishes of the Town Council as expressed to Officers at the District Council, including Rose Rouse, historically. The draft Agreement contains both a contractual element and a Transfer Deed. Under the former, details of the Agreement reached between the two Councils are purportedly set out and under the latter, title in the toilets and car park will be formally transferred.

As drafted, the consideration payable for the transfer is £1.00.

Title to the property is registered at HM Land Registry under title number CU128011.

Points to note before the Town Council proceeds

1. The registered title to CU128011 has not been provided. Ideally, it should be in order that the Town Council can determine what, if any, encumbrances affect the title.

2. The Council needs to be certain that it is happy with the Schedule of Works appended to the Agreement.

3. In the Agreement (Clause 6.4), the Town Council is deemed to assume responsibility for the maintenance of the premises and the fittings attached to it, as well as the car park, from the date of the Transfer and agrees to indemnify the District Council against all liabilities, costs, expenses, damages and losses suffered or incurred as a result of any accident or incident relating to the land, the building, the equipment and car park occurring post-completion.

The District Council, by contrast, agrees simply to indemnify the Town Council against all liabilities, costs, expenses, damages and losses suffered or incurred as a result of any accident or incident relating to the *equipment* and not also the land, building and car park. It is not clear why there is no equivalence between the two indemnities.

4. Under the terms of the Agreement, the District Council agrees to pay to the Town Council, provided the Town Council owns the property for each applicable period, the following contributions: -

(a) For the current financial year (i.e. 2019/20), 100% of the “controllable budget costs” relating to the premises for the year 2018-2019 (less any amount already spent or committed).

(b) For the financial year 2020-2021, 75% of the 2018-2019 controllable budget costs; and

(c) For the financial year 2021-2022, 75% of the 2018-2019 controllable budget costs.

Thereafter, no grant will be received from the District Council.

Before we proceed, we need to be certain that this contribution regime still obtains.

5. The property is said to be sold subject to all local land charges applicable to it. The District Council indicates in the Agreement that, to its knowledge, no such land charges exist. However, the only way

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in which we might determine whether or not that is so is by carrying out a local authority search. Such a search would reveal things like planning consents and building regulations approvals relating to the property and even any payments that need to be repaid to the District Council in the event of the premises' disposal. The cost of the local search will be in the region of £100.00-£150.00 and the results will take two to three weeks to come back. The Council therefore needs to decide whether or not it wishes to carry out such a search.

6. The Agreement requires the Town Council to accept that it has inspected the property and enters into the contract solely on the basis of that inspection and that no representation has been made to the Council prior to the date of the contract by the District Council or its agents concerning the contract's subject matter which has influenced, induced or persuaded the Town Council to enter into the Agreement (except for written replies given by the District's Solicitors to any preliminary enquiries raised by the Town Council or the Town Council's Solicitors).

This clause gives rise to something of a problem, in that if we simply sign (and exchange) the Agreement as it stands, the Town Council will be agreeing to take the premises on without the works set out in the Schedule having been completed. Consequently, we will not be in a position to make any kind of inspection at the relevant time. It would be much better if the contract was **conditional** in nature, thus allowing the Town Council to enter into it (and thereby facilitate the drawdown of the grant funding), but on the strict understanding that completion will not take place until the Schedule of Works has been completed to the Town Council's (reasonable) satisfaction. As drafted therefore, the current Agreement has a sort of "cart before the horse" feel and although the District Council will, I am sure, adhere to the Schedule of Works and carry them out appropriately (and "at its earliest convenience", as required by the Contract), if it fails to do so, the Town Council will be left having to enforce the contract formally, which would be inconvenient to say the least.

In such circumstances, making the contract conditional on completion of the works would be logical.

It is also worth pointing out that we have raised no enquiries of the District Council to date (until November, we were actually moving away from the prospect of taking the premises over). What I would ordinarily expect any transferor of this type of property to do is to provide to the transferee written replies to what are called Commercial Property Standard Enquiries. It may well be useful therefore to request of the District Council's Officers that such enquiries are replied to.

7. As mentioned above, the District Council is required under the Agreement to carry out the works set out in the Schedule "at its earliest convenience" and to meet the cost of the works involved. There is, however, no express opportunity to inspect the works on the part of the Town Council and to deal with any failings on the part of the District Council in that regard. One would hope, however, the District Council would be very obliging in the circumstances.

8. No mention is made in the Agreement as to the contractual arrangements that the District Council has with Amey for the maintenance and cleaning of the toilet premises or the relationship between Amey and the current cleaner. It is far from clear therefore whether or not the Town Council is expected to simply take these contracts on. If it is, then we need sight of the relevant paperwork in order that we can make an informed decision.

9. Happily, if we do decide to take the public conveniences and car park on, the relevant Transfer Deed does not oblige us to do so subject to any restrictive covenants as to the use that may be made of the land in question going forward – which, it will be recalled, was one of the Town Council's biggest concerns about the previous draft documentation.

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