

## 4 February 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](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, G. Wren, R. Girvan (part).  
Cllr P Dew CCC/EDC and 2 members of the Public.

#### **Public Participation.**

The Cumberland and Westmorland Herald had been placed in administration. Town Councillors were very concerned about the future of the newspaper after more than a century of excellent local journalism and service. The charitable support it had given to good causes was also noted. Councillors were advised that 6 staff had been made redundant and that if a buyer were not to be found before the next two issues were printed then the paper would be closed permanently. It was AGREED that the paper had served the area well and was respected. It had also given fair but not uncritical coverage of the council's activities over many years and it was AGREED that its closure would be a huge loss to the area.

A member of the public had contacted the council regarding a web-based project for volunteers a 'Town Centre Licence'. It was felt that the scheme was the product of a commercial branding agency, was rather woolly and would require more input than the return it would generate.

A resident raised a concern about the increase in traffic Rowgate residents would experience if the planning application at Croglam was approved.

Brough Memorial Hall had received funding support for their IT project and sent thanks to the Town Council for its letter of support.

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

Cllr Lancaster had no current items to report.

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

Cllr Dew spoke to a report given as Appendix 1.

He touched on the high level of rises in Council Tax proposed by Eden District Council 2.6%, Cumbria County Council 3.99% and especially the Police and Crime Commissioner 3.5%. He encouraged the Town Council to proceed with the Transfer of the Evergreen Building and noted a healthy eating initiative 'Phunky Foods' together with a mental health initiative being piloted by Cumbria County Council. It had been decided to keep the appeal for support for care leavers open, he reported that the response of the community to care leavers had been very meaningful to them. He called for Eden District Council to make provision for temporary stopping places for Gypsy Travellers in the context of High Public spending on responding disorderly to Gypsy Traveller ad hoc stopping arrangements. The failure to provide stopping places was a contributory factor to disorder. Cllr Dew also reported on his efforts to encourage the Upper Eden Parishes to raise the level of their donations to the support of the Council and Community Centre at Local Links.

**Participation of Police**

A Police report to the middle of January was available, Councillors were concerned over the rising level of petty theft and theft of animals in fields adjacent to the A66/A685.

19/118 **Apologies**, None

19/119 **Declarations of Pecuniary Interest.** Cllr Birtles declared an Interest in Agenda Item 6 and 7 and signed the register accordingly.

19/120 The Chairman was authorised to sign the **Minutes** of the meeting held on the 14 January 2020 as a true record.

19/121 It was **RESOLVED** to **co-opt Rachel Girvan** as a Town Councillor. Cllr Girvan signed a declaration of Acceptance of Office and joined the council. She undertook to return a Declaration of Pecuniary Interest Form to the Monitoring Officer within 28 days and was welcomed by the Chairman.

19/122 **Planning 19/0913, LAND OFF CROGLAM PARK, ROWGATE KIRKBY STEPHEN.** Residential development for 25 no. dwellings.  
The Clerk had requested a full-size plan from the architect to facilitate discussion but at the time of the meeting none had been received.  
A Tree Preservation Order on the site (No 203) was noted.  
There was extensive discussion touching on concern about access to the site through Rowgate, increased traffic on Rowgate, the proportion of affordable units as compared with the previous application, the risk of flooding on the site. Councillors referred to the Kirkby Stephen Flood Investigation Report by Cumbria County Council regarding the Flood Event on the 5<sup>th</sup> December 2015. And published on the 8<sup>th</sup> November 2016. It was noted that flooding occurred on Station Yard and was relieved by pumping into a drain in the proposed development area. Councillors agreed that the developer and planners should satisfy themselves as to what contingencies/provision were required on site in the event of flooding. It was noted that new development was proposed in the location where formerly water would have been retained on site. The onward impact of flood management outwith the site should be considered further. Regarding the impact of traffic on Rowgate it was agreed that the developer should be encouraged to acquire a right of access at the other end of the site.  
As things stood it was resolved to OBJECT to the application on the basis that:

- (1) The provision for access/traffic impact for a development of this increased size was not adequate and the impact of traffic in Rowgate would be unacceptable.

And ...

- (2) In addition, it was felt that measures to mitigate the impact of flooding events should be designed and modelled bearing in mind the drainage/flooding impacts on adjacent sites. The developers and planning authority should assure themselves of the adequacy of any such designs if approval were to be given.

19/123 **Planning 19/0894 & 19/0895, THE BLACK BULL, MARKET STREET KIRKBY STEPHEN CA17 4QW.** Listed building consent for change of use of existing rear courtyard area into new external drinking area.

Cllr Birtles declared an interest in this item and withdrew from the meeting.

It was felt that the design proposals were insufficiently clear to explain how the route alongside the proposed beer garden and public rights over it would be protected. It was RESOLVED to OBJECT to the application on the basis that the proposals would obstruct pedestrian and vehicular traffic over a right of way. (Public right of way number 335027,

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any fencing encroaching on the route would be deemed an obstruction under the Highways Act). The council had been approached by the owners of two properties that required access over the route who had raised concerns about vehicular access to their properties. The clerk advised that the planning officer had advised that he would recommend that the application should be amended to separate the internal works from these proposals however at this time the proposal had not been amended in this way. The council had no objection to the internal works.

- 19/124 **Planning** 20/0020 & 20/0012, THE BLACK BULL, MARKET STREET KIRKBY STEPHEN. CA17 4QW. Listed Building Consent for 3 no. fascia signs, 1 no. illuminated hanging sign, 2 no. amenity boards and 2 no. illuminated menu cases.  
Cllr Birtles had declared an interest in this item and withdrew from the meeting.  
The council SUPPORTED the application.
- 19/125 **Devolution of Services.** The Clerk recapped on the minute of the previous meeting (19/118). The meeting with Neil Buck and Jane Langston of Eden District Council had been confirmed for the following day 5 February and would be attended by Cllrs Johnstone and Birtles. The Clerk had been passed a contact at Amey regarding TUPE (Transfer of Undertakings, Protection of Employment legislation) and had made enquiries as to the costs of the transfer under TUPE legislation. Amey had undertaken to respond and full details were awaited. On the basis of this conversation however it was felt that TUPE obligations may not be an obstacle to the council in taking on the site a further report would be made to council.
- 19/126 **Evergreen Building.** The Chairman reported that she had received informal advice regarding a scope of works and costs associated with the premises. The roof required replacement and a panel with in built insulation was recommended in preference to retrofitting insulation to the ceiling. Costs for the replacement of the roof were in order of £10k and to replace the boiler/heating system £5k. In addition, it was felt that the wall should be insulated. It was noted that it had not been possible to locate the stop tap. On this basis it was felt that the council could look to raise funds to insulate the building and the costs associated with making it available for youth work.  
It was **RESOLVED** to allow progress with the legal agreements regarding the transfer of the Evergreen Building.  
Cllr Wren offered to lead on fundraising for the building costs. Approaches to the National Lottery, Cumbria County Council, Cumbria Community Foundation, ACT and the Scott Trusts were suggested. Cllr Lynch offered to assist.
- 19/127 **Finance** Receipts and payments were approved and ratified in respect of the month just ended including forward approval in principle of regular payments salaries, PAYE & NIC as follows:  
January Schedule <https://www.kirkby-stephen.com/app/uploads/20200204-Bank-Rec-Payments-for-Approval.pdf>  
The financial statement showed a closing balance 31 January 2020 of £89,582.30, total receipts and interest of £846.96 and payments of £9,448.25. An exceptional payment item of £4,230.03 was noted in respect of street lights. Cllr Birtles raised a query as to the location from which a wayleave payment £15.16. arose (293). The Clerk undertook to reply outside the meeting.
- 19/128 Councillors were advised that no changes were recommended to the **Standing Orders, Asset Register** or **Financial Regulations**. The **Risk Register** would be updated with up-to-date policy information, no changes of substance were foreseen. These documents would be presented to the next meeting after revision by the Clerk and

taken as read for approval. Councillors who wished to have input into reviewing the documents should contact the Clerk to raise any issue or concern relating to these documents.

19/129 **Portfolios.**

1. Town Council Administration. Cllr Wren was nominated to act as the Town Council's Nominee to the Kirkby Stephen Grammar School Foundation. The clerk was authorised to write to the Foundation to confirm and to write thanking Sheila Wilkinson for her service. Cllrs attention was drawn to the consultation on priorities for the Yorkshire Dales National Park 2019 to 2024 with a closing date of 14 February. The County Council had offered terms that were agreed to be acceptable regarding the siting of Lady Anne's Way. An indefinite time period had been offered. Provisions for the removal of the statue had been discussed and agreed in the event of a risk to the public.
2. Community Planning. The publication of the Community Plan was at proof reading stage.
3. Community. Cllr Richardson was encouraged at the rate by which responses to the Easter Rally were being received.
4. Highways. The recent accident at the junction of Hartley Road and North Road was noted. It was felt that parking behaviour in this location was an accident waiting to happen and a change in parking behaviour had been noted since.
5. Open Spaces. The need to address the drainage issue at the waterlogged planters at the war memorial was noted. The clerk was asked to bring forward the review of the town centre signs in respect of the need to update them with the name of the Taggyman Pub. The Litter at the Spar Garage was noted and it was felt required action. Cllr Johnstone undertook to schedule a meeting to deal with the need to replace Christmas Lights.
6. Property. None.
7. Tourism & Events. Cllr Walker would attend the scheduled meeting of the Tourism Network in March.

**Date of next meeting 3 March 2020.**

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**Chairman**

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**Date**

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## **Appendix 1**

### **Report to Kirkby Stephen Town Council – February 2020. Cllr Phil Dew**

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#### **Highways**

Planned highways work is ongoing.

#### **Appleby Horse Fair**

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. No provision is being made for temporary stopping places on the basis of cost and the fact that this could be interpreted as the District Council in some way 'organising' the fair – which is bizarre logic given that the combined costs of the 2019 fair were £255,550 and preparations are always made long before anyone arrives. Providing temporary stopping places is the next key step in ensuring a safe and orderly fair.

#### **Settle-Carlisle Railway Integrated Transport Network**

John Carey will be addressing the Friends of Eden Valley Public Transport Management Committee on Friday, 7 February, 2020, on the subject of an integrated transport network linked to the Settle-Carlisle railway. John Carey would like to see Kirkby Stephen station become a key transport hub. It is worth noting that Northern Rail, which until recently operated the service on the Settle-Carlisle line, has just been taken over by the Department for Transport. Grant Shapps, the Transport Secretary, has promised to improve rail infrastructure. We look forward to the fulfilment of that commitment.

#### **Kirkby Stephen to Winton Cycleway**

I'm hoping that Kirkby Stephen Town Council will agree, in principle, to offer financial support to the Kirkby Stephen to Brough cycleway.

#### **Cumbria County Council/Eden District Council**

Cumbria County Council will set its budget for 2020/21 on Thursday, 13 February, 2020, and Eden District Council will set its budget on Thursday, 27 February, 2020. CCC is proposing a 3.99% increase and EDC a 2.6% increase; and in addition, Peter McCall, the Police and Crime Commissioner, is proposing an increase of 3.5% in the police precept.

#### **Burial Board**

The Burial Board is meeting on Wednesday, 5 February, 2020, to consider its plans going forward.

#### **Kirkby Stephen Youth Provision**

Discussions are ongoing and we await the outcome of the Town Council's deliberations over the future of the Evergreen [Pad9] building with interest. Hopefully the Town Council will proceed with the transfer of ownership.

#### **Support for Care Leavers**

Liz Wright, the Children's Rights Officer for Carlisle and Eden, has asked for donations to support care leavers in Carlisle/Eden. The list includes: bedding, crockery, cutlery, pots and pans, towels, rugs, throws, lamps, photo frames, toiletries, nappies, babygros, bibs and baby wipes.

#### **MP**

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Our new MP, Dr Neil Hudson, will be visiting Kirkby Stephen on Wednesday, 19 February, 2020, and holding a constituency surgery. To make an appointment phone 017684-84114 or email [neil.hudson.mp@parliament.uk](mailto:neil.hudson.mp@parliament.uk)

**PhunkyFoods**

Eden Local Committee is beginning a pilot healthy-eating/healthy-weight/healthy-lifestyle project in Eden called PhunkyFoods. The trial will take place in six primary schools including Kirkby Stephen.

**Share a Smile**

The Share a Smile project, which is aimed at tackling mental health issues in the Districts secondary schools, will continue in 2020/21. Young people in Kirkby Stephen Grammar School will offer peer support under the guidance and direction of Carlisle Eden Mind.

**Local Links**

I have been encouraging parish councils to give increased financial support to Local Links