

3 March 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, A Birtles, G. Wren, R. Girvan & C Barnes (Clerk)
Cllr P Dew CCC/EDC and 2 members of the Public.

Public Participation.

A comment was made about a protruding grit bin on Faraday Road. Cllr Dew undertook to deal with it.

Participation of Cllr S Lancaster (EDC).

Cllr Lancaster spoke to a written report given as Appendix 1. Touching on the recent EDC budget process, the decision of Eden District Council to proceed with the purchase of Voreda House and move to a single site, a Homelessness Review and Strategy/Action Plan. In relation to Planning matters, after a site visit to Hartley Fold consent had been refused for the industrial development proposed - a decision supported by all but one of the committee. It was noted that the 'Task and Finish' group on waste management issues was at the point of concluding. Cllr Lancaster had not attended YDNP during the period.

Participation of Cllr Dew (EDC/CCC).

Cllr Dew spoke to written report given as Appendix 2. He touched on a range of Highways issues from recent flooding to inconsiderate parking and action taken in respect of the planning application at Croglam Park relative to flooding concerns and advised that a long-term flood prevention scheme for Kirkby Stephen is under discussion. Regarding Appleby Fair he noted that the Chairmanship of MASCg had been taken on by Les Clarke Director of People and Places at Eden District Council. A legal issue had emerged over Temporary Stopping Places and Public Liability. Watter Yat was likely to be unavailable in 2020 possibly increasing the pressure on verges adjacent to the A685. Cumbria Police would be maintaining a response equivalent to last year. Proposals to carry out an economic impact study between Eden District Council and Lancaster University were being discussed which Cllr Dew felt could inform future measures to generate income from the fair to help defray its costs. Government funding for buses was available with a short application deadline (13 March). The Burial Board had made significant improvements and thanked the Town Council for the increase in its support. Cllr Dew noted increases in the budgets set by CCC and EDC. He disagreed with Cllr Lancaster as to the effectiveness of the scrutiny process carried out at Eden and the quality of the business case made for the acquisition of Voreda House. He felt that with talks ongoing about the establishment of a unitary authority it was not appropriate for the council to progress with this.

Participation of Police

None

19/130 **Apologies,** Cllrs C Lynch, P Richardson.

- 19/131 **Declarations of Pecuniary Interest.**
None.
- 19/132 The Chairman was authorised to sign the **Minutes** of the meeting held on the 4 February 2020 as a true record.
- 19/133 **Planning.** 20/0119, 35 MARKET SQUARE, KIRKBY STEPHEN, CA17 4QT
Description: Remove Acacia tree from courtyard at rear of property as it has become too big, is too close to house and wall and causing ground heave; Kirkby Stephen Conservation Area. Supported
- 19/134 **Evergreen Building** It was resolved to delay a decision on the proposed transfer of the Evergreen Building as offered by the trustees. Cllr Birtles advised that Trustees were unable to locate a document giving details of the constitutional arrangements of the trust meaning that its obligations regarding the disposal of assets upon dissolution of the Pre-School was unclear. Under Charity Law, there are constraints that apply to the disposal of assets
- 19/135 **Devolution of Services (Stoneshot).** It was noted that TUPE legislation has no direct financial implications for the council in this transfer as the current cleaner does not wish to continue in service. Cllrs Johnstone, Birtles and the Clerk were authorised to enter into agreements as necessary subject to Eden District Council's observance of the Town Council's terms regarding betterment and charged admission and on the basis that the council's requests in these matters were fulfilled.
- 19/136 **Devolution of Services (Tourist Information Centre).** An update on the Devolution of the Upper Eden Visitor Centre was given. An Eden District Council Officer report recommending the council's agreed approach to the disposal would be presented to the Executive for decision in April. In anticipation of this an instruction had been given to Eden District Council's Legal Department to progress the agreements in order that the matter could be transacted quickly. It was RESOLVED to authorise Cllrs Johnstone, Birtles and the Clerk to enter into agreements as necessary subject to Eden District Council's observance of the council's intention to assign/transfer the building on receipt to the Upper Eden Community Interest Company.
- 19/137 **Lady Anne's Way.** Significant progress had been made following the grant of planning permission. The terms of a licence had been agreed with Cumbria County Council regarding siting. The Bronze casting process had started with arrangements to install made in detail leading to an unveiling on May 2nd 2020. The Clerk and Chairman were liaising on the unveiling event.
- 19/138 **Clerk's Report**
Local Banking Issues,
The clerk had circulated a news item about local banking services in Settle and most councillors had responded favourably. In view of likely further the decline in banking services in the town. The council agreed that an approach should be made to The Cumberland Building Society to encourage them to consider their representation in the Town.
Westmorland Dales Partnership,
The Clerk had had a discussion with the Westmorland Dales Partnership regarding proposed works at Jubilee Park, Stenkrith and on the new Permissive footpath linking the two. Arrangements had been made to meet but unfortunately conflicted with Eden District Council's zero carbon summit event. It was proposed to rearrange this Cllr Wren indicated that with sufficient notice she would be willing to join the meeting.

Brittleton Bursary,

the Brittleton Bursary would be offered in May met with a public call for applications being made shortly.

Transparency Code Training,

The Clerk had attended Transparency Code Training on the 19 February. 33% of councils in Cumbria were not compliant. The Clerk was confident that the council was meeting its obligations and felt that the council's procedures and publications would be improved through the Cilca Training he was currently undertaking.

Litter matters,

Litter has been noted to be a problem in the area of the Spar Garage adjacent to the riverbank path. In addition, it was suspected that household and trade waste was being deposited in town centre litter bins. The clerk would liaise with Eden District Council over this. It was agreed that a letter would be written to the Spar garage regarding the increase in litter arising from their forecourt.

MP's surgery.

The Chairman and Clerk had attended the recent MP's surgery where they had informed him about the council's and activities and also raised a query as to the network of electric charges required to service an increase in the use of electric vehicles. The Clerk had followed this up in writing as the MP had requested.

19/139 **Eden District Council Towards a Zero Carbon Eden – Key Partners Summit. 18 March 2020.** Cllrs Johnstone, Lancaster and the Clerk would attend.

19/140 **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: February Schedule <https://www.kirkby-stephen.com/app/uploads/20200302-Bank-Rec-Payments-for-Approval.pdf>

The financial statement showed a closing balance 29 February 2020 of £ £77,838.66, total receipts and interest of £2,917.79 and payments of £14,661.43. With £7,200 being accounted for by the initial payment for the bronzing of Lady Anne's Way. An exceptional payment item of £ 1,320.00 (343) was noted in respect of grass cutting held over from the previous year.

19/141 **Portfolios.**
Town Council Administration.

None

Community Planning.

The Final version of the Community Plan had been prepared and was being proof read for the second time. Publication was imminent.

Community.

Councillors agreed for the use of the Market Square and Town Centre spaces it controlled for the following events: Easter Vehicle Rally 11/12 April. 16 May Gala, 26 July Westmorland Dales Day.

Highways.

Flooding problems were noted on Appleby Road and on the Auction Mart Carpark. The Highways department were known to be overloaded.

Open Spaces.

It was agreed to proceed with the purchase of a seat on Redmayne Road only with restricted funds from the Calor Fund to replace the seat which had been removed for safety reasons. It was suggested that sponsorship or memorial might be a suitable way to acquire and site others. The Clerk would publicise the opportunity.

Christmas Lights a meeting had been held and it had been decided to get Icicle Lights/New strings and examine a way to emulate a tree around the pole in the market place.

It was agreed to write a letter of thanks to a member of the public who had made strenuous efforts to litter pick and clear lanes in the town.

The group working on the Benches walk had done an excellent job of photographing and condition checking the benches in the town and linking this to a photographic survey.

Property.

None

Tourism & Events.

Cllr Walker had attended the Eden Tourism Network. Discussion had focussed on concerns regarding Employment and Salaries in the context of Brexit and the possible impact of the Corona Virus on Tourism. The Leaflet Swap at Hutton in the Forest had brought operators together. Cllr Walker noted the recent offer of funding to support bus provision and had been researching ways in which it could be used locally. Mentioning the 563 Appleby Bus, the possibility of utilising schools' buses in term time only and linking to Kirkby Stephen Station

Date of next meeting 14 April 2020.

DRAFT

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Chairman

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Date

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Chairman's Initials

Appendix 1.

CLlr S Lancaster EDC. Report to Kirkby Stephen Town Council March 3rd 2020

The last few weeks have been interesting with the budget being set and finally passed by full council last week. The budget presented to council was a well thought out and presented one, one which means that EDC will finally be back on track with regards finances and we can start to put right the mess left by the last administration. We have had to raise council tax to plug some of the funding gap but it's less than the last administration's proposal which was a 2.99% raise.

The budget scrutiny procedure worked well but a little bit rushed which is something that hopefully will be rectified next year. Our new 151 officer presented cases well and was fantastic at explaining all points put forward.

Also, at council it was agreed to go forward with buying Voreda house and finally being able to proceed with the "one site project" which will save money and hopefully make working a lot easier for the officers. Again, a very well written business case was put forward by Les Clarke and Paul Sutton and it makes perfect financial sense to proceed with the purchase. The budget scrutiny committee were fully briefed beforehand and the chairman is quoted as saying "it's a no brainer". Over the last 4 years £750,000 has been spent looking for a single site and now one has been found. We're looking forward to getting on with the arrangements.

We were also presented with a Homeless Review and Strategy/Action Plan. Its sobering reading and council agreed to adopt the proposed Plan and agreed commitment be given to the delivery of the actions within the Plan.

At last month's planning committee, it was agreed to carry out a site visit to Hartley Fold in regards to the application to convert an agricultural shed to an industrial one with the addition of a new road to accommodate HGVs travelling in from Winton. I'm pleased to say that after the site visit the planning committee decided to refuse the application with only one member voting for approval.

The waste Task and finish group is proceeding with well and we will have a report to take to full council very soon with our recommendations.

I haven't been at YDNPA since the last meeting so nothing to report there.

Appendix 2

CLlr P Dew CCC/EDC Report to Kirkby Stephen Town Council – March 2020

Highways

Several flooding issues have been reported to me including one on the B6359 Appleby Road. The drain was cleared on 3 March, 2020, and will be renewed in the 2020/21 financial year. It is also worth noting that Parking Services issued 4 Penalty Charge Notices in Kirkby Stephen in February, 2020. Inconsiderate parking is a persistent problem in Kirkby Stephen.

Appleby Horse Fair

The MASCG met on 24 February, 2020. Matthew Neal has now left EDC and the meeting was chaired by Les Clark the new Director of People and Place. We discussed the current Encampment Strategy/Protocol in relation to Temporary Stopping Places [TSPs] and public liability. There is a real issue here and legal advice is being sought to help clarify the situation. I am still of the opinion that EDC should take responsibility for providing TSPs. It is very unlikely that Watter Yat will be available this year which will put additional pressure on the A685. Officers representing Cumbria Police confirmed that Phase 1 of the Fair will be resourced to the same extent as last year but cannot guarantee that going forward. Cost is a significant factor and new ways have to be found of generating income. I am meeting with EDC officers next week to discuss carrying out an economic impact study this year with the help of Lancaster University.

Settle-Carlisle Railway Integrated Transport Network/Bus Service

John Carey addressed 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. In the meantime, the Government has made £380,000 of additional money available to support bus services in Cumbria on top of the existing Bus Service Operators Grant. This has to be applied for by 13 March, 2020. We are hoping that some of that money will be used to improve the local bus service if only on a temporary basis.

Kirkby Stephen to Brough Cycleway

The cycleway was discussed again at a CCC Highways meeting on Wednesday, 26 February, 2020, and a revised estimate is going to be produced. It was pointed out that a cycleway would help prevent illegal encampments on the A685. New money might become available from Highways England as it prepares to dual the A66 and it is important that the scheme is 'shovel ready' I'm hoping that Kirkby Stephen Town Council will agree to offer financial support in order to provide an element of match funding.

Cumbria County Council/Eden District Council

Cumbria County Council [CCC] approved a 3.99% increase in Council Tax on Thursday, 13 February, 2020, and Eden District Council [EDC] approved a 2.62% increase on Thursday, 27 February, 2020 [the Conservative Group voted against the increase]. EDC also decided to go ahead with the purchase of Voreda House – to create a single site - which is likely to result in an expenditure of at least £1.6m pounds - despite the ongoing talks about reorganising local government in Cumbria and creating a slimmed down unitary authority which will be looking to dispose of real estate rather than acquire it. This was a very questionable decision on the part of the current administration and to make matters worse the lack of time meant that the scrutiny process was compromised.

Planning – Land off Croglam Park [19/0913]

I spoke to the Flood and Development Management Officer for the Eden Area about the Croglam Park planning application in his office at the Skirsgill Depot on Wednesday, 26 February, 2020. Officers are aware of the application and the associated flooding issues and will advise planners accordingly. A long-term flood prevention scheme is still on the cards for Kirkby Stephen.

Burial Board

The Burial Board met on Wednesday, 5 February, 2020, to consider its plans going forward. Appreciation was expressed for the increase in the Town Council grant. Fees are going to be raised at the beginning of the new financial year. The George Steel presentation will take place on 18 June, 2020. A boon day will be held later in the year. All agreed that the cemetery is looking much tidier and thanks were expressed to those who work hard to maintain the grounds.

Kirkby Stephen Youth Provision

I look forward to the transfer of ownership of the Evergreen Building to the Town Council and timely completion of the planned refurbishment work so that a new youth club can be established.

Support for Care Leavers

Liz Wright, the Children’s Rights Officer for Carlisle and Eden, has asked for continuing 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.

PhunkyFoods

Eden Local Committee has initiated 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, beginning in the summer term.

Local Links

I continue to encourage Upper Eden parish councils to give financial support to the Local Links with varying