

06 October 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 the King's Arms Function Room

Attending: Cllrs. J Johnstone, P Richardson, A Birtles, M Walker, G Wren, C Lynch & S Lancaster (EDC/KSTC); Cllr P Dew (CCC/EDC), Mr C Barnes (Clerk) and 2 members of the Public.

Public Participation,

A member of the public had written regarding the lack of assistance available to disabled persons with mobility impairment using the recycling centre at Hobson's Lane. For covid security reasons physical assistance had been withdrawn. The individual had since exchanged correspondence with Cumbria County Council, a reply had acknowledged the issue and indicated that procedures would be reviewed. Cllr Dew (Cumbria County Council) was present and would enquire regarding the issue.

A member of the public had raised an issue over parking congestion in Rowgate with the Chairman. There had been instances of parking displaced from South Road and access for Rowgate Resident being blocked.

There had been a spate of vandalism in the town regarding damage to the wipers of parked cars. One premises had logged no fewer than 12 incidents. Costs were mounting and it was agreed to write to the Police to request that matter was investigated.

Street names had been approved for the Whitehouse Farm development by Eden District Council including Elderberry Drive and Maple Terrace. The Clerk would write to the developer and Eden District Council to indicate the Town Council's approval of the proposed names.

Participation of District Councillor S Lancaster. (EDC)

Cllr Lancaster spoke to a report given as Appendix 1. She prefaced her remarks with a tribute to the Councillor for Hartside, Mr. Rob Orchard who had recently passed. The Leader (EDC) had survived a vote of no confidence at a meeting of Eden District Council on the 26 September. Cllr Lancaster had supported the motion and reported that since then she had several emails & improved communications from the Leader. She noted that Les Clarke was appointed as Acting Deputy Head of Paid Services.

Regarding the Planning White Paper, concerns were being expressed that the National Parks may become too protected, discouraging younger families from living there.

Budget Scrutiny meetings continued and were well supported by the Interim Chief Finance Officer (EDC).

Participation of Councillor P Dew. (CCC/EDC)

Cllr Lancaster spoke to a report given as Appendix 2. Consultants have been tasked by the council to explore options for a replacement of the recently resigned Chief Executive. He supported an internal appointment for continuity reasons to deliver the One Eden Transformation Programme and oversee the move to Voreda House.

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Government is keen to reorganise local government in Cumbria. Town Councillors should be aware of the need for an intermediary body linking the unitary authority with Local Councils.

Appleby Horse Fair – the Multi Agency Strategic Coordinating Group that oversees the Fair met recently. The 2021 Fair may run from 3-6 June, 2021. Chief Superintendent Rob O’Connor is retiring.

Reopening Schools - the return to school has gone smoothly and successfully with over 93% attendance in Eden.

Pavement Parking – the Government is carrying out an online consultation ending on the 22 November on the issue of pavement parking. Cllr Dew favoured enforcement only where an obstruction is being caused.

An initial flood assessment is being carried out in Kirkby Stephen - concerns have been raised regarding the capacity of Croglam Beck in respect of the impact of proposed and consented developments including Whitehouse Farm.

Library – some libraries will open in October but not Local Links. Reassurances have been given that there are no plans to close our library even though the library service is undergoing a root and branch restructure.

There are currently only a small number of confirmed new cases of Covid-19 in Eden.

Participation of Police

A newsletter from the PCSO had been circulated before the meeting and its contents were noted. Correspondence from Police mailing lists had been forwarded as it was received.

20/053 **Apologies.** None.

20/054 **Declarations of Pecuniary Interest.** None.

20/055 **Minutes.**

The Chairman was authorised to sign the Minutes (Part 1 & 2) of the meeting held on the 15 September as a true record.

20/056 **Planning** 20/0593 Site address: SANDWATH FARM, KIRKBY STEPHEN CA17 4HE. Description: Proposed roof over existing open silage clamp area. NO OBJECTIONS

20/057 **Planning** 20/0618 Site address: THE OLD COACH HOUSE, FARADAY ROAD KIRKBY STEPHEN, CA17 4QL. Description: Removal of rear conservatory and erection of sun room. SUPPORTED

20/058 **Planning** 20/0639 Site address: 25 MARKET SQUARE, KIRKBY STEPHEN CA17 4QT. Description: Listed Building Consent for interior re-modelling of ground floor treatment rooms, reception and waiting area and lower ground floor staff areas. SUPPORTED

20/059 **Planning** 20/0665 Site address: LAND ADJACENT TO WEST VIEW, FLETCHER HILL KIRKBY STEPHEN, CA17 4QQ. Description: Proposed residential development of 3 dwellings. It was felt that the inclusion of parking spaces in the plans were to welcomed. Councillors weighed the issue of the loss of a four

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bedroomed house against the affordable units proposed and SUPPORTED the application

20/060 **Young People's Charity**

Cllr Birtles reported that the 1993 constitution of the Kirkby Stephen Playgroup had been discovered (Charity number 1036679, Owner of the Evergreen Building). In order for the trustees to be able to transfer the building to another charity to be established by the council on the dissolution of Kirkby Stephen Playgroup it would be necessary for the new charity to have at least one charitable 'object' in common with it. In this case the provision of a playgroup.

Cllr Birtles had considered and recommended the establishment of a Charitable Incorporated Organisation or CIO (Registered with the Charities Commission but not at Companies House) on the basis that it could enter into contracts, own land and assets, that it could 'behave like a company but be a charity'. He proposed that the CIO adopt with minimal alteration a 'model' constitution on a template provided by the Charity Commission.

The council had the following to decide:

1. A name was needed.
2. What happens to the assets of the charity on winding up?
3. Number & standing of trustees.
4. Objects (apart from provision of a playgroup) How broad should these be i.e. social exclusion, rural regeneration, young people etc. There was a model set of charity objects for young people which might be adopted.

The Clerk asked in respect of trustees whether the council could act as a corporate (sole) trustee either whole (as it did for Jubilee Park) or in part with others.

The Chairman felt that the idea of additional trustees outside the council would be a benefit. Cllrs Lynch & Wren felt that additional trustees could be appointed on the basis of their skills (e. g. fundraising) and could be specifically identified recruited against an analysis of needs. Cllr Wren felt that sole trusteeship of Jubilee Park had not been successful over the long term. In respect of charitable objects Cllr Walker felt that the idea of a youth only charity 'should be resisted'. Cllr Johnstone felt that children and young people should be prioritised now. Cllr Lynch felt that in relation to the covid pandemic, charitable funding opportunities corresponded well to youth needs. The risk of casting the net too wide in respect of the charitable objects was considered.

It was AGREED that councillors would send their thoughts to Cllr Birtles in respect of points 1 to 4 above. A report and recommendations would be brought back to council for decision.

20/061 **Finance**

Receipts and Payments up to the 30th September were approved including forward approval in principle of regular/budgeted payments, Salaries, PAYE & NIC. The bank reconciliation was presented and approved with a closing balance of £123,675.

<https://www.kirkby-stephen.com/app/uploads/20201005-September-Bank-Rec-Payments-for-Approval.pdf>

20/062 **Finance**

The second quarter budget monitor had been circulated to councillors on the 5th October. Because of the short notice the monitor was not discussed in detail but

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would inform budget discussions to be held at the next council meeting. Cllr Walker noted that balances on the restricted funds would reduce further.

<https://www.kirkby-stephen.com/app/uploads/20201005-2nd-Qtr-Budget-Monitor.pdf>

20/063 Cumbria Community Foundation Covid-19 Response Fund Grant

A final report deadline 31 October 2020 was due. The council noted an unexpended balance of grant of £379.89. The Clerk was authorised to reimburse the Community Foundation their unspent funds. It was agreed that the Council would write to the fund suggesting that the funds could be transferred to the Kirkby Stephen Community Support Group who had taken on the 'FareShare' scheme and would be working with the area support hub to replace the community support function for which the grant had been intended and which was provided by the recently resigned Council and Community Centre Manager during the March/July 2020 lockdown.

20/064 Pennine Park

It was RESOLVED to provide sandbags to help manage/mitigate the risk of seasonal flooding for residents adjacent to Pennine Park at an estimated cost of £400.

20/065 Portfolios:

1. Town Council Administration. Councillors were canvassed about the idea of re-organising meetings and agendas to establish a Planning Committee and a Finance and General Purposes Committee. The Clerk would submit a proposal to the council for agreement. Councillors agreed that the appointment of a minute taker to support the Clerk would be a good idea - the Chairman and Clerk to action. The legal documents for the transfer of Stoneshot to the council had been received (5 October) and were being looked at. Councillors would be updated as soon as possible. Cllr Birtles had received no response to pre-contract enquires made in February.

2. Community Planning. None

3. Community. The Clerk and Cllr Richardson had installed the new bench funded by the Calor Fund to the concrete pad foundation on Redmayne Road and were thanked for their efforts.

4. Highways. The condition of potholes on Nateby Road were noted.

5. Open Spaces. Footway light 23 at High Street, Kirkby Stephen had been completely destroyed by a reversing HGV. Although the light belonged to the Town Council and was valued at £2,500. The District Council had offered to arrange to install a replacement (set back from the road) in the same location to replace it. It was AGREED to write with thanks. For the time being the site had been made safe

6. Property. It was agreed to speak to the artist Diane Lawrenson about the wording of a plaque for the sculpture 'Lady Anne's Way'. A means would be needed to acknowledge the input of donors and supporters.

7. Tourism & Events. Xmas Trees were available at the same cost as last year meaning that traders would be asked for £30 for a tree installed. It was AGREED to reduce the cost to £25 to subsidise traders wishing to participate. The new lights had been received. It was AGREED that the Clerk would follow up and purchase another 50 metres if they were available at the same price. It was decided that the theme of the window competition this year would be 'Christmas Around the World' with public voting to be arranged. A proposal from Stephen Macauley (Penrith Chamber of Trade) for a 'Window Wanderland' festival in February across Eden had

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been received (<https://www.windowwanderland.com>) other Town Councils in Eden (Appleby and Penrith) had been enthusiastic. It was agreed 'in principle' to encourage the development of the idea. Kirkby Stephen Community Arts were discussing the idea of covid secure 'Light up Eden Festival' with Eden District Council and it was felt that this idea might form part of that proposal.

20/066 Exclusion of the Press and Public

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.

20/067 Confidential Minute (Market Place)

20/068 Confidential Minute (Staffing Matters)

<meeting ends 21:30>

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Appendix 1

Cllr. S. Lancaster, Report to Kirkby Stephen Town Council 6th Oct 2020

Last Friday we learned of the sad news that Conservative Councillor for Hartside, Mr. Rob Orchard passed away after fighting a long battle with illness. He was a true gentleman and will be missed.

Apart from the general meeting of full council last Thurs not too much has happened in EDC. The Leader faced a vote of no confidence which myself, two other Independents and the Conservative group supported but the motion fell 16 to 20. Since then I am pleased to report that I have received several emails from the Leader which is definitely an improvement on the past situation. Les Clarke was voted in as Acting Deputy Head of Paid Services.

At a meeting of the Yorkshire Dales National Park Authority we discussed the white papers for the planning shake up and I was pleased to be able to report the parks suggestions to Cllr. Derbyshire who was collating responses to go back to government. Our main concerns were that the Parks may become too protected, therefore not encouraging younger families to build houses and stay in the Park. We would like to see controlled development not discouragement as we are already seeing a dispersal of families to bigger towns and cities. This and what reads to be a general emphasis on “beauty” of proposals needs to remain relevant to the Dales

Budget Scrutiny meetings continue and Paul Sutton is still very much of top of his game there.

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Appendix 2

Cllr. P. Dew, Report to Kirkby Stephen Town Council 6th Oct 2020

Appleby Horse Fair – the Multi Agency Strategic Coordinating Group that oversees the Fair met on 21 September, 2020, to begin planning for the 2021 Fair which will run from 3-6 June, 2021, depending on the pandemic. We discussed the Economic Impact Study and Temporary Stopping Places [given that Watter Yat is not available] and the need for an adequate police presence [given that Chief Superintendent Rob O'Connor is retiring]

Reopening Schools - the return to school has gone smoothly and successfully with over 93% attendance in Eden. There have been a relatively small number of C-19 incidents in Cumbria. I met with Dan Barton [AD Education] on Friday, 2 October, 2020, and also with Gary Hartley [HT KSGS], for an update on plans going forward.

Covid-19 – there are currently only a small number of confirmed new cases of Covid-19 in Eden – 17 [week ending 25 September, 2020] – 2 in KS/Tebay/Brough [week ending 1 October, 2020]

Local Government Reorganisation – the Government is keen to reorganise local government in Cumbria. EDC has established a working group - which I sit on – as well as the equivalent CCC Task & Finish Group. Councillors should now be aware of the potential implications of devolution and the need for an intermediary body linking the central authority with the town council.

EDC – the CE Rose Rouse left the council unexpectedly on 31 August, 2020. At the Council meeting on 24 September, 2020, Les Clark was appointed Acting HoPS. EDC is in the process of recruiting an Interim Chief Executive. The HR & Appeals Committee met on 22nd and 30th September, 2020, and NW Employers have been asked to explore five options to contrast and compare and establish pros/cons. I favour an internal appointment for continuity reasons to deliver the One Eden Transformation Programme and oversee the move to Voreda House

Western Dales Bus – recommenced its S4 [Friday] and S5 [Thursday] services in August, 2020 - with reduced capacity [6]. I'm hoping the number will increase over time [8] and volunteer drivers discussed this at a meeting on 1 October, 2020.

Pavement Parking – the Government is carrying out an online consultation on the contentious issue of pavement parking [up to 22 November, 2020]. Options range from a complete ban to more robust enforcement [by civil enforcement officers] where obstruction is being caused [which I favour]. This has implications for South Road in Kirkby Stephen.

Area Planning – the recently formed area planning group met in Kirkby Stephen on 16 September, 2020. The group is currently identifying key priorities – such as the Brough to KS cycleway - and will put together an action plan.

Flooding – a Stage 1 Initial Flood Assessment is being carried out in KS. The first meeting will be on Friday, 9 October, 2020, and I will point out concerns with the capacity of Croglam Beck, particularly in relation to Phase 2 of the proposed White House Farm development.

Library – 12 branch libraries are due to open on 21 October, 2020, but there has been no movement on re-opening the Local Links. Reassurances have been given that there are no plans to close our

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library even though the library service is undergoing a root and branch restructure. ELC members discussed this with senior officers on 6 October, 2020.

Burial Board – the planned Boon Day didn't take place on 27 September, 2020 – we are discussing plans for further improvements - including a website

Health Scrutiny – took place on Monday, 5 October, 2020 – Peter Rooney Chief Operating Officer North Cumbria Trust presented the winter plan and the measures put in place to cope with the expected surge in demand – including use of the independent sector + beds in neighbouring trusts [Newcastle] + flu vaccination + capital investment to increase capacity.

CYP Working Group – Youth Link Workers [Bethan Nicholson and Sophie Bradbury] have been appointed to work in schools and surgeries. They will signpost CYP suffering anxiety to community activities – known as social prescribing – in order to improve mental wellbeing

DWP – Shane Byrne [senior manager] addressed the Eden Health & Wellbeing Forum on 5 October, 2020, and described measures put in place for unemployed YP aged 16 to 24 - including youth work coaches, youth hubs and the Kick Start programme for employers

Business Interruption Insurance – the Government has been working behind the scenes on this issue and the FCA recently won a High Court ruling in favour of business claimants - though that has now gone to appeal.

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