

## 14 September 2021, 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

At Upper Eden Rugby Club, Pennine Park, Westgarth Road, Kirkby Stephen at 6:45pm

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**Attending:** Cllrs. P Richardson (Chairman), A Birtles (Vice Chairman), G Wren, S Lancaster, M Walker, C Barnes (Clerk), Cllr P Dew (CCC/EDC)  
Z Bromfield (Minutes Secretary)

#### **Public Participation,**

5 members of the public were present.

A representative of eQuality Homes, spoke about grant funding which may be available to establish a community heat network at the Nateby Road development. Various technologies would be looked at including air and ground source heat pumps. Views from the wider community to assess support are being sought. Anyone interested is being asked to complete the survey on the Equality Homes website. <https://www.surveymonkey.co.uk/r/eqkslc>.

Cllr Walker suggested that any trenches which were dug for pipework could be used to install fibre optic cables at the same time, to improve the broadband network.

Cllr Walker had received concerns regarding the number of 'A boards' currently causing obstruction on the highways, especially for people with poor sight. It was agreed that Cllrs Richardson, Dew and Lancaster would look into this further.

A further complaint had been made in connection with footway lights devolved to the Town Council under an agreement with Eden District Council by a member of the public. Seven of the footway lights had never been commissioned, completed or installed and were not operative. The Clerk has raised this issue with the District Council numerous times. It was agreed to be appropriate to withhold payments to Eden District Council under the terms of the agreement until the outstanding issues had been resolved. It was agreed that the Chairman would write to Eden District Council.

Cllr Walker announced the Neighbour of the Year Awards, which this year includes a category for Community of the Year, which can be an individual or a group. He hoped that there was somebody locally who could be nominated. Nominations can be made by visiting [www.coop.co.uk/noty](http://www.coop.co.uk/noty).

Cllr Dew asked for an update regarding the Visitor Centre. The Clerk reported that there has been no further update, though it has been made clear to EDC that the commercial rent due would jeopardise the operation of the centre going forward.

Cllr Lancaster reported that she has received several complaints regarding the play park at the school, parts not working properly, other parts being unsafe and asked if the Town Council want it. The land is owned by CCC and leased to EDC as a play area. The lease is due to end soon. The public are denied access to it during school times for

safeguarding reasons. Cllr Walker reminded councillors that there have been previous suggestions that the fence marking the school perimeter be moved which would then allow access to the park during the day. Cllr Lancaster also noted that creating a new park near the cricket pitch has previously been discussed.

#### **Participation of District & County Councillors**

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

Cllr Lancaster had attended an EDC meeting regarding Council governance during the Summer Break.

##### **Cllr. P Dew (CCC/EDC).**

**Appleby Horse Fair** – Councillors agreed with Cllr Dew that they felt that Kirkby Stephen had been well supported by the police during Phase one of the fair. There had been an issue at the Rugby Club, however this had been quickly resolved. The A685 continues to be used as an encampment. Eden District Council will not take on responsibility for providing alternative stopping sites.

It was felt that Phase two of the fair at Appleby had not gone as well. Cllrs Dew and Greenwood had met with representatives from 'the Peoples New Fair' group which was set up on Facebook during the fair and are studying their suggestions to take to the next meeting of MASCG.

Cllr Lancaster requested that the timing of the next fair also be raised at the next meeting of MASCG in relation to the planning of the Queen's Platinum Jubilee celebrations.

**Local Government Reorganisation** – In July Government had decided to change Cumbria into two unitary authorities by dividing the East (including the Furness Peninsula) and the West of the County. Cllr Dew supported CCC in challenging the decision and seeking a judicial review. Judicial review had been rejected by the Government in at the beginning of the month. CCC is still considering their response.

Meanwhile, the Senior Responsible Officer (CCC) will meet with the current 6 districts to decide the names of the authorities, number of councillors, structure etc. and are working to a set timetable (Structural Change Order). Many council officers are leaving making decision making more difficult. The need to establish good communication/locality working between the new Unitary Authority and the Parishes/Towns is very important for the local community. The new unitary authorities will be established as 'shadow authorities' in May 2022 and will take over the running of the former Cumbria County Council area on 'Vesting day' 1 April 2023.

The **A66 Public Consultation** will finish on 14<sup>th</sup> October. Cllr Dew continues to argue that the current issues regarding the A685 should be funded within the overall cost of the dualling of the A66. These include the need for the road to be improved, a cycleway connecting Kirkby Stephen with Brough, management of parking/speeding on South Road, Town Centre road markings and use of the A685 by HGVs leading to problems at Midland Bridge. It was agreed that the dualling of the A66 will cause additional traffic on to the A685 and therefore these improvements should qualify as part of the overall cost of the scheme.

**Burial Board** - works carried out at the cemetery had recently been completed with aim of making the cemetery a more attractive. A new website ([www.kirkbystephencemetery.co.uk](http://www.kirkbystephencemetery.co.uk)) and information boards had been

commissioned and installed. Finances and accounts are all in good order, and the grass maintenance is exemplary. The Burial Board had received grant funding to carry out the work, which had been inspired and led by its Chairman.

Cllr Dew noted that a follow up regarding the street names, and formation of a business group had not been included on the Agenda, and requested an update.  
**Street names** – the Clerk reported that the housing development had approved the suggestions agreed by the Councillors at the last meeting, but they had then been rejected by EDC, who have refused to discuss it directly with the Clerk.  
**Business group** – there was no update.

**Participation of the Police**

None

- 21/050 **Welcome & Apologies.**  
Apologies were accepted from: Cllr Lynch – illness, Cllr Thornton – holiday, Cllr Murray – holiday.
- 21/051 **Minutes.**  
The Chairman was authorised to sign the draft minutes of the meeting held on the 6th July 2021 as a true record.
- 21/052 **Co-option.** It was unanimously agreed to co-opt Phil Dew to the vacancy arising from the resignation of Rachael Girvan. It was recognised that Cllr Dew lives in the Parish is active in the Town Council’s affairs and already attends every meeting. He will also be able to provide a link to higher tier authorities as Local Government reorganisation progresses. His statement in support of his application appears as Appendix 1.
- 21/053 **Planning 21/0744 Site address:**  
**THE DENE, ROWGATE KIRKBY STEPHEN CA17 4SR. Description: Proposed extension and re-modelling of bungalow.**  
This was fully supported councillors noted the inclusion of Solar Panels on the roof. A councillor suggested that the council might recommend that car charging facilities be installed.
- 21/054 **21/0614 Site address:**  
**BUILDING TO THE REAR OF THE TAGGY MAN, 4 MARKET STREET KIRKBY STEPHEN, CA17 4QS** Description: Refurbishment to facilitate re-occupation of former lodgings building to create letting accommodation for the benefit of the current public house. It was recognised that there were no highways issues with this application and it was fully supported.
- 21/055 **Jubilee Park**  
Cllr Wren introduced the Final Draft Jubilee Park Management Plan prepared by Luczak Associates. Cllr Wren recognised that it is a comprehensive report, and its aims are achievable. Much of the work can be carried out in the short term, and will therefore be a benefit to the community soon. Other parts of the plan will take longer, with the plan lasting up to 5 years before a review is required. There has been lots of enthusiasm from the community, with various offers of help including from the Scouts and WI.

It was unanimously AGREED that the plan be adopted.

Historically the council had underfunded the maintenance costs of Jubilee Park. The Clerk would prepare an analysis of the spending and action plans at the end of the report to feed into the budget setting process. It was accepted that the Town Council will need to increase its financial commitment going forward. It was recognised that fundraising and volunteers will also be needed, and this should be supported by any necessary contract work. It is also hoped that Westmorland Dales will use their apprenticeship scheme to support the project too.

21/056 **Kirkby Stephen Market Place & Cloisters First Registration of Title.**

Councillors had received a report circulated with the meeting papers of the findings on the consultation on First Time Registration of the Market Place & Cloisters with recommendations.

Councillors RESOLVED to progress applications to register First Title at the Land Registry for the Cloisters (Area 3) and for the central paved area of the Market Place (Area 2) bounded by cobbles opposite the Cloisters and to the east of the A685 (Market Street).

The recommendation to register ‘a caution against first registration’ over the area to the west of the pavement adjoining the A685 (Market Street) in front of the Pennine Hotel and Sleddall House between Girvan’s flower shop and Old Fountain (Area 1) was withdrawn on the basis of subsequent advice received - that the Town Council had no registerable interest in the land.

It had been established during the process of consultation that this area of land was “Highway Maintainable at Public Expense” for which the Highways Authority (Cumbria County Council) was directly responsible.

21/057 **Evergreen Building & Kirkby Stephen Youth Centre.**

CLlr Birtles debriefed on the Town Council’s application to establish ‘The Evergreen Community Trust’ to hold the Evergreen Building in trust as an asset dedicated to youth work.

The Charity Commission has:

1. Challenged proposed trusteeship proposal (Town Council as Sole Trustee), and
2. Raised an issue about how the trust is regularly funded. (They want to see the Trust have secured income).

Alternative trusteeship proposals would be researched ‘in principle’ and reported back to the Town Council with a view to resubmitting the application in such a way as to satisfy the concerns raised by the Charity Commission.

The council received and approved a draft financial statement showing funds dedicated to Youth Provision of £18,003.65. £16,000 received from Cumbria County Council and being held for the future support of Youth Service Provider, Kirkby Stephen Youth Centre and £3,000 of the Town Council’s funds £996.35 of which had been defrayed on expenditure related to the development and management of the building. The Clerk expressed concern that spending on the building could escalate further until its ownership can be resolved.

It was agreed that the project group would be convened to examine progress and plot a way forward.

21/058 **Appleby Fair**

It was agreed that Phase 1 of the fair and the effect it had had on the Kirkby Stephen area had already been adequately discussed during public participation.

21/059 **Finance**

1. Receipts and payments up to 31<sup>st</sup> July 2021 were approved. The bank reconciliation to the end of July 2021 was approved, with a closing balance of £162,275.98. <https://www.kirkby-stephen.com/app/uploads/20210825-July-Bank-Rec-Transactions.pdf>
2. Receipts and payments up to 31<sup>st</sup> August 2021 were approved including forward approval in principle of regular/budgeted payments, Salaries, PAYE & NIC. The bank reconciliation to the end of August 2021 was approved with a closing balance of £166,275.58. <https://www.kirkby-stephen.com/app/uploads/20210906-August-Bank-Rec-and-Transactions.pdf>

21/060 **Finance**

The restated budget monitor (1<sup>st</sup> quarter) was approved.

21/061 **Audit (2020/21) Conclusion.**

Councillors approved the Notice of Conclusion of Audit 2020/21 and received the External Auditor's Report (Agar Section 3) 2020/21 which was now published on the Council's website/public notice boards.

The auditor has issued an unqualified report and raised no issues for the council to address.

It was agreed that the mandates would be reviewed and discussed at the next meeting.

21/062 **Portfolios**

1. **Town Council Administration. Transport Audit** - Cllr Walker reminded councillors that the audit is designed to research Kirkby Stephen residents needs regarding public transport. He will be working on the audit through the Area Planning Group.  
Cllr Walker will also discuss car park signage with Cumbria County Council noting the availability of upto £1,500 of area planning funding to pay for an audit of existing provision with recommendations.  
Newsletter – Councillors were asked for ideas/reports for a newsletter to be publicised in time for Christmas. Difficulties regarding delivery of newsletters were also raised. It was agreed that the Clerk and Zelda Bromfield would plan the content/programme and feedback to councillors. The office move had been completed with the Clerk now being based in the main office.
2. **Community Planning.** None
3. **Community. (Sandbags in anticipation of flooding at Pennine Park, Post Office update, CCTV update & Christmas Tree)**  
The culverts at Pennine Park have been improved. Historically KSTC has provided sandbags to mitigate the risk of flooding to nearby residential properties and the Clerk was authorised to make arrangements for this year.

Appleby Post Office has set up a temporary post office at Kirkby Stephen Business Park. The Post Office will be open on Mondays and Fridays from 1.30 to 4.30, and will continue as a temporary relief service until the new arrangements are confirmed.

The Clerk reported that EDC had been very helpful in leading the preparations for the decommissioning of the old CCTV system in the Town Centre.

Cllr Richardson reported that the Christmas lights will soon be taken down, to allow the Christmas lights team to assess condition. Following offers of a Christmas tree, attempts will be made to remove the pole in the Market Place to allow a tree to be installed. Christmas Fayres are being planned, one on the weekend of the 27<sup>th</sup> and 28<sup>th</sup> November in the Market Square, to be co-ordinated with the Christmas lights switch on. The other being organised by Stainmore Railway for the weekend of the 4<sup>th</sup> and 5<sup>th</sup> December, who have requested a donation from KSTC for a bus to run from the town centre to the station. £300 was quoted for the bus. Cllr Dew suggested making an application for this to the Contain Outbreak Management Fund to cover this. The expenditure was agreed 'in principle'.

The Christmas window theme would be 'Nature', businesses needs plenty of notice of this. Residents will then vote to decide the winner, with one vote being picked at random to decide who will switch the lights on. KSTC will need to let the schools and the church know, prizes will need to be organised and the trophies returned. Cllr Lancaster will contact the schools.

**4. Highways. (A66 Consultation at Kirkby Stephen Social Club 13/14 October & Market Place 27 September (10am-3pm)**

It was agreed that a Councillor should be present whenever possible (2 hour stints), with clear aims for what KSTC hopes to achieve. These include an improved road for the A685, cycle path, CCTV to monitor HGV's.

**5. Open Spaces. (Branches in Stenkrith)**

Following a site visit it was difficult to see where/how branches are causing an obstruction. A member of the public confirmed that the issue was concerned with branches obscuring the view of the river from Millennium Bridge rather than presenting an obstruction.

**6. Property.**

The Council needs to make further Registrations of Title to its land listed on the Asset Register at the Land Registry, the Clerk recognises that a program of work will need to be prepared.

**7. Tourism & Events. (Settle and Carlisle Railway Community Rail Partnership update)** concerns were raised that the CRP are promoting the Railways as a tourism route, encouraging tourists to travel the full route. There have been reports of boarders at Kirkby Stephen station being refused access. The line needs to be available to Kirkby Stephen residents as part of the main national rail network. An invitation has been sent to representatives of the Community Rail partnership to attend a KSTC meeting to discuss these concerns. The council nominated Cllr Walker to lead on the CRP.

21/063 **Date of Next Meeting** 5 October 2021, at the Rugby Club again.

Meeting ends <8.45>.

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*Chairman's Initials*

**Chairman**

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**Date**

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*Chairman's Initials*

**Appendix 1.**

**Co-option Statement – Phil Dew**

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I have been aware for some time of recurring vacancies on Kirkby Stephen Town Council and given the fact that I regularly attend meetings in my capacity as County and District Councillor for the Kirkby Stephen Division/Ward I would be happy to be co-opted onto the Town Council - if other councillors feel that is appropriate. I have knowledge and experience of a wide range of issues and feel that I could make a useful contribution to both the ongoing work and the general decision-making process of the Council. For the record, I have read the eligibility criteria and believe that I fulfil them all – without qualification.

Phil Dew [8 September, 2021]