

8 February 2022, 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

Attending: Cllrs. P Richardson (Chairman), A Birtles, D Thornton, S Lancaster (EDC), M Walker, G Wren, C Lynch, J Murray, C Barnes (Clerk),
5 members of the public were present.

Public Participation.

None

Participation of District & County Councillors

Cllr Lancaster spoke to a report which is appended touching on:

App.1

- EDC's role in providing reduction on Council Tax Bills to help with the rising cost of living.
- The high expenses involved in retaining the services of an Interim Director of Resources (£15k per month).
- Her participation as a business in a working group looking at the development of a local transport project in the Kirkby Stephen area.
- Support for Hybrid working (YDNPA continue to support hybrid)
- She continues to be busy with various planning queries in Kirkby and YDNPA area and with the planning for the Queen's Platinum Jubilee celebrations in Kirkby in June.
- Interest from and support for Market Traders.

Cllr Dew was absent but had submitted a report to councillors (appended) which was read out to the meeting in his absence touching on:

Eden District Council

App.2

1. No increase in the portion of Council Tax raised by the District Council this coming year.
2. A £20,000 Community Events Fund has been set up by EDC for the Platinum Jubilee.
3. The Council is recommending that no recharges are levied in relation to the provision of footway lights where devolved.

Cumbria County Council

1. The recommendation is for no increase in Council Tax for 2022/23 but an additional 2% for Adult Social Care.
2. Eden Local Committee has approved grants totalling £22,000 for Phase 1 of the Evergreen Building refurbishment project with a condition that the moneys are expended before 31 March, 2022.

Highways

1. Diversion routes regarding the dualling of the A66, mitigations relating to the A685 including alternate parking arrangements.
2. Changes to carriageway & Lights at the Nateby Road/Market Street junction

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Chairman's Initials

Police

1. Police action to discouraging on-pavement parking the Spar garage
2. Suspected contraventions of the weight limit for vehicles on the A685 should be reported via 101 online and they will be directed to the appropriate department for further investigation. In the meantime, local police officers continue to monitor traffic and are planning a physical vehicle check.
3. Civil Enforcement Officers visited the town in December, 2021, and issued four Penalty Charge Notices for illegal parking.

Local Government Reorganisation

GR is progressing according to plan. The draft Structural Change Order was laid before Parliament for approval on 24 January, 2022. This process should be completed before the end of March, 2022.

Police

There was no specific report other than a circular forwarded to councillors. The Clerk had received an update from Police regarding their drugs initiative and Police intended to attend a future meeting when they would update the council.

21/106 **Welcome & Apologies.**

Apologies were accepted and approved from

- P Dew (Prior Commitment/EDC)

21/107 **Declarations of Pecuniary Interest.**

None.

21/108 **Minutes.**

The Chairman was authorised to sign the draft minutes of the Ordinary Meeting held on the 11th January 2022 as a true record subject to a minor amendment. It was noted that the figures given in the tables at Appendix 2 had been updated from those circulated with the summons to that meeting to take account of CTRS of which the council had now been notified. (21/103 recorded that the council would be updated with actual figures taking into account CTRS).

21/109 **Planning 22/0046**, Site address: WAREHOUSE AND PREMISES, ROYAL ARCADE, MARKET STREET KIRKBY STEPHEN. CA17 4QP. Description: Change of use from storage to commercial Class E, insertion of new window into front elevation, construction of new access to rear garden area.

The Town Council Supports the application. Councillors noted that the site was the former location of the Sandemanian Chapel. It was felt that this history should be acknowledged in the Heritage Statement and recorded in relation to the site itself. Further information is available here:

<http://www.upperedenhistory.org.uk/bp4.htm>

21/110 **Planning 22/0039**, Site address: LAND AT KIRKBY STEPHEN BUSINESS PARK, ST LUKES ROAD KIRKBY STEPHEN, CA17 4HT. Description: Construction of Class E office/studio accommodation building. The application was supported by the council. The Town Council Supports the application. Councillors expressed concern about traffic. Councillors seek the imposition of conditions relating to

renewable energy and electric car charging

21/111 **Planning 21/1099**, Site address: 10A MARKET STREET, KIRKBY STEPHEN, CA17 4QS. Description: Proposed conversion of outbuilding to create a one-bedroom residential annex within the existing planning curtilage of dwelling.

The council was of a unanimous view that it OBJECTED to the proposed development noting that the application had been 'called in'.

Councillors agreed that the proposed building was OVERBEARING on the neighbouring property and would deprive it of light. Councillors agreed that the proposed contemporary glazed APPEARANCE/design of the building was objectionable and not consistent with the design and character of other buildings in the area. It was AGREED that the building would OVERLOOK the adjacent property (It was noted that glazing would not be frosted) and would impact adversely on the residential amenity of the neighbouring home.

Councillors heard a representation from a member of the public who circulated material relating to the proposed development including pictures of works said to have been carried in the interior of the garage by the applicant. The applicant was advised that this material would need to be reviewed/examined in relation to building regs and fire safety concerns by an appropriate officer.

If the matter were to go to committee, Cllr Lancaster would attend on the Town Council's behalf

If a development were to be approved on this site the council would seek conditions relating to renewable energy, parking and the environment.

21/112 **Small Grants Policy 2022 2023**

Councillors considered the Draft Small Grants Policy circulated with the agenda for discussion: The Clerk raised the following issues for councillors' feedback:

1. Whether the council was willing to offer grants to both individuals and organisations?
2. The term for which the Policy would be in effect?
3. Whether grants should be considered at a specific time or an any meeting of the council?

It was AGREED that the Policy would be revised and presented to the next meeting for approval on the basis that the council would be prepared to make grants to both individuals and organisations, that the policy would be in effect for the life of the council (usually a term of 4 years) but could be called in for earlier review and that multiyear applications could be awarded with an applicant not having to reapply. It was agreed that grants would be decided on a quarterly basis.

Observations were noted as to the sequence of information requested on the on the application form and changes agreed.

21/113 **Grant Requests | Access the Dales £1,000 | First responders £60.**

Councillors were circulated with a short paper prepared by the applicant in response to an email from the clerk regarding the application and detailing planned expenditure. The applicant gave a verbal presentation on the establishment of the charity 'Access the Dales' and the proposed Access Exchange Conference and associated proposed events which were focussed on disability issues and access to the Dales the paper is appended. Councillors were impressed with the proposals and minded to approve all or part of the planned activities. App.3.

Councillors had received a request for funding towards the annualised costs of defibrillator batteries in the council area of £60 per year.

Councillors reviewed a paper circulated by the Clerk detailing the availability of uncommitted grant funds arising from the cancellation of the Easter Rally. During the year the council had made a number of grants which had depleted this fund and had not been solicited and had yet to award the Brittleton Bursary. The remaining uncommitted balance of the grants budget was £422.

The council's section 137 limit had not been exceeded by a margin of £2,710 and councillors therefore had scope to overspend the budget. It was agreed to fund both applications fully. The overspend of budget would amount to - £578.00 less than 0.5% of the budget overall.

21/114 **Brittleton Bursary 2021 22 (£500)**

Councillors considered the report detailing applications circulated with the agenda and approved grants from the Brittleton Bursary as follows:

1. Kirkby Stephen Duke of Edinburgh Gold Scheme (Expedition) £150 to organisers.
2. A grant to the benefit of a young person to support the costs of training with the England U16 Hockey Team at Lilleshall National Sport Centre in Shropshire £150.
3. Kirkby Stephen Scouts a contribution to support the costs of attending the Red Rose International Camp 2022. 6-13 August. £200.

21/115 **Devolution of Assets Update re Footway Lights and Visitor Information Centre.**

Eden District Council had not responded to correspondence in connection with a request for funds to support the costs associated with the devolution of the Visitor Centre and to clarify whether they could devolve the service after the creation of the shadow authority? Cllr Lancaster would follow this up with a further enquiry in the hope that a report could be brought to council before the year end for approval and transfer.

Footway lighting continues to be a source of justified complaint from residents over inaction from Eden District Council now three years overdue on the decommissioning of a number of old poles and the switching of electrical supply and the installation of a lamp which had been omitted at Westgarth Court. Cllr Lancaster would also follow this up.

21/116 **Queen's Platinum Jubilee**

The Royal Institute of Chartered Surveyors proposed the creation of a Platinum Jubilee Beacon at 9 Standards (2 June 2022) and were seeking Town Council support. The council had been approached directly by two members of the public who felt that Tailbridge Hill would be a better location and had raised concerns about the impact of a beacon on ground nesting birds. Councillors preferred the idea of the Beacon at 9 Standards subject to landowner's consent being obtained and concerns raised being addressed. It was noted that Mountain Rescue had been approached to offer their support to the process. The Clerk would feed back to and liaise if necessary, with RICS.

Participation in the Queen's Green Canopy project at Jubilee Park (October/December 2022) was confirmed with an update expected soon.

Events were being planned for the 2 & 3rd June in the Town Centre.

21/117 **Finance.**

Receipts and payments up to and including the 31st January were APPROVED including forward approval 'in principle' payment of regular/budgeted payments, Salaries, PAYE & NIC. The bank reconciliation to the end of December was approved, with a closing balance of £140,803.95.

www.kirkby-stephen.com/app/uploads/20220207-January-Bank-Rec-Transactions.pdf

21/118 **Portfolios**

1. Town Council Administration.

The Clerk noted that councillors had adopted the practice of introducing items under public participation. At the last meeting 4 items had been raised and yet there were no members of the public attending. Councillors were asked to put items forward for the agenda in the usual way.

2. Property.

Cllr Murray spoke to a brief report (Appended) setting out his initial findings and approach. Councillors agreed that legal work would be required to make first registrations of title. It was AGREED to examine how the work could be priced, costed and programmed and report back to the council.

App.4

3.1 Open Spaces | Jubilee Park Management Plan.

The Jubilee Park working group had met on the 1st Feb (joined by a representative of the Oaklea Trust) and looked ahead to the event on the 5th March (10-2) The Scouts (Footpaths), Rotary (Ivy Stripping) and Gardeners of Eden (Rockery) would be working in the park. NW Arb would attend to give demonstrations/instruction on Ivy Stripping and would arrange the disposal of Stripped Ivy. Refreshments would be available from Lakeland Coffee. Designs were being sought for new signage and information signage for review at a second meeting on the 10th March. A dedicated web page would also be set up to be hosted on www.kirkby-stephen.com, public communication would be by direct mail (not social media). A specialist contractor would be approached to begin survey work on the treescape which would continue as an annual service for the life of the plan. The clerk would look into the possibility of the contractor giving a public talk on their work in Kirkby Stephen. Legal Papers connected to the Park had been reviewed and key documents supporting the First Registration of the Park identified. Legal work was currently being priced.

3.2 Open Spaces | Stenkrith Fencing Report.

The Clerk had reviewed the site with a fencing contractor to look at the entrances in the park. Some concerns had been raised about a safety issue. The condition of the fences at the site boundary was poor and renewal would be required. The park was rented by the Town Council from a private landlord and it was agreed to examine the basis of the agreement as part of the properties portfolio work and research costs associated with fencing ahead of further discussion.

4. Community Planning. None

5. Community. None

6. Highways.

Councillors approved the principle of the council applying for funding from ACT to support the costs of the transport audit on which Cllr Walker had been working with the County Council. A proposal for workshops and a written report had been received and developed. Cllr Walker felt that it was important that the work on the audit was not conflated with the discussion of traffic problems in the town or the dualling of the A66 the audit was looking at future and predicted transport needs and delivery mechanisms and specifically at gaps in current provision.

Tourism & Events.

Please note the dates 2nd and 3rd June for Town Centre Celebrations of the Queen's Platinum Jubilee, Cllr Lancaster was developing celebrations and would report back. It had been decided to avoid the weekend in anticipation of a clash with the build up to Appleby Fair.

21/119 **Next Meeting 8 March 2022, Ordinary Meeting.** It was agreed to retain this date. However with the exception of the January meeting at which the budget would be set it was agreed that the meetings would in future be held on the first Tuesday of the month. Meetings had been stepped back to allow the production of financial reports but where this was not possible these reports would now be presented to the next available meeting. Changing dates were understood to impact on some councillors ability to attend owing to other regular commitments.

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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 | 8th Feb 2022

The Government has announced that millions of households in the UK will receive a rebate on their bills to help with the rising cost of living, due in part to energy price rises.

Eden District Council is currently working with its software supplier Capita to investigate how to implement the rebate for households locally in Eden. The Council will provide more information on this scheme shortly, as soon as it becomes available.

Eden businesses can still apply for the latest COVID grants until 12pm on Monday 14th Feb, both are administered by EDC.

At a full council meeting held last month the council voted to retain Paul Sutton as our Interim Director of Resources until June 2022 at a huge cost of £15k per month. This is a whopping £6.5k above budget but we legally have to have a 151 officer. At present there are no plans as to what will happen after June and for the remainder of the life of EDC but there would only be enough money left in the budget for a further 3 months with this arrangement.

I have been asked by Kellie Bradburn-Sims to join a working group looking at the development of a local transport project in the Kirkby Stephen area, to understand more about local transport needs and explore new solutions. They are recruiting people from the area to form a working group and are keen to have representation from different demographics within the community. I have been asked to provide a local business perspective for the project. It will be interesting to see what the proposals are.

YDNPA continue to support hybrid and/or virtual meetings options but like everyone else we are waiting to hear the government's response to its consultation last June.

I've continued to be busy with various planning queries in Kirkby and YDNPA area and with the planning for the Queen's Platinum Jubilee celebrations in Kirkby in June which I'm pleased to say is gradually taking shape. Hopefully it will be a good couple of days for us all.

I have a couple of interested market traders for our market but I'm waiting for them to finalise their availability so will keep you informed. It would be great to have a busy Monday market again.

Appendix 2

Cllr P Dew CCC EDC | Report to Kirkby Stephen Town Council | 8th Feb 2022

Eden District Council | The draft EDC budget for 2022/23 has undergone a process of scrutiny by the Finance Scrutiny Committee, which I chair. There will be no increase in the portion of Council Tax raised by the District Council this coming year.

A £20,000 Community Events Fund has been set up by EDC for the Platinum Jubilee. Application details are available on line.

The Council is recommending that no recharges are levied in relation to the provision of footway lights for those councils who have adopted their footway lighting.

Cumbria County Council | Cumbria County Council meets on Thursday, 10 February, 2022, to discuss the draft budget for 2022/23. The recommendation is for no increase in Council Tax for 2022/23 but an additional 2% for Adult Social Care.

Eden Local Committee has approved grants totalling £22,000 for Phase 1 of the Evergreen Building refurbishment project - which will hopefully be completed before 31 March, 2022.

Highways | Discussions continue with National Highways regarding diversion routes during the dualling of the A66 – and specifically mitigations relating to the A685. These include the provision of parking facilities for residents living at the south end of South Road and the [possible] removal of the traffic lights at the Nateby Road/Market Street junction following a realignment of the carriageway. Various pressure groups are threatening to delay the dualling of the A66 but this must not be allowed to happen because the improvements are long overdue. Any delay is likely to lead to more serious accidents and fatalities.

Steps are being taken by local police officers to discourage on-pavement parking by residents who live in the new houses opposite the Spar garage which is proving a hazard to pedestrians visiting the cemetery

Planned Highway improvements are progressing in and around Kirkby Stephen. The parking bays adjacent to McColls should be completed before the end of this financial year [31 March, 2022]. This will assist the flow of traffic travelling south through the town.

Suspected contraventions of the weight limit for vehicles on the A685 should be reported via 101 online and they will be directed to the appropriate department for further investigation. In the meantime, local police officers continue to monitor traffic and are planning a physical vehicle check.

Civil Enforcement Officers visited the town in December, 2021, and issued four Penalty Charge Notices for illegal parking.

The Hartley Lane footbridge has been re-instated and the footpath is now open. This work was paid for using Government Covid money to encourage outdoor activity.

Local Government Reorganisation | LGR is progressing according to plan. The draft Structural Change Order was laid before Parliament for approval on 24 January, 2022. This process should be completed before the end of March, 2022.

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Chairman's Initials

The application for permission to apply for Judicial Review, filed by CCC, was refused by Judge Stephen Davies on 14 January, 2022 – which is very disappointing. CCC has asked for an oral hearing to put the Council’s full case to a High Court Judge in person. In the meantime, elections to the new Shadow Authority are due to take place on Thursday, 5 May, 2022.

Appleby Horse Fair | The 2021 Evaluation Report will be published later this week which outlines the lessons learned from the 2021 Fair, and answers the questions raised by residents.

Appendix 3

Access the Dales Proposal

Access the Dales

Access the Dales is a new charity. We are just waiting for our charity number and registration from the charities commission. One question was raised by the commission but we have been given a guarantee that our application will be approved.

We have trustees and a constitution (attached)

Access the Dales exists to break down the barriers that prevent people with limited mobility enjoying the great outdoors either independently or with their friends and family.

We will do this wherever need, demand and our capacity allow, by making all-terrain mobility vehicles available to borrow at outdoor locations in the Yorkshire Dales. We can now confirm we will have 6 hubs across the dales when we launch in April, making of total of 8 different places where all terrain wheelchairs will be available within the Yorkshire Dales National Park.

One of the hubs will be in Nateby and routes available will include Podgill, Watercut and Nateby Common.

In addition to this we are also developing audio trails which will be suitable for the visually impaired. Our first audio trail will be based along Podgill and also at Smardale, as both these routes are ideal for someone with sight impairment as they are relatively flat and have a good surface without obstacles, with plenty of sounds of nature to enjoy. This trail will be used by the visually impaired groups based in Sedbergh and Kirkby Longsdale. I wish to apply for funding of £300 to develop these trails. This would pay for professional support from South Lake Visually Support, which are based in Kendal. A copy of the audio routes would be available online and can be accessed from a smart phone and would be a resource that could potentially enhance tourism in the area.

I wish to apply for funding to support the Inclusion and Diversity day which we are holding at The Engine Shed on the 3rd April. This is a day of people of all abilities, ages and culture coming together to enjoy the outdoors. We have forest school activities, signed singing, stile free walks and children's activities. We ask for £500 to pay for the leaders to run the children's workshops in Jubilee Park.

I wish to also apply for funding of £200 to support our Access for All UK conference which is being held on the 4th April, again at the Engine Shed. The money would be used for marketing of the event, so that we can reach out to all service providers who may already or be thinking about developing their provision for people with disabilities. As well as engaging with people located within the National Park we would also like to reach out to businesses in and around the Eden Valley. This conference is the first of its kind in this area and Kirkby Stephen is the host for the event.

We have raised the money and sponsorship so far for 6 different types of all terrain wheelchair, which equates to over £57K

The breakdown for our funding request from Kirkby Stephen Town Council
£500 for children's activities for the Inclusion and Diversity Day
£300 for the Audio Trails at Podgill and Smardale
£200 for the Access for All Conference
Total:£1000

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Chairman's Initials

Appendix 4

Cllr Murray, Property Portfolio #1

Thank you everyone for this! Having received the file from CB earlier this week I have been having a fine time reading through what is, what might be and what isn't...

In all of this I am increasingly aware that we need to refer to the council as an entity rather than a group of elected or co-opted people. As far as property is concerned the council is 'it' rather than 'they'.

You may well know most of this but for my own satisfaction and to try to make things a bit clearer I am going to attack this in the following way:

1. Places and things the council owns:
This in turn breaks down into two categories
 - a. Places and things the council owns and has records for and...
 - b. Places things the council owns but doesn't have the paper trail for
2. Places and things the council may well come to own in the near future:
This also breaks into two categories
 - a. Places the council expects to own such as the visitor centre
 - b. Places that may be transferred to the council such as the toilets at Stoneshot
3. Places and things the council has a responsibility for but don't appear in the asset register
This has a series of subsections!!
 - a. Places the council may actually own but doesn't 'know' such as Silver Street Gardens
 - b. Places and things the council has a clear relationship with but do not 'belong' to the council such as the burial ground or Jubilee Park
 - c. Things that I can only describe as odd, such as Stenkrith Park

Overall, I hope to bring back something that is more than the 'asset register' which is a tightly defined legal list. There are a number of things we currently fund or contribute to that the council may or may not own. Over the next few months, I hope to get these relationships clear in my mind and therefore help the council be clear in its policy as far as property is concerned.

Wish me luck...

John Murray
30th January 2022