

# Appleby Horse Fair

26 July 2022, Kirkby Stephen Parish Meeting

Convened by the Chairman of Kirkby Stephen Town Council.

Starting at 7.00pm at the Upper Eden Rugby Club,

Pennine Park, Westgarth Rd. CA17 4TF.

# What is a Parish Meeting?

- A Parish Meeting is not a meeting of the Town Council. It is a meeting of the electorate of the Parish.
- The Chairman of the Town Council, if present, must preside at the meeting.
- *“the poll that can be demanded at a Parish Meeting is a poll of the whole electorate in the Parish and not merely those present in the meeting”* (Lord Denning).
- Only the electorate of Kirkby Stephen may participate and vote in this meeting.
- The Chairman has a casting vote only.

# Suggested Structure of the Meeting

- To take residents' views on the annual impact of the Appleby Horse Fair in Kirkby Stephen.
- To seek constructive suggestions to lessen negative impacts on the Town.
- A Parish Poll may be demanded at this meeting in line with the provisions of the Local Govt. Act 1972, Schedule 12, Part 3, Paragraph 18 (4 & 5).

# Impacts of the Appleby Horse Fair in Kirkby Stephen

- Economic Impact
- Crime and the fear of Crime
- Road Safety
- Early Arrivals and Duration of Stay
- Local Government Reorganisation
- Any other Categories?

# Constructive suggestions to lessen negative impacts

- Economic Impact
- Crime and the fear of Crime
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- Any other Categories?

# Parish Poll | Key Issues

- A Poll (Parish Opinion) not a Referendum (Making a Decision).  
*9 people have written to the Town Council and asked for a 'referendum'*
- The Returning Officer has written to the Town Council saying:
  1. The meeting should *'be mindful that the question [on the poll card] fell within the definition of 'a parish matter' to ensure that it meets the requirements of lawful spending.'*
  2. The Returning Officer says that - *"This is likely to vary from parish to parish so the question would have to be relevant to adhere to that requirement."*
  3. *"It would be worth considering what the practical application of the outcome of the poll could be?"*
  4. *"It is also important to note that each parish would be liable for the costs of undertaking the poll"*
  5. *"that the outcome of the poll is advisory and not legally binding"*

# Parish Poll | Process & Rules

- Poll Rules will apply (Parish and Communities Meetings [Polls] Rules 1987)
- This meeting needs to decide on or amend the wording of each question and vote on the exact wording of each question.
- “A Poll can only be demanded on a question which has been the subject of a vote at a parish meeting”
- Then 10 people (or a third of) those present need to demand the Poll on all agreed questions.
- After the meeting has closed - the Chairman will write to the Returning Officer requesting a poll (if one is demanded) with the exact wording of questions as agreed in the meeting, the results of the vote and the basis of the ‘demand’
- The Returning Officer will determine the validity of the questions, reject or accept some or all of them and organise a poll.

# Format of Poll/Ballot

(Parish and Communities Meetings [Polls] Rules 1987)

Counterfoil  
No.

*The counterfoil  
is to have a  
number to  
correspond with  
that on the back  
of the ballot  
paper*

Question[s]

*[Insert question or  
questions to be asked]*

Answer[s]

Yes

No

Answer[s]	
Yes	No



# 'Appleby Fair Communities' Questions.

The questions drafted by Appleby Fair Communities Facebook Admins don't conform to the Poll Rules that will apply. Wording in Red (highlighted from the original) and Green (added) would comply with Poll Rules but may fail 'relavence', 'actionability' and other tests applied by the Returning Officer.

1. The lead up to Appleby Horse Fair affects Kirkby Stephen in the weeks before the fair, sShould Appleby Horse fair be allowed to continue in the current format as a gathering with no organiser or organising body. Yes/No

Yes - Appleby Horse Fair should continue in its current format and remain an unorganised gathering. No - Appleby Horse Fair should become an organised event with an organiser responsible for ensuring safety, manageable numbers, policed in line with the laws of the land (low level crime not ignored) & compliance with legislation

2. How should Appleby Fair be funded?

Local Tax Payer – Should Appleby Horse Fair ~~shoud~~ be funded through revenue generated from local tax. Self Funded - All costs relating to Appleby Horse Fair should be covered by the attendees who come by choice to enjoy the event and not through revenue generated from local taxes, including those levied on Kirkby Stephen's electors? Yes/No

3. Should Appleby Horse Fair ~~shoud~~ be suspended until arrangements are made to comply with the wishes of the affected communityies, Including Kirkby Stephen? Yes/No

# 'Appleby Fair Communities Group' Questions.

Re-worded to comply with Poll Rules. Requires a vote TO APPROVE THE QUESTION by this meeting.

1. The lead up to Appleby Horse Fair affects Kirkby Stephen in the weeks before the fair, should Appleby Horse fair be allowed to continue in the current format as a gathering with no organiser or organising body? A: Y/N
2. Should Appleby Horse Fair be funded by the attendees who come by choice to enjoy the event and not through revenue generated from local taxes including those levied on Kirkby Stephen's electors? A: Y/N
3. Should Appleby Horse Fair be suspended until arrangements are made to comply with the wishes of the affected communities, including Kirkby Stephen? A: Y/N

Any other questions for a Poll?

# Vote for Each Question?

- This is not a Vote to answer each question.
- It is a vote to agree the WORDING of the question.
- A Vote by show of hands will be taken for each question.

*“A Poll can only be demanded on a question which has been the subject of a vote at a parish meeting” Lord Denning (Nalc L 18-07)*

# Do Electors Demand a Poll?

- 10 People (or a third present which ever is less) need to demand a Poll for each question voted on.
- This is not a Vote to answer each question.
- It is a vote to demand that the question be submitted to the Returning Officer to consider for a Parish Poll.
- A Vote by show of hands will be taken for each question.

Closing Remarks.