

16 May 2023, Kirkby Stephen Town Council

Annual Meeting of Kirkby Stephen Town Council

Kirkby Stephen Town Council, Local Links, Vicarage Lane, Kirkby Stephen, Cumbria, CA17 4QX

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Starting at 6.45 pm at Local Links

Attending. Cllrs. P Richardson (Chairman), A Birtles (Vice Chairman), S Lancaster, M Hall, Adrian Waite, P Dew (W&F), G Wren & C Barnes (Clerk).

1 member of the public attending

- 23/001 **Welcome & Apologies.** The Chairman welcomed everyone to the meeting. Councillors were congratulated on their election and thanks were recorded for the long service given to the Council by Mike Walker who had recently led the Transport Audit and driven the establishment of the New Saturday 563 Bus Service. It was agreed by all present that his significant contribution to the council's work would be missed. Apologies had been received and were accepted from Cllr Thornton (Holiday) and Murray (W&F) (Holiday).
- 23/002 **Declarations of Acceptance of Office**
Declarations of Acceptance of Office had been signed by Cllrs Murray and Thornton and witnessed by the Clerk in advance of the meeting. Declarations of Acceptance of Office were signed and witnessed as follows: Cllrs Richardson, Birtles Lancaster, Hall, Waite, Dew & Wren.
- 23/003 **Election of Chairman.**
Paul Richardson was proposed by Alex Birtles, seconded by Sandy Lancaster and elected with a unanimous vote.
- 23/004 **Acceptance of Office.**
The Chairman agreed to sign the Declaration of Acceptance of Office.
- 23/005 **Election of Vice Chairman.**
Alex Birtles was proposed by Phil Dew, seconded by Paul Richardson and elected with a unanimous vote.
- 23/006 **Minutes.**
The Chairman was authorised to sign the minutes of the meeting held on the 18 April 2023 as a true record.
- 23/007 **Delegation & Review of Terms of Reference.**
The agenda was a fixed agenda prescribed by Standing Orders and the council currently had no committees/sub-committees. The Clerk expressed the view that sub-committees dealing with finance and planning could be helpful in managing the council's business and making more efficient use of time. Councillors were asked to feed back their thoughts by Friday the 26th May, the Clerk would review the TOR used by Appleby Town Council with a proposal for changes to go to a future council meeting. A suggestion was made that tourism could also be considered.

23/008 **Review and adoption of Standing Orders.**

The council agreed to re-adopt the existing Standing Orders unchanged. The clerk referred councillors to the policies page on the website which itemised when policies had been adopted and when they were due for review.

23/009 **Review and adoption of Financial Regulations.**

The council agreed to readopt the existing Financial Regulations subject to the implementations of changes detailed in the table below:

Page	Financial Reg	Remove	Replace with
Page 7/19	FR 4.1	£1,000	£2,000
Page 8/19	FR 4.5	£1,000	£5,000
Page 16/19	FR11.1.h	£500	£2,000

23/010 **Legal Arrangements.**

The Clerk spoke to this item as follows noting that the impact of LGR on the existing arrangements was significant. Work done preparing for LGR had been useful and the engagement of Westmorland and Furness with the following agreements in due course was crucial to their administration:

1. **Christian Head Carpark.** The carpark had been assigned to the Town Council under a lease arrangement by Cumbria County Council dated 11 July 2018. The agreement was renewable annually but documentation beyond the original agreement had not been issued. Rates were due to Eden District Council and the Clerk had secured a rebate of the last 7 years rates by transferring the relief due on the Marketplace to the Carpark. Westmorland and Furness Council was the successor to both Eden and Cumbria Councils.
2. **Local Links** was occupied under the terms of a licence with Cumbria County Council for which documentation had never been finalised or completed. Eden District Council had maintained a **Service Level Agreement** with the Town Council for the provision of Eden District Council Services at Local Links. Westmorland and Furness Council was the successor to both Eden and Cumbria Councils.
3. **Market Place** (First Registration to be completed) The council owned, maintained and operated the Market Place/Market. The Council intended to make a first registration of possessory title to the paved area inside the cobbles. The assistance of Westmorland & Furness Legal Officers with this process would be sought through Cllr Murray.
4. **Cloisters** (First Registration to be completed) Likewise the council owned, maintained and operated the Cloisters and intended to make a first registration of possessory title to the Cloisters. The assistance of Westmorland & Furness Legal Officers with this process would be sought through Cllr Murray.
5. **Silver Street Gardens.** The Council intended to make a first registration of title (Possessory Title) to Silver Street gardens and to complete through discussion with the Highways Authority (W&F) a Stopping up Order to extend the pocket park area over the extensive pavement and promote its use as a cut through rather than a 'walk round'. Highways were currently being consulted on the designs.

Other:

1. **Upper Eden Visitor Information Centre.** The freehold of the Centre had been devolved/transferred to Kirkby Stephen Town Council from Eden District Council in 2022. Heads of Terms had been proposed agreed at a meeting held on the 27 July 2022 for a lease to the Upper Eden CIC based on a previous lease in favour of the former District Council. The draft of the new lease was currently with the council's solicitor Kilvington's (appointed by the Council after its meeting on the 10th January 2023) for a response to some amendments proposed by the CIC. The

first Rental Income for the term 2022/23 £2,500 had been paid on the 24th April 2023 (36).

2. **Stenkrith** was owned by three members of the same family and had been rented to the Town Council since 1889. The current rent was £550 per annum. The Clerk, Chairman and Cllr Murray had met with one of the owners in April to discuss the maintenance of the park as substantial works were required. It had been proposed to suggest that a new agreement be made. However, it had been discovered that the owners were working to a rental agreement dating from 1962. The council had no copy of this agreement and the owners had agreed to provide a copy. They were also considering the future options for the ownership of the park. It had been agreed to review the agreement on receipt and in the interim arrange for the repair of the collapsed part of the culvert as a matter of urgency with works to the boundaries paths and stiles being funded from reserves after the responsibilities were better understood and articulated.
3. **Hills Bottom** had been conveyed to the Council in 1996 by a private individual as a gift. An application for First Title (Title Absolute) at the Land Registry had been applied for in September 2022 and was awaited.

23/011 **External Bodies**

Nominations were made/confirmed as follows:

Burial Board	D Thornton, P Dew.
United Charities	D Thornton.
Management Committee of Local Links	J Murray, P Dew.
CIC	Eileen Simpson.
Jubilee Park Working Group	G Wren.

Councillors would report back in Ordinary Meetings or as required.

Cllr Wren sat on the 'Kirkby Stephen Foundation Governors' and would clarify the basis of her appointment with the Foundation Governors as to whether Town Council Representation was involved.

23/012 **General Power of Competence**

The Council was not eligible to exercise the General Power of Competence. It was agreed to examine the prospect for declaring this power in respect of the council plan and the training needs of the Clerk during the life of this council.

23/013 **Asset Register**

The Asset Register had been recently updated and was noted and approved. All Councillors in favour.

23/014 **Insurance**

Confirmation of arrangements for insurance cover in respect of all insurable risks were presented. The Council's policy was YLL-2720414543 (Zurich Municipal Select for Local Councils). The Clerk clarified that insurances had been purchased on the basis of the asset register being shared with insurers. Concerns were raised as to the impact of indexation of rebuild costs. The figures relation to the insurance of the Cloisters were considered to be a particular concern having increased significantly. It was noted that a valuation and survey of the structure would be prudent.

23/015 **Subscriptions**

Review of council/staff subscriptions to other bodies.
CALC/NALC Approved.

23/016 **Complaints Procedure**

Councillors agreed that the policy should be updated during the course of the year with reference to CAL template policies adapted as required.

23/017 **FOI/Data Protection**

The Council's Privacy Policy was current, the council's FOI Policy required review during the course of the year.

23/018 **Review of the council's employment policies and procedures.**

The council's employment policies and procedures required review. The Clerk reported that Cllr Murray had asked what services W&F could support KSTC with. In addition to support from Legal Services the Clerk had suggested that HR resources could be sought to support the Town Council.

23/019 **Press and Media.** The council did not have a policy in respect of press and media.

23/020 **Review of the Council's Section 137 Expenditure.**

Review of the Council's expenditure under the under s.137 of the 1972 Local Government Act. The budget set in January was reviewed. A new figure for the 2023/24 year index linked @10% had been published at £9.93 in February. The council's planned 137 expenditure was therefore £3,055 under the allowable amount for the 2023 24 year.

Item	Budget Jan 2023	Recalculated May 23
2022/3 s 137 rate	£8.84	£9.93
Electorate (17/11/2022)	1,573	1,573
Total (s 137 Limit)	£13,905	£15,620
Suggested Precept	£12,565	£12,565
Underspend	£1,340	£3,055

23/021 **Calendar of meetings**

The council agreed a calendar of meetings as follows:
6 June | 4 July | 5 September | 3 October | 7 November | 5 December | 9 January | 6 February | 5 March | 16 April.

Meetings would normally take place at 6.45 at Local Links, Kirkby Stephen.

A date for the Town 'Parish Meeting' needed to be set.

23/022 **Clerk and RFO**

The continuing appointment of Christian Barnes as both Clerk and RFO was approved. All Councillors in favour.

23/023 **Internal Auditor.**

The Clerk was authorised to offer a continuing appointment to John Andrew Accountants for the 2023 24 year. All Councillors in favour.

23/024 **Inspection of Bank Reconciliations.**

Cllr Waite was appointed to inspect the bank reconciliations on a quarterly basis in line with financial regulation (2.2). All Councillors in favour.

23/025 **Bank Mandate
Cumberland.**

Year ending 2023

~~M Walker~~
P Richardson
A Birtles
~~C Lynch~~
Z Bromfield
C Barnes

Council beginning 2023

P Richardson
A Birtles
A Waite
Z Bromfield
C Barnes

HSBC Jubilee Park Charity

Year ending 2023

~~M Walker~~
P Richardson
A Birtles
~~C Lynch~~
C Barnes

Council beginning 2023

P Richardson
A Birtles
A Waite
C Barnes

<ends 20.30>

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Chairman

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Date

