KIRKBY STEPHEN
TOWN COUNCIL

Ordinary Meeting (Minutes)

Kirkby Stephen Town Council, Local Links, Vicarage Lane, Kirkby Stephen, Cumbria, CA17 4QX
Tel. 017683 74854 | clerk@kirkby-stephen.com | Online www.kirkby-stephen.com

08 September 2026, Ordinary Meeting at Local Links at 18:45

Attending
Cllrs. P Richardson, A Birtles, A Waite (W&F), J Murray (W&F), S Lancaster, A Taylor, G Wren & C Barnes (Clerk).

1 member of the public attending.

26/081 **Public Participation**
Three items introduced on behalf of a member of the public by Cllr Lancaster: 1. Complaint about disruption/works/traffic management on South Road (being addressed by W&F Compliance officer) 2. Dog fouling in Silver Street Gardens (Agreed to include CCTV & Surveillance/Notices) 3. Ladies Toilets in Stoneshot left in a mess on Saturday once again.

26/082 **Westmorland and Furness Councillors' Participation**
Councillors had submitted a report issued with the agenda touching on significant financial pressures at Westmorland and Furness Council; bus tender evaluation; progress with the Kirkby Stephen's 20mph zone; availability of Member Locality Grants; 'Pump Track' proposals for Westgarth and an update on the Penrith Swimming Club 'Learn to Swim Programme'.

26/083 **Participation of the Police**
None. The promotion of Mo Bibby to Chief Inspector was noted.

26/084 **Apologies & Welcomes**
D Thornton (Holiday)

26/085 **Declarations & Dispensations**
Cllr Birtles declared Non Pecuniary Interests in items 5 (Small Grants) & 6 Upper Eden VIC). He would not be required to leave the room or avoid participation in the discussion of these items.

26/086 **Exclusion of the Press and Public**
It was RESOLVED that Press and Public would not be excluded from discussion of any item.

26/087 **Minutes**
The Chairman was authorised to sign the minutes of the following meetings a true record and approve all committee recommendations.
1. Draft Minutes Ordinary Meeting 14 July 2026
2. Draft Minutes Planning Committee 23 July 2026

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The Finance committee scheduled for 28 July was not convened. Planning Committees scheduled for the 6 August and 27 August were cancelled for lack of business.

26/088 **Small Grants**

Applications for small grants were considered and APPROVED as follows:
1. Stainmore Railway £500
2. Upper Eden Rugby Club £500
The small grants fund for 2026/7 has a remaining balance of £500.

26/089 **Upper Eden TIC**

Correspondence from the Upper Eden Community Interest Company (Visitors Centre) was considered seeking support for the reprinting of the Kirkby Stephen Local Guide. Councillors APPROVED the request granting £350 from the small grants fund. Cllr Taylor offered to check the copy before printing as a previous reprint had not been up to date.
Allowing for this deduction the small grants fund for 2026/7 will have a remaining balance of £150.

26/090 **Westmorland and Furness Way**

Councillors supported and AGREED to the installation of interpretive signage linked to Westmorland and Furness way (sections 2 & 3) at Franks Bridge as presented. The signage would be situated (Back-to-Back) adjacent to the path connecting Franks Bridge and the Cricket Ground on freestanding poles within the land in the council's ownership. Councillors AGREED to some flexibility regarding the siting of the panels the installers would liaise with the Clerk over the details of the installation if required

26/091 **Westgarth Pump Track**

Councillors discussed W&F proposals to create a Pump Track at Westgarth with Kirkby Stephen Town Council as an 'accountable body' and entering a 25-year lease for the site with full maintenance responsibility. A similar proposition had been made to the Evergreen Community Trust (ECT) it was agreed that of the two the Town Council represented a better guarantee of longevity than the ECT. The annual cost of adoption was estimated to be in the region of five to six thousand pounds a year comprising of an insurance estimate of £2k (this figure provided by the track builder as the council's insurers had not been able to confirm a price) and grounds maintenance costs estimated for track only of £3,312 and not including maintenance of drainage and sweeping which would be better established when the design had been finalised. Councillors were mindful of the impact of adoption on the precept.
The Capital costs (@£67k) would be met from Comf funding @£47k held by W&F with a capital cost shortfall of @£20K to be covered by a combination of fundraising and support in kind.
Young people had informally created their own bike track in Stenkrith Park off the official footpath as free play and councillors felt that this was something that could be enhanced with proper investment in features and facilities. The clerk had spoken to one of the young people involved as to whether they would like the council to become involved in helping them build out features of the track and the response had been positive. Subject to landowner consent this

was something that could potentially be developed at less expense and on cost and both enhance and make the track built by children and young people safer. In addition, the Comf money had originally been earmarked for use in connection with the Children's Centre/Family Hub at Local Links. Now that the centre had moved downstairs it would make sense to use this money to improve the amenity of the play area behind Local Links or to improve the grounds of the Evergreen Community Trust Building in Redmayne Road where Youth Services would also be provided.

W&F were holding a drop in at Kirkby Club tomorrow and would be exploring options with members of the public on this and other community initiatives.

Councillors AGREED to defer a decision as to whether to act 'in principle' as an accountable body in respect of the Westgarth proposal until these issues were better resolved.

26/092 **European Mini Mart.**

Councillors discussed the application by the operator of the European Mini Mart to re-open which had been disclosed to us by Police. This was due to be heard by Magistrates shortly.

Councillors RESOLVED to support Trading Standards in their opposition to the application/appeal on the grounds that according to police contraband goods including illegal cigarettes and vapes being had been seized in significant quantity (23,031 illegal cigarettes and 455 illegal vapes together with hand rolling tobacco) various immigration offences had been committed, four vehicle offences had been recorded with a total of four vehicles being uplifted from the town centre. The shop has had a negative effect on the town centre, breaching planning rules in the conservation area, attracting undesirables, and being associated with ASB in the town centre. A neighbouring business had written to the council citing the impact of this shop on their own business as being amongst the reasons for their decision to close. At their meeting on the 14 July councillors had AGREED that it was not the council's place to press for criminal prosecution as this lay with other agencies. However, it had been resolved to write to the MP to press for progress on proposed changes in the law on Vape Shops/Mini Marts and to seek to include within this how criminal responsibility should be dealt with when offences were proven. The work of Police and Trading Standards in Kirkby Stephen had been praised as was the willingness of local people to offer evidence. The Summer Newsletter had contained a prominent article on the subject giving details of how members of the public could support Police and Trading Standards where criminal trading was known or alleged to occur.

It was RESOLVED to write to Trading Standards & Police and to offer the council's support for their opposition to the appeal based on the council's OPINION that the premises had had a negative impact on the town in terms of antisocial behaviour, illegal trading, depressed retail vitality. The council would be willing to send a representative to a hearing if Trading Standards agreed that that would be beneficial to do so.

After the meeting on the 14 July the council had written to MP Tim Farron as to the need to support legislation to stop such shops operating and noted his very supportive response and action on the matter.

26/093 **IT Policy & Website**

1. The Clerk circulated a draft IT Policy and a report for councillors to consider and respond. The purpose of the report was for councillors to agree a direction of travel in relation to the changes needed to the existing website and IT policies to ensure that Assertion 10 of the Annual Governance Statement could be answered with a yes before establishing the costs of implementation.
2. Currently the Town Council's website www.kirkby-stephen.com, last reworked in 2018, has 8 main menu items and 49 sub menu items many of which are out of date, contain broken links or obsolete information. The website is dated with some content going back to 2009 and does not reflect current browsing practices. Much of the material hosted on the site such as accommodation listings would sit better on the Upper Eden Visitor Website or on the History Society website and it was proposed to provide the existing website to the UEVIC together a service to update and maintain it.
3. The report recommends that the council establishes a new 'gov.uk' website that meets current simpler expectations of a Local Council website, which will pass external audit without qualification and conform to an appropriate accessibility standard.
4. The proposed new policy would oblige councillors to use a gov.uk email for council business and to avoid the use of personal emails for council business.
5. Councillors AGREED to the general principle and the clerk was authorised to obtain costs for a worked-up report.

26/094 **BT Openreach Pole Objection**

1. BT Openreach have installed a telegraph pole and associated cabling on land owned privately by Kirkby Stephen Town Council at Frank's Bridge without their knowledge or consent in breach of the 'Electronic Communications Code' (Schedule 3A of the Communications Act 2003) and 'Cabinet Siting and Pole Siting Code of Practice, Issue 2', 2016 at Frank's Bridge. Accessing the site in this way without permission may be understood as a civil trespass. Open Reach, however, had extensive powers and could perhaps find grounds to apply for a court order to regularise the position. As things stood, they were able to erect equipment on public highways but on private land they would require a 'durable' agreement such as wayleave based on having obtained the owners consent for a first-time installation.
2. Councillors fully supported and ENDORSED the clerk's objection to the installation of this pole which is harmful to amenity of the Frank's Bridge area.
3. The council has received an acknowledgement of this objection (ref QIS836530) and an undertaking that it will receive a substantive response by the 17 September 2026. For the time being all Openreach operatives and subcontractors have been advised that no further work on this site is permitted by the owner.

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4. Former Prime Minister Rishi Sunak successfully spearheaded the decade-long campaign to designate Alfred Wainwright's 197-mile Coast to Coast Walk as an official UK National Trail and this area 'Franks Bridge' is one of the most famous landmarks on the Coast to Coast walk and generally said to be at the midway point. Many thousands of walkers pause here to take photographs. Photographs that will if this installation is not removed now feature unsightly overhead cabling.
5. The importance of this location as a landmark was made clear in the official C2C website and the Wainwright Society website.
6. Franks Bridge is an 'iconic' post card view of Kirkby Stephen and the prospect of this pole being used to take cabling overhead at this location to properties across the river is regarded as very damaging to the enjoyment of a cherished and listed landmark situated in a Special Site of Scientific Interest and the Kirkby Stephen Conservation Area.
   Councillors AGREED that the council would be open to a discussion of how cabling can be installed at other locations in this land ownership to carry cables across the river that would not have this damaging effect on the amenity of Franks Bridge.
7. The possibility of an injunction to prevent further work was considered alongside anticipated costs of £3k to £10k without necessarily preventing the installation from being removed
8. It was RESOLVED that Cllrs Birtles and Wren would review and advise on the wording of a further objection from a legal standpoint to be sent before the 17 September and Liaise with the Clerk.
9. Councillors suggested liaising with the Friends of the Lake District as they had for decades supported a policy of undergrounding overhead cables in sensitive landscapes.

26/095 **Clerk's Report**

1. The Clerk's report had been circulated with the agenda listing 12 items. Of these thanks to Walkers are Welcome & Pip Hall were recorded in respect of the cleaning with volunteers of the inscriptions on the Poetry Path. The fact that the Church Clock was broken was noted alongside the fact that there were sufficient funds left in the restricted reserve for only one service. VolkerRail Social Value Volunteers would be working in the Town on Thursday 10 September. The Transfer of Footway lighting to W&F had been completed. W&F consultations on South Road and Market Place changes had yet to be fed back. However, it was noted that their intention was to remove the parking bays outside the Pennine Hotel and that further research had indicated that there was insufficient space for a pull in bus stop. The HR consultant had not yet completed the works outstanding, and the clerk was chasing this.
2. Cllr Murray thanked the Clerk for his support of W&F Officers noting that positive feedback had been given over the recent room changes at Local Links and for the continuing support offered to the Evergreen Community Trust.
3. Cumbria Wildlife Trust had written to the council with very positive feed back about the maintenance of the 'Planting for Pollinators' scheme at Edensyde. This feedback had been relayed to the council's contractor.

26/096.1 **Portfolios & Projects | Community Planning**

Cllr Birtles reported on the running of the Upper Eden Visitor Centre, Volunteers continued to operate the centre and there had been a period of consolidation with some teething problems because of no one being in overall charge. Generally, however the changes had been positive

26/096.2 **Portfolios & Projects | Travel & Transport**

Headline Performance Figures from 'Settle Carlisle Watch' were as follows:

1. Cancellations 0.56%
2. Part cancellation 0.38%
3. Delays >10min 9.43%
4. Delays >30min 1.51%
5. Short-formed 6.23%

Other matters were contained in the W&F Report.

26/096.3 **Portfolios & Projects | Economy and Community**

1. Movement of the Market Day to Thursday had gone smoothly with increased turnover for traders being noted alongside the participation of new traders. Overall, however participation remained weak.
2. The Council APPROVED the revised Market Rules.
3. The council APPROVED the movement to payment by BACS only.

26/096.4 **Portfolios & Projects | Open Spaces**

1. The availability of VolkerRail Social Value Volunteers on the 10th was noted. The Clerk would write to the company with thanks.
2. The Tree Risk Report for Siver Street Gardens was noted. Further Risk Reports were expected in due course.

26/096.5 **Jubilee Park**

The installation of railings, seating and completion of tree works was noted.

26/096.6 **Portfolios & Projects | Town Council Admin.**

A vote of thanks to Westmorland Dales Day Organisers for refurbishing the Gazebos with White Canopies (Pop up/Gazebo) was approved. The council would write with thanks.

Junction 38, Stakeholder Engagement Group Meeting had been scheduled by National Highways on 29 September 2026. The Managing Director of Lyon would brief the council on developments ahead of the meeting at Local Links at 6:45 on the 24 September as a special briefing meeting convened by Westmorland and Lyon at Tebay had clashed with this evening's meeting. All Councillors would be welcome to attend.

26/096.7 **Portfolios & Projects | Children and Young People.**

Cllr Murray. The last session of Kirkby Stephen Youth Centre would be held on the 25 September with the building returned to the trustees of the Evergreen Community Trust on the 4 October. Trustees had sought and received four expressions of interest in the occupation of the building as a Youth Centre two of which were expected to proceed. It was hoped that the provision for young people could be resumed as soon as possible after a short break.

The production of a grant funding digest by W&F was noted in terms of the eligibility of the centre and a youth service provider for significant funding bids.

26/096.8 **Portfolios & Projects | Communication.**
The editorial group for the Newsletter was set for the 22 September at 2.00 pm.

26/097 **Finance | Payments Transfers and Receipts**
A schedule of transfers receipts and payments up to the end of July and August 2026 was approved. Together with forward approval 'in principle' of regular/budgeted payments, Salaries, PAYE & NIC.

26/098 **Finance | Bank Reconciliation**
A bank reconciliation to the end of July 2026 with a closing balance of £199,351.78 was APPROVED.
A bank reconciliation to the end of August 2026 with a closing balance of £181,204.45 was APPROVED.

26/099 **Next Meetings**

1. 17 September, Planning
2. 22 September, Editorial Committee Newsletter
3. 24 September (Private briefing re J38 Lyon/Westmorland)
4. 29 September, Planning
5. Stakeholder Engagement Group National Highways Tebay Gorge Project. (Tebay Club)
6. 8 October, Planning
7. 13 October, Ordinary Meeting
8. 29 October, Planning

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