

4 October 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
starting at 6.45 pm at Local Links.

Attending. Cllrs. P Richardson (Chairman), S Lancaster (EDC), M Walker, D Thornton, P Dew (W&F/CCC/EDC/KSTC), A Birtles & C Barnes (Clerk).

Two members of the public attended.

One minute of silence was observed by Councillors to mark the death of HM The Queen on the 8th September 2022.

22/094 **Public Participation**

A member of the public spoke in connection with plans to establish an Upper Eden U3A (University of the Third Age). The Upper Eden U3A would be run under the 'umbrella' of the Third Age Trust Membership would be by subscription (£20). The Third Age Trust would provide support to the local group to constitute, insure and establish itself. Membership was limited to people not in fulltime employment but included those who were too young to retire. 60 people had expressed interest and membership was expected to settle around 150. Group leaders and those providing training would only be drawn from the U3A membership. Benefits to the community included:

1. Increased income to meeting places/community facilities.
2. The strengthening of existing groups and organisations.
3. Addressing loneliness & depression through activities.

Sessions would be broad ranging from Italian Conversation, Beginner's Bridge, Safe Driving for the Elderly to 'Zumba'. The U3A was not looking for funding from the council. A councillor commented that the establishment of a local group would help re-establish social activities that had been reduced by Covid.

22/095 **District & County Councillors Participation.**

Cllr Lancaster (EDC/YDNPA) had attended compulsory planning training at the Yorkshire Dales National Park earlier in the day.

Cllr Murray (W&FCC) was absent from the meeting but had submitted a report which was noted and which is appended.

App. 1.

Cllr Dew (EDC, CCC & W&FCC)

1. Cllr Dew had met with a representative of the Gypsy Community and an interested party to discuss the future of the fair. A delay in appointing consultants to advise on the organisation and possible ticketing of the fair, owing to the difficulty of finding consultants willing to respond, had been announced at the meeting of the Multi Agency Strategic Coordinating Group (MASCg) on the 26th September. Progress with an appointment was anticipated. It was understood that the dates of the 2023 fair might possibly clash with the coronation of the King in 2023. Plans to ensure the continuity of MASCg through Local Government Reorganisation were in place with the role of Chairman being written into the job description of a soon to be appointed Westmorland and Furness Council Director or Assistant Director. Three elected

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members would be nominated to MASCG by Westmorland and Furness Council. The agencies statutory obligations would continue to be met. There will be no change in Police Command and Structure.

2. Cumbria Police would be aligned with the new County areas each with a Chief Superintendent in charge.
3. A66 the diversion route report had been submitted, concern was expressed regarding the transparency of National Highways proposed arrangements and procedures.
4. Westmorland and Furness Council had met on the 28th and discussed issues relating to its establishment. Immediate priorities were said to be the preparation of a Budget, a Council Plan, the Employment of Officers and the Delivery of Services. In addition, further motions regarding Climate Change, Care Experiences and the Cost of Living were debated. Countering a report that the meeting had broken up with a Conservative walk out, Cllr Dew noted that he would have been prevented from attending another important meeting and had chosen to leave for that reason.
5. The Burial Board had met and had resolved to ask the Parishes for a 5% uplift in funding. A plan of the of the new cemetery is being drawn up and a new set of basic rules is being written.
6. All staff at the Upper Eden Medical Practice are now employed by CHOC and a new doctor has been appointed who will be working two days per week.

22/096 Police Participation.

A circular had been sent to councillors.

22/097 Apologies and Welcomes.

Apologies were received and accepted from:

Cllr Lynch - health reasons.

Cllr Wren – holiday.

Cllr Murray (W&F) – conflicting appointment.

22/098 Declarations of Pecuniary Interest.

None.

22/098 Minutes.

The Chairman was AUTHORISED to sign the draft minutes of the meeting held on the 6th September 2022 as a true record subject to a minor amendment.

22/099 Planning (EDC)

22/0645, 22A - 2B MARKET SQUARE, KIRKBY STEPHEN, CA17 4QT.

Description: Discharge of conditions 3 (surface water drainage system), 4 (materials storage), 5 (sample materials) and 6 (hard and soft landscaping), attached to approval 19/0598. The council did not object to the application noting that surface water would be discharged into the culvert under Melbecks.

22/100 Planning (EDC)

22/0652 – 39 Westgarth Road, Kirkby Stephen - Single storey porch extension to front elevation for disabled persons. The council supported the application.

22/101 **Local Government Reorganisation (LGR).**

Councillors discussed the draft Memorandums of Understanding proposed by Cllr Murray for Eden and Cumbria County Councils amending options and draft wording to reflect the consensus.

A final version would be presented to the November meeting for formal approval. The Clerk would liaise with Cllr Murray over the final draft.

22/102 **Finance**

The bank reconciliation and list of payments and receipts for the months of June 2022 were received and APPROVED together with forward approval 'in principle' of regular/budgeted payments, Salaries, PAYE & NIC. Councillors noted a closing balance of £216,453.31

22/104 **Finance**

The 2nd Quarter Budget Monitor was received and APPROVED. Councillors noted that the balance was unusually high arising from the accumulation of restricted funds (£57,898) for the benefit of the Kirkby Stephen Youth Centre and the Evergreen Community Trust which the council had agreed to transfer to the Evergreen Community Trust in advance of the Trust beginning work on the building. Taking this into account, the underlying balance of funds was £158,555.

The council noted:

1. That receipts (line 3) were inflated by grant funds intended for the Evergreen Community Trust of £16k, the underlying figure was 27k.
2. A vat reclaim (line 13) in excess of budget amounting to £3,498 from the previous year.
3. The council noted an increase in employment costs (line 21) arising from excess hours worked and a regrading of a salary agreed at the June meeting.
4. An increase (line 31) in miscellaneous costs arising from the purchase of additional Xmas lights and replacement stores/equipment.
5. The reduction of the Calor Fund (rstr. Line 57) to zero (to fund the purchase of White Xmas Lights for Silver Street Gardens).
6. A reduction in the Clock fund (rstr. Line 60) to £1,426.
7. An increase in the fund held on behalf of the Kirkby Stephen Youth Centre and Evergreen Community Trust. (line 62) to £57,898.

22/105 **Finance**

The 2nd Quarter Kirkby Stephen Youth Centre & Evergreen Community Trust Statement of Funds was received and APPROVED. With a combined balance of £57,898. Councillors had previously agreed the transfer of these funds (22/083) to the trust and agreed a £25 chaps fee for the transfer in one single payment. Councillors were advised that the outcome of the bid to Inspire Eden at £55k was anticipated towards the end of the month payment terms would be advised however it was known that, if successful, the funds would in the first instance be disbursed to the council. The budget line would therefore remain open with a zero balance.

22/106 **Portfolios**

1. **Town Council Administration.** The Clerk raised concerns regarding **budget planning** and **LGR**. An enquiry regarding procedures over the continuity of

service level agreements relating to the operation of Local Links, Street Cleaning and Street Lights were discussed it was agreed that the budget should be prepared on the basis that these agreements would be maintained. It was agreed that the clerk would write to Eden for a final time regarding the incomplete works on the transfer of the footway lights. Eden District Council's finance officer had agreed to raise these issues with the LGR Team and feedback. Quotations were being sought for an **Internal Auditor**; two local firms had been approached so far with quotations in the region of £500. The Clerk would continue to obtain quotes but expenditure at this level (an increase on previous costs) were approved in principle. The Council's old **printer** has broken and could not be repaired the service provider had sourced a replacement for half the cost of the previous printer at £895. It had not been possible to price an equivalent specification at this level. Councillors approved the replacement. **Inspire Eden**. The Clerk had spoken to the programme manager and it was anticipated that the assessment would be completed in October. Cllrs Dew and Lancaster would reinforce with Eden the importance of making a timely determination to enable key projects: Kirkby Stephen Youth Centre and Jubilee Park to progress in the 2022 23 year.

2. **Property**. Planning advice re **Visitor Information Centre** refreshment and backlog maintenance works together with the relocation of **Notice Boards** had been sought. Councillors viewed a selection of information boards and plaques that were being prepared for use pending advice. Thanks were given to Rotary who had offered to refurbish/replace the notice boards on a like for like basis as mounted on the Mango Tree and the Visitor Information Centre.
3. **Open Spaces**. The Clerk updated the council on matters regarding **Jubilee Park layby**. Firstly, a report was in preparation regarding the prospect of closing the layby to vehicular access (maintaining safe pedestrian access throughout) during Phase 1 of the Appleby fair. A wide range of stakeholder/consultees had been engaged with and a report summarising findings with recommendations was close to being finalised save for the matter of costs. Councillors were advised of the possibility that fairgoers who had intended to stop at the layby may occupy other areas in the town on finding it closed. Secondly, The Clerk had discussed the first time registration of Jubilee Park at the Land Registry with GKM Solicitors who had made further research of the history of the site. The registration was being prepared and would include the layby. The Clerk had met with the Parish Representative of the YDNPA regarding the proposed works, the management plan and the National Park and Jubilee Park boundary. The National Park boundary attached to the current perimeter wall of Jubilee Park. The design review to be commissioned (hopefully) through 'Inspire Eden' would look at the feasibility of relocating the physical boundary of the park to re-establish the symmetry of the Park Entrance with a sight line on the Railway Bridge, increase the amenity area of the layby and entrance to the park itself and address the need for the park entrance to be welcoming which had been identified in the Management Plan. Although it was accepted that the boundary of the National Park should probably have followed the boundary of VG39 (Registered Village Green) no process of periodic review existed to look at the boundaries of the National Park other than through the Secretary of State and it was accepted that the movement

of the boundary wall would not in principle be a problem to the National Park Authority. The planning for the **Jubilee Boon Day** had been cancelled owing to the official period of mourning for HM The Queen. **Mowing update.** The Clerk had met with the two residents who had expressed concerns about mowing to discuss changes in mowing practices. The meeting had been constructive with changes to mowing practices to promote wild flower growth and greater diversity proposed. It was accepted that it would be important to explain proposed changes to the public generally and to residents in Faraday Road and Christian Head in particular. It was important to identify that allowing growth did not mean no maintenance and that different techniques and equipment would be required with the removal of arisings from wildflower areas in August/September. The clerk would be reviewing the mowing contracts and intended to approach a number of local organisations including the burial board to carry out mowing on the council's behalf in 2023.

4. **Community Planning.** Cllr Birtles requested that the **Visitor Information Centre Smoke Alarms** be checked.
5. **Community.** Cllr Richardson had participated in an initiative in Kirkby Stephen Grammar School organised through **Cumbria Youth Alliance** with a £500 prize in which young people were challenged to devise services and products that would be of benefit in the local community. He hoped that the Town Council would be able to support the projects as they emerged and that they might align with Town Council initiatives.
6. **Highways.** Cllr Dew reported on progress through the local committee with **Traffic Regulation Orders** over double yellow lines at the **Crescent and Hartley Road Junction** with North Road and a one-way system was approved for Victoria Square. Improvements to the **Zebra Crossing on High Street** opposite the Spar were being assessed including the installation of pedestrian lights together with an intervention regarding the use of **Croglam Lane** as a rat run. The creation of a **Cycleway** between Brough and Kirkby Stephen remained an important prospect connected to the dualling of the A66. The Clerk had investigated the possibility of Highways conducting a further speed survey on **South Road** with a view to establishing whether a Speed Indication Device (SID) could be situated there. The precise location suggested by a resident had previously been surveyed in July 2021 and the findings (reported to council) at that time did not support a case for a SID and the CRASH group would not therefore support an installation. This item which features on the Council Plan was now closed. However, it had been agreed that a speed survey would be commissioned closer to the school crossing at High Street/South Road which could feed into the design of the Zebra crossing and provide further information. **Trees at the entrance to Fletcher Hill Park.** A member of the public had raised concerns regarding overhanging branches at the junction of Fletcher Hill Park and Faraday Road with a councillor on the 13th September. The area was inspected the following day and the issue had not been assessed as requiring urgent works. Two of the trees are situated in the highway. It was AGREED that that the Town Council's arborist would be asked to inspect the trees and make a recommendation as to the management of the canopies and the removal of any branches or trees. Permission would be sought from the Highways Authority to conduct any works advised on the trees situated in the highway at the same time.

Subject to the advice of an arborist and the consent of highways the works would be instructed in a future package of works by the Town Council. Cllr Walker reported that: a written conclusion to the **Transport Audit** was expected for publication in due course. A reprint of the new **local timetable** was being prepared for the 11 December. The **Settle & Carlisle Community Rail Partnership AGM** (attended by Cllr Walker) had taken place - a motion had been presented and approved which removed members liabilities of £100 in the event of the company being wound up. Directors would retain this liability.

7. **Tourism & Events.** The Clerk had met with a representative of the Church to go over arrangements for the **Remembrance Day** service. Instructions to participants would be produced to go alongside the rehearsal. **Xmas Lights,** A few orders were yet to arrive but the purchases had been completed. So Far 28 Christmas Flags had been sold. Two Christmas banners would be erected at either end of the town advertising dates at a cost of £150 (which councillors approved) Cllr Lancaster and the Clerk would liaise.

22/107 **Next Meetings**

- 12 October 2022 Parish Forum YDNPA
- 17 October CALC Q&A
- 19 October Eden Tourism Summit (MW Attending)
- 1 November 2022, Kirkby Stephen Town Council

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Chairman

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Chairman's Initials

Appendix 1.

Report from John Murray to Kirkby Stephen Town Council meeting – 4th October 2022

I am really sorry I can't attend this evening. All I can do is offer this report...

1. Westmorland and Furness Council:

The council met on Wednesday 28th September. Most agenda items were progress towards vesting day but we did have an impressive contribution in the form of a question to the leader from a member of the public based on his, and his siblings, experience of life after being in local authority care. The council marked its first meeting since the death of HM Queen Elizabeth appropriately. Progress towards appointing senior staff and the appropriate pay scales were approved, including the new permanent finance officer, and arrangements for audit were approved. The council also passed three motions; Climate and Biodiversity Emergencies; Protected Characteristics for Care Experienced people (following the question asked at the start of the meeting) and finally a motion proposed by me about the Cost of Living Crisis.

2. Westmorland Dales Day:

The organising committee met on Thursday 29th and received a finance report which showed that the day has broken even, with one income item and two expenditure items to be confirmed. I was asked to pass on thanks to the Town Council for its support – not least the £500 grant without which the books would not have balanced.

The plan for 2023 is to host the walks in the Westmorland Dales on Saturday 29th July, and the 'day' on Sunday 30th July. Feedback from this year suggested some walkers felt they missed out on the stalls and activities in town, and some stall-holders felt they would have liked to join one of the walks. Advance warning – they would really appreciate a similar level of support in 2023!

3. Suggested agreements with EDC and CCC:

These are for discussion, debate, deletion or agreement! If I have missed out any aspect of our relationships with either council, please add it in. My own view is that things as local as play areas and toilets should be the business of parish/town councils and not someone far away with other priorities. My biggest concern though is that the support we get for our town through grants towards street cleaning, administration and the Local Links building, including the library should all continue. There is no intention for any of these to disappear as EDC and CCC fade and W&FC is vested but I think we should make our view clear in advance.

As an aside I did submit a reply along these lines to the consultation on the W&F plan. This read *'Kirkby Stephen Town Council welcomes the opportunity to comment on the draft plan for Westmorland and Furness Council. The need for continuity of service in areas that directly affect our town are of most concern to us. This includes the need to ensure that our library, our Local Links and the grant made to us from Eden District Council for our lengthsman and administration are maintained.*

Equally we are concerned that the new council will be vested only a few weeks before events such as the Appleby Fair and Kendal Calling are due to take place in 2023. The new council will be relying on arrangements made by the current sovereign councils. Phase One of the Appleby Fair is of particular concern as this will start only six or seven weeks after vesting day and directly affects our community.'

Property portfolio – Clerk to update...

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