

**(Draft) Minutes of the Meeting of Kirkby Stephen Town Council held in the Local Links Centre
on Tuesday 6th March 2018 at 6.45pm**

Present: Cllr. J Johnstone Chair (JJ), Cllrs Mr. A Birtles (AB), Mr. D Gilmour (DG), Mrs. G Lumley (GL), Mr. P Richardson (PR), Mrs. J Sowerby (JS), Mrs. D Thornton (DT) 7.00pm and Mr. M Walker (MW).

Also in attendance: Clerk, Herald Reporter, Cllr T Ladhams (EDC), Cllr V Kendall (EDC/YDNP), Cllr P Dew (CCC) and 5 members of the public.

Public Participation

Two members of the public spoke about a planning application they had made for a 'micropub' it was anticipated that the application would come to the next meeting.

A member of the public notified the council of missing swings at Westgarth Playground.

District & County Councillors

Eden Cllr Kendall had held a ward surgery in the Local Links between 4pm and 6pm. She wished to apologise for her recent absences because of illness.

Eden Cllr T Ladhams reported that there was a recycling and refuse collection review in progress.

County Cllr P Dew reported on his activity during the last month. A copy report is displayed in the Local Links.

Community Police

The Community Police were not in attendance and there were no matters raised.

814	Apologies for absence - Apologies were accepted from Cllr D Marsh (Working).	Action
814.1	Minutes of previous meeting RESOLVED that the minutes of Kirkby Stephen Town Council held on 6 February (pages 18193-18196) be confirmed as a true record and signed by the Chairman.	
815	Declarations of Interest – None	
816	Planning 18/0128 Site address: 18 - 20 MARKET STREET, KIRKBY STEPHEN, CA17 4QS. Description: Change of use from Class A1 (shops) to mixed use of Class A1 (shops) and Class A3 (restaurants and cafes). SUPPORTED 18/0094 Site address: EDENSIDE GARAGE, NORTH ROAD KIRKBY STEPHEN, CA17 4RP. Description: Non-Material Amendment to approval 16/0606 to amend design of retail unit by extending the roof covering by 1m creating larger canopy. SUPPORTED The following approvals were noted: 17/1051 Site address: MANOR HOUSE, MELLBECKS KIRKBY STEPHEN, CA17 4AB. Description: Remove Cherry tree overhanging Mickleden; Kirkby Stephen Conservation Area. 17/1039 Site address: WHITE HOUSE FARM, HIGH STREET KIRKBY STEPHEN, CA17 4SH. Description: Part discharge of conditions 3 (affordable housing), 5 (noise), 11 (materials) and discharge of condition 13 (highways) attached to appeal approval PP/H0928/A/14/2220094. Discharge of condition 7 (highways) attached to appeal approval APP/H0928/E/14/2220099.	
817	Devolution of Services The incoming clerk spoke to this item. Councillor's views, opinions and feedback were sought in response to the presentation. The incoming clerk had reviewed the files. Overall the issue of devolution of services was something which in its current form he did not feel he could bring to the council as 'decision ready'. He noted recent NALC legal advice obtained not to sign the agreements. The council should also take steps to establish and document the powers under which it took over devolved services in advance of making any agreement. Eden District Council was seeking to withdraw from the provision of the following services 1. Street Lighting, 2. Public Toilets (Stoneshot) and 3. Playgrounds (Westgarth & Primary School). <u>Street Lighting</u> , a substantial number of the current lights would be withdrawn as the process of	

	<p>transfer took place. It was important that the public were aware that the Town Council was taking on a new service at residents' expense and that Eden District council were withdrawing from a service providing role because there would be a reduction in the overall number of lights. It was understood that the lights to be offered to the Town Council would be replaced with new hinged columns and LED fittings meaning that running costs would in the short term be lower. It was understood that the capital costs of the replacement would be borne by Eden District Council who had offered tapered funding over a four-year period. It would be essential to make an agreement with Eden District Council that locked in the financial commitment to replace the columns and lights during the transfer period and to be clear with precept payers that the Town Council would (over a four-year term) be raising the precept to cover the costs of providing the service.</p> <p>It was understood that 'in principle' the councillors wanted to pursue the devolution of this service although there was a concern about cost.</p> <p><u>Toilets (Stoneshot)</u>, The incoming clerk understood that the councillors wanted there to be publicly accessible toilets available in the town. The toilets at Stoneshot were on the face of it expensive to adopt (£17k per annum) and as with street lighting this cost would fall to precept payers and result in council tax increases. It was not clear from the documentation what would be transferred. For example would title to the toilets/carpark be given to the council and how? Would there be conditions on the transfer etc. The incoming clerk felt that the Town Council could assess various options to decide on how to provide toilets e.g. by funding town centre businesses to provide managed access to their facilities; by seeking to establish a town centre location i.e. via the CIC/Tourist Information Centre; by buying a dedicated site that was better situated and which might also provide a stream of revenue to defray the costs of service provision or if the terms of transfer permitted it in respect of Stoneshot toilets/carpark by means of enabling development on that site. Councillor feedback was that there was concern about there not being public toilets available rather than a particular enthusiasm to provide toilets.</p> <p>The pros and cons of payment systems were discussed, recent problems at Pooley Bridge were mentioned and the need to acquire a reliable and inexpensive system for payments was agreed to be important.</p> <p>It was agreed that the Stoneshot toilets would need to be upgraded if they were to be transferred.</p> <p><u>Playgrounds</u>. The incoming clerk had visited the playgrounds. Play equipment was looking tired with some equipment barricaded off with HERRIS fencing. Playground boundaries were in poor repair and much of the boundary appeared to be householder owned. Cllr Walker had received estimates of £8,900 metal and £2,600 wood for reinstatement of boundary fences on the Primary School playground site. Access arrangements to the playground were unsatisfactory in respect of unilateral decisions taken by the primary school for safeguarding reasons. The school had installed a suite of play-ground furniture in a forest park style adjacent to the corporation style of play equipment provided by Eden District Council. The Westgarth site had unsatisfactory access along a line of garages and users had made their own access from a more convenient location at the end of a cul-de-sac through a substantial breakage in the fence. However, taking all this into account at the time of the incoming clerk's visit both playgrounds were being well used. Children from both sides of South Road could access their play areas without needing to cross the road.</p> <p>It was RESOLVED that the incoming Clerk would speak to Penrith Town Council to establish the grounds for their refusal of the transfer of the toilets in Penrith and that a meeting would be set up with Neil Buck at Eden District Council to establish a timetable for progress.</p> <p>Councillors were asked to give feedback directly to the incoming clerk. He would be developing an approach to these issues on the council's behalf and the issue would come back to future meeting for updates on progress and decisions.</p>	
818	<p><u>Administration of the Town Council</u></p> <p>It was RESOLVED that the incoming clerk would monitor the council's procedures and make recommendations to a future meeting in either 3 or 6 months time as to any changes in procedure</p>	

	that he felt would be appropriate. He anticipated making recommendations regarding the monitoring of budgets and finance specifically shifting this item to quarterly meetings dedicated to the purpose.																													
819	<p><u>Appleby Horse Fair</u></p> <p>It was agreed that GL, PR, JJ and the incoming clerk would attend a meeting on the 20th March at 11:00 with the auction mart to discuss their plans for an auction of horses during the fair. Other matters of concern touched on were:</p> <ul style="list-style-type: none"> • Siting of stones at the play area (Westgarth) • The protection and reservation for proper use of the disabled parking bays in the town centre. • Fletcher Hill car park traffic management • Pressure on Westgarth when other areas were cordoned off. • Jubilee Park excrement/nuisance • Concern about the status of the EDC led Appleby Fair Committee led by former Chief Exec Robin Hooper. <p>RESOLVED that the incoming Clerk would establish contact with EDC and ascertain the standing of the multi-agency group. The same level of police presence was anticipated. Clerk to report back to a future meeting</p>	CB																												
820	<p><u>Eden Vision</u></p> <p>The document was reviewed and amended in the meeting to include mention of the CIC etc. It was resolved that the incoming clerk would submit the approved version EDC for publication by the 30th March deadline.</p>	CB																												
821	<p><u>Yorkshire Dales National Park Consultation on attracting families</u></p> <p>The consultation had been withdrawn following its rejection by Richmondshire Council and therefore the item was not discussed.</p>																													
822	<p><u>Public Spaces Protection Order</u></p> <p>The form was completed for the incoming clerk to submit.</p>	CB																												
823	<p><u>General Data Protection Regulation</u></p> <p>The incoming Clerk and the Communities and Centre Manager would attend a training session on GDPR organised by CALC on the 7th March.</p>	CB/ WH																												
824	<p><u>Grass Cutting</u></p> <p>It was RESOLVED to approve an interim 1-year appointment for grass cutting at £4,103.00 for Garry Simpson.</p>																													
825	<p><u>Accounts for Payment</u></p> <p>It was RESOLVED to approve Payments as follows:</p> <table border="1" data-bbox="183 1747 845 2060"> <thead> <tr> <th>Date</th> <th>Recipient</th> <th>Type of payment</th> <th>Total inc VAT</th> </tr> </thead> <tbody> <tr> <td>28/02/2018</td> <td>Staff</td> <td>BACS</td> <td>£3,613.38</td> </tr> <tr> <td>05/03/2018</td> <td>Nest</td> <td>BACS</td> <td>£27.46</td> </tr> <tr> <td>01/02/2018</td> <td>System IT</td> <td>DD</td> <td>£36.00</td> </tr> <tr> <td>12/02/2018</td> <td>Plusnet</td> <td>DD</td> <td>£64.89</td> </tr> <tr> <td>01/02/2018</td> <td>C F Corporate Eden District</td> <td>DD</td> <td>£175.86</td> </tr> <tr> <td>18/02/2018</td> <td>Council</td> <td>DD</td> <td>£274.00</td> </tr> </tbody> </table>	Date	Recipient	Type of payment	Total inc VAT	28/02/2018	Staff	BACS	£3,613.38	05/03/2018	Nest	BACS	£27.46	01/02/2018	System IT	DD	£36.00	12/02/2018	Plusnet	DD	£64.89	01/02/2018	C F Corporate Eden District	DD	£175.86	18/02/2018	Council	DD	£274.00	
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	<p>PR (Vice Chairman) Parking issue at the King's Arms (Circulated photograph of Lorries Parked). Carr House referendum noted. Sarah Bowman (working for the National Lottery) to hold meetings/work from local links.</p> <p>JS (Highways) Crescent overflow carpark under consideration. Packhorse area - Dangerous Manhole cover. Cone reported to highways. Letter from resident to request double yellow lines at Hobson's Lane Redmayne Road, Highways to look into residents' concerns (Letter required)</p> <p>MW (Tourism and Events) There were concerns regarding data protection and the emergency plan (privacy concerns regarding contingencies prepared for identified vulnerable residents and consent in the context of GDPR and Data Protection Act) further consideration/advice required. Immediate phase was a Focus on Flooding. RESOLVED to provide 150 poly polypropylene sandbags (JT Atkinson). Speed Watch campaign 6 events carried out so far, MW delighted to report that everybody monitored was under the limit! MW would attend Eden Tourism Network next week and report back.</p>	CB
828	<p>Date of Next Meeting 10th April 2018</p>	
829	<p>Part Two – RESOLVED to exclude press and public from the meeting during consideration of the following item, which required the discussion of information considered to be sensitive and confidential, in accordance with the Public Bodies (Admission to Meetings) Act 1960 (2).</p>	
830	<p>It was resolved to approve the recommendations of a report as to employment matters relating to accounts work.</p>	

The Meeting closed at 8.50pm

Chair:.....

Date: 6th March 2018