

APPLEBY-IN-WESTMORLAND TOWN COUNCIL

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APPLEBY TOWN COUNCIL MINUTES FOR THE MEETING HELD IN THE MOOT HALL ON WEDNESDAY SEPTEMBER 13 2006 at 7.00pm

Present : Mayor S Rooke
Deputy Mayor Mrs C Patterson
Councillors AK Morgan
[by length of service] Mrs E Langan
PR Elliott
J Pape
F Harland
I Potts
Mrs M Clowes
KJ Budding
CK Duncan
Apologies EC Robertson
AN Connell

C1/9/06 APOLOGIES FOR ABSENCE

Apologies for absence were received by the Mayor.

An adjournment was called, to hear from the Police, County and District Councillors, plus any member of the public on his or her pre-notified questions.

Police :

None in attendance this month.

District Council :

Cllr Mrs Langan and Cllr Morgan updated Councillors and answered questions.

The town's public toilets were discussed and it was **agreed** that a letter would be sent to EDC to insist that the Shire Hall toilets be kept open and maintained during the ongoing investigations between EDC and CCC regarding tenure and until the toilets could be refurbished - and that more realistic costs for refurbishment to a sensible standard be considered, since the toilets were needed all year round and particularly during Fair Week. Cllr Morgan hoped the district council would lobby the county council to sort this out.

EDC's plan to save money by reducing the frequency of grass cutting in the cemetery was discussed. Cllr Morgan reassured members that grass cutting would not reduce to the point where the cemetery became untidy.

Members of the public :

Residents asked a number of questions (the Clerk has a verbatim record in her notes for reference). Questions were either answered on the night or a Councillor nominated to give an individual reply after the meeting if a more detailed answer was required.

The Mace was returned and the meeting resumed ...

C2/9/06 COUNCIL MEETING OF JULY 12 2006

RESOLVED that the Minutes of the meeting of the Council held on July 12 2006 be signed by the Mayor as a true and accurate record, once the figure in item **C6/7/06** of **£14,877.88** has been amended to **£15,300** to reflect the additional £422 in EDC's TIC grant.

C3/9/06 DECLARATIONS OF INTEREST

Cllrs Rooke and Pape declared a prejudicial interest in part of item 6d (the Public Hall working party report). Cllr Morgan declared a prejudicial interest in the NALC Conference portion of item 6b (F&GP minutes) and planned to leave the room if that item was further discussed during the approval of the minutes. Cllr Budding declared a prejudicial interest in item 13 (revised administrative procedures).

C4/9/06 MAYOR'S REPORT & COUNCILLORS' QUESTIONS

This month's report was given to Councillors and noted.

The Mayor also informed members of the resignation on August 18th of Cllr Mrs Swinscoe, a Bongate Councillor since February 2002. The Mayor thanked Cllr Mrs Swinscoe for her many years of service to Appleby. The vacancy had been advertised.

C5/9/06 TRAVEL VOUCHERS

Cllr Morgan declared a prejudicial interest and left the room while this item was discussed.

Residents had sent letters to the Council asking that ATC try to persuade EDC to allow train travel within the scheme. Cllr Mrs Clowes reported that the new system of bus passes meant residents could not use the trains or the voluntary car scheme, which was causing inconvenience, when 406 people in Appleby used the vouchers. Cllr Mrs Clowes suggested it might be cheaper for EDC to operate the voucher scheme than the current scheme, since residents could only claim £20 each in vouchers, whereas on buses free travel was unlimited and people were going on jollies.

It was **agreed** that a new Working Party would be formed, consisting of Cllr Mrs Clowes, Cllr Mrs Langan and possibly Cllr Connell, who would call a public meeting and contact all surrounding areas in Eden to ask how many people were using the old system so at least definitive numbers could be ascertained.

C6/9/06 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON AUGUST 7 2006

RESOLVED that these minutes be adopted.

Please see attached for details of items discussed by the Planning Committee.

C7/9/06 BUS SHELTER

Cllr Mrs Langan declared a prejudicial interest in this item and left the room while it was discussed.

Members discussed the size and style of the proposed bus shelter for The Sands. It was **agreed** that Cllr Mrs Patterson would ask the Heritage Centre to run a competition for youngsters to produce designs for a suitable shelter, incorporating a noticeboard, to bring back to the Planning Committee prior to any application for planning permission for the chosen design.

C8/9/06 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON SEPTEMBER 4 2006

RESOLVED that these minutes be adopted.

Cllr Budding updated members on recycling.

Cllr Mrs Patterson updated members on the first meeting of the newly-formed Appleby Cemetery Chapel Joint Working Party held on the previous Monday. Attendance had been good, with representatives from ATC, the Clergy and the public – all wanting to save the chapel. A further meeting had been arranged for October 16 and everyone had gone away to think about ways of raising some funds, including the possibility of families buying seats etc and also applying for grant funding for repairs to the chapel. Cllr Mrs Patterson had written an article for the press for the following week's Herald to try to publicise this attempt to save the chapel further.

Please see attached for details of items discussed by the Planning Committee.

C9/9/06 MINUTES OF THE FINANCE & GP COMMITTEE MEETING HELD ON AUGUST 7 2006

RESOLVED that these minutes be adopted.

Cllr Budding reported back on research he had conducted into the feasibility of an NFU membership for ATC. The Clerk asked if Cllr Budding, in his capacity as RFO, would be willing to take over completion of the annual SPS grant claim form for Fair Hill and this was **agreed**.

Cllr Budding reported that one of the three signatories on the Council's Barclays security box was no longer a Councillor and it was **agreed** that an item to nominate a replacement would be placed onto the next F&GP agenda.

Please see attached for details of items discussed by the Finance & General Purposes Committee.

C10/9/06 BUILDING VALUATION ESTIMATE

Cllr Budding reported on research conducted as RFO into property deeds and confirmed to Council that it owned the following property and land ...

- **the Moot Hall**, which was a gift to the town about 530 years ago
- **the Public Hall**, purchased in 1882 and a registered charity May 7th 1889
- deeds found for **land to the rear of the Public Hall**, purchased in 1910 for a school playground (now Pigney's yard?)
- **the Cloisters**, which was a gift to the town about 180 years ago
- **High and Low Cross**, which were accepted by the Council as a gift somewhere around 1974, presumably during the council boundary changes
- **Fair Hill**, purchased in 1911 (apparently under Section 7 of the Open Spaces for Public Enjoyment Act)
- **Dowpitts Wood**, purchased in 1977
- **play area off Margaret's Way**, purchased in 1999
- 0.663 acres of land at **Jubilee Bridge**, purchased in 1985

Cllr Budding advised that, should ATC wish to sell any of its land or property in the future, it was most unlikely that this would be available for sale without significant difficulties.

Cllr Budding advised that for property insurance purposes ATC needed to consider rebuilding costs plus replacement costs for interiors. He had made enquiries regarding obtaining quotations for properties to be valued as follows : Moot Hall £750, Public Hall £700, the two crosses £200, the Cloisters £400 and therefore proposed that the Finance Working Party be asked to estimate valuations for this year.

Cllr Morgan suggested that, since interiors of buildings like the Moot Hall were irreplaceable, local builders be asked to estimate the rebuilding cost of replacement buildings.

Cllr Budding asked if the Council would wish him to budget for professional valuations to be carried out next year and Cllr Rooke suggested the Council's insurance company be consulted to see what they felt necessary.

Cllr Elliott advised that, since the Council's insurance company of many years had originally agreed the valuations for all ATC property & land and had, since then, index-linked them each year to increase their value, this should be sufficient as long as ATC continued as their client.

It was **agreed** that the Finance Working Party would be asked to check with the insurance company and assess / modify any valuations if necessary for each of the Council's properties.

C11/9/06 MINUTES OF THE FINANCE & GP COMMITTEE MEETING HELD ON SEPTEMBER 4 2006

RESOLVED that these minutes be adopted.

Cllr Mrs Langan requested it be noted that she had asked Councillors to consider the possibility of ATC providing an alternative to the Travel Voucher system just for the people of Appleby.

Cllr Rooke confirmed that the master key was being sent away the following week for a new key to be cut for the intruder alarm key-holder.

Cllr Budding updated members on progress made as RFO : the engineer had confirmed his verbal quote of £200 for installation of additional intruder alarm sensors; there had still been no interest in the shop to let and new notices had been placed on display at the front and back; he had sought advice on holiday pay for those staff working irregular hours, ie: pay holiday pay within existing hourly rate, but the Business Link ruling was that employers could no longer include holiday pay in normal hourly pay. He was intending as part of his budget preparation to do more work on this. Cllr Budding confirmed he had sent the application off to allow transfer of the small Bird & Robinson charity fund into the Hannah Kennington fund, as approved by the Charity Commission.

Please see attached for details of items discussed by the Finance & General Purposes Committee.

C12/9/06 CUMBRIA-IN-BLOOM JOINT WORKING PARTY REPORT

Cllr Harland reported on the September 4th awards in Barrow-in-Furness and congratulated the Appleby Manor Hotel on their two awards in the tourism and commercial sections, advising that they will be receiving the Appleby-in-Westmorland trophy.

C13/9/06 PUBLIC HALL JOINT WORKING PARTY REPORT

Cllrs Rooke and Pape declared a prejudicial interest and left the chamber during discussion of the following item of business.

Cllr Mrs Langan reported that a complaint had been received by EDC regarding the ATC Public Hall full licence application, after disturbance caused outside the hall during a recent event. This was discussed in detail and members were advised during their discussions by the Public Hall Manager. Future event bookings were also considered. Thanks were expressed for EDC's prompt street cleaning on a Saturday morning after a busy Friday night. Thanks were also expressed for the Public Hall Caretaker's hard work in cleaning the hall after events.

The Public Hall Manager was asked to amend her booking conditions as follows ...

- number of adults supervising any event involving youngsters to be increased to a minimum of **8 adults**
- deposit to be increased and a clause added that **if the fire doors are opened the deposit is lost** unless the music and public address system is immediately switched off to protect surrounding properties from noise pollution
- **all events to finish by midnight, as at present**

and

- **door notices to be increased** stating the importance of ensuring all fire doors remain closed during events to protect surrounding properties from noise pollution (unless used as fire exits in the event of a fire)
- **the police to be advised** of any youth-oriented events in advance

Continuing with her report, Cllr Mrs Langan said that the Public Hall leaking roof and ceiling in the changing room had been repaired. Members discussed concerns about the declining number of stalls in the mini market. The lift was again out of service due to a major fault which was not covered by the new repairs contract. Cllr Budding advised that the estimated cost of repair was **£1,511.10** and this was discussed in detail by members. It was **agreed** that Cllrs Elliott, Potts and Mrs Langan would review this situation and be given delegated powers to make any decisions necessary to get the lift working again.

C14/9/06 PUBLIC TOILETS WORKING PARTY AND E.D.C. REPORT

Cllr Mrs Clowes reported she was concerned about comments that complaints had been exaggerated – all toilets were neglected and were dirty. Part of the cost for the Shire Hall toilets was to install disabled toilets, which she felt not necessary when there were already two other disabled toilets in the town. Cllr Mrs Clowes asked what happened to money set aside by EDC for toilets which was not spent on maintenance? Cllr Morgan explained that money not spent on maintenance of toilets was used elsewhere.

C15/9/06 TOURIST INFORMATION CENTRE JOINT WORKING PARTY REPORT

Cllr Ian Potts reported that a meeting had been called for the following Monday.

Cllr Budding, as RFO, updated members on TIC figures for August – turnover was 15% up on last August – with year to date turnover up by 33% and visitor numbers up by 13%.

Members expressed their thanks to the T.I.C. staff for all their hard work over the past year.

Cllr Harland left the meeting at 9.40pm.

C16/9/06 APPLEBY ALLIANCE

Nothing to report this month.

C17/9/06 APPLEBY HERITAGE CENTRE

Cllr Mrs Patterson reported that everything was on schedule with the Heritage Centre – there had been a few delays with steel deliveries but all was now going ahead as planned.

C18/9/06 APPLEBY NEW FAIR JOINT COMMITTEE

Cllr Mrs Langan reported on a meeting held on August 15, with another planned for September 19 to develop working parties within the committee, comprising members of several authorities with an interest in the Fair.

C19/9/06 APPLEBY COMMUNITY SPORTS HALL MANAGEMENT COMMITTEE

Cllr Rooke reported he had been unable to attend the last meeting due to holidays but was looking forward to the opening ceremony on the following Saturday and felt the Sports Hall would be a great asset to the town.

C20/9/06 MONTHLY ACCOUNTS

RESOLVED that the Mayor be authorised to sign the attached schedule for payment of monthly accounts (bills and salaries) for August totalling **£11,459.36**.

Members discussed whether the income earned by the Exhibition Centre should be set against the TIC or against the Council's core income. Cllr Morgan advised that historically the Exhibition Centre had been shown separately from the TIC.

Cllr Morgan also queried the Public Hall lack of VAT on letting income and asked if it was exempt or zero rated.

It was **agreed** that Cllr Budding, as RFO, would investigate these queries.

C22/9/06 CORRESPONDENCE

Members considered several items of correspondence on the centre table at the meeting for their information.

C23/9/06 TOWN CLERK'S REPORT

No report this month due to the Clerk's holidays. The Clerk expressed thanks to the Assistant Clerk, the Mayor and Deputy Mayor for all work carried out on her behalf during her absence.

C24/9/06 NEXT MEETING

Members noted that the next ordinary meeting of the Council would be held on Wednesday October 11th at 7pm in the Moot Hall.

C25/9/06 EXCLUSION OF THE PRESS AND PUBLIC

Members considered whether to close the meeting under the Public Bodies (Admission to Meetings) Act 1960 while the following item was discussed.

RESOLVED that the meeting be closed to the press and public for discussion of the following item of business.

The press and public, together with the Clerk, left the meeting at 10pm.

Cllr Mrs Clowes also left the meeting at 10pm.

C26/9/06 THE COUNCIL'S REVISED ADMINISTRATIVE PROCEDURES

Minutes of this item are not for publication under the Public Bodies (Admission to Meetings) Act 1960. A signed pink confidential part will be retained on file in the Clerk's office for Councillors reference only.

REMINDERS FOR THE CLERKS ...

FOR THE OFFICIAL MINUTES BINDER - BOTH PUBLIC SETS OF THE LAST COMMITTEE MINUTES TO BE ATTACHED TO THESE COUNCIL MINUTES, together with the SIGNED bills sheet !