

APPLEBY-IN-WESTMORLAND TOWN COUNCIL

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

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

Prior to the opening of the meeting, ladies from the **Appleby Embroidery Guild** presented the Council with a beautiful embroidered banner, based on the design of the town flag. The Mayor expressed the Council's gratitude and promised that the banner would be displayed in a suitable location within the Moot Hall.

C1/12/06 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 :

Apologies had been received from the police.

District Council :

District Cllr Morgan gave his report. This included congratulating Mrs Sue Fell (Appleby Alliance) on her appointment as EDC's new Cultural Services Officer, an update on District Cllrs Morgan and Mrs Langan's ongoing work to achieve a rapid and acceptable solution to the temporary closure of the Shire Hall public toilets and that other District Councillors were also concerned about this, an assurance that EDC will give the Cemetery Chapel Committee every assistance in adopting the chapel should that be the town's wish and correction of an item in the Appleby in Westmorland Society newsletter which referred to Cllr Morgan's performance regarding the closure of the Shire Hall toilets.

Members of the public :

The Secretary of **Appleby Cricket Club**, Mr Ernest Brabbins, was in attendance and circulated photographs to illustrate problems with vandalism currently being experienced by the club. Mr Brabbins had wished to ask the Police and Councillors for their help in resolving this problem. As the Police had been unable to attend the meeting Mr Brabbins was happy to report that the Community Officer, PC Dave Mattinson, had telephoned him the previous evening to discuss this problem. Mr Brabbins was greatly encouraged that PC Mattinson had already put in place several measures, had identified four areas and already taken action in terms of charging under-aged drinkers. PC Mattinson was hoping to set up a working party and had already set the wheels in motion to bring in an expert to meet representatives of the cricket club, together with Mr Hobson, school headmaster, to get to the root of the problem and get it resolved. It was thought there were ten to fifteen youngsters involved and PC Mattinson intended to liaise with Mr Brabbins, Mr Hobson and the school and the Council, including identifying several other points such as where the youngsters were getting their drinks from.

The Mayor felt having seen the photographs Council would like to give as much support as possible, stating he would personally attend the meeting on Council's behalf. It was agreed that Mr Brabbins would let the Mayor know when the meeting was arranged. The Mayor thanked Mr Brabbins for bringing this issue to the Council's attention.

ACTION

SR

The Mayor raised two items on behalf of Cllr Mrs Clowes, who could not be at the meeting.

The first was on behalf of a resident who was concerned that Appleby documents such as papers relating to the church clock were apparently being advertised for sale on **Ebay**. Cllr Mrs Langan reported that this item had been reported on a yellow feedback form which had been allocated to her on the rota system for action. She confirmed she would be looking into this in order to report back to Council.

EL

The second item was a broadcast which Cllr Mrs Clowes had heard on **Radio Cumbria** about CCC Social Services Dept proposing to save money on their Meals on Wheels service by offering to give elderly people the money instead of the meals. Mrs Clowes asked if a letter could be sent by ATC asking CCC if this was to be considered as future policy and if so could they think again. Councillors were most concerned about the effects on elderly residents should this idea be put into practice and it was **AGREED** that the Mayor would ask Mrs Clowes to write such a letter and let him see it before it was sent in his name.

SR

The Mace was returned and the meeting resumed ...

C2/12/06 ORDINARY COUNCIL MEETING OF NOVEMBER 8 2006

RESOLVED that the Minutes of the meeting of the Council held on November 8 2006 be signed by the Mayor as a true and accurate record.

SR

C3/12/06 EXTRAORDINARY COUNCIL MEETING OF NOVEMBER 20 2006

RESOLVED that the Minutes of the extraordinary meeting of the Council held on November 20 2006 also be signed by the Mayor as a true and accurate record. These minutes are not for publication by virtue of 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.

SR

C4/12/06 DECLARATIONS OF INTEREST

Cllr Morgan declared a personal interest in agenda item 10 (*see item 19 in these minutes*), reminding Members of his membership of the CALC committee.

C5/12/06 MAYOR'S REPORT & COUNCILLORS' QUESTIONS

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

The report included such items as a Prize Giving evening on November 10 at Appleby Grammar School, the Remembrance Service parade, a celebration of regeneration service on December 3 at the Sands Methodist Church, that Shearings coaches had brought visitors to Appleby and the Moot Hall twice on the previous day - the last before Christmas – and would return in February.

The Mayor expressed thanks on behalf of everyone in the town to Cllr Hugh Potts for erecting the town Christmas tree and to Mrs Pattie Hogg for arranging the tree lights and town lights – and for such an impressive switching on ceremony.

Councillors discussed a Press Release prepared in answer to an attack on ATC in the AiWS newsletter. **RESOLVED** that the Press Release be issued. *Cllr Rooke handed a copy to the reporter present at the meeting.*

SR

Cllr Morgan wondered if, since the whole Council had been roundly abused in the newsletter, did they all have a prejudicial interest in taking it further and should they seek advice from the Monitoring Officer.

RESOLVED that Cllr Morgan should seek advice from the Monitoring Officer on the Council's behalf and that any further discussion be deferred until next month's agenda. The Clerk was asked to add this item to the January 10th Council agenda.

KM

Clerk

Cllr Morgan reminded Members that Council had earlier this year assisted the Brownies to go to Switzerland, where they had held a very successful event and journey which had been very worthwhile. They would like to report back to Council to express their appreciation and give them an opportunity to ask what happened. They asked if they could give a short presentation before next month's Council meeting.

KM

Clerk

RESOLVED that Cllr Morgan would make the necessary arrangements and that this be added to the agenda.

C6/12/06 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON DECEMBER 4th 2006

RESOLVED that these minutes be adopted. It was agreed that the Mayor would speak to the Police about parking on The Sands. The Deputy Mayor updated Members on plans for the bus shelter being produced by the Heritage Centre.

SR

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

C7/12/06 MINUTES OF THE F&GP COMMITTEE MEETING HELD ON DECEMBER 4th 2006

Cllr Mrs Patterson and Cllr Budding updated Members on the response to the **Youth Group's** plea for help.

Cllr Budding reported he had been in touch with the **Rural Payments Agency**, who were still giving poor service. He had written on November 8 asking them to send forms, plus a copy of a letter which ATC had allegedly not replied to – but had received neither. Upon ringing the RPA again on the day of the meeting he had been told to download a form from the RPA internet site and was therefore not sure when a reply would be received.

Cllr Budding reported he had received a letter from the Audit Commission, enclosing the Council's certified **Annual Return for the year 2005-06**. The AC's comments were that a formal risk assessment had not been carried out that year (*this is now in-hand*), that a number of issues had been raised by ATC's internal auditor which the AC understood had been addressed and that Petty Cash balances should have been included in Box 8 of the Statement of Accounts. The Clerk was requested to display the Notice of Conclusion of Audit and Right to Inspect the Annual Return in accordance with Section 14 of the Audit Commission Act 1998 The Accounts & Audit Regulations 2003 (SI 2003/533). (*Notice placed onto noticeboard on Friday December 15*)

Clerk

Discussions continued regarding **budgets for 2007-08** (and possible items for 2008-09 in order to spread some costs over two years). Cllr Budding, as RFO, had given Members a copy of the final budget proposal for the year 07-08 with projection to 08-09 containing amendments agreed at the above meeting.

Cllr Budding read out his **Precept statement**, recommending that a Precept of **£47,000** be requested.

RESOLVED that these minutes be adopted and that **final budgets** and **Precept** recommendations for the year 2007-08 be accepted and approved. (*Cllr Budding's Precept statement was given to the Herald reporter who was present at the meeting, in order that it could be publicised*).

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

C8/12/06 CUMBRIA-IN-BLOOM JOINT WORKING PARTY REPORT

Cllr Harland reported that the wild area by jubilee bridge had again been completely swept away by raised river levels and was to be looked at again.

C9/12/06 PUBLIC HALL JOINT WORKING PARTY REPORT

Cllr Mrs Langan reported on a meeting held on November 13th, minutes of which had been given to all Councillors.

C10/12/06 PUBLIC TOILETS JOINT WORKING PARTY

No report this month.

C11/12/06 TOURIST INFORMATION CENTRE JOINT WORKING PARTY REPORT

Cllr Morgan advised Members that the Working Party had met that afternoon to look into some of the issues concerned with the future of the TIC and the best future direction. Unfortunately, partly because the chairman had not been there and partly because of the very short timescale, there had been no time to prepare a report.

C12/12/06 APPLEBY ALLIANCE

Cllr Budding reported that he would be attending a meeting on the following evening, in place of Cllr I Potts, who was indisposed.

C13/12/06 APPLEBY HERITAGE CENTRE

Cllr Mrs Patterson reported she had been unable to attend the AGM as she was away but that she had been up to the Heritage Centre that day and they should be proud of themselves – having taken over their new project building, which was looking very good. She encouraged members to go and take a look.

The Mayor agreed, having had to go up to the Centre on a separate matter, he and the Mayoress had been most impressed and felt they were doing a superb job.

C14/12/06 APPLEBY NEW FAIR JOINT COMMITTEE

Cllr Mrs Langan reported on a meeting held on Tuesday November 14th, saying it had been another good meeting and she had been surprised that one of the newer members had not realised the committee had been going for eighteen years. The committee had received reports back from six sub-committees about different parts of the fair, were working towards really making improvements and looking forward to an improved fair this year. Mrs Langan thanked Cllr Mrs Patterson for taking the minutes of the meeting and asked the Clerk to email Mrs Patterson's minutes to the joint committee members.

Clerk

C15/12/06 APPLEBY COMMUNITY SPORTS HALL MANAGEMENT COMMITTEE

Cllr Harland asked why this facility was now being called Appleby Sports Hall and where did the word community go ? Cllr Morgan reported the explanation he had been given was that it had changed from community to be known as **Appleby Sports Centre** because this was a more snappy name which was more user-friendly.

C16/12/06 APPLEBY CEMETERY CHAPEL JOINT COMMITTEE

Cllr Mrs Patterson reported that things were moving on, that the committee had had to have an extra meeting, that it did look like it might happen and praised the good hard-working committee. She reported there had been many letters with offers of help and expressions of interest, that the Clergy were still quite interested and also Mr Jones the funeral director. Mrs Patterson promised to keep Council informed of progress. She intended to write to express thanks to EDC, who had offered pews, lectern and stand from a chapel they were converting into an office.

CP

C17/12/06 ADOPTION OF UPDATED FINANCE REGULATIONS

Members discussed updated Finance Regulations, copies of which had been given out at the December 4th Finance & General Purpose Committee meeting.

RESOLVED that these Finance Regulations be approved and adopted. *(The RFO has updated these and the Clerk has copies of the final version to give out at January 2nd Committees)*

C18/12/06 BANK SIGNATORIES MANDATE UPDATE

RESOLVED that bank signatories be confirmed as Councillors Harland, Langan, H Potts, Morgan and Pape, plus Cllr Rooke as incumbent Mayor. All six Councillors signed the Mandate update for Cllr Budding to send to the bank.

RFO

C19/12/06 CALC'S INTERIM POSITION PAPER : FUTURE OF LOCAL GOV'T IN CUMBRIA

Cllr Morgan advised that because any local government changes, if they happened, would impact massively on town and parish councils, the CALC (Cumbria Association of Local Councils) view was that a unitary system was preferable to a two-tier system and in principle he agreed with that. Cllr Morgan's reservation was that the unitary system currently proposed by the county council would leave no local effect on local gov't and therefore he made the point at the CALC Executive that whatever changed system we have must be one that is better than the existing system, since there was no point in changing to no different or less good.

Cllr Morgan felt that local gov't should remain local – the county council view was that effectively they had 84 county cllrs, with four area committees to cover Cumbria. Cllr Morgan felt if that is what we ended up with that was going to throw all the local side with town and parish councils. He reported that the second part of CALC's paper was asking that somewhere there is means to provide that local gov't and was happy to propose that ATC support this CALC paper. He would be attending the February meeting, by which time a clear idea of what options will be proposed to the gov't would be known. Cllr Morgan hoped for support from town councils, specifically Appleby.

The Mayor was sure all Members would agree with the stand that CALC were taking. He asked Cllr Morgan, as he would be going to the meeting, to report back to ATC afterwards and asked if anyone else wished to go to the February 3 meeting to put their name forward.

KM

C20/12/06 MONTHLY ACCOUNTS

RESOLVED that the Mayor be authorised to sign the attached schedule for payment of monthly accounts (bills and salaries) for November totalling **£7,501.01**.

C21/12/06 CORRESPONDENCE

The Mayor read out two letters on behalf of Cllr Mrs Clowes, who could not be at the meeting.

A reply had been received by Mrs Clowes from **Mr Stybelski, CCC's Chief Executive**, regarding **road safety on The Sands**, advising that a pedestrian crossing at the junction of The Sands and Bridge Street had been included in CCC's 2007-08 highway improvements programme. The provision of a pedestrian crossing would include other signing, marking, kerbing and guardrail works intended to prevent parking where it would be detrimental to road safety and the operation of the school crossing patrol. Mr Stybelski stated CCC would ask the local Police if they were able to assist in the meantime, as far as pavement parking was concerned, since they had a general power to take action where parking was causing obstruction or road safety problems.

Mrs Clowes had also received a reply from **Inspector Skelton of Cumbria Constabulary** on the same subject, explaining that only once the new crossing was in place would the enforcement of parking in the controlled area lie with the Police and that until then, unless a vehicle was parked in a position to prevent persons passing freely and render it necessary for pedestrians to enter the carriageway to get past, it was a matter for Eden Parking Services, who administer for EDC the enforcement of on and off road parking violations on behalf of the Highways Agency, acting on behalf of CCC.

RESOLVED that the Mayor will (a) write to Eden Parking Services to see what they can do to help in this situation and (b) enquire of Mr Stybelski what type of crossing is planned and where barriers will be placed.

SR

Members considered a request for input to an **Eden Play Strategy** (a play strategy for the Eden district for children up to 18 years old). The aim was to provide a five-year action plan and it was necessary to firstly know what play opportunities already existed so completion of a survey form for the parish was necessary. Cllr Mrs Patterson offered to complete the form and send it back on behalf of the Council.

CP

Letters were considered from the **Tufton Arms** to ATC and the police regarding behaviour which had been going on in the side yard of the Tufton Arms, traditionally used as a cut-through from the car park to the town centre. Young people from Centre 67 had allegedly caused damage and noise so the Tufton Arms were considering shutting the gates.

SR

RESOLVED that the Mayor would take this forward to the working party being set up to try to solve the problems of vandalism at the cricket club

The Mayor reported that he had written to Mr & Mrs J Clements to thank them for their donation of £25 towards the **Mayor's fund for the elderly of Appleby**. The money had been raised at the Christmas Fair in the Public Hall on the lights switching on event and would be used towards the Senior Citizens Party.

C22/12/06 TOWN CLERK'S REPORT

No report this month, due to holidays.

C23/12/06 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 items were discussed.

RESOLVED that the meeting be closed to the press and public for discussion of the following items of business. *The press and public left the meeting.*

C24/12/06 REVISED LEASE FOR LETTING/GRAZING OF FAIR HILL

Members discussed in detail the current letting for grazing arrangements for Fair Hill.

RESOLVED that the land be let at the current rate but with the option of three years on condition the tenant fertilised the land and carried out any necessary fence repairs. The RFO was requested to amend his draft grazing agreement and the Clerk was asked to add this to the agenda for the F&GP Committee meeting due to be held on January 2nd.

**RFO
Clerk**

RESOLVED that Cllrs Mrs Langan, Mrs Patterson, Maguire and H Potts, as the Council's four representatives on the Appleby New Fair Joint Committee, hold a separate meeting to discuss the rent for the lease of Fair Hill for the Fair. The Clerk was requested to add an item on the next Council agenda on January 10 in order that Cllr Mrs Langan could report back to Council on their recommendations.

**EL CP
RM HP
Clerk**

C25/12/06 STANDARD LEASE FOR ATC SHOP TENANTS

Members discussed a draft lease prepared by the Assistant Clerk and the RFO to be used as a standard lease for all future ATC shop tenants, a copy of which had been given to Councillors at a previous meeting for their consideration.

RESOLVED that this lease be adopted and that the RFO prepare the necessary individual leases. The Clerk was requested to provide the necessary details to the RFO.

**RFO
Clerk**

C26/12/06 EXTRAORDINARY COUNCIL MEETINGS

RESOLVED that the Minutes of the following extraordinary meetings of the Council held earlier in 2006 also be signed by the Mayor as a true and accurate record : May 24, July 26, July 28, August 7, August 9, September 13, October 11 and October 16. These minutes are not for publication by virtue of the Public Bodies (Admission to Meetings) Act 1960. Signed pink confidential parts will be retained on file in the Clerk's office for Councillors reference only.

C27/12/06 NEXT MEETING

Members noted that the next ordinary meeting of the Council would be held on **Wednesday January 10th 2007** at 7pm in the Moot Hall. There being no further business, **the meeting closed at 9.45 pm.**