

APPLEBY-IN-WESTMORLAND TOWN COUNCIL

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APPLEBY TOWN COUNCIL MINUTES FOR THE MEETING HELD IN THE MOOT HALL ON WEDNESDAY SEPTEMBER 10th 2008 at 7.00pm

Present : Mayor Cllr Mrs C Patterson
Deputy Mayor Cllr I Potts
Councillors Mrs D Anderton
[in alphabetical order] A Connell
Mrs J Dempster
CK Duncan
F Harland
GI Holloway
Mrs E Langan
AK Morgan
J Pape
HR Potts
S Rooke

Apologies : Councillors PR Elliott
LH Thwaytes

In an effort to save space, we abbreviate Appleby Town Council as "ATC", Eden District Council as "EDC", Cumbria County Council as "CCC", the Cumbria Association of Local Councils as "CALC" and the National Association of Local Councils as "NALC". We also abbreviate the Finance & General Purpose Committee as "F&GP" and the Responsible Financial Officer as RFO. All other organisations are shown in full when first mentioned and any further abbreviations shown in brackets. The Council and Clerk welcome feedback regarding these minutes.

C1/09/08 APOLOGIES FOR ABSENCE

Apologies for absence were received by the Mayor on Council's behalf.

C2/09/08 MINUTES OF ORDINARY COUNCIL MEETING ON JULY 9th 2008

RESOLVED that the Minutes of the ordinary meeting of the Council held on July 9th 2008 be signed by the Mayor as a true and accurate record.

C3/09/08 DECLARATIONS OF INTEREST

Cllr Holloway declared an interest in the grant application by the Volunteer Centre Eden, of which he was a Trustee.

Cllr Morgan declared a prejudicial interest as a member of the Fair Hill Committee and would leave the room during discussions relating to the New Fair Lease. Cllr Morgan also declared a personal interest as an occasional hirer of the Public Hall, a member of CALC and of EDC.

C4/09/08 POLICE REPORT

No Police were present this month.

C5/09/08 COUNTY AND DISTRICT COUNCILLORS REPORTS

Cllr Morgan's District Council report was received and noted, including :

- that the new EDC structure was settling in
- that comments received regarding maintenance of grass on Scattergate Green were being dealt with by EDC's Contracts Dept. Cllr Morgan would follow up to ensure progress.

Cllr Connell asked for Cllr Morgan's help with the problem of the verge going up Battlebarrow being badly overgrown with nettles, causing concern for Grammar School pupils obliged to walk in the road. Cllr Mrs Langan and Cllr Mrs Warburton had previously reported this and would do so again.

C6/09/08 QUESTIONS FROM ELECTORS

None this month.

ACTION

Mayor

KM

EL

C7/09/08 MAYOR'S REPORT AND COUNCILLORS' QUESTIONS

The Mayor's report was received and noted, including :

- carnival float judging on July 12
- attending an Age Concern lunch and then providing tea for Appleby in Bloom judges on July 30
- hosting the Appleby in Bloom prize giving on August 1st
- attending a rather damp Appleby Show
- hosting a tea at the Tufton Arms for eight Land Army Girls and Lumber Jills kindly sponsored by the local N.F.U. and Stephenson's and attended by the Rt Hon David Maclean MP (who congratulated the guests on behalf of Her Majesty's Opposition!)

Details were finalised for Councillors acting as Moot Hall hosts for the upcoming Heritage Weekend.

Cllr Holloway volunteered to assist Cllr H Potts move an electronic organ which had kindly been donated to the Public Hall by Mr David Hoyle and would liaise on a suitable date for the move from Warcop to Appleby.

(Copies of this report are readily available upon request from the Clerk).

C8/09/08 MAYORAL PORTRAIT – CLLR ROOKE

Cllr Stan Rooke, former Town Mayor for the municipal years 2006-07 and 2007-08 , presented to Council a framed portrait of himself in his robes of office, to hang alongside those of his predecessors on the wall in the Council Chamber.

C9/09/08 WEEKLY MOOT HALL VISITS

Volunteers to form a "pool" to regularly help Cllr Rooke with the weekly Moot Hall coach visits (and act as his Standing Deputies should he be unable to attend for any reason) were **AGREED** as Councillors Mrs Anderton, Connell, Duncan, Holloway and Mrs Patterson. Cllr Rooke thanked Members for volunteering to help with this important function and agreed to provide the necessary orientation.

SR

C10/09/08 CHANGE TO COMMITTEE MEMBERSHIP

Council **RESOLVED** that Cllr Holloway, a Member of the Finance Working Party, should move from the Planning Committee to the Finance & General Purpose Committee. The Clerk was asked to amend her records.

Clerk

C11/09/08 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON AUGUST 4th 2008

The Planning Committee Chair, Cllr Mrs Patterson, presented the minutes of this meeting - **copies of which had previously been published with the agenda for this Council meeting.**

RESOLVED that these minutes **(there were no recommendations contained therein)** be adopted.

C12/09/08 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON SEPT 1st 2008

The Planning Committee Chair, Cllr Mrs Patterson, presented the recommendations contained in minutes of this meeting - **copies of which had previously been published with the agenda for this Council meeting.**

RESOLVED that these minutes **and recommendations contained therein** be adopted.

C13/09/08 MINUTES OF THE F&GP COMMITTEE MEETING HELD ON AUGUST 4th 2008

The F&GP Committee Chair, Cllr I Potts, presented the minutes of this meeting - **copies of which had previously been published with the agenda for this Council meeting.**

RESOLVED that these minutes **(there were no recommendations contained therein)** be adopted.

C14/09/08 MINUTES OF THE F&GP COMMITTEE MEETING HELD ON SEPTEMBER 1st 2008

The F&GP Committee Chair, Cllr I Potts, presented the recommendations contained in minutes of this meeting - **copies of which had previously been published with the agenda for this Council meeting.**

RESOLVED that these minutes **and recommendations contained therein** be adopted, but that the Eden Time Bank grant be further considered at the September 29 F&GP Committee meeting. The Clerk was asked to defer this item to that agenda.

Clerk

C15/09/08 APPLEBY-IN-BLOOM WORKING PARTY REPORT

Minutes of a recent Working Party meeting were on Members' desks. The next meeting would be held on October 7th.

Council extended congratulations to the **Appleby Manor Hotel**, who had been named **hotel of the year** for Cumbria in Bloom.

The date for the next Appleby in Bloom Coffee Morning had been set as June 27 2009.

C16/09/08 BUILDING REPAIRS WORKING PARTY REPORT

Cllr Mrs Langan's report was received and noted. Minutes of a Working Party meeting held on August 26th were on Members' desks.

C17/09/08 CHARITABLE TRUST STATUS INVESTIGATION WORKING PARTY

Cllr Holloway reported that he would be calling a meeting of the working party upon Cllr Thwaytes' return from holiday.

IH

C18/09/08 FAIR HILL COMMITTEE

Cllr Mrs Anderton's report was received and noted, including attendance by the Working Party at a recent EDC New Fair Landowners meeting and information on many new stipulations, such as

- the hill and surrounding fields not being open until 5am on the Thursday of the Fair, with everyone having to leave by the following Wednesday
- there must be one toilet to every 25 caravans
- no more than 30 caravans per acre

It was **AGREED** that the Working Party would meet with the Council's New Fair tenant to ensure he was fully aware and prepared for this, since EDC would be fining people in 2009 for non-compliance and the responsibility to comply fell to the tenant rather than the landlord. Caravan licences were not necessary, as the Council had full Planning Permission for the use of Fair Hill during the Fair each year.

DA

Minutes of a Fair Hill Working Party meeting held on August 6th were on Members' desks.

Cllr Mrs Langan asked why the Town Council were not represented on EDC's **New Fair Strategic Committee**.

The Mayor explained that the Town Council had offered to take part in that Committee but that it had not been felt to be appropriate.

All bodies represented on that Committee were from a higher tier of local government, with both the Legal Powers and the Funding to make strategic decisions relating to their work in conjunction with the Fair (such as the County Council, District Council, Cumbria Constabulary, etc).

The Town Council's only interest in the Fair was in letting the land to the Gypsies and representing the Town's local residents on the **New Fair Community Forum** so that this group could feed back to the higher tier Strategic Group details of what needed to be done by them (using their legal powers and funding) to improve the effects of the Fair for our local residents and visitors.

C19/09/08 PUBLIC HALL WORKING PARTY REPORT

Cllr Mrs Langan's report was received and noted. Minutes of a Working Party meeting held on September 5th were on Members' desks.

C20/09/08 PUBLIC TOILETS WORKING PARTY REPORT

Cllr Connell's report (on behalf of Cllr Mrs Langan) regarding the future of Public Toilets in Appleby was received and noted. Minutes of two recent Working Party meetings with EDC Officers on August 1st and August 27th were on Members' desks.

The Mayor asked Cllr Mrs Langan to convene a meeting of both working parties and prepare a recommendation (regarding the possible adoption of Public Toilets) to Council for consideration on October 8.

EL

The Clerk was asked to include an agenda item for October 8.

Clerk

C21/09/08 RECYCLING CENTRE WORKING PARTY REPORT

Cllr Duncan reported that an email had been received from EDC with photos, complaining about the state of the Recycling Centre. Cllr Duncan monitored and cleaned the Recycling Centre on approximately 25 days out of every 30 and felt the photos to be misleading, some containing fallen leaves etc, which could not be avoided. It was **AGREED** that Cllr Duncan would call a working party meeting, to draft a letter for Council to approve on October 8 regarding the EDC Adoption Agreement.

CD

C22/09/08 TOURIST INFORMATION CENTRE WORKING PARTY REPORT

Nothing to report this month.

C23/09/08 TOWN WEBSITE (JOINT WORKING PARTY WITH THE CHAMBER OF TRADE) REPORT

Nothing to report this month.

C24/09/08 APPLEBY HERITAGE CENTRE

Nothing to report this month.

C25/09/08 NEW FAIR COMMUNITY FORUM

Cllr Mrs Anderton reported that a meeting would be held on Wednesday October 15th at 7pm in the Moot Hall, with representatives from all surrounding Parish Councils.

C26/09/08 APPLEBY CEMETERY CHAPEL JOINT COMMITTEE

Nothing to report this month.

C27/09/08 APPLEBY GRAMMAR SCHOOL FOUNDATION GOVERNORS

Nothing to report this month.

C28/09/08 APPLEBY CHAMBER OF TRADE & COMMUNITY ASSOCIATION

Cllr I Potts' report was received and noted.

C29/09/08 HEART OF EDEN COMMUNITY PLAN

RESOLVED that Cllr Morgan and Cllr Mrs Dempster would represent the Council at future meetings.

C30/09/08 OTHER EXTERNAL MEETINGS ATTENDED BY MEMBERS ON BEHALF OF COUNCIL

Cllr Mrs Langan reported on a recent **Flood Resilience meeting**, where a cascade volunteer system was planned for future flood events. Cllr Morgan had also attended and would report back to EDC's **Scrutiny Panel**, who were seeking views on this scheme.

KM

Cllr Morgan reported on a recent launch of the **Highways Stewards Scheme** he attended on behalf of Cllr Holloway, the Council's Highways Link Person.

C31/09/08 CUMBRIA HIGHWAYS LINK

Cllr Holloway's report was received and noted.

C32/09/08 REPAIRS TO THE CLOISTERS

RESOLVED to grant delegated authority to the **Building Repairs Working Party** to obtain quotations for inclusion in the 2009-10 Budgets and to then in due course commission and instruct a suitable Stonemason to repair the damage to the Cloisters, following Capita's work in the autumn to install a protective bollard and road markings.

Building Repairs Working Party

C33/09/08 RESTRUCTURING OF TWO MAIN COMMITTEES

RESOLVED that the Finance & General Purpose Committee be renamed the **FINANCE COMMITTEE**.

RESOLVED that the Planning Committee be renamed the **PLANNING & GENERAL PURPOSE COMMITTEE**.

Membership of each Committee to remain the same as under the previous Committee titles.

Clerk

The Clerk was asked to bring amended Terms of Reference to the October 8 Council meeting for approval.

C34/09/08 VACANCY IN APPLEBY WARD

The Clerk was instructed to advertise locally that Council was seeking an interested party to Co-opt and to ask that written applications be sent to the Clerk. Names of interested parties to be brought to the next full Council meeting on October 8 by all Councillors and the Clerk, to enable a new Member to be Co-opted at that meeting.

ALL

C35/09/08 “EFFECTIVE COUNCIL” TRAINING BY C.A.L.C.

RESOLVED that the Council accept CALC’s offer to conduct four **Effective Council Training** Modules for Council in Appleby Public Hall at **6pm on Wednesday November 26**, January 28, **February 18** and March 18.

The Clerk was asked to write to accept this invitation and to say that the Council had resolved to undertake this training as part of its preparation strategy for an eventual **Quality Parish Status** application. A copy to be sent to each Member for their diary.

**ALL
Clerk**

C36/09/08 ANNUAL MEETING OF THE COUNCIL (Mayormaking)

RESOLVED that the Annual Meeting of the Council and Mayormaking Ceremony be held in the early evening in future, to enable those who work to attend. The Clerk was asked to modify her agenda. The Mayor would notify the Tufton Arms. The Annual Meeting of the Council will be held in future at **6.00 pm**.

**Clerk
Mayor**

C37/09/08 APPLEBY NEW FAIR LEASE

RESOLVED that the Clerk increase the cost of this Lease each year by the prevailing rate of Inflation advised by the Financial Officer.

**Clerk
RFO**

C38/09/08 WATER USAGE ON FAIR HILL DURING THE FAIR

RESOLVED that in future the **Fair Hill Working Party** read the water meter immediately prior to (and after) the Fair and that the Tenant be charged for water separately to the Lease (rather than the cost being included in the cost of the Lease as at present). The Clerk was instructed to make the necessary alteration to the wording of the Lease. The RFO to co-ordinate future invoicing of the water used during the Fair.

**Fair Hill
Working
Party
Clerk
RFO**

C39/09/08 ANNUAL SIGNING OF THE NEW FAIR LEASE

RESOLVED that Delegated Authority be granted to the **New Fair Committee** to meet with the Council’s New Fair Tenant in January each year for the signing of the Lease and again in June each year to conduct an inspection of the Hill and to receive returned keys. The Clerk was asked to provide the necessary paperwork to the Working Party at the appropriate time each year.

Clerk

C40/09/08 GRANT - PARISH PATHS INITIATIVE

RESOLVED that the RFO join the **Dowpitts Wood Working Party** and that the Working Party progress the Cumbria County Council Parish Paths Initiative £800 grant, to ensure it is used by the deadline of February 2009. *The grant is for improvements to the footpath from the Grammar School steps, around to Holme Farm Bridge.*

**Dowpitts
Wood
Working
Party
and RFO**

C41/09/08 FINANCIAL REPORT

Two reports were received – one from the Responsible Financial Officer and one from the Acting Responsible Financial Officer (including this month’s accounts) – both were received and noted. *(Copies of these reports are readily available upon request from the Town Clerk or Acting RFO).*

RESOLVED that the **Computer Replacement** budget heading be amended to become the **Computer Replacement / Software Renewal / Maintenance** budget.

RFO

RESOLVED that the HSBC account be closed (A/c balance is nil) (A/c no longer used by TIC)

RESOLVED that the Lease for 66 Boroughgate be renewed for a period of four years from November 1 2008.

RFO

C42/09/08 MONTHLY ACCOUNTS

RESOLVED that the Mayor be authorised to sign the attached schedule for payment of the monthly accounts (bills & salaries) for **August**, totalling **£14,123.27**.

Mayor

C43/09/08 CORRESPONDENCE

RESOLVED that Cllr Mrs Anderton represent the Council at a meeting being held by CCC at the Tufton Arms on Tuesday September 23 at 10.30am regarding the launch of their “Together We Can” Project, aimed at getting the public more involved in County Council decision making.

DA

RESOLVED that Cllr Rooke represent the Council at the Citizens Advice Bureau’s Annual General Meeting on September 18.

SR

C44/09/08 CORRESPONDENCE RECEIVED AFTER AGENDA PUBLISHED (FOR INFORMATION ONLY)

None outstanding.

C45/09/08 TOWN CLERK'S REPORT

The Clerk's report was received and noted. *(Copies of this report are readily available upon request from the Clerk).*

C46/09/08 NEXT MEETING

Members noted that the next ordinary meeting of the Council would be held on **Wednesday October 8th 2008** at 7pm in the Moot Hall.

C47/09/08 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that the Press and Public be excluded from the remainder of the meeting, in accordance with Section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960, while the following business was transacted. Members of the press and public left the meeting at this point.

C48/09/08 APPLEBY IN WESTMORLAND SOCIETY LEASE

RESOLVED that the comments in a letter from the Society received that day be NOTED and that the amendments (shown in red) to the Council's standard Lease be APPROVED, but that a Plan be attached to show the precise location of the Storage Room to be rented by the Society for use as an Archive Room.

The Clerk was asked to sign the Lease on Council's behalf, forward two copies to the Society for signing, with one copy being returned for filing and to explain to the Society that the Lease had been drawn up by the Council's Solicitor and was a standard Law Society Lease which was used for all Council tenants.

The Public Hall Working Party were asked to fit fasteners as discussed with Cllr H Potts.

C49/09/08 STAFFING COMMITTEE REPORT

Cllr Morgan reported on behalf of the Staffing Committee and a copy of a letter to the Public Hall Manager was given to each Member of Council.

There being no further business, **the meeting closed at 9.10 pm.**

Clerk

**Public
Hall
Working
Party**