

APPLEBY-IN-WESTMORLAND TOWN COUNCIL

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APPLEBY TOWN COUNCIL MINUTES FOR THE MEETING HELD IN THE MOOT HALL ON WEDNESDAY JULY 8th 2009 at 7.00pm

Present : Mayor Cllr LH Thwaytes
Deputy Mayor Cllr Mrs D Anderton
Councillors A Connell
[in alphabetical order] Mrs J Dempster
CK Duncan
GI Holloway
R Knowles
Miss S Knowles
Mrs E Langan
AK Morgan
J Pape
Mrs C Patterson
HR Potts (*until Minute C17/07/09*)
County Councillor M Stephenson (*after Minute C10/07/09*)

Apologies : Councillors S Rooke

NOTE : Council has instructed its Clerk to record DECISIONS and RECOMMENDATIONS only in her Minutes, making them necessarily short. However, further detail on any item of particular interest may be obtained from the Clerk, who is able to reference her detailed notes, should residents wish for more information on non-confidential items. Some meeting reports are also available via the Parish Newsletter and the local Press. 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 Planning & General Purpose Committee as "PGP" 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.

C1/07/09 APOLOGIES FOR ABSENCE

Apologies for absence were received by the Mayor on Council's behalf. Cllr Robert Knowles was welcomed to his first Council meeting.

C2/07/09 MINUTES OF ORDINARY COUNCIL MEETING ON JUNE 10th 2009

RESOLVED that the Minutes of the ordinary meeting of the Council held on **June 10th 2009** be signed by the Mayor as a true and accurate record.

(Copies of these Minutes are readily available upon request from the Clerk).

C3/07/09 DECLARATIONS OF INTEREST

Cllr Potts declared a prejudicial interest in agenda item 19 relating to the Shire Hall Public Toilets, as part owner of that property.

Cllr Morgan declared a personal interest in any item relating to EDC, as a Member of that authority and in agenda item 8a (grant for Parish Newsletter) as his wife was a Member of the Parochial Church Council who published the newsletter.

C4/07/09 POLICE REPORT

Cllr Mrs Patterson conveyed PC Dave Mattinson's apologies to the meeting and read a report on his behalf relating to youth disorder and motorbikes. PC Mattinson urged residents to ring in on **0845 3300 247** with any reports in order to enable the Police to combat this problem.

C5/07/09 COUNTY AND DISTRICT COUNCILLORS REPORTS

County Cllr Stephenson's report was deferred until his arrival (see below ...)

District Cllr Mrs Langan's report was received and noted.

District Cllr Morgan's report was received and noted.

(Copies of these reports are readily available upon request from the Clerk or County / District Councillors).

ACTION

Mayor

ALL

C6/07/09 QUESTIONS FROM ELECTORS

No questions this month.

C7/07/09 MAYOR'S REPORT AND COUNCILLORS' QUESTIONS

The Mayor's report was received and noted.

(Copies of the Mayor's report are readily available upon request from the Mayor or the Clerk).

Cllr Morgan declared a prejudicial interest (see Minute C3/07/09 above) and left the room.

C8/07/09 MINUTES OF THE FINANCE COMMITTEE MEETING HELD ON JUNE 29th 2009

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

RESOLVED that these minutes (**and the following recommendations contained therein**) be adopted and that the £200 annual grant for the Parish Newsletter be funded from the **Hannah Kennington Charity**. *Trustees Cllr Mrs Langan and Cllr Potts held a separate meeting and approved this grant.*

RFO

Recommendations were :

- o Public Hall hire charges should not be increased this year.
- o Building repairs to the Public Hall should be dealt with by the **Public Hall Working Party** rather than the **Building Repairs Working Party**.
- o The annual grant to the **Heart of Eden Parish Newsletter** should be increased to **£200**.
- o The sealed bid for the vacant tenancy of 4 Market Arcade from **Eden Mind** should be accepted.
- o A letter from FS Potts dated June 16th offering the Council a five year Lease on the **Shire Hall Public Toilets** should be noted and a report from a July 7th Public Toilets Working Party meeting should be received by full Council on July 8th. A final decision should not then be taken until the next full Council meeting on **September 9th**.

Cllr Morgan returned to the meeting.

C9/07/09 MINUTES OF THE PLANNING & GP COMMITTEE MEETING HELD ON JUNE 29th 2009

The Planning & General Purpose 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 (**and the following recommendations contained therein**) be adopted.

Recommendations were :

- o the Town Council should continue to fully support the **Heart of Eden Community Plan**.
- o permission should be granted to **Ms Sarah Blundell** to access files held in the Moot Hall loft relating to Appleby Horsefair for research purposes in connection with her Masters Degree in Sustainable Waste Management.
- o the Clerk should submit Planning Consultation comments shown under PGP Minute **P6/07/09** to the District Planning Authority.
- o the Clerk should submit Planning Consultation comments shown under PGP Minute **P7/07/09** to the County Planning Authority

C10/07/09 OUTSIDE BODY REPORTS

The following reports from Councillors representing the Council at outside meetings were received and noted :

Cllr Duncan – **Eden Community Outdoors AGM**

Cllr Connell – **Appleby Sports Hall Committee**

Cllr Miss Knowles – **Appleby Chamber of Trade & Community Association**

(Copies of reports are available upon request from the Clerk or individual Members).

C11/07/09 CUMBRIA HIGHWAYS LINK

Cllr Holloway's report was received and noted. *County Cllr Martin Stephenson joined the meeting at this point.*

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

DEFERRED COUNTY COUNCILLOR REPORT *(see C5/07/09 above ...)*

County Cllr Martin Stephenson's report was received and noted.

(Copies of this report are readily available upon request from County Cllr Stephenson or the Clerk).

C12/07/09 BUILDING REPAIRS WORKING PARTY

Cllr Mrs Anderton's report was received and noted. A BRWP meeting would be called to consider a tenant's complaint, a copy of which had previously been sent to all Councillors by the Clerk.

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

BRWP

C13/07/09 TOWN CLERK'S REPORT

The Clerk's report was received and noted

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

C14/07/09 FINANCIAL REPORT

The Responsible Financial Officer's report (including this month's accounts) was received and noted.

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

C15/07/09 DELEGATED AUTHORITY – FINANCE C'TTEE

RESOLVED that Delegated Authority be granted to the **Finance C'ttee meeting on August 3rd** to authorise the Mayor to sign the schedule for payment of the accounts (bills & salaries) for the month of **July 2009**

Mayor

C16/07/09 DELEGATED AUTHORITY – PLANNING & G.P. C'TTEE

RESOLVED that Delegated Authority be granted to the **PGP C'ttee meeting on August 3rd** to authorise the Clerk to submit Planning Application comments to the District Authority for the month of **July 2009**

Clerk

C17/07/09 NEXT MEETING

Members noted that the next **ordinary meeting of the Council** would be held at 7pm on **Wednesday September 9th 2009** in the Moot Hall.

ALL

C18/07/09 MONTHLY ACCOUNTS

RESOLVED that the Mayor be authorised to sign the attached schedule for payment of the monthly accounts (bills & salaries) for **June**, totalling **£23,269.94** (plus £28,000 being transferred from the Council's Barclays account to its National Savings account to maximise interest payments).

Mayor

Cllr Potts left the meeting at this point, having declared a prejudicial interest in the following agenda item.

C19/07/09 SHIRE HALL PUBLIC TOILETS

Cllr Connell's report, on behalf of the **Public Toilets Working Party**, was received (*please see attached*) and their recommendation that the Town Council did not take up the offer of the Shire Hall Lease from the new owners was noted.

RESOLVED that Cllrs Connell and Mrs Langan investigate and negotiate with the Shire Hall Toilet Block owners to obtain more detail regarding rental – and report back to Council on September 9 for further discussion.

AC/EL

There being no further business, **the meeting closed at 8.20pm.**

*Attachment : **Public Toilets Working Party Report** (overleaf ...)*

Public Toilets Working Party, 7 July 2009

Attendees : Cllr Connell, Cllr Duncan, Mr G Coles, Mrs M Clowes, Mrs D Osman

The Working Party's sole agenda item was the letter to Appleby Town Council of 16 June from F.S. Potts & Son proposing terms for ATC to take on the lease of the Shire Hall toilet block, EDC having given notice of its intention to withdraw. The contents of the letter were noted, along with a report on the discussion at ATC Finance Committee on 29 June and a copy of a letter from Councillor Rooke, which was read out at that meeting. The meeting lasted just under an hour.

The Working Party considered the offer from the owners to be a fair one, potentially less onerous and risky than the proposals from EDC previously turned down, though there were some queries, e.g. whether a three times a week cleaning contract would be adequate and whether the required five year commitment by ATC could be reduced.

However, the main concerns of the Working Party were financial. To the proposed annual £5,200 lease including cleaning must be added VAT (£910), rates and utilities (authoritatively estimated at £1800), consumables (guessed at £500) and annual internal decoration. The annual cost to ATC of maintaining the toilets would be in the region of £9,000 a year without taking any account of Fair Week, likely to cost up to £2,000. Even though it was still the tenant, EDC funded the re-opening of the block in 2009 with great reluctance, and future support cannot be counted on.

With many other demands on its budget, there is little likelihood of ATC identifying significant savings elsewhere, so the effect of re-opening the Shire Hall block would be to raise the precept by about 15%. The Council can do this if it chooses, and a survey at the beginning of March 2009 indicated local support for having the toilets open, to the benefit of local users and tourists. But the working party doubted whether this would be good value for money and whether it would be well-received by the public in practice, particularly in the present economic climate. It was remarked that local people have got used to the block being closed; and that there might be commercial benefits to Appleby from coach parties who park on the Sands having to walk over the bridge and into the town centre to use the toilets.

The deceitful way in which the Shire Hall block was closed by EDC in October 2006 remains a sore point; it was also argued that the large Broad Close toilet block would have been far better placed on the Bongate side. In an ideal world the Working Party would like Appleby to have three separate public convenience sites, but in present circumstances the Working Party reluctantly decided to recommend that Appleby Town Council does not take up the offer of the Shire Hall lease from the new owners.