

APPLEBY-IN-WESTMORLAND TOWN COUNCIL

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Town Clerk's Office
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Cumbria
CA16 6YB

APPLEBY TOWN COUNCIL MINUTES FOR THE MEETING HELD ON WEDNESDAY 22 SEPTEMBER 2021 at 7.00pm The Public Hall, Appleby.

Present:

| | | |
|---------------|-------------------|-----------------|
| Mayor: | Cllr Hayes | Cllr T Wignall |
| Deputy Mayor: | Cllr Chalmers | Cllr K Wignall |
| Councillors: | Cllr Mrs Anderton | Cllr Curley |
| | Cllr Connell | Cllr Davidson |
| | Cllr H Potts | Cllr Stephenson |
| | Cllr S Rooke | Cllr Dougherty |

Also, in attendance: Karen Lowthrop Town Clerk, Rev. Roger Collinson, Hannah Hillard – Cumberland Herald

Before the meeting commenced, Rev Collinson lead the Council in a prayer

PART ONE

C1/09/21 Apologies for Absence

Apologies received from Cllr Pape and Cllr F Potts

Apologies accepted proposed by Cllr Anderton second Cllr Hayes

ACTION

Clerk

C2/09/21 Declarations of Interest

Cllr Connell declared a personal interest in any items on the agenda that relate to Cumbria County Council and Eden District Council.

Clerk

C3/09/21 Minutes

Council:

It was **RESOLVED** to authorise the Chairman of the meeting to sign the minutes of the **Ordinary Meeting of the Council** held on **Wednesday 18th August 2021** as a true and accurate record and the Council to approve any resolutions. Proposed Cllr Hayes, Cllr Connell

Committees:

It was **RESOLVED** to authorise the Chairman of the Committee to sign the minutes of the **Finance Committee** held on **Monday 13th September 2021** as a true and accurate record and the Council to approve any recommendations. Proposed Cllr T Wignall Second Cllr Curley

Chairman

Cllr
Anderton

It was **RESOLVED** to authorise the Chairman of the Committee to sign the minutes of the **Planning & General-Purpose Committee** held on **Monday 13th September 2021** as a true and accurate record and the Council to approve any recommendations. Proposed Cllr K Wignall Second Cllr Dougherty

Cllr
Stephenson

It was **RESOLVED** to authorise the Chairman of the Committee to sign the minutes of the **Property Committee** held on **Monday 13th September 2021** as a true and accurate record and the Council to approve any recommendations. Proposed Cllr S Rooke Second Cllr Dougherty

Cllr
Anderton

C4/09/21 Questions to be received from the public. Public Participation a) Public Representations. Members were asked whether they were content to suspend the Council Standing Orders to allow a member of the public speak and for the Chairman to read a letter received from a resident of Appleby regarding the Horse Fair. **Cllr Anderton proposed, and Cllr Connell seconded.**

RESOLVED THAT: The Standing Orders be suspended, and the member of the public be permitted to speak for a period of up to three minutes as part of **Agenda Item 6**, Appleby Horse Fair.

- Following representation from a member of the public the Chairman thanked the member of public for their contribution and **RESOLVED:**
- To request an alternative date a week or two before the Jubilee to ensure the 2022 Horse Fair and the Jubilee do not occur at the same time. **Clerk to bring request to MASCG**
- To request Appleby Town Council to “take control of Fair Hill and ownership of the Fair”. The Clerk to put on agenda for the General-Purpose Committee Meeting set for October 11th, 2021.

Clerk

Clerk

C5/09/21 Police Report

The police report was received and noted

C6/09/21 Appleby Horse Fair

With Council approval, the Chairman called in this item at **C4**. The Town Council are waiting for the publication of the MASCG evaluation report when all options can be considered. The Clerk has received a FOI from the New Peoples' Fair Group and will respond accordingly.

Cllr M Stephenson commented that the MASCG remit was strategic to ensure a safe fair and not operational

Cllr Connell reported that both he and Cllr Greenwood had met members of the Peoples' Fair group and dealing with a list of questions and queries relating to the Fair.

Cllr H Potts congratulated Cllr Connell on his chairmanship of the Post Fair Meeting and asked whether the date for 2022 Fair had been agreed. The Chairman responded no date was set but was the agenda for the next MASCG meeting to be held on Monday 27th September 2021

C7/09/21 County and District Councillors Report

It was **RESOLVED** to receive and note Cllr Connell's report

It was **RESOLVED** to receive and note Cllr Greenwood's report.

C8/09/21 Mayor's report

It was **RESOLVED** to accept the Mayor's report.

C9/09/21 It was **RESOLVED** to accept the Clerk's **report**

C10/09/21 OUTSIDE Bodies Reports

There were no outside bodies report for this meeting

C11/09/21 Schedule of payments It was **RESOLVED** that the Chairman be authorised to sign the schedule of payments for the month of August 2021, totalling **£16,434.67**. This figure includes employee salaries and purchases; and is inclusive of VAT. It was also **RESOLVED** that the Chairman be authorised to sign the transfer of funds for August 2021 totalling **£729.60**.

C12/09/21 Councillors' Reports and Items for Future Agendas

- Response to The People's Fair Group
- Update Appleby Heritage Centre
- Update black and white chain fencing

13/09/21 Date of Next Meeting

Councillors noted that the next Ordinary **Meeting of the Council** will be held at the Appleby-in-Westmorland Public Hall on **Wednesday 20th October at 7pm.**

There being no further business the meeting closed at 8.22pm

AT THE COUNCIL MEETING ON:

WEDNESDAY 20 October 2021

THE MAYOR WAS AUTHORISED BY
THE COUNCIL TO SIGN THESE MINUTES TO
CONFIRM THEIR BEING AN ACCURATE RECORD:
CC Full Council

POLICE REPORT

For

Appleby Town Council Full Council Meeting

22 September 2021

Appleby (PCSO 5406 Ewbank & PC 2542 Hall)

Artwork in our Communities

We worked with schools, nurseries and community groups around Appleby and Kirkby Stephen to create these amazing boards for Appleby Horse Fair.

These were decorated and displayed along railings in both towns, offering a warm welcome to visitors to the town.

A big thank you to everyone who helped paint, decorate, organise and donated!

Working as a team

Over the bank holiday weekend PCSO 5406 and a colleague from Eden Police helped in a Multi-Agency Summer Patrols event at Ullswater.

Agencies involved were: Eden Police, Penrith Fire Service, National Trust and Lake District National Park.

We engaged with lots of locals and visitors to the area and discussed the following topics:

- * Leave no trace of your visit and camping responsibility.
- * Responsible motorhome code.

- * The dangers of fire and barbecues in the landscape.
- * Water safety

No Place For criminal behaviour

Criminal behaviour is completely unacceptable and very disappointing.

Yet again, more damage has occurred to the Riverside Shelters in Appleby.

If anyone has seen this damage occur last week or has any information on who is responsible, please tell the local Appleby policing team.

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Drop-in sessions re-started

PCSO 5406 will be at Appleby Tourist Information Centre every second Wednesday of each month, between 10am and 12pm if anyone has any concerns or issues to discuss.

The officer will also be back attending coffee mornings in the town and estates. Please come and say hello!

We will also be a visible presence during school opening and closing times. It is great to welcome all the children back to school.

When the schools are settled in to the new term, we will be visiting the schools to discuss any relevant topics, such as road safety.

Appleby Rural (PCSO 5206 and PC 2542 Hall)

Incidents under investigation

Between 8pm on August 16 and 8am the following day, more than 40 round bales have been slashed at two different locations a mile apart.

This was in the area of Bolton and Crackenthorpe.

There was also damage caused to a gate, which had been opened.

This is not believed to be linked with Appleby Fair.

If you have seen anything suspicious or have any information, please contact police via 101, referring to incident number 96 of August 17.

PCSO Sally Ewbank – September 2021

Public Health

In the most recent report of 20 September, the Director of Public Health states that incidences of Covid-19 in Cumbria peaked at 450 per 100,000 a fortnight ago, since when they have stabilised or fallen. Cases are highest in secondary and primary schools, presenting 'significant challenges'. The Director reports that his team is working closely with schools before they reach the threshold for intervention, but would like government authority to do more.

Highways

The A66 Northern Trans-Pennine Project consultation was officially launched on 24 September. Documents are accessible online at highwaysengland.co.uk/A66-NTP. Information can also be obtained at drop-in sessions held at Appleby Hub on 9 October (1500-2000), 10 October (1000-1600) and 11 October (0800-1400). The objective is for work on the A66 to be started and finished by the end of the present decade.

Local Government Reform

A team of officers from the present County and District councils, headed by Cumbria's CEO, is working on the complexities of transition from one county authority and six districts to two unitary authorities, scheduled for 2023. Meanwhile the Leader of Cumbria is likely to continue with an application for judicial review. At an emergency Council meeting on 25 August, a motion was passed expressing disapproval of the application was, but under Cumbria's constitution the vote is not binding. A letter received on behalf of the Secretary of State unsurprisingly rejects the case made in the preliminary letter from the County. One of the reasons given was that the consultation showed that East-West split had public support. As far as the East is concerned, I know of no evidence to support this assertion.

Post-Appleby Fair Meeting

The regular meeting, hosted by the County Council, was held in the Public Hall on 2 September. The Police Gold Commander, the chair of the Multi-Agency Strategic Co-ordinating Group and the Director of Public Health presented reports; and they, other officers and councillors and a Gypsy Romani Traveller representative took questions. Several speakers expressed their dissatisfaction with aspects of the fair and raised points that the chair of MASCG assured the meeting would receive careful consideration. But it is not true that the fair brings additional charges on 'local' council taxpayers: Police, County Council and District Council charges are uniform across Cumbria and Eden respectively. Nor is it true that the public are, or can be, denied access to any public space for the duration of Appleby Fair, other than by any emergency Police restrictions or temporary Traffic Restriction Orders closing certain roads to vehicular and/or horse traffic. Any pedestrians wishing to walk along the Sands or the 'Flashing Lane' or through Fair Hill were free to do so.

Eden District Council Report for Appleby Town Council September 22nd 2021 Councillor Karen Greenwood

Mr Maurice Bailey's Estate

Some of Mr Baileys properties have been taken into receivership recently, and some tenants of Mr Bailey have had a letter from the Receiver explaining the situation, that some properties were to be sold on 26th August, and some on the 30th September. Because different properties have been taken on by different receivers, this experience has not been the same for all tenants, and has caused some worry and anxiety amongst some tenants.

Eden District Council Housing Team have been in touch with some tenants to ascertain their needs, and give help and advice and support as appropriate. The Private Rented Accommodation Officer, Ewan Cannon, has been working with Landlords locally in the Appleby area to identify potential properties which may be available if required. Ewan is in regular contact with the Housing Option Team and liaises with them to support those at risk of homelessness as well as those in Temporary Accommodation.

The properties can be sold with sitting tenants, it is then up to the new owner/landlord to decide what they want to do with the property and serve notice if they want to. They may wish to continue to rent to the existing tenants. Officers are trying to establish how many tenants may be affected, this is likely to take a while due to the number of stakeholders involved.

In the meantime, if any tenants contact you please direct them to the Housing Options Team - Tel: 01768 861499

Local Government Reorganisation

Last week a key milestone in the LGR transition planning work was achieved - as the first formal meeting of the new Cumbria LGR Programme Board was held on Tuesday 14 September.

Attended by all the CEO's – this meeting signifies the start of our programme and on the agenda was key items for discussion including:

- The final phase of work to agree the various workstreams and their named sponsors and projects leads
- A discussion on programme development and future resourcing
- An update on early work now underway to gather a strong foundation of data and intelligence to help inform future decisions, and
- Sign off for a strategic communications and engagement plan on LGR to help ensure effective two way communication with all key stakeholders during the transition phase

Other topics on the agenda included a discussion around developing and agreeing a clear set of Design Principles.

The transition programme has now been grouped into three key overarching 'service based' themes – People, Place and Enabling Services and work is also now underway to develop a clear timeline for the next 19 months, based around four key phases for the project – these are

Phase one – Mobilisation - laying the foundation to include data gathering/getting everyone to a place of common understanding and awareness/establishing governance/drafting the SCO.

Phase two – Design - finalising and agreeing the SCO/planning for elections/employee engagement.

Phase three – Implementation – putting in place the new Shadow Authorities/shaping service transition/countdown to vesting day.

Phase four – Stabilisation and closure – including Moving in/Vesting Day.

It was a very productive meeting supported by all the councils with a clear focus on building the two 'new houses' we will live in and delivering these two brand new councils successfully by April 2023.

There is still a significant amount of work to be done in the mobilisation phase – including drafting the Structural Change Order – which is what will go to parliament to agree the final transition governance arrangements.

The County Council also updated the board that it had now received a letter from the Secretary of State – this letter is in response to a pre-action protocol letter that the County Council sent Government in August which set out Cumbria County Council's concerns regarding the basis of the Secretary of State's decision.

The County Council is now carefully considering their response, before deciding on its next steps in relation to any potential future legal action.

We appreciate that there is continued anxiety about the future but please be reassured that although we are still in the early stages of the process, we remain committed to working together to drive forward positive change for the people and communities of Cumbria.

The Heritage Centre, Appleby

Recently the person who was interested in purchasing the whole site has withdrawn his interest. The plan is to get the electric remedial work done so the buildings are safe, and then to look to sub meter the units so they can attract individual tenants.

It is anticipated that the contractor who will be engaged for the electrical work will start mid-October.

The Post and Chains Bollards

I had a meeting with the Assistant Director of Delivery to discuss the situation with the bollards.

We discussed the urgency of the situation and she understands the importance of the bollards to the Town. The problem is one of budgeting, and historically there has never been a budget for the bollards. The problem has been exacerbated since January with the departure of Officers, and Staff turnover.

There is a contractor who has bid for the work, and it is hoped that the work can commence before winter.

Appleby Horse Fair 2021

Cllr Phil Dew and I, as elected representatives, met with two representatives of the Appleby Community for a People's New Fair Facebook group, to discuss their concerns after Horse Fair. They have sent us a list of questions, which is a considerable piece of work. This is ongoing.

There will be an evaluation report published in due course by the MASCG on www.applebyfair.org If anybody wishes to email me with their comments it is Karen.Greenwood@eden.gov.uk

End of Report.

Mayor's Report – September 2021

The last month has been busier than expected for a holiday season. I was delighted to be present at the opening of Angelo's on Bridge Street. Good luck to James and his team.

It was a privilege to be at the Castle Keep opening and a thank you to Sally Nightingale for the open day for residents. Thanks too to the Town Band for playing on the day. Great to see them back in action.

I was unable to go to the Westmorland Show so huge thanks to Mayoress Rebecca Page for going and being a super ambassador for the town and council. Rebecca joined me for inauguration of Kendal's new mayor, Doug Rathbone, at Kendal Town Hall. It was a splendid opportunity to meet other mayors and start informal conversations about the new Cumbrian authority.

I waved the flag to start 45 classic cars at the fantastic Rotary Car Rally up at the Golf Club. Thanks as always for Rotary do for our town. Later the same day I was interviewed by the BBC Look North following the Environment Agency's Consultation session about the proposed Broad Close pumping station where we have progress but still a number of issues to resolve.

Pressing town topics such as Horse fair, Moot Hall, and our precious posts and chains will be discussed intimately across the council agenda.

Continued Covid vigilance should still be high on our list of priorities as we head into autumn. Stay safe.

Cllr Gareth Hayes
20th September 2021

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Clerk's Report

Council Meeting – Wednesday 22nd 2021

1. Correspondence

- Broken seat at Doomgate reported to EDC
- New bin at Boroughgate Bus Stop will be installed by the end of September 21
- FOI: 3 FOI requests received post Fair; all have had a response from the Town Clerk
- Letter from a temporary resident seeking affordable housing – CCC dealing with query
- Letter from Highways with A66 community engagement dates
- Email from EDC re Bollards
- Email from resident: Dear Karen,
 - May I suggest that the committees who assemble around The Fair prepare for a longer, as well as larger one next year? Many people are 'champing at the bit' to meet with their families and friends en mass as soon as possible, creating larger celebrations than before to incorporate birthdays Christmas, etc. How much more will the Gypsy Traveller community want to make up for lost time at The Fair! Please forward these concerns to the Town Council for consideration.
 - Call from a resident with concerns of presence of hogweed on Drawbriggs. CCC informed.
 - PKF email confirming completion of Annual Audit review
 - CCC Corporate Reorganisation message [Corporate Message - Local Government Reorganisation \(LGR\) Update \(govdelivery.com\)](#)
 - Email from resident re trees in the river - actioned

2. Dates to Note

Committee Meetings: Monday 11th October 2021 6.45pm Public Hall

Council Meeting: Wednesday 20th October 2021 Public Hall

Karen Lowthrop – Town Clerk – February 2021



Appleby-in-Westmorland Town Council

Schedule of Payments - August 2021

31st August 2021

Barclays Current Account - Balance Brought Forward

£81,082.20

| Date | Supplier/Customer | Description | Amount £ |
|------------|-------------------------|--|----------|
| 02/08/2021 | BT | Town Council mobile | 12.72 |
| 03/08/2021 | NEST | Staff pensions (July) | 188.85 |
| 03/08/2021 | Karen Babyan | Window Wanderland postcards | 276.00 |
| 04/08/2021 | BT | TIC Mobile and Upgrade | 20.62 |
| 04/08/2021 | Walkers Windows | Market Arcade window cleaning | 40.00 |
| 04/08/2021 | Urbaser Ltd | Public Hall bins | 20.45 |
| 04/08/2021 | Barclays | Bank Charges | 37.48 |
| 09/08/2021 | Npower | Market Arcade Toilets electric | 84.82 |
| 09/08/2021 | Npower | Moot Hall electric | 36.25 |
| 09/08/2021 | Npower | Public Hall electric | 16.97 |
| 09/08/2021 | Npower | Public Hall Lift electric | 11.51 |
| 09/08/2021 | Appleby Business Centre | Printing | 120.00 |
| 10/08/2021 | Heatons | Public Hall cleaning | 76.43 |
| 10/08/2021 | Amey | Public Hall Bins | 30.67 |
| 10/08/2021 | Appleby Business Centre | Printing | 4.20 |
| 10/08/2021 | Emma Simpson | Stationery | 15.05 |
| 10/08/2021 | Barclaycard | Transaction Charges | 54.27 |
| 13/08/2021 | Waterplus | Public Hall water | 110.62 |
| 13/08/2021 | Andy Connell | Memorial brass plaque | 54.00 |
| 16/08/2021 | Sage | Monthly subscription charge | 62.40 |
| 18/08/2021 | Eden District Council | Moot Hall rates | 394.00 |
| 18/08/2021 | Eden District Council | Public Hall rates | 66.00 |
| 19/08/2021 | Sue Gilbertson | Finance services | 500.00 |
| 19/08/2021 | Logic | Moot Hall boiler | 90.00 |
| 19/08/2021 | Emma Simpson | Garment bags for Councillor robes | 56.32 |
| 20/08/2021 | NPower | Unknown (requested reversal with Barclays) | 4562.82 |
| 23/08/2021 | Emma Simpson | Noticeboard | 18.99 |
| 23/08/2021 | Gareth Hayes | Fuel claim | 11.70 |
| 24/08/2021 | BT | Telephone and broadband | 325.62 |
| 25/08/2021 | Opus Energy | Blue Poppy electric | 23.96 |
| 26/08/2021 | Staff Salaries | August Salaries | 6029.87 |
| 26/08/2021 | HMRC | August NI/PAYE | 1323.45 |
| 26/08/2021 | Chubb | Alarm system | 54.78 |
| 31/08/2021 | Nest | Staff pensions | 218.05 |
| 31/08/2021 | Corona | Public Hall gas | 307.77 |
| 31/08/2021 | Corona | Moot Hall gas | 199.36 |
| 31/08/2021 | Urbaser | Market Arcade Toilet Cleaning (July) | 850.00 |
| 31/08/2021 | Urbaser | Public Hall bins | 40.90 |

| Date | Supplier/Customer | Description | Amount £ |
|---------------------------------------|--------------------------|--------------------|-------------------|
| 31/08/2021 | Waterplus | Public Hall water | 78.78 |
| 31/08/2021 | Stan Rooke | Postage | 8.99 |
| Total Payments for August 2021 | | | £16,434.67 |

Barclays Current Account **£90,069.96**

Barclays Savings Account **£82,116.45**

Cumberland Reserve Account **£118,631.70**

Transfers:

| | From | To | |
|------------|--------------------------|---|---------|
| 10/08/2021 | Barclays Current Account | Barclays Savings Account (for Harold Spensley Fund) | £729.60 |

Signed:

Date: