

APPLEBY-IN-WESTMORLAND TOWN COUNCIL

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PROPERTY COMMITTEE MINUTES FOR THE MEETING HELD IN THE MOOT HALL MONDAY 12TH SEPTEMBER 2022 at 8.22pm

Present:

Cllr Anderton (Chairman)
Cllr Connell
Cllr Davidson
Cllr Dougherty
Cllr Hayes (Mayor ex Officio)

Cllr Pape
Cllr Rooke

Also in attendance:

Cllr Kemp
Cllr Stephenson
Cllr Wignall

The Public Participation took place at 6.45pm, before the rising of the Finance Committee, after which the 11 members of the public and PCSO Ballantyne left. Comments received from residents:

- Mrs Bradley read out a statement, which referred to the agreement made by the Council in 2015, which she believed stated the top outer gate was to be always left open, except in the weeks running up to Horse Fair. The outer gate is currently being closed multiple times a day by the residents of Up Top. Mrs Bradley had created a sign and left it on the gate to make people aware it was to be left open; however this was removed three times. In the event that the constant closing of the gate doesn't stop, Mrs Bradley recommends the gate be removed and she is happy to store it, until it is needed pre-Horse Fair.
- Mrs Whitehead explained how her disabled husband used the open gate to access Fair Hill and use the hardstanding area as a viewing point when he had been well enough to get out on his mobility scooter. Closing the gate would mean he would be completely unable to access this area. She suggested removing the gate entirely to remove the source of the problem, highlighting that it wasn't locked so it was simply an inconvenience.
- PCSO Sally said that that main issue from a policing point of view was the nuisance caused by boy racers, and by closing the gate this would deter them and stop them congregating on that land. This would mean the littering issues would be reduced, and the nuisance issues would stop.

PR1/09/22 Apologies for Absence

Apologies were received and accepted from Cllr Chalmers and Cllr Curley. Long term absence was noted from Cllr F Potts.

PR2/09/22 Declarations of Interest

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

PR3/09/22 Actions from Previous Minutes

Review of Council's Policy for Tenancies: The Council's Standing Orders have been updated to include an order regarding how Sealed Bids for renting out the Council's retail units are to be considered and awarded.

It was **RECOMMENDED** to Full Council to accept the new Standing Orders.

The Clerk reported that she had spoken to a Commercial valuer in Penrith with a view to getting some guideline prices for retail units based on the footage of units and their market value. The Council agreed that the Clerk should progress this.

PR4/09/22 Chairman's Report

There was no Chairman's Report in respect of this meeting.

ACTION

Full Council

Clerk

PR5/09/22 Cloisters Update

The Clerk reported that following completion of Phase 1 of the Cloisters project, the scaffolding had been moved off the end of the West Tower so Low Wiend could be re-opened and work is now progressing on Phase 2, which is concentrated on the East Tower and Central Cloisters. The work is progressing well, with the only setback being that one bat was found to be nesting in the East Cloister tower, which now requires a licence.

PR6/09/22 Fair Hill

- **Fair Hill Gate**

Advice given to the Clerk concerning the issue of the gate, highlighted that the Council should look at the present issue, not what has happened in the past. The current focus should be on what is best for the Council and that any commercial arrangements with tenants are honoured. Currently the gate being open or closed does not affect any use of Fair Hill or any right of way access granted to adjacent residents.

Cllr Dougherty left 8.40pm

Cllr Davidson reminded the Council of their duty to residents, and that their opinion should be listened to and taken into account when making a decision. She suggested that having set times when the gate should be opened and closed might be a possible solution.

It was agreed that further investigation should be made regarding this issue and it was agreed that The Clerk will look back through the Council minutes to determine exactly what was agreed by the Council in 2015 and that the Clerk and Cllr Rooke (Vice-Chairman) will arrange to meet with the tenant of Fair Hill to discuss their concerns

- **Freedom of Information requests:** A number of FOI requests have been received in relation to Fair Hill, relating to what income the Council received during Horse Fair, what additional expenditure was incurred and copies of documents relating to the licence, insurance, event management, risk assessments, Health and Safety, etc. The Clerk had supplied the requestors with all the information, with the exception of a request to disclose insurance information relating to the Licensee, which she had declined. The requestor had appealed this decision and asked for an Independent Internal review to be carried out, which is in hand.
- **Licence:** A request has been received from Appleby Fair Communities Group regarding how they would submit a bid for the two-week license over the Horse Fair period. The Clerk has responded to them to say that this is not an open tender lease, but a licence, which is granted to Mr Welsh.
- **Metal detecting request:** A local lady has asked the Clerk whether she would be able to do some metal detecting on Fair Hill. The committee agreed that in principle there was no issues, however the tenant of the land should be consulted first.

PR6/09/22 Councillors' reports and items for future agendas

- **Fair Hill top gate**

PR7/09/22 Date of the Next Meeting

Councillors noted that the next meeting of the Planning and General Purposes Committee will be held in the Moot Hall on **Monday 17th October 2022** at **7.45pm**.

There being no further business the meeting closed at **9.14pm**.

AT THE COUNCIL MEETING ON: **WEDNESDAY 21st September 2022**

THE CHAIRMAN OF THE COMMITTEE WAS AUTHORISED BY THE COMMITTEE TO SIGN THESE MINUTES TO CONFIRM THEIR BEING A TRUE AND ACCURATE RECORD:

Cllr Rooke
& Clerk

Cllr
Stephenson

All