

APPLEBY-IN-WESTMORLAND TOWN COUNCIL

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Appleby Town Council Minutes For the meeting held in the Moot Hall Wednesday 19th July 2023 at 6.45pm

Councillors Present:

Cllr Davidson (Chair)
Cllr Chalmers
Cllr Connell
Cllr Curley
Cllr Heap
Cllr Kemp

Also in attendance:

Andrew Keough (Herald)
David Johnstone (Mace Bearer)
1 Member of Public
Town Clerk
Clerk's Assistant

C1/05/23 Apologies for Absence

Apologies received from Cllr Anderton, Cllr Mycock and Cllr Rooke.

C2/07/23 Declarations of Interest

Cllr Connell declared an interest in relation to any items on the agenda relating to Westmorland and Furness Council. Cllr Kemp informed the Council that her property borders the Mill Hill Steps, despite this not being a required disclosable interest.

C3/07/23 Public Participation

There were no representations made by the public.

C4/07/23 Minutes

• Ordinary Meeting of the Council

It was **RESOLVED** to authorise the Chair of the meeting to sign the minutes of the **Ordinary Meeting of the Council** held on **Wednesday 21st June 2023** as a true and accurate record and the Council to approve any resolutions. Recommendations and resolutions approved unanimously.

• Planning and General Purpose Minutes

It was **RESOLVED** to authorise the Chair of the Committee to sign the minutes of the **Planning & General-Purpose** Committee held on **Monday 10th July 2023** as a true and accurate record. There were no recommendations to approve.

Cllr Curley reiterated as he had done at the Property Committee that the application submitted by Appleby Town Council to fell a Yew Tree on the Mill Hill steps is an application for permission, rather than a decision that has been made and that no further discussion was appropriate, and no action will be taken by the Council until we have received advice from the W&F Tree Officer.

• Finance Committee Minutes

It was **RESOLVED** to authorise the Chair of the Committee to sign the minutes of the **Finance Committee** meeting held on **Monday 10th July 2023** as a true and accurate record. All recommendations were approved unanimously:

- To accept the Management Accounts for June 2023.

- **Property Minutes**

It was **RESOLVED** to authorise Cllr Davidson to sign the minutes of the Property Committee held on **Monday 10th July 2023** as a true and accurate record and the Council to approve any recommendations. All recommendations were approved unanimously:

- Council to store and display a 'silver penny' on behalf of the residents of Friary Fields.

C5/07/23 Unitary Authority Reports

Cllr Connell's report was received and noted. (Report attached).

Cllr Railton encouraged Councillors to read W&F Council's Climate Action Plan and that the Council take a lead in the community. The Clerk reported that this had been discussed at this week's bi-monthly area planning meeting and an officer from W&F Council was sending her more information. Cllr Potts supported the idea, especially as the plan highlighted flooding issues.

C6/07/23 Police Report

There was no Police report in respect of this meeting. The Clerk reported that the PCSOs regularly visit and update the office regarding ongoing issues, but had not had any spare time this month to write a report.

C7/07/23 Mayor's Report

There was no Mayor's report in respect of this meeting.

C8/07/23 Clerk's Report

The Clerk's report was received and noted.

- **B6260 Road Works**

The B6260 road works are scheduled to start on Monday 24th July and to last for approximately 3 weeks. We have received a large number of enquiries from residents, both from Appleby and the surrounding villages and we have put together an information pack, which the TIC have been distributing. This includes maps showing the road closures and diversions in place over the two phases, and the letter sent by W&F to residents. We also forwarded a number of enquiries that we were unable to answer to Highways, who have responded efficiently.

Low Wiend is also currently closed for 3 days for Electricity North West to undertake works, however we have been assured that the work will be completed before the B6260 road closures start.

- **Moot Hall**

There is still internal and external painting to be completed, which was postponed due to weather and staffing issues, but it is hoped that this will be completed next week. Cllr Potts asked whether the architect will visit prior to signing off the snagging list, and the Clerk confirmed this to be the case.

- **Broad Close car park and Toilets**

After residents of Chapel Street made representation to the Council regarding anti-social behaviour taking place in Broad Close car park, the Clerk has organised a meeting with W&F Estates Manager, Cumbria Constabulary and residents to discuss what actions can be taken to mitigate and prevent the anti-social behaviour in the car park and adjacent streets.

Cllr Chalmers asked whether the measures implemented in Penrith to combat antisocial behaviour could be considered for Broad Close car park. The Clerk confirmed this would be discussed at the meeting with W&F and the police.

There are ongoing issues with Broad Close Toilets; blocked drains have meant the loos are being closed on an almost weekly basis. At the Clerk's request, W&F will ensure that a sign is put up to direct users to the Market Arcade toilets. Work to fix the issue is expected to start soon, however this will mean full closure of the toilets for approx. one week.

C9/07/23 Byelaw – Urinating and Defecating in Public Places

At the request of Appleby Fair Communities Group, Cllr Railton raised the subject of introducing a byelaw to prevent urination and defecation in public places. This issue has become worse in recent years, and although Police have limited powers in this area, it is felt by the group that the introduction of a byelaw would be beneficial.

The Clerk highlighted that Appleby Town Council did not have the powers to introduce a byelaw on this issue, it would have to come from W&F Council under Section 235 of the Local Government Act 1972 and that the Chair of MASCG had reported at the Post Fair meeting that this issue was being looked into under the Council's Public Spaces Protection Order, which was currently being reviewed. Cllr Connell expressed concerns that this would only encourage visitors to use private land instead and that an order of this kind would apply throughout the whole year and not just for the 5 days of Horse Fair, which is what the people suggesting are concerned with. Cllr Chalmers also expressed concerns that the motivation for enforcing this byelaw isn't specifically targeting the travelling community. Cllr Potts suggested having more portaloos around the most problematic areas, for example Lady Garths path, as highlighted by Cllr Turnbull. Cllr Curley added we need to investigate the practicalities of implementing any byelaw and how enforceable it would be and agreed that a discussion with W&F Council and the police is needed before any further action is taken.

Cllr Turnbull left at 7.20pm due to a prior commitment.

ACTION: The Town Clerk is due to meet with the Chair of MASCG and will raise this issue.

C10/07/23 Outside Body Reports

There were no Outside Body reports in respect of this meeting.

C11/07/23 Schedule of Payments & Bank Transfers – June 2023

It was **RESOLVED** that the Chair be authorised to sign the schedule of payments for the month of June, totalling **£18,367.85**. This figure includes employee salaries and all other expenditure and purchases; and is inclusive of VAT.

C12/07/23 Councillors' reports and items for future agendas

- Cllr Heap raised the issue of Age Concern leaving items on the footpath outside their shop on Low Wiend, which reduces the width of an already narrow pavement, causing an obstruction for a mobility scooter or those using sticks or crutches. The Clerk will speak with Highways to check what is the minimum recommended space that needs to be left for pedestrians.

C13/07/23 Next Meeting

To note that the next Ordinary Meeting of the Council will be on **Wednesday 20th September 2023** at **6.45pm** in the Moot Hall.

The Mayor invited all Councillors to the Mayor's Coffee Morning, being held on **Saturday 16th September** at **9am** in Appleby Supper Room, in aid of Eden Animal Rescue.

There being no further business, the meeting closed at 7.29pm.

At the Council Meeting held on **Wednesday 20th September 2023**, the Chairman of this meeting was authorised by the Council to sign these minutes, to confirm they are a true and accurate record:

Cllr Davidson
