

# APPLEBY-IN-WESTMORLAND TOWN COUNCIL

Caroline Dodgeon: Town Clerk  
Telephone: 017683 51177  
Email: clerk@applebytown.org.uk  
Facebook: Appleby-in-Westmorland  
Twitter: @applebycouncil



www.applebytown.org

Town Clerk's Office  
Moot Hall  
Boroughgate  
Appleby-in-Westmorland  
Cumbria  
CA16 6YB

## PLANNING AND GENERAL PURPOSE COMMITTEE MINUTES FOR THE MEETING HELD IN THE MOOT HALL ON MONDAY 14<sup>TH</sup> JANUARY 2019 at 7.15pm

Report 1

**Present:**  
Cllr Connell  
Cllr Hayes (**Vice Chair**)  
Cllr Pape  
Cllr Rooke (*Mayor ex officio*)  
Cllr Stephenson

**Also in attendance:**  
Cllr Mrs Anderton  
Cllr F Potts  
Cllr H Potts

### P1/01/19 Apologies for Absence

Apologies for absence were received from Cllr Chalmers, Cllr Mrs Dixon-Dougherty, Cllr Dougherty and Cllr Miss Hutchinson in respect of this meeting.

### P2/01/19 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.

### P3/01/19 Actions from the Previous Minutes

There were no outstanding actions from the previous minutes.

### P4/01/19 Planning Applications

The Committee **supported** the application detailed below:

[18/0962](#)

APPLICATION

Various tree works

DOUGLAS HOUSE BONGATE APPLEBY-IN-WESTMORLAND CA16 6HW

[18/0979](#)

APPLICATION

Listed Building consent for the retrospective application for the conversion of two bedroom flat into one bedroom flats.

1 TUFTON MEWS APPLEBY-IN-WESTMORLAND CA16 6XA

### P5/01/19 Planning Decisions

The Committee noted the planning decisions listed below.

[18/0832](#)

GRANTED

Listed Building

Listed building consent for repairs to roof, leadwork and stonework internal tanking system.

NORTH LODGE BOROUGHGATE APPLEBY-IN-WESTMORLAND CA16 6XH

[18/0855](#)

GRANTED

Outline Application

Outline application for one dwelling with all matters reserved

10 COLBY LANE APPLEBY-IN-WESTMORLAND CA16 6RJ

[18/0978](#)

APPLICATION

Retrospective application for conversion of two bedroom flat into two one bedroom flats.

1 TUFTON MEWS APPLEBY-IN-WESTMORLAND CA16 6XA

[18/0839](#)

GRANTED

Listed Building

Listed building consent to demolish and replace existing rear conservatory.

11 DOOMGATE APPLEBY-IN-WESTMORLAND CA16 6RB

[18/0814](#)

GRANTED

Listed Building

Listed building consent for chimney replacement

42 BOROUGHGATE, APPLEBY-IN-WESTMORLAND, CA16 6XG

Royal British Legion

**ACTION**

**Clerk**

**Clerk**



18/0929

GRANTED

Full Application

Retrospective application for an extension of residential accommodation into domestic storage space on ground floor

TUDOR HOUSE DOOMGATE APPLEBY-IN-WESTMORLAND CA16 6RB

**P6/01/19 Chairman's report**

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

**P7/01/19 Community Asset: Appleby Library**

Cllr Stephenson said that whilst there seemed to be no plans from the County Council to close or reduce the library service, budgets continue to be squeezed and it may become a possibility in the future. The library building is in an excellent central location and should be kept for community use. To help ensure that it remains available for community use it was **RECOMMENDED** that the Council apply to Eden District Council to list the building as an asset of community value.

Property  
Manager

**P8/01/19 Council Policies**

It was **RECOMMENDED** that the policies detailed below be approved and the Mayor authorised to sign them at the Council meeting to be held on Wednesday 23<sup>rd</sup> January 2019.

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>• Health and Safety</li><li>• Privacy Policy</li><li>• Data Protection</li><li>• Document Retention Policy</li><li>• Freedom of Information</li></ul> | <ul style="list-style-type: none"><li>• Equality and Diversity</li><li>• Media</li><li>• Community Engagement</li><li>• Fire Safety Policy</li></ul> |
|---|--|

**P9/01/19 Eden District Council: Public Path Diversion Order (No2) 2015: Cross Croft, Appleby (Footpath 303028)**

It was noted that the notice of confirmation for the above public path order together with the order had been received from Eden District Council. The order can into force on 12<sup>th</sup> December 2018.

**P10/01/19 Eden District Council: Local Enforcement Plan**

It was noted that Eden district Council has prepared a Local Enforcement Plan in adherence with the National Planning Policy Framework. A copy of which has been circulated to Councillors and is also available using the following link <https://www.eden.gov.uk/planning-and-building/planning/planning-control-breaches/planning-enforcement-plan/>.

**P11/01/19 Cumbria Association of Local Councils: Buckingham Palace Garden Party Nomination**

It was **RECOMMENDED** that Cllr and Mrs Pape be nominated to be entered into the draw for an invitation to a garden party at Buckingham Palace on Tuesday 21<sup>st</sup> May 2019 as they had been unable to be nominated whilst in office due to other commitments.

**P12/01/19 Councillors' reports and items for future agendas**

Cllr Connell advised that he was going to suggest to Eden district Council that the two Appleby wards be known as Appleby Town and Appleby Bongate as there had been some confusion in recent media reports. Cllr Stephenson advised that there are now 8 posts needing replacement on Boroughgate and it was making the town look uncared for. The Clerk advised that the matter had been reported on numerous occasions. Cllr Stephenson asked whether the fact that the town was a heritage action zone could be used to exert some influence on Eden District council to get the repairs done in a timely manner. It was **RECOMMENDED** Cllr Hayes be the Council's representative on the new HAZ committee.

Mr Adrian  
Banford

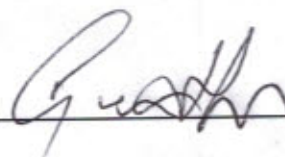
**P13/01/19 Date of the Next Meeting**

Councillors noted that the next meeting of the Planning and General Purpose Committee would be held in the Moot Hall on **Monday 11<sup>th</sup> February 2019 at 7.15pm** or upon the rising of the Finance Committee.

ALL

**There being no further business the meeting closed at 7.45pm.**

AT THE COUNCIL MEETING ON: **WEDNESDAY 23<sup>TH</sup> JANUARY 2019**  
THE COMMITTEE CHAIRMAN WAS AUTHORISED BY  
THE COMMITTEE TO SIGN THESE MINUTES TO CONFIRM  
THEIR BEING A TRUE AND ACCURATE RECORD:





## Complaints Procedure

The following procedure shall apply when efforts to deal with a complaint informally by either the Clerk or Mayor have been unsuccessful

### **Receipt of Complaint**

1. The complainant will be asked to put the complaint about the Council's procedures or administration in writing to the Clerk.
2. If the complainant does not wish to put the complaint to the Clerk, he or she should be advised to address it to the Mayor.
3. The Clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Council. The complainant should also be advised whether the complaint will be treated as confidential.
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence relied on. The Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

### **At the Meeting**

6. The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the Council meeting in public.
7. The Mayor should introduce everyone and explain the procedure.
8. The complainant (or representative) should outline the grounds for



## Appleby-in-Westmorland Town Council

complaint and, thereafter, questions may be asked by (i) the Clerk or other nominated officer and then (ii), Councillors.

9. The Clerk will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), Councillors.
10. The Clerk and then the complainant should be offered the opportunity to summarise their position.
11. The Clerk and the complainant should be asked to leave the room while Councillors decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, **both** parties shall be invited back.
12. The Clerk and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

### After the Meeting

16. The decision should be confirmed in writing within seven working days together with details of any action to be taken.



**Appleby-in-Westmorland Town Council**  
**Complaints Procedure**

**COMPLAINTS FORM (Page 1 of 2)**

Please describe your complaint:

**1. WHAT TYPE OF SERVICE HAS BEEN AT FAULT?**

**2. WHAT HAS HAPPENED?**

**3. WHAT SHOULD BE DONE TO RESOLVE THE PROBLEM?**



COMPLAINTS FORM (Page 2 of 2)

**4. HAVE YOU REPORTED THIS PROBLEM PREVIOUSLY?**

**WHO TO:**

**THE DATE YOU REPORTED IT:**

**NAME**

**ADDRESS**

**PHONE**

**EMAIL**

**SIGNED**

**DATE**

**DATA PROTECTION**

In order to investigate your complaint the information you provide, including your personal details, may need to be divulged to Council employees and Councillors. Details of complaints received and our findings, without publishing names or other personal details, are reported to the Council, documented in the minutes and will be available to the public.

Please return this form to: Appleby Town Council, Moot Hall, Boroughgate, Appleby-in-Westmorland, Cumbria, CA16 6YB  
email: [clerk@applebytown.org.uk](mailto:clerk@applebytown.org.uk)



## Appleby-in-Westmorland Town Council

### Comments Form

#### COMMENTS FORM (Page 1 of 1)

If there is something you think we should know about (good or bad) please fill in the details in the boxes below. You do not have to give your name and address, but if you don't we won't be able to contact you.

**NAME**

**ADDRESS**

**PHONE**

**DATE**

**EMAIL**

**COMMENTS**

Do you require a reply?

Yes

No

Please return this form to: Appleby Town Council, Moot Hall, Boroughgate,  
Appleby-in-Westmorland, Cumbria, CA16 6YB  
email: [clerk@applebytown.org.uk](mailto:clerk@applebytown.org.uk)





# Information available from Appleby-in-Westmorland Town Council under the model publication scheme

Report 3

This guidance/template gives examples of the kinds of information that we would expect Parish/Community Councils to provide in order to meet their commitments under the model publication scheme.

We would expect Parish/Community Councils to make the information in this definition document available unless:

- it does not hold the information;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations exceptions, or its release is prohibited by another statute;
- the information is readily and publicly available from an external website; such information may have been provided by the public authority or on its behalf. The authority must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or,
- it would be impractical or resource-intensive to prepare the material for routine release.

The guidance is not meant to give an exhaustive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and public authorities should look to provide as much information as possible on a routine basis.

## **Publishing datasets for re-use**

Public authorities must publish under their publication scheme any dataset they hold that has been requested, together with any updated versions, unless they are satisfied that it is not appropriate to do so. So far as reasonably practicable, they must publish it in an electronic form that is capable of re-use.





If the dataset or any part of it is a relevant copyright work and the public authority is the only owner, the public authority must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.

The Datasets Code of Practice recommends that public authorities make datasets available for re-use under the [Open Government Licence](#).

The term 'dataset' is defined in section 11(5) of FOIA. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of FOIA. The ICO has published [guidance](#) on the dataset provisions in FOIA. This explains what is meant by "not appropriate" and "capable of re-use".

Information to be published	How the information can be obtained	Cost
<b>Class1 - Who we are and what we do</b> (Organisational information, structures, locations and contacts)  This will be current information only.  N.B. Councils should already be publishing as much information as possible about how they can be contacted.	(hard copy or website)	Free
Who's who on the Council and its Committees	www.applebytown.org Moot Hall Noticeboard Shire Hall Noticeboard Hard Copy - contact Clerk	Free
Contact details for Clerk and Council members (named contacts where possible with telephone number and email address (if used))	www.applebytown.org Moot Hall Noticeboard	Free



	Shire Hall Noticeboard Hard Copy - contact Clerk	
Location of main Council office and accessibility details	www.applebytown.org Moot Hall Noticeboard Hard Copy - contact Clerk	Free
Staffing structure	www.applebytown.org Hard Copy - Contact Clerk	Free
<b>Class 2 – What we spend and how we spend it</b> (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)  Current and previous financial year as a minimum	(hard copy or website)	
Annual return form and report by auditor	www.applebytown.org Hard Copy - Contact Clerk	Free
Finalised budget	www.applebytown.org Hard Copy - Contact Clerk	Free
Precept	www.applebytown.org Hard Copy - Contact Clerk	Free
Borrowing Approval letter	N/A	
Financial Regulations	www.applebytown.org Hard Copy - Contact Clerk	Free
Grants given and received	www.applebytown.org Hard Copy - Contact Clerk	Free
List of current contracts awarded and value of contract	Hard Copy - Contact Clerk	Free
Members' allowances and expenses	N/A	



<p><b>Class 3 – What our priorities are and how we are doing</b>          (Strategies and plans, performance indicators, audits, inspections and reviews)</p> <p>Current and previous year as a minimum</p>	<p>(hard copy or website)</p>	
<p>Parish Plan (current and previous year as a minimum)</p>	<p>N/A</p>	
<p>Annual Report to Parish or Community Meeting (current and previous year as a minimum)</p>	<p>www.applebytown.org.uk          Hard Copy - Contact Clerk</p>	<p>Free</p>
<p>Quality status</p>	<p>N/A</p>	
<p>Local charters drawn up in accordance with DCLG guidelines</p>	<p>N/A</p>	
<p>Action Plan</p>	<p>www.applebytown.org.uk          Hard Copy - Contact Clerk</p>	<p>Free</p>
<p></p>		
<p><b>Class 4 – How we make decisions</b>          (Decision making processes and records of decisions)</p> <p>Current and previous council year as a minimum</p>	<p>(hard copy or website)</p>	
<p>Timetable of meetings (Council and any committee/sub-committee meetings and parish meetings)</p>	<p>www.applebytown.org          Moot Hall Noticeboard          Hard Copy - contact Clerk</p>	<p>Free</p>
<p>Agendas of meetings (as above)</p>	<p>www.applebytown.org          Moot Hall Noticeboard          Shire Hall Noticeboard          Hard Copy - contact Clerk</p>	<p>Free</p>



Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meeting.	www.applebytown.org Moot Hall Noticeboard Hard Copy - contact Clerk	Free
Reports presented to council meetings – n.b. this will exclude information that is properly regarded as private to the meeting.	Hard Copy - contact Clerk	Free
Responses to consultation papers	Hard Copy - contact Clerk	Free
Responses to planning applications	Hard Copy - contact Clerk	Free
Bye-laws	N/A	
<b>Class 5 – Our policies and procedures</b> (Current written protocols, policies and procedures for delivering our services and responsibilities)  Current information only	(hard copy or website)	
Policies and procedures for the conduct of council business:  Standing Orders Code of Conduct	www.applebytown.org Hard Copy - contact Clerk	Free
Policies and procedures for the provision of services and about the employment of staff:  Internal instructions to staff and policies relating to the delivery of services Equality and diversity policy	www.applebytown.org Hard Copy - Contact Clerk	Free



Health and safety policy	www.applebytown.org Hard Copy - Contact Clerk	
Recruitment policies (including current vacancies)	www.applebytown.org Hard Copy - Contact Clerk	
Freedom of information policy and requests for information	www.applebytown.org Hard Copy - Contact Clerk	
Complaints procedures (including those covering requests for information and operating the publication scheme)	www.applebytown.org Hard Copy - Contact Clerk	
Data Protection policy	www.applebytown.org Hard Copy - Contact Clerk	Free
Schedule of charges (for the publication of information)	N/A	
<b>Class 6 – Lists and Registers</b>	(hard copy or website; some information may only be available by inspection)	
Currently maintained lists and registers only		
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)		
Asset register	Hard Copy - Contact Clerk	Free
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)	N/A	
Register of members’ interests	www.applebytown.org Hard Copy - Contact Clerk	Free
Register of gifts and hospitality	Hard Copy - Contact Clerk	Free
<b>Class 7 – The services we offer</b>	(hard copy or website; some	





(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)  Current information only	information may only be available by inspection)	
Allotments	N/A	
Burial grounds and closed churchyards	N/A	
Community centres and village halls	www.applebytown.org Hard Copy - Contact Clerk	Free
Parks, playing fields and recreational facilities	Hard Copy - Contact Clerk	Free
Seating, litter bins, clocks, memorials and lighting	Hard Copy - Contact Clerk	Free
Bus shelters	Hard Copy - Contact Clerk	Free
Markets	N/A	
Public conveniences	Hard Copy - Contact Clerk	Free
Agency agreements	N/A	
Services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	N/A	
<b>Additional Information</b> This will provide Councils with the opportunity to publish information that is not itemised in the lists above		

**Contact details:**



Appleby in Westmorland Town Council, Moot Hall, Boroughgate, Appleby-in-Westmorland,  
Cumbria, CA16 6YB

tel: 017683 51177

email: clerk@applebytown.org.uk

website: www.applebytown.org

facebook: Appleby-in-Westmorland

twitter: applebycouncil

#### SCHEDULE OF CHARGES

This describes how the charges have been arrived at and should be published as part of the guide.

<b>TYPE OF CHARGE</b>	<b>DESCRIPTION</b>	<b>BASIS OF CHARGE</b>
<b>Disbursement cost</b>	Photocopying @ 10p per sheet (black & white)	Actual cost *
	Photocopying @ 20p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail 1st or 2 <sup>nd</sup> class
<b>Statutory Fee</b>		In accordance with the relevant legislation (quote the actual statute)
<b>Other</b>		

\* the actual cost incurred by the public authority

# You are in an area covered by a Public Spaces Protection Order

Consuming alcohol in public in this area is prohibited. Police or Council Officers may ask you to surrender or dispose of alcohol.

Failure to comply with this Order is an offence and can lead to a £100 Fixed Penalty Notice or to prosecution and a fine of up to £500.

Areas covered by a Premises Licence or Temporary Event Notice for alcohol sales are exempt from the Public Spaces Protection Order.



*Eden*  
District Council

For more information please contact Eden District Council, Town Hall, Penrith CA11 7QF Telephone 01768 817817 or visit [www.eden.gov.uk](http://www.eden.gov.uk)