

APPLEBY-IN-WESTMORLAND TOWN COUNCIL

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DEVOLUTION OF SERVICES WORKING PARTY MINUTES FOR THE MEETING HELD IN THE MOOT HALL ON MONDAY 23RD JANUARY 2017 at 7.00pm

Present:

Cllr Connell (Chair)
Cllr Mrs Kendall
Cllr Pape (*Mayor ex officio*)
Cllr Smith (Vice Chair)

Also in attendance:

Cllr Todd – Eden District Council
Cllr Mrs Greenwood – Eden District Council
Neil Buck – Eden District Council
Jane Langston – Eden District Council
Sonia Hutchinson – Cumbria Association of Local Councils

Election of Chairman

Before the start of the meeting Cllr Pape advised that he had asked Cllr Connell to be Chairman of the working party, this was proposed by Cllr Smith and seconded by Cllr Mrs Kendall and unanimously agreed.

DS1/01/17 Apologies for Absence

Apologies for absence were received from Cllr Chalmers and Cllr Miss Hutchinson respect of this meeting.

DS2/01/17 Declarations of Interest

Cllr Connell and Cllr Mrs Kendall declared a personal interest in relation to any items on the agenda that relate to Eden District Council (EDC).

DS3/01/17 Actions from Previous Minutes

The Clerk advised that the actions from the previous minutes had been completed and that there were no outstanding matters.

DS4/01/17 Information and Clarification

It was agreed to work through the Council's list of previously submitted question and the responses received from EDC.

1. To enable the project to progress in a timely manner the Council requests funding from EDC to employ a Project Officer. The Project Officer would work for 10 hours per week for 6 months to help the Council deliver the transfer of agreed services / assets. Estimated cost £2,500. EDC advised that this would not be approved. The Clerk asked that it be noted that lack of funding to provide a Project Officer will delay the process due to the Council's limited resources.
2. The Council requests that EDC agree to cover the Council's legal costs and any other professional fees that may be incurred. EDC advised that this would not be approved. EDC to enquiry what arrangements Penrith Town Council had in place.
3. The Council asked for evidence with regard to the decision made by the Executive / Council concerning the withdrawal of funding for Market Arcade toilets from the end of March 2017? EDC advised that a report would be submitted to full Council in March 2017.
4. The Council asked for evidence that they had been formal notified of such a decision. EDC confirmed nothing had been sent in writing. EDC advised that the contents of the report have not been discussed but reminded the Council that there had been a recommendation from Scrutiny Panel that maintenance of the Market Arcade Toilets should cease form 1st April 2017. Jane Langston advised that the works to refurbish the toilets as agreed at the site meeting have been agreed and will be funded at a cost of £8,734.93 for Market Arcade and £961.50 for Broadclose.

ACTION

Clerk

Neil Buck

5. The Council asked if actual usage figures can be determined. (84,000 seems extremely high – avg. 230 people per day). It is important for the Council to be able to base future income on an accurate figure? EDC agreed to move counters to Broadclose Toilets and request a counter for Market Arcade.
 6. The Council requested that the details and terms of all transfers of either services or land from 1974 between Appleby Borough Council and Eden District Council be made available to the Council? EDC's legal team's response is that this would be a considerable undertaking and that the Council should consult their records. The Clerk advised that this would also be a considerable undertaking. EDC agreed to ask their legal team what documentation would be required to transfer assets.
 7. The Council asked whether EDC's contractual arrangements with Amey plc will permit the transfer of services within their contract period. EDC confirmed that services can be transferred within the contract period.
 8. The Council requested details of programmes, work schedules, inspection regimes and specifications that would assist in understanding the day to day operational, maintenance and performance requirements of the services being considered. EDC advised that they will be able to provide more specific information where it is known which assets are to be transferred. The Council advised that the information is needed to enable a decision to be made on which assets would be appropriate to transfer. EDC agreed to provide basic information with regard to the specification and management of assets.
 9. The Council requested copies of safety inspections undertaken on play areas and trees. EDC provided this information at the meeting. Neil Buck advised that anyone undertaking playground inspections should be ROSPA trained.
 10. The Council requested access to any condition surveys and forward maintenance plans for all of the properties and land discussed. EDC agreed to provide the information requested.
 11. The Council requested details of any improved operational costs of each of the services over the last 5 years together with year to year. EDC explained that the budgets do not vary from year to year. EDC explained that funding for any services transferred would be on a sliding scale of 100% for the 1st year, 75% for the 2nd year, 50% for the 3rd year and 25% for the 4th and final year.
- Public Conveniences – EDC advised that the operational cost per annum of providing Market Arcade toilets is £17,495 and Broadclose toilets £20,904. A breakdown of these costs has been provided.
- Car Park – EDC advised that the costs for the enforcement and cash collections are total costs and not specific to each car park. It was agreed that EDC would ask for a breakdown per car park. Cllr Mrs Greenwood stated that she has still awaiting confirmation that the drainage works in the car park had been completed and that the recently installed speed hump was not fit for purpose.
- Riverside Shelters – EDC confirmed that the programmed works to the Riverside Shelters will cost £3.5k per shelter and it is anticipated that the works will be completed before Easter 2017.
- Footway Lighting – EDC advised of an annual maintenance cost of £46.32 per approved light and for electricity an annual cost of £74.64 per light. The 15 lights in question are located at 14 No. at The Butts and 1 No. Coronation Park. 8 lights at Back Lane are not included and neither are the 2 No. lights in Broadclose Car Park or 2 No. at the Leisure Centre.
- Amenity Grass Cutting – EDC asked for clarification on which areas the Council are considering. The Council confirmed at this stage they were interested in all areas. It was agreed that EDC would identify operational costs.
- Play Areas – EDC confirmed that the week safety inspections cost £185 per play area per annum and a minimal sum is budgeted for repairs of approximately £100 per play area. The play areas are: King George V, Barrowmoor, Coronation Park and Scattergate.
12. The Council requested details of utility suppliers including any contractual commitments. EDC confirmed that the electricity for the toilets is supplied by Npower and for the footway lights by Eon. Water for the toilets is supplied by United Utilities and British Gas supplies the gas for Broadclose Toilets. Water testing for the toilets is provided by Interserve.
 13. The Council requested a list of current contractors and suppliers used to deliver of each of the services. EDC confirmed that Amey plc is the contractor for the Toilets, Shelters, Footway Lights, Amenity Grass

Neil Buck

Jane Langston

Neil Buck

Jane Langston

Jane Langston

Cutting and Play Areas. Car park repairs have recently been carried out by Dinsdale and Metcalfes. Cumbria County Council looks after enforcement, and Carlisle City Council do the cash collection.

14. The Council asked whether the Transfer of Undertakings (Protection of Employment) Regulation 1981 (TUPE) will apply and to which services. EDC confirmed that they believe TUPE will apply.
15. The Council asked for an explanation of how or if "special expenses" currently charged for Appleby can be transferred to the Council. EDC advised that it was their intention not to collect special expenses from 1st April 2018.
16. The Council requested details of the income generated from services for the last 5 years. EDC stated that the Car Park income is as follows:

Season Tickets	Tickets
2011 - £3737.50	2011 – 2016 = £89,166.24
2012 - £3437.50	
2013 - £2475.00	
2014 - £2452.00	
2015 - £1827.00	
Total £13,929.00	

The Council confirmed that the working party was open to discussion on all services.

EDC requested that Market Arcade toilets be considered separately as they are owned by the Council. EDC confirmed that the sliding scale of funding would not apply to Market Arcade toilets although some funding may be available should the service transfer earlier. The Council requested a copy of the report being prepared for full Council.

DS5/01/17 Councillors' Reports and items for future agendas

There were no Councillors' Reports or items for future agendas raised in respect of this meeting.

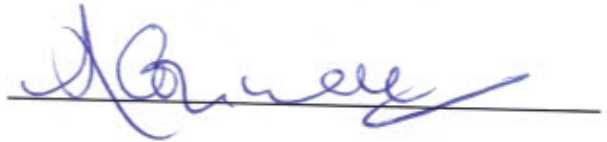
DS6/01/17 Date of the Next Meeting

Councillors noted that the next meeting of the Devolution of Services Working Party would be held in the Moot Hall on **Wednesday 1st March 2017 at 7.00pm.**

There being no further business, the meeting closed at 8.15pm.

AT THE PLANNING AND GENERAL PURPOSE COMMITTEE MEETING ON: **MONDAY 10TH APRIL 2017**

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



ALL