

## FERRYHILL TOWN COUNCIL

Minutes of the **COUNCIL MEETING** of the Council held on **WEDNESDAY, 15 September 2021** at **6.00 pm** at **Dean Bank & Ferryhill Literary Institute.**

**PRESENT: Councillor:** D Farry (Chair)

**Councillors:** C Atkinson, P Atkinson, G Barker, C Bihari, K Conroy, P Donald, R Hume, B Lamb, Jane Makepeace, Joe Makepeace, R Petitjean, J Quinn, M Seymour, K Tinkler, S Varty and C Woods

**Officials:** D. Anderson, Town Clerk

23 Members of the public were in attendance

### 54.21-22 **APOLOGIES FOR ABSENCE**

There were no apologies received.

### 55.21-22 **DECLARATIONS OF INTEREST**

Councillor C. Atkinson declared an interest in Item No 8, Motions on Notice.

Joe Makepeace declared an interest in agenda item 8.3, Motions on Notice as he was a member of the Board of Trustees of Endeavour Woodcrafts. Councillor Joe Makepeace advised that he wanted to speak on the matter as a member of the public at Item No 4. Public Participation.

### 56.21-22 **MEMBERS DISPENSATION**

There were no members' dispensations in relation to any item of business on the agenda.

### 57.21-22 **PUBLIC PARTICIPATION**

#### **Item No 8.1**

A number of members of the public from two established dog walking groups and dog walkers individually were present at the meeting to speak against the Motion on Notice at Item No 8.1, proposing to replace signage to make the use of dog leads mandatory and banning dogs from the children's play area and football pitches.

Dog walkers explained that their groups were not only used to exercise dogs, but were also friendship groups. This was particularly important for those who lived alone and would suffer from social exclusion if there were not involved with their groups. In addition, their presence deterred antisocial behaviour and vandalism in the park. They had reported antisocial behaviour to relevant authorities and on occasions had dealt with issues such as small fires themselves. They were the biggest user group of the park, with the possible exception of footballers and spectators on weekends.

Membership of the Dog Walking Group included elderly and people with disabilities who could not use the dog walking area in its current condition. It was therefore important to them to be able to continue to use Dean Bank Park itself, otherwise this may raise issues of equal opportunity.

The dog walkers present were responsible owners that picked up after their dogs and also encouraged others to pick up. If there was an issue of dog fouling in the park they were not the cause of it, and should not be blamed for it.

Those present offered to work in partnership with the Council to improve facilities for dog walkers in the park, including the dog walking area.

The Mayor thanked the public for attending the meeting. Their comments would be taken into account when the motion was considered later in the meeting.

### **Item No 8.3**

Councillor Joe Makepeace had declared an interest in the motion at Item No 8.3 but wished to comment as a member of the public. Councillor Makepeace said that he had helped Endeavour Woodcraft with funding in the past when he was a County Councillor and that before becoming a trustee he had put a motion to the Town Council to request that Durham County Council offer Endeavour the premises for a peppercorn rent, however that had received a negative response.

Endeavour Woodcraft helped 32 people with disabilities and was unfortunately in danger of closure. The Council now has an opportunity to ask for the building. If Endeavour was to close, he didn't want to be asked 'what did Ferryhill Town Council do?'

**58.21-22**

### **MINUTES**

To confirm as a correct record the Minutes of:-

- 1) Council held on 21<sup>st</sup> July 2021.

Councillor J. Quinn, referring to Minute No 53.21-22, requested that it be clarified that the Town Clerk had not made a recommendation in his report to Council. Councillor K. Conroy commented that the statement in the Minutes that 'she had never gone against the advice of the Clerk' was factually correct and had been referring to the cautious approach advised by the Clerk.

**Moved by** Councillor P Atkinson

### **RESOLVED**

That the minutes of the Council meeting held on Wednesday 21<sup>st</sup> July 2021 be agreed as a true and accurate record, subject to the clarification that the Town Clerk had not made a recommendation in the report to Council.

**59.21-22**

### **STATEMENT OF ACCOUNTS AND INCOME**

Members considered the monthly statement of accounts and income.

**Moved by** Councillor P. Atkinson to approve the Statement of Accounts & Income.

### **RESOLVED**

That the Statement of Accounts and Income be received.

## 60.21-22 CORRESPONDENCE

### **Durham County Council re Endeavour Woodcrafts**

Members noted a letter from Councillor Amanda Hopgood, Leader of Durham County Council, in respect of the following motion carried by this Council at its meeting held on 16<sup>th</sup> June 2021. (Minute No 25.21-22 refers).

“Every year officers of the County Council increase the rental burden on this charitable organisation, making it extremely difficult for them to operate with any degree of planned certainty. We propose consideration be given to acknowledging their charitable status by agreeing a "peppercorn" rent, or by freezing the current rental amount indefinitely”.

Councillor Hopgood’s response stated that: -

“She had checked with officers and can confirm that the County Council does not increase the rental burden every year on this property. The rent charged has been £6,000 per annum since it was agreed in 2014 and any increase is carried out in accordance with the lease agreement in place between the parties.

A lease renewal was required for the property and this was progressed by the Council at the request of Endeavour Woodcraft. Following discussions between the County Council as landlord and Endeavour Woodcraft, represented by Events and Co Solicitors, it was agreed that the majority of terms of the previous lease were acceptable and would be reflected in the new lease. The new lease will be for a 10 year term. This process required a revaluation of the rent and followed careful consideration, agreement was reached that the new rental would be £7,000 per annum.”

A further motion in respect of Endeavour Woodcraft was included at Item No 8.3 for consideration.

### **RESOLVED**

That the contents of the letter be noted

## 61.21-22 MOTIONS ON NOTICE

### **1. Councillor Joe Makepeace moved the following motion:**

*"That FTC replace all signage that encourage the use of dog leads in our park on request, with signage that makes the use of dog leads mandatory. Signage on the children's play areas and football pitch to be replaced banning dogs from these areas entirely".*

Detailed consideration was given to the motion, taking into account the comments made earlier in the meeting by members of the public. Comments were made in relation to the potential danger of toxocariasis, particularly to young children, which could be a problem where irresponsible dog walkers did not clean up after their dogs. Comment was also made in relation to potential attacks by uncontrolled dogs.

Reference was also made to the planned extension and improvements to the dog walking area, which would be subject to approval by the Secretary of State.

The Town Clerk had circulated a note with the agenda in relation to Durham County Council's Public Space Protection Order (PSPO) which controlled dogs in parks throughout County Durham, including Dean Bank Park, King George V Playing Fields and Mainsforth Sports Complex. It was noted that only principal councils could issue an Order of this type. Ferryhill Town Council was therefore unable to issue an Order or amend DCC's Order.

The PSPO could only be enforced by authorised officers of Durham County Council (DCC) and Durham Constabulary. Ferryhill Town Council employees were therefore not able to enforce the Order.

With regard to the aims of the motion, additional signage had been displayed at Dean Bank Park which explained obligations under the PSPO.

The children's fixed play area would need to be fenced off to be brought under the control of the PSPO. The estimated cost was £12,000.

Following further debate, Councillor Makepeace withdrew his motion, stating that he would keep a watching brief.

Further consideration was given to fencing off the children's play area so that it came within the PSPO.

## **RESOLVED**

1. That the withdrawal of the motion be noted
2. That quotations be sought to fence off the children's play area at Dean Bank Park.

### **2. Councillor Joe Makepeace moved the following motion:**

*"That Ferryhill Town Council direct staff to enact the decision taken by council almost 2 years ago to have the pavers replaced around the war memorial, at the same time extending the "standing area" by an agreed amount. This will accommodate the dignitaries and others currently being disadvantaged by the lack of hard standing, in inclement weather.*

*Flagstones not broken to be used to replace mismatched pavers at the side gates.*

*That the advised repairs to the main steps, described as potentially dangerous at the time quotes were received, be undertaken without any further delay."*

Consideration was given to the motion. The Town Clerk referred to his note circulated with the agenda setting out decisions made by Council in relation to the Town Hall garden, in particular the decision made by

Council at its meeting held on 23<sup>rd</sup> October 2019 to defer the redevelopment of the garden until a later date (Minute No 92.19-20), although this was disputed by Councillors Farry and Makepeace at the meeting.

In relation to the main steps described as potentially dangerous at the time quotes were received, work had been carried out to the steps at that time to make them safe. The steps would be inspected the following day and any necessary work would be undertaken without delay.

Councillor Joe Makepeace moved and amendment to his motion to the effect that temporary covering be purchased for this year's Remembrance Service with the area around the monument being repaved and extended for the Service in 2022.

**Moved by** Councillor Joe Makepeace, **Seconded by** Council S Varty

### **RESOLVED**

1. That temporary covering be purchased for this year's Remembrance Sunday ceremony.
2. That quotations be obtained to replace and extend the paved area around the monument to the flower beds at each side.
3. That the main entrance steps be inspected and any necessary work required be undertaken without delay.

**3. Councillor Gordon Barker moved the following motion:**

*"Given the disappointing response from DCC regarding rent review for the above organisation, I would like FTC to take the following action, as previously discussed and agreed.*

*FTC write to the relevant department, copy chief executive and Leader of DCC, requesting a review of the Endeavour building as a DCC asset, and possible transfer of that asset to FTC. This would enable FTC to secure the long term future for Endeavour, in similar fashion to the steps historically taken for other organisations".*

The Town Clerk advised that the motion would have a substantial financial impact on the Council in terms of capital expenditure and revenue budgets and could also impact on current or future aspirations.

If Members were minded to support the motion, and Durham County Council were willing to either transfer or sell the Old Fire Station to the Town Council, a full financial appraisal would need to be undertaken to ascertain the viability of the proposal and financial impact on the Council prior to making a commitment.

**Moved by** Councillor G Barker, **Seconded by** Councillor Jane Makepeace

### **RESOLVED**

1. That Ferryhill Town Council write to the relevant department, copy chief executive and Leader of DCC, requesting a review of the Endeavour building as a DCC asset, and possible transfer of that asset to FTC. This would enable FTC to secure the long term future for Endeavour, in similar fashion to the steps historically taken for other organisations”.
2. That if Durham County Council are willing to either transfer or sell the Old Fire Station to the Town Council, a full financial appraisal be undertaken to ascertain the viability of the proposal and financial impact on the Council prior to making a commitment.

**62.21-22 TERMS OF REFERENCES FOR INTERNAL AUDITS FOR THE PERIOD SEPTEMBER TO NOVEMBER 2021**

Members considered a report from the Internal Auditor, previously circulated, setting out the terms of reference for internal audits for the period September 2021 to November 2021.

**RESOLVED**

That the terms of reference be agreed

**63.21-22 CORONAVIRUS UPDATE**

The Town Clerk gave a verbal update in relation to the current situation regarding Coronavirus.

It was noted that the Town Hall had been open 5 days a week from 1<sup>st</sup> September 2021. Town Hall staff had returned to work on a phased basis to mitigate against the potential effects of a coronavirus outbreak within the Town Hall. Two members of staff had suffered from coronavirus in unrelated incidents with no other members of staff being contaminated. This supported the approach taken to date to mitigate risk.

Members were asked to consider a suitable venue for future Council meetings, taking into account the limited space available in the Council Chamber for Members, public and staff.

**RESOLVED**

1. That the Council meeting scheduled to be held on 20<sup>th</sup> October 2021 be held in Dean Bank & Ferryhill Literary Institute.
2. That an item be placed on future agendas to consider the venue for the next Council meetings.

**64.21-22 EXCLUSION OF PRESS AND PUBLIC**

Members are requested to move the following motion:

“That in accordance with the provision of Section 1 of the Public Bodies (Admission to Meetings) Act 1960, as amended by Section 100 of the Local Government Act 1972, the Council do now exclude the public and press for the remaining items on the Agenda by reason of the confidential nature of the business to be transacted since publicity would be prejudicial to public interest.”

**65.21-22 FLEXI RETIREMENT REQUEST**

Members considered a report from the Town Clerk regarding a flexi retirement request, which was previously circulated.

**Moved by** Councillor R Petitjean, **Seconded by** Councillor K Conroy

**RESOLVED**

That the proposals detailed in Section 4 of the report be agreed.

**66.21-22 HERITAGE CENTRE**

The Town Clerk gave a verbal update at the meeting. Members noted that no response had been received in relation to the offer to purchase the property identified at the Council meeting in 19<sup>th</sup> May 2021.

It was suggested that alternative options should be considered if no feedback is received.

**RESOLVED**

That the information be noted.

There being no further business the meeting was closed at 8:20pm.

**CERTIFIED AS A TRUE RECORD**

**CHAIR**.....

**DATE**.....