

Co-option Process

Berwick-upon-Tweed Town Council strives to demonstrate that it is fair and equitable by following the co-option procedure as set out below:

Procedure

Berwick-upon-Tweed Co-option Process

1 The Town Council invites interested candidates to write to the Clerk by a specified date. If there is only one applicant for one vacancy, the applicant is automatically co-opted to the Council. If there is more than one candidate, the letters received are circulated to Councillors ahead of the meeting at which a Town Councillor is to be co-opted. These letters form part of the meeting pack which Councillors receive for every Council meeting.

2 At the Town Council meeting the public and press are requested to leave the room and candidates are invited to say something about themselves and Councillors have the opportunity to ask questions of the candidates. Each candidate will be allocated a maximum of three minutes.

3 In a closed session of the Town Council and without the candidates and the public present, members will consider the candidates and, following discussion, the public are invited back into the meeting before the voting takes place.

4 The Chairman will request the Councillors present to nominate any of the candidates. Candidates will require a proposer and seconder to progress to the voting stage. If there is only one vacancy, a Councillor may only nominate or second one candidate. One candidate needs to receive an absolute majority of votes.

5 The Chairman will then place the names of those nominated into alphabetical order and proceed to vote. Councillors will have one vote per vacancy to be filled.

6 Voting by a show of hands will continue until one candidate has received an absolute majority of those Councillors present. At this stage, the successful candidate will be declared co-opted.

7 Should no single candidate receive a majority on the first vote, the candidate with the lowest number of votes is eliminated. Voting will then take place for the remaining candidates until one person receives an absolute majority.

8 The successful candidate is then declared co-opted to the Town Council and will be asked to join the meeting.

9 The successful candidate is a councillor in their own right and is no different to any other member; co-option is a legitimate form of election as part of the election process.

We have had the following quotes for the Visit Berwick leaflet 2017:

Design:

Jim Herbert (Berwick Timelines) - £450.00

Kev Wyse (In House Design) - £500.00

Fantasy Prints - £800.00 (approx.)

Print Spot - £650.00

Print:

In House Design - £2100.00

Fantasy Prints - £1532.95

Print Spot - £2979.00

Martins the Printers - £1608.00

10 August 2016

Ms Wendy Pattison
Berwick Town Council
5 The Chandlery
Quayside
Berwick Upon Tweed
Northumberland
TD15 1HE

Dear Ms Pattison

RE: New Service Connection for FIVE ARCHES, ALLOTMENT, ORD ROAD, TWEEDMOUTH, BERWICK UPON TWEED, NORTHUMBERLAND, TD15 2UT
Ref No. – 16NO3F99E2
Quotation No. – Q107853

Thank you for your water supply application form that was received on 18-July-2016. I am pleased to advise you that a water supply can be made available from Northumbrian Water's existing water mains network.

This correspondence includes guidance notes providing you with information about the process for connecting your new water supply service. Also included is our quotation for the work that we will carry out as part of that process.

The connection process:

It is your responsibility to lay out a new, suitably sized supply pipe from your site to the boundary of the public highway in which the main is laid, the approximate position as indicated on the enclosed plan. Should the point on the plan differ from your proposed route, please contact us immediately to resolve this issue as this may make the enclosed quotation invalid.

If you do not own all the land between your site and our main, you will need to obtain wayleave agreements from all the relevant land owners, for your private supply pipe to run through this land.

Your supply pipework must be installed as to comply with the Water Supply (Water Fittings) Regulations 1999 ("Water Regulations"). As your private supply pipe will be longer than 50 metres it will need to be chlorinated and pressure tested in accordance with Northumbrian Water's procedures. Please see the enclosed guidance note relating to Water Regulations that will assist you in the installation of the supply pipe.

Before your supply pipe can be inspected or connected to our network you will need to send us payment of the fees detailed in our quotation. Once we have received payment, you can contact us on 0345 609 4639 to request for us to visit your site to carry out an inspection of the supply pipe. This inspection is required to ensure that the installation meets the requirements of the Water Regulations. **Please send your payment cheque to the address detailed at the end of this letter.**

Following a satisfactory inspection, we will contact you to make arrangements to install additional pipework to connect your supply pipe to our water main. Our connection will terminate

at the boundary of the public highway with a 20 millimetre water meter. This size of meter is capable of passing water at the recommended continuous flow rate of 2.5 cubic metres per hour, and is based on the number of and type of water fittings detailed in your application. **You should satisfy yourself that this flow rate will meet your anticipated demand.**

Please allow up to 21 calendar days from the date of the satisfactory Water Regulations inspection until the connection is completed. Under certain circumstances traffic management may be necessary in the public highway, requiring us to give additional notice to the local highway authority. If this is the case, we will advise you when we contact you regarding your planned connection date.

Information and conditions relating to your quotation:

The fee for our work within the public highway is based on the information provided in your application. The quotation sets out the charges that are necessary in accordance with Chapter II (Supply Duties) of the Water Industry Act 1991. These charges are valid for a period of 6 months from the date of this quotation. Any alteration to the site layout including plot number revisions should be notified to this office. Additional charges will be applied to revisions of our quotation.

Our quotation price includes for one Water Regulations inspection. Should the installation fail to comply with the regulations, we will need to re-inspect after you have carried out remedial work. All inspections, other than the first, are subject to an additional fee. Details of these fees are available on our website, www.nwl.co.uk. If you do not have access to the internet and require a copy of these charges, please contact our Customer Contact Centre on 0345 7171100.

In your completed application form, it is stated that no forms of hydrocarbon (i.e. fuel, oil etc) are to be or have been stored on your site. If this is not the case, you must inform us immediately as this may have implications on the type of pipework that needs to be installed, and may also alter the price stated in the attached quotation.

Please forward your payment by cheque together with the enclosed proposal acceptance form to: Northumbrian Water Limited, Business Income, P.O. Box 400, Durham, DH1 5WF, alternatively, you can call 03456 094 639 to make payment by card

If you have any queries regarding the quotation or the new connection process please do not hesitate to contact us on 0345 609 4639. Please quote the Quotation/Reference number above in any correspondence.

Yours sincerely,

Andrew Tate

New Development Advisor

Quotation No 107853-C
Work Rqst No 4940924
Invoice No 91376458

FIVE ARCHES ALLOTMENTS ORD ROAD

BERWICK UPON TYNE

TD15 2UT

THE COMPANY'S QUOTATION FOR SUPPLYING A SERVICE TO THE ABOVE PREMISES IS DETAILED AS FOLLOWS:-

Table with 5 columns: Description, Quantity, Price, Zero-Rated, Std Rate, O Rate. Rows include A. QUOTATION FEE, B. NEW SERVICE CONNECTION CHARGE, Sub Totals, Nett Total, Vat, and Total.

I HEREBY DECLARE AS FOLLOWS:

- 1.I HAVE READ THE LITERATURE WHICH YOU HAVE FORWARDED TO ME.
2.ALL WAYLEAVE AGREEMENTS FROM THIRD PARTY LANDOWNERS HAVE BEEN OBTAINED AND I AGREE TO KEEP NORTHUMBRIAN WATER LIMITED AND ITS SERVANTS OR AGENTS FULLY AND EFFECTUALLY INDEMNIFIED IN RESPECT OF ALL LOSSES, EXPENSES, CLAIMS, PROCEEDINGS ,LEGAL COSTS AND OTHER PROFESSIONAL EXPENSES REASONABLY AND NECESSARILY INCURRED AS A RESULT OF A FAILURE TO OBTAIN ALL APPROPRIATE WAYLEAVE AGREEMENTS.

Signed

For and on behalf of

(PLEASE PRINT)

QUOTATION

10-AUG-2016



Quotation No 107853-C
Invoice No 91376458

FIVE ARCHES ALLOTMENTS ORD ROAD

BERWICK UPON TYNE

TD15 2UT

NEW SUPPLY

THE COMPANY'S QUOTATION FOR SUPPLYING THE SERVICE

			Zero-Rated	Std Rate	O Rate
A. QUOTATION FEE	1	-94.00	0.00	-94.00	0.00
B. NEW SERVICE CONNECTION CHARGE	1	524.00	0.00	524.00	0.00
-----			0.00	430.00	0.00
Nett Total					430.00
Vat					86.00
Total					516.00

THE ABOVE QUOTATION WILL REMAIN VALID FOR SIX MONTHS ONLY.

PAYMENT FOR THE WORKS AS SPECIFIED IN THE CONDITIONS OF SUPPLY WILL BE REQUIRED BEFORE PROGRAMMING. WHEN MAKING PAYMENT, THE APPROPRIATE 'Proposal Acceptance' SHOULD BE SIGNED AND RETURNED WITH YOUR REMITTANCE.

IF YOU ARE PAYING BY BACS YOU MUST QUOTE THE ABOVE INVOICE NUMBER ON YOUR REMITTANCE.

A RECEIPTED INVOICE WILL THEN BE ISSUED.



Mill Farm


Allment
Gardens

Playing Field

Seton Hall

MP 66.5

SL

Approximate
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pipe should be laid
to: 

Fire Station

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NORTHUMBERLAND

Northumberland County Council

County Hall • Morpeth • Northumberland • NE61 2EF • Web: www.northumberland.gov.uk

Our Ref: RB/CH
Enquiries to: Ruth Bendell
Direct Line: 01670 624141
E-mail: Ruth.Bendell@northumberland.gov.uk
Date: 12th August 2016

Dear Sir/Madam

For many years the use of sandwich boards and “A” boards has been a popular way of attracting shoppers and pedestrians to business properties. This practice has continued over the years and is still seen as a positive way of supporting the local economy. However, as our streets have become busier we are seeing an increased number of complaints about this type of advertising as well as other obstructions which make journeys along the footpath quite challenging at times.

The Council is committed to supporting and working with local businesses to grow the local economy, and understands that businesses and venues wish to promote and advertise their services and products to as many potential customers as possible.

However, the local authority also has a responsibility to ensure the public can use the streets and footways within the area safely and without obstruction. This is particularly important in locations that have a range of businesses and services that attract significant numbers of people.

In 2014 the council was approached by RNIB and the Northumberland Low Vision Action Group (NAG) who both raised concerns about street clutter and the effect it is having on the ability of visually impaired people to live independent lives.

It is accepted that we need to make the most appropriate use of limited resources and therefore, it is proposed that rather than authorising items such as “A” boards and goods displays that we will prioritise enforcement of unauthorised obstructions on the highway.

In order to help local communities and businesses understand how we will carry out this enforcement we have produced the attached guidance. Before this guidance is approved for adoption we would like your input.

Please send your comments back to us either by e-mail to HNS@northumberland.gov.uk or addressed to myself at the above address by 14th October 2016.

Yours faithfully



**Ruth Bendell CEng BEng MICE CMIHT
Infrastructure Manager**



NORTHUMBERLAND COUNTY COUNCIL

PROPOSED GUIDANCE FOR ENFORCING UNAUTHORISED OBSTRUCTIONS IN THE HIGHWAY

Introduction

This guidance is intended to set out the general assessment methodology that will be used to determine whether unauthorised obstructions present a danger or potential danger to highway users.

Unauthorised obstructions can include anything that is placed within the highway and is not authorised through the Highways Act, for example A boards, pavement cafes, goods for sale.

This guidance allows for a flexible approach taking into account the nature of the footway, pedestrian flows and the protection of the rights of the public to use and enjoy the highway. Providing the assessment criteria are satisfied the County Council will not prioritise the removal of unauthorised obstructions under normal circumstances. However, you should remember that even when an unauthorised obstruction is deemed not to present a danger to highway users, this does not mean that it is authorised by the County Council.

You will be liable for injury caused by your unauthorised obstruction, or potential action under the Equality Act if your unauthorised obstruction causes substantial disadvantage to members of protected groups such as visually impaired customers.

There are situations where, given the available footway width and pedestrian flows, it is not considered 'safe' or desirable to allow any unauthorised obstructions in the highway.

There are several provisions within the Highways Act 1980 (the Act) which enable the County Council to take action against unauthorised obstructions:

- Under Section 132 of the Act the highway authority may remove any sign that has been affixed upon the surface of the highway or any structure in the highway.
- Under Section 137 of the Act if a person, without "lawful authority" or excuse, in any way wilfully obstructs the free passage along a highway he is guilty of an offence and liable to a fine.
- Under Section 149 of the Act , a highway authority has the power to:
 - Immediately remove from the highway anything which it reasonably considers constitutes a danger to highway users and ought to be removed without delay and can recover the costs of doing so.
 - Remove by notice anything deposited in the highway as to constitute a nuisance.
- Section 130 of the Act places a duty on the Highway Authority to prevent, as far as possible, the obstruction of the highway where this impacts upon the rights of the public to use and enjoy that highway.

The Council has powers under the Local Government (Miscellaneous Provisions) Act 1982 to issue street trading licences and holding such a licence would be classed as "lawful authority" (i.e. an authority expressly created by statute). Street trading licences may include

conditions specifying the size and type of any stall or container which the licence holder may use for trading. The licensing team should therefore be consulted before any action is taken against street traders.

The Council also has powers under the Licensing Act 2003 to include within the conditions for licensed premises a stipulation that no unauthorised signs are permitted for safety reasons e.g. an unauthorised sign could potentially be used as a weapon outside premises where alcohol is consumed.

The County Council has the powers to dispose of any unauthorised obstruction removed under Section 149 of the Act. In cases where perishable goods are removed there may be a need to dispose of the goods in an appropriate manner and recover the costs for doing so. There is no provision in Section 149 of the Act for the person affected to claim compensation from the County Council.

Assessment

The procedure will be applied in relation to the network hierarchy that has been adopted. As a guideline category 1a, 1 & 2 footways should be monitored as part of routine inspections and for category 3, 4 & 5 footways we should respond to reported incidents.

The guidance document Inclusive Mobility, Department for Transport, 15 December 2005 makes the recommendations for minimum required clear width and minimum unobstructed height for footways, footpaths and pedestrian areas:

Table 1 sets out the recommendations which should be used by Inspectors to determine whether unauthorised obstructions present a danger or potential danger to highway users. In cases of dispute the final decision will rest with the Highways Area Manager.

It should be noted that there will be situations where given the available footway width and pedestrian flows it is not considered 'safe' to allow any unauthorised obstructions in the highway. In this situation the Inspector will clearly communicate the reasons why to you.

The desirable minimum widths should always be applied where achievable. However, it is recognised that in certain circumstances available space will not be sufficient to achieve these dimensions. A judgement will therefore need to be taken based on available width and pedestrian flows. The County Council will always seek to retain the desirable minimum width where it is considered appropriate and necessary to do so.

The DfT recommend that obstructions should be grouped in a logical and regular pattern to assist visually impaired people. Obstructions should therefore be placed so as to leave clear pedestrian routes, for example by ensuring a consistent 'shoreline' of A-boards along either the front or back of the footway. Owners will be responsible for ensuring that unauthorised obstructions such as A boards, goods displays and pavement café furniture are always positioned in the same place to assist visually impaired to identify and avoid the obstacle.

Table 1 – Required Minimum Footway Widths for Unauthorised Obstructions to be considered

Category	Hierarchy	Description	Minimum Required clear width	Minimum Unobstructed height	Assessment
1a	Prestige Pedestrian Zone	Pedestrianised areas	2 metres absolute minimum 3.5 metres desirable minimum	2.1 metres Absolute minimum 2.3 metres desirable minimum	Monitored as part of routine inspections
1	Primary Pedestrian Route	Busy town centre shopping and business areas, and main pedestrian routes linking transport interchanges to the town centre.	2 metres absolute minimum 3.5 metres desirable minimum		Monitored as part of routine inspections
2	Secondary Pedestrian Route	High usage routes connecting a number of residential areas and providing access to the primary routes, shopping centres, large schools, leisure complexes and industrial centres.	1.5 metres absolute minimum 2 metres desirable minimum		Monitored as part of routine inspections
3	Link Footway	High/Medium usage routes providing a link for a residential area to the primary and secondary walking routes.	1.5 metres absolute minimum		Respond to reported incidents
4	Local Access Footway - Urban	Urban low usage footways, usually on housing estates.	1.5 metres absolute minimum		Respond to reported incidents
5	Local Access Footway - Rural	Rural, Low usage, usually between villages	1.5 metres absolute minimum		Respond to reported incidents

Conditions

To help you understand the guidance and what you can and cannot provide we have produced the following conditions:

Unauthorised obstructions:

- must not be placed in locations where they obstruct visibility for either drivers or pedestrians e.g. in close proximity to junctions.
- you must consider the impact of your unauthorised obstruction on neighbouring properties and therefore the obstruction, eg A board or goods, must be directly adjacent the business property.
- must be temporary in nature so that they can be easily removed in their entirety.

- must be removed from the street when the property is closed or street cleansing works are being undertaken.
- must be placed against the frontage or property boundary
- must be covered by your public liability insurance.
- You must leave the agreed minimum width of footway appropriate for pedestrians in your street, if this is not possible then you cannot have any unauthorised obstruction here.

In particular, as there are so many A boards, if you wish to place an A board outside of your property in Northumberland then you must follow the specific conditions below:

- It must be no bigger than 660mm wide, 1250mm high.
- It must be stable and not weighed down by sandbags.
- It must not have any sharp edges, and swinging or rotating boards are prohibited
- The information contained on it should be appropriate and relevant to your business. Examples of information that may be considered inappropriate or irrelevant are:
 - where a supermarket is advertising fuel when there is no filling station
 - advertising Sunday lunch on a Wednesday
 - if the A-board replicates what is already advertised in your shop window
 - It must not carry any offensive or political message
 - (The above list is not exhaustive.)

Process for Removal

Following an assessment that considers that an unauthorised obstruction presents a potential danger or impacts upon the rights of the public to use and enjoy the highway then you will be notified. In most cases written notification should be provided, but where there is an immediate danger, oral notification will be given. You should be provided with the opportunity to make the footway safe by removing the unauthorised obstruction or relocating it where this is practical and appropriate.

If you do not relocate / remove the unauthorised obstruction, or if it re-appears in a place where it still presents a danger or potential danger to highway users then it will be removed by Highways Officers.

A fee of £50.00 per item will be charged where Highways Officers are required to remove an unauthorised obstruction constituting a danger under Section 149 of the Act. Furthermore, the County Council has the right to recover from the owner of the item (s) any additional costs incurred in the removal, transport and disposal of the item (s). The fee is payable on release of the item (s), or where an item (s) is not reclaimed an invoice will be raised.

Unauthorised obstructions will be released on payment of the fee, but it remains the owner's responsibility to collect the object from the appropriate Highways Area Office.

It should be noted that the County Council has the powers to dispose of any unauthorised obstruction removed under Section 149 of the Act where necessary and recover the costs for doing so.

BERWICK-UPON-TWEED TOWN COUNCIL

Minutes of the Town Council Planning Committee Meeting held on Tuesday, 19 July 2016 at 6.30pm in the Ante-Room, Town Hall, Marygate, Berwick-upon-Tweed

PRESENT:

Councillors: G Roughead (Chair)
I Dixon (From Item 5 onwards)
A Forbes
G Hill
C Seymour

IN ATTENDANCE:

S Cozens, Assistant to the Clerk
2 members of the public

OPEN SESSION

Concerns were raised over problems with parking in Spittal as the beech and promenade had been very busy that day.

The litter collections that take place in Spittal were mentioned as was the shelter on the promenade which, it was felt, could do with re-painting in areas and this was being investigated. It was also noted that the sale of the Sandstell Road car park had the condition STPP and the Assistant to the Clerk was asked to find out what this meant.

P011/16

1. APOLOGIES FOR ABSENCE

Apologies for absence had been accepted from: Councillors E Goodyer (work commitment) and G Smith (personal).

P012/16

2. MINUTES OF THE LAST MEETING

The minutes of the meeting held on Tuesday, 17 May 2016 were agreed and signed as a correct record.

P013/16

3. DISCLOSURE OF INTERESTS

There were no disclosures of interests.

P014/16 **4. REQUEST FOR DISPENSATION**

There were no requests for dispensation.

P015/16 **5. LOCAL NEIGHBOURHOOD PLAN**

A report has been produced on the visions and objectives established by the Working Group and this will be presented to full Council. A lady called Jen Manuel has offered to support all Working groups with the use of video to support public engagement. Some funding has already been successfully applied for from AECOM and the Steering Group is entitled to apply for more.

It was mentioned that the young people of Berwick are keen to get involved in the video project.

P016/16 **6. TOURIST INFORMATION HUT**

A local resident had placed a Tourist Information Hut on the Castlegate car park and was subsequently asked to remove the hut as planning permission was required. The resident was now asking if the Town Council would support a planning application to place a Tourist Information Hut in the same location. Members noted the idea but, due to pre-determination, would look at the planning application when submitted before deciding on comments.

P017/16 **7. APPLICATIONS FOR PLANNING PERMISSION**

16/00276/PREAPP

In principle advice for a proposed residential development of up to 6 dwellings.

**Treetops, Main Street, Tweedmouth, Berwick-upon-Tweed,
Northumberland. TD15 2AW**

Members noted there were a number of applications in this area for housing and expressed concerns over traffic management.

16/01929/FUL

Construction of mixed use property, emission free total 205.59m². To be partially used as showroom/office for sale of granite & marble and partially used for private residence.

**Land South East Of Tweedside Timber, Tweedside Trading Estate,
Tweedmouth, Northumberland.**

Members had no objection in principle but were concerned that allowing a private

residence in an industrial area could set a precedent.

16/02180/FUL

Redevelopment of existing petrol filling station comprising demolition of existing and erection of replacement forecourt canopy, pump island, underground tanks and convenience store (281 sqm) with ATM.

Northern Gateway Service Station, North Road, Berwick-upon-Tweed, Northumberland. TD15 1QQ

No objections.

16/02230/FUL

Erection of four dwelling houses.

Former Seabank Chalet Site, The Crescent, Spittal, Northumberland.

Members would agree with comments made by Northumbrian Water, would like to draw attention to the fact that two applications for this site have already been rejected in the past and expressed concern over access.

16/02270/FELTPO

Tree Preservation Order: Remove 1no. over mature Cypress tree.

1 The Elms, Berwick-upon-Tweed, Northumberland. TD15 1NL

Members noted the application, however, they did wonder if the tree could be made safe by pruning.

P018/16

8. PLANNING APPLICATION DECISION LIST

Concern was expressed that the Town Council had not been consulted on the Planning Applications regarding non-material amendment and discharge of conditions for the DP Furniture Express site.

The remaining decisions provided in the attachments were noted.

P019/16

9. DATE OF NEXT MEETING

The date of the next meeting would be Tuesday, 9 August at 6.30 pm.