

BERWICK-UPON-TWEED TOWN COUNCIL

Minutes of a Meeting of the Town Council held on Monday 21 March 2016 at 6 pm at The Town Hall, Marygate, Berwick-upon-Tweed

PRESENT:

Councillors:	H Bettison (Town Mayor)	P Hodgson
	J Beresford	J Lang
	D Blackburn	G Mclean
	I Dixon	C Seymour
	A Forbes	G Smith
	G Hill	

IN ATTENDANCE:

Wendy Pattison, Town Clerk

County Councillor I Hunter

Mr G Gavin, NCC Manager (Central & West) Neighbourhood Services

Mr Paul Grayson, Northumbria Healthcare NHS Foundation Trust

Jennifer Coe and 2 Colleagues, Northumbria Healthcare NHS Foundation Trust

Steve Cozens, Assistant to the Clerk

Joyce Benton, Sergeant-at-Mace

15 members of the public

Mr Greg Gavin, NCC advised Council that NCC were conducting a Market Strategy Review and would welcome feedback and participation. In order to further advertise the 10 Portas pop up stalls and improve the take-up, 2 stalls were to be discounted and offered at every Wednesday and Saturday Market to hopefully generate more interest. A further discount will be given if the stalls were taken for 3 weeks. The Teenage Market Lease has also been purchased by NCC for 2 years for all Northumberland Market Towns and Berwick will hold the first Teenage Market in the County on July 3rd, it is hoped other towns will take up the lease. Mr Gavin made a request to borrow the Council's 10 pop up stalls for other Northumberland Teenage Markets if there was enough interest and promised they would be returned in good order and would ensure a contract is written ensuring this.

Cllr Seymour queried what the lifespan of the pop up stalls were and Mr Gavin advised the stalls were considered quite sturdy and that the same type of stalls were used in Morpeth every week and were still in good order this was felt to be reasonably low risk. Cllr Hill asked if the borrowed stalls would be free of charge to other towns and Mr Gavin said they would be. The Market Champion, Cllr Liz Simpson will be in Berwick for the opening of the teenage market on July 3rd and is delighted by the idea/concept.

OPEN SESSION

Mr Spencer Barclay queried the CCTV tender process. Mr Darling had concerns about the beach at Spittal and queried NCC processes, Cllr Bettison and Cllr Dixon advised that there was a further phase to go before the work was completed. Cllr Blackburn commented on delays and the fact that Berwick was a Tourism Town. Mrs Straughan expressed her concern at the lack of CCTV cameras in Berwick and said this had been a problem since October. Cllr Hodgson agreed. Mr Kell advised the need for Good Governance and the importance of the Nolan principles. Cllr Blackburn said Cllr Hill had made massive strides in assisting with this process in regard to BTC. Ms Jill Hannon wondered how many times the Teenage Market would be held during the year.

C237/15 1. APOLOGIES FOR ABSENCE

Apologies for absence had been accepted on behalf of: Councillors A Gibson (personal), E Goodyer (work commitments), K Graham (holiday) and G Roughead (personal). T Forrester (no apologies).

C238/15 2. TEENAGE MARKET

Cllr Bettison requested a vote on whether the Council would be willing to lend the Council's pop up stalls to other Councils in Northumberland should they decide to hold a Teenage Market. This was then agreed by the majority with Cllr Hill abstaining.

RESOLVED: To loan Berwick's pop up stalls to other Teenage Markets in Northumberland and a contract to this effect will be agreed with NCC to cover any damage to the stalls whilst they are on loan to other Markets.

C239/15 3. BERWICK COMMUNITY HOSPITAL AND WELL CLOSE GP SURGERY

Mr Paul Grayson, Northumbria Healthcare NHS Foundation Trust gave a presentation on what the new Hospital in Berwick would be like and where it would be placed. Land to build on had been an issue, however several unused buildings would be demolished and room would be made to accommodate the Hospital. The Well Close Surgery will

also be accommodated into this. Some Out Patient departments would have to be located upstairs but there would be lifts//stairs installed. Councillors queried what would happen to the Bell Tower which is located at the front of the present Infirmary and were advised there was no current plans to incorporate this, Cllr Bettison advised that it meant a lot to Berwick because Queen Victoria had opened it and was very important to Berwick's history. Cllr Blackburn expressed concern re Accident and Emergency facilities and a lively debate then ensued. Representatives advised that this was not their brief and they were only present to discuss the design of the new Hospital. **Suspend Standing Orders** – Mr Darling wanted to know about car parking and when the hospital would be ready. Mr Grayson advised car parking would be considered during planning processes and expected the work to start in Summer 2017 and last for approximately 3 years. **Re-instate Standing Orders** – Cllr Blackburn mentioned current unused car parking within the Hospital grounds. The plans will be available to look at in the Maltings on Wednesday April 30th and at the Infirmary on 21st April 2016. Cllr Hill advised it would be appreciated if further dialogue with the right people in regard to the concerns advised at the meeting and could this matter be taken back to Northumbria Healthcare NHS Foundation Trust.

C240/15

4. MINUTES

- i. Cllr Blackburn asked for information re responses received to letters sent out by BTC in regard to the Kwik Save site and mentioned in particular that Greaves, West and Ayre had not responded directly to the Council and thought the Council should write to them again and ask for their intentions/withdrawal. Cllr Hill advised she would be abstaining from approving the minutes and also said that the reported budget deficit was not actually a deficit at all but was a surplus. The minutes of the Berwick-upon-Tweed Town Council meeting held on 22 February 2016 were then agreed and signed as a correct record with 8 Councillors approving and 3 abstentions.
- ii. Cllr Forbes wanted the wording changed in the extraordinary minutes from "read from a prepared statement to read from her notes". The minutes of the Berwick-upon-Tweed Town Council Extraordinary meeting held on 29 February 2016 were then agreed and signed as a correct record.

C241/15

5. DISCLOSURE OF INTERESTS

Cllr Mclean – Flagstaff Park. Cllr Hill queried what the nature of Cllr Mclean's interest

was. Cllr McLean said it was because he was involved in it

C242/15 6. REQUEST FOR DISPENSATION

There were no requests for dispensation.

C243/15 7. TOWN MAYOR'S ANNOUNCEMENTS

Cllr Bettison advised of another very busy month of civic engagements including a visit to Fair Trade and the ATC 75th Anniversary amongst others. The Army cadets planted 3 trees on Saturday to commemorate the Queen's 90th Birthday and the Investors Conference had been a wonderful success and in particular a presentation from Mr Bailey Storey requesting a Skate Park/Wheeled Park for Berwick which had been immediately followed up by 8 people in regard to the suggested project. A tea dance held on Sunday arranged by Ms J Spencer Barry raised £500 for the Mayor's charity.

C244/15 8. COUNTY COUNCILLOR REPORTS

All 3 County Councillors submitted a report. Cllr Hill advised she was very pleased that all 3 Berwick County Councillors had attended the Budget meeting but wondered why they had abstained from the vote. Cllr Hunter advised she couldn't support a Labour budget. Cllr Hill also asked whether Cllr Hunter had voted for or against the Council's move to Ashington and Cllr Hunter said Against.

C245/15 9. AUTHORISATION OF PAYMENTS AND ORDERS

Cllr Hill was happy with the payments apart from item 442 which was for expenses claimed by Cllr Gibson for a fact finding visit to Morpeth Skate Park which was not authorised. Cllr Forbes advised she had visited Edinburgh and other places to look at their skate park facilities but had not claimed any money back. Cllr Lang thought there should be a proper process in place and this was agreed by Councillors.

RESOLVED: It was agreed by Councillors to approve the payments and orders appended to these minutes apart from invoice 442 submitted by Cllr Gibson.

C246/15 10. STATEMENT OF RECEIPTS

Agreed by Councillors although Cllr Hill thought Sundries was not the right terminology for donations received for the Investors Conference and was advised that new/better Financial Systems were being looked into.

C247/15 11. EDINBURGH AND SOUTH EAST REGION CITY DEAL

A request for agreement to sign up as a supporter of the Edinburgh and South Region City Deal was agreed by all Councillors unanimously.

RESOLVED: To approve sign up to Edinburgh and South region City Deal.

C248/15

12. LAND TO THE REAR OF WALLACE GREEN / COXONS LANE CAR PARK

An appeal to HM Court and Tribunal Service to stop the lifting of the Covenant on the Coxons Lane Car Park by NCC has resulted in failure due to the Town Council not being a signatory to the transfer which created the Covenant in 1993 and the Town Council not being a statutory successor authority to Berwick-upon-Tweed Borough Council. This means that the offer made originally to Berwick Town Council by NCC to only lift the covenant at the property near to 11 Wallace Green which NCC wished to sell and to make a garden with had now been lost.

RESOLVED: No action can be taken.

C249/15

13. FLAGSTAFF PARK

Cllr Hill advised of the very slow progress re the Freehold Transfer of the Play Parks by NCC and thought they were dragging their feet. Although Mr Mike Jeffrey has given written confirmation that BTC could place £80k equipment at Flagstaff Park, Cllr Seymour expressed concern that the land has not been transferred as yet and permissions have not been given by Historic England. Assistant to the Clerk, Mr Steven Cozens advised that permission has been obtained, but, the Council must give 4 weeks notice to Historic England before placing any play equipment on the land. Cllr Seymour also mentioned drainage issues and that the legal advice from the solicitor was that all approvals should be in place before work commences. Cllr Mclean advised that Northumbria Water were ready to go and would do the necessary work asap. The Clerk also advised that the NCC Solicitor was making Flagstaff Park a priority re freehold transfer. Cllr Hill said a Risk Assessment should have been undertaken, due diligence observed and individual Councillors should not be solely privy to Council documentation and have meaningful conversations with the County Council without agreement from the Council. Cllr Forbes proposed that equipment be placed on Phase One of Flagstaff Park and Phase two should be left until the Freehold was approved, this was seconded by Cllr Blackburn. Councillors then voted and was carried with abstentions from Cllr Hill and Cllr Seymour.

RESOLVED: To place play equipment on Phase One of Flagstaff Park and await Freehold Transfer before placing equipment on Phase 2 of the park.

C250/15

14. CCTV

Cllr Bettison said that there had been a huge amount of emails between Councillors in regard to this item and advised of emails as coming through at 1am in the morning Cllr

Hill expressed very deep concern at the way the tender process had been conducted and thought the process was tainted and advised it had been unsafe for the Clerk and the Chair of Finance to open the tenders. Cllr Hill also queried who had appointed the tender panel and noted that one of the companies had been named in a press release by the Chair of Finance on the 17th December. The Clerk advised the process/procedure for opening tenders was detailed in the Council's Standing Orders and had been followed correctly. Cllr Hodgson mentioned that the Clerk had searched the internet for CCTV companies and eventually 3 companies had agreed to come up to Berwick and look at the cameras and assess what was require, they had also gone into the Police Station to look at the monitoring board. One company, AGS Security had offered the Police a demonstration camera to assist them over the festive period and Insp Garrick had thanked them. Cllr Hodgson read out advice from Mr David Francis, NALC which advised "It may have been wiser not to have had such a high profile in the Press during the tendering period, I can appreciate that Cllr Hodgson was keen for BTC to have a good news story, in relation to town-centre safety and security over the Festive period. However, this does not appear to me to be a case of predetermination, and I think that it would be appropriate for Cllr Hodgson's recommendations to be presented to the Finance Committee, or to whoever else will take the decision."

Cllr Hodgson also read from the Council's Standing Orders which advised "Tenders should be opened by the Proper Officer in the presence of at least one Councillor after the deadline for submission of tenders has passed." Cllr Seymour read out a statement from Mr Stephen Warren which advised that the issue was re perception and whilst fully accepting nothing irregular may have happened, the combination of a tender evaluation process that was not specifically endorsed by the Council might be perceived as not demonstrating complete impartiality. The Clerk advised that Mr Warren had not read the Council's standing orders. Cllr Seymour also said that there had been no evaluation panel and the Clerk with only one Councillor present was not a correct process. Cllr Bettison said there was a strong culture of paranoia and distrust with the Council. Cllr Hill mentioned a tender document had been previously opened and the Clerk advised that the envelope had landed face down and had been opened in error and was signed and dated accordingly to this effect.

Cllr Bettison left the Chair and asked Cllr Dixon to take over the meeting.

Cllr Forbes said she had been to the office and looked at the tenders and her decision was to go for Company 3. Cllr Mclean also said Company 3 and also advised he had complete and utter trust in the Clerk and the Chair of Finance. Cllr Lang asked Cllr Hill whether she was actually suggesting there was corruption or malfeasance in the process - Cllr Hill said that she was not but said that the process was unlawful and it was about perception and it did not look good. Cllr Blackburn advised that Cllr Hodgson had done a wonderful job for the town and he approved of the process. Cllr Beresford proposed a vote and this was seconded by Cllr Forbes.

Cllr Hill proposed that the tender process should be halted as otherwise the Council would have no credibility, and a vote was taken with Cllr Hill and Seymour voting for the process to be stopped and restarted at a later date with Cllrs Mclean, Beresford, Hodgson, Bettison, Smith, Dixon, Forbes, Lang, Blackburn voting against.

A vote to approve the tender process was voted for by Cllrs Mclean, Beresford, Hodgson, Bettison, Smith, Dixon, Forbes, Lang, Blackburn and voted against by Cllrs Hill and Seymour.

A vote to give tender company 3 the contract was voted for by Cllrs Mclean, Beresford, Hodgson, Bettison, Smith, Dixon, Forbes, Lang, Blackburn with Cllrs Hill and Seymour voting against.

RESOLVED: To install CCTV and ask Company 3 to do the work.

C251/15

15. LOCAL NEIGHBOURHOOD PLAN

The Clerk advised Council that feedback/information given by the public at the Drop in sessions held during February has now been analysed and based on the information provided, the Topic Groups were Tourism, Housing, Youth, Transport, Built Environment (urban design) Natural Environment, Employment, 7 groups in all. The Topic Groups will be further discussed at another meeting of the Neighbourhood Plan Steering Committee on April 8th at 5pm at the Town Council Office.

RESOLVED: To discuss and agree a format and time scales for the 7 Topic Groups to go forward at the Steering Committee Meeting on April 8th 2016.

C252/15

16. APPROVAL OF ACCOUNTING STATEMENTS FOR THE YEAR ENDING 31 MARCH 2015

- a) Cllr Hill said the Council had had to answer no to most of the questions were now taking reasonable steps to address this and were improving financial procedures but raised concerns about the impact of the recent budget process, where she

says misleading figures were provided, and the CCTV process which she said was unlawful. Cllr Hill also mentioned that the accounts should be readily available to the public and raised concerns about their availability. The Clerk advised that 2 people had made a request to look at the accounts, one person had already received an appointment and the other person would be contacted as soon as the Finance Officer returned from holiday.

- b) Agreed by Councillors with Cllr Hill advising her abstention re the accounting statement.
- c) Councillors were all in agreement with the Tender processes for the 2015/16 Annual Audit.

C253/15

17. BERWICK BARRACKS

Cllr Lang advised everyone that a feasibility study in regard to the Re-awakening project for Berwick Barracks has now been completed by two companies Jura and Spence and Dower and had been chosen by a tender process and had now completed the study within extremely tight timescales and the project had been found to be an extremely feasible project. A £48k Grant was won by Berwick from the Coastal Revival Fund to undertake this work. An executive summary of the study will be released very shortly. The plans consist of a Record and Archive Office to be onsite at the Barracks along with the incorporation of the 3 current Museums, Berwick, KOSB and English Heritage and would also include the Burrell Collection. A café/restaurant, artist workspace, holiday lets would also be included. All stakeholders were on board, however, the cost of this project all coming together would be in the region of 15 million pounds. Fund raising will take approximately 3 years and 5 years should see the project finished and open for business. Cllr Bettison thanked Cllrs Lang and Goodyer and everyone who had worked together in partnership and enabled the study to happen.

C254/15

18. ENVIRONMENT AND REGENERATION COMMITTEE

RESOLVED: The minutes were proposed by Cllr Dixon and seconded by Cllr Smith to adopt the minutes of the Environment and Regeneration Committee meeting held on 18 January 2016.

C255/15

19. FINANCE AND RESOURCES COMMITTEE

RESOLVED: The minutes were proposed by Cllr Bettison and seconded by Cllr Forbes to adopt the minutes of the meeting of the Finance and Resources

Committee held on 8 February 2016.

C256/15

20. PLANNING COMMITTEE

RESOLVED: The minutes were proposed by Cllr Seymour and seconded by Cllr Forbes to adopt the minutes of the Planning Committee meeting held on 26 January 2016.

Cllr Bettison thanked Cllr Dixon for Chairing the rest of the meeting.

C257/15

21. DATE OF NEXT MEETING

The next meeting of the Council will be held on Monday 18 April 2016 at 6 pm.

**Berwick-upon-Tweed Town Council
PAYMENTS TO BE APPROVED**

See page 3 for accompanying explanatory notes

Voucher	Code	Date	Cheque No	Description	Supplier	Net	VAT	Total
431	Dog Fouling (WOOFS)	10/03/2016	101276	Waste bags	Portland polybags	655.00	131.00	786.00
432	Cleaning	10/03/2016	101277	Cleaning	Crystal Stone Ltd	60.00	0.00	60.00
433	External Audit	10/03/2016	101278	External audit	BDO LLB	800.00	160.00	960.00
434	Consultancy	10/03/2016	101279	Consultancy	Jura Consultants	16,650.00	3,330.00	19,980.00
435	Consultancy	10/03/2016	101280	Consultancy	Spence & Dower	8,000.00	1,600.00	9,600.00
436	Consultancy	10/03/2016	101280	Consultancy	Spence & Dower	8,468.00	1,693.60	10,161.60
437	Consultancy	10/03/2016	101280	Consultancy	Spence & Dower	1,350.00	270.00	1,620.00
438	other	10/03/2016	101280	Display boards	Spence & Dower	150.00	30.00	180.00
439	Consultancy	10/03/2016	101281	Consultancy	RNJ	2,500.00	500.00	3,000.00
440	other	11/03/2016	101282	Refreshments	Berwick Community Trust	134.00	0.00	134.00
441	Consultancy	11/03/2016	101279	Consultancy	Jura Consultants	1,244.00	248.80	1,492.80
442	Councillor Travel & Expenses	11/03/2016	101283	Expenses	A. Gibson	58.23	0.00	58.23
443	other	15/03/2016	101284	Research	D Sharman	225.00	0.00	225.00

Berwick-upon-Tweed Town Council
DIRECT PAYMENTS TO BE NOTED

See page 3 for accompanying explanatory notes

Voucher	Code	Date	Cheque No	Description	Supplier	Net	VAT	Total
428	SSP Electricity	10/03/2016	directdebit	Electricity	British Gas	9.02	0.45	9.47
429	Telecoms	10/03/2016	directdebit	phone	BT	64.40	12.88	77.28
430	Salaries: Pension	10/03/2016	directdebit	Pension	NEST	153.13	0.00	153.13

Explanatory Notes to accompany payment list.

Voucher	Notes
428	Splash Park Electricity
429	Office phone rental
430	Pension contribution
431	Plastic bags for Dog bag dispensers
432	Office Cleaning
433	Charge for External Audit
434-41, 43	Consultancy and other charges associated with Berwick Barracks Study commissioned under Coastal Revival Fund
442	Cllr Expenses for fact-finding visit to Morpeth skate park