

Minutes of the Ordinary Meeting of the **COUNCIL** held in the Council Chamber, Council Offices, School Aycliffe Lane, Newton Aycliffe, on **WEDNESDAY, 31<sup>st</sup> JANUARY 2018** at **7.15 p.m.**

**PRESENT**                    **Councillor Wendy Hillary** and  
Councillors Eddy Adam, M. Ashcroft, Jim Atkinson, Kathy Beetham, Mrs. D. Bowman, Arun M. Chandran, B.A. Clare, J.D. Clare, J. Clark, Mrs. M. Dalton, R.S. Fleming, I. Gray, Mrs. S. Haigh, B. Hall, Dave Hardaker, Mrs. I. Hewitson, Jed Hillary, M. Iveson, Mrs. S.J. Iveson, Mrs V. Raw, Ken Robson, Paul Symons and Sally Symons.

**OFFICERS**                Mr A Bailey (Town Clerk)  
Mr. D. Austin (Finance Manager)  
Mrs. C. Walton (Corporate and Policy Officer)  
Miss C. Ryder (Senior Admin. Officer)

85.    **NOTICE OF MEETING**

The notice convening the meeting was taken as read.

86.    **APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Derek G. Atkinson, P.J. Bergg, Bill Blenkinsopp, George C. Gray, K. Henderson and Kate Hopper.

87.    **MEMBERS' DISPENSATION**

No dispensation requests had been received.

88.    **DECLARATIONS OF INTEREST**

No declarations of interest had been submitted.

89.    **PUBLIC QUESTIONS**

Two Members of the Public had submitted written questions for consideration by the Council:-

(i)    Russ Gibson

Submitted the following questions for the Council to reconsider the decision to reject the application of the return of the Great Aycliffe Show by the Recreation Committee on the 17<sup>th</sup> January 2018:-

- What reason(s) are there for refusing the application?
- Can Councillors reconsider the Recreation Committee decisions to reject the application?

(ii)   Wayne Richardson

Submitted the following questions, also in response to the Recreation Committee item on Great Aycliffe Show at the meeting on the 17<sup>th</sup> January 2018.

- Who told the Council members that they were not to discuss the refusal of permission for the Aycliffe Show, and why?
- Why was the proposal for the not for profit organisation turned down and on what grounds was it turned down?
- Why will Great Aycliffe Town Council not let The New Great Aycliffe Show use the public land where the show used to be held, when other organisations use the field?
- How many other organisations bot not for profit and for profit organisations have permission to use the public land where the Aycliffe Show used to be held?

Councillor Jed Hillary, Vice-Chairman of the Recreation Committee, gave the following responses on behalf of the Council:-

#### Questions from Russ Gibson

##### **1. What reasons are there for refusing the application?**

*The application was discussed at length by the Recreation Committee on 17 January 2018, resulting in a proposition to recommend refusal of the application. No-one present voted against the proposition. There was merit in parts of the application, but the decision to recommend refusal of the application was based on the following:-*

- *The Council must satisfy itself that the event organiser is technically competent to organise and deliver a large-scale event, in order to protect the Council from potential liability. The organisation indicated on the application form is Great Aycliffe Events Ltd. The Event Safety Plan, para 1.1, submitted to the Council confirms the Event Organiser is Russ Gibson of Great Aycliffe Events Ltd. The overall Event Manager (para 1.2) is stated as Russ Gibson of Great Aycliffe Events Ltd, who would be responsible for all aspects of the delivery of a safe and successful event. No evidence of the company's track record in delivering events was provided, nor was any evidence provided that the Event Manager had the necessary competencies to deliver such an event, as requested.*
- *A check of the Companies House website indicated that Great Aycliffe Events Ltd is a private limited company, registered on 27 April 2017, limited by guarantee and registered as such, with what appears to be a limited liability of only £1. At no point in the discussions prior to submission of the application, was the Council made aware that they were dealing with a private limited company.*
- *In any contractual arrangement with a business, the Council would have to be seen to be safeguarding the public purse and to this end, a financial charge would have to be made for the use of land owned by the Town Council, at the market rate.*
- *The event application was originally expected from the applicant in October 2017. It was delayed by the applicant until November and finally submitted after the agreed submission deadline in January 2018. On receipt, the application form was incomplete and unsigned.*

- *The applicant proposed to use the Council land for three days. One day to set up; the day of the show itself; and one day to dismantle and clear the site. Setting up the proposed event would include taking delivery and erection of a large quantity of security fencing and arena barriers, marquees and staging. On that same day, the fairground would arrive, along with catering vehicles, tables, seating, toilets, and a licensed bar, together with the show events which proposed to include military displays and a motorcycle display team. The Council's experience of running previous shows is that it can take up to four days to set up prior to the event (depending on the elements of the show) and a day and a half to completely clear the site. In the opinion of the meeting, the application for 3 days usage of the site was totally unrealistic.*
- *During previous discussions at informal meetings, the applicant was asked to stage the event in line with the Council's festival fortnight at the end of July. The proposed date submitted was in late August. The Committee was aware that if there was wet weather on the day of the proposed event, or in the week preceding the event, the playing fields could be damaged. If this was so, the Council's grounds staff would have a difficult task in reinstating the football fields in time for the start of the season and this would disadvantage the youth teams who regularly hire the use of the football fields. This is a concern as the Council is currently working with the Youth Football Club and Durham FA to improve the quality of the pitches.*
- *A significant bond would have to be deposited with the Council to off-set the cost of any remedial works that may be required to reinstate the playing fields or other land and property after the event.*
- *In initial discussions about funding it was indicated by the applicant that support would be sought from local businesses and that it would be a ticketed event. This was confirmed in the application form as a chargeable, ticketed event. However, within the event safety plan, it is indicated that it may be a free event or a 'paid and ticketed event' and in another location, the event is described as 'free to members of the public'. The Committee was mindful that past shows have cost in excess of £30K.*
- *Although not a prerequisite, it would have been useful for the Committee to have had sight of any business plan or organisation plan in support of the application, to assist with deliberations.*
- *The applicant would have to provide evidence of public liability insurance and the Events Company indicated this would be forthcoming. It would be highly recommended that the applicant obtained event cancellation insurance to cover cancellation due to inclement weather.*
- *The Committee was concerned by the lack of any identified arrangements to allow vehicle access for customers of the Council's facilities at the Oakleaf Golf and Sports Complexes. There would be a potential loss of customers due to access difficulties. A closure of the 18<sup>th</sup> fairway would be necessary, resulting in cancellation of golf club competitions and the potential loss of income, including any uplift in bar income due to licensed facilities being available at the event.*

**2. Can Councillors reconsider the Recreation Committee's decision to reject the application?**

*Councillors will consider the Recreation Committee's recommendation at the Council meeting this evening. The Council has three courses of action: they can agree the recommendation; they can reject the recommendation; or the Council can ask that the matter be referred back to the next Recreation Committee meeting for further consideration. The implications for either accepting the recommendations or rejecting the recommendations, is that this then becomes a decided question and the matter cannot be brought up for discussion in the Council chamber for a further six months. It should be noted that if the matter is referred back to the Recreation Committee, the press and public will again be excluded whilst the matter is debated, due to the contractual nature of the application.*

Questions from Wayne Richardson

**1. Who told the council members that they were not to discuss the refusal of permission for the Aycliffe Show and why?**

*Members were required to consider an application from Great Aycliffe Events Ltd, for the use of Council land and the terms and conditions, including charges and bonds being required.*

*As such, members considered the exclusion of press and public at agenda item no 14. A resolution was made by Members to exclude press and public during this item on the basis that terms and conditions of contract, including charges between the Council and a Private Limited Company, were to be discussed. Therefore the matter was private and confidential, in accordance The Public Bodies (Admission to Meetings Act 1960) S1(2). At the close of the meeting, Councillors were reminded by the Leader of the Council of the confidential nature of the discussions that had taken place. It should be noted that the Town Clerk would not be in a position to give a full explanation to the applicant of any contractual expectations, requirements, recommendations, or indeed reasons for refusing the application, until after ratification of the matter at the full Council meeting. It would therefore be grossly unfair to comment on the confidential matter until after feedback had been formally given to the applicant.*

**2. Why was the proposal for the not-for-profit organisation turned down and on what grounds was it turned down?**

*The event application was made by 'Great Aycliffe Events Ltd'. This is a private Company Limited by Guarantee – Company Number 10743149, incorporated on 27 April 2017. The Company has three Directors. Therefore the application was not made by a not-for-profit organisation, such as a charity or a Community Interest Company.*

*The grounds for recommending refusal of the proposal was comprehensively covered in the answer to a previous question from Mr Gibson.*

**3. Why will Great Aycliffe Town Council not let the New Great Aycliffe Show use the public land where the show used to be held, when other organisations use the field?**

*The application is for a large scale public event and has been considered as such by the Recreation Committee.*

*No other organisations have held large scale public events on the sports fields in recent years.*

*The sports fields are currently hired for football matches and training by Newton Aycliffe Youth Football Club where we have four pitches and changing rooms.*

*The sports fields have also been used on one occasion by Sedgfield School Sports Partnership for a girls/boys sports day, using the sports pitches and track. Aycliffe Tri Club has used the track on four occasions of 1 hour each for practice of transitions.*

*Any applications for large scale public events would be considered in the same way as the application from Great Aycliffe Events Ltd.*

*The Council welcomes any proposals for the betterment of Great Aycliffe and its residents, so long as they are realistic, affordable and achievable.*

**4. How many other organisations both not for profit and for profit organisations have permission to use the public land where the Aycliffe Show used to be held?**

*The sports area consists of four football pitches and an informal tarmac track.*

*Usage in 2017/18 has been:*

*All four sports pitches and changing rooms hired by Newton Aycliffe Youth Football Club for matches and practice.*

*Sedgfield School Sports Partnership – 1 day use.*

*Aycliffe Tri Club – 1 hour x 4 occasions.*

*A total of three organisations have used the sports pitches in the last year.*

*In addition to the sports fields we have a designated caravan area to the rear of the sports complex – the site is on an area of land registered with Sport England and designated for future use as a football pitch, should the need arise.*

*There have been six caravan pitch bookings in the last year.*

*The Council has itself organised and run the annual firework display on the site.*

90. **MINUTES**

It was proposed by Councillor R.S. Fleming, seconded by Councillor M. Iveson and

**RESOLVED** – that the minutes of the Ordinary Meeting of the Council on the 13<sup>th</sup> December 2017 be confirmed as a correct record and signed by the Chairman.

91. **NEW AYCLIFFE SHOW**

Mr. Phil Wilson, M.P. had submitted a letter in regard to the New Aycliffe Show for members consideration.

**RESOLVED** – that the letter and information be received.

92. **ANNOUNCEMENTS**

The Mayor had submitted a list of appointments she had attended for the period 14<sup>th</sup> December 2017 to the 30<sup>th</sup> January 2018 for information.

The Town Clerk announced the results of the draw for attendance at the Royal Garden Party. The two places had been taken by Gainford Parish Council and Belmont Parish Council.

**RESOLVED** – that the information be received.

93. **COMMITTEE MINUTES**

(a) **Environment Committee**

It was proposed by Councillor M. Ashcroft, seconded by Councillor Dave Hardaker and

**RESOLVED** – as follows:

- (i) That the minutes of the meeting of the Environment Committee held on the 17<sup>th</sup> January 2018 be received, and
- (ii) That the said minutes be approved and adopted.

(b) **Recreation Committee**

It was proposed by Councillor R.S. Fleming and seconded by Councillor Jed Hillary, that the minutes, reports and recommendations of the meeting on the 17<sup>th</sup> January 2018 be approved and adopted.

The following amendment was proposed by Councillor Arun M. Chandran and seconded by Councillor Ken Robson:-

*“subject to Minute No. 93 being referred back to the Recreation Committee for reconsideration regarding the Great Aycliffe Show, and that we invite the applicants to that meeting for a detailed discussion.”*

Named votes were requested on the amendment which resulted as follows:-

For the amendment:-

Councillors Eddy Adam, Mrs. D. Bowman, Arun M. Chandran, B.A. Clare, J.D. Clare, Mrs. I. Hewitson, Ken Robson, Paul Symons and Sally Symons.

Against the amendment:-

Councillors M. Ashcroft, Jim Atkinson, Kathy Beetham, J. Clark, Mrs. M. Dalton, R.S. Fleming, I. Gray, B. Hall, Dave Hardaker, Jed Hillary, Wendy Hillary, M. Iveson, Mrs. S.J. Iveson and Mrs. V. Raw.

Abstention: - Councillor Mrs. S. Haigh

Named votes were requested on the original proposal which resulted as follows:-

For the original proposal:-

Councillors Eddy Adam, M. Ashcroft, Jim Atkinson, Kathy Beetham, B.A. Clare, J.D. Clare, J. Clark, Mrs. M. Dalton, R.S. Fleming, I. Gray, B. Hall, Dave Hardaker, Jed Hillary, Wendy Hillary, M. Iveson, Mrs. S.J. Iveson and Mrs. V. Raw.

Against the original proposal:-

Councillors Mrs. D. Bowman, Arun M. Chandran, Mrs. I. Hewitson, Ken Robson and Paul Symons.

Abstentions:- Councillors Mrs. S. Haigh and Sally Symons.

**RESOLVED** – as follows:

- (i) That the minutes of the Recreation Committee held on the 17<sup>th</sup> January 2018 be received subject to the following:-
  - That it be noted that Councillor Paul Symons had left the meeting during the discussion on Minute No. 92 (Exempt Business).
  - That an item readmitting the Press and Public be recorded following the completion of any exempt business.
- (ii) That the said minutes be approved and adopted.

(c) **Policy and Resources Committee**

It was proposed by Councillor Jed Hillary, seconded by Councillor R.S. Fleming and

**RESOLVED** – as follows:-

- (i) That the minutes of the Policy and Resources Committee held on the 24<sup>th</sup> January 2018 be received, and
- (ii) That the said minutes be approved and adopted.

94. **BUSINESS RISKS 2018 / 2019**

At the meeting of the Policy and Resources Committee held on the 24<sup>th</sup> January 2018 the Business Risks Register for 2018/19 had been submitted with amendments for members consideration. A copy of the approved document with those amendments was circulated for final approval.

**RESOLVED** - that the copy of the Business Risks Register for 2018/19 be approved.

95. **SANTANDER**

A copy of the response letter from Santander had been circulated following their announcement of the closure of their Town Centre Branch.

**RESOLVED** – that the information be received.

96. **DURHAM COUNTY COUNCIL – DISPOSAL OF LAND**

**Councillors Eddy Adam, Jim Atkinson, J.D. Clare and Mrs. S.J. Iveson declared an interest in this item as members of Durham County Council and left the meeting during the discussion thereon.**

A response had been sought from Durham County Council in respect of their proposal to dispose of land between Clarence Chare and the Simpasture Railway Nature Park.

Following discussion it was:-

**RESOLVED** – that this Council would wish to object to the sale of the land between Clarence Chare and the Simpasture Railway Nature Park which is currently public open space and should be retained as such. It is also contrary to the Great Aycliffe Plan.

Councillors Eddy Adam, Jim Atkinson, J.D. Clare and Mrs. S.J. Iveson returned to the meeting.

97. **POLICE CRIME AND VICTIMS COMMISSIONER**

Information and a Press Release had been circulated from the Durham Police, Crime and Victims' Commissioner in respect of the proposal to raise council tax in respect of Durham Constabulary for 2018/19. It was noted that there had been a number of ways for individuals to record their personal views.

**RESOLVED** – that the information be received and no comments made from this Council.

98. **LAND PURCHASE – 10 HUNTERS GREEN**

**Councillors Eddy Adam, Jim Atkinson, J.D. Clare and Mrs. S.J. Iveson declared an interest in this item as members of Durham County Council and left the meeting during the discussion thereon.**

Durham County Council had submitted information in respect of an application to purchase a piece of land adjacent to 10 Hunters Green, Newton Aycliffe.

**RESOLVED** – that an objection be made to the sale of the land as this would be contrary to the Great Aycliffe Plan.

Councillors Eddy Adam, Jim Atkinson, J.D. Clare and Mrs. S.J. Iveson returned to the meeting.

99. **APPROVAL OF 2018/19 COUNCIL PRECEPT**

The Finance Manager submitted a report to seek approval for the setting of the Council's 2018/19 Precept thereby allowing the submission of the Precept Request Form to Durham County Council and the setting of the Town Council proportion of the Council Tax.

**RESOLVED** – as follows:-

- (i) That the 2018/19 Council Precept at £1,571,000 be approved.
- (ii) That the Mayor be authorised to sign the Precept Form.
- (iii) That the Precept Form be delivered to Durham County Council on the 1<sup>st</sup> February 2018.
- (iv) That the information provided in regard to the robustness of the budget estimates and adequacy of the Council's balances and reserves be noted.

100. **OUTSIDE BODIES**

Verbal reports were given by representatives on the undermentioned Outside Bodies:-

- (a) Youth Council  
Councillor D. Atkinson gave an update on the Youth Council.

- (b) County Durham Association of Local Councils  
No meeting.
- (c) Aycliffe Village Community Association  
No report.
- (d) Woodham Village Community Association  
No report.
- (e) Great Aycliffe and Middridge Local Council's Committee  
No meetings.
- (f) Larger Local Councils' Forum  
Date for the next meeting to be announced shortly.
- (g) Aycliffe and District Bus Preservation Society  
Councillor I. Gray gave an update on activities to date.
- (h) Friends of Byerley Park Local Nature Reserve  
Councillor I. Gray updated on the activities of the group.
- (i) Friends of Stockton and Darlington Railway  
Councillor Dave Hardaker had no report until the next Council meeting when he would have attended two meetings of the group.

**RESOLVED** – that the information be received.

**CHAIRMAN.**