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Newsletter September 2008

No 79

Public Meeting 31 July 2008 AGM and “Life and Times of Lady Anne Clifford”

The 17th Annual General Meeting of the Appleby-in-Westmorland Society was held on 31 July 2008. Chairman’s*, Treasurer’s** and Secretary’s** reports were given and agreed. Brigadier John Heelis was re-appointed as President. Following last year’s A.G.M. Olive Airey had agreed to be Vice-President. R Ian Campbell was re-elected as Chairman; Vivienne Gate continues as Secretary but Treasurer, Maggie Clowes, stood down; committee members Rosemary Spence, John Hodge, Graham Coles, Judith Sowerby, Maggie Clowes and Rosina Mansfield were re-elected. There were no nominations received for Treasurer at the meeting. It was agreed that a willing Committee member would be Treasurer. Agreement was also reached that subscriptions for 2008/09 will be £8 per individual and that there would not be a Family membership option.

Following the business part of the meeting we welcomed Alice Palmer, who gave her talk entitled, “The Life and Times of Lady Anne Clifford”. A well-known local speaker, Alice told Lady Anne’s story from her birth in 1590, through her two marriages, the “Great Inheritance Dispute” to her death in 1676. We learned about her upbringing and maternal influences, about her social milieu and contemporaries. A portrait was drawn of a highly intelligent and strong-minded woman, who loved her northern estates and who knew her rights and responsibilities. Quotes from her diaries and colourful slides illustrated the talk throughout. Alice’s enthusiasm for and detailed knowledge of her subject made this an exceptional evening.

[* reproduced below. ** available from Vivienne on request.]

Vivienne Gate

From the Chairman

I have little to say this time beyond what I said in my report to the Society at the A.G.M., so I have asked Vivienne if she will reproduce what I said then, in the hope that even more people will be stimulated to help us. We have had an encouraging response, but the word is, “more, more, more”! We want people to help with the Archive and also we would very much like more people to write for the Newsletter. Go on, give it a go.

We have acquired some “stuff” for the Archive Room, but have not yet received a rental agreement from the Council, so we cannot yet officially use the room as our own. It does seem to take a long time – we’ve been on at this since February! Still, we shall motor on – I have had a very encouraging reply from the County Archive Service about training.

To those who voted at the A.G.M., thank you for agreeing to raise the subscription to £8 p.a. per member - it will help a lot - I will return to finances in a later Newsletter, but for now the important matter is the Charitable Trust. We have tried to get this Newsletter out quickly so that Graham’s piece on the whys and wherefores of creating a charitable trust run by the Council for the purpose of attracting money to maintain Council property will be available in good time for everybody to read before the September

meeting of the Town Council. It is not as straightforward as we all thought, and there are very serious implications involved, both for the town and for individual Councillors. **We ask that, before they make their final decision, every Councillor reads the papers made available to them and takes a little time to consider the ramifications** – more than that we cannot do.

*Chairman's Report at the AGM

Most of the past year passed by fairly routinely; I'll leave the Secretary to deal with the various good talks we had, but I would like to specially mention Graham's evening in December, which was a resounding success, with good food, and good slides and good chat! Unfortunately we can not really use the Methodist Hall venue for $\frac{3}{4}$ of the year, solely because it is so very cold, and for the most part the membership cannot pretend to be hot-blooded!

This Society only works because some people work very hard at it. Vivienne Gate you all know, and she puts in a lot of unseen work as well as the high-profile effort. With the resignation of Olive Airey, Maggie Clowes has reluctantly turned her hand to Treasuring, with a bit of help from me. Anne Coles did her usual sterling work in preparing the Spring exhibition. Graham writes copiously for the Newsletter, and he and various other members have attended meetings on the Society's behalf. John Hodge keeps an eye on buildings in the town. Several ladies of the Society keep the coffee flowing whenever needed, with special efforts for the "Christmas" meeting and the Coffee Morning. But this cosy situation cannot last - we are entering a new era - the era of the Town Archive, and the success of this depends on getting more help from you. We are almost at the point of finalising the rental of the room next door [to the Supper Room in the Market Hall] as an Archive room, certain electrical modifications having been completed. A small sub-committee of Vivienne, John Reid, Carl Bendelow, Tony Greenwood and me, has been meeting to plot the way forward in setting up the Archive, and I must mention here, with gratitude, the help, advice and co-operation that we have had from the Crosby Ravensworth Archive.

The first steps we need to achieve is to gather all our holdings together in a secure and safe place (the Archive room) so that we no longer need to intrude on the spare storage capacity of the Gate and Coles families; then we need to protect the artefacts properly, and then we need to compile a comprehensive listing, both on paper and on computer, of everything in the archive. To this end we need two things: people and money. People to help, all of whom have to be properly trained to handle, preserve and record the artefacts, and we would prefer this training to be done by staff from the County Archive Service. We need to apply for grants from wherever possible, because none of this comes free; well, almost none. We need capital expenditure on preservation means, computer programmes, and hard- and soft-ware. We need revenue income for rental, electrical bills, phone connections and general small maintenance. We have had a most valuable donation from a member who wishes to remain anonymous, and which will give us time to organise other grants and finance for the future. So we also need people to write begging letters to grant-giving organisations, and suggestions of where we might turn for finance. Basically, we need help, lots of it. Some of the work is very interesting, some quite repetitive, but it all needs to be done, and frankly, it is beyond the reasonable capacity of those at present working on it. So please come and join in - it is YOUR archive, for YOUR community's future generations; it is a major item in the list of objectives for the Society; in my mind it is by far the most important thing this Society can reasonably achieve for Appleby. You will be trained, you will not be left on your own quivering and shaking, you can get that warm feeling of contributing to an important new aspect of Appleby life.

Why I am going on about this is that we have not been overwhelmed by support for initiatives we have started. An instance was the DVD we were going to make about Lady Anne - apart from the difficulty of finding a suitable DVD maker, we found that a tiny number of old people were going to have to put in a disproportionate amount of work on it, possibly with little gain, and this was a very daunting prospect. Admittedly, this was just one of the reasons for the plan being shelved, but it was a cogent reason for not doing it. Please, please do not let this happen with the Archive - it is much too important for such a fate. Dorothy Hinchcliffe said to Graham when he took over as Chairman that she wanted him to DO things - I have tried to continue that thrust, but I and the other active members cannot fulfil all the requirements that we anticipate will come with the Archive Project. We need help and support, and we need it from you. There is a sheet at the back of the room where you can enrol as an Archive Assistant, or you can contact a

Committee member and volunteer, yes, VOLUNTEER! As an ex-Serviceman, I was advised NEVER to volunteer, but this is IMPORTANT - in fact it is vital, and the sooner the better, if we are to generate momentum to progress this project.

I have already warned you of another consequence of the Archive project - the raising of the subscription rate to £8 per head. Another proposal has been put forward, and we will ask you to vote on these motions later in the meeting. The amounts in each case might prove, in a couple of years, to be too little, but let's see how we get on with this rise.

Maggie Clowes kindly volunteered to stand in as Treasurer, but would like to give it up now, so we need a volunteer or a nomination to take over that post. I would like to resign from the Chairmanship at the next AGM, to make room for, preferably, a younger and more vigorous person who can propel the Society forward, so that is another post to be filled before too long.

I'd just like to make one last point – the Newsletter, is YOUR Newsletter, you know. Not mine, not Graham's, not Vivienne's, but YOURS. I am sure that many people have much information and experience to pass on, or matters to comment on – why don't YOU write something for the Newsletter? If you do not, it might well be lost for ever. You don't need a degree in English to write something for us all to share – so don't be shy, have a go! You might even get to enjoy it!

That is the Chairman's report; I'll now sit down to make way for the flood of volunteers.

R Ian Campbell

History Slot

When I and other members of the public, including the reporter from *The Herald*, attend Town Council meetings as observers we often find it difficult to see or hear what is going on. The traffic noise, combined with poor acoustics make things very difficult for some Councillors, never mind members of the public. No account is taken of the Clerk's need to hear what is going on – hence some of the imperfections in her accounts of proceedings. At least the Clerk is housed at the warm end of the chamber, unlike visitors who often get a chill blast from the poorly fitting doors near to which they huddle. Cold fingers and poor accommodation do not attract residents to Council meetings and it is high time things changed. Apparently the problems are not new. When I was trawling through back numbers of old newspapers recently, I came upon the following item written over eighty years ago by the editor of *The Penrith Observer*:

“It is only on rare occasions that I have the pleasure of attending the meetings of Appleby Corporation; until Wednesday night I had not been in the Moot Hall for about two years. In the interval the council has been busy furnishing and adorning its ancient chamber and very well the work was done. Yet I must say the Aldermen and Councillors have acted shabbily to their best friends. But for the representatives of the two Penrith newspapers the members might talk until they were exhausted and nobody would know about it. Presumably when they do orate – which is not often, I admit – they do so for the benefit of ratepayers and the larger public rather than for their own pleasure but instead of trying to assist the reporters the Council has pushed them into a corner at the bottom of the room which is neither comfortable nor convenient and certainly bad for hearing.”

No Chariots of Fire

We thought we would give you a rest from Appleby's hot spots and give you an opportunity to read another of the many fascinating 'personal histories' which the Society has been collecting over the years. Before we do that, may we remind you that next year's Society Exhibition will feature Appleby's Fire Brigade and that we hope to have a modest booklet on the subject ready at the same time. With this in mind, we are appealing to Appleby's residents, whether members of the Society or not, who have access to memorabilia relating to the brigade, to get in touch with Maggie (51139) or Graham (53063). We would hate to miss something. Many of you will have family connections with the fire service, past and present. For example, the grandfather and father of today's Cllr H Potts gave a combined eighty years of

voluntary time to the Fire Service. We are convinced that there are many tales of Appleby's Fire Brigade still to be told.

Graham Coles

And, speaking of tales to tell, one Potts leads to another and we are pleased to let Enid Potts tell her own story. If anything she writes prompts others to rush into print, we would love to hear from you and if anyone would like to get in touch with Enid, we will be pleased to assist.

“My name is Enid Emily Gould nee Potts and I was born on 13 April 1934. I was evacuated to Appleby from South Shields. South Shields, on the mouth of the Tyne, was a major shipbuilding and repair town and consequently a target for enemy bombers. We were not sent to Appleby directly but arrived via a couple of towns ‘en route’, as it were. One was Cockermouth but I don’t remember the name of the other. If I remember rightly, it was whilst we were in Cockermouth that we learned that my brother, John, had passed the scholarship exam he had sat at the South Shields High School, and that some Masters and pupils from there were being evacuated to Appleby, transferring to Appleby Grammar School. So we moved in order that my brother could join them.

We were very fortunate in that my mother was evacuated with my brother and I. My father was working abroad in Persia for the Anglo Iranian Oil Company. We first lived with a family called, I think, Atkinson. Mr Atkinson drove a milk lorry and sometimes he would take me with him round the farms to collect the milk churns left on platforms at the end of farm tracks. I remember feeling very high up in the lorry cab. Mrs Atkinson introduced me to the delight of egg and chips with brown sauce – funny the things that impress a child. Later, my mother rented two rooms from Mrs Bardgett (not sure about the spelling). The house was in High Wiend, the last one on the right in the terrace, before the school. We had the front room to the right of the front door, looking from the street, and a bedroom. There was no electricity, gas lamps downstairs only and I can still recall the smell of the new gas mantle. The lavatory was an earth closet, with wooden seat well scrubbed, down the yard. By mistake, I left a doll out in her pram in that yard. It rained and her face came up in blisters. I was terribly upset but thankfully, when it dried, it went back to normal. There was another family, a mother and son, renting a couple of rooms from Mrs Bardgett. The mother’s name was Mrs Welch, her husband was in the Merchant Navy. She used to be worried about him and I remember her talking to my mother once and Nova Scotia being mentioned, though in what context I have no idea, perhaps it was a dangerous run? Her son’s name was Sonny and I thought that strange. They had the use of the old fashioned kitchen with a big range and a bedroom.

I went to the school in High Wiend. I think my teacher was called Miss Crow but I am not sure. Later we had a teacher from South Shields. I think there were two classrooms divided by a curtain but then again I was very young and my memory could be faulty. There was a big stove with a fireguard around it. One lesson I particularly enjoyed was nature study and teacher would take us out of school and up the lane pointing out the names of trees and flowers. I don’t remember seeing a doctor but I do remember some excruciating dental fillings, the drill grinding slowly, no anaesthetic, at a surgery in Boroughgate in a building more or less facing the entrance into High Wiend. I went to school dinner after the dentist, it was lunchtime and my mother was doing voluntary dinner duty. She was shocked to see how white I was.

My memory may be vague on some things but one thing I am absolutely sure about is that my best friend was Edith Bailey. We went to school together. She was a very, very special friend and I have never forgotten her. Edith’s Dad, Mr Bailey, had a shop in the main street selling electrical items. If I am right, my mother used to have her wireless battery charged there. Edith had a very kind Mother, too and a lovely younger brother called Maurice. We often played at Edith’s, I think in a conservatory there. One of our favourite games was making dolls houses out of orange boxes and furniture out of scraps of material and matchboxes. Mrs Bailey made us some peppermint lumps one day, they were great. We used to love to play in the woods and on the swings at the Butts. I remember two other pupils, Neil and Michael Ferguson. Neil and I got ‘married’ one day; I wore a net curtain for a veil.

Vitamin C was in short supply and we children used to gather the ripe rose hips to be turned into rosehip syrup, as part of our war effort. Another chore was knitting airforce blue scarves; my mother had to keep pulling out my effort to correct errors. The edges were all wavy!

Another shop, near Mr Bailey's, was, I think, a cake shop, run by two very nice ladies, sisters and friends of my mother. Just recalled their names, the Misses Bowman! After the war we were living in Newbiggin-by-the-Sea, Northumberland and they came to visit us.

I remember performing in a concert up at The Castle to the tune of "Two Little Girls in Blue Lad" but not the reason for the occasion. Perhaps it was something to do with the Brownies. I learned a lot in the Brownies, one thing was how to wrap a parcel. Another time there was a fête in the Church grounds and someone laid wooden boards on the grass so I could do a tap dance, "The Little Dutch Girl".

My mother's sisters used to come from South Shields to visit us and take home garden produce and fresh eggs. We used to have to wrap the eggs in squares of newspaper to pack in the cases.

One of my chores was to go with a jug, to the farm for the milk. I think it was called Holme Farm. Sometimes the milk was being cooled through a metal 'washboard' and the person in the dairy would put the jug under a hole and lift the stopper to let the milk run into the jug. One day, on the way to the farm, I dropped the sixpence I had for the milk and it fell through the planks in the bridge and dropped into the river – disaster!! There was a big Billy bull at the farm; he used to put his head over the half door to see what was going on in the farmyard. He had a ring through his nose and we children used to dare each other to touch his nose-ring. One day I was walking back home with the milk when I heard a lot of shouting behind me. I turned to find Billy bull charging in my direction!! Scared stiff, I had the presence of mind to nip through the metal kissing gate (wonder if it is still there) and my memory is of Billy snorting at the gate but I don't really know if that is a true memory.

The W.R.V.S., of which my mother was a member, used to put on Sunday teas and entertain the airmen. I can remember lots gathered round the piano in Mrs Bardgett's front room, my mother playing, and everyone singing. "I'm Coming in on a Wing and a Prayer" is one of the songs I recall. The cinema in the Market Hall was a source of entertainment and we children used to sit on forms in the front row, didn't mind the discomfort. They used to hold dances there, too. Mam was good at dancing and they called her Appleby's Ginger Rogers!! My mother had our photographs taken to send to my Dad in Persia. I vaguely recall the photographer had a studio on a first floor in a building sort of opposite the Moot Hall on the right hand side as one looks towards the Church.

I used to attend St Lawrence's Sunday School and, along with my parents, have my Sunday School teacher, Mrs Gudgeon, and those I had before living in Appleby to thank for teaching me that God cares for each and every one of us. I still have my much used book of Common Prayer, the fly leaf of which reminds me that it was given to me at St Lawrence's, Appleby, Sunday School, by Mrs Gudgeon, Christmas 1943.

One day I saw a line of men marching past the Recreation Ground with a soldier at the rear and somehow I learned they were Italian prisoners of war. I am sure they liked living in Appleby, too.

The Gypsy Horse Fair used to come to Appleby every year and we children scared ourselves by saying we had to be careful or they might steal us.

I am not sure just when we left Appleby but it must have been early 1944 when my Dad returned home after suffering a stroke. I had loved living in Appleby, as did my brother and mother. Every spring, when the daffodils bloom, I am reminded of the banks of the river as it used to have APPLEBY spelled out in daffodils – wonder if it still does. In school we were taught to be proud of living in Appleby, capital of Westmorland, and I was really disappointed when the county was changed to Cumbria, then amused and pleased to learn that the town had changed its name to Appleby-in-Westmorland.

In June 1954, I returned to Appleby for a few days honeymoon with my husband who was an officer in the Merchant Navy. We stayed at the hotel by the bridge and, one morning, a couple of fishermen guests presented us with delicious trout from the river for our breakfast.

Appleby, a wonderful place to live; full of happy, happy memories. I hope all its residents appreciate the privilege of living there and take good care of it.”

Enid Gould

Current Affairs

The softening up process has begun

The Town Clerk's report to the Council in July reminded Councillors that discussions about next year's budget will commence this month. In order not to frighten the horses, she pointed out that Appleby does not have the highest precept in Eden – the top spot is held by Kirkby Stephen which charges each Band D council tax payer £76.42 p.a. compared to Appleby's £49.29. What the Clerk failed to point out was that Appleby promoted itself from fifth to second place this year and that Kirkby Stephen pays a much reduced Special Charge to Eden District Council on the grounds that its council pays directly for much of the town's cleaning, gardening, etc. Once all the taxes have been added together – parish precept, special charge and standard council tax – there is very little to choose between the two towns.

Hopefully our Councillors will not be hoodwinked by the Town Clerk's analysis and will take account of the many thousands of pounds taken from Appleby's residents for 'building repairs' which have yet to be spent. As things stand we should be looking for a substantial reduction in the parish precept next year.

We had two little nut trees

But now we don't. Presumably the District Council's arboriculturalist approved not only the removal of three trees, two of which were ancient walnut trees, on the river bank near to the church railings, but also the manner of their removal which has left three ugly stumps protruding from the bank. Sad to see them go as they were once a source of income to the old Borough Corporation, which charged 2/6 per tree per year for the crop. Another little earner gone for ever – no wonder our Council precept is so high.

Everything will have to be “spot-on”

Those were the words of the Town Clerk towards the end of the Town Council meeting on 9 July. She has been told that, if Appleby applies to become a Quality Parish Council – a commitment it gave eight years ago – the powers that be will want to see two years' worth of minutes in order to ensure that the Council has been following the rules properly. Since custom and practice continues to rule in the Moot Hall, there would be no point in sending the past two years' minutes, so the clock has just begun to tick. The good news is that the Clerk should now insist on things being done properly. The bad news is that a commitment to seek Quality Parish Council status seems to have been put back another two years.

Council Scrutiny

In February 2001 the Town Council resolved that the Planning Committee should be the sole decision-making body in relation to planning matters. This decision was taken to avoid the embarrassment caused when the full Council disagreed with a committee decision which had already been conveyed to Eden District Council in order to be within the time limit.

Most years the Council forgets about its decision and discusses whether or not to give the committee delegated power to act independently during the summer recess – there is no Council meeting in August. Whilst checking when the original decision was taken, I was reminded that it came about as the result of a review into Council 'best practice' in 2000. Other councils in the area and, indeed, throughout the land, introduced scrutiny committees at this time in order to satisfy central government's demand for all Councils to ensure that they operated efficiently and economically in the public interest.

Appleby Town Council now has two main committees, two sub-committees and fourteen working parties and is obviously far too busy to take a look at itself so it should not be too surprised if the Society runs the ruler over it occasionally. If only a small group of Councillors had the detached task of taking stock, the Council might become more efficient and much criticism could be avoided.

Appleby's Coat of Arms

From time to time application is made to the Town Council for permission to use the town coat of arms for some purpose or another. On most occasions the Council refuses permission. It may interest the Clerk to be reminded that, as long ago as 1949, both the Chamber of Trade and the Horticultural Society asked for permission. The Town Clerk, Mr T Longstaff, informed both applicants that the Council did not have the legal power to agree or disagree to such a request. One of the Aldermen suggested that the Clerk should take legal advice. The Clerk tersely replied that he had – that was his job!

A plea to the Town Clerk

As Mr Longstaff quite rightly pointed out, it was his job, as Clerk, to give the Council legal advice and to ensure that Councillors took decisions which are legal. I am not suggesting that today's Clerk should have an encyclopaedic knowledge of the law and practice relating to local government. I only ask that she takes advice in appropriate circumstances.

At the moment I can think of no more 'appropriate circumstance' than the proposed bid to place our public buildings into the hands of a trust. When a Councillor asked whether the draft trust deed would be prepared by a solicitor experienced in such matters, it was the Mayor who replied, not the Clerk. The Mayor said that she thought the draft was being prepared by a solicitor acting for Voluntary Action Cumbria, the organisation which had been extolling the virtues of a trust in the Council chamber. In my opinion that is not good enough. Before our Council hands over control of our buildings I would like to think that the Clerk was in possession of independent advice. It is important that she is. For example, when the Corporation Markets Committee discussed the rents charged to tenants in the Public Hall in 1942, Councillors were reminded that the original trust deed which applied to the Market Hall when first built clearly stated that the property was in trust for the benefit of the town and its residents. That much must surely be made clear in any future document. But will it? When the Society was a member of the now defunct Appleby Alliance, Voluntary Action Cumbria advised the Alliance on the preparation of a deed and it was made clear that any trust would have to have several purposes, educational, social, etc. and would extend not only to Appleby but also would cover a radius of six miles from the town.

The more I thought about the implications of the Council's decision, which was to approve, in principle, the formation of a charitable trust to manage the town's public buildings, the more I became concerned. It is, of course, possible that nothing will come of it. After all, the Council has been part way along this path before. In 1971 it made application to the English Tourist Board for a grant towards planned improvements to the Public Hall. Following advice from E.T.B. the Council agreed to rename the Public Hall "Appleby Civic Theatre" and make better use of the facility in future years. Nothing came of it.

When the decision to become a registered charity was taken, voting was 8 to 6 in favour. Since then Cllr Budding, the prime mover of the proposal, has left the Council and Cllr Harland, another supporter, has made it known that he will also be leaving. I do not know what prompted Councillors to reach their decision but if they had been led to believe that the best way to raise funds for the repair of our buildings was to establish a charitable trust, I would urge them to think again.

However, just in case the Council decides to go ahead, I obtained some information from the Charity Commission (www.charity-commission.gov.uk) which can be used provided I point out that it is covered by Crown Copyright – something I hereby acknowledge. The documents referred to are a standard trust deed; Paper CC3 – The Responsibilities of Charity Trustees; and Paper CC29 – Charities and Local Authorities.

The trust deed is in a standard format which cannot be changed, save in exceptional circumstances which have to be approved by the Charity Commissioner. The first thing that struck me was that any income of the proposed charity **MUST** be used for the benefit of the public in urban or rural **areas of social or economic deprivation**. I would have thought that Appleby's bid would fall at this fence but, if it doesn't, we have then to look at the type of enterprise which might benefit from the charity. These include public amenities; buildings or sites of historic or architectural importance; leisure facilities for the public at large or for those who are variously disadvantaged; and environmental protection. (Note – buildings of historic

or architectural importance, not interest. See trust deed paragraph 3/1 – Application of Income.) The purpose of any charity would be to benefit the residents of Appleby and those in the neighbourhood by advancing education, social welfare and leisure occupation. In other words, purposes not dissimilar to those applicable to Appleby Alliance.

The ONLY reason the Town Council went along this road was to attract income from potential funders as it will cost an estimated £244,000 to repair OUR public buildings which have been neglected for far too long. Whilst the purposes to which any income can be put include the maintenance of important buildings, there are very many more uses to which funds might be put and there seems to be no limit on the persons or organisations which might seek to benefit. For example, I would have thought the English Heritage ‘listing’ system would be vital when considering which of Appleby’s buildings are historically important. Whilst the Moot Hall, Cloisters, both Crosses and the Top Cross lamp are ‘listed’, the Public Hall is not. The ONLY listed building in Appleby which is on the English Heritage ‘at risk’ register is the Keep at Appleby Castle. **We could end up with a situation whereby Mr Nightingale seeks funding for the Keep whilst the trust could not spend a shilling on the Public Hall as it is not important enough.** Add the possibility, albeit remote, that individuals or organisations both in and out of Appleby might seek assistance for one pet project or another on the grounds that they satisfy the terms of the charity, and we might find our precept rising astronomically just to match funding from external sources which could then be spent on non ‘town council’ projects. It doesn’t make a lot of sense when all we want is to have our buildings repaired.

The law allows a local authority to be a sole trustee – that is not in doubt. A local parallel was when Eden District Council was the trustee of King George V Playing Field. It is also not doubted that the trust could seek financial support from other sources but only if the income is to be used for the purposes of the charity and not **just** for Appleby’s ex-council buildings. I use the prefix ‘ex’ advisedly as it is the trust and not the Council which would have control of our public buildings. One problem is that Town Councillors would have to act as trustees one minute and as Councillors the next. They would have conflicting interests at all times. The Commissioner’s guidance suggests that, once decisions have been taken by trustees, they could be implemented by Council officers. Fine if you are a County or District Council with a number of qualified officers and access to an ‘in house’ solicitor but what if you are a parish council with an unqualified clerk?

Paper CC3 is quite specific. It is 33 pages long and takes a bit of reading but trustees cannot escape the inevitable – they must act in the best interest of the beneficiaries of the charity. Councillors will have a dual responsibility. They have to maximise income and minimise risk when dealing with the Charity and, at the next breath, act in the best interests of the residents of Appleby. When it comes to dealing with Charity monies, some of which may well be spent outside Appleby or on non Council related projects, they will have to satisfy the Charity Commissioners. When dealing with our precept, some of which will have been passed to the charity, Councillors will have to satisfy the District Auditor.

Paper CC29 points out just how easy **and wrong** it is for Councillors to inadvertently subsidise a charity. The conflicts of interest that will undoubtedly arise should make our Councillors think very hard. Do it wrong and both the Charity Commission and the District Auditor will be on their tail. Do it very wrong and they might have to find any shortfall from their own pocket.

The Charity Commissioner can refuse to accept the Council as a trustee. He can also advise on alternative arrangements. For example, he might suggest the appointment of local trustees to manage a charity to which the Council would have the right to appoint members. This is exactly what the Society has been suggesting for the Public Hall for years!

Overall, the Council’s proposals are unnecessary and fraught with danger, both for Councillors and residents. At worst, the Council, as trustee, might have to sell OUR buildings and hand money over to another charity for its own purposes.

It is also clear that potential funding bodies also have rules and it is patently obvious that the only purpose the Council has in mind for the proposed charity is to attract income with which to repair buildings which

it has largely neglected for years. The intention is so obvious that it has been openly declared in Council minutes and in Council budget statements. Would Appleby get funding in such circumstances? Unlikely in my opinion.

Then there is the vexed issue of the Tourist Information Centre. It is very likely that it already offends the rule which prevents T.I.C.s from general trading in an attempt to reduce the Council's deficit. T.I.C.s are only allowed to sell tourist-related items. If the Moot Hall becomes the property of a charity, the problem of the T.I.C. becomes even greater. A charity pays only 20% of the appropriate non-domestic rate if its property is used wholly or mainly for charitable purposes. Most of our Council properties are used and will continue to be used for non-charitable purposes – e.g. Council meetings or retail outlets. The T.I.C. could not continue as it is even if the trust was able to convince the authorities it was entitled to a rate reduction. The T.I.C. would have to sell only goods which have been donated to the charity – i.e. become a charity shop. (CC29. Para 26.)

The draft charity deed makes it clear that the trustees MUST keep the buildings in good repair and insure them to their full value. Since all the residents of Appleby want the Council to do is just that, why, oh why don't they just get on with it?

At the July meeting Cllr Thwaytes pointed out that if the Council wanted to continue using the Moot Hall it would have to pay a full economic rent to the trustees and would almost certainly be required to take out a repairing lease. The Mayor said she would consult on the matter and the minutes of the meeting indicate that a reply has been received. Any reply which suggests that Cllr Thwaytes is on the wrong track would indicate that the Council's advisers do not have a grasp of the difficulties. As trustees, the Councillors have to maximise income and minimise risk. As trustees, the Councillors would have to insist on the Council taking out a lengthy lease which would require the Council to pay an economic rent, keep the building in good repair and insure it against fire, etc. (Least said about the last bit the better, given the state of the Moot Hall wiring.) As Councillors, they would have to get the money from residents and our precept would go up, not down.

Please will the Council get on with repairing our buildings with the money it has taken from us over the past two years. Please will it also consider the advantages of leasing the Public Hall to trustees who would make something of it.

As a last resort, rather than see Appleby's historic buildings and structures sold to the highest bidder by a failed trust, the Society would, surely, consider becoming a registered charity in an effort to save them. The Society could then lease them to the Council. Just a thought.

Graham Coles

Committee Meeting

Matters Arising from Minutes for 17 June 2008: Playing Field/Memorial Trees: concern expressed at reason for and method of removal of three trees, including two walnut trees, from river bank; 2009 Exhibition: we await news from T.I.C. about availability of space for next year. Maggie and Graham to get together to produce the booklet about Appleby's Fire Service, planned to accompany the exhibition; Society Archive: report on progress given, availability of Archive Service training for volunteers and provision of additional phone facilities being investigated, volunteers came forward to help with arrangements for preparation of and access to room.

Reports: Membership/Treasurer: balance £6098.32 (including Legacy donation, grant money and money for Ian's talk). 2008/09 subscriptions £8 per individual and £20 corporate membership. No family option. One Newsletter per household, unless otherwise requested. Oral History: nothing to report. Planning/Townscape: report meant for 17 June meeting discussed briefly, concerns expressed at proposals for land at the top of Boroughgate, opposite the Bobbin Mill, letter to ascertain current position regarding sale of Shire Hall to be sent to Cumbria County Council, property owner. Appleby New Fair Joint Committee: discussion of feedback meetings, Forum arrangements and E.D.C.'s plans. Letter to go to Town Clerk, asking for current position of this Committee. Chamber of Trade and Community Association: brief report given of its last meeting, Christmas arrangements were discussed. Parish Plan

discussed. The Society has offered help with the Heritage Weekend (13/14 September), should T.I.C. Manager request it.

Newsletter: to be 'on the street' before 10 September.

A.G.M. Feedback: brief discussion took place about co-option of Committee members to fill vacancies. Reminder given that a new Chairman will be required at 2009 A.G.M.

Visit to Keswick Museum: 12 people wanting to go. Arrangements in hand.

Next Year's programme: now fixed, details given - 25 September 2008: Dr Hugh Cutler – University of Cumbria; 27 November 2008: Edward Mills – “Cumbria Woodlands; Wednesday 10 December 2008: Graham's Slide Show; 29 January 2009: Red Wyvern Society; 26 March 2009: Elizabeth Davy – *The Pilgrim and The Quaker*; 28 May 2008: PCSO Joel Larmour; 30 July 2009: AGM – speaker to be confirmed. Please note that Graham's evening is an “extra”.

Correspondence received: Windermere/Bowness Civic Society News 95; Lake District National Park Authority Archaeology Roadshows; Upper Eden History Society Winter Programme; Civic Trust Awards; receipt of Border TV DVD of broadcast interview about 2008 exhibition.

Any Other Business: fund-raising project proposed.

Next meeting: Tuesday, 7 October 2008, 7.30 p.m.

From the Secretary

Visit to Keswick Museum 14 August 2008

This was a resounding success – thanks to Jamie Barnes, Curator and his enthusiastic and knowledgeable assistant, Patricia. Jamie gave a brief resume of the story of the Musical Stones, adding more recently researched information. We were able to actually view the Dead Cat's Bones which, it is thought, will be 666 years old this year. We were reminded that they were found in the church at Clifton, near Penrith. The date of the visit turned out to be quite significant. The exhibition of “Eccentric Inventions 1851-1951” we were to see was part of a national event, there being two other exhibitions being held: one smaller one at the British Library and one of a similar size at Wrexham Museum. The owner of the “Eccentric Inventions” had been interviewed on *The Today Programme* on Radio 4 just that morning so we felt very privileged to be viewing part of such a famous collection and to be involved in the event. Jamie had been interviewed on Radio Cumbria, too, speaking about this unusual collection. In addition to the special exhibition, we were shown several other important pieces in the Museum before being left to browse. Patricia, who is a volunteer helper at the Museum, told us about some of the publications produced by the Museum, namely two volumes about Keswick characters, ancient and modern. The evening ended with refreshments. Ian gave a vote of thanks and a donation was given to the Museum as a token of our appreciation.

Pot Holes

I thought it important to let you know that the reporting of pot holes to the Town Clerk produces results. I completed a yellow form about a rather nasty pot hole on Glebe Road and submitted it on a Saturday (can't remember just which Saturday, its a while ago now). In less than a week the pot hole was fixed. Congratulations all round, I think.

Heritage Weekend 13th-14th September 2008

If any members would like to help with this event, volunteer stewards are being sought for St Anne's Hospital. On Saturday the hours of opening are 10.00 a.m. to 4.00 p.m. and on Sunday they are 12.00 – 3.00 p.m. If you would like to help, please contact Anne Coles on 017683 53063.

Extra Treat

Please note that Graham's slide show this year will be an "extra" date for your diary and it is booked for WEDNESDAY 10th December 2008, in the Supper Room. More details will be included in the brochure/membership card.

Programme for 2008-2009 – see report of Committee meeting above.

Cumbria Local History Federation

Annual Convention [AGM – Conference – Exhibition] will be held at Newton Rigg on Saturday 27 September 2008. More details from Vivienne.

Renewal of Subs

As you will have read by now, the annual subscription for 2008/09 is £8.00 for individuals and £20.00 for Corporate membership. There is no Family membership. A renewal form is enclosed for completion and return as soon as possible, please. Membership cards will be issued on receipt of subscription and completed form. Thank you. It is intended that only one Newsletter per household will be sent. However, if more than one member pays a subscription in a household and each member wants their own copy, this can be arranged. Let Vivienne know.

Next Meeting

**Thursday 25 September 2008
7.30 p.m. Supper Room, Market Hall
"University of Cumbria"
Speaker: Dr Hugh Cutler**

Recently retired as Dean for Research at the University of Cumbria, Dr Hugh Cutler will tell us about the development and establishment of the University, including some information on the history of the institutions that have come together to form it

Website: www.applebysociety.force9.co.uk

If you have enjoyed reading this Newsletter and are not already a member of the *Appleby-in-Westmorland Society*, you could have it delivered free to your home six times a year simply by joining the Society.

An £8 individual subscription also entitles you to attend six bi-monthly meetings free. These are usually held in the Supper Room of the Market Hall on the last Thursday of January, March, May, July (our A.G.M. meeting), September and November at 7.30 in the evening.

Application forms are available at the Library.

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