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## **Newsletter May 2006**

**No 65**

### **Public Meeting**

Mary Gould, lecturer at St Martin's College, entertained a good audience with her talk about the importance and development in Westmorland, Cumberland and Lancashire Fairs, bringing out the significance of these institutions in the social and economic life of agricultural communities. She opened by asking, "What harm is there in going to the Fair?" and followed this by telling us. The London Christian Instruction Society believed that Fairs promoted idleness, were haunts of vice, corrupted moral, encouraged drunkenness and lead to felony. Mary expanded on these aspects, as well as giving the background to the rise and fall of the popularity of fairs, the positive things about fairs, as well as the negative. We learned about traditional entertainments, rituals, sports and games, the significance of the timings of Fairs, their commercial importance and the commodities sold. Mary had encouraged her listeners to let her know of any anecdotes connected with Fairs and was rewarded with a personal story from one of our members, an ancestor of whom had "run away to join the circus" of Lord George Sanger, whose book of memoirs Mary had told us about with great enthusiasm. It was another thoroughly enjoyable evening and we hope that Mary can visit again.

A report appeared on *The Herald* on 17 May (fingers crossed!, note from the Secretary.)

### **From the Chairman**

#### **Appleby Town Council**

The good news is that, at long last, there is evidence to suggest that some Councillors want to see our Council dragged into the twenty-first century. Those that do deserve the Society's unstinting support. They have 'come out' and publicly admitted to reading banned material such as Standing Orders, Financial Regulations and the 'Good Councillor's Guide'. Only when the Town Council has established clear rules and procedures which comply with the law and best practice, can it hope to move on to the real challenges such as converting to a Quality Parish Council or getting to grips with the requirements of Vital Villages.

The 'Good Councillor's Guide' is free. It contains much useful advice as well as an outline of a Councillor's legal duties. There is advice about how long meetings should last. I mention this again later. There are rules governing what should and should not go onto agendas or into minutes. A quick glance at the agendas and minutes of meetings held in the first three months of this year suggests that the Town Clerk should borrow a copy – quickly.

There is even a synopsis of the law governing the period of notice which **MUST** elapse between a Councillor's receipt of an agenda and the meeting to which it relates. The Town Clerk had difficulties in March when the Council had to have two full meetings a week apart: one to deal with

the business (with less than three days notice) and a second to ratify the decisions it took at the 'illegal' meeting.

And Councillors complain that they spend too long in the chamber!

In the previous Newsletter I briefly reported on a meeting with the Deputy Mayor at which Patti Hogg (Chamber of Trade) and I raised a number of issues of mutual concern with a small group of Councillors. High on the agenda was the Town Clerk's availability and her hours of duty. That meeting took place on 22 February. When Councillors met on 27 February they agreed to a special meeting of the Finance and General Purposes Committee where the matter would be discussed. On 6 March, Councillors duly held their Extraordinary Meeting of the Finance and General Purposes Committee. There was an item on the agenda which read, "Review of Town Clerk's Revised Working Schedule". There was nothing on the agenda to suggest that the public might be excluded when this item was discussed. Why should there be? The Town Clerk's hours of duty were agreed on 4 January 2005 and published. Her hours were 10 a.m. to 3 p.m. Tuesday – Thursday inclusive. Because she was not complying with that agreement and because her availability was becoming more and more of a problem, the Society drew the matter to the Council's attention.

There are times when the public can be excluded. For example, if the subject matter is sensitive. There is nothing sensitive about a Town Clerk's hours of duty. They are a matter of public interest and should be public knowledge.

Your Vice President, Lance Thwaytes, and I went along to the meeting. Lance had been at the January 2005 meeting which fixed the Clerk's hours and we both wanted to listen to the discussion.

The meeting certainly lived up to its title – it was extraordinary in every sense of the word. When it came to the item about the Clerk, we were told to leave. Lance enquired on what grounds. We were threatened with forcible ejection. Being ejected by the local constabulary might have been fun but that was not our immediate concern. We quickly realised that some of the Councillors were bigger than us and decided that discretion was the better part of valour. Over a beer, Lance and I pondered the headline. "Former Mayor threatened with ejection from Council Chamber" had a certain appeal but we agreed on "Public interest of no interest to Appleby's Town Councillors." In the event, we decided to deal with the matter informally and have been assured that such a situation should not happen again. Later, we were advised by a 'Senior Councillor' that what had just happened simply did not happen, as the minutes would record that everything was done properly. And they did. I began this piece by suggesting that there was a glimmer of willingness to change Council's 'ways'. On the evidence of that meeting there is still much to do. It seems that Appleby Town Council still prefers the mushroom form for government – keep the public in the dark and .....

Since drafting the above we have been given details of the revised hours when the Town Clerk can be contacted. They are as follows:-

The Assistant Town Clerk will be in her office from 10.00 a.m. to 12 noon Monday and Tuesday, subject to availability (she also works for Eden District Council). Her 'working week' is 12 hours.

The Town Clerk will be available from 10.00 a.m. to 12 noon Thursday and Friday. Her 'working week' is 24 hours.

Between them they have a combined 'working week' of 36 hours, offering a service to the public for just eight.

Cast your mind back to December 2005, when the Town Clerk told Councillors that a huge hike in your precept was justified as she was there to “act as a central point of contact” for residents.

#### But the first bit was funny

At that same meeting Councillors spent an hour coming up with reasons not to change the present committee structure which most seemed to think needed to be changed. As an innocent on the sidelines I expected the debate to begin with an outline of what the present system is supposed to be but that was not forthcoming. So, not knowing what the rules are, each Councillor suggested ways in which his or her version of them should or should not be changed. The result was an hour-long tortuous, rambling chunter interrupted by one or two gems of clear thinking, at the end of which they agreed to, “suck it and see.”

That was the resolution. It found a seconder. It will be interesting to see the minutes.

By and large it was the ‘newer’ Councillors who made the most helpful suggestions. Having stated that he had read *The Good Councillor’s Guide* and the *Quality Parish Council Scheme*, one said that it was clear to him that Appleby Town Council has a committee structure previously unknown to man. It soon became clear that some Councillors thought they might miss out on something if they did not attend committee meetings and that would never do.

The outcome is a muddled, cumbersome, time-consuming and bewildering ‘system’. All Councillors can go to meetings of both committees – there are only two. The committees meet on the same evening to avoid the need for our representatives to spend too much time in the Council Chamber. The meetings begin at 6.45 p.m. One Councillor thought that the meetings should end before 9.30 p.m. Recent meetings have gone on until after 10.00 p.m. and this was not acceptable.

So, all Councillors go to both committees. Everything the Council has to consider goes onto the agenda of one committee or the other. The Town Clerk determines what goes onto those agendas, apparently without consulting either committee chairman. (It is the Town Clerk’s legal duty to prepare agendas and she does not have to discuss them with anyone. Perhaps she should.) Only one Councillor drew attention to this problem and he did it twice. Brave man!

Having discussed everything on the Council’s agenda at a committee meeting, Councillors dutifully turn out to their monthly Council meetings and do it all over again. No wonder some Councillors think its boring.

I left the meeting unsure of what Councillors had agreed to. I suspect that many of the Councillors were in the same boat. Small wonder that very few are attracted by the prospect of becoming an Appleby Town Councillor.

#### Council agendas

Having mentioned *The Good Councillor’s Guide* and the Town Council agendas in the previous item, I thought I would take a look to see how Appleby’s recent agendas compare with the guidance.

Agenda item 5 for the Council meeting on 8 March read, “To consider matters arising from the minutes.” Guidance – “Vague agenda items which do not specify the exact business (such as matters arising) can be dangerous and should be avoided because Councillors never know what might crop up under that heading.”

Agenda item 9 of the same meeting, “To note and approve the monthly accounts for February 2006.” Guidance – “As a Councillor you share responsibility for financial management.”

Appleby's Councillors are not invited to share, only to "note and approve". Sixteen rubber stamps arranged in a neat row.

Agenda item 11, "To consider matters brought forward by the Mayor." How vague is that?

### Council Minutes

Minutes are a legal record of the Council's decisions. The Guide points out that minutes must be accurate. It goes on to suggest that the record should clearly indicate who is responsible for doing what following the meeting.

Probably the best (the worst?) breach of the rule in recent times was in June 2005 when a Councillor spoke at a Council meeting and was quoted extensively in the Herald. He argued at length against a proposition aimed at saving Appleby's Cemetery Chapel and also forward a counter proposition which failed to find a seconder. The official minute recorded, "Cllr ..... declared a personal interest as he is a member of the Eden District Council committee dealing with this."

### Let's start a debate

So ended Ian Campbell's piece in the previous Newsletter. The debate has begun. One recent suggestion is that, given the lack of real clout at Town Council level, it takes a very special person to seek election. There are probably fewer than sixteen such people resident in Appleby so it will always be difficult to fill vacancies which arise all too often. Good point.

It is proving difficult to find candidates for the Bongate ward vacancy. Eden District Council has reminded us that delays cost money. Democracy has a habit of being costly. However, the Town Council has the answer. Reduce the number of Councillors to 12 or even 8.

### Police matters

On Christmas Eve I received a letter from the Cumbria Police Authority telling me that it did not intend to be 'blackmailed' into an amalgamation scheme. The Police Authority had told the Home Secretary that it objected to the suggestion that it would receive extra funding if it gave it. The Chairman of the Authority even challenged the legality of such a suggestion. (See January Newsletter for details.)

In February, the Authority capitulated. The 'deal' was struck on a London-bound train, when representatives of Cumbria and Lancashire met whilst en-route to the same meeting at the Home Office. The Society was the first to know the details. Just why is it that people will hold loud conversations on trains and expect not to be overheard by fellow passengers?

The Society has been sent another letter confirming what we knew. The Cumbria and Lancashire Constabulary (soon to be known as the CLANKS) will spring into action on 1 April 2007. As a 'volunteer pathfinder authority' the new force will receive an extra £14 millions.

Just how that squares with the tough line taken on the run up to Christmas, I'll leave to others.

A headline in *The Independent* newspaper on 30 March read, "Get rid of these big donors – they are stifling politicians and damaging democracy." The writer was, of course, talking about the funding of political parties but his words are equally true of the Home Secretary's unashamed bribe.

Whether the new force will be better for Appleby, only time will tell. An amalgamation with Lancashire is the least worst scenario given the alternatives. Funny thing is that, when the Conservative government proposed a reduction in the number of police forces, an opposition

spokesman said, “This is driven by an ideology that resents local freedom and has an aversion bordering on paranoia to local government.” That spokesman is now the Prime Minister.

Almost exactly one year ago the entire police management team at Carlisle was replaced. Crime was at an unacceptably high level and H M Inspector of Constabulary was not amused by much of what he saw. Fresh ideas were called for. When we heard that those fresh ideas might result in even less police cover at Appleby, we wrote to Chief Superintendent Davidson, seeking information. All we knew before we wrote was by way of our faithful friend, *The Herald* which, on 21 January, carried a piece telling us that the police were about to introduce ‘local problem solvers’ and were ‘redefining some local policing teams’. We wondered what a local problem solver was and we thought members should know how any changes would affect the policing in Appleby. We received a truly magnificent reply, part (only a small part) of which is reproduced below:-

“Part of the overall change is the introduction of Local Problem Solvers. These are police officers selected based on experience and knowledge of working in partnership to deal effectively with localized problems. They will receive additional training to ensure that the Constabulary and its partners work collectively to reducing crime and disorder by the most appropriate means, which of course must include the targeted use of legislation which specifically aims to address individual’s behaviour and which gives greater powers to officers to address specific problem profiles, by way of example, the gathering, sometimes of large groups of young people in public places, giving rise to increased fear of crime. These post-holders will help coordinate this type of activity and help identify and address problems with local community officers utilizing crime and disorder profiles, in addition to crime and community intelligence. Local Problem Solvers will bring even greater focus to our efforts to addressing and reducing crime in North Cumbria.”

We were so impressed with the letter that we sent a copy to the Plain English Campaign who thanked us for “bringing this example of gobbledegook to our attention”. The letter has been entered for a Golden Bull award. The award panel does not meet until December, so we must be patient.

The letter went on to say that Appleby’s problem solver was Inspector Skelton. Cllr Stan Rooke, now our Town Mayor, and I met Inspector Skelton over coffee. He is young and has very sound ideas. When we met, he was in police uniform and not submerged in one of those horrid yellow jackets now worn by anyone who works out of doors. We thanked him for that. Inspector Skelton lives in Morland. His father is a retired police officer. He attended Appleby Grammar School, so no excuses for not knowing the town. Before joining the Constabulary, Inspector Skelton took a law degree at Manchester University. He came to Appleby following a ‘transfer opportunity offered to Inspector Hurst’. (Another extract from the letter. Stan Rooke and I were intrigued by the phrasing – in our day as police officers, it was called a posting.)

In our letter to the Chief Superintendent we asked what the police cover was before his planned changes and what it would be afterwards. We did not get a clear answer to that but, by following up the clues we have a better idea of the area covered by the Inspector and his team of two sergeants and five constables. As far north as the boundary with Penrith; as far south as the border with North Yorkshire; as far east as the boundary with Durham and as far west as Haweswater. 750 square miles. One Inspector, two sergeants and five constables. In order to ensure 24 hours cover – i.e. one constable on duty throughout the day and night, you need six PCs. We don’t have that luxury.

When he wrote, the ‘boss’ in Carlisle did not think he should tell us the exact number of officers in the Appleby team. I wonder why?

His letter ends, “Community policing lies at the heart of our policing style and as such local communities should be aware of who their local community offers are”. Appleby’s Community Officer is P.C. 453 McEwan, an experienced officer who is proud of his role and enjoys patrolling on foot. So, when you see him in town, stop and chat. He will welcome that. And bear in mind that the more he is aware of, the more he can help us. If there are no reported incidents requiring his attention, he may well be offered ‘a transfer opportunity’. We should not let this happen.

#### No wonder our Council Tax keeps going up

I blame Eden District Council’s expansionist policy. Not so long ago, ‘Eye on Eden’, that expensive glossy that Eden District Council insists on sending out, had a photograph of Ribbleshead Viaduct on the front cover (Ribbleshead being in North Yorkshire, of course). Now we read that, Penrith Museum is sponsoring an art project which will feature the stone circles and other monuments in the Vale of Eden, including Castlerigg. Eden District Council’s Chairman, Cllr Langan, is quoted as saying that the Eden Valley is rich in prehistoric sites. So it is. So why is the District Council so keen to claim Castlerigg stone circle?

#### Regionalisation – contribution from Ian Campbell

Are you one of the majority or people who think that the threat of regional government has gone away with the cancellation of the referendum about it? read on.

A few ordinary folk have cottoned on to what is happening in regional government, but I think the present situation needs to be widely known and appreciated. This article is designed to alert you to what is going on and to encourage you to find out more for yourselves – it is far too big and complicated to deal with fully in a short article.

**DO YOU KNOW** ..... the extent of REGIONAL government that is in operation RIGHT NOW – in fact it has been there for 7 years! It was a clever bluff, to offer to hold referenda (an offer which as cancelled in the case of the North West) – because long before that proposal, not secretly but very quietly, there had been set up the **North West Regional Assembly**. The purposes of this body are set out in the website ([www.nwra.gov.uk](http://www.nwra.gov.uk)). This body is designed to carry out very high-sounding activities, such as, “To arrange the preparation, implementation, monitoring and review of relevant regional strategies that reflect the Assembly’s aims and priorities and the needs of the region”, etc, etc. Go to their website and find out (at length) what this assembly is designed to do, and the multifarious bodies that have been spawned to try and implement it e.g. the Executive Board, the Key Policy Group, the Policy Committee and so on. It employs a large bureaucracy and a number of senior staff who are undoubtedly very expensive. So who sits on this Assembly? 49 members are local Councillors nominated by their Councils (not directly elected), and 24 are nominated to form the Economic and Social Partner membership. The latter are nominated by organisations which are themselves nominated by the Assembly. Some of the members have more than one vote to reflect the population of their area. There are 146 votes available. Cumbria **has 12 of these!!** To get the full flavour of the power and influence of this Assembly, do go to the website, where it is set out in all its glory. The important thing is that this Assembly is alive and working and lives in Wigan, and has been there for seven years, together with its bureaucracy and capacity to generate paper within the governance of this region. **You are being ruled, at least in part, from Wigan.**

**DO YOU KNOW** ..... that the Regional Assembly works together with the **North West Development Agency**, another office-dominated body which is “Government-sponsored”? This, and the other regional Development Agencies are responsible for “(helping to) improve quality of life and economic prosperity in the English Regions”, inter alia. They have seven offices in the region, of which three are in Cumbria! The Development Agencies report to the Chancellor and key ministers, and are accountable to the Department of Trade and Industry, as well as reporting to

the Assembly. It has an 11-strong Executive Management Board (think of those wages!) as well as a Board of the NWDA of 14 members! Another website ([www.nwda.co.uk](http://www.nwda.co.uk)) will reveal the full scope of this organisation. (HQ in Warrington)

**DO YOU KNOW** ..... that, in addition, there is the **Government Office North West**, whose aim is to “improve the quality of life of people in the Northwest by serving ministers effectively and ensuring that government policy is developed and implemented in the best way” (with a lot more civil servants drawing good money). Their website ([www.gonw.gov.uk](http://www.gonw.gov.uk)) is also worth a visit as it lists the offices subsidiary to this GONW. There is, for instance, one called the North West’s Regional Resilience Team (for disasters).

To get the full impact of these organisations (**all nominated or appointed**), you need to read the website information, which will convince you that, in effect, we are, to a huge extent, now regionalised, and there is no need to hold a referendum, because **REGIONALISATION IS ALREADY IN PLACE**, and Cumbria will have a very small voice in the councils of its own government. Think of all the other plans for mergers: regional plans for – police, NHS, fire service, ambulance service, all being directed towards the same region, and where no real choice has been offered to us, but to merge in various computations, **SOUTH** of us, and think on!

We have been neatly conned because of our own apathy in matters to do with – YAWN – politics, and are now in effect a Region in the EU, which is just where the government wanted us to be. Happy?

## **History Slot**

### **The Mayor of Appleby**

Alice Palmer was thumbing through the pages on the internet (or whatever you do with the internet) when she came up with an item about Appleby, posted by Steve Bulman in 2000 and he would like to hear from anyone who can shed light on it. It is a poem, published in *Songs and Ballads of Cumberland and the Lake Country*, compiled by Sidney Gilpin, published in London by John Russell Smith and in Carlisle by G and T Coward, 1874 but its origin is probably much earlier than that. It was ‘found’ in an old book preserved in the Parish Chest at Warcop. The earliest entry in the book reads, “Mrs Mariana Braithwait her book of receipts 1678, Brough”.

If any member or reader can cast light on this insight into Appleby’s past, Steve Bulman would love to hear from you – so would we!

### **The Mayor of Appleby**

Come all y<sup>e</sup> good Songsters and help me to sound  
The praise of y<sup>e</sup> Mayor of Appleby Town;  
So neat looks his staff, and so well fits his gown,  
I’ll swear they’re no judges that call him a Clown.  
For a bonny smart lad is my Tommy,  
For a bonny smart lad is my Tommy.

Some say he’s a blockhead, and some say a Drone,  
And some that his head is as hard as a Stone;  
But a fig for y<sup>e</sup> Doctor, and Pumps we’ll have none,  
To pump all our money to th’top of ye Town.  
And a pumping proud Mayor was Jemmy,  
And a pumping proud Mayor was Jemmy.

Knaves for peeping must pay, as I understand,  
For the Lawyer will have it or seize on his land;  
Should he pay Twenty Pounds for every offence,  
It would lessen his substance or leave him more sense.  
And a peeping old knave in Tom Lambo,  
And a peeping old knave in Tom Lambo.

What think y<sup>e</sup> of Billy that play'd such a trick,  
He's cheated his mother and great Politique;  
When they thought they had got him quite on y<sup>e</sup> hip,  
He pluck't up his courage and gave them y<sup>e</sup> slip.  
O! that was well done of my Billy,  
And that was well done of my Billy.

But y<sup>e</sup> Nine they would have what would be y<sup>e</sup> Case  
In speight of y<sup>e</sup> Nobles or any such race;  
Had it been for a Member instead of a Mayor,  
By Jove, y<sup>e</sup> Election wou'd have made you all Stare.  
And an honest free set are y<sup>e</sup> Nine,  
And an honest free set are y<sup>e</sup> Nine.

#### Lady Anne's Tomb

A few months ago the Revd Canon Anthony Clegg asked what the Society knew about the vault containing Lady Ann Clifford's tomb? How big? How deep?

First port of call was Mary George whose father had been down there at some time. Mary got in touch with Hope Gudgeon, daughter of Revd Gudgeon, former vicar of St Lawrence. Hope has been in the tomb. As a young girl she had a sneak look when it was opened in 1935 – perhaps the last time anyone went down there? Hope recalls a small narrow space which did not extend beyond the capstone. In a recent letter she adds, "I don't think daddy inspected it regularly, if at all."

So, why was it opened? Lady Hothfield, Ierne Louisa Arundel Tufton died, aged 59 years, at 11 Wilton Street, Westminster on 5 January 1935. Lady Hothfield was daughter of the thirteenth Earl of Huntingdon. She married the then Hon. John Tufton in 1897. She left two sons and two daughters.

Papers kept safe by Hope Gudgeon include correspondence to her father relating to Lady Hothfield's funeral which was to be in Appleby. Those letters make it quite clear that Lord Hothfield wanted his wife to be placed in the 'family vault'. Interestingly, Hope recalls that the vault 'may' have contained two coffins – she cannot be sure after such a long time. If she is right, there may be a second member of the Hothfield family down there already. Be that as it may, the tomb was opened in readiness for Lady Hothfield's interment and that is when Hope took her sneak look.

The Revd Gudgeon was opposed to the idea and it is clear that he made his views known. However, Captain Fordyce of Skipton Castle, Lord Hothfield's agent, contacted the Bishop of Carlisle's secretary, Mr G W Graham-Bowman, who consented to Lord Hothfield's wishes. In a letter to the Revd Gudgeon sent a year after the funeral, Mr Graham-Bowman expressed his surprise at learning that Lady Hothfield had, in fact, been interred in the churchyard.

Why the change of plan? Who overruled the Bishop's secretary? The date set for the interment was 9 January. A letter posted in Skipton on 6 January confirms that the coffin would arrive in



Appleby at 9.42 a.m. (by train), whence it would be taken to the Castle on an estate cart. The funeral was timed for 11.30 a.m. Charles Fordyce had arranged for the Bishop to take the service but kindly agreed to the Revd Gudgeon playing a part. The 23<sup>rd</sup> Psalm was a must; hymns could be selected by the vicar, "hymns that the choir know and can sing". Messrs Whitehead to see to the printing.

On 7 January, Charles Fordyce wrote to Revd Gudgeon again. There may have to be a change of plan. Perhaps it would be best if a burial could take place in the churchyard, "if space could be found". (Remember that the churchyard closed officially in 1910, when the new multi-denominational cemetery opened.) Captain Fordyce adds, "The vault had better remain open until you have made certain a place can be found". On 8 January any lingering doubt was removed. A telegram from the Bishop was short and to the point. It reads, "Gudgeon. Vicarage. Appleby. Chancellor rules burial in vault illegal. Coming Tomorrow. Bishop".

The mortal remains of Lady Hothfield were interred in St Lawrence Churchyard on 9 January 1935. All went well on the day.

### Appleby New Fair (Part 2)

Part 1 of our 'history of the New Fair' appeared in the May 2003 Newsletter. Members will recall that it was prompted by two reports, one by Cumbria Constabulary and the other by Eden District Council, both of which claimed that a Royal Charter of 1685 was the origin of the Fair. Both were wrong. Our research had shown that the King James II Charter had nothing to do with it.

So, when we wrote to Appleby's Town Clerk in June 2005 to enquire about any rental or lease agreement between the Town Council (as owners of Fair Hill) and the travellers (who occupy it during Fair week) we were very surprised to be told that, "there is no rental/lease agreement .... as the gypsies were granted a charter to hold their annual horse fair in Appleby".

That was a new twist to an old tale. To suggest that any monarch in his right mind would grant a Charter to itinerant traders was something quite new. Charters were a source of income and were usually reserved to towns and cities prepared to pay for them.

Let us take another, more detailed, look at where Fair Hill was in 1685. As recently as 1835 a Government Commission described Appleby's boundary in the following terms, "It extends north to a place situate between Gallows Hill and Battle Barrow; south to a place a little below Scattergate; east to a point near to, but not excluding, the proximate extremity of Bondgate, and thence nearly half a mile in a westerly direction". The Commissioners suggested that Bongate should become part of Appleby as it was, in reality, "a suburb".

A second Commission in 1877 was told, by the then Town Clerk that, "there is a space of ground called Gallows Hill ... about a mile from the town".

Prior to 1885, when Appleby received the last of its Royal Charters, Fair Hill was not part of Appleby. Bongate and Brampton could not agree to who had rights to it but we do know that until well into the twentieth century, what we now call Appleby New Fair was still referred to as Brampton Hill Fair or Appleby (Brampton) Fair.

What of the 1685 Charter? It is complicated but simple at the same time. King James II granted a charter, one of hundreds granted throughout his Kingdom. Appleby did not care for the terms as it would have removed many of its ancient customs and practices. It was not enrolled – i.e. it was not paid for. A few years later the King issued a writ of Quo Warranto demanding to know by what authority the Corporation held office. Appleby returned the Charter. The King declared the

resignation to be void and claimed that his charter stood. There was a brief hiatus following which it was agreed that there was no charter in force and, as a consequence, Appleby remained “an ancient borough by prescription without any charter now in force”. Readers wishing to know more are referred to Nicholson and Burn’s History of Westmorland 1777 pages, 316-8.

In 1877 the Town Clerk agreed with a Commissioner, appointed to inquire into the Borough’s affairs, that Appleby then relied on the charter of Edward III (1322).

We ended Part 1 in 1966, the year in which the fair returned to Fair Hill after 53 years by the roadsides. What have we learned since?

In February 1968, the Town Council recommended a two year extension to the ‘trial period’ which began in 1966 subject to an agreement being reached between Westmorland County Council, North Westmorland Rural District Council and Appleby Borough Council as to the future management of the Fair. At a conference of the three authorities held later that month there was a single vote majority in favour of allowing the fair to continue. In June 1968, the third year of the trial period, the travellers’ representative, Mr Boswell, said that he hoped that water might be available in future years to avoid lengthy trips into town. He also hoped for improved toilet facilities.

At a meeting of Appleby Council in November 1968, Cllr Dixon complained that only £8 of the agreed £250 rent for the field had been received. He pointed out that the Council’s duty was to the ratepayers, not the travellers. He even suggested that the Council should let the site on a landlord/tenant basis! (In 2006, 38 years later, this might just happen!)

In February 1969, Westmorland County Council discussed the forthcoming Caravan Sites Act which would impose a legal duty on the county to provide permanent sites for travellers. The County proposed to purchase or lease Fair Hill, provide the necessary site and ask Appleby Council to manage it. Appleby was not happy about that.

A year later, the County Council had set its sights on a parcel of land adjacent to the A66 between Appleby and Brough which was used by the War Dept. Councillor Margaret Patterson (Warcop) demanded to know which piece of land, how far things had gone and was there a chance of the land being used for New Fair? The answer to her last question was, “very probably”. Fortunately for Warcop, the War Dept would not release the site.

In October 1970, the County Council was again seeking to acquire Fair Hill but the Borough Council was unwilling to sell the freehold. It might, however, consider leasing Fair Hill to the County for the duration of the Fair on an annual basis.

By late 1971, Westmorland County Council, knowing that its days were numbered as it would be abolished by the Local Government Act 1972, said it would opt out of the informal management structure and leave the fair to North Westmorland Rural District Council and Appleby Borough Council to sort things out between them. Not surprisingly the latter authorities objected, as this would add to their problems.

To be continued.

## **Committee Meeting 18 April 2006**

### Coronation Park

Definite signs that something is about to happen. Olive, our Treasurer, who lives nearby has seen and spoken to various people who have promised that the six trees we are concerned about will be removed. We have been here before so we must be patient.

**Note:** Two trees have been felled. Four more to go after July. The bluebells which we planted last autumn and which we successfully protected from strimming by putting up a warning sign were destroyed when the trees came down!!

### Shire Hall

Conflicting information. The Society has been told that the future of the Shire Hall is being discussed with Eden District Council and no decisions have been made. The Town Clerk has been told that it will not be available during the Heritage Weekend in September as it will have been sold by then. An Eden District Council report about public toilets also suggests that the Shire Hall and the adjoining toilet block will be sold during 2006. There is little the Society can do until a decision has been made. Our next involvement will be when any planning application is made.

### Medical Centre Lamps

There is no enthusiasm for them to go to the medical centre as originally agreed. This is unfortunate. However, we have to respect the fact that the front of the centre looks fine without them and there is now the added unknown in that they might not be original Appleby lamp posts. Members will recall the history slot in the previous Newsletter in which we reported that Appleby had purchased some redundant gas lamps from Penrith in the 1960s. We agreed to let the matter rest.

### Cemetery Chapel

Ian Campbell's enquiries on behalf of the Society revealed that none of the church authorities are keen to secure it for future use. The local undertaker has suggested that it might make a suitable location for commemorative plaques by which to remember people who have been cremated. The building has not been deconsecrated. The Town Council is discussing the building with local councils. We agreed to pass our information to the Town Council. (Now done.)

### Oral History

Nothing to report.

### Membership/Treasurer

The latest (December) statement had a balance of £4540.72. On behalf of Olive, Vivienne requested all invoices/expense claims be passed to the Treasurer so that she can finalise the books to the end of March.

New members had joined at the January meeting, having visited the exhibition and as a 'thank you' for research.

The Committee noted that a recent letter in *The Herald* suggested that the Society had a membership of "several hundreds" within months of being founded. Members may wish to know that our current membership stands at 142 and that this is its highest level ever.

### Planning/Townscape

John Hodge reported that the Society has objected to the removal of a mature lime tree from Rivington Park on the grounds that it was there first, the current owners of the land knew it was there and a 'close' of houses has been modelled with it as a centre piece.

### Public Toilets

This item has been returned to the agendas following a report to Eden District Council's Community and Environment Committee which suggested that the District Council's responsibility towards the toilets in the Public hall Arcade and in the T.I.C. is uncertain. The report also mentions the Shire Hall toilets. In one section of the report the District council proposes to negotiate a 25 year lease on the block but another section suggests that the toilets will be sold by the County Council in 2006. The Society collated as much background information relevant to the history and ownership of these toilets as we had and called for the Town Council's Working Party to be reconvened. The group met 22 March and agreed to seek clarification from E.D.C. on a number of matters. The Working Party will continue to meet until the picture is clear.

Your Committee was concerned to note that, on 8 March Cllr Morgan proposed that the Toilets' Working Party should be wound up as it no longer had a function. The District Council meeting which considered its further report on toilets met on 9 March – the very next day. The paper was sent to District Councillors in February.

### Appleby Smarter

Your Committee noted that, due to circumstances beyond its control, the litter pick arranged for 23 April had to be postponed. A new date will be advertised.

### Town Council Liaison Meetings

Graham had previously circulated the minutes of the first liaison meeting which was attended by representatives of the Town Council, Chamber of Trade and Community Association and the Society. Items discussed included problems with the Town Clerk's availability, the Council's lack of rules relating to correspondence, accessibility of planning applications, the clarity of the Town Council report in the Parish Newsletter, the Council precept and the Christmas lights.

The Council has agreed that all letter must be acknowledged within three working days and a reply sent within ten working days. Letters should be responded to in kind. E-mail will only be used as a means of communication if the writer has agreed. Councillors will consider establishing surgeries at which Town Councillors will be available for discussion. Suggested times are 3 p.m. – 4 p.m. and 7 p.m. – 8 p.m., probably on a Friday. When your Committee met, this had not been ratified by the full Council. Future reports of Town Council business in the Parish Newsletter will be a preciséd review. Anyone wanting copies of the relevant minutes will be able to obtain them from the T.I.C., free of charge. It was agreed that the reasoning behind the recent hike in the town precept would be included in the Parish magazine. (This happened, as agreed.)

The next meeting of the Liaison Committee was held on 29 March. This was devoted to hearing about Vital Villages from Miss Anna Scamans of Voluntary Action Cumbria. It was agreed that the Council would arrange a public meeting to kick start the town's parish plan. That meeting was held in the Tufton Arms on 13 April. Your Secretary, Vivienne, represented the Society. The meeting was not well attended, one notable absentee being the Appleby Alliance. Anna Scamans again gave an outline of the scheme and answered questions. It was decided that those at the meeting would try to promote the idea, with a view to a further meeting, in the hopes of achieving more support.

Minutes of the 29 March meeting were not available when your Committee met. Hopefully, members will welcome the Town Council Liaison meetings. We would like to take this opportunity to congratulate Cllr Rooke, who has worked tirelessly since elected to the Council and who initiated the Liaison meetings. We wish him well as Chairman of the Council. He has a busy year ahead.

It is proposed to invite our Local Problem Solver, aka Inspector Skelton, to the next meeting. If we can achieve this on a regular basis, the town will have found a way to enable the Council, Chamber

of Trade and ourselves to discuss matters of mutual concern with the police. The next meeting is on 31 May.

#### Penrith Museum

We considered the threat to artefacts and records relating to Appleby which might be in the custody of Eden District Council's Museum Service and which might be at risk should the service move to Rheged, as proposed. It was agreed that Vivienne should write to the Town Clerk to ask the Council to request a catalogue of 'Appleby' records, etc., so that they can be identified and returned to Appleby in due course. This might add impetus to the Town Council's determination to provide a museum in the town. (There are several previous references to the Town Council declaring in favour of a town museum and it has accepted memorabilia for safe storage at the Moot Hall over the years.)

#### Settle-Carlisle 20<sup>th</sup> anniversary of re-opening small stations

To date we have received reports of a model railway in the window of the T.I.C., a photo exhibition in the T.I.C. from 1-8 July (courtesy of Anne Clements who has kindly given over the first week of her planned exhibition to make the venue available), Appleby Carnival will incorporate a miniature steam wagon and there will be a steam train giving rides – 8 July. The Society is planning a slide show if a suitable location can be found. All this information will be given to the overall co-ordinator for inclusion into a publicity brochure.

**Note:** This slide show has now been arranged. It will take place on Friday 14<sup>th</sup> July, in the Supper Room, its title being, "Settle Carlisle Country." It will be a pictorial journey starting in Settle and ending in Carlisle, taking in the history of the line, together with buildings, scenery and wild flowers to be found along the line. It is not a "for anoraks only evening", full of engines, trucks and coaches. It will be free entry for members, visitors to pay £2. Please look out for further advertising.

#### Heritage Weekend

It was agreed that we would not be able to steward an event in the Shire Hall, due to its unavailability. However, our planned display might be incorporated into another exhibition relating to Appleby circa 1905 which the Town Council has asked us to mount in connection with a planned event, also in September. We are waiting for details of a venue for this as the T.I.C. exhibition space is booked throughout September.

#### **From the Secretary**

##### Evening visit to The College, Kirkoswald

Please see attached flier and let Vivienne know as soon as possible if you wish to take part.

##### Westmorland Quiz

Jean Scott-Smith, well-known speaker and member of the Lakeland Dialect Society, has very kindly compiled a Westmorland Quiz for us. Quiz sheets will be available, £1 each, from Vivienne at the next meeting. Arrangements are in hand to see if the T.I.C. might help by selling sheets. Answers and winners will be announced at the A.G.M. "Westmorland Neet".

##### Coffee Morning

Will take place on Saturday 3rd June. Please support this annual event. If you can help out at all, please contact Olive.

Next Meeting

**Thursday 25 May 2006  
7.30 p.m. Supper Room, Market Hall**

**“Hatches, Matches and Dispatches”**

**Mrs Elizabeth Thoele is Superintendent Registrar for Penrith Register Office and will tell us about the ups and downs of her important role.**

**Please Note**

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.

A £6 individual/£10 family 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; from our Secretary – tel: 017683 51597; from our Chairman – tel: 017683 53063.

The contents of this Newsletter may be freely used to the advantage of Appleby-in-Westmorland but, in order to comply with their wishes, the **personal histories** of living persons MUST NOT be used in whole or in part without the written consent of the Society which retains the copyright.

**Website: [www.applebysociety.force9.co.uk](http://www.applebysociety.force9.co.uk)**