

Meeting of Brompton Town Council held on line on Tuesday 19th January 2021

PRESENT – On line – Councillors Mrs S Brigginslaw, Dr K Carveley, Mrs S Haynes, Mrs M Shiel Dods, Mr M Langthorne, Mr B Martin (in the Chair), Mrs A Robinson and Mr S O’Sullivan.

There were 4 members of the public present on line including County Councillor D Hugill and District Councillor Mrs Isobel Sanderson.

1. APOLOGIES AND DECLARATIONS OF INTERESTS.

An apology for absence was received from Councillor Mrs E Kelly.

2. EXCLUSION OF THE PUBLIC.

AGREED – That the Public be excluded from the meeting for item 21 on the agenda under the provisions of Schedule 12A to the Local Government Act 1972 as the disclosure of information would at the present time be prejudicial to public interest.

3. MINUTES.

AGREED – That the Minutes of the meeting held on 15th December 2020 having been previously circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

FLOODING ON STOKESLEY ROAD AND NORTHALLERTON ROAD.

The item about the recent flooding was taken first at the meeting due to Jayne Charlton the NY Highways Manager being present on line.

Mrs Charlton assured the meeting that the issue of flooding was being taken very seriously by the County Council and consequently a meeting had been arranged to discuss the matter with the Planning Authority and the developers on Friday of the current week as it was essential to find a permanent solution to the problem.

Some investigation work had been carried out as regards the drainage and the discharge of water from the fields.

There was also an issue of flooding along Northallerton Road at the entrance to the new estate.

It was pointed out that the matter must be resolved before any new housing development took place on the east side of Stokesley Road, which was planned to commence this year. It was unlikely that the problem was just a broken drain here and there.

Jayne Charlton undertook to speak to Peter Jones the HDC project planning Manager for the North Northallerton development and stressed that the new development should not have affected the highway and that its rectification should not come out of the public purse.

The Clerk undertook to send Jayne Charlton photos of the flooding although most of these had already been sent to Area 2 Highways.

A Councillor remarked that the flood water had been treacherous and was full of silt and very slippery in places.

Jayne Charlton responded saying that District Council had been carrying out sweeping the area and in that respect she would contact them again.

County Councillor Hugill stressed that there was a need to encourage both Principal Councils to work together.

The Vice-Chairman reported that the North Northallerton Master Plan had included nothing at all about Stokesley Road or Northallerton Road being at risk of flood. The Master Plan did have a flood map but this showed nothing in respect of Stokesley Road. Councillor Huggill added that as there was no reference to flooding the officers thought that there wasn't going to be any flooding.

Councillor Mrs Sanderson said that at the meeting of Northallerton Town Council on the previous evening she had asked that Council to put a strongly worded letter to NYCC and the developer about the traffic issues that the closure of Stokesley Road caused to the town when it had to be closed; it being fortunate that the density of traffic was reduced during lockdown.

The volume of traffic consequently having to use Lead Lane was also unacceptable.

As regards the closure of Stokesley Road earlier on the evening of the current Council meeting Jayne Charlton reported that the closure would only be for a short time while the Councils contractor got the pumps set up and then the road would be opened again and the on-going work of the pumps should then keep the road open.

Councillor Sanderson commented that the road had never flooded before Taylor Wimpey had undertaken the new development and asked if a plan of action was to be put to Taylor Wimpey as it was highly likely that a new drain would need to be put in and she didn't just want the meeting to develop into a talking shop.

Councillor Sanderson added that the first flooding of Stokesley Road had occurred 18 months previously and it had taken until now to get a meeting set up to try and resolve the issues.

Jayne Charlton pointed to the need to come up with an agreement with the developer, it being the NY Highways view that water had been stopped from flowing into the water course and it would be for the developers to demonstrate otherwise.

Councillor Sanderson reported that Mr Jewitt the Deputy Chief Executive at HDC had informed her that the drain was blocked and that it was for NYCC Legal Department to decide as to who was legally responsible.

Jayne Charlton clarified that although there was a drain this was not shown on any plan available to NY Highways. Whilst the development was being constructed NYCC had requested trial bore holes by the developer where the line of pipe was but the results of these had not been revealed by the developer.

A Councillor expressed the view that the building of the new roundabout had in effect caused a dam with water consequently being blocked off and also the fact that houses had been built on the water run-off area. It was the consensus view that there was a necessity for a pumping station on Stokesley Road.

4. LOCAL CRIME REPORT.

Crime and ASB Data

Qualifier	No of Incidents	
Anti-Social Behaviour	15	
Auto crime	1	
Burglary :	<i>Commercial : 0</i>	<i>Residential : 1</i>
Criminal Damage	5	
Theft (including from shops)	1	
Violence Against the Person	5	
Other crimes including Drugs	3	
TOTAL THIS PERIOD	31	

The Clerk has discussed these crime figures with the Police.

Of the 15 ASB cases a number were relatively minor instances of disagreements between two parties and some involved the occupants of the Childrens Home. Others were reports of fireworks being set off.

The Police had been asked to drive into the BRG car park when patrols were passing rather than just driving past on dark evenings following reports of wheel spinning in the car park as reported to the last meeting. The Clerk had reported to the Police the impracticalities of locking the gate to the car park as they had suggested.

Reported instances of ABS by a group of four young males had been reported to the Police and residents had been asked to keep reporting such matters. The young males involved appeared to be the same ones who had allegedly been responsible for a number of anti-social behaviour matters around the village in recent years.

The occupier of 2 Three Horse Shoes had been jailed for 18 weeks for offences that he had carried out in Northallerton and Brompton. A Closure Order on the property had been deferred and the Police were to speak to the landlord about the re-letting of the property.

North Yorkshire Police Updates

Camper van thefts prompt police security warning

Police are urging motorhome owners to take extra steps to secure their vehicles, after a number of thefts.

Three vehicles have been stolen in the last fortnight from the York and Selby areas – although two have since been recovered.

Camper vans and caravans are increasingly left unoccupied due to COVID-19 restrictions. They may be targeted by thieves as they are often equipped to a high standard, containing expensive equipment and cycles.

Sergeant Stuart Grainger, of North Yorkshire Police's Rural Taskforce, said: "Unfortunately, it appears thieves are targeting camper vans in our area, so it's extremely important that if you own one, you double-check your security measures.

"It's positive that two of the stolen vehicles have since been recovered, showing that criminals will find it difficult to get away unchallenged.

"However, in light of these thefts, I'd urge everyone to remain vigilant, and follow our security advice."

- Write your vehicle identification number (VIN) in several hidden places within the camper van. Use a permanent marker to write the VIN on the underside of drawers, in cupboards, and wooden surfaces. Etch the VIN onto the windows using a diamond tipped engraver. This makes the vehicle easy to identify if it's stolen.
- Always lock all doors and windows every time you leave your camper van. Check and lock your roof light and gas compartment as well.
- Never leave personal or valuable items on display inside the camper van or awning. Consider forensic and security marking your personal items.
- Fix lock nuts or wheel clamps to the wheels.
- Fit an alarm and switch it on every time you leave your camper van – even if it's just for a short time. Keep your keys with you at all times.
- Never leave vehicle registration documents inside the camper van. They can help a thief to sell it.
- Fit a tracking device. Police will be able to track it if it is stolen.
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5. CORONAVIRUS UPDATE.

Childrens play areas are to remain open during the current lockdown.

NALC and YLCA continue to advocate remote Council meetings.

Councils will wish to note the following provisions from the lockdown guidance issued on 4 January:

Community centres and halls must close except for a limited number of exempt activities, primarily including:

- education and training – for schools to use sports, leisure and community facilities where that is part of their normal provision.
- childcare purposes and supervised activities for those children eligible to attend.
- hosting blood donation sessions and food banks.
- to provide medical treatment.
- for elite sports persons to train and compete (in indoor and outdoor sports facilities), and professional dancers and choreographers to work (in fitness and dance studios).
- for training and rehearsal without an audience (in theatres and concert halls).
- for the purposes of film and TV filming.

Cinemas – must close.

Services that can remain open:

Public toilets.

Car parks.

Outdoor playgrounds..

Burial grounds and crematoriums

Parks.

Market stalls – those selling essential goods can remain open.

A Councillor asked why during lockdown MOT Stations and car showrooms were open.

The Clerk reported that in the first lockdown the Government had given 6 month extensions to car owners whose MOTs were due during that period but subsequently the insurance companies had objected to this as it was a legal requirement for insurance purposes that all motor vehicles must' have an annual MOT.

6. MATTERS ARISING FROM THE MINUTES.

(i) CIL Monies.

The Clerk was to meet with HDC Portfolio folio holder Councillor Malcolm Taylor regarding the receipt of CIL monies, hopefully later this month.

(ii) Working Parties.

Councillor Mrs Robinson had requested that she be added to the Working Party looking at the circular footpath routes, that currently comprises Councillors Haynes and Langthorne.

AGREED – That this request be approved.

(iii) Condition of Surface at The Ford at Water End.

The Clerk reported that NY Highways had gone to survey the condition of the surface and approaches to the Ford earlier in the month but the snow and ice conditions had prevented them from carrying out a full survey and therefore they were to return when conditions enabled this to be done.

(iv) VAS Sign for Lead Lane.

The Clerk reported that the Council had now received the grant of £3,500.00 for this sign from the Police AJ1 Road Safety fund. Progress with NY Highways had however been delayed in view of the current lock-down situation.

(v) Tree Works.

Hillside Tree Surgeons had started on the tree works this month and were doing excellent work in between the bad weather conditions. All seemed to be on schedule to complete the works that the Council had identified as wanting to carry out in the current financial year.

Comments were made to the meeting about the high standard of the works carried out by the tree contractors in respect of the works they had recently carried out to the trees on the Greens and the very tidy state that they had left the Greens in after they had finished the works.

The Vice-Chairman reported that she still hoped to be able to get large print copies of the tree plans for Councillors.

The Chairman said that he had noticed that the bands around a number of the saplings needed to be slacked off. This could be done by the Spring by the Working Party in the Spring together with the digging in of crab apples.

The Vice-Chairman commented that the Allotments Group was very grateful for the donation of the chippings by the tree surgeons working on the trees in the village.

(vi) BRG Matters.

To date the Chairman had not been able to meet with Chairman of the BRG therefore this matter would be progressed as soon as was possible.

7. CHAIRMAN'S/VICE-CHAIRMAN'S ACTIONS.

None reported to date.

8. REPORTS.

See report of the Finance Committee below.

9. PLANNING MATTERS.

(i) Applications -

20/02913/FUL - Retrospective application for use of an agricultural building as a temporary dwelling

Barn Conversion Former Street House Farm Deighton Lane - No objections.

Councillor Mrs Sanderson provide a background to the above retrospective planning application.

20/02587/TPO - Application for works to trees subject to tree preservation orders. T1 Sycamore TPO 1989/03 - remove to ground level. T2 Ash TPO 1999/09 - Reduce over hanging branches by 20% from neighbouring property at 60 Northallerton Road

The Clerk reported that he had received a number of comments on the above application.

Councillors Haynes undertook to look at the oak tree.

The Vice-Chairman reported that due to necessity to obtain a tree condition report the application was now on hold.

20/02504/FUL - Single storey extension to existing dwelling - 44 Northallerton Road – No objections.

(ii) Decisions –

20/02465/CAT - Proposed works to trees in a Conservation Area

Newlands 65 Water End – Granted

20/02265/FUL - Construction of a single storey rear extension
34 Portland Road – Granted

At 8.00pm the meeting was opened to the public for the asking of questions.

(i) Mrs B Slater reported that she sent the Clerk an email about the BRGs application for a grant. The matter having not yet been decided by the Council put the BRG in some difficulty in applying for grants elsewhere. The members of the Finance Committee agreed to include this matter on their agenda for their next meeting.

(ii) Mrs B Slater said that when she had been on the Council with Mr Plews there had been talk of the pedestrian bridge at the school not going to proceed any more. The Vice-Chairman responded saying that the planning application for the pedestrian bridge had not been withdrawn nor put on hold and was still a live planning application. She added that when she had been connected with BRG herself she had met with the BRGs then Chairman about the bridge and that she had reported the matter to the BRG with the consultation letter at the time. The delay in the application had been the requirement for a flood risk assessment but there had been no changes in respect of the application.

It was hoped that a flood risk assessment would take place in the following week.

Mrs Slater stated that when the new BRG Committee had been formed there had been a gap of four years in which there was no paperwork handed over from the previous Chairman.

The Vice-Chairman undertook to send Mrs Slater a copy of the letter that she had taken to the meeting of the BRG some years previously.

Whilst the bridge itself did not come onto the BRG land there would be a necessity for access to be gained from the BRG car park.

Mrs Slater commented that she should have been told properly what was going on as the former Chairman of the BRG had not held any meetings.

(iii) Councillor Mrs Sanderson pointed out that any application to the Making a Difference Fund must be submitted by the 31st January and clarified that under the criteria the Council was able to submit an application.

10. ACCOUNTS FOR PAYMENT.

Receipts –

Nil

Payments –

P Atkin (Salary)	344.00
P Atkin (Expenses)	32.45
HMRC (PAYE)	68.00
Streetscape (Swings seats, chains etc)	1,302.00

NYCC (ICT development time and Office 365 Licence)	178.01
YDS Ltd (Fuel for Refilling grit bins etc)	28.00
Restarting Hearts (New pads + maintenance of Defib at Shop)	150.00
NYCC Yorwaste (Advance Charges)	22.56**

** due to Covid 19 to be paid by Direct Debit

Bank Balances

Current Account - £200.00

Business Savings Account - £17,257.25

High Interest Account - £13.20

AGREED - That the accounts listed above be approved for payment.

11. BUDGET – TO CONSIDER THE RECOMMENDATIONS OF THE FINANCE COMMITTEE HELD ON 10th JANUARY 2021.

The Finance Committee discussed quite a number of matters on the 10th January and RECOMMENDS to the Council as follows -

1. GRANTS AND DONATIONS.

That for 2021/22 -

Recommend to the Council that spending be as follows -

Donations -

Committed -

Hambleton CAB - £100
 Great North Air Ambulance - £100
 Hambleton Foodshare - £50
 Soupa Trouper - £50
 AGE UK - North Yorkshire - £50
 N'ton Bonfire - £500
 Poppy Appeal - £100

To be added -

Hambleton Wombles - £100
 Restarting Hearts - £200

Grants -

The Council in April to consider three applications to a maximum of £1,000 in each case.

ie being a total expenditure of £4,250

No grant to be above £1,000 with a maximum budget of £3,000.

Applicants to submit at least 2 quotations with their applications and that the Council pays the Invoices direct to the companies concerned and not to the organisations.

The Council be under no obligation in any year to spend more than the £3,000 on grants.

AGREED – That the above recommendations be approved.

Workman -

See under AOB on the agenda below – item 19(v).

Forward Plan -

The Committee had started working up a Forward Plan for initial submission to the March Council meeting.

There were some matters that the Committee recommended to the Council meeting that could be commenced right away. These being -

Approaching the developer at Danes Crest for a good-will gesture to carry out the footpath works from the bottom of Cockpit Hill to over the first bridge.

Writing to Rishi Sunak MP to ask if there would be any financial help from the Government towards providing adult outdoor gym equipment in view of the Governments priority to deal with increasing obesity and encouraging people to loose weight especially during Covid 19.

Approaching the York Diocese to ask if it would fund a survey of the Church Wall.

Other Business-

The Committee had recommended that the £2,500 in the budget for the bollards be kept in hand in case needed for pavement gritting etc in the 2021/22 winter. Councillor Langthorne will have some ideas to put forward on how this can be accomplished in due course.

AGREED – That the above recommendations be approved.

12. ALLOTMENTS SITE – Update.

It was reported that further to a letter sent by the Council to a plot holder last month the Pergola had not been taken down.

The Allotments Group would therefore prefer the Council to write again to say that it would be taken down on a certain day and left on the plot.

AGREED - That the Chairman and Vice-Chairman be authorised to consider the most appropriate way forward with this matter.

13. MIDDLE BRIDGE OVER BECK AT WATER END.

The Council had indicated at its previous meeting that the best solution would be the replacement of the bridge. The Vice-Chairman asked if Councillor Brigginschaws husband would be able to advise about the sandstone supports to the bridge and Councillor Brigginschaw undertook to ask her husband.

AGREED - That the Finance Committee be authorised to consider the options and costs of most appropriate way to deal with this matter and report back to the next meeting when the anticipated end of year financial outrun figure would be clearer.

14. NORTHALLERTON ROAD RECREATION GROUND.

The Clerk reported that he was investigating the possibility of acquiring some childrens play equipment that was being removed from a local play area – this met all current standards and regulations but it was very early days yet.

15. HIGHWAY MATTERS.

(i) Ice and Water Standing on Stokesley Road.

Also see item at commencement of meeting above.

Email sent for the Clerk to NY Highways as a HDC Councillor –

“I’m getting inundated with calls and emails with both my Brompton and HDC hats on about the flooding on Stokesley Road yesterday and today.

There is also a lot on social media about it.

This has gone on for months now and affects the main A class route into Northallerton from Teesside etc.

No progress whatsoever has been made to rectify the matter.

What exactly is the issue? - why has it not yet been resolved?

If it is the developers fault then they quite obviously don't care.

It is well over a year now since I first raised this matter.

Unfairly some of this blame is being aimed at HDC - it is either NYCC or the developer - why has this not been sorted out?

HDC is not the Highway Authority.

The situation will only get far worse when the 187 new houses of the 650 off the east side Stokesley Road start this year.

Can I have an urgent response please.”

County Councillor David Hugill had reported that he had spoken at length with the maintenance manager and talked through the various options that were available to resolve this. He had suggested that the maintenance manager attends the Town Council meeting – as reported on above.

He had added that there was a major problem getting water away either in an emergency, a new drainage scheme or even to repair damaged drains. This is due to the fact that most of the land is now in private ownership with no way-leaves to allow access.

(ii) Grit Bins and Gritting of Footpaths.

The Clerk reported that as regards Lead Lane it would appear that the NY contractors missed out gritting on the 4th January which was the first day of serious ice conditions this winter. It seems that they proceeded from Northallerton Road, having gritted around Hilton Green to Cockpit Hill and then straight along Water End on the Village Inn side.

The Clerk was working up with Councillor Langthorne a strategy for local gritting of footpaths and filling of grit bins and they intend to report on this to the March Council meeting.

Councillor Langthorne had arranged for bulk bags of road salt to be delivered to his yard off Lead Lane so that it could be loaded onto his brothers trailer as a tractor was required to access the salt bin

at the top of the far end of Danes Crest which was empty and access could not be got to it by any other vehicle due to the ice covered gradient. This was the grit bin that the most calls were made to the Council about last week.

Further grit supplies were needed later in the week and these were also delivered to Councillor Langthorne and the same procedure was carried out for other grit bins. The grit in the bin at Hilton Green had become frozen but Councillor Langthorne and his brother rectified this whilst they were filling up the other grit bins.

Councillor Langthorne reported that when he had gone round the grit bins in the recent very icy weather some had been full and others had been empty.

To properly grit footpaths would require a proper machine but this would be more effective and cheaper than trying to shovel grit onto the paths. In the recent icy weather conditions it was known that four people had broken bones through falls.

AGREED - That Council records its appreciation and thanks to Councillor Langthorne and his brother for the actions that they took in recent days to refill grit bins and spread grit around the pathway to the bus stop off Hilton Green, as these actions could not have been achieved by other means in the extreme weather conditions.

16. DEFIBRILLATOR ARRANGEMENTS.

The Clerk reported as follows -

There are 4 defibrillators in the village -

One at The Shop - it belongs to Brompton Council – this used to be inspected weekly by former Councillor Van Huet.

Two belong to Restarting Hearts - ie De Bruce Road and The Village Inn and the one at the BRG was purchased by the Football Club. All are inspected weekly by Restarting Hearts who keep the required records.

The pads on the one the Shop need replacing as they are 2 years old – Restarting Hearts can do that for £40.

Restarting Hearts are willing to also inspect the one at The Shop on the same basis as the others for £150 per annum

The Council did get quotes off a company in March at £400 a year but that fell through due to Lockdown and there is £400 in this years and next years budget for defibrillator matters.

Pads must be renewed every 2 years - + also if they are used - at £40 at time.

Batteries must be renewed every 4 years at £400 a time.

Therefore for 4 years - with minimum use of pads that would for Brompton amounts to - pads - (£40 x £16) - £640 plus 4 batteries - £1,600 - total = £2,240.

Restarting Hearts would be happy with £150 + an annual donation of £200 each April (for the three that belong to them) for which they would take full responsibility for all future weekly inspections, maintenance and the purchase of all pads and batteries.

AGREED – That this arrangement proceed as it is cost saving to the Council..

17. GREENS INSPECTION.

Received from a resident -

I have noticed that a lot more trees have damage to the bark through strimming too close to the tree. Would it be possible for the contractors to leave a metre unstrimmed around each tree? Not only would it allow more of our native flora to flourish but it would also protect the mature trees from further harm. I hope the Parish Council will be able to act on this.

Councillors considered that this would not be practical on the small Greens but could be achieved at Water End.

The Chairman mentioned that the Greens needed to be spiked at some stage as some areas were getting compacted and this was something that needed to be kept under review.

It had been noted that some people were walking over the daffodils. AGREED - That the grasscutting contractor be asked to leave a one metre area around the trees at Water End and also be requested not to cut across the daffodils until they had turned brown.

18. CORRESPONDENCE.

Several emails received about the flooding on Stokesley Road.

One received about the dog ban at the BRG field – forwarded to the BRG.

One about the allotments.

Also - A complaint had been received from a resident at the North Northallerton development that NY Highways had come onto land that was not currently an adopted highway when they had been dealing with flood water and was therefore in effect private land.

County Councillor Hugill commented that under the Highways Acts this was permissible In order to disperse the water and Councillors expressed the view that emergency vehicles such as ambulances would also at times need such access therefore it was a matter of people being able to work together.

19. ANY OTHER BUSINESS.

- (i) Date of Next Meeting.

AGREED – That the next meeting of the Council be held on Tuesday the 16th February at 7.00pm.

- (ii) Making a Difference Fund.

Councillor Mrs Haynes undertook to carry out the background work required for the submission of an application for funding for Adult Gym Equipment from HDC.

County Councillor Hugill mentioned what the level of possible locality funding could be for each Councillor who would be elected to any new unitary Authority under NYCC in the future. The current NYCC Member locality budget would be in place for the next two years.

- (iii) Potholes on Lead Lane

In answer to a question County Councillor Hugill clarified that the repairs to potholes on Lead Lane were a temporary measure.

- (iv) Meetings

Councillor Langthorne reported that on Friday of the current week he was to meet with a flood person about the Cemetery and the middle bridge at Water End.

- (v) Workmans Hours.

Having regard to the recommendation of the Finance Committee Councillors were of the view that due to the current sudden uncertainty that had arisen about the middle bridge at Water End no

commitment could be given to Mr Toman about work for 2021 but were conscious that Mr Toman needed to be informed as to his future position as soon as it was possible to do so.

AGREED - That the Finance Committee review this matter with Councillor Langthornes assistance and that Mr Toman be informed that the matter is still under review.

(vi) Village Pump and Well

The Clerk reported that it had previously been agreed that an information board be sited next to the village pump and well at Water End. This was an opportune time to do this as the property adjacent to the pump was currently changing hands. The Council had previously decided that an information sign was essential for the education of local children and to recognise the history of the village. AGREED - That the Clerk circulate the draft wording to Councillors.

(vii) Street Sign at Little Lane

Councillor Briggins Shaw said that she needed to check the sign on Little Lane as on passing it recently it did not look like the new sign that had been ordered and she was concerned that the new sign may have been put up somewhere else.

(viii) Hedgehog Signs

AGREED - That Councillor Haynes send the details to Councillor Briggins Shaw so that she can order the signs.

Councillor Briggins Shaw also undertook to collect the sign for the Cemetery.

(ix) Closure of the HSBC Bank in Northallerton High Street.

County Councillor Hugill reported that it had very recently been announced that the HSBC Bank in Northallerton High Street was to close in April. This was a significant central building in the town and Councillor Hugill together with the Clerk as a HDC Councillor agreed to investigate through NYCC how these premises could possibly be turned into a community Library/ Museum hub.

20. BURIAL MATTERS.

The Chairman reported that he had contacted Reverend Cooper about the probability of having to lay down gravestones in the Churchyard and Rev Cooper had provided him with some information in this respect.

The Clerk reported that there had still been no burials or interment of ashes.

The following item of business was considered in Private Session

21. CEMETERY EXTENSION – PROGRESS AS REGARDS EXTENSION.

The Vice-Chairman reported that George F White had forwarded the draft Heads of Terms for the Cemetery land. Discussion would also need to take place with the Clerk about the application to the Public Works Loans Board as the Councils Agents were unable to do this.

The meeting closed at 9.40pm

