

## ALSTON MOOR PARISH COUNCIL

Minutes of a meeting of Alston Moor Parish Council held on Monday 9<sup>th</sup> April 2018 at 7pm in Garrigill Village Hall.

**Present:** Cllrs: T. Haldon (Chair), B. Aves. J. Glendinning, P. Godwin, E. Grew, C. Harrison, H. Ho, A. Martin, , D. Phillips, G. Wright.

**Apologies:** Cllr: D. Athey

**Apologies for lateness:** Cllrs: A. Green, R. Miller.

**Absent:** none

**Declarations of interest:** listed under specific agenda items. Cllr BA 6c/Apr/18 & 6d/APR/18 BA

### **1. Minutes**

**Resolved** that the minutes of the parish council meeting held on Monday 5<sup>th</sup> March 2018 be agreed as a correct record.

**Resolved** that the minutes of the parish council planning meeting held on Monday 26<sup>th</sup> March 2018 be agreed as a correct record.

### **1a Code of Conduct training session with EDC Deputy Monitoring Officer**

The Monitoring Officer conducted a short training session and answered questions from members.

She explained that there are limits to the sanctions Eden District Council can impose if a complaint against a councillor is upheld. They have no power to dismiss a councillor, or prevent them from carrying on with their duties, but can write a report to the parish and provide training and mediation to try and get to the root of a problem. They would like to think that if someone put themselves forward as a parish councillor they would try to act in the best interests of the community, and in a professional manner.

It can be difficult to decide how to deal with non-pecuniary interests listed on the Register of Interest, but councillors were advised to take a pragmatic approach over membership of a local organisation or club. Provided the councillor believes he or she could act impartially they should be able to take part in the meeting, but having inside information would be a different matter. From a Code of Conduct point of view the safe approach is to declare membership and decide on a case-by-case basis. It is up to the individual councillor to decide whether they have a declarable interest; no-one else can make them although they can be advised and the potential consequences pointed out. She urged councillors not to hold back from joining organisations where there would be no pecuniary gain, but cautioned that holding an official position was different from being an ordinary member.

Councillors could apply for a dispensation if they felt it would be in the best interests of the community. The aim should be for the parish council to make sound decisions, and to avoid predetermination (coming to a meeting with an opinion they are not prepared to change) which is an offence against the Code of Conduct.

Ordinary council meetings can be recorded, although it is a matter of courtesy to say if someone intends to record them. Confidential or working group meetings should not be recorded.

### **2. Progress Reports**

#### **2a/APR/18 Coal Authority letter re: funding**

Re: 3d/MAR/18 A letter was received from the Coal Authority stating that they cannot directly provide a financial contribution to community projects. However, as part of the ongoing design development for the Hagsgs scheme, they are working with Cumbria County Council on improving the historic road drainage issues on the A689. Any potential scheme developed in the vicinity of Nenthead will look to improve community amenity value where possible, but improvements would have to be directly linked to the development of the new treatment scheme.

#### **2b/APR/18 Eden Housing Association – Grisedale Croft flats**

Re: 3b/MAR/18 A letter was received from Eden Housing Association confirming that they had no recent contact from the County Council or others on the future of Grisedale Croft or the potential use of part of the building for non-medical hospital beds. They are committed to the provision of accommodation on Alston Moor and to working with others, and will contact the NHS as suggested. The parish council will be kept up to date with any developments.

## **2c/APR/18 Update on the Footway Lighting Agreement**

Re: 2e/MAR/18 On 9<sup>th</sup> April an e-mail was received from CALC stating that they have asked Roger Taylor, Wellers Law Group, to redraft the agreement between Eden District Council and parish councils regarding the transfer of agreed footway lights. CALC approved this version and have forwarded it to the Eden District Council legal team for their consideration.

A number of parish councillors have raised concerns:

*How will electricity provision and the maintenance of footway lights be funded after 2022, as EDC will not commit to doing so after this date?*

CALC have arranged to meet with the County Council to explore the possibility of them providing the electricity and maintenance of any footway lighting that is transferred. The meeting is at the end of March. *What actual costs will parish councils be taking on, given that they do not have the economies of scale the district council has?*

So far there is no accurate information on the costs, it may be that the County Council could provide more accurate information at the end of the month.

*How much will it cost to replace the footway lights in 25 years time when they come to the end of their life?*

EDC have put aside £750,000 to replace the footway lights, money that it intends to pass to the parish councils, (and presumably to remove the non-approved lights), so it is a significant sum to be budgeted by future parish councils.

*How many other district councils in England have gone through this process and what can be learnt from them?*

Some parish councils do own footway lights, but CALC could find no examples of a large scale transfer of footway lights to parishes.

CALC pointed out that the greatest concern is that parish councils are being asked to make a decision about taking on an asset without any indication of the short and long term financial liabilities to be taken on by the electorate. EDC have provided an indication of costs, but it is unlikely that the real costs will be the same. Financial regulations require due diligence to be carried out before entering into contractual agreements. The advice is that until councils are satisfied they have a clear understanding of the actual risks and costs they do not commit to taking the footway lights on.

Only 24 parish councils out of 60 have indicated they are willing to take the lights on, with the majority feeling pressurised into taking them on, under the threat they will be removed. This does not conform to the NALC/CALC view that assets should be transferred on a voluntary basis to parish councils with the time, resources, expertise and enthusiasm to add value and improve their communities. It is not reasonable to effectively force parish councils to take on assets which have significant liabilities, without giving councils time to establish proper costs/liabilities. This issue is to be discussed with the district council.

Another concern to be discussed is that in agreeing to a reasonable postponement of the process, councils will then be penalised by not receiving the 100% budget for year one, which would at least give a small fund to offset future costs. CALC will lobby EDC to confirm 100% support, and write to the Chief Executive to remove the current deadline of 31<sup>st</sup> March for signing up. This may not affect transfers of other assets including toilets.

The clerk reported that she had flagged up similar concerns about the financial and other liabilities for the public toilets in Alston.

A second e-mail was received on 9<sup>th</sup> April stating that CALC met with Eden District Council officers with the outcome that the deadline can be moved to 31<sup>st</sup> May 2018 with the same conditions, that the lights will be upgraded and 100% of Eden's current costs passed to the parish council as originally agreed. They intend to put the replacement of the lights out to tender. Agreements signed after this date will be added to a second tender agreement, for which they hope they will be able to cover the costs, but cannot confirm yet.

EDC have not yet carried out a technical survey of the lights to assess their suitability for upgrading, so if an agreed light cannot be physically replaced it will cease to be the responsibility of the parish council.

The legal agreement is not finalised, CALC have instructed their solicitor to continue to work with Eden's legal team to agree changes.

EDC are not able to provide any clarity on the actual costs local councils will face, as their current costs are based on a contract for 1,500 lights. They will not procure maintenance or electricity contracts beyond

2022. CALC is continuing to look at other options. Lights not taken on will be removed, with approximately 1,700 footway lights to be removed when they fail.

The current advice is not to sign the contract yet. It was agreed the parish council would not sign the agreement until advised by CALC.

### **3. Progress reports from working groups and council representatives**

#### **3a/APR/18 Appleby Fair working group**

Re 2c/MAR/18 Notes from the meeting were circulated. Following the meeting the gym representative offered to put together a draft protocol for Tyne Willows car park. There has also been a site visit by the Multi Agency Strategic Group to assess the possibility of closing off a section of the Blagill road and the suitability of highway verges for use by the travellers, but no update on this has been received yet. The advice is to continue to look for a suitable field.

#### **3b/APR/18 Report from Alston Moor Care Alliance**

The report was made by the County Councillor.

### **4 County Councillor's Report.**

Cllr Driver reported on the following:

**Alston Alliance** – as stated in the press release last week, medical beds in the named community hospitals will close, with the beds in Alston to close immediately, as due to staffing shortages Alston has been operating under the community model for the last 13 months. The community nursing team gave positive feedback on how the scheme was operating, so on this basis the Alston Alliance supported the decision of the CCG.

There are plans for a second community engagement event to explain what is happening and to celebrate the positives. Alston Moor has been included in a bid for a national scheme for **tele medicine**, receiving a response from the funders that Alston is the perfect model. She is hopeful we will hear in June that the bid has been successful. Cllr EG reported that it could be used to save patients journeys to other hospitals and would be suitable for follow up consultations.

It was suggested that the community event could be held on Gala day, which falls on 30<sup>th</sup> June this year.

**Front Street Pubic Realm** – the Steering Group awarded the tender for the first phase community engagement and consultation to design team Mott McDonald, who have a wealth of experience with schemes in other areas. The next stage is to consult the community, to find out what is right for the town. The first drop in session is planned for the 3<sup>rd</sup> May, unless anyone knows of a potentially better date, possibly tagged onto the back of another event. At this stage they are not looking at a particular design, but intend to ask people what they want to see happen in the town centre. This could be more lighting, encouraging more businesses, more amenities, more opportunities for young people and for socialising. The geographical area has been extended to include the green area at Townfoot and to the Nenthead junction at the top of the town. There are also plans to rationalise the lighting to bring it up to a standard, working with the dark skies classification, where the County Council may take it on as street lighting. They intend to bring Eden District Council into the steering group.

The Potato market area is progressing well, and as it is not linked to the roadworks, work could start earlier.

### **District Councillor's Report**

Cllrs L Sharp and P. Godwin reported on the following:

**Appointments** – The Chief Executive is leaving on the 31<sup>st</sup> May, and the recruitment process is underway with interviews on the 3<sup>rd</sup> May.

**Scrutiny topics** – the district council are asking parish councils what topics they would like addressed by the scrutiny committee.

**Dog fouling** – this could be a scrutiny topic. In the meantime Cllr LS is involved with a competition at the school to design new posters, and some have been taken to the railway where there is a particular issue. The clerk reported that the parish council still has some of the older posters designed by children, but would be happy to ask the Community Warden to put the new ones out.

**Recycling** – Cllr LS has a meeting on 20<sup>th</sup> April with an Eden officer to discuss the management of bring sites, potential new sites, rubbish collection and fly tipping. The current system is classed as a pilot so there could be changes to the way it is managed in future.

## **5. Public open session**

None requested.

## **6. Planning**

**6a/APR/18** 17/0937 Outline application. For one log cabin for holiday let purposes. Gatefoot Farm, Garrigill CA9 3DU for Mr S. Bell.

**Resolved** to make no comment.

**6b/APR/18** 18/0183 Full application. Re-instatement of shopfront and upper floor windows. Replacement of hardrow roofing tiles with natural blue slate. Blackstocks, Market Place, Alston CA9 3QN for Mr A. Carr.

**Recommended** for approval.

**6c/APR/18** 18/0200 Listed building. Listed building consent for change of use of Methodist Chapel and community facility. Demolition of existing lean-to boiler house. Extension to rear of property to create kitchen and plant room with gas meter housing. Methodist Church, Nenthead CA9 3PF for Mrs K. Hobson.

*Cllr BA declared an interest as a shareholder.*

**Recommended** for approval.

**6d/APR/18** 18/0201 Non-Material Amend. Non-material amendment comprising of addition of electric meter housing attached to approval 16/0980. Methodist Church, Nenthead, CA9 3PF for Mrs K. Hobson.

*Cllr BA declared an interest as a shareholder.*

**Recommended** for approval.

**6e/APR/18** 18/0221 Full application. Construction of conservatory. Nenthall Cottage, Nenthall, Alston CA9 3LQ for Mr Barry Knight.

**Recommended** for approval.

**6f/APR/18** 18/0225 Full application. Installation of 9m high street pole with one antenna, on concrete base, associated cable and ductwork linking to Leadgate Regulator. Highway verge opposite Leadgate regulator off A686 Leadgate CA9 3BN for Electricity North West Ltd.

*A copy of a letter of objection was received from a resident, who questioned why it was necessary to site the mast on the road verge instead of within the quarry area, where the regulator is situated. She objected to the Design and Access statement that the verge is not a sensitive habitat, since the AONB has recorded it as having some of the best flora on Alston Moor. The crash barrier is out of keeping with the area, and will cause problems for cars passing on a narrow road, which although minor is well used.*

**Recommended** for refusal as the site is inappropriate and there are better sites nearby such as the quarry where the regulator is situated. The road is narrow at this point, so siting the equipment here could be a hazard to road users. Proposed by Cllr AM and seconded by Cllr GW. (1 abs)

**6g/APR/18** 18/0246 Tree Works. Remove ash and sycamore saplings affecting wall; Alston Conservation Area. St Augustine's Church, Front Street, Alston CA9 3QW for Mr Michael Collins.

**Recommended** for approval. Proposed by Cllr PG and seconded by Cllr. GW. (1 abs)

**6h/APR/18** 18/0197 Full application. New porch. Brooklyn, Brampton Road, Alston CA9 3AA for Mr A. Mounter.

**Recommended** for approval.

## **Decision notices**

None received.

## **7. Appointment of an Internal Auditor**

One person has expressed interest in carrying out the internal audit for a nominal charge of £50. Noted that the appointment must be made now as the Audit Statement has to be prepared.

**Resolved** to appoint Ian Pennell as Internal Auditor or one year.

## **8. Consultations and Correspondence**

### **8aAPR/18 Eden Local Plan – Training Session**

The Planning Policy team at Eden District Council is looking to hold a training session in Alston and other locations to bring parish councillors up to date with the Local Plan to assist in responding to planning applications in the area. The intention is to run through the plan's key policies and highlight the main

differences between the policies in the Core Strategy 1996 Local Plan and the new Eden Local Plan 92014-2032). They would like to run the event in late April/early May.

The clerk reported that the 9<sup>th</sup> May was the only date in the week beginning 7<sup>th</sup> May available. It was agreed to suggest holding the event later in the month. **Action CI.**

#### **8b/ Scrutiny Committee**

Topics requested for the scrutiny committee were: Dog fouling.

#### **8c/APR/18 Notices of events/meetings**

CALC training sessions – various

Health & Safety/insurance event – 10<sup>th</sup> May – the clerk reported that she would try to attend

EALC workshop with CCC to establish good neighbour schemes, support community driven social eating clubs, and encourage parish councils to promote local activities on their websites – 17<sup>th</sup> April 2018

North Pennines AONB Annual Forum 24<sup>th</sup> May 2018

Fundraising event Garrigill Village Green to be held during the bank holiday in aid of rescue dogs.

#### **8d/APR/18 Information received**

Police newsletter – April 2018

### **9. Administration**

#### **9a/APR/18 AMPC Standing Orders & Code of Conduct**

Cllr TH reported that he amended the model standing orders to incorporate the existing council standing orders, and recommended that this format be used to avoid having two documents. He amended the Code of Conduct to incorporate Cllr RM's suggestions, but a decision on which amendments to use has to be made. Council members were asked if they were willing to adopt the documents. Cllr PD said that no amendments had been suggested for the original council standing orders, which clarified some aspects of the rules of debate.

It was agreed that more time was needed to read and digest them and to defer a decision until next month.

#### **9b/APR/18 Working Group to consider Volunteer Co-ordinator**

It was pointed out that the council precepted funds for a volunteer co-ordinator and that a working group would be the start of the process. It was re-stated that Alston Moor Partnership would not be leading the process, as they had made it clear they did not want to manage the project. Feedback from the community plan process of going out to speak to community groups had identified one of the biggest issues was the difficulty of recruiting volunteers. The project could be trialled for a year, to see if it is beneficial for the community.

The initial working group would be an opportunity to hold a balanced discussion without preconceived ideas. It needs to look at what is needed, identify tasks and consider how the money is to be spent.

**Resolved** to form a working group to form a brief to bring back to the council.

The working group would be open to all members. The clerk was asked to set up a meeting. **Action CI.**

#### **9c/APR/18 Co-option of two Nenthead Ward Councillors**

A secret ballot was held as there were four candidates.

**Resolved** to co-opt Maxine Shepherd and Andrew Hewison to the Nenthead Ward.

### **10. Items for next month's agenda/urgent business**

#### **10a/APR/18 Appleby Fair**

Further discussion would be needed about the Blagill road if it was decided to advertise a section of it for the travellers use.

#### **10b/APR/18 Traffic Management meeting**

A request was received to discuss the state of the roads.

### **11. Finance**

#### **11a/APR/18 Bank statements**

The statements as of 9<sup>th</sup> April 2018 were as follows:-

Alston Moor Parish Council tr/ac	£21,414.79
Alston Moor Parish Council bus/ac	£12,683.80
Eden Credit Union	£7,008.58

**11b/APR/18 Accounts for Payment**

The following accounts were for payment:-

<i>Summary of accounts for payment: -</i>	£413.45
<i>Summary of income received since last meeting: -</i>	£0.00
<i>Summary of accounts paid since last meeting: -</i>	£903.31

**Resolved** that sufficient funds are held in balances for the clerk to be authorised to settle all the accounts listed in appendix 1.

*The meeting closed at 9.15pm*

Signed: .....

Dated: .....