

ALSTON MOOR PARISH COUNCIL

Minutes of a meeting of Alston Moor Parish Council held on Monday 1st October 2018 at 7pm in Garrigill Village Hall.

Present: Cllrs: T. Haldon (Chair), B. Aves, E. Grew, J. Glendinning, A. Green, P. Godwin, C. Harrison, R. Miller, A. Hewison, H. Ho, A. Martin, G. Wright.

Apologies: Cllrs: D. Athey, M. Shepherd

Absent: none

D. Phillips has resigned from the council due to ill health following the September meeting. The chair wrote an acknowledgement letter signed by all the past chairs.

Declarations of interest: listed under specific agenda items. 7a/OCT/18 Cllr AG.

1. Minutes

Resolved that the minutes of the parish council meeting held on Monday 3rd September 2018 be agreed as a correct record with the following amendment: 4/SEPT/18 Cllr L. Sharp should read Cllr C. Driver. Proposed by Cllr TH and seconded by Cllr BA (9 + 3 abs)

2. Chair's report

Cllr TH reported that he intends to visit several parish councils to see how different councils are organised, the next one being Kingsmoor parish council. He will e-mail nearer the time to see if anyone else wants to attend.

A question was asked about whether any changes should be voted on, but the chair has the right to decide how meetings should be run (provided they follow Standing Orders).

Resolved to accept the report. Proposed by Cllr TH and seconded by Cllr BA. (8+ 4 abs)

3. Progress Reports

3a/OCT/18 Bring sites/bug houses

Re: 2a/SEPT/18 A request has been made to Eden District Council to find out what permissions are required to erect a bug house on the proposed wildflower section of the bring site at Nenthead. Contact has been made with the North Pennines AONB about suitable wildflower plantings and a response awaited.

There were concerns about the rat problem around the recycling centre at Tyne Willows which could be exacerbated by putting in a bug house.

Resolved not to go ahead with a bug house on the site besides the Alston recycling site. Proposed by Cllr JG and seconded by Cllr CH. (6+ 1- 5 abs).

It was agreed to discuss the suggestion of a bug house at Nenthead at the next ward meeting.

3b/OCT/18 Devolution of Alston public toilets

Re: 2e/SEPT/18 Eden District Council's response to the query about the latest date a decision can be made about taking on Alston's public toilets was that the deadline is 31st December 2021. They will ask the Property team to install a counter. When reaching a decision the parish council might want to take into account the fact that the toilets are used by organised groups of young people, and alternative private business facilities might not be suitable for them.

3c/OCT/18 Good Neighbour scheme

Re: 2f/SEPT/18 The clerk was advised by County Cllr CD to hold back the application as she wanted to discuss the application timetable and process with County officers first. The project is awaiting further information.

3d/OCT/18 Internet cabling/Quickline internet account

Re: 9/SEPT/18 Contact has been made with Cybermoor and Quickline about the cabling. Neither party were confident the cables were their responsibility and wished to consider the matter further. Cybermoor pointed out that the government may want to encourage greater use of fibre into homes and businesses, so the existing network could be a useful resource in future.

The clerk was asked to contact Eden District Council to check whether any permissions were needed to install the cables. **Action CI.**

A related matter is the failure of the internet in the council's office on 29th August and despite several phone calls to the helpline it has not been re-instated. Quickline have been asked to waive the £24 charge for September. The council office was connected to the BT wifi put in by the County Council on 24th September.

Resolved to cancel the Quickline account. Proposed by Cllr EG and seconded by Cllr AM. (nem con)

A question was asked about internet security for the BT wifi. The clerk to check with the County Council once contact details have been provided. **Action CI.**

3e/OCT/18 Parish seats

Re: 7/SEPT/18 A request has gone out on Facebook and to the walking groups for people to take photos of the seats and benches in Alston, to recommend a seat for repair and to help with identifying their location and condition.

3f/OCT/18 Ashgill footpath update

Re: 2e/SEPT/18 As an update to the Chair's report, information for the various options for the rights of ways around Ashgill waterfall were obtained last November.

To attempt to add a right of way to the definitive map by way of a modification order under s53 Wildlife and Countryside Act 1981 is a free process.

A right of way can be also diverted under s119 Highways Act 1980 but only where:

- (i) the diverted route would not be substantially less convenient to the public; and*
- (ii) the diversion would not alter the termination (end point) of the path, except where it would link to another point on the same highway, or a highway connected to it.*
- (iii) The effect the diversion would have on public enjoyment of the path as a whole must also be taken into account before the order is confirmed.*

The cost of this process is £1000 +VAT and the cost of advertising.

With regards to Public Path Extinguishment Orders under s118 of the Highways Act 1980 applicants need to demonstrate that the path to be extinguished is not needed for public use. A Council also has to consider the extent to which the path would be likely to be used by the public, and the effect the change would have on the land the route serves. The cost of this process is again £1000 +VAT and the cost of advertising.

A route can also be added by way of a creation agreement between the highway Authority and the landowner under s25 Highways Act 1980 known as a public path creation agreement. These use a council's power to enter into an agreement for the dedication of a footpath, bridleway or restricted byway. A council will require anyone dedicating a new route by a creation agreement to show that they do have power to do so. This usually means supplying proof of ownership of the land in question.

3g/OCT/18 Independent monitoring of Minewater treatment site

Re: 5/SEPT/18 An e-mail was received from a resident to explain that the Coal Authority have approached the County Councillor about a meeting, which should be an opportunity to bring up the question of independent monitoring.

3h/OCT/18 Remembrance Sunday wreath laying

A call for a volunteer to lay the wreath was made. Cllr HH offered to do Alston and Cllr PG Nenthall.

Action PG/HH

3i/OCT/18 Data Protection

The clerk reported that she had e-mailed members with a list of the action requested by the ICO which were that all relevant staff undertake GDPR training. The Town Hall manager and clerk did an on-line training course last month.

4. Progress reports from working groups and council representatives

4a/OCT/18 Nenthead Ward meeting

No report available.

4b/OCT/18 Ashgill Footpath meeting

Cllr TH agreed to further discussions with the land agent, to report back next month. **Action TH.**

4c/OCT/18 Alston Moor Care Alliance

No meetings were held last month.

4d/OCT/18 Front Street

Cllr CH reported on behalf of the Front Street working group that the cobbles will be taken up next week and replaced temporarily with tarmac. Meetings have been held with the County Council and the contractors, and he had some early stage plans with three options identified. These were labelled gold, silver and bronze, with gold being the ideal, but the eventual choice will be down to cost, and finding the right stone. The architects want parish councillors to let people know that the tarmac is not permanent and the cobbles will be replaced in time.

4e/OCT/18 Neighbourhood Plan meeting The next meeting will take place on 16th October to meet with a representative involved with the Allendale Neighbourhood Plan.

4f/OCT/18 Alston Ambulance

Alston Moor were promised a fully functioning ambulance with a garage. We have a good ambulance, but it has to sit outside, and in cold weather the equipment does not work, so those on call have to take it home and the promised life pack has not been allocated. The ambulance crew can only act as first responders, and are unable to use the blue light. It is considered by many that the community has not got what was promised.

Cllr AM was asked to put together a list of complaints. **Action AM.**

Resolved to write to NWAS and to invite a representative to a council meeting to explain what is happening. Proposed by Cllr AM and seconded by Cllr EG. (nem con)

4g/OCT/18 War Memorials lettering

The lettering on the war memorial can be restored by an oil based material that can be polished on, which means that the cost of restoring it will be less than anticipated, so the funds set aside for the work can be used elsewhere. Noted that the historic spelling error on one name still needs correcting.

5 County Councillor's Report.

Apologies from Cllr Driver: she has agreed to submit a written report in future.

District Councillor's Report

Cllrs Sharp and Godwin reported that there was little of note to report:

Accounts & governance – a group of three members have been appointed to review the constitution.

6. Public open session

Hags Minewater treatment – a resident reported that it has been five and a half weeks since the County Council passed the planning application. A legal challenge could be made under EU legislation, but he is not able to pursue this option, which he thought could be done if there were anyone with the time and resources able to take it on.

Social media bullying – a resident brought a complaint about bullying on social media. It was explained that the parish council has a social media policy and complaints can be made to the Monitoring Officer.

7. Planning applications

7a/OCT/18 18/0736 Full application. Proposed two storey extension. 2 Aimshaugh Road, Leadgate, Alston CA9 3EN for Mr & Mrs D. Wilkin.

Cllr AG declared an interest as a relative.

Recommended for approval. Proposed by Cllr HH and seconded by Cllr. AH (11+ 1 abs)

7b/OCT/18 18/0742 Full application. Demolition of garage and replacement store, window and door alterations and replacements. The Old Police Station, Townhead, Alston CA9 3SL for Mr & Mrs Johnson.

Recommended for approval. Proposed by Cllr PG and seconded by Cllr RM. (11+ 1 abs)

7c/OCT/18 18/0751 Full application. Discharge of condition 3 (materials) attached to approval 18/0449. Land to the Eastern bank of river Nent adj. Nenthead Mines Heritage Car Park, Nenthead, Alston for The Coal Authority – Mr A. Langrick.

Recommended for approval. Proposed by Cllr BA and seconded by Cllr EG (11 + 1 abs)

7d/OCT/18 18/00672 Garrgill Village Green noticeboard. Notification was received that the district council had not advertised the application in the Herald, which is required to comply with the validation process, so there will be an additional delay of 14 days. There have been 3 letters objecting to the application.

Decision notices

7i/OCT/18 18/0293 Full application. Erection of garage and storage building. Rose Bank, Leadgate, Alston CA9 3EL for Mr S. Catlin. Permission granted with conditions.

7ii/OCT/18 18/0616 Full application. Extension to form cycle café and creation of access and parking. The Barn, Garrigill CA9 3DY for Mr & Mrs S & A. Drane. Permission granted with conditions.

8/OCT/18 Signature fund

Three draft applications have been received: Alston Old Primary School, High Mill and Nenthead Chapel. The parish council are required to be the lead partner for the applications, and would be the accountable body for the grant funding, but not the overall project. Eden District Council provided the following information:

Accountable Body

Under the Terms & Conditions of the fund the TPCPM are required to be the accountable body.

If the project is the TPCPM's own project for which they are likely to have an ongoing interest then they are responsible for all of the funding and are the Accountable Body for the project, along with the projects finances including any grant from EDC. For such projects it is also likely that the VAT could be recovered.

In the event of a project benefiting a third party, then the TPCPM will not be responsible for the procurement of the project and will only be Accountable Body for the Grant element being provided to the project from the Signature Fund. The TPCPM will be in a funding agreement with EDC relating to the signature fund. They will need to assure themselves of the overall viability of the project and be able to evidence expenditure that is in line with the grant terms. Should there be any case for clawback, it is the accountable body (i.e. the TPCPM) who has the responsibility to repay EDC.

The Beneficiary / third party will be required to produce three quotations as part of the procurement process within the project.

Ability of TPCPM ability to pay the grant

There is concern that should the TPCPM be awarded a significant grant toward a third party project that it may not have the ability to pay the third party organisation in advance due to its own resources being less than the grant offered.

Arrangements can be included in the grant offer which will allow funds to be provided to the TPCPM in order that any grant from EDC can be made available to the third party organisation without adversely affecting the finances of the TPCPM.

The above arrangements will include a claw back clause in the event of the project not going ahead and also that the TPCPM provide an end of year account to confirm that the Grant has been paid.

The deadline for applications is 2nd November, which is before the next council meeting on 5th November, and the concern is that as the parish council has to sign up as the accountable body they could be liable to repay the grant if things go wrong. It was suggested that the council hold an extraordinary meeting to discuss the fund in detail and to ensure that members were confident they would not expose the council to any risk. The projects themselves do not overlap, but it will be for the district council to determine who they want to support.

It was agreed to set a date of 22nd October for the meeting, as any later would give the projects very little time to finalise their bids. They are meeting with the district council this week to discuss their bids, but if the council decide the risk is too great they will be excluded from the process. **Action C1.**

Questions were asked about the late notification of information about the funding, and lack of advertising about it. It had been advertised on the District Council website, but the parish council was not notified until shortly before the Expressions of Interest were to be in. The intention from Eden was that the funds would be targeted on bigger projects, as grants of up to £10,000 can be applied for through the Community Fund.

9 Consultations and Correspondence

9aOCT/18 Letter to EDC re: application for a noticeboard on Garrigill Village Green

A copy letter to Eden District Council was received from a Garrigill resident objecting strongly to the application for a noticeboard on the grounds that the village hall and church have noticeboards, and the village shop is willing to display notices.

9b/OCT/18 Letter re: Tyne Willows

A copy letter to Adult Social Care was received from a resident concerned about the welfare of the homeless person camping on Tyne Willows.

9c/OCT/18 Electric car charge points

A letter was received from Alston Moor Fitness Club to apologise for an error in the electric car charging points agreement which included them as landlord. The electric car charging points have been installed as well as a 5G connection. The directors were unaware of this, and have asked for the 5G connection to be disabled while an investigation into health concerns is ongoing. Charge my Street have been advised that a new application will be required for a 5G installation to be sent to the tenant and parish council so it can be fully considered.

9d/OCT/18 Penrith Strategic Masterplan

Eden District Council are consulting on the Penrith Strategic Masterplan, which sets out a vision for how Penrith can grow over the next three decades. There is a Beacon Villages website with a questionnaire people are invited to complete by 2nd November.

9e/OCT/18 EDC Scrutiny Task and Finish Group

Eden District Council's Task and Finish Group have been asked to explore why a substantial number of seats for the district council are uncontested and to make recommendations on increasing the number of candidates. Political parties, district councillors, parish councillors and members of the public are being contacted to gather information. They are holding a focus group on 31 October for parish councillors and would like to invite a parish councillor to attend to represent the parish. No action taken.

9f/OCT/18 AONB Digital project

An e-mail was received from an officer from the North Pennines AONB who would like to attend a parish council meeting to discuss a new project. Alston will miss the first deadline but could be included for later. He stated that he is working on an initiative to motivate tourism through digital interpretation with one project about creating a trail using characters from the past to bring it alive. The concept is that an information panel with a photo of a character from the past would, when your phone camera is passed over an icon or QR code, trigger a film of that character coming to life to tell their story. Locations and characters are: Allenheads – Thomas Sopwith Ninebanks – Isaac Holden Nenthead mine. He hopes to include Alston as one of the points on the trail and is looking for guidance on who would be a relevant historical character to bring an aspect of Alston in the past to life and where would be a suitable place to site an information panel.

The clerk reported that she has received several suggestions which she has passed on including Jacob Walton of the Memorial, Van Dix the photographer, Wilhelmina Martha James author under the pen name of Austin Clare, Joseph Pearson the postman who kept a diary in the mid-19th century and Isaac Walton the gent's outfitter.

Agreed to issue an invitation to the next council meeting. **Action Cl.**

9g/OCT/18 Notices of events/meetings

Armistice Day 2018 – Remembrance Sunday service 10.30 St Augustine, wreath laying at the war memorial 11.40. 10.45 at Nenthead St John and 2.30pm Garrigill St John.

ACT AGM and Neighbourliness Works launch – 19th October 2018

EALC Sustainable Communities workshop with EDC - 17th October 2018 7pm

Alston Moor Community Plan meeting – Garrigill Village Hall 9th October 2018

9h/OCT/18 Information received

Royal Mail – scam mail new code of practice.

CCC – webpage briefing on working with third party organisations on highway maintenance activities.

Alston Police newsletter – October 2018

Coal Authority update

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

10a/OCT/18 Replacement printer for clerk's office

Resolved to authorise the clerk to purchase a replacement printer/scanner, to replace obsolete office equipment, up to £350. Proposed by Cllr EG and seconded by Cllr BA. (nem con)

10b/OCT/18 Proposed application form for co—option of new councillors

Cllr TH reported that he had obtained a copy of the application form Appleby Town Council uses for co-opting new councillors. As the parish council may be asked to co-opt for the Nenthead Ward, he suggested using this or a revised version so that everyone can be considered equally.

Members were concerned that potential applicants might be put off if asked to complete a form, and as it was not a job application there seemed no need to ask people for their qualifications. Experience would be just as valuable as the level of education.

Resolved to accept the general principle of an application form for co-opted councillors, and for Cllr TH to work on a simplified version. Proposed by Cllr TH and seconded by Cllr EG. (7+ 4- 1 abs)

10c/OCT/18 Proposal to agree annual donations list

The clerk was asked to revise the report form given out to organisations in receipt of annual donations for return by the end of October, and to ask them to explain why they would need a donation for 2019/2020.

10d/OCT/18 Subject Access Request Policy and Subject Access Request Form (GDPR)

Resolved to approve the subject access request policy and subject access request form. Proposed by Cllr Th and seconded by Cllr PG. (8+ 4 abs)

11. Items for next month's agenda/urgent business

11a/OCT/18 Repairs to ROW stiles

It was reported that some stiles on the footpaths around Alston Moor are breaking up. The member was asked to provide more information to enable the matter to be put on next month's agenda.

12. Finance

12a/OCT/18 Bank statements

The statements as 30th September 2018 were as follows:-

Alston Moor Parish Council tr/ac	£48,368.99
Alston Moor Parish Council bus/ac	£12,688.71
Eden Credit Union	£7,008.58

12b/OCT/18 Accounts for Payment

The following accounts were for payment:-

<i>Summary of accounts for payment: -</i>	£1,166.00
<i>Summary of income received since last meeting: -</i>	£10.50
<i>Summary of accounts paid since last meeting: -</i>	£884.04

Resolved that sufficient funds are held in balances for the clerk to be authorised to settle all the accounts listed in appendix 1. Proposed by Cllr GW and seconded by Cllr AG (nem con)

12c/OCT/18 Acceptance of Audit report for 2017/2018

Resolved to accept the audit report for 2017/2018. Proposed by Cllr TH and seconded by Cllr AH (nem con)

The meeting closed at 9.10pm

Signed:

Dated: