

## ALSTON MOOR PARISH COUNCIL

Minutes of the annual meeting of Alston Moor Parish Council held on Tuesday 12<sup>th</sup> May 2015 at 7.15pm in Alston Town Hall.

**Present:** Cllrs: A. Martin (Chair), B. Aves, D. Athey, P. Godwin (apologies for lateness), A. Green, E. Grew, T. Haldon, M. Herdman, R. Miller, D. Phillips, A. Robertson, T. Thompson, G. Wright.

**Apologies:** Cllrs: R. Thompson, J. Glendinning.

**Absent:** none

**Declarations of interest:** listed under specific agenda items.

### **Election of Chair**

Cllr Green was proposed by Cllr Wright and seconded by Cllr Aves.

Cllr Martin was proposed by Cllr Athey and seconded by Cllr Grew.

**Resolved** to appoint Cllr Martin to the chair. (8+ 3- 1 abs)

### **Election of Vice-Chair**

Cllr Green was proposed by Cllr Herdman and seconded by Cllr Aves.

Cllr Haldon was proposed by Cllr Grew and seconded by Cllr Phillips.

**Resolved** to appoint Cllr Green as vice-chair. (9+3-)

### **Election of Committees, working groups and representatives**

#### ***Finance working group***

**Resolved** to appoint Cllr Haldon and Cllr Aves.

#### ***Alston Moor Traffic Management Committee***

**Resolved** to appoint Cllrs Grew, Athey and Thompson.

#### ***Alston Moor Transport Committee***

**Resolved** to appoint Cllrs Athey, Grew, Wright and Thompson.

#### ***Alston Moor Fitness Club***

**Resolved** to appoint Cllrs Haldon and Herdman.

#### ***Local Links Management Board***

**Resolved** to appoint Cllr Robertson.

#### ***Parish Highwayman***

**Resolved** to appoint Cllr Athey.

#### ***Friends of Alston Town Hall***

**Resolved** to appoint Cllr Robertson.

#### ***Tyne Willows Management Board***

**Resolved** to appoint Cllrs Herdman, Miller and Martin.

#### ***Alston Moor Partnership Board of Directors***

**Resolved** to appoint Cllr Haldon.

#### ***Garrigill representative to Alston United Charities***

**Resolved** to appoint Cllr Grew.

### **County Councillor's Report**

*Apologies from Cllr Robinson.*

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

*Apologies from Cllr Hymers.*

Cllr Godwin reported on the following.

**Committees** – the council is now under conservative control. Cllr Godwin is the standing deputy for planning, and on the Human Resources and Appeals committee dealing with appeals and complaints by members of the public about council procedures.

### **1. Minutes**

**Resolved** that the minutes of the meeting held on Monday 13<sup>th</sup> April 2015 be adopted as a correct record. Proposed by Cllr Green and seconded by Cllr Phillips. (nem con)

## **2. Matters Arising from the Minutes**

### **2a/MAY/15 Subsidised Bus services**

Re: 2a/APR/15 Nothing further to report. A Transport Group meeting has been organised for 4<sup>th</sup> June.

### **2b//MAY/15 Henderson's/Firs Wood**

Re: 2d/APR/15 The contractor who dealt with the tree in Firs Wood has agreed to come back do some more work on it. The parish council's agent for Henderson's Wood has signed off the work in Henderson's Wood, and the contractor's final invoice paid.

The trees reported to the parish council are in Firs Wood and were inspected by a member of the council. Cllr Herdman volunteered to take out the dead pine tree, and the clerk was asked to report a conifer to NWEL that has split at a height and is overhanging the electricity wires. **Action.**

### **2c/MAY/15 Pavilion toilets, Tyne Willows**

Re: 2e/APR/15 The clerk contacted Eden District Council, who have spoken to one of their suppliers and are assisting with specifications for the work to repair the pipe. They hope to get this to the council next week, and the work can then be put out to tender. EDC have offered to pay for one third of the work.

### **2d/MAY/15 Snow Champions**

Re: 12/APR/15 Highways have offered to supply equipment, which can be stored at the Council Depot, provided volunteers can be found. Agenda item for later in the year.

### **2e/MAY/15 Appleby Fair**

Re 6/APR/15 An e-mail was received from Eden District Council to confirm that the Appleby Fair website has been amended to reflect the same times for Tyne Willows as Makepeace's field. The toilets have been ordered for 26<sup>th</sup> May and will remain there until 15<sup>th</sup> June. The signs for Bow tops only beyond this point and the keep off the pitches and running track signs will be brought over around 26<sup>th</sup> May.

### **2f//MAY/15 Annual survey of parish woodlands**

Re: 9/APR/15 The parish council's agent assisted with putting specifications together for the woodland survey work. There was an inconclusive discussion on who should do the work.

### **2g/MAY/15 Tyne Willows - various**

Re: 10/APR/15 SKS have now taken down the rugby posts. The clerk spoke to the adjacent business premises about the encroachment of the containers onto the access road, and will send an official letter from the council as confirmation that the council is aware of the situation.

A meeting with the Community Gym will take place tomorrow.

A derelict car has been abandoned in the car park. The owner is known and has been reported to the police.

It was confirmed that arrangements for the storage containers are being dealt with by the farming community.

### **2h/MAY/15 Crown Garages**

Re: 11/APR/15 No action has been taken as the building appears to have been sold.

### **2i/MAY/15 Press releases**

As the volunteer preparing press releases is no longer on the council, members were asked if anyone would like to take over. There were no volunteers, and the clerk was asked to return to the system of sending minutes to the press.

## **3. Planning**

**3a/MAY/15** 15/0273 Change of Use PD/PN. Proposed change of use of a building from a retail use class (A1) to a dwelling house (C3). Barclay's Bank Chambers, Front Street, Alston CA9 3SE for Debtal Architecture.

**Recommended** for approval. Proposed by Cllr Green and seconded by Cllr Grew. (nem con)

**3b/MAY/15** 15/0360 Full application. Proposed first floor extension and roof alterations. High Beldy Cottages, Garrigill CA9 3DG for Mr R. Hymers.

**Recommended** for approval. Proposed by Cllr Green and seconded by Cllr Wright. (nem con)

### **Decision Notices**

**3i/MAY/15** 14/1076 Full application. Proposed change of use of disused barn to residential accommodation. Low Park Farm, Alston CA9 3B for Mr P. MacMillan. Permission refused.

Cllr Godwin reported that the Local Plan is not yet in place, but further discussions are being held with the applicant over design details.

**3ii/MAY/15** 14/1089 Full application. Change of use of disused milking parlour to a one-bedroom holiday cottage. Former milking parlour next to Yew Trees, Leadgate, Alston, CA9 3EL for Mr & Mrs A. Thompson. Permission granted with conditions.

**3iii/MAY/15** 14/1103 Full application. Replace front door with wood look composite door. Rannoch House, The Butts, Alston CA9 3JU for Mrs G. Elliott. Permission granted with conditions.

**3iv/MAY/15** 14/1119 Full application. Conversion of redundant church hall to two dwellings. Victoria Square, Front Street, Alston CA9 3SL for Ms P. Brandram-Jones. Permission granted with conditions.

**3v/MAY/15** 15/0011 Full application. Conversion of former church school hall to 3 bedroom dwelling. School Hall, The Butts, Alston CA9 3JQ for Newcastle Diocesan Board of Finance. Permission granted with conditions.

**3vi/MAY/15** 15/0062 Outline application. Outline application for the erection of an agricultural workers dwelling with all matters reserved. Hill Farm, Garrigill, Alston CA9 3HF. Permission granted with conditions.

**3vii/MAY/15** 15/0068 Rebuild of derelict farmhouse to provide three market dwelling houses and one affordable dwelling house. Cotterill House, Nenthead, Alston CA9 3PY. Permission refused.

**3viii/MAY/15** 15/0070 Full application. Proposed replacement of shop windows with residential windows and replacement of first floor windows. Twain House, Front Street, Alston CA9 3SE. Twain House, Front Street, Alston CA9 3SE. Permission granted with conditions.

**3ix/MAY/15** 15/0068 15/0108 Outline application. Outline application for residential development with all matters reserved. Land west side of Park View Lane, Alston for Mr R. Gold. Permission granted with conditions.

**3x/MAY/15** 15/0129 Full application. Permanent siting of two portable buildings (retrospective). Bond Precision Castings Ltd, Potters Loaning, Alston CA9 3TP for Mr J. Forsyth-Bonds Precision Castings Ltd. Permission granted with conditions.

**3xi/MAY/15** 15/0134 Full application. Change of use of storeroom (use class B8) to residential annexe (use class C3) including external alterations. The Coach House, King's Arms Lane, Alston CA9 3HU for Mr A. Dumble. Permission granted with conditions.

**3xii/MAY/15** 15/0109 Demolition of existing agricultural building and proposed development of seven two-storey terraced houses. Gate Foot Farm, Garrigill CA9 3DU for Mr T. Bell. The application was withdrawn.

#### **Planning correspondence**

##### **3A/MAY/15 UPVC windows in the conservation area**

An e-mail was received from Daniel Addis from Eden District Council stating that the principle planning officer is currently preparing a response to Opus Architecture about the use of UPVC windows in Alston. He suggested that it would be useful to have a conversation about how future applications are considered when the response has been made.

##### **3B/MAY/15 Rotherhope track**

15/0235 Full application. Upgrading of the Rotherhope track plus construction of two car parks and spur track to car park 2. Rotherhope Track, Rotherhope Moor, near Leadgate, Alston for Mr & Mrs Townshend – c/o R. Howen Esq.

The comments made by the parish council will form part of the assessment of the application, but as there is no formal objection the application will be dealt with as a delegated officer decision, and not presented to the Planning Committee.

Noted for future reference that if there is an objection it must be clearly stated in the recommendation.

##### **3C/MAY/15 Demolition of Greencastle Buildings**

A request was made by members of the parish council to as to why they were not informed of a Notice of Intention to demolish the buildings at Greencastle. A response was received stating that the District Council has a statutory duty to determine the application within 28 days, so this type of application is unable to go to committee, and will always be dealt with as a delegated officer decision.

The clerk suggested that the parish council could be notified of future applications of this nature by e-mail, and this request has been passed to the Principal Planners.

Noted that it was disappointing not to have been notified about a significant planning matter.

##### **3D/MAY/15 Conservation Area tree work notice 15/0226**

Notification that the parish council missed the strict six week deadline for comments. There is no protection for trees other than the Conservation Area status, the reason for buying the land was for car parking and although there was an intention to retain some of the trees by prospective owners, this has

been short lived. Had there been a restriction on the land, then longer term protection could have been considered, but the inevitable ground disturbance and compaction from vehicles would be bound to damage tree roots and reduce the lifespan of the trees. For this reason a Tree Preservation Order is not appropriate and a no objections decision was issued.

Since the sale of land in The Butts, the arboriculturist has asked to be consulted on any similar areas of Eden Land that have trees on before details are advertised, so hopefully this will allow better consideration for trees in future.

#### **4. Requests/ information for action**

##### **4a/MAY/15 Epiacum Heritage Ltd – request for letter of support for HLF bid**

A letter was received from Epiacum stating that they have just completed their HLF start up grant used to plan the future of the site. They hope to develop car parking space and services, two round house structures for use as a multi-functional space, paths, fencing and walling, and interpretation which includes a trail to the fort. The bid also includes an activity plan for courses and events to raise awareness of Epiacum. The parish council was invited to write in support of the bid.

**Resolved** to write in support of Epiacum's HLF bid, which will improve facilities in the area. Proposed by Cllr Godwin and seconded by Cllr Robertson. (7+ 3- 3abs)

##### **4b/MAY/15 16-19 School Transport campaign**

An e-mail was received from Rayne, a community in Essex who have become aware of the issues regarding 16-19 school transport and have launched a campaign. The clerk has forwarded copies of the correspondence between Rory Stewart, MP and the minister. Noted that it was useful to be aware of what is happening in other communities.

##### **4cMAY/15 Footpath registration**

An e-mail was received from Roger Morris seeking advice from the parish council to help ensure that a section of the track that runs down towards Nenthead from Roughside, and joins the road at Dykehead, becomes registered as a Right of Way (GR NY 781 44 – GR NY 783 446). He was looking for evidence of the use of the track for it being used by walkers going back beyond the last 20 years.

Cllr Phillips reported that it was not a straightforward issue as the track was not registered under the 1949 Act, because Cumberland did not register any 'road used as a public path' (later superseded by Byway Open to all Traffic, and latterly Restricted Byway). Footpath 302124 terminates at a right angle bend on the track, suggesting that when it was registered it was thought to have a least public footpath rights. As it appears to have had public rights and was not registered as a footpath or bridleway it might be concluded that it was assumed to have vehicle rights, although under the NERC Act these cannot now be registered, but the lesser rights might still prevail.

Bridleway 302112 by-passes a section of the unregistered track, seemingly making the public use of the track unnecessary, but it is obstructed and a less obvious route to take. East Cumbria Countryside Project questioned its status with the County around 1983/4, who should have a file on this and footpath 302124 with any conclusion stated.

Agreed to ask the County for access to their files on the two routes and decide upon the course of action next month. **Action.**

#### **5. Correspondence for information**

##### **5a/MAY/15 Notice of meetings and events**

Public meeting to discuss Appleby Horse Fair – 18 May

Tour of Britain meeting – 2<sup>nd</sup> June – noted that the venue has been moved to Penrith

##### **5bMAY/15 Literature received**

The Cumberland News Community Heroes

ACT – Resourceful communities pilot

Eden Housing Association – Corporate Plan 2015 – 2018

Minutes of Tripartite meeting between County Council, Local Committee for Eden, EDC and Eden Parish Council representatives

#### **6. Consideration of additional litter bins & encouraging people to make use of them to dispose of dog waste**

The clerk reported that Eden's Community Warden has produced a number of laminated posters advising that dog waste can be placed in ordinary litter bins, and that the parish Community Warden would be asked to stick these onto the bins.

It was mentioned that there is a campaign in the National Park called 'Kick or Flick' to encourage people not to dump filled plastic bags in the open countryside, as dog dirt thrown into the verge will rot down faster if it is not encased in plastic. It was suggested that a working group be set up to progress this issue and to keep it on the agenda.

#### **7. Condition of Tynehead Road, Garrigill**

Cllr Green reported that there were complaints about the quantity of stones getting onto the road from the drive at Crossgill Farm, caused by fast moving vehicles using the entrance.

**Resolved** to write to the land owner's agent to complain about the condition of the Tynehead Road and to suggest that they consider tarmacking the first 10 – 20 yards of the entrance into Crossgill Farm. Proposed by Cllr Herdman and seconded by Cllr Athey. (11+ 2 abs)

#### **8. Annual Parish Meeting – request that a 40mph speed restriction is considered for the A689 between Lovelady Shield and Nentsberry Bridge**

It was reported that the request from the Annual Parish Meeting for a speed restriction was included on the agenda for the recent Traffic Management meeting. Highways officers noted that the road has a poor accident record and is on the list of roads flagged up for investigation, but has not been selected for inclusion this financial year for an accident study. It is to be kept on the agenda for monitoring.

#### **9. Request from Traffic Management Committee that the parish council decides whether Highways should investigate a speed limit for Garrigill**

The Traffic Management group discussed the issue of vehicles speeding through Garrigill, and decided that the parish council should be asked whether a speed limit should be investigated. Although there are parts of Garrigill where it is difficult to travel above 20mph, some vehicles go round the bends at dangerous speeds.

**Resolved** to ask the Traffic Management group to investigate a speed limit for Garrigill. Proposed by Cllr Grew and seconded by Cllr Green. (11+ 1- 1 abs). **Action.**

#### **10. Proposal that as Alston Moor Parish Council meets the criteria, the General Power of Competence is adopted**

Copies of a briefing on the General Power of Competence was circulated. It was noted that eligibility is determined by the number of elected councillors, which the council now meets, and a qualified clerk. A resolution has to be passed each year to confirm that the council still meets the criteria.

**Resolved** that Alston Moor Parish Council adopts the General Power of Competence. Proposed by Cllr Grew and seconded by Cllr Athey. (nem con)

#### **11. Parish Council administration**

##### **11a/MAY/15 Training for parish councillors**

**Resolved** to ask for a CALC training session in Alston, and to invite cllrs from other areas to attend. Proposed by Cllr Martin and seconded by Cllr Grew (nem con) **Action.**

##### **11b/MAY/15 Chairman's and Councillors' allowance**

The clerk read out a briefing note from CALC. There is a Parish Basic Allowance that may be paid to councillors to recompense them for their time and effort in carrying out their duties. An application has to be made to the District Council's Parish Remuneration Panel for a recommendation on the amount to be paid, but there is no obligation to set this amount.

The payment of a Chairman's Allowance is permitted under s 15 of the Local Government Act 1972. The allowance is to re-imburse the Chairman for incidental expenses arising from the duties of office such as representing the council at functions, whereas the Parish Basic Allowance which may be paid to councillors is in recognition of time and effort. Travel and subsistence allowances may be paid to councillors when they carry out duties approved by the council and the District Remuneration Panel should be asked to recommend the scale of allowances.

**Resolved** to set aside £50 at future precepts for the Chairman's Allowance on the understanding that it would be only available for the duties of office and cannot be spend on personal items. Proposed by Cllr Haldon and seconded by Cllr Wright. (11+ 2 abs)

It was stated that it is important to be seen to be carrying out parish council work as a volunteer.

**Resolved** that the parish council would not set a Parish Basic Allowance or pay travel expenses. Proposed by Cllr Green and seconded by Cllr Wright. (5+ 2- 6 abs).

#### **11c/MAY/15 Delegation of decision making by e-mail**

It was explained that when a decision/resolution has been made at a council meeting, but the execution requires further clarification or discussion of the detail, it can be helpful to hold an e-mail conversation to determine the way forward. The council were reminded that it is acceptable practice for urgent matters to be dealt with by 2 or more councillors. However, as concerns have been raised about the use of e-mail the council needs to determine what is acceptable practice. Future agenda item.

#### **11d/MAY/15 Renewal of insurance policy**

**Resolved** to renew with Zurich Municipal for the next 3 years and to review insurance costs in 2017. Proposed by Cllr Phillips and seconded by Cllr Grew (nem con)

### **12. Reports from Working Groups & Council Representatives**

#### **12a/MAY/15**

The Community Warden has asked if he could remove the disintegrating tubs from outside the former Blue Bell. Noted that the property has been repossessed.

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

13a/MAY/15 A request was made to consider setting up e-mail addresses next month on the alstonmoor.org domain for those that wanted a separate e-mail address. **Action.**

### **14. Finance**

The statement as 12<sup>th</sup> May 2015 were as follows:-

Alston Moor Parish Council tr/ac	£34,530.98
Alston Moor Parish Council bus/ac	£12,661.78
Eden Credit Union	£7,008.58

#### **14a/MAY/15 Accounts for Payment**

The following accounts were for payment:-

<i>Summary of accounts for payment:-</i>	£5,470.75
<i>Summary of income received since last meeting:-</i>	£27,450.00
<i>Summary of accounts paid since last meeting:-</i>	£716.80

**Resolved** that sufficient funds are held in balances for the clerk to be authorised to settle all the accounts listed during the coming month (appendix I). Proposed by Cllr Haldon and seconded by Cllr Athey. (nem con)

#### **14b/MAY/15 Internal auditor's report**

A report was received from the internal auditor who stated that the financial records are accurate and agree with the funds in the bank. He made the following recommendations.

*The bank reconciliation should be signed by a parish councillor.*

*It is not obvious what the agreed procedure for cheques issued between meetings is.*

*Some cheques have been missed off the monthly schedule.*

*Some receipts were not returned by recipients.*

*The clerk is still expected to make high value purchases on behalf of the council and subsequently gain re-imburement. It is recommended that the clerk is issued with a debit card for this purpose.*

*The council records are recorded in an Excel spreadsheet. The procedures for backing up this information should be reviewed.*

**Resolved** to accept the internal auditor's report and action the recommendations. Proposed by Cllr Haldon and seconded by Cllr Aves. (nem con)

**14c/MAY/15 Discussion on alternative banking arrangements**

**Resolved** to continue to bank with HSBC for the time being, and if this proves inconvenient to make a decision later. Proposed by Cllr Phillips and seconded by Cllr Robertson. (nem con)

**14d/MAY/15 Bank signatories**

**Resolved** that Cllrs Martin, Green, Haldon, Miller and Thompson would be bank signatories. Proposed by Cllr Wright and seconded by Cllr Herdman. (nem con)

*The meeting closed at 9.20pm*

Signed: .....

Dated: .....