

Devolution of Assets Task and Finish Group 5.10. 2021.

Present: Chair: Joan Raine, councillors: Margaret Clark, Mike Eyles, Doug Banks' David Ryland, Gordon Nicholson, Michael Hanley. Officers: Neil Buck, Heather Donaldson, Laura C(?).

Report by Michael Hanley.

1. Neil Buck (NB) discussed the effect of LGR (Local Government Reorganisation). 23% of parish councils (PCs) didn't to take on footway lights. Old sodium lights will become defunct due to difficulties getting spare parts such as igniters. They are still repairable but may not be in the future. In South Lakes all the toilets are run by the parish councils. There has been a move to LED lights. EDC is responsible for seven toilets. Appleby, Kirkby Stephen, Penrith and Alston have not taken on their toilets, Shap, Glenridding and Dufton have. He went on to talk about play areas.
2. Heather Donaldson(HD) then discussed the various options: (a) refund all the PCs and return ownership to EDC (b) Have a new deadline for devolution. (c) Discontinue and adopt the status quo. She discussed whether the precept will take devolution into account. How have PCs planned to take on the assets? We need to develop a policy considering LGR. Do we let the new authority sort it out? The decision may be taken out of our hands by the shadow authority. Does a time table need to be developed?

Gordon Nicholson (GN): Heather's paper is really helpful. There is a risk to those PCs who have adopted the assets. The issues around toilets and play areas are less developed than footway lighting. If we are agreeing that the status quo is maintained, we should concentrate on footway lights.

HD: We can take each part of the assets and have different policies for each.

Elaine Martin (EM): In my PC, we have taken on the lights. Will the new authority go through the same process? They might make the same decisions.

Joan Raine (JR): HD talked about reimbursing PCs.

Doug Banks (DB): The total cost (of lights) to Langwathby was £73. We have taken on 26 lights. To replace them would cost £78k, £3k for each light. We haven't put the precept up.

GN: Lazonby put the precept up due to the running cost of the lights. In South Lakes, the county maintains the lights. The county wont want all these PCs trailing after them for a deal. It will have to be centralised. For these PCs who have increased costs, there would have to be some compensation if they came back in.

NB: Incurred costs could be looked at but if the PC had put up the precept then the cost should have been recovered. Footway lights contracts finish in 2027.

GN: The council (EDC) has budgeted to pay for the lights. Those who haven't taken the lights on, when they fail, they will not be replaced. If they dont want them they should be taken away.

JR: It might be a good idea to see what South Lakes do.

NB: Originally failure was when the bulb went.

GN: Footway lighting is a discretionary service. The reason why we have so many goes back to the rural councils going back to the 1930s.

DB: We have new estates. Who maintains them?

NB: The county (CCC), the developer installs them and the county looks after them.

EM: If we were to bring all the assets back, we would have to find out the costs.

David Ryland (DR): You cant really refund the money, option (a) is defunct.

GN: If this option has been ruled out, the new authority may not go along with this.

DB: I agree with Gordon, PCs who have adopted the lights probably want to keep them.

JR: We need a new deadline (for taking on the assets). March 2023 would be suitable.

DB: These PCs have had 4-5 years to make up their minds.

EM: We should stick to the 2022 deadline.

NB: There are no problems with that, they have had years to decide.

JR: The decision for this needs to go to the full council meeting by December.

GN: We need to publish a report which goes to the executive and then to council with comments. March 22 is only a few months away. The budget meeting will be in February. We could do an interim report for January before we firm it up. The final report would go in February. We need to have a timetable.

Mike Eyeles (ME): I am undecided about the March 22 deadline. The council has discussed that. I will fight tooth and nail against the closure of the toilets in Penrith.

GN: Each section is so different, the lights, toilets and play areas. I suggest we concentrate on lights and leave the others to the new authority.

JR: The cost of the toilets at Shap is £390 per year.

NB: That was just for the Legionella testing.

ME: The different elements were treated en bloc a few years ago. We have already forced some PCs to take on toilets.

DB: It's mainly the towns that have the toilets. Can we get anyone to discuss these?

NB: Penrith town council might take on the Penrith toilets, but it will have to be a new build.

HD: Are there any experts we need to bring in? Do we need to contact PCs about any other aspects?

JR: I think Alston had particular concerns. Are there any comments from Michael Hanley?

Michael Hanley: I had meant to discuss the Alston situation with the clerk. I was not able to contact her today. I think the main problem is the toilets. I will try to prepare a report for the next meeting.

Next meeting: 5.00pm, 27.10. 21.