



## ALSTON MOOR PARISH COUNCIL

Minutes of a meeting of Alston Moor Parish Council held on Monday 9<sup>th</sup> May 2022 in Garrigill Village Hall at 7pm.

**Present:** Cllrs: R. Miller (Chair), P. Best, B. Cooper, B. Davies, E. Grew, M. Hanley, C. Harrison, S. Hattersley, H. Ho, G. Ransom, A. Robertson, R. Robinson.

**Apologies:** Cllrs: N. English

**Absent:** A. Green, I. Lindley

**Declarations of interest:** Cllr Robinson 4b/MAY/22

The retiring chair had given apologies, so Cllr Miller opened the meeting.  
Cllr Hanley was congratulated on his election to Alston and Fellside council.

### **Election of Chair and Vice-chair**

**Resolved** to appoint Cllr Miller to the chair. Proposed by Cllr Robinson and seconded by Cllr Ransom. (11+1 abs)

**Resolved** to appoint Cllr Robinson as vice chair. Proposed by Cllr Miller and seconded by Cllr Ransom(11 + 1abs)

### **Election of Committees/working groups**

#### **Development, Governance & Personnel (DGP)**

**Resolved** to appoint the following representatives to the DGP Committee.

Cllr English Proposed by Cllr Miller and seconded by Cllr Harrison

Cllr Robertson Proposed by Cllr Miller and seconded by Cllr Grew

Cllr Grew Proposed by Cllr Miller and seconded by Cllr Robinson

Cllr Davies Proposed by Cllr Miller and seconded by Cllr Harrison

Cllr Robinson Proposed by Cllr Miller and seconded by Cllr Hattersley

Cllr Cooper Proposed by Cllr Miller and seconded by Cllr Hattersley

Cllr Miller Proposed by Cllr Robinson and seconded by Cllr Hattersley

### **Election of Council representatives**

#### **Alston Area Planning Group**

**Resolved** to appoint Cllr Hanley Proposed by Cllr Miller and seconded by Cllr Davies

#### **Alston Health Alliance**

**Resolved** to appoint Cllrs Grew and Hanley. Proposed by Cllr Miller and seconded by Cllr Hattersley

#### **Alston Moor Community Transport**

**Resolved** to appoint Cllr Hanley Proposed by Cllr Davies and seconded by Cllr Grew

#### **Alston Moor Emergency Response Group**

**Resolved** to appoint Cllrs Grew and Ransom Proposed by Cllr Miller and seconded by Cllr Hattersley

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

**Resolved** to appoint Cllrs Davies and Cooper Proposed by Cllr Grew and seconded by Cllr Harrison

#### **Alston Moor Partnership**

**Resolved** to appoint Cllr Harrison Proposed by Cllr Miller and seconded by Cllr Grew

#### **Alston Moor Traffic Management Group**

**Resolved** to appoint Cllr Grew for Garrigill, Cllr Hattersley for Alston and Cllr Robertson for Nenthead. Proposed by Cllr Cooper and seconded by Cllr Best

#### **NWAS Alston Moor Working Group**

**Resolved** to appoint Cllrs Grew and Ransom Proposed by Cllr Hattersley and seconded by Cllr Harrison

#### **Tree Wardens**

**Resolved** to appoint Cllrs Harrison and Robinson Proposed by Cllr Robertson and seconded by Cllr Grew

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

**Resolved** to appoint Cllrs Cooper, Robinson and Best. Proposed by Cllr Grew and seconded by Cllr Miller

#### **High Mill Working Group**

**Resolved** to appoint Cllrs Robertson and Robinson. Proposed by Cllr Miller and seconded by Cllr Harrison.

### **1. Minutes**

**Resolved** that the minutes of the parish council meeting held on Monday 4<sup>th</sup> April 2022 be approved as a correct record. Proposed by Cllr Robinson and seconded by Cllr Grew (9+ 3 abs)

### **2. Chair, County & District reports**

#### **Chair's report**

The chair read out a statement from former chair Cllr English thanking the council and community for their support. He advised everyone to keep away from social media.

#### **County Council**

*Cllr Driver reported on the following:*

**Area planning** – the wider community were thanked for stepping up when needed to support each other through the covid pandemic. Neighbours are so important to each other. Area planning has been picked up by a new chair and vice-chair and will have an important role in the future.

**County resources** – the re-organisation is putting a strain on systems during the setting up of the shadow authority. There will be less money and officer time, due to having to pick up additional workloads.

**Rural bus service** – the county's bid for central government funding to improve the rural bus service was unsuccessful. There will be future funding rounds and work will continue with the rural issues working group.

**Funding for potholes** – roads cannot be maintained to the standard we would like. Central government took 22% of the pothole fund during covid with the promise it would be re-instated this year. Instead, they have taken another chunk of the allocation. The county continues to push for it to be re-instated.

#### **District Council**

*Cllr Sharp reported on the following:*

**Transition period** – work has started on Voreda House, which is hoped can be a hub in Penrith when the new authority takes over, in the meantime services are running as usual but there is an additional workload for staff.

**Arts and Culture project** - there is to be investment into the arts and culture sector with the aim of supporting the community and stimulating the economy. Funding is to be made available to community groups.

**Funding for travellers' sites** – the government has opened a new fund to improve traveller sites including transit sites as part of the Levelling up programme. It might be possible to use this fund to improve the Tyne Willows car park.

The clerk asked if anyone from Eden council was able to attend the webinar on this.

*Cllr Hanley reported on the following:*

**Reports** – circulated with the minutes.

**Westmorland and Furness council** - newly elected cllrs attended an induction into their new role, with a detailed presentation on the current situation with county and district councils, funding and the future Westmorland and Furness council. The new unitary has a Liberal Democrat majority and will be based in Kendal.

### **3. Public participation**

*A report was given by representatives from the Nenthead Community project, which is now well established with a constitution, bank account and Facebook page. Officers have been appointed and there are 9 members. Fundraising began in April with a table top sale and coffee morning, with plans to organise other events. They hope to replace the damaged bench on the playing field and to re-purpose damaged benches. They have assisted with an identifying potential sites for the rowan and have a meeting with the Mine manager to discuss. They offered to organise a planting ceremony with Nenthead school. They continue to look for funding for the Nenthead Fountain using the condition report to identify what works are needed.*

### **4. Progress reports**

#### **4a/MAY/22 NWAS drop-in session and meeting with Neil Hudson MP**

Re: 4a/APR/22 The NWS notice of drop-in sessions to discuss the ambulance service on Thursday 12<sup>th</sup> and Friday 13<sup>th</sup> May have been posted to Facebook and the Co-op noticeboard. Director of Operations Ged Blezard and Gene Quinn Head of service for Cumbria and Lancashire will attend along with the Community Resuscitation Manager Mark Evans and Sector Manager for North Cumbria, Rhonda Stanger.

#### **4b/MAY/22 Queen Elizabeth II Platinum Jubilee purchases**

Re: 4b/APR/22 Eden District Council confirmed an offer of £1,000 towards the cost of Jubilee celebrations for Alston Moor. Some changes had to be made as, despite correspondence to the contrary, it was not possible to purchase the 50p coins. In consultation with the chair, vice-chair, and Cllr Robinson we have instead ordered medallions in a presentation case.

The two lime trees for Alston have been delivered to Cllr Robinson and the rowan tree for Nenthead should arrive this Thursday. The tree for Garrigill has not been ordered yet as the site is still to be agreed. Cllr Robinson and Cllr Green have made tree guards and plinths, are to be supplied by Hodgson Bros. The plaques will be made by Cllr Robinson.

#### **4c/MAY/22 Sale of garden land adjoining Tyne Willows**

Re: 4d/APR/22 A meeting with one of the residents to re-measure was held with Cllrs Robertson and Robinson to amend the boundary line between two properties and the residents informed of the revised costings. No further progress has been made.

#### **4d/MAY/22 Alston Conservation Area workshop re-scheduled dates**

Re: 4e/APR/22 A doodle poll has been circulated with potential dates for the Conservation Area workshop. The Conservation Officer is hoping to get more people to attend as only Cllr Robertson had indicated his availability.

The clerk was asked to re-send the poll. **Action Cl.**

#### **4e/MAY/22 Dereliction of properties in Alston**

Re: 11/APR/22 An e-mail was received from Eden District Council with an update on what is happening with the properties reported last month.

*Blue Bell Inn* – the property had planning approval for conversion in 2020 for three separate dwellings and work commenced. To ensure works are continuing planning wrote to the agent and registered owners to make them aware of the concerns regarding the external appearance. While the approved development is ongoing it is not considered reasonable to pursue formal action, but the situation will be reviewed, and the owner advised that it must not deteriorate further, as action in accordance with section 215 legislation will be an option.

*Steel House* – the owners have been contacted with a formal letter to make them aware of the situation and to seek voluntary co-operation to make improvements and resolve the visual harm. A response within 14 days was requested, after which a decision will be taken on what time is considered reasonable for undertaking the works. If no response is received it will be necessary to review and consider action under section 215.

*Salvin Cottage* – the owners contacted the council to seek advice, but no application has yet been received. Noted that the property is up for auction.

All parties have been made aware of the concerns raised regarding the appearance of their properties with the aim of encouraging fast work to remove the harm to the visual amenity. No action will be taken at this stage, but each case will be monitored, and should there be further deterioration that would warrant action under section 215 Town and Country Planning Act it will be reviewed, and appropriate procedures followed. Noted that residents have complained about a rat infestation at Steel House and that Salvin Cottage has sections of the roof loose that could come down across an access route for SKS.

Cllr Sharp advised that she report this to EDC.

#### **4f/MAY/22 Code of Conduct training**

All members are asked to sign up to the Code of Conduct training, those who already have done so will be contacted directly by CALC with sign up details.

#### **4g/MAY/22 Transfer of council funds to Unity Trust bank**

MAR/22 The application to the Unity Trust bank has been accepted and as soon as sufficient funds have been deposited in the account it should be possible to allocate payments out of the account.

Cllr Ho expressed concerns about internet security. The clerk confirmed that the laptop she uses has a virus checker and is not used by anyone else.

*Agenda for next month - new council laptop computer.*

## **5. Reports from representatives**

### **5a/MAY/22 NWAS Alston Moor Working Group**

It was reported that the last meeting was cancelled.

### **5b/MAY/22 Nenthead Ward**

A weekly surgery continues to be held, there was a complaint about potholes that has been followed up.

### **5cMAY/22 High Mill**

Cllr Robertson reported on progress with the working group whose members from Alston Moor Partnership are Sonia Kempsey and Gordon Monk. AMP would like to use the balance of the Townscape Heritage Initiative to fund some of the initial costs including a survey on the work needed to open the building to the public. The next stage will be to put together a package of works for improvements.

It was agreed that the council needs to be told officially of the amount left over from the THI. *Agenda for next month.*

Cllr Miller reported that he was willing to attend meetings as chair.

### **5d/MAY/22 Nenthead Fountain**

Report given under public participation section.

## **6. Planning applications**

**6a/MAY/22** 22/0243 Full application. Outline application for 2 dwellings with all matters reserved. Broadpot Hill, Potters Loaning, Alston CA9 3AD for Mr S. Bell.

**Recommended** for approval subject to the requirement from United Utilities that drainage has been fully investigated and sustainable options considered before accepting a surface water connection to the public sewer. Proposed by Cllr Grew and seconded by Cllr Davies. (nem con)

**6b/MAY/22** 22/0268 Cert. of Lawful. Certificate of lawfulness for the proposed installation of 0.6m dish antenna on existing 20m tower (at 19.6m), installation of 3.1m high ground-based cabin on concrete base, removal of existing cabin, and associated works. All works within existing operational substation. Electricity substation, Jollybeard Lane, Alston for Electricity North West.

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

**6c/MAY/22** 22/0310 Tree works (CA). Lime (1) remove epicormics growth and trunk growth to 5m. Sycamore (2) remove trunk growth to 5m. Lime (3) remove trunk growth to 5m. Sycamore (4) crown raise to provide 2m clearance of sub-station and overhead utilities. Alston Highways Depot, Chapel Terrace, Alston CA9 3SW for Emma Chapman – Cumbria County Council.

**Recommended** for approval. Proposed by Cllr Grew and seconded by Cllr Cooper. (11+ -1)

**6d/MAY/22** 3/22/9001 Erection of emergency stand-by generator and associated oil tank and fencing and ancillary landscaping. Grisedale Residential Care Home, Church Road, Alston CA9 3QS

It was reported that members had been unable to find the application on the County website, but that works appeared to have started.

**Recommended** for approval. Proposed by Cllr Grew and seconded by Cllr Robinson (11+ 1 abs)

## **7. Community Grant applications for Jubilee celebrations**

None received.

## **8. Queen's Platinum Jubilee – parish council plans**

***Tree planting*** – it was agreed that it would be good to invite the schools to send a couple of representatives to the tree planting ceremony. The schools close for half term on Friday 27<sup>th</sup> but decisions still must be made as to the best location.

Cllr Robinson suggested that one of the lime trees could be planted near the swing on Tyne Willows, and that he and Cllr Harrison could dig the holes if it could be done manually.

Representatives from Nenthead Community Project offered to contact Nenthead Primary to make arrangements for the tree planting ceremony at Nenthead Mines. This offer was accepted by the council.

Cllr Grew is contacting the Catholic Trust to ask about planting a Japanese flowering cherry on the village green, but as she has not heard back, they will wait until autumn for planting.

***Presentation of medallions*** – Cllr Miller offered to present the medallions to SKS pupils, the primary school and pre-school. Cllr Robinson agreed to make the presentation at Nenthead primary.

The clerk was asked to contact the school to arrange a suitable time and date. **Action Cl.**

## **9. Chair & Clerk's meeting with EDC solicitor to discuss training needs and understanding of procedures following Code of Conduct investigation**

Cllr Miller read a statement from the retiring chair's report to remind members that any accusations against other councillors must be substantiated and if deemed criminal should be taken to the appropriate body. Such issues should not be brought up in e-mails or council meetings and if unsubstantiated could lead to a civil slander claim.

The clerk reported that Eden District Council wrote to confirm that the Code of Conduct investigation was complete, and a decision taken that there were no breaches of the Code of Conduct, The Monitoring Officer recommended training and implementation of the Scheme of Delegation.

Members of the public who submitted complaints have been in contact to state they are not satisfied with the investigation and have written to Eden with their objections to the report.

The clerk reported that along with Cllr English she had attended a meeting with the solicitor, who pointed out that because several complaints dealt with accusations of fraud and corruption they could not be investigated as they would be a police matter. No evidence has been forthcoming of any wrongdoing.

A member stated that as someone who was involved with the group responding to EDC, they were disappointed by the report. The second letter from the Monitoring Officer was almost word for word the same as the first. Most of those who were reported under the Code of Conduct have left the council, and further training for current members will not resolve the harm done to individual reputations. Several councillors resigned because of the finger pointing and false accusations and it has caused a lot of mental harm, with consequences to health. The letter sent to EDC's Monitoring Officer and councillors asked why they made the comments they did. The residents have asked for an apology.

The current accusation of wrongdoing supposedly took place 10 years ago, Cllr Ho has failed to provide any evidence and if unable to do so a false accusation has been made.

**Resolved** that the council has full confidence in Cllr Robertson. Proposed by Cllr Robinson and seconded by Cllr Grew. (11+ 1-)

A request to hold an extraordinary meeting to discuss whether Cllr Ho had the confidence of the meeting and to consider whether make a formal apology to those people who resigned due to malicious intent was amended and it was:

**Resolved** to discuss as an agenda item at the next council meeting. Proposed by Cllr Ransom and seconded by Cllr Grew. (11+ 1 abs)

## **10. Consultations & Correspondence**

### **10a/MAY/22 Correspondence (Appendix 1)**

Circulated with the minutes. No comments were received.

### **10b/MAY/22 Summer holiday road closure of A689 at Nentsberry for road improvements**

An e-mail was received from the Coal Authority stating that the A689 between Nentsberry and Nenthall will be closed for up to 5 days starting Monday 25<sup>th</sup> July 2022. It is hoped the contractor will be able to open the road outside of working hours (8am – 5.30pm) to reduce the inconvenience and disruption caused. Other arrangements include maintaining the existing bus service by supporting a bus through the closed route once or twice a day.

It was observed that rather than use the official diversion some heavy vehicles might use Fiddlers as an alternative route with consequences for the road and verges and for cyclists on the C2C route.

Cllr Driver reported that Highways would be carrying out a safety audit on Fiddlers and would check to see if any additional signage could be arranged.

## **11. Accounts for payment (Appendix 2)**

<i>Summary of accounts for payment:</i>	£23,226.11
<i>Summary of income received since last meeting:</i>	£59,928.08
<i>Summary of accounts paid since last meeting:</i>	£1,123.75

**Resolved** that sufficient funds are held in balances for the clerk to be authorised to settle all the accounts listed in appendix 2. Proposed by Cllr Davies and seconded by Cllr Robinson. (11+ -1)

**12. Proposal to reduce the peppercorn rent on Tyne Willows Pavilion from £5 to £1 to enable VAT to be reclaimed on non-business activities**

The clerk reported that she had attended a useful training session on vat for non-registered councils and had enquired about the amount of VAT that could be reclaimed should the parish council go ahead with the improvements to the pavilion. There is no limit on the amount that can be reclaimed for non-business activities provided no more than a £1 peppercorn rent is charged to the Community Gym. The limit for exempt claims is £7,500 and vat for business activities cannot be reclaimed.

**Resolved** to reduce the peppercorn rent on Tyne Willows Pavilion from £5 to £1 per annum if the vat situation could be verified with the vat office. Proposed by Cllr Miller and seconded by Cllr Robinson. (11+ 1 abs)

**13. Q4 banking check – Cllr Miller**

Cllr Miller confirmed that checks he carried out on the councils banking arrangements was correct.

**Resolved** to accept the report on Q4 banking.

**14. Agenda items for next meeting and urgent business to report**

No additional requests were made.

*The meeting closed at 9.10 pm*

Signed: .....

Dated: .....