

Overview and Scrutiny Committee 1st April 2021.

Report by Michael Hanley.

Main points of interest to Alston Moor Parish Councils.

1. All parish councils are having difficulties with devolution of assets to parishes.
2. Covid has impeded work on devolution.
3. This committee might ask for a deferment of devolution by one year until 2023.

Present: Chair: Councillors: Doug Banks, vice chair: Michael Hanley, Joan Raine, Doug Lawson, Gordon Nicholson, Debra Wicks, David Ryland, Sandy Lancaster, Darell Smith, Deb Holden.
Officers: Les Clark and various other officers.

1. Quarter 3 Performance and Management Update.

Presented by Amanda Yellowley. The period covered was October to December 20. Targets have not been met in all areas due to Covid. The council had been diverted to other activities such as business relief. There are new staff in charge of the Zero Carbon Strategy. The council is working with other districts to develop a sustainable waste service. Progress has been slow in developing community engagement, cycling and Low CarbonD/Greening Eden Businesses. The council has been heavily involved with the local Public Health Test and Trace. I asked whether the council has received any help from the privatised Test and Trace scheme on which the government had spent about £22 billion to date. Amanda did not know. Joan Raine (JR) asked why a photo of Yorkshire had been used for an EDC publicity pamphlet. Amanda said she would send her comments to that department.

2. Scrutiny Annual Report

Doug Banks (DB) said he was disappointed. JR said there had not been a public consultation this year. Doug Banks said he would look into this. Gordon Nicholson (GN) said that there are inaccuracies and omissions in the report. We had a troubled beginning, there was a delay in getting things going. There has to be a division between scrutiny and the executive. No member of the executive should sit on scrutiny. There should be a separate report from the Budget Planning Committee. We have not had any members of the executive come to speak to the Scrutiny Committee. We need them to come to answer questions.

Elaine Martin (EM): How soon will we have face-to-face meetings? We have been told we have to restart them after the 6th of May.

Les Clark (LC): The government does not want to extend virtual meetings. This poses significant challenges, to meet health and safety considerations. It has been challenged by the Local Government Association.

Deb Holden(DH): As regards Gordon Nicholson's comment that no member of the executive had spoken to the committee, I remember Councillor Derbyshire (executive member) coming. I am hard of hearing and if you go back to the old style of meetings I won't hear anything at all.

MR: Councillor Banks, your report feels like a council report, it is not like a usual chairman's report.

DB: The LGA (Local Government Association) is coming this Spring to give more guidance on scrutiny.

The report was received.

3 Scrutiny Work Plan

This is a plan for the future agendas of the committee and what will be scrutinised. Planned subjects are: Section 106 funds, Fuel Poverty and Warmer Home, Local Plan, Eden Community Fund, Eden Housing Strategy and Waste and Recycling Collection Services.

David Ryland asked that the Green Portfolio holder come and tell the committee what is happening.

GN: The scrutiny committee has not been holding the executive to account. I have suggested we look at the One Eden but was told that there is nothing to scrutinise there. I also asked to look at Voreda House and was told that that was not appropriate. Also the future use of the Town Hall and Mansion House (both council buildings). We are not being involved and there has been no consultation with the public. There seems to be a fear of criticising the executive.

DB: I have been asking about Section 106 money for a year and have not received an answer. We could put it at the top of the agenda of the next meeting.

GN: The next meeting is in three months. I suggest we set up a subgroup looking at the comments from tonight and the committee is presented with new items to scrutinise.

LC: Councillor Nicholson is proposing another meeting as soon as possible.

GN: I suggest a representative group of members get together, like a task and finish group to develop a work programme.

The committee voted for this.

4 Devolution of Assets to Parish and Town Councils.

This has been policy since July 2017 with two purposes: local choice on provision and specification of discretionary services and to focus on the reduced government spending on statutory services. There has been a tapering of funding to parishes for assets from 100% to 0% by March 2022, tapering by 25% per year.

Assets to be devolved: Public toilets, amenity land, footway lighting, monuments, play areas, seats and benches, parks and open spaces.

Footway lighting: Transfer complete in 39 parishes, ongoing in 9, not wishing to transfer in 10, yet to confirm position: 7, total 65. By March 2022, any lights that have not been transferred will be removed when they fail.

Public Toilets: Transfer complete: 4, ongoing discussion: 5, do not wish to transfer: 1, total: 10. Any toilets that are not transferred by March 2022 will be closed.

Play Areas: Transfer complete: 4, ongoing discussions: 13, do not wish to transfer: 20, total: 37.

Other Assets: These are boys shelters, seats and benches, memorials and playing fields. If the parish does not take in these EDC will continue to fund them beyond March 2022.

Discussion point: should timescales be extended to March 2023 to allow catch up because of Covid?

DB: If the unitary authority comes in, the small parishes will have to look after more assets.

LC: Some town councils have more capacity. Some parish councils look after a lot more than others. CALC have been doing a lot of work with parish councils. We don't know what will happen with local government reorganisation yet.

EM: At Heskett we took on the lighting. We thought any lighting we didn't take on would be removed immediately.

LC: The lights will only be taken away when they fail. DH: 10 parishes want to take on footway lighting. What is a footlight and what is a street light? We need to know this. Some parishes say they want to have dark skies. I think of public safety especially in light of the recent murder of Sarah Everard.

LC: If a light lights a highway, they are generally the responsibility of the County Council.

Footways are paths that are not classified as highways.

GN: It's extremely complex. The history goes back to the generosity of the Penrith and Rural District Council back in the 1930s. Parish council views comes down to their finances and if they are willing to raise their precept. A lot of parish councils are reluctant to do this. There isn't a template solution, every council is different.

Sandy Lancaster: I sit on Kirkby Stephen Parish Council and we have had a problem with taking on the public toilets. It's a common problem across parish councils in Eden. It's been stuck in legal.

LC: There have been delays in the last year. This committee could look at an extension of the policy, whether the level of funding would need to be extended. If legal blockages have caused problems, extending the period would help unblock these.

MR: Our play park is getting shabby. A group of mothers are looking at raising money to help. Where should they come to get permission to improve the park.

LC: I will have to get back to you on that.

DB: We have had this. The group didn't approach EDC, just the parish council and got in with it.

LC: This may be one of the areas for consideration for the task and finish group.

Next Meeting: July 2021.