

## 2 August 2021 – Ordinary Meeting of Crosby Ravensworth Parish Council

CROSBY RAVENSWORTH PARISH COUNCIL – WORKING FOR THE COMMUNITY

[www.crosbyravensworthparish.org.uk](http://www.crosbyravensworthparish.org.uk)

Clerk to the Council: Christian Barnes, West House, Tenter Row, Crosby Ravensworth, Penrith, Cumbria, CA10 3HY. t. 07584 251 448, e. [clerk@crosbyravensworthparish.org.uk](mailto:clerk@crosbyravensworthparish.org.uk).

At Crosby Ravensworth Village Hall. Starting at 7:00pm

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Councillors: Cllr J Raine (Vice Chairman), Cllr V Holroyd, Cllr R McIvor, Cllr D Hewitt, Cllr A Beatham, Mr C Barnes (Clerk).

L Tremble (Monitoring Officer, Eden District Council)

3 members of the public were present

### 021/21 **Election of Chairman.**

David Hewitt was elected Chairman (1<sup>st</sup> JR: 2<sup>nd</sup> RM) with a unanimous vote.

He agreed to sign the Declaration of Acceptance of Office.

DH thanked the previous Chairman for his excellent service and the great amount of effort he had invested in the council's affairs. He felt that it would be difficult to follow such a good example. As he was unable to make the same commitment of time to the council, he proposed to share out tasks more than the previous Chairman and hoped that he could count on councillors' support with this approach going forward.

David Hewitt would attend the course (regularly run by CALC) for 'New and Aspiring Chairmen' at the first opportunity.

The council unanimously SUPPORTED a vote of thanks to the previous Chairman.

It was AGREED to write a letter of appreciation to the former Chairman.

### 022/21 **Apologies and Declarations.**

Apologies had been received from Cllr Neil Hughes (CCC).

Cllr Beatham declared an interest in Agenda Item 20 Maulds Meaburn Village Shelter Repairs.

### 023/21 **Resignations/Casual Vacancies.**

Councillors regretted the recent resignations. As well as the former Chairman, Stuart Roberts resignation was agreed to be a loss as it was felt that he would have made a good contribution to the council had he remained.

Having given proper notice to the Monitoring Officer the Clerk was authorised to advertise the casual vacancies arising from the resignations of Stuart Roberts and David Graham for co-option with a closing date for applications of 30 August 2021. It was agreed that applicants would be asked to write a brief statement outlining their reasons for wanting to join the council and the Clerk would check eligibility criteria.

### 024/21 **Public Participation.**

A member of the public with legal expertise was present and offered to deal with documentation on the council's behalf in respect of the assent form (AS1) received from Arnison's for the bequest of Holly Cottage (Agenda Item 14). It was noted that a reference in it to the Charges Register would need to be corrected (because the property was currently unregistered) however the pagination would allow for signature of the forms this evening and could be returned subject to the agreed correction being made. A further offer to prepare documentation for

registration of first title at the Land Registry was made. Not being represented by a solicitor, ID would need to be certified by an independent solicitor at a minimal charge and land registry fees would be incurred. The member of the public was thanked as the savings on professional fees to the council arising from this volunteered role would be substantial.

The Council AGREED that the member of the public could correspond with Arnison's directly on the council's behalf over form AS1 and any issues related to the transfer and first registration of Holly Cottage.

- 025/21 **'Councillors Matters'**. A councillor had suggested that 'Councillors Matters' be added as a standing agenda item to allow councillors to introduce matters to the meeting without prior notice. Councillors had adopted the practice of introducing matters brought to their attention by members of the public under public participation. Advice had been obtained by a councillor from the Cumbrian Association of Local Councils that for councillors to introduce items to the meeting under public participation was improper as they were 'always a councillor'.

Councillors were cautioned by the Monitoring Officer that because a standing item 'Councillors Matters' would conceal rather than specify the business to be transacted from the public, who should be able to rely on the agenda to determine the content of a meeting, it would not be possible to make lawful decisions on matters raised in this way.

A councillor referred to the preference to avoid the inclusion of 'any other business' on an agenda for the same reason.

Councillors were reminded by the Clerk that each set of draft minutes was issued with a request for agenda items to be submitted by councillors before the agenda meeting, usually 4 working days before the meeting. The agenda was determined by the Chairman and items would be included at the Chairman's discretion.

The council had in the past had an item 'Future Agenda Items' at the end of its meetings. This had not been a success.

The Clerk had discussed the desirability of discontinuing the practice of councillors introducing items under public participation with the former Chairman and had devised a form which councillors could use to submit agenda items prior to the agenda meeting for review. This could easily be adapted to allow members of the public to submit items for public participation.

It was AGREED that councillors would submit items for the agenda to the Chairman or Clerk in line with proper practices for Local Councils. The Clerk would share the form for use/comment.

- 026/21 **Correspondence**, had been received in respect of the minuting of the tree felling incident discussed at the April and May meetings and in relation to the publication of an article in the Lyvennet Link.

It was agreed to reply with a draft copy of this evening's proceedings regarding the minutes of the 12 April 2021 and to acknowledge the correctness of the correspondent's assertion that the minutes should have been resolved in the meeting in line with the Council's Standing Orders.

- 027/21 **Minutes**, the Chairman was authorised to sign the minutes of the three meetings held on the 6th May 2021 as a true record.

After extended discussion. It was decided that the clerk would produce annotations to the minutes of the 12 April 2021 for approval at the next meeting to refer:

- To the report given to the council that advice was given to the landowner by an arborealist that the tree was unsafe and needed to be felled.

and

- To note that on the 12<sup>th</sup> April during discussion of the matter a councillor had maintained that the matter should not have been discussed by the council on the grounds that it was a private matter and not council business.

028/21 **David Graham's Handover Notes.**

MMVG

- A. RM would report learning re Green Spaces as and when matters arose.
- E. DH would action the outstanding issue of regarding the removal of the watermain crossing bedrock at Green End.
- F. Outstanding correspondence regarding non-transferrable- parking arrangements at Old Chapel would be resent to the owner as the property was known to be on the market and a future buyer should be appropriately advised (Clerk).
- G. Mill Race Sluice Gate. VH to pursue enquiries with Westmorland Dales over permissions and repairs.
- H. Flass House, Deposit of materials relating to repair of private road on the VG, Clerk to write.
- I. RM Tree Planting on MMVG re Anniversary celebration to progress.

Highways

- A. Clerk, Contact Highways again re dangerous fencing outside school.

Emergency Plan

- A. JR to revise, copy available here:  
<https://crosbyravensworthparish.org.uk/wp-content/uploads/2018/08/CRPC-Emergency-Plan-v2.pdf>

Lowther Forestry

- A. VH to review re plans re Aspen/Poplar avenue to bring to next meeting re update/minute.

Village Shelter Reagill

- Clerk to instruct removal of ivy .

Secure Document Storage

- Clerk to Purchase 2 drawer lockable steel cabinet for the Archive for confidential documents.

029/21 **Review of Standing Orders**, it was AGREED to review and adapt the current NALC model Standing Orders (2018 2020) as a basis for the Council's Standing Orders and review/adopt in 2021/22. (Clerk to action)

030/21 **Planning (EDC) 21/0386**, COPPER BEECH LODGE, SHAP PENRITH, CA10 3QX, Formation of riding arena and regrading of land. SUPPORTED.

031/21 **Planning (YDNP) E/03/61**, Dryevers Cottage, Maulds Meaburn, PENRITH, CA10 3HX. Householder planning permission for erection of two-storey side extension. SUPPORTED.

032/21 **Planning (YDNP) E/03/21B/LB**, Oddendale Hall, Oddendale, Shap, CA10 3LH.

Listed building consent for internal and external alterations including re-roofing; re-instatement of missing chimney; repair and replacement of windows/doors; removal of cement render and re-render with lime; internal works to ceilings, walls and floors. SUPPORTED.

- 033/21 **Planning (YDNP) E/03/15/LA**, Holesfoot, Brackenslack Lane, Maulds Meaburn, CA10 3HX. Listed building consent to upgrade eight existing internal doors at ground floor, four existing internal doors at 1st floor and creation of one new internal door at the head of the basement stairs; to seek compliance with fire ratings. SUPPORTED.
- 034/21 **Planning (YDNP) E/03/62A**, Trainlands, Maulds Meaburn CA10 3HX. Full planning permission to roof over an existing open feed yard to create new building for livestock housing and storage of farm manure. SUPPORTED.
- 035/21 **Planning (YDNP) E/03/63**, Croft House Lodge, Maulds Meaburn, CA10 3HN. Householder planning permission to replace existing flat roof kitchen extension with proposed pitch roof extension; uPVC windows and doors to be replaced with timber windows and doors. SUPPORTED
- 036/21 **Planning (YDNP) E/03/65**, Flass House, Maulds Meaburn, Penrith, CA10 3HN. Householder planning permission for replacement of former orangery. SUPPORTED.
- 037/21 **Planning (Winter Tarn Complaint)**, Councillors were dissatisfied with the response to the complaint about planning which was said to be a 'whitewash.' It was agreed that the response was structured along technical and procedural lines and did not acknowledge the exchange of local information offered by the council to planners. The Clerk would feedback that the council's concern had been that piecemeal development applications had concealed the overall scale of proposed development on the site from planners and that opportunities to control development had been lost. Feedback and local knowledge from the Local Council had been either ignored or discounted by planners and senior officers and lost to the planning process. Overall, three different planning officers had separately determined different applications relating to one development site and attempts to engage with senior officers over the council's concerns as a single site had produced no meaningful result.
- It was AGREED that it would not be a productive use of time to pursue the complaint further as it was felt that no improvement would be secured by doing so.
- 038/21 **Planning (Local Plan Partial Review)**, The Clerk had downloaded the questionnaire, the partial review would inform planning policy over the next 5 years including under the new Unitary Authority that would replace Eden District Council in 2023. VH would respond on the council's behalf before the 12 August.
- 039/21 **Holly Cottage**. It was RESOLVED resolve to accept the bequest of Holly Cottage from the Estate of the late Ted Relph.
- 040/21 **Holly Cottage**. (Assent Form AS1)  
The form was signed in the meeting by the Chairman and Vice Chairman and

would be passed to the legal volunteer to liaise directly with Arnison's.

- 041/21 **Holly Cottage.** (Date of Transfer)  
The Clerk would advise the council of the date of transfer in due course the Clerk was instructed to insure the property on transfer for vacant occupancy/construction with the council's existing insurers.
- 042/21 **Holly Cottage.** (First Registration of Title)  
A quotation had been received for the legal work involved in making a first registration of title for Holly Cottage and had been circulated to councillors before the meeting. The council had however accepted the offer from a member of the public during public participation to do this on a voluntary basis saving the costs of professional fees. It was noted that a plan of the property attached to the 1953 conveyance of the property was included in the papers.
- 043/21 **Holly Cottage.** (Project Management, refurbishment)  
VH. Would take on the project co-ordination role, review the 18<sup>th</sup> January report on Holly Cottage and update if necessary, and would report periodically to the council. The council's financial regulations would need to be observed. The RFO was unwilling to rely on VAT Guidance notes available online and wanted to offset the risk of significant error by specialist taking advice. He would approach Lewis Surveyors for advice as to an appropriate specialist in the first instance.
- 044/21 **Ted Relph Memorial.** Proposals included A Bench, A Walnut Tree, A Dialect Carving based on the wording attached to the gate/cattlegrid at Slack Randy by Ted, A plaque on Holly Cottage when the refurbishment was complete. The memorial proposal would come back to a future meeting for decision.
- 045/21 **Maulds Meaburn Village Green. Unauthorised Encampments.**  
Police had added Maulds Meaburn to their daily rounds monitoring encampments associated with Phase 1 of the Appleby Fair from today. Councillors were asked to alert residents to the need to make a record of encampments, record vehicle registrations and to report these directly to Police. The Clerk would forward RM contact details for the Police.
- 046/21 **Maulds Meaburn Village Shelter.**  
Cllr Beatham left the room for discussion of this item having declared an interest. Two quotations had been received for the repair of the shelter the lower of the two was accepted at £310.
- 047/21 **Maulds Meaburn Village Green, Update.**  
The report dated 25 February 2021 was reviewed. Highways had received reports for action. The Clerk would follow up with BT over the broken cover requiring resetting and rotten fence tops. Highways would be approached in the first instance. YDNP had been checked by the Environment Agency over their plans to repair the river banks and build back using willow. Other matters had been dealt with from the former Chairman's handover notes.
- 048/21 **Police House Maulds Meaburn, Fence Repairs.**  
The Clerk was authorised to make arrangements for the repair of the fence at the Police House provided that the costs were below £500.

- 049/21 **Reagill Village Green.**  
The Council noted that First Registration of Title at the Land Registry had been completed under the number CU321100. The class of title given was 'Title Absolute'. The Asset Register would be updated with this information.
- 050/21 **Finance.** The First Quarter Bank Reconciliation and List of Payments and Receipts was approved. The receipt of the precept and a planned increase in Police House rent was noted. The closing balance was £33,979.24
- 051/21 **Finance.** The First Quarter Budget Monitor was approved. The RFO expressed a view that the budget might have to be revised as the Holly Cottage project was progressed as completion within the financial year may not now be achievable. Currently the council was projecting expenditure of £168k against a previous year figure of £15k. The Holly Cottage project would be financed with Public Works Loan Board funding.
- 052/21 **Review of Bank Mandates, Penrith Building Society.**  
1. Police House Reserve (DH/RM/DG/CB)  
2. General Reserve (DH/RM/DG/CB)  
3. Maulds Meaburn Recreation Ground Trust. (DH/RM/DG/CB)  
Following David Graham's resignation, it was resolved to remove him as a signatory to these accounts and replace him with Cllr Holroyd.
- 053/21 **Review of Bank Mandates, Cumberland Account.**  
Current (DH/RM/DG/CB)  
Following David Graham's resignation his online account access had been suspended on the 2<sup>nd</sup> June. It was resolved to remove him as a signatory to the account and replace him with Cllr Holroyd.
- 054/21 **Crosby Ravensworth Fell Fencing/Cattle Grid.**  
A local resident had had a fall here. It was noted that works were due to begin and the hazard would be dealt with.
- 055/21 **Crosby Ravensworth Play Area.**  
A councillor advised that new equipment had been identified at a cost of £60k from a single supplier by the fundraising group. Councillors felt that this figure was far too high. At a previous meeting the council was asked if would act as 'accountable body' for the receipt & payment of funds to replace playground equipment and the recovery of VAT. It had been agreed at that time that the group would research their proposals further and present them to the Parish Council for consideration at a future meeting.

The council was updated regarding the play area lease. Arrears of rent had been paid after a change in the council's current account provider had resulted in the suspension of the standing order. The standing order to pay the rent annually in December had been reinstated. Having consulted their agent the landowner had now confirmed that they were willing to extend the existing lease to facilitate the installation of new equipment.

Annual Revenue costs would be incurred by the council in continuing to provide this facility in respect of Insurance, Liability, Training, Inspections etc. Concern

regarding the oncosts, expense and liabilities involved were expressed. Currently these overheads were absorbed by Eden District Council, after unitarisation the council could not continue to rely on this being the case.

The RFO advised that the Council's turnover would be significantly extended by the Holly Cottage refurbishment. Taking into account the costs of the play area project the council could have a turnover of £235k up from a baseline of £25k. a consequence of exceeding the £200k threshold would be an intermediate audit and an increase in external auditor fee in the range of six to eight hundred pounds. The council's financial regulations would need to be observed in relation to procurement and installation of of Play Equipment.

It was RESOLVED that this matter would be the subject of an options appraisal/report to council that took account of the issues raised and the impact on the council's finances. It was AGREED that advice on VAT recovery could be obtained at the same time as in respect of Holly Cottage. The RFO was unwilling to rely on VAT Guidance notes and wanted to offset the risk of significant error by specialist taking advice.

056/21 **Highways, Dualling of the A66.**

The Parish Council had been approached by the Chairman of Long Marton Parish Council who had forwarded material prepared by the Highways Agency regarding the management of local & through traffic at Long Marton Road Ends. Proposed arrangements (Orange Route 012) were in contradiction of an earlier announcement (downloaded 14/07/2021) stating that access east and west would be maintained for local traffic at Long Marton road ends. The Orange Route would mean that local traffic heading south from Long Marton would be routed into Appleby an additional 7 miles per journey.

It was RESOLVED that the council would write to support Long Marton Parish Council in their endeavours to have this issue addressed by the Highways Agency with the addition of slip roads onto the A66 at the proposed bridge to be located at Long Marton Road Ends. The council was in agreement with Long Marton that the current proposal was not acceptable to the local community.

057/21 **PC Speedy.**

PC Speedy had reappeared in Reagill having been stolen from Maulds Meaburn. The parish council's lock had been replaced and the back overpainted white with new text 'Reagill Bobby' daubed in black obscuring the words 'property of Crosby Ravensworth Parish Council' which had been written on the reverse. The lock owned by the Parish Council had been removed and a new lock installed. The former Chairman recognised the backing board and bracket as his work. PC Speedy had been repossessed and would be back in the councils' service soon!

058/21 Date of Next Meeting: September 6<sup>th</sup> 2021.

Chairman's Signature..... Date