

## 1 November 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 7:30pm

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

3 members of the public were present.

Cllr N Hughes CCC (Part).

Cllr N McCall EDC

075/21 **Apologies & Declarations of Interest.** None.

076/21 **Minutes.** The Chairman was authorised to sign the minutes of the meeting held on the 6<sup>th</sup> September as a true record. The Clerk noted a fault in the numbering of minutes from 20/21 when the year and number suffix had been accidentally transposed. It was agreed that this would be amended.

077/21 **Code of Conduct Complaint against Cllr J Raine.**

Councillors had received the notification and decision letter dated the 7<sup>th</sup> October 2021 issued by the Monitoring Officer and circulated to councillors by email on the 15<sup>th</sup> October and noted its contents.

The Monitoring Officer reported that the Assessment Panel had found two breaches of the Code of Conduct.

The decision letter was not read out.

Cllr. Raine accepted that she had breached the Code of Conduct and hoped to be permitted to make a statement in connection with it at a later point in the agenda.

A councillor queried the appropriateness of including this item on the agenda as no decision was required in respect of it.

078/21 **Correspondence received from the former Chairman, David Graham.**

A councillor felt that the agenda should not have named the former Chairman and that the agenda item should simply have been titled 'Correspondence'.

After discussion of the appropriateness of the agenda item and a vote (5 in favour) as to whether the letter should be read out, it was decided that the letter would be read out in the meeting.

Councillors noted that the letter recorded David Graham's 'total dissatisfaction' with the decision made by the assessment panel regarding his complaint submitted on the 16<sup>th</sup> June 2021 and that 'my complaint is not closed and that a further review is underway'.

It was agreed that David Graham's meeting with the Monitoring Officer had taken place on the 21<sup>st</sup> October and not on the 21<sup>st</sup> September as stated in the letter.

The letter attached an email sent to David Graham by Cllr Raine on the 22<sup>nd</sup> October regarding arrangements to meet in person following an instruction to her to make an apology to David Graham which was also read out at the request of a councillor.

079/21 **Statement from the Clerk regarding his Code of Conduct Complaint.**

The Clerk spoke to a prepared statement as follows:

“This is the first notice that the Parish Council has had that I have made a Code of Conduct Complaint against Cllr Raine following the resignations of David Graham and Stuart Roberts from the Council in May 2021. This statement concerns only matters/opinion regarding the handling of the complaint made by myself and is not concerned with the content of the complaint which is a matter for the Monitoring Officer. Over four months have elapsed since the submission of my complaint to Eden District Council (on the 25th June) receipt of which was acknowledged to me as complainant (but not ‘notified’ to the Parish Council) in a letter dated the 23rd July. From an email received on the 7th October I learned that this complaint had not yet been considered by an Assessment Panel. I met with the Monitoring officer on the 21st October to discuss the reasons for the delay.

I will not withdraw this complaint and I would like it to be determined.

The management of my Code of Conduct Complaint against Cllr Raine has not followed Eden District Council’s own published procedures which require an ‘Assessment Panel’ to be convened within 20 days and it has therefore not been possible for me to execute the procedures set out in our Standing Orders since the submission of my complaint which anticipate that the complaint will be dealt with in a timely fashion. I feel that the management of the Code of Conduct complaint process has been unfair to me.”

080/21 **Parish Council Response to the Breach of the Code of Conduct. Councillors considered Standing Order 14.d.**

'Upon notification by the District Council that a councillor or non-councillor with voting rights has breached the council’s code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office’.

Cllr Raine reported having spoken to the Monitoring Officer earlier in the day and reported receiving advice that conflicted with advice previously given to the council as to the council’s ability to withdraw the Office of Vice Chairman. It was agreed that the Clerk would write to the Monitoring Officer for clarification.

081/21 **Vote of ‘No Confidence’ in Cllr Raine**

Cllr Raine accepted that she had breached the Code of Conduct and then spoke at length around the personal concerns that had informed her behaviour. Cllrs noted her acceptance of the breaches and rejected the mitigation advanced by Cllr Raine. After extended discussion the vote of no confidence (1<sup>st</sup> DH: 2<sup>nd</sup> VH) was supported by 5 councillors and was therefore passed.

082/21 **Planning EDC.**

21/0773. EAST VIEW, REAGILL PENRITH, CA10 3ER

Proposed two storey gable and rear elevation ground floor domestic extension. The council SUPPORTS the application.

- 082/21 **Planning YDNP.**  
E/03/67. Woodfoot, Crosby Ravensworth, CA10 3JR  
Full planning permission for erection of livestock building.  
The council SUPPORTS the application. It was felt that planners should be satisfied that drainage arrangements were satisfactory.
- 083/21 **Planning YDNP.**  
E/03/54A. Amended application (Notified 24 September 2021). Full planning permission for change of use of part of agricultural field to erect a double garage with associated access and parking at 15, Stoneworks Garth, PENRITH, CA10 3JE. The council objected this proposal at its meeting on the 8<sup>th</sup> January 2021 (096/20) on the basis that the application was incorrectly certificated and that permission to develop on part of the land had not been procured. The council did however agree to support the principle of development on the site. The amended application addresses these concerns and the council has been made aware that the appropriate permission has now been procured. On this basis the council is happy to SUPPORT the application and withdraws its former objection.
- 084/21 **Bonfire.**  
The council noted that the informally organised Bonfire would be going ahead on Friday evening and that refreshments would be available at MMVI. It was agreed that the damaged and rotten bench in the playground would be burned on it.
- 085/21 **Date of Next Meeting:** 8 November 2021 at Crosby Ravensworth Village Hall.
- 085/21 It was RESOLVED to exclude the press and public (with two exceptions) by a resolution of the council on the grounds that publicity would prejudice the public interest by reason of the confidential nature of the business in respect of the following agenda item. The complainant who had been invited to attend was not present, a member of the public who had advised the council on the matter that was the subject of the complaint was invited to remain and participate.
- 086/21 **Resident's complaint referred by MP.**  
Confidential minute.
- 087/21 **MMVG Legal Arrangements.**  
Confidential minute.
- 088/21 **Clerk, Employment Grievance.**  
Confidential minute. The Clerk was absent for this discussion.

<ends 10:25pm>

Chairman's Signature..... Date