

8 November 2021 – Ordinary Meeting of Crosby Ravensworth Parish Council

CROSBY RAVENSWORTH PARISH COUNCIL – WORKING FOR THE COMMUNITY

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.

At Crosby Ravensworth Village Hall. Starting at 7:30pm

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

1 members of the public was present.

089/21 **Apologies.**

Cllr R McIvor – Health Reasons.

Cllr N Hughes. CCC.

090/21 **Declarations of Interest.**

None.

Cllr Raine's involvement with the yet to be constituted play area group was noted.

091/21 **Governance Review.**

The Emergency Plan had been reviewed and updated with reference to GDPR compliance (personal information removed) and risk generally. Functions the council could not deliver or which were delivered by volunteers ('nice to haves') had been excluded leading to a shorter plan focussing on what the council could deliver. The lead contact would be replaced with a mobile number which councillors would circulate on a rota.

The document would be circulated in draft to councillors.

The council's other policies & documents had been examined and issues that should be resolved had been identified in the process including procurement (tender thresholds/references to EU Procurement no longer applicable etc.)

It was AGREED that an incremental process of policy review led by Cllr Ridgway would be implemented over the next three months culminating in the adoption of revised Standing Orders/Financial Regulations prior to the year end in March 2022 would be developed as follows:

- GDPR Compliance (Privacy Notice)
- Code of Conduct
- Equality and Diversity Statement
- Bullying and Harassment Statement
- Standing Orders and Financial Regulations

Where training needs were identified it was anticipated that these could be addressed through Eden District Council/Calc.

092/21 **Holly Cottage Update.**

An email update (from Cllr Holroyd) had been circulated regarding Holly Cottage

1. Registration of the property was pending the completion of an easement from the neighbouring property.
2. The transfer of the Utilities accounts (including electricity feed in tariff) was underway.
3. The asbestos survey had identified two only issues (Cystern & Flue) that would require non specialist involvement in removal, double bagging and

- liaison with Flusco recycling / disposal centre.
4. Estimates for the building works were coming in with one provider yet to complete their figures. An analysis was being prepared for discussion decision in the new year. Councillors should be prepared for a 20% uplift in net project costs. It was anticipated that this would require a review of the proposed term of the PWLB loan and proposed rental costs.
 5. Advice regarding VAT indicated that delaying the project start to after March 2022 would have the consequence of reducing the rate of VAT from 20% to 5% a substantial saving.
 6. A Zoom meeting with planners had been highly instructive with a clear go ahead to remodel the porch without losing any permitted development rights, to widen the gate, to replace wooden windows with UPVC etc.
 7. 12 people had come forward to help with the management of the garden and had made a substantial impact clearing growth.
 8. The position of the trees in the garden had been sketched/noted and on this basis, discussion had taken place with the YDNP's acting trees officer as to their management needs. The acting trees officer was not proposing to place a TPO on the Monkey Puzzle Tree but had expressed the view that it should be retained/managed. He was proposing to write to the council before leaving the authority with a letter enabling requested actions/management re pruning and removal of a dead chestnut tree which would require a replacement tree to be sited in the garden somewhere. It had been suggested that this might be a walnut tree planted in memory of Ted Relph.
 9. A request to buy the old stove had been received and Councillors AGREED that the old stove could be disposed of.

093/21 **Play Area.**

Feedback was given on the play area coffee morning (Cllr Raine) where a questionnaire seeking feedback and an indication of support had been circulated.

1. A copy of the questionnaire was circulated at the meeting for councillors to consider and complete.
2. A photomontage had been prepared and arrangements were being made to site it in the Village Hall.
3. The play area group had not decided to constitute itself at their last meeting which had not been fully attended as a consequence a bank account had not been opened.
4. Cllrs noted the VAT advice referred to on the agenda (Agenda Item 12) had significant implications for how the project was set up and delivered to maximise Vat efficiency. The Parkinson Partnership had been critical of the idea of an independent group delivering the project. As things stood the council had not yet made a resolution to proceed with the refurbishment as a parish council project.
5. The RFO raised concerns that the two projects (Holly Cottage £180k/Play Area £42k) if delivered simultaneously would amount to a significant combined value of capital expenditure net of vat. Budgeting and planning for VAT properly would be important to both projects. In Vat terms the treatment of the two projects was very different with the play area project being relatively straightforward.
6. A councillor proposed that an alternative approach to replacement could be developed whereby the council replaced specific items of play equipment on a piecemeal basis (one at a time) as funds became

available.

7. It was accepted that the impact of Local Government Reorganisation would be significant potentially generating windfalls to the benefit of the play area in the short term (before March 2022) and presenting difficulties over management arrangements (liability, inspection, maintenance and insurance) in the long term which might fall upon the Parish Council directly.
8. Cllr Raine confirmed that Eden's management commitments were under a contract that was due to end in 2027.
9. A member of the public present and connected to the project anticipated that it might take up to 6 years to raise the funds required to deliver a project of the value described.
10. A councillor would approach a former professional contact and the clerk regarding VAT issues

094/21 **Devolution of Services.**

Cllr Raine reported on Eden District Council's project Devolution of Services vis

1. Footway Lights (to be decommissioned/withdrawn in March 2022).
2. Play Areas not relevant to Crosby Ravensworth.
3. Toilets not relevant to Crosby Ravensworth.

It was noted that the Parish Council had not supported the principle of its adopting the footway lights and associated costs to maintain the service going forward.

095/21 **Tree Works MMSG.**

The clerk deplored a series of inappropriate & undermining emails addressed to him and circulated to all councillors which had been received from a councillor immediately prior to this meeting regarding the felling of a Sycamore (T33) adjacent to School House and other matters relating to Maulds Meaburn Village Green.

Councillors were reminded that the felling of this tree had been identified as an item in the priority 1 group following the tree survey done in January 2021 as follows:

'T33 – Sycamore, this tree has been in decline for a number years of and has historical decay from Ganoderma as well as soil compaction and disturbance from renovation of the adjacent Old Chapel [Old School]. The risk to the adjacent property and highway would necessitate its removal as the tree is becoming increasingly unstable (P1)'

This report had been presented to the parish council's meeting on March 1st where priority 1 & 2 works had both been approved without dissent from any councillor present (MMRGT 143/20.4). The works had been delayed pending the outcome of a tree works application (to fell) to YDNPA which had been submitted by the contractor in May 2021. Approvals had been delayed owing to staff changeovers at YDNPA and the application to fell had been granted only in September following which the tree had been partially dismantled pending the possible sale of firewood which it was intended would defray the MMRGT's costs in having it felled. It was explained by the Clerk that the trunk had been left standing so that the sward beneath it was not damaged while the sale of wood was being organised.

1. It was AGREED that the wood would be offered for sale via sealed bids to be opened at the December meeting.
2. Councillors AGREED that a condition of sale would be that sawdust arising from logging would be removed from and not allowed to stand on the green.

096/21 Tree Works MMVG.

A quotation had been received for the felling of the large mature dead sycamore (T16) opposite Hill House which had been reported to the council by the Clerk at its meeting on September the 6th. This tree's sudden death was a surprise. Decline had not been noted previously and enquiries had been made from the acting trees officer at YDNPA as to possible causes. It had been confirmed that this could happen and that the tree may have been stressed by lack of water in the early and mid part of the season. As the tree had died YDNPA had confirmed in a phone call that no consent to fell was required. It was however requested by YDNPA that a new tree be planted to replace it.

Unfortunately, the tree was in a very inaccessible location on a steep bank, it was very large and withdrawing branches uphill to the road side would be difficult. The quoted cost was £1,195+vat.

It was AGREED to fund this cost from the Maulds Meaburn Recreation Ground Trust's resources and to instruct the works to take place outside the nesting season.

097/21 Police House Fence.

Consent had been given in a phone call from the YDNPA's Acting Trees Officer for the felling of the hedge at the Police House. This would enable the installation of a new post and rail fence as authorised by the council on the 1st August. YDNPA had requested that a new hedge was planted inside the fence of a variety of suitable native species.

It was AGREED to approach the trees group over this.

098/21 MMVG Tree Planting.

YDNPA's Trees and Woodland Officer had offered £2k of funding to fund the planting of established trees together with protective cages. The funding could be disbursed directly to a supplier on the council's behalf.

1. It was AGREED to accept the funding on terms to be arranged with the Clerk and to receive a report for approval in due course.

099/21 MMVI Platinum Jubilee.

MMVI had suggested the planting of a commemorative tree on the Green to celebrate the Queen's Platinum Jubilee. The Clerk had discussed this with the Trees and Woodland Officer at the YDNPA in connection with the above and the proposal to plant a Silver Leaved Tree as part of the planned works had been made. It had been agreed that the tree should be planted at an appropriate time but that a plaque unveiling/dedication might take place at the time of the Jubilee itself. The Clerk would report back.

Councillors noted recent requests from the Bell Family and the Family of the late

Maureen Newrick both long term residents of the village for commemorations on the Green which the Chairman was authorised to progress by direct negotiation.

100/21 Correspondence.

1. A letter of objection had been received to the proposal to fell the Monkey Puzzle tree at Holly Cottage. Community engagement with the garden and project was welcomed by the council and it was AGREED that the objection should be respected.
2. A letter requesting a donation from the Fell Runner Bus had been received and it was AGREED 'in principle' to make a donation at a similar level to last year.

101/21 Finance.

The Second 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 £32,822.21.

102/21 Finance.

The Second Quarter Budget Monitor was APPROVED. The RFO expressed the view that the budget would have to be revised as the Holly Cottage project was progressed as completion within the financial year was not now achievable.

Insurance Costs showed an increase arising from the council's consolidation of its insurances with one insurer. The Clerk would review the analysis to ensure that that insurance costs relating to Holly Cottage were correctly analysed. Expenditure overall was down owing to the council's recent inactivity.

103/21 VAT Advice. Holly Cottage/Play Area.

Vat advice had been received through CALC from the Parkinson Partnership and had been circulated to Councillors. In respect of the refurbishment of Holly Cottage, the Clerk/RFO was not satisfied as to:

1. The exact method to be used to reclaim VAT? (126 or Contractor's Certificates)
2. The basis on which the 7-year average ceiling of claim applying to Local Councils was to be estimated (should it include a budget figure/forward projection for VAT reclaimed/due in respect of the Holly Cottage project?) The underlying reclaim of vat was just short of £1k per annum well short of the ceiling. But this figure would be significantly increased by the refurbishment of the play area and Holly Cottage.

Specialist advice was needed that covered local councils (not vat registered) and construction/refurbishment.

The clerk had been refused a direct response by the Partnership who were only prepared to provide written answers to Calc with whom they had a contract or to provide paid training courses. Councillors were uncomfortable with this arrangement.

The Clerk had also wished to explore the costs of retaining the partnership to assist with budget calculations and oversight on VAT matters.

He had subsequently spoken to the RFO at Penrith Town Council (a former District Council Head of Finance) & Mitchinson and Co Accountants who provide a payroll service to the council. Both had felt unable to provide advice.

In regard to the Play Area the Parkinson Partnership had made comment on the

legal position admitting it exceeded their remit. However, their advice regarding VAT was clear. If the Council procured and funded the provision of equipment on the basis of free access for all. The VAT was 100% recoverable, if an independently constituted group commissioned the equipment VAT was not recoverable.

A councillor offered to pursue an enquiry with a former colleague with appropriate expertise. A further report would be made to Council.

103/21 **Pre-Budget Discussion.**

Councillors discussed the Budget for the 2022 2023 year.

It had originally been envisaged that the Holly Cottage project would impact on this financial year. However, this had not happened yet and consideration of the VAT position favoured a start date after March 2022 when the rate of VAT due would be 5% and not 20% owing to the relief granted due to the period for which the house would have then been unoccupied.

In practical terms Holly Cottage expenditure could be disassociated from the underlying budget as expenditure (likely to be increased) would be balanced by Public Works Loan Board funding which could be adjusted.

The modelling of VAT costs in regard to recovery remained problematic but did not necessarily need to impact on the underlying budget which would be used to set the precept.

It was felt that there would be inflationary impacts on both income and expenditure of the underlying budget and it was AGREED that a draft would be prepared on the basis of a 5% increase across the board.

Councillors discussed the reserves. Currently the Council held a restricted (Police House) and unrestricted reserve. The implications of renaming the Police House reserve as the Assets Reserve were considered. It had been originally named Police House Reserve because the Police House was the council's only significant property asset likely to require betterment and it had been opened as a sinking fund for that purpose. However, the transfer of Holly Cottage and the potential refurbishment of the playground made review of the position worth considering. This issue had been raised in a meeting before and councillors speculated that it might have implications in relation to PWLB funding. The Clerk would examine the position.

A draft budget would be presented to the December meeting.

104/21 **Play Area Grant/Funding.**

The council was asked to consider making a grant to/financial provision for the refurbishment of the play area. £2,000 of match funding was required as match for the Eden Community Fund whose next and possibly last distribution would be in January 2022. Options were to retain funds in a restricted reserve - if the council was to deliver the project from the year 2021 2022 and 2022 2023 or to offer the funds to a constituted group from the reserve when it was set up.

It was AGREED that the draft budget would be prepared with this in mind for discussion decision at the next meeting.

Chairman's Signature..... Date