

# TEMPLE SOWERBY PARISH COUNCIL

A meeting of the Parish Council was held on Tuesday 6<sup>th</sup> March 2018 in the Victory Hall. This commenced at 7pm

Present were Councillors Acting Chair Angela Mathers (AM), Martyn Cannon (MC), Caryl Varty (CV), Jonathan Richardson (JR) and District Councillor Sawrey-Cookson (HSC). Also present was Caroline Fennell (Clerk) together with 11 parishioners.

**Item 1 – Apologies** – Kevin Overs (KO), County Councillor David Whipp (DW)

**Item 2 – Minutes**

It was resolved that the minutes of the meeting held on 15<sup>th</sup> January be confirmed as a true record and signed by the Acting Chair.

**Item 3 – Requests for Dispensation** – None

**Declarations of Interests** – None

**Item 4 – Devolution of Assets & Community Governance Review**

**I. Community Governance Review**

Representatives from EDC, Matthew Neal (Deputy Chief Executive), Vivienne Little and Lisa Tremble were present to discuss the second phase consultation for the Community Governance Review. Mr Neal gave some background regarding the councils decision to hold the governance review. Government guidelines state that a community governance review should be undertaken every 10-15 years. No review has taken place in the Eden area since 1974. A public consultation was held in November and December in order to gain feedback from parish councils on any changes they would like to be made in relation to their parish areas. Unfortunately, Temple Sowerby did not receive notification of this consultation and therefore was unable to respond at the initial phase. Mr Neal informed the meeting that a working group was held to discuss responses from Parish Councils and some would be carried through to a second phase consultation. Whilst Temple Sowerby did not respond to the initial phase, Brougham Parish Council indicated that they would consider a merger with another Parish Council, and Kirkby Thore Parish Council also queried some boundary changes with Temple Sowerby. As such, these suggestions were being taken through to the next consultation and EDC would like to gather further views from parish councils and parishioners as to the proposed changes. Specifically,

- Houses on Priest Lane are split between Kirkby Thore and Temple Sowerby Parish Council and the boundary is to be reviewed here so as all the houses fall under one parish.

- One house at Low Moor is in Temple Sowerby Parish whilst the others are in Kirkby Thore.
- A similar boundary issue at Hale Grange which affects Newbiggin and Kirkby Thore parishes, so not relevant to Temple Sowerby Parish.
- Brougham Parish Council want to consider merging with another parish council due to being a small parish – due to ward boundaries, Temple Sowerby is the only parish they could merge with

Mr Neal stated that it would be helpful if any small tweaks between boundaries could be dealt with directly between Parish Councils. Clerk to contact relevant councils directly to further discuss.

The issue of a merger with Brougham Parish Council was then discussed in more detail. Ms Little stated that the council currently meet in houses as there is no village hall, preventing the meetings from being a public forum, however with 234 electorates they would be deemed too large for a parish meeting.

AM raised the issue that Temple Sowerby has very little in common with Brougham and a merger would result in a very large area to cover; with a distance of 7 miles between the parishes this would not make for accessible meetings for all. It was thought there would be a conflict of interest as the parish precept at Brougham currently stands at £420 where Temple Sowerby's parish precept is £7542.

JR raised a concern with how busy Temple Sowerby parish Council currently is already. The councillors have the advantage of local knowledge, by merging the two; you would be dealing with two separate places. JR queried whether it was possible to revise the ward boundary to enable Brougham to merge with a parish council that is much closer geographically.

Mr Neal stated that an electoral review of the wards was considered and resolved not to do before the elections in 2019, but it will be considered after. If no changes are made then this is obviously an issue that could be considered then. Mr Neal went on to state that the guidance for the community governance review is that a common culture is relevant and the characteristics of each parish must be taken in to consideration. If Brougham hadn't of raised a possible merger then no changes would have been considered. However EDC have an obligation to take on all feedback with an open mind. Nothing is pre-determined and EDC don't want to amalgamate parish councils if it won't be of benefit to both parties. The process is cost neutral and there would be no financial gain for EDC by merging councils.

AM stated that a decision couldn't be made on behalf of Temple Sowerby immediately as further information is required from Brougham PC. Mr Neal stated that they would be attending a meeting with Brougham at the end of March and a decision would be made in July on the second consultation.

## **II. Footway Lighting (Appendix 1)**

JR asked representatives from EDC if any parish council had signed an agreement for the footway lighting as yet. It was confirmed that no signed agreements have as yet been received and that discussions are ongoing between CALC and EDC's solicitors. However the deadline for submission has now been extended in light of this.

Representatives from EDC were thanked for their time in attending the meeting.

The clerk presented to the council an update on the current situation regarding footway lighting. All the 'agreed' lights will be replaced by EDC with a new LED hinged unit with a lifespan of

approximately 11 years. These would need an electrical test every 6 years. EDC will cover 100% of the cost of the lights for the first year, with this reducing by 25% each year until the council takes full responsibility for cost in 2022. Running costs are currently £120.96 per light per annum, broken down in to £46.32 basic maintenance and £74.64 electricity supply. Temple Sowerby has 5 'agreed' lights. These will be covered under TSPC's current public liability insurance; CF is still awaiting a full quote for replacement costs. Currently, NALC have advised not to sign any contract until this has been reviewed.

Temple Sowerby has 9 'non-agreed' lights. These would be covered under a separate legal agreement. EDC will continue to run these lights until they are no longer maintainable or until April 2022. At this point the lights will be decommissioned and removed by EDC and electricity supply stopped by ENWL. We have been informed that ENWL will not supply electricity to any light that is fixed on a building or shared pole, which the majority of Temple Sowerby's 'non-greed' lights are. CF has contact ENWL and is awaiting response. If the parish council were to take on these lights, upon failing, they would need to be removed and replaced with a standard column in order to get the electricity supply. The removal of the lights would be at a cost of approximately £1000, with a replacement LED column in the region of £2500. Other alternatives are being looked in to by the clerk. In the short term it would be advisable to allow EDC to continue to run these lights and to contact the council directly prior to removing any so as a decision can be made for each light individually. Otherwise TSPC would face the cost of potentially having to remove and replace all the 'non-agreed' lights.

#### **Item 5 – Adjournment of Meeting**

No items raised

#### **Item 6 – Chairman will report on matters from last minutes, not listed on agenda.**

The Digital Inclusion Event was very successful despite there being low attendance. The village hall will be getting broadband and there will then be some further events held over the spring/summer

The village hall noticeboard has been removed for refurbishment. The parish council are presently using the bus shelter and school noticeboards only.

The contact names and addresses for the land Registry for the Village Green have been requested to be changed. An application form is being completed to do this.

#### **Item 7 – Parish Houses**

A gas certificate has been received from 3 Crossfell View

Parish Land rent was reviewed. This was last increased in 2015/16. ~JR suggested that the purpose of the land was merely to mark that the land belonged to the parish and is therefore not in favour of an increase. All councillors agreed they are happy for land rent to remain the same for the upcoming year. CF will send invoices. Rent to be reviewed next year.

## **Item 8 – Planning Matters**

- Planning Application 18/0033 – *Land to rear of Temple Sowerby Medical Centre – provision of underground gas storage tanks to serve adjoining residential development – no objection*
- Planning Application 18/0034 – *Land to rear of temple Sowerby Medical Centre – siting of temporary sales cabin – observations submitted to EDC*
- Planning Application 18/0104 – *3 Templars Court – retrospective application for retention of flue to north west gable – no objection*
- Planning Application 18/0114 – *2 Templars Court – retrospective application for retention of flue to south east gable – no objection*

Parishioners complaint to EDC regarding planning application 17/0519 has gone to the ombudsman and is ongoing.

### **Planning Application 17/0519 – Access over the Village Green**

The parish council have received a letter from the applicant's solicitor detailing a current right of way in place over the village green. JR states there is a current right of way but it is not to access four residential properties. It is a matter for the parish council to agree on whether access is granted and if so on what conditions, one of the main conditions being what would be the surface over the village green.

The parish council have taken membership with Open Spaces, which will allow for a small amount of free legal advice on the matter. Agreed that legal advice will be sought and a response will be made to the letter detailing that there is currently no permission for any works to the village green, nor is there a right of way for residential properties.

## **Item 9 – Parishioners Complaint to EDC**

JR stated that in September 2017, a complaint had been made to EDC against the council in general and three named councillors alleging a number of breaches of the Code of Conduct. The Code of Conduct contains seven general principles of conduct, under the headings – selflessness, integrity, objectivity, accountability, openness, honesty and leadership. The complaint was referred by the Monitoring Officer to an Assessment Panel. The Panel was of the view that there was clearly no evidence of any breach of the Code of Conduct. It was therefore decided that there was no basis for proceeding with an investigation and the Monitoring Officer was instructed to take no further action in the matter. Where a decision is made to take no further action in respect of an allegation, the complainant may ask for a review of the decision. However no such request was made.

JR made the point that both himself and other councillors were always willing to be held account for their actions in this public role. However, JR pointed out that what he did find harsh was that the complaint alleged possible dishonesty in that he may have failed to disclose a personal or professional interest in the matter. JR stated that he became a parish councillor to promote the

best interests of Temple Sowerby, not his own, and that in doing so he has observed all the principles of the Code of Conduct and will continue to do so.

#### Item 10 – Village Greens, Play area, Trees, etc.

- Hardcore material outside Sunnybank is being removed once the weather improves. The parish council will arrange a walk around the village to highlight any other areas of concern and report back at the next meeting.
- MC has got some pins for the playground mats – to be completed once the weather improves
- A parishioner highlighted a blocked drain below the play area. CF to attend to
- The works to the trees on the village green have commenced but have been hampered by the weather. There is currently 1 ½ - 2 days work remaining
- The upcoming contract for grass cutting was discussed. Countrywide have proved two quotes as requested:
  - Option 1 – as current year (14 cuts fortnightly between May – Oct) - £2600 + VAT
  - Option 2 – 14 cuts and to collect grass - £ 7700 + VATIt was agreed to stick with Option 1 but to request a further 2 cuts around May/June time. CF to contact Countrywide to discuss.
- AM has ordered replacement defibrillator pads

#### Item 11 – Accounts and Financial Report

<b>Income:</b>	1 Crossfell View – January & February	£ 540.00
	2 Crossfell View – January & February	£ 640.00
	3 Crossfell View – January & February	£ 411.00
	<b>TOTAL</b>	<b>£ 1591.00</b>

#### Expenses:

CALC Course Fees	£ 32.50
Countrywide (Dec & Jan)	£ 440.00
Clerks expenses	£ 33.24
C Fennell reimbursement for locksmith	£ 50.00
A Fancott-Beynon Plumbing	£ 70.25
Playsafe Ltd	£ 88.20

Balances at		
28/02/2018:	Community Account	£ 4,996.46
	Business Money Manager Account	£ 4,799.07
	Penrith Building Society (Maypole Account)	£ 1,174.76
	Penrith Building Society (Parish Houses Account)	£ 7,113.67

Cheques to authorise:

C Fennell – open Spaces membership	£	45.00
Countrywide (February & March)	£	440.00
Clerks expenses	£	70.02
A Mathers – defibrillator pads	£	47.88

### **Item 12 – Policies and Standing Orders**

The Standing Orders, Code of Conduct and Financial Regulations were placed before councillors. These were adopted for 2017/18.

### **Item 13 - Correspondence**

All correspondence received since the last meeting has been circulated.

The Acting Chair thanked those present and announced that the next meeting of the Parish Council will be on Tuesday 8<sup>th</sup> May 2018 at 7pm.

Meeting closed at 9pm

Signed ..... Date .....