

## OUSBY PARISH COUNCIL

**Clerk: John Fleming**

Fell View  
Blencarn  
Penrith  
Cumbria  
CA10 1TX  
Tel: 07768 468 634  
E-mail: ousyparish@hotmail.co.uk

**Chairman: Cllr C Jones**

The Tower House  
Melmerby  
Penrith  
Cumbria  
CA10 1HE  
Tel; 01768 881839

21<sup>st</sup> November 2018

To the Members of Ousby Parish Council

You are summoned to attend a meeting of the Parish Council to be held at 7.30pm on **Wednesday 28<sup>th</sup> November 2018**, Ousby Community Centre.



John Fleming  
Locum Parish Clerk

### AGENDA

1. **Apologies for absence.**
2. **Minutes**  
To authorize the Chairman to sign the minutes of the Council Meeting held 26<sup>th</sup> September 2018 as a true record.
3. **Declaration of Interests**  
To receive declarations of interest by members in respect of items on this agenda.
4. **Planning Matters**

<b>18/0833 Ivy House, Ousby.</b> Erection of double garage & amendments to design of bungalow including pitched roof over rear dormer, continuation of pitched roof over utility room and erection of external flues.	Supported
<b>18/0788 4 Ullesby Gardens .</b> Retrospective change of use of land to domestic garden	Objected
<b>18/0848 Ravenstone Manor, Huntsmans Lodge, Melmerby</b> Variation of condition 2 (plans compliance) to amend design of dwelling attached to approval 14/0910.	To Discuss
<b>18/0909 The Coach House, Melmerby</b> Erection of a pre-fabricated timber stable building for sui generis use in the temporary housing of animals and provision of feed store.	To Discuss
5. **Data Protection Training**  
A Data Protection Training Workshop has been organized for Wednesday 12<sup>th</sup> December, 6.30pm – 8pm. Fire and Rescue Service Headquarters, Penrith.
6. **Outstanding Melmerby Ward Issues** – A proposed resolution by the Clerk.  
In continued pursuit of a resolution to the two outstanding issues reported in the minute of the 28<sup>th</sup> September, Item 7, namely: -
  7. **The only outstanding issues being: -**
    - a. *The dissatisfaction of the Melmerby Ward Councillors with the (alleged) Libel that has been published in the Ousby PC minutes following a (alleged) slanderous attack on Melmerby Ward Councillors at the Parish Council Annual General Meeting of 31<sup>st</sup> May.*

- b *The Melmerby Ward Councillors need to have an acknowledgement that because incorrect advice was received, Ousby PC did not follow correct protocol when they called the meeting on 4th December 2017 to consider a resident's complaint about the actions of Melmerby Ward Councillors. The minutes of that meeting and the actions following it are therefore to be disregarded.*

and before I implement the agreed action stated below: -

**Action:** - It was unanimously agreed to seek the appointment of an **Independent Professional Mediator** to investigate and comment on the above points 7 a and b. A condition of such an appointment being that all Ousby Parish Council Councillors accept the findings in entirety and without question, the finding being minuted at a future Ousby Parish Council meeting.

I would like to try and resolve the matter amicably between the Councillors concerned, by suggesting, firstly, in connection with the 4<sup>th</sup> December meeting, where concerns exist regarding whether the correct procedures were adhered to in the calling of this Complaints meeting, by suggesting that this meeting agrees the following minute as follows: -

**4<sup>th</sup> December Complains Meeting Notes.**

*As major concerns exist over the procedural correctness of the calling of the 'Complaints Meeting' of the 4 December 2018, a result of the Clerk being ill advised, and taking into account that no decision or judgment was made, the outcome of the meeting being to escalate the issues raised, to the Eden District Council Monitoring Officer, it be agreed to delete the note (not being minutes) taken at this meeting from the Ousby Parish Council records.*

Secondly with reference to the 31<sup>st</sup> May meeting, item C137/05/18

As concerns exist over the propriety of the discussion that took place at the meeting, in the absence of those Councillors concerned, and in view of the fact that all Councillors concerned had agreed and accepted the findings of the Eden District Council's Monitoring Officer, the minute of the 31 May be edited, using alternative wording, but not deleted, as follows: -

The words in red being struck through, but not deleted, with additional wording being added in green.

**C137/05/18 ~~Confirmed~~ Breaches of the Code of Conduct**

The Councillors concerned, N Longworth, G Bardsley, C Jones and G Fletcher declared an interest and withdrew from the room.

The Council discussed the findings of the Code of Conduct complaints against the 4 Councillors named above. In letters to the Council from the Monitoring Officer of Eden District Council (attached), he ~~confirmed 13 breaches of the Code of Conduct by the above Councillors, and 4 breaches of the Data Protection Act.~~ **noted that the activities of the Councillors were capable of being breaches of the Code of Conduct and in one instance of the Data Protection Act.**

The monitoring officer made a number of recommendations contained in the letters.

It was Resolved that:

1. The Council accept the findings of the Monitoring Officer of Eden District in full.
2. The members in question apologise in writing to the Melmerby resident whose name was wrongly included in the flyer re the Management Plan for the Village Green.
3. The clerk will liaise with CALC to arrange suitable GDPR training for the members as recommended by the District Monitoring Officer.

**Ousby Parish Council regrets that the original method of dealing with and recording the above issues has caused anxiety and work for the Councillors concerned.**

It is very much hoped that the above can be agreed and minuted so that the appointment of an Independent Professional Mediator, with all the associated, possible, costs can be avoided.

**7 Public Participation / Open session (15 minutes allowed)**

The Chair to invite members of the public to make representations on any item on this agenda or to bring matters to the attention of the Council for consideration, for inclusion, in a future agenda.

**8 County and District Councillors Reports**

To receive reports from the County and District Councillors

**9. Finance (Incl Vat where applicable)****9.1 To Note the Following Balances as at 21/11/2018**

	£
Barclays Community Account	1279.29
Barclays Business Premium ME Account	16929.52

**9.2 To Note Following Payments**

11/9/18 Vision IT	112.43
12/9/18 ROSPA	159.00
14/9/18 Community Heartbeat Trust	126.00
17/9/18 N Preston, Grass Cutting	413.35
1/10/18 J Fleming – Sept Invoice	249.94
1/10/18 J Fleming	
Fee Sept £198.55 + Tel/web£15.00	213.55
3/10/18 D Tec Penrith Outlook Programme	130.00
5/11/18 Bank interest	9.18

**9.3 To Agree the Following Payments**

Clerks Fee October/ November	To be Confirmed
Clerks Expenses October/ November	33.60
Ousby community Centre Room Hire 28/11/18	22.50
Melmerby Ward – Filing Cabinet. On order (approx.)	40.00

**9.4 To Note Bank Transfers**

2/11/18 Business Premium to Community A/c	2000.00
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**9.5 To Approve On-Line Banking Payment Authorization List****10 Community Governance Review****Establishment of a New Ousby Parish Council from May 2019**

10.1	2019/2020 New Ousby PC Budget and Precept
10.2	2019/2020 New Melmerby PC Budget and Precept
10.3	Approve Asset Registers for New Ousby and New Melmerby PC's
10.4	Any other matters.

**11 Highways and Land Matters**

11.1	Ousby Parish Blocked Drains – Reported to Highways.
11.2	Road white lining – Melmerby – To report to Highways
11.3	Blocked Gullies – Melmerby – To report to Highways
11.4	Safety Barrier – Ullesby Gardens Development – In hand with Willan Trading

**12 Correspondence**

To consider correspondence received since the last meeting and take necessary action.

**13 Councilor Matters** An opportunity for Councillors to raise minor issues on behalf of residents.  
*Note: No decisions can be made on these matters but they may be placed on a future agenda of the Council.***14 Date and Venue of future meetings**

Wednesday 9<sup>th</sup> January at 7.30pm 2019 in Melmerby Village Hall  
Wednesday 6<sup>th</sup> March at 7.30pm 2019 in Ousby Community Centre.