

## OUSBY PARISH COUNCIL

**Clerk: John Fleming**

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**Chairman: Cllr Chris Jones**

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Minutes of the Meeting Held on Wednesday 26<sup>th</sup> September 2018  
in Melmerby Village Hall commencing at 7.30pm.

**Unapproved**

**Apologies**

County Councillor C Driver.

**Present**

Cllrs C. Jones (Chairman), A Ivinson (Vice Chairman), D Bardsley, S Castle – Clarke, T Dixon, G Fletcher, D Kidd and N Longworth, District Councillor R Orchard and Locum Clerk John Fleming

10 members of the public.

**177/9/18 Statement by Locum Parish Clerk.**

At the commencement of his tenure the Clerk wished, rather pedantically, to remind Councillors and Parishioners of one or two basic principles regarding the administration of a Parish Council, in order to facilitate the future smooth running of the Council.

1. A Parish Council meeting is primarily a meeting of Councillors, not a meeting of the public and Councillors. That said a Parish Council meeting is held in the 'Public Domain' and the public and press are permitted to attend and observe. There is, though, always a 15 minute 'Public Participation' point on the agenda item to allow for public comment. This is normally restricted to 5 minutes per Parishioner. It is for this reason that a 'U' table layout, for Councillors, is custom and practice at Parish Council meetings to facilitate free and easy debate amongst Councillors, with the public looking on.
2. Bearing in mind past, alleged, misconceptions, surrounding Ousby Parish Council, the Clerk wished to take the liberty to remind the meeting of the basic principles governing the 'Role of a Councillor'. To ensure representation from across a Parish, Councillors are elected from a 'Ward' but once elected, a Councillor represents the whole Parish equally, across all Wards and is entitled to express comment on any issue irrespective of the Ward it concerns. So, in this instance, you are all OPC Councillors NOT Melmerby Councillors and Ousby Councillors. The only slight exception being that usually a Parish Council would be guided by the local knowledge of Ward Councillors when making planning recommendations.
3. As your Clerk I will strive to act as per the rules and procedures governing Parish Councils being guided by CALC, where necessary.
4. Historically there has, in particular, been disagreement and discontent amongst Melmerby Elected Ward Councillors, Ousby Elected Word Councillors and Parishioners. I take no sides in these past issues and will try to move forward on an evenhanded basis.

5. The Eden District Council Monitoring Officer has received complaints in the past, in connection with the administration of Ousby Parish Council and has responded accordingly; his comments being his final word on the issues raised
6. I am pleased to report that all Councillors involved in this dialogue have fully accepted and respect his findings.
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 residents complaint about the actions of Melmerby Ward Councillors. The minutes of that meeting and the actions following it are therefore to be disregarded.*
8. It is my considered opinion that, firstly I am not qualified to comment and secondly the above issues cannot be resolved at an Ousby Parish Council meeting, at Parish level. That said I stand by my current position I am not in a position to delete or edit minutes that have been signed off as a correct record of the meeting.
9. As your Clerk I advise the appointment of an **Independent Professional Mediator** (possibly a semi - retired Monitoring Officer from a neighbouring Parish) to look, specifically, at the above-mentioned issues and to comment professionally thereon; the Mediator appointed being agreed and acceptable to all Ousby Parish Council Councillors.
10. Agenda Item 18 – An apology to a Parishioner
  - a. It was reported that a qualified letter of apology had been sent to the Parishioner in question, signed by the Chairman, on behalf of all Councillors concerned.
  - b. Consequently Item 18 had been removed from the agenda.
11. **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.

**178/9/18**      **Minutes**  
 The Chairman was authorised, unanimously, to sign the minutes of the Council Meeting held on the 22<sup>nd</sup> August 2018 as a true record.  
 Proposed by Cllr A Ivinson  
 Seconded by Cllr D Bardsley

**179/9/18**      **Declarations of Interest**  
 There were none.

**180/9/18 Melmerby Lighting Survey – Ballot Result**  
**180.1/18** Below being the outcome of the ballot.

**Scrutineers Certificate**

<b>Total Number of Ballot Papers Delivered</b>	<b>104</b>
<b>Total Number Yes</b>	<b>31 48%</b>
To Sign Lighting Agreement	
<b>Total Number No</b>	<b>34 52%</b>
Not to sign Agreement	

We certify the accuracy of the above figures

District Councillor Doug Banks

Locum Ousby Parish Clerk John Fleming

15<sup>th</sup> September 2018

**180.2/18** The Chairman thanked the Locum Clerk for undertaking this ballot and asked that the Council's grateful thanks be conveyed to Jane Allen and John Lambert for distributing the Ballot papers and to the Old Village Bakery for hosting the ballot box.

**181/9/18 Devolution and Transfer of Assets from EDC to Parish Councils.**

Following the outcome of the above 'Melmerby Lighting Survey Ballot', it was confirmed that Eden District Council had been notified that the Ousby Parish Council would not be taking over the footway lights in the Melmerby Ward.

**182/9/18 Rural Poverty – 'Finding a Way Forward'**

A poster was tabled, produced by the Citizens Advice Bureau, giving the contact details for any person seeking confidential advice and guidance on any personal matter.

Contact details: - Tel. 03300 563 037. E Mail [advicehub@ca-ce.org.uk](mailto:advicehub@ca-ce.org.uk)

**183/9/18 Data Protection Training**

It was reported that CALC was organizing a General Data Protection Regulation (GDPR) training workshop in the near future to which all Councillors would be invited to attend.

**184/9/18 Public Participation**

**184.1/9/18** One parishioner, in justification, referred to the reported result of the Lighting Survey conducted earlier in the summer. In response the Chairman fully respected the point that was raised, however he did consider that this matter was now history.

**184.2/9/18** A request was made that the recently completed Lighting Survey ballot result be published in the Memo. This was agreed.

**184.3/9/18 Website** A request was made that all agenda's and minutes be posted on the Council Website. The Clerk agreed that this would be done.

**184.4/9/18 Planning Applications.**

With the consultation period being 21 days, some planning applications, by necessity, had to be considered by Councillors outside of a meeting. Following a query raised by a parishioner it was confirmed that it was perfectly in order for a parishioner to contact the Clerk, with any comments that they may have, in respect of any application, for consideration by Councillors.

**185/9/18 District Councilor Report - Cllr R Orchard.**

The most important development has been the publishing of the Penrith Strategic Masterplan and I do urge everyone to pop into the shop in Middlegate and see what the plan is all about and register your comments. There is a great deal in this document, all 200 pages of it, and not just the bits that have grabbed the headlines. It doesn't just cover Penrith it will affect all areas including the rural ones.

That plan is somewhat off but the new Local Plan isn't. At long last this has cleared the last hurdles and will come before Council at a special meeting in October for adoption. This will set the new operating rules particularly on planning for the foreseeable future, so is very important.

I am also continuing to liaise with EDC Officers over the mechanics of splitting the Council into two and planning for the arrival of the 'Travelers' in 2019.

**186/9/18 County Councilor Report**

There was none.

**187/9/18 Community Governance Review****Proposals for the Establishment of a New Ousby Parish Council from May 2019****187.1/9/18**

Action required to be taken with regard to financial matters, in preparation for the splitting of the two Councils, was discussed.

- Agreement was needed to be confirmed on the splitting of the Asset Register and the Bank Current and Investment accounts between the two new Councils.
- 2019 – 2020 budgets were required to be prepared, for the 28<sup>th</sup> November meeting to enable the Precept to be calculated, for both the new Councils, for the next financial year.
- Clarification was also required on the revised insurance premiums each new Council would incur.
- Laptop computer issues.

**187.2/9/18 The Names of the New Councils – Clarification.**

A discussion took place on the new names each of the new Councils would adopt, with some concern being expressed over possible future confusion.

It was clarified, however, that the naming of the two new Councils had been decided and confirmed by Eden district Council in their letter of the 27<sup>th</sup> July 2018, with the EDC legal department to prepare 'Orders' to facilitate the process of change being completed by the 7<sup>th</sup> September 2018.

- The current Ousby Parish Council would be dissolved.
- The new unwarded Parish Council, to be created using the boundary of the exiting Ousby Ward, would be called '**Ousby Parish Council**'
- The new unwarded Parish Council, to be created using the boundary of the exiting Melmerby Ward, would be called '**Melmerby Parish Council**'

**187.3/9/18 Action:** - Agreed to set up a subcommittee comprising of Cllr C Jones, Cllr Sue Castle – Clarke and the Clerk to organize the spit, liaising with Vivian Little in Members Services at Eden District Council.

**188/9/18 Penrith Strategic Masterplan – A vision to 2050**

The Penrith Strategic Masterplan 'Beacon Villages' Was briefly discussed. The initial reaction of Councillors being negative, with strong reservations being expressed. Details being available on ['Beacon Villages' in Penrith - master plan'](#)

**Action:** - Agreed that Cllr Sue Castle – Clarke and the Clerk would formulate a response to the 'Engagement' process. The closing date being the 2<sup>nd</sup> November 2018.

**189/9/18 Finance** (All figures include Vat)**189.1/9/18 Monthly Expenditure Against 2018/2019 Budget**

The August 2018 document was tabled and unanimously accepted.

**189.2/9/18 The Following Invoices were Agreed to be Paid: -**

	£
John Fleming – August	249.94
In respect of facilitating the lighting survey/ information gathering/taking minutes 22/818	
John Fleming – Fee September + Expenses	213.55
D Tec, Penrith Outlook E Mail programme.	130.00
Room Hire Ousby 22 <sup>nd</sup> August	22.50
Room Hire Melmerby 4 <sup>th</sup> July and 26 <sup>th</sup> Sept	45.00

Proposed by Cllr S Castle – Clarke, Seconded by Cllr N Longworth and unanimously agreed.

**189.3/9/18 Steel Filing Cabinet**

The Clerk recommended that the Parish Councils paper files should be stored in a fireproof cabinet.

**Agreed:** - To look into the cost of one or possibly two, two draw, second hand cabinets.

**189.3/9/18 On – Line Banking**

Reported that the setting up of on – line banking was in hand.

**190/9/18 Planning Matters**

18/0688 – Five Oaks Melmerby

Supported

Variation of condition 2 vi (plans compliance) attached to approval 17/0696

**191/9/18 Highways and Land Matters**

Ousby Parish Blocked Drains – Reported to Highways.

Road white lining – Melmerby – To report to Highways

Blocked Gullies – Melmerby – To report to Highways

**192/9/18 Correspondence**

**192.1/9/18 Eden Tourism Summit** Wed 17<sup>th</sup> October at the Shap Wells Hotel

**192.2/9/18 Cumbria County Council 'Working Together Programme'.**

Reported that there was a launch of a new web page.

<https://cumbria.gov.uk/yourcommunitysupport/workingtogether.asp>

**192.3/9/18 EALC Sustainable Communities Workshop** Wed 17<sup>th</sup> October, Cumbria Fire and Rescue Service HQ

**192.4/9/18 Naming of New Development adjoining Ullesby Gardens**

Discussion took place over a number of names suggested by Willan Trading.

**Action:-** Agreed to put forward the name 'The Meadow' for consideration by the developer and Eden district Council.

**192.4/9/18 A686 Lights in Memerby.**

A parishioner had raised concern over the removal of the lights on the A686 going through the village, feeling they should be retained as 'Highway Lights' for road safety reasons. The meeting clarified that these are classified as 'Agreed Footway lights' and are the responsibility of and maintained by Eden District Council. They are not classified as 'Highway Lights', which if they were would be the responsibility of Cumbria County Council. As the recent ballot concluded, the decision was made for the Parish Council not to take over these 'Agreed Footway lights' and as a consequence, as they fail in the future, due to Eden District Council decision to relinquish its responsibility for Footway Lighting, they will be removed.

**193/9/18 Councilor Matters**

**193.1/9/18** Reported that replacement pads were required for the Melmerby Defibrillator

**Action:-** To reorder from the Community Heartbeat Trust

**193.2/9/18 First Responder Training.**

**Action:** - To add as an agenda item to the 28th November meeting.

**193.2/9/18 Safety Barrier – Ullesby Gardens Development**

The meeting was reminder that at the EDC Planning Committee meeting of the 20<sup>th</sup> July, the Parish Council had requested that a Safety Barrier (as erected outside school gates) to be erected at the end of the new footpath, on the blind corner behind the hedge, opposite the Fox Inn. This being agreed between the Architect/ Representative, on behalf of Willan Trading and EDC Planning Dept.

**Action:-** To enquire from Willan Trading when this barrier would be erected; and to stress the importance and urgency of its construction.

**194/9/18 Date of Future meeting**

Wednesday 28<sup>th</sup> November at 7.30pm 2018 in Ousby Community Centre.

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.

Meeting closed at 9.35pm.

Signed \_\_\_\_\_

Date \_\_\_\_\_