

**Ousby Parish Council Meeting**

**Minutes of the Annual Meeting of the Council held at 8.15pm (on the rising of the Annual Meeting of the Parish Electors)**

**Thursday 31<sup>st</sup> May 2018 at Ousby Community Centre**

**Present**

Chairman

N Longworth

Vice Chairman

A Ivinson

D Bardsley

S Castle-Clarke

D Kidd

C Jones

T Dixon

G Fletcher

Also present: S Bagshaw, locum clerk

Cllr R Orchard, Eden District Council

16 members of the public

**C121/05/18 Election of Chairman for 2018/19**

Cllr C Jones was nominated by Cllr N Longworth and seconded by G Fletcher.

Cllr A Ivinson was then nominated and the nomination was put to the vote, the votes were 4 for and 4 against. The Chairman used his casting vote and the motion was defeated.

The nomination of Cllr C Jones was put to the vote.

The votes were recorded as following:

In favour:

Against:

N Longworth

A Ivinson

C Jones

S Castle-Clarke

D Bardsley

D Kidd

G Fletcher

T Dixon

The Chair exercised his casting vote in favour.

Cllr Chris Jones was duly elected Chairman for 2018/19

Cllr Jones then signed the Declaration of Acceptance of Office.

**C122/05/18 Election of Vice Chairman for 2018/19**

Cllr A Ivinson was elected as Vice Chairman.

**C123/05/18 Apologies for Absence**

None

**C124/05/18 Declarations of interest**

Cllr C Jones: Item 15E (8) declared a registrable other interest in Melmerby VH  
Item 17, Breach of the Code of Conduct

Cllr D Bardsley: Item 15E (8) declared a registrable other interest in Melmerby VH  
Item 17, Breach of the Code of Conduct

Cllr N Longworth: Item 17, Breach of the Code of Conduct

Cllr G Fletcher: Item 17, Breach of the Code of Conduct

**C125/05/10 Minutes**

Resolved that the minutes are an accurate record of the parish council meeting held on 7<sup>th</sup> March 2018.

**C126/05/18 Public Representations**

A representation was made to the council that the Melmerby Councillors involved in the issues around footway lighting in the village have lost the confidence of this resident due to what she sees as their continued law-breaking and that they should resign. She believes their resignation would prevent a split of the existing Ousby Parish Council.

Further concern was expressed about the use of what another resident considers a discredited document in relation to the footway lights. He expressed concern that the views of the majority were ignored in Melmerby regarding the issue of whether to take on the footway lights or not.

The Chairman responded that the facts regarding the costs of footway lighting need to be revisited in the -ward and that there would be further

consultation with the ward on the matter. The matter will be brought back to the July council meeting and information will be agreed by council before it is used as the basis for further consultation.

Cllr S Castle-Clarke presented the 2017/18 Annual Report in her capacity of the Chair of the Friends of Ruh Head Close. She reported that the garden continues to be a viable and sustainable community asset that represents value for money for the local community.

Cllr N Longworth took the opportunity of the session to make a statement on the Breaches of the Code of Conduct.

Further concerns were expressed by members of the public regarding the large number of complaints against the four Melmerby councillors. There was disappointment expressed that again, the Melmerby councillors used the casting vote of the Chair to elect a Melmerby councillor to the Chair.

More members of the public expressed their concerns about the way the results of the questionnaire regarding the footway lighting had been ignored by the councillors.

Concern was also expressed by a resident that the Chairman had misled the Eden District Planning Committee when making a representation regarding his planning application. This was refuted by the Chairman.

**C127/05/18 Chairman's Report**

See Attached Report

**C128/05/18 District Councillor's Report**

Cllr R Orchard reported that he serves on three Scrutiny Committees: Accounts and Governance, Housing and Communities and the over arching Scrutiny Co-Ordinating Board. He also is Eden DC's representative on the Alston Moor Partnership. He reported that Eden DC reached the year end 2017/18 with a balanced budget and indeed managed to increase its surplus It is one of the few councils in the county to achieve that.

He announced the appointment of Ms Rose Rouse as the new Chief Executive of Eden DC. She comes from her post as CEO of Worcester Council. He also reported that Eden DC is finalising its Local Plan which covers development in Eden up to 2032. The council is also carrying out a Governance Review including looking at the future of the council. He understands that both of these items will come to Council in July 2018.

The Chairman thanked Cllr Orchard for his report.

**C129/05/18 County Councillor's Report**

None

**C130/05/18 Insurance Arrangements**

Concern was expressed about the high cost of the insurance.

**Resolved:**

That Council will pay the Zurich premium for the coming year but it will make sure that next year it will start the insurance renewal process earlier in order to receive a range of quotes with the aim of achieving better value for money for the council.

**C131/05/18 Data Protection policy and GDPR**

**Resolved:**

that Vision ICT should add a privacy statement to the website footer. Also wider GDPR policy issues be added to the agenda for the next meeting.

**C132/05/18 Community Governance Review Update**

Ousby Meeting: the meeting was conducted by Eden DC officers. 13 members of the public attended and held a rounded discussion of the issues, culminating in a show of hands with 11 out of 13 present being in favour of Ousby PC splitting into two separate parish councils.

Melmerby Meeting: the meeting was conducted by Eden DC officers. The likelihood of the separation of Ousby and Melmerby into two separate parishes was discussed with no clear outcome in favour or against.

Update noted.

**C133/05/18 EDC Devolution of Assets (Footway Lighting)**

There was a discussion of the current situation regarding the possible transfer of the footway lighting to Ousby PC.

**It was resolved that:**

1. Eden DC must acknowledge in its contract for Ousby PC that the parish is likely to split into two separate entities – Ousby PC and Melmerby PC. This ensures that Ousby residents will not be liable for financial contributions to any lighting retained by Melmerby residents.

2. Clarification on costs, benefits and contracts will be brought back to the July meeting of OPC for discussion and agreement. This information will be drafted in the form of a document for consideration by Melmerby residents as part of a new process of engagement with the village community on the matter.

### **C134/05/18 Meeting Dates**

The following meeting dates were agreed:

2018	July 4 <sup>th</sup>	September 5 <sup>th</sup>	November 7 <sup>th</sup>
2019	January 9 <sup>th</sup>	March 6 <sup>th</sup>	May 8 <sup>th</sup>

### **C135/05/18 Finance Reports**

- a) Accounts for 2017/18 agreed
- b) The Council discussed and agreed as below the Annual Governance Statement and Accounting Statements:

#### **Annual Governance Statement 2017/18**

		Agreed		Yes – means that this authority
		Yes	No	
1	We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements	✓		prepared its accounting statements in accordance with the accounts and audit regulations
2	We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness	✓		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge
3	We took all reasonable steps to assure ourselves that there are			has only done what it has the legal power to do and has

	no matters of actual or potential non-compliance with laws, regulations and proper practices that could have significant effect on the ability of this authority to conduct its business or on its finances	✓		complied with proper practices in doing so
4	We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the accounts and audit regulations	✓		during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts
5	We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external cover where required.	✓		considered the financial and other risks it faces and has dealt with them properly
6	We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems	✓		arranged for a competent person, independent of the financial controls and procedures to give an objective view on whether internal controls meet the needs of this small authority.
7	We took appropriate action on all matters raised in reports from internal and external audit	✓		responded to matters brought to its attention by internal and external audit
8	We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year end, have a financial impact on this smaller authority and where	✓		disclosed everything it should have about its business activity during the year, including events taking place after the year end if relevant

	appropriate have included them in the accounting statements.				
9	Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s) / assets, including financial reporting and, if required independent examination or audit	Yes	No	N/A	Has met all of its responsibilities where it is a sole managing trustee or a local trust or trusts
				✓	

**Accounting Statement:**

		YE 31.03.2017	YE 31.03.2018
1	Balances brought forwards	8824	9015
2	+ Precept or Rates & Levies	8819	8873
3	+ Total other receipts	805	797
4	- Staff costs	2646	2809
5	- Loan interest / capital repayments	0	0
6	- All other payments	6787	3685
7	= Balances brought forwards	9015	12191
8	Total value of cash and short term investments	9016	12191
9	Total fixed assets	47219	47219
10	Total borrowings	0	0
11	Disclosure note re Trust funds	No	

c) Budget - it was noted that there was only £200 in the budget for training

d) Memo - Subscription of £50.00 was considered and it was agreed that it would be paid

e) Payment Schedule – the accounts below were approved for payment

	<b>PAYEE</b>	<b>Description</b>	<b>Budget Code</b>	<b>Net</b>	<b>VAT</b>	<b>Gross</b>
1	R Kelly	Wages for year-end accounts	CS	62.50	0.00	62.50
2	CALC	Subscription	S	165.00	0.00	165.00
3	Ousby Community Centre	Rent – 9/5/18 & 31/5/18 meetings	M	45.00	0.00	45.00
4	Zurich	Insurance	I	727.01	0.00	727.01
5	Memo	Subscription	AE	50.00	0.00	50.00
6	ICO	Data Protection fee	AE	40.00	0.00	40.00
7	Fellrunner	Service subsidy	SSF	52.80	0.00	52.80
8	Melmerby village hall	Grant for lighting	DG	400.00	0.00	400.00
<b>Total</b>				<b>1542.31</b>	<b>0.00</b>	<b>1542.31</b>

**N.B.** The annual membership for Item 6 above expired May 25<sup>th</sup> 2018

#### **C136/05/18 Highways Report**

It was reported that there were problems with the road sign on the Row in Ousby – it's leaning too far into the road. The Highway man will report it to CCC Highways again as previous reports have had no result. There was some discussion about Ousby road closure signs possibly in the wrong place. Other issues about signs were discussed.

Report noted.

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

Cllrs N Longworth, G Bardsley, C Jones and G Fletcher declared interests and withdrew from the room.

The Council discussed the findings of the Code of Conduct complaints against the 4 councillors named above. In the 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.

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.

**C138/05/18 Planning Applications**

The following applications were received:

Reference	Location	Description	Comment/Decision
18/0337	Melmerby Hall, Melmerby	Proposed refurbishment of outbuildings to form meeting rooms	Supported
18/0338	Melmerby Hall, Melmerby	Listed Building Consent for proposed refurbishment of outbuildings to form meeting rooms	Supported
17/0534	Land North of Helm Bar – <i>APPEAL TO SECRETARY OF STATE</i>	Outline application for the development of 8 market lead homes based on traditional courtyard design	Noted

**C139/05/18 Correspondence**

None

**C140/05/18 Date of the next meeting of Ousby PC**

Wednesday 4<sup>th</sup> July 2018 at Melmerby Village Hall at 7.30pm (22<sup>nd</sup> June deadline for reports)

**C141/05/18 Exclusion of Press and Public**

**Resolved that:**

the press and public be excluded from the meeting, in accordance with Section 1 (2) of the Public Bodies (Admissions to Meetings) Act 1960, while the business of recruiting a new clerk is transacted.

**C142/05/18 Minutes of the recruitment committee meetings on the 20<sup>th</sup> and 24<sup>th</sup> April 2018 were received and noted.**

**C143/05/18 Appointment of the clerk/RFO**

Members discussed the appropriate scale for the clerks salary and his expenses.

**It was resolved that:**

- a) The Clerk be offered a one year post on Scale Point 16 NJC Salary Scale. His salary will be reviewed in September 2018 with the possibility of increasing it to SCP 17 depending on progress.
- b) The clerk's travel expenses be paid in full by the council at the normal rate of 45p per mile.

**C144/05/18 It was resolved that Ousby PC would pay half of the costs of the CALC Clerk Induction course (total £80), Ousby PC's portion, £40.00.**

Meeting closed at 9.50pm

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**Chairman – Ousby Parish Council**