

# Ainstable Parish Council

Serving the villages of Ainstable, Croglin, Newbiggin, and Ruckcroft,  
the communities of Dale and Longdales, and the surrounding farms and houses

**Chairman: Nigel Vear,**  
**Tel (01768) 896360 - chairman@ainstable.org.uk**

The ordinary bi-monthly meeting of  
**Ainstable Parish Council**  
held at Croglin Village Hall at 7:30pm on Tuesday 16<sup>th</sup> July 2019.

**Present:** Cllr H Bellis (Chairman); Cllr D Smith; Cllr M Robinson; Cllr A Ritchie; Cllr D Bradshaw

**In attendance:** Kimberley Lawson (Clerk); Nigel Faulkner (Eden Valley Friends of Dementia UK); Chris Sproat; County Councillor Claire Driver; 5 members of the public

1. Open Meeting - for discussion of matters of general parish concern (10 mins).

The meeting received a presentation from Nigel Faulkner of Eden Valley Friends of Dementia

## Minutes

2. To receive Councillors' Declarations of Interest.  
There were no Declarations of Interest
3. To receive, and resolve to accept the reasons for, apologies for absence.  
**Resolved:** to accept apologies from Councillors Vear, H Proud and G Proud
4. **Resolved:** to accept the minutes of the Annual Meeting held on Tuesday 21<sup>st</sup> May as a true record.  
The Minutes were signed by the Chairman.
5. **Resolved:** to accept the minutes of the Ordinary Meeting held on Tuesday 21<sup>st</sup> May as a true record.  
The Minutes were signed by the Chairman.
6. **Resolved:** to resolve to accept the minutes of the Extraordinary meeting held on Thursday 6<sup>th</sup> June as a true record.  
The Minutes were signed by the Chairman.
7. To consider applications for co-option to Ainstable Parish Council  
**Resolved:** to exclude the public from this agenda item.  
**Resolved:** to co-opt Chris Sproat onto Ainstable Parish Council.  
Cllr Sproat's signed Declaration of Acceptance of Office was received and he took his seat with the other councillors.
8. To receive updates on current projects and issues: (Chairman)
  - a. Ruckcroft defibrillator – The defibrillator has been installed. It is awaiting registration with the ambulance service before it is "live".
9. To receive a verbal report from County Councillor Driver.  
Cllr Driver had circulated a report via email prior to the meeting. She highlighted some points from this email, including: Improvements in provision of advanced notice of roadworks; Health scrutiny is looking at mental health service provision; Her recent attendance at LGA conference; Calendar of forthcoming surgeries.
10. To receive a verbal report from District Councillor Robinson.  
Cllr Robinson reported on the new administration and portfolio holders. She highlighted the issue of an increasing funding shortfall. The Beacon villages proposal will now not be going ahead, following

public consultation. EDC has declared a climate emergency and aims to make Eden District carbon neutral by 2030.

Cllr Driver left the meeting for another engagement.

11. To receive reports from attendance at outside bodies.

Cllr Bellis reported on the recent Hub Coordinators' meeting. There is some digital borderlands funding due to come to Cumbria but the amount is not yet known. Lists are now available of the number of premises in a parish that have superfast broadband available; only 67% of premises in Ainstable could have it.

12. To discuss any Rights of Way matters arising, and consider actions:

- a. To receive an update regarding Coombs Wood  
The parish council has received complaints of the blocking of a footpath in Coombs Wood. Investigation has found that the footpath in question is not a public right of way and is on private land. The owners have fenced the path to protect wildlife. This fence has since been destroyed. The councillors expressed their concern at the loss of traditional access to the river but do not condone trespass on private property. It was questioned whether a permissive path could be established. Cllr Vear has visited the landowners; in his absence, it was agreed to defer any further discussion of this item to the next meeting.
- b. To receive an update regarding footpath 301035 south of Armathwaite bridge  
The damage to this footpath was caused by Storm Desmond, and Cumbria County Council will reinstate it.
- c. To discuss a circular footpath route in the parish  
It was expected that a representative of the Fellfoot Forward project would attend the meeting to discuss this. In her absence, it was agreed to defer further discussion of this item to the next meeting.
- d. To receive an update on Rights of Way matters:
  - i. Planning application to Carlisle City Council 19/0354 at Heads Nook  
This application was highlighted by Cllr Robinson at the previous meeting as impacting a footpath. Investigation has found it is the same development as EDC application number 19/0219, which the parish council has already commented on.
  - ii. Signposting on the fellside  
The Footpaths Officer is aware of this issue but considers the current signage sufficient. The proposed circular walking route should pick up any signage issues.  
**Action:** Clerk to contact Fiona Knox of Fellfoot Forward.
  - iii. Blocked footpath from Beck Brow up to Ainstable  
The Footpaths Officer is aware of this issue and will see that it is resolved.
  - iv. Blocked bridleway from Townhead to Vicarage Farm  
The Footpaths Officer is aware of this issue. Cllr Bradshaw was hoping to meet Geoff Fewkes on site.  
**Action:** The Clerk to follow up with Geoff Fewkes and make sure he has Cllr Bradshaw's contact details.
- e. Any other Rights of Way matters arising.  
None

13. To discuss any Highways matters arising, and consider actions:

- a. Signposts

- i. A report was received on grant funding received to date for the fingerpost at Newbiggin. The Clerk has contacted the Heritage Lottery Fund but the criteria for applying are not realistic for this project. It is unlikely that any other grant funding will be forthcoming.
  - ii. **Resolved:** to purchase the fingerpost for Newbiggin, with the parish council making up the shortfall, as per Appendix 1.  
**Action:** The Clerk to place the order.
  - iii. To discuss partnering with Fellfoot Forward on further signposts.  
In the absence of a representative from Fellfoot Forward, it was agreed to defer further discussion of this item to the next meeting.
  - iv. To receive an update regarding the vandalised signpost at Ruckcroft.  
The Clerk had applied to the Association of Industrial Archaeology for a grant for the repairs, which has not been successful. However, Highways will cover the costs of this.
- b. To discuss the village gateway proposals for Croglin.  
An updated proposal has not yet been received from Highways.
  - c. To receive an update on garden waste provision in Towngate.  
Cllr Robinson reported that the contract for garden waste collection is due for renewal in 2022 so changes to provision cannot be expected until then.
  - d. To receive an update about provision of a new Ainstable sign at Towngate.  
Highways have been asked to look at a village gateway at Towngate but no plans have been received yet. It was noted that the gateway will also need a defibrillator sign.
  - e. To discuss the speed limit through Ruckcroft.  
Cllr Bellis reported that, at present, there is a 60mph limit through Ruckcroft. Residents have asked if it could be reduced to 30mph. This could also make use of the new shelter easier, particularly for school children waiting for their bus.  
**Action:** the Clerk to ask Highways if this is possible.
  - f. Any other Highways matters arising.  
There are bad potholes by black barn on road down to Armathwaite. The road also needs resurfacing.  
**Action:** HB to request walk around with John Banks.  
The road is reportedly a mess outside the Fox & Pheasant.

14. To receive a report regarding the Holme Holt project (Chairman)

Cllr Bellis outlined the scope of the Holme Holt project: A community amenity that will improve safe access to the river, including disabled access, and to provide safe car parking to keep vehicles off Armathwaite bridge. Unfortunately, a draft plan has been in circulation that has not been drawn up by the parish council and does not accurately reflect its plans. This draft has caused some concern amongst residents but Cllr Bellis sought to reassure members of the public in attendance that the parish council does not want an eyesore.

Cllr Bradshaw commented the hope is for the parking area to be grass or gravel and screened by hedging, and split up to prevent antisocial driving, mirroring the type of car parks National Trust is putting in. It was emphasised that nothing is yet finalised and everything is open for discussion.

**Action:** Cllr Bradshaw to draw up proposal for public consultation as lead on subcommittee.

Hesket Parish Councillors attending meeting requested that Hesket Parish Council and Armathwaite residents be kept informed. Ainstable PC has already agreed to this when it visited Hesket Parish

Council in 2017 but there has been nothing to report.  
3 members of the public left.

15. To receive an update from the Croglin Parish Church Committee

Cllr Robinson reported that there has been nothing forthcoming from the community. Oliver Shimmell, Assistant Director for Planning and Economic Development for EDC is to look at the building to see if EDC can do anything with it.

16. To receive a report from the NDP Committee (Cllr Vear).

The Clerk has applied for a grant to cover the costs of a housing survey. Cllr Robinson reported that the Langwathby NDP is now out for referendum. She will email a copy of the Langwathby plan to the Clerk for information.

17. To discuss matters relating to banking and finance (RFO):

a. To receive a verbal report on the bank account balances

The Clerk reported the bank balances

b. The following receipts were noted:

June:

Date	Receipt No.	Received from	Amount	Empowering Legislation
12th	03	Millennium Green - refund for gravelling paths	£ 400.00	Charities Act 2011 s 297
28th	04	HMRC	£ 1,625.69	Value Added Tax Act 1994 s 33
30 <sup>th</sup>	06	Unity Trust Bank	£ 13.42	Local Government Act 1972, s.151

July:

Date	Receipt No.	Received from	Amount	Empowering Legislation
1st	05	Electricity North West	£ 17.08	Open Spaces Act 1906 s 20

c. The following payments were noted:

May:

Date	Payee	Voucher No.	Payment type	Amount	Empowering Legislation
17th	Cumbria Payroll Services - SI-4689	012	DD	£ 14.40	Local Government Act 1972, s.151
21st	R & SD Proud	007	300057	£ 120.00	Public Health Act 1875, s.164 Local Government Act 1972, s.151
24th	Cumbria Payroll Services - SI-4724	015	DD	£ 14.40	s.151

June:

Date	Payee	Voucher No.	Payment type	Amount	Empowering Legislation
3rd	Ainstable Church Institute	013	EP	£ 127.00	Local Government Act 1972 s 134 (4)
3rd	Great North Air Ambulance	009	EP	£ 500.00	Local Government Act 1972 s.137

Date	Payee	Voucher No.	Payment type	Amount	Empowering Legislation
3rd	CALC	010	EP	£ 161.13	Local Government Act 1972 s.111
3rd	Friends of the Lake District	011	EP	£ 30.00	Local Government Act 1972 s.137
4th	K Lawson - back pay	018	EP	£ 58.18	Local Government Act 1972 s.112 (1); Local Government (Financial Provisions) Act 1963, s.5
4th	K Lawson - salary June	019	EP	£ 303.42	Local Government Act 1972 s.112 (1); Local Government (Financial Provisions) Act 1963, s.5
17th	Ainstable Church Institute	016	EP	£ 23.00	Local Government Act 1972 s 134 (4)
17th	Lloyds Bank plc	020	DD	£ 3.00	Local Government Act 1972, s.151
18th	HMRC Cumbernauld - April PAYE	021	EP	£ 50.40	The Income Tax (Pay As You Earn) Regulations 2003 s 21
18th	K Lawson - expenses	022	EP	£ 97.13	Local Government Act 1972 s 112 (1); Local Government (Financial Provisions) Act 1963, s 5
18th	HMRC Cumbernauld - May PAYE	023	EP	£ 50.40	The Income Tax (Pay As You Earn) Regulations 2003 s 21
18th	HMRC Cumbernauld - June PAYE	024	EP	£ 50.40	The Income Tax (Pay As You Earn) Regulations 2003 s 21
18th	HMRC Cumbernauld - underpayment from 2018/19	025	EP	£ 55.29	The Income Tax (Pay As You Earn) Regulations 2003 s 21
28th	Cumbria Payroll Services - SI-4819	017	DD	£ 14.40	Local Government Act 1972, s.151
30th	Unity Trust Bank - Service Charge	026	DD	£ 18.00	Local Government Act 1972 s 151

July:

Date	Payee	Voucher No.	Payment type	Amount	Empowering Legislation
1st	BHIB	027	EP	£ 304.45	Local Government Act 1972 s 140 (1) as amended
15th	K Lawson - July salary	029	EP	£ 253.02	Local Government Act 1972 s.112 (1); Local Government (Financial Provisions) Act 1963, s.5
15th	HMRC Cumbernauld - July PAYE	030	EP	£ -??	The Income Tax (Pay As You Earn) Regulations 2003 s 21

d. To receive an update regarding the bank reconciliation for Q1.

The Clerk reported that the bank reconciliation has been prepared but she has not yet been able to meet with Cllr H proud for it to be signed. It will be ready for the September meeting.

e. A budget reconciliation was received.

- f. To discuss a grant to St Michael and All Angels PCC.
  - i. The Clerk's report regarding the parish council's legal powers for making a grant towards the maintenance of an open churchyard was received.
  - ii. To consider awarding a grant to St Michael and All Angels PCC.  
There was lengthy discussion regarding the awarding of a grant with the councillors expressing a number of issues.  
**Resolved:** to award a grant for this year as per the budget, but to write to the PCC expressing the councillors' concerns and stating that continued funding cannot be guaranteed.
- g. To consider the council's existing Standing Orders and Direct Debits.  
**Resolved:** to accept the list with no changes.
- h. Any other matters relating to banking and finance. – none

Cllr Robinson proposed bringing forward item 20 on the agenda because Ben Wright had attended the meeting to discuss a Community Fibre Broadband Partnership for Newbiggin. If it could be implemented, this would improve broadband access in the village. Funding is available through BT Openreach and from central government, but the government funding is not released until installation work is completed. He asked if the parish council could act as a guarantor to the scheme on the basis that participating residents lodge a deposit with the parish council equal to the amount of the government funding.

**Resolved:** In accordance with Standing Order 3 (w), to allow extra time to complete the agenda.

**Action:** to Clerk to ask CALC for advice, particularly on the legal side.

In principle, the councillors were supportive of this scheme if the legal and financial side could be organised to prevent any liability to the parish council. It was noted that a decision would need to be made before the next ordinary meeting of the parish council in September.

18. To discuss the Ainstable Millennium Green Trust (Chairman).

- a. To receive a presentation on finances (Clerk).  
The Clerk reported on the Trust's finances.
- b. To receive a report on VAT reclaim for the Trust.  
The Clerk reported that VAT for the work done on the dry-stone wall is not reclaimable.
- c. To receive an update about repairs to the dry-stone wall.  
There was no update available.
- d. To discuss Millennium Green play equipment.  
In the absence of Cllr Vear it was agreed to defer discussion of this item until the next meeting.
- e. Any other matters relating to the Millennium Green.  
None

19. To discuss the parish noticeboards at Newbiggin, Ruckcroft and Chapel triangle.

In the absence of Cllr Vear it was agreed to defer discussion of this item until the next meeting.

20. To receive a verbal report on the development of Broadband in the parish.

This had already been discussed after item 17.

21. To discuss any matters relating to communications. (Chairman)

None

22. To consider planning applications made and other planning matters. (Chairman)

a. The outcomes for the following applications were noted:

19/0219	Hillside, Ruckcroft Nutwood	Outline planning permission for residential development	Refused
19/0227	Cottage, Newbiggin Site adj. to Copper Hall,	Outline application for residential development	Granted
19/0324	Croglin	Proposed New Dwelling	Granted

b. Any other planning matters

None

23. To receive a verbal report on crime in the Parish.

There has been some fly tipping at the entrance to Coombs Wood, which EDC is investigating.

24. To consider correspondence received.

The correspondence register had been circulated with the agenda.

25. Points to be raised at the next meeting.

Email Clerk & Chairman

26. Date of the next ordinary meeting – Tues 17<sup>th</sup> September 2019 at Croglin Village Hall.

Meeting closed 21:57

Signed: *Kimberley Lawson*

Clerk to Ainstable Parish Council

8<sup>th</sup> July 2019