

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 17th September 2019.

Present: Cllr N Vear (Chairman); Cllr H Bellis; Cllr M Robinson; Cllr H Proud; Cllr G Proud; Cllr A Ritchie;
Cllr D Smith; Cllr C Sproat; Cllr D Bradshaw

In attendance: Kimberley Lawson (Clerk); County Cllr Claire Driver

Approximately 10 members of the public

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

A number of local residents attended the meeting to request the parish council's support for public access to footpaths in Coombs Wood. A spokesperson for the residents has consulted with the Ramblers Association, and feels that under the Highways Act 1980 there is a valid claim to establish a further Public Right of Way through Coombs Wood, based on continued access over more than twenty years. The Chairman explained that there is a legal process that must be gone through to establish a Public Right of Way and that length of access alone does not automatically permit lawful access to any path. He added that a Right of Way allows access across the land but not access to remain on the land taking part in any other activity. He also commented that, under Section 16 of the Countryside & Rights of Way Act, the landowners could establish a private agreement across their land in perpetuity, and that if this could be negotiated it would avoid the need to begin legal proceedings. The parish council has already been looking into this issue and there is a discrepancy between the definitive Rights of Way map held by the parish council and the information available on the county council's website regarding a RoW over the weir; this must be clarified.

ACTION: The Chairman to clarify the discrepancy over the RoW maps. The Chairman to invite the landowners to a meeting to discuss access to Coombs Wood.

The residents' spokesperson further asked if the parish council could intervene on residents' behalf with the Forestry Commission, with regard to relaxing their position on mountain biking on the FC's land at Coombs Wood.

ACTION: Cllr Bradshaw will invite the FC to attend a meeting with him, Cllr G Proud and residents to discuss this issue.

Minutes

2. To receive Councillors' Declarations of Interest.

None

3. To receive, and resolve to accept the reasons for, apologies for absence.

None

4. **Resolved:** to accept the minutes of the Ordinary Meeting held on Tuesday 16th July as a true record.

The minutes were signed by the Chairman.

5. To receive updates on current projects and issues: (Chairman)

- a. The Ruckcroft defibrillator is now live and fully functioning.

- b. The order has been placed for the Newbiggin fingerpost.
6. To receive a verbal report from County Councillor Driver.
Cllr Driver has already circulated her video update to councillors. She reminded the meeting that from next Monday (23rd September) Hartside is closed for 3 weeks. Winter maintainancing is currently under discussion with any suggested changes to go to cabinet for winter 2020/21. She is arranging a meeting in October for parishes in the Helm corridor and invited the parish council to select a representative.
ACTION: Cllr Bellis to attend this meeting.
7. To receive a verbal report from District Councillor Robinson.
The Eden Council Plan is out for consultation, closing 4th October. The Fellfoot Forward project submitted its bid to the Heritage Lottery Fund in August.
8. To receive reports from attendance at outside bodies.
None
9. To discuss any Rights of Way matters arising, and consider actions:
- To receive an update regarding Coombs Wood
This was covered in the public section of the meeting
 - To discuss a circular footpath route in the parish
This will be a project to work on with for Fellfoot Forward if their HLF bid is successful.
 - Signposting on the fellside
This will be a project to work on with for Fellfoot Forward if their HLF bid is successful.
 - Any other Rights of Way matters arising.
Cllr Bradshaw reported that some vegetation is to be cleared by Rights of Way officers on the bridleway from Church Farm. They will create drainage ditch on right of path.
It was reported that at the Alpaca centre the footpath appears to go through the tennis court and may therefore need to be rerouted.
10. To receive a report regarding the Holme Holt project (Chairman)
Cllr Bradshaw has obtained quotes for a cellular surfacing that would allow grass to grow.
ACTION: Cllrs Bradshaw and Bellis will put together a briefing document to be used in public consultation, and circulate to councillors in time for it to be approved at the November meeting.
11. To receive an update from the Croglin Parish Church Committee (Cllr Robinson)
Eden District Council have decided not to pursue the idea of an affordable housing development at the building so it's going back to Neal Andrews at Church Commissioners.
ACTION: The Clerk to contact Neal Andrews to inform him of this.
12. To receive a report from the NDP Committee (Cllr Vear)
Eden District Council has agreed to fund our housing survey, which will take place in January. EDC officers would like to attend the next meeting to discuss the survey with councillors.
ACTION: Cllr Robinson to send the Clerk Lazonby's housing needs survey.
13. To discuss matters relating to banking and finance (RFO):
- A verbal report on the bank account balances was received.
 - The following payments were noted:

August

Date	Payee	Amount	Empowering legislation
------	-------	--------	------------------------

16th	Lloyds Bank plc	£	5.12	Local Government Act 1972, s.151
22nd	CPSL SI-4918	£	14.40	Local Government Act 1972, s.151
24th	HMRC Cumbernauld - July PAYE	£	57.00	The Income Tax (Pay As You Earn) Regulations 2003 s 21
24th	K Lawson - salary August	£	486.42	Local Government Act 1972 s.112 (1); Local Government (Financial Provisions) Act 1963, s.5
24th	EDC - election recharges	£	210.00	Representation of the People Act 1983, s.36
24th	Community Heartbeat Trust	£	2,120.00	Public Health Act 1936 s234
24th	Community Heartbeat Trust	£	151.20	Public Health Act 1936 s234
30th	CPSL SI-5014	£	14.40	Local Government Act 1972, s.151

September

9th	St Michael & All Angels PCC	£	940.00	Local Government Act 1972, s.214 (6)
9th	PKF Littlejohn	£	240.00	Accounts and Audit Regulations 2003
10th	Iain Patterson	£	160.00	Local Government Act 1972 s.249
12th	Greg Metcalfe	£	351.61	Public Health Act 1936 s234 Local Government Act 1972 s.112 (1); Local Government (Financial Provisions) Act 1963, s.5
15th	K Lawson - salary & expenses	£	355.55	

- c. The Clerk reported that the parish council has passed its audit for FYE 31/03/2019
- d. The bank reconciliation for Q1 was received.
- e. **RESOLVED:** To award a grant of £200 to Fellrunner Village Bus
- f. Any other matters relating to banking and finance.
None

14. RESOLVED: to approve and adopt the following policies:

- a. Data Protection Policy – APPENDIX 2
- b. Data register – APPENDIX 3
- c. Privacy notice (Public) – APPENDIX 4
- d. Privacy notice (Councillors) – APPENDIX 5

Councillors were reminded to password protect any personal devices, and to encrypt any personal data sticks, used for parish council business.

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

- a. A presentation on finances was received.
- b. The annual report from Playdale for the inspection of the playground equipment was received.
- c. **RESOLVED:** To reject Playdale's quotation for replacement of the log stumps.
ACTION: The Clerk to ask Neil Ruddick to remove the rotten log stumps.
- d. Any other matters relating to the Millennium Green.
None

16. **RESOLVED:** To appoint Cllr Robinson as the parish council's Trustee to the Croglin Educational Foundation.

17. To discuss the parish noticeboards at Newbiggin, Ruckcroft and Chapel triangle. (Chairman)
It was agreed to take no further action on the Chapel Triangle noticeboard, as it is planned to include a noticeboard in the Holme Holt development.

ACTION: Cllr Vear will ask Mortons to place a cork noticeboard in the shelters at Ruckcroft and Newbiggin. He will also ask them to fix the doors on the Ruckcroft noticeboard, which are swollen.

18. To discuss any matters relating to communications. (Chairman)
none

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

a. To note the outcomes for the following application(s):

19/0550	Far Shields	Proposed lean-to extension to existing agricultural shed.	Granted
20/05/2019	19/0333	Plot between High View & Eden Rigg, Ainstable	Withdrawn
31/07/2019	19/0557	Hagget House, Towngate	Granted

b. Any other planning matters
None

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

A trailer was stolen from Newbiggin last weekend. There have been sightings of two men with dogs on the fellside. People are coming over from north east selling door-to-door for a non-existent ex-offenders' charity.

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

a. To discuss the village gateway proposals for Croglin.

Cllr Ritchie expressed concern that this has been on the agenda for some time.

ACTION: Cllr Vear will chase up with Highways on revised plans.

b. To discuss the village gateway proposals for Towngate.

Highways has agreed to look at a village gateway for Towngate. The Ainstable sign has already been moved.

c. To discuss the speed limit through Ruckcroft.

Highways has added this to next year's speed limit programme for assessment.

d. To receive a report from Cllrs Bellis & Robinson of their recent meeting with John Banks

Cllr Bellis reported on the survey of roads in parish carried out with John Banks. John produced a report, which has been circulated, and which he has already started to action.

e. Any other Highways matters arising.

White lines on the road outside Armathwaite Place have been painted by Highways because of vehicles blocking the gates. The wall on the left coming up from Beck Farm to Coombs Wood is down and on steep bank. The wall is the responsibility of landowner.

22. To receive a verbal report on the development of Broadband in the parish. (Cllr Bellis)

There has been research into Newbiggin development since last meeting. The parish council is unable to actively support the scheme for legal reasons. Ben Wright is working on an alternative.

23. To consider correspondence received.

The Correspondence register has been circulated.

24. Points to be raised at the next meeting. – co-option of councillors for Croglin.

25. Date of the next ordinary meeting – Tues 19th November 2019 at Ainstable Church Institute. Claire Driver sends apologies.

Meeting closed at 21.30.

SUMMARY OF ACTIONS

Minute No.	Action for:	Detail
1	Cllr Vear	Clarify the discrepancy over the RoW maps.
1	Cllr Vear	Invite the landowners to a meeting to discuss access to Coombs Wood.
1	Cllr Bradshaw	Invite the Forestry Commission to attend a meeting with him, Cllr G Proud and residents to discuss mountain biking on forestry land at Coomb Wood.
6	Cllr Bellis	To represent the parish council at a meeting in October for parishes in the Helm corridor regarding winter maintenancing.
10	Cllr Bradshaw & Bellis	To put together a briefing document on Holme Holt to be used in public consultation, and circulate to councillors in time for it to be approved at the November meeting.
11	Clerk	To contact Neal Andrews to inform him that no solution has been found within the community for Croglin Church.
12	Cllr Robinson	To send Lazonby's Housing Needs Survey to the Clerk
15 c	Clerk	To ask Neil Ruddick to remove the rotten log stumps from the Green.
17	Cllr Vear	To ask Mortons to place a cork noticeboard in the shelters at Ruckcroft and Newbiggin, and to fix the doors on the Ruckcroft noticeboard, which are swollen.
21a	Cllr Vear	To chase up with Highways on revised plans for Croglin village gateway.