

MELMERBY PARISH COUNCIL

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Minutes of the Meeting Held on Tuesday 26th November 2019
in Melmerby Village Hall commencing at 7.30pm.

Unapproved

54/19 Apologies

55/19 Present

Cllrs: Chris Jones (Chairman), Marjorie Jones (Vice Chair), David Bardsley, Ruth Beaumont, Gary Fletcher and John Fleming (Parish Clerk). County Councillor Claire Driver, District Councillor Rob Orchard and five members of the public

56/19 Minutes

The Chairman was unanimously authorized to sign the minutes of the meeting held on the 24th September 2019, following a minor edit, that the donation to the 'Fellrunner' was, as agreed, £50 not £49.20 as stated, as a true record. Proposed by Cllr D Bardsley. Seconded by Cllr Marjorie Jones.

57/19 Declarations of Interest

Cllr C Jones - Agenda Item 8.3 – Laptop Computer Purchase.

58/19 Public Participation

58.1 Litter Bin – It was requested that an additional Litter Bin be asked for to be located by the Arch at the entrance to Melmerby Hall, just past the Village Hall.
Action: - To make a request to Cumbria County Council Highways Department.

58.2 Anti- Social Behavior on Melmerby Village Green. – It was reported that some youths had started a fire near the swings, on Melmerby Village Green, along with letting off fireworks, on 5th November. There was litter left around the area which a resident removed, and another had cleared the debris from the fire itself. Councillors noted that, whilst this was a very unfortunate incident, it did happen on the Village Green which out of the jurisdiction of the Parish Council.
Action; - That said the Council welcomed being informed of the incident and agreed to make mention of the matter in the next Parish Council Memo report.

59/19 Planning Applications

19/0770 – Broad Meadows. Melmerby – Retrospective Installation of Ground Source Heating Array and associated (internal) plant/equipment. **Supported**

19/0159 – Churnside Farm Barns, Melmerby - Erection of 4 local occupancy dwellings **Supported**

19/5049 - Planning Enforcement Case - Nutwood, Melmerby.

The outcome of the Eden District Council's recent investigations into the allegation that an unauthorized change of use of agricultural land to a commercial campsite was taking place at the site known as 'Nutwood', Melmerby, was as follows: -

Following receipt of several reports from various sources that such a breach of planning control was taking place, planning enforcement case 19/5049 was opened to investigate the matter. In order to establish if a breach of planning control had taken or was taking place, the Council pursued a number of lines of enquiries with a view to gathering sufficient evidence relating to the allegation before consider the planning position and if applicable any necessary action needed to address an identified and harmful breach.

In such cases the department needs to be satisfied on the balance of probabilities (more issue an Enforcement Notice; therefore the evidence gathered needs to be credible, demonstrate there has been a breach planning control and that a planning problem is being caused as a result.

The evidence received from several third parties did not clearly demonstrate or could not be attributed to a breach of planning control occurring on the 'Nutwood' site. With this in mind the Council undertook its own investigations (which included researching various online platforms, serving a Planning Contravention Notice on the occupiers, visiting the site several times, etc.). Such investigations took place over several months but similarly they did not clearly establish that a breach of planning control had or was taking place at the site.

From the Council's findings and the current evidence available, the department is unable to satisfy itself that on the balance of probabilities a breach of planning control regarding an alleged unauthorized use of agricultural land for commercial camping or caravanning use has been established. As this is the legal threshold to consider any form of further formal planning enforcement considerations, the department has concluded that no further planning enforcement action can be considered in this regard. Consequently, the case has been closed stating no breach identified.

Whilst considering the outcome of this case, due regard has been given to paragraph 58 of the National Planning Policy Framework which states "Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control."

The decision reached above is in accordance with the Council's delegated powers constitutional arrangements and the Local Enforcement Plan.

Louisa Burton

Planning Enforcement Officer, Planning Services Team, Eden District Council.

19/0101 – Nutwood, Melmerby Appeal

It was reported that, since the publication of the Agenda for this meeting, the Parish Council had received notification that the Applicant had lodged an Appeal against the decision of the EDC Planning Department to refusal to grant permission in respect of Application 19/0101 as below:-

Planning application number:	19/0101
Site address:	NUTWOOD MELMERBY PENRITH CA10 1HF
Description:	Change of use of agricultural land to mixed use of agriculture and sustainable tourism comprising of grazing land and up to 3no horse-drawn caravans. Re-submission of 17/0883.
Decision date:	18 April 2019
Decision type:	Full Refusal
Decision level/committee:	Committee
Conditions / reason for refusal:	<p>1) The benefits of the proposal would not outweigh the demonstrable harm to the distinctive character of the North Pennines Area of Outstanding Natural Beauty (AONB) contrary to policies DEV1, DEV5, ENV2, ENV3 of the Eden Local Plan and paragraphs 170 and 172 of the National Planning Policy Framework.</p> <p>2) The development is unable to demonstrate acceptable access and parking arrangements contrary to Policy EC4 of the Eden Local Plan.</p>

Action: - Agreed that the Parish Council, using its executive authority, after taking advice, would submit a response to the Planning Inspectorate. The submission to fully endorse the Council's original response in objecting to this Application, further stating that there was still strong Parishioner objection. The submission to be with the Planning Inspectorate by the 23rd December 2019.

19/0832 – Broad Meadows. Melmerby – Retrospective application for demolition of existing dwelling and erection of replacement dwelling.

Following discussion, it was unanimously agreed that this application be **Supported** Proposed by Cllr C Jones and Seconded by Cllr D Bardsley

60/19 District Councillors Report -

Council plans and actions are turning out this year to be quite difficult to report to you. We are being bombarded with new initiatives. We've already had the new Council Plan and now we have the One Eden Project. This latter is supposed to reveal the steps the Council plans to take to address various issues facing the Council notably the projected financial deficit that the Council could face in future years. Unfortunately, all these plans are high on aspiration but to date short on detail, as to how the objectives will be met, how they will be funded and what the results will be.

In the past the Council has been split into separate Portfolios, each with a Portfolio Holder appointed by the ruling administration; however although Portfolio Holders have been appointed and are drawing remuneration, no Portfolio Plans have been issued and few Portfolio Meetings have taken place. In the past each Portfolio was responsible for part of the Council budget in order to carry out their functions. It now looks like we will in future operate with a single budget; how this will be administered remains unclear. Hopefully when we come to Scrutinize the Draft 2020/21 budget, which we will be doing shortly, all of this will become clearer and I will be able to make a more positive report to you.

We are also debating a possible reform of the vital Scrutiny Process aimed at making Scrutiny more pro-active and less reactive. Cllr R Orchard.

61/19 County Councillors Report.

County Councillor, Claire Driver gave a brief report on the activities that she had been involved in since the last meeting. Full details being available, in a video, on the Parish Council website. www.melmerby.org.uk

62/19 Finance (Incl. Vat)

62.1 The Following Balances Were Reported as at: -	18/11/2019
	£
Barclays Current Account	773.25
Barclays Investment Account	7350.00
Vat due	149.18

62.2 The Following Accounts were Ratified.

Clerks Salary September/October 2019 @ £224.68	449.36
Office Provision September/October 2019 @ £15	30.00
Community Heatbeat Trust Support Fee 1/11/18 – 1/11/19	126.00
Community Heatbeat Trust Support Fee 1/11/19 – 1/11/20	126.00
X2 Connect K6 Poly WindowDefibrillator	17.30
CCC Melmerby Village Green Map	5.50

The above payments were unanimously approved.
Proposed by Cllr D Bardsley and seconder by Cllr G Fletcher.

62.3 Laptop Computer Purchase

62.3.1 Five quotes were considered as below: -

Option 1

MPC Purchased Direct from D Tec	£
Asus Vivobook X512ua, i3 CPU, 4GB, 256GB SSD	440.83
Microsoft Office Home and Business	199.17
Wireless Mouse	16.67
Total Cost to MPC	656.37

Warranty: - Labour and Parts 1 year, Labour for next two years (Max part price around £80 – very unlikely need).
Life time support. Free Anti – Virus first year
Free setup and transfer of data. Located Penrith

Option 2

MPC Purchased Direct from D Tec	
Asus X540 , i3 CPU, 4GB, 256GB SSD	332.50
Microsoft Office Home and Business	199.17
Wireless Mouse	<u>16.67</u>
Total Cost to MPC	548.34.

Warranty: - Labour and Parts 1 year, Labour for next two years (Max part price around £80 – very unlikely need).
Life time support. Free Anti – Virus first year
Free setup and transfer of data. Located Penrith

Option 3

Purchased by Langwathby Stores from D Tec and sold on to MPC.	
Asus X540 , i3 CPU, 4GB, 256GB SSD	332.50
Microsoft Office Home and Business	0.00
Wireless Mouse	<u>16.67</u>
	349.17
Less Langwathby Community Store Grant	<u>100.00</u>
Total Cost to MPC	249.17

Warranty: - Labour and Parts 1 year, Labour for next two years (Max part price around £80 – very unlikely need).
Life time support. Free Anti – Virus first year.
Free setup and transfer of data. Located Penrith
Agreed to be covered by D Tec following transfer of ownership to MPC.

Note.

This being a new computer, loaded up with MPC data at time of purchase from D Tec by Langwathby Stores and then loaned to MPC until a decision to purchase from Langwathby Stores or not is made by MPC. It being stressed by Langwathby Stores that the Parish Council is under no obligation to purchase and should it decide to choose another option, the computer would be taken back as a Store spare.

Option 4

Logic Business Systems quote (19 th Nov 19)	
MPC Purchased Direct from Logic Business Systems	
HP G7 Intel i5 256GB SSD	518.70
MS Office 2019 Home and Business	236.35
Wireless Mouse	13.00
3yr Warrantee Carepack 9-5 Next Day On-site	
Maintenance, Parts and labour	44.10
Anti – Virus (Estimate)	39.00
Set up/Data Transfer £72 per Hour – Estimate 2 hrs	<u>144.00</u>
Total Cost to MPC	<u>995.15</u>
Back up charged at £72 per hour.	
1 year parts and labour warrantee. Located Carlisle	

Option 5

PC World	
MPC Purchased Direct from PC World	
Acer Asire 5 A514-52 Intel i5-8265U	
8GB 256GB SSD	399.00
Microsoft Office Home and Business	184.00
Wireless Mouse	19.99
Set up and transfer of Data	35.00
Anti – Virus (Estimate)	<u>39.00</u>
Total Cost to MPC	<u>676.00</u>
Less £50 trade in on old machine	
1 year parts and labour warrantee	
Details taken from their website. Would not give me a phone quote.	
They have many Laptops with a vast range of specs.	
Nearest store Carlisle	

62.3.2

Following due consideration of the above quotes, during which Cllr Jones withdrew from the discussion, it was unanimously agreed to accept the very generous offer that Langwathby Stores had made by accepting Option 3. Proposed by Cllr G Fletcher and Seconded by Cllr R Beaumont,

62.4 The Following Account Was Approved For Payment

Clerks Expense 24/9/19 – 26/11/19	£ 13.50
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Proposed by Cllr D Bardsley and Seconded by Cllr C Jones. and unanimously agreed.

62.5 To Report Receipts

Donations towards new Council Laptop Computer (Further £50 pledged)	50.00
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62.6 To Report a Transfer

From Investment to Current Account	1000.00
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62.7 Presentation of Interim Accounts

The interim set of accounts were unanimously approved.

Proposed by Cllr D Bardsley

Seconded by Cllr G Fletcher

62.8 To Set and Approve a Budget and Precept for 2020 – 2021**62.8.1 Budget**

A budget for 2020/2021 was presented to the meeting, following discussion this was agreed. The total income being anticipated at £4788 against a budgeted expenditure of £4721. A copy being on file.

62.8.2 Precept

It was also agreed to raise the Precept by £250 to £4750 in order to cover anticipated expenditure during the 2020/202 year. The cost implication to a 'Band D' property being approximately £2.50 in the year.

The above two items being unanimously approved.

Proposed by Cllr C Jones and seconded by Cllr D Bardsley

63/19 Highways and Land Matters

- 63.1 Vehicle Speeding Through the Village** – A traffic survey report is awaited, agreed to request a copy of this report from Highways.
- 63.2 Junction White Lining** – Reported that two junctions are still to be done, the matter is in hand with Highways.
- 63.3 Litter Bins** – It was reported that permission had been refused for a litter bin to be located in the, privately owned, layby by Town Head. Subsequently, however, the owner of the Village Green had agreed for it to be relocated on the triangular piece of ground opposite the layby. It being noted that this site did catch the wind badly and advice should be given to EDC to ensure that it was well secured.
Action: - To ask EDC to relocate the bin.
- 63.4 Bridge Terrace Road Surfacing** It was reported that this resurfacing work Still had not been completed.
Action: - Agreed to raise the matter again with Highways.
- 63.5 Bus Shelter – Refurbishment** – Reported that the matter was in hand.
- 63.6 Concrete and Wooden Bench Refurbishment** – Reported that the refurbishment was in hand.
- 63.7 Grit Bin and Heap Provision** – It was reported that all the bins that the Parish Council had requested had been installed; five in Gale Hall Lonin and one on the verge by Town Head.
Action: - Agreed for the Council to thank the Highways for their help and co-operation on this matter.
- 63.8 Melmerby Defibrillator Kiosk Refurbishment.** – It was reported that the kiosk had been cleaned by members of the W I. It was agreed to convey the Councils grateful thanks to those involved. It was also reported that the Community Heartbeat Trust had kindly donated paint and defibrillator signage. A replacement window panel had been purchased. It was planned for the refurbishment to be undertaken in the spring.

- 63.9 Kiosk Insurance and Adoption** – It was confirmed that the insurance premium would rise by an extra £11.41 per year to insure the Kiosk, on an 'All Risks' basis; which included vandalism damage. There being no increase being charged until the renewal date in May.
Action: - Unanimously agreed to adopt the kiosk from the Community Heartbeat Trust and to add it to the insurance schedule.
 Proposed by Cllr G Fletcher and seconded by Cllr M Jones.
- 63.10 Defibrillator Road Signage** - It was reported that for Highways to supply 4 roadside Defibrillators signs, on the entrance to Melmerby, would cost £94 + Vat; this price included free installation. It had been confirmed that the Community Heatbeat Trust were not able to finance these signs.
Action: - Unanimously agreed to order the 4 signs from the Highways Department.
 Proposed by Cllr D Bardsley and seconded by Cllr M Jones.
- 63.11 Vehicle Speeding – Melmerby to Ousby Road.** – It was reported that this matter had been reported to the Community Police Officer.
- 63.12 A686 Flooding on Approach to Melmerby from Langwathby** – It was reported that this problem had been reported to Highways.

64/19 Melmerby Emergency Plan – Reported that its preparation was in hand.

65/19 Councilor Matters

65.1 Potholes on the Top Road

A letter had been received reporting that there were potholes on the Top Road in Melmerby, that needed attention.

Action: - It was reported that local residents would attend to the matter using appropriate material, as used previously.

66/19 Correspondence

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

66.1 EDC Funding for Pocket parks

Up to £25,000 grant funding is available for communities to create or improve Pocket parks! The cut-off date for applications is 5pm on 31 December 2019.

66.2 Eden Tourism Newsletter 57 Distributed – to Councilors

66.3 VE Day 75 – 8th May 2020 - Advanced notice was tabled.

66.4 EDC Community Fund - Closing date for next group of application – 10/1/20

66.5 Swales Trust Fund

Mention of the Swales Trust Fund was tabled, the Trust aims to give financial support (£250 - £1000) to students being educated in farming, forestry and horticultural industry. For further details please contact:

Ellen Clements on 01900 825760 or email ellen@cumbriafoundation.org

66.6 Penrith Parking and Movement Study – Study to Identify parking provision and ensure good walking and cycling connectivity between car parks and town. Workshops in Jan and Feb 2020. Dates to be confirmed.

66.7 ACT 'Neighbourliness Works' - support programme. 'Good Neighbours Toolkit' on www.cunbriaaction.org.uk/Resources-Publications/Toolkits-Workbooks

67/19 Date and Venue of Future 2020 Meetings

Tuesday 28th January, 24th March, 12th May, 28th July, 29th September, 24th November

Meeting closed: 9.45pm

Signed _____

Date _____