

# CLIFTON COMMUNITY COUNCIL

Clerk: Ms Becx Carter, 40 Windebrowe Avenue, Keswick, CA12 4JA – [cliftonpc@outlook.com](mailto:cliftonpc@outlook.com); 077866 78283

## Minutes of the Annual Clifton Community Council Meeting held in the Abbott Lodge on Thursday 18<sup>th</sup> May 2023 at 18:40

**Community Councillors Present:** Jonathan Davies, Sarah Davies & Claire Bland, Phil Clarke, Sharon Blaylock

**Others:** Becx Carter, Neil Hughes

|                |                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <b>37/2023</b> | <b>Election of Chairperson</b><br><br>Resolved by all present that Cllr J Davies be elected as Chairperson of Clifton Community Council for the forthcoming year (23-24).<br><br><b>Cllr J Davies signed the Chairperson's Declaration of Acceptance of Office form and this was witnessed by Becx Carter as the Clerk &amp; Responsible Financial Officer for Clifton Community Council.</b><br><br><b>Action: Clerk to update the website</b> |
| <b>38/2023</b> | <b>Election of Vice-Chairperson</b><br><br><b>Resolved</b> by all present that Cllr S Blaylock be elected as Vice-Chairperson for Clifton Community Council for the forthcoming year.<br><br><b>Action: Clerk to update the website</b>                                                                                                                                                                                                         |
| <b>39/2023</b> | <b>Signing of Declaration of Acceptance of Office</b><br><br>All councillors completed their declaration of acceptance of office forms which were witnessed by the Clerk & RFO of Clifton Community Council.<br><br>All councillors present retained their Declaration of Interests form for completion and return to Westmorland and Furness Council (WaF) within 28 dates.                                                                    |
| <b>40/23</b>   | <b>Apologies</b><br><br>None received                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>41/23</b>   | <b>Minutes of last Clifton Community Council meeting</b><br><br>The Chair was authorised to sign, as a correct record, the minutes of the Community Council Meeting held on 23 <sup>rd</sup> March 2023 ( <i>previously circulated</i> )                                                                                                                                                                                                        |
| <b>42/23</b>   | <b>Declarations of Interest/requests for dispensation</b><br><br>None                                                                                                                                                                                                                                                                                                                                                                           |
| <b>43/23</b>   | <b>Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)</b><br><br>None                                                                                                                                                                                                                                                                                                                                                 |
| <b>44/23</b>   | <b>Public Participation</b>                                                                                                                                                                                                                                                                                                                                                                                                                     |

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|              | <p>i. Westmorland and Furness</p> <p>Mr N Hughes with the consent of the Chair agreed to provide updates as necessary during relevant agenda items.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>45/23</b> | <p><b>Community Councillor Vacancies.</b></p> <p>No applications for the 2 co-option vacancies have been received.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>46/23</b> | <p><b>Chair's Report</b></p> <p>Cllr J Davies gave a short chair's report which is noted below:</p> <ul style="list-style-type: none"><li>• In his role as Chair Mr J Davies has attended meetings relating to the George &amp; Dragon planning matters, this will be expanded on in the relevant agenda item below.</li></ul> <p><i>ii. Devolution of Assets</i></p> <p>It was noted that despite a personal invitation to attend the meeting of Clifton Community Council Ms Steph Cordon (Director of Thriving Communities) gave her apologies on the afternoon of the meeting.</p> <p>EDC promised prior to LGR to devolve various areas of land including the play-area to Clifton Community Council, this was put on hold due to staffing shortages and then LGR. The devolution of the areas of land that were part of this initial request are still very important to Clifton Community Council, and Clifton Community Council are keen to progress this as soon as possible.</p> <p>There are areas of land that are part of this request that are now being untended.</p> <p>It was noted that WaF have confirmed via email that they don't have a devolution of assets policy in place yet.</p> <p>WaF Cllr N Hughes noted that the portfolio holder (Virginia Taylor) is keen on community based asset development but that it is going to take significant time for the process for this to be resolved.</p> <p><b>Resolved</b> by all present that Clifton CC send a letter to WaF listing the assets Clifton Community Council wish to have devolved and setting a time limit for this process to be concluded (6months from the date of the letter). If the process is not concluded by the deadline it was agreed that Clifton Community Council will use S.124 LGA 1972 to compulsory purchase the land.</p> <p><b>Resolved</b> that Cllr J Davies attend the WaF Cabinet meeting to raise a formal question relating to devolution.</p> <p><b>Resolved</b> by all present that the Clerk raise a formal complaint with WaF about the lack of verge maintenance on the area of WaF owned land at entry to the village on the area of land that we wanted devolved, and request as a matter of urgency that WaF attend to this matter as the lack of maintenance is now a highways safety matter.</p> <p><b>Action: Clerk &amp; Chair to take this forward.</b></p> |

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| <b>47/23</b> | <p><b>Correspondence received</b></p> <p>Unless otherwise minuted below the following items of correspondence were noted as received.</p> <p>i. CALC EGM Delegated Authority Approval Required</p> <p>Cllr J Davies noted that Clifton Community Council had proposed the formation of a Ltd Company to CALC last year.</p> <p>The Clerk informed all present that CALC are holding an Extraordinary meeting to consider changing the legal status of the organisation to a Ltd Company but that this required a majority of CALC members to attend and vote at a meeting.</p> <p><b>Resolved</b> by all present that delegated authority be passed to Cllr J Davies to attend this meeting and vote on behalf of Clifton Community Council in support of the Ltd Company formation with a proposed amendment to the motion for the CALC EGM Clifton Community Council propose CALC splitting as an organization into two county associations to reflect the new local government districts/counties created on 1<sup>st</sup> April 2023 when the local government county of Cumbria was scrapped as part of the Cumbria Local Government Change Order.</p> <p><b>Action: Cllr J Davies to take this forward</b><br/><b>Action: Clerk to share details of the meeting with all councillors.</b></p> |
| <b>48/23</b> | <p><b>Village Hall Update.</b></p> <p>i. <i>To receive an update from Cllr J Davies</i></p> <p>There has been little progress since the last meeting of Clifton Community Council. Informal discussions were held at the Jubilee event and support was still strong from the local community for a new Village Hall.</p> <p>It was noted that there are various funding streams coming online that could be applied to.</p> <p><b>Action: Cllr J Davies to take this forward.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>49/23</b> | <p><b>Clifton Community Council Business Plan</b></p> <p><b>Resolved</b> by all present that a new business plan for the period 2024 onward commence development and be considered for approval at a future meeting.</p> <p><b>Action: Clerk to circulate a copy of the existing one to all councillors.</b><br/><b>Action: Clerk to agenda this for future meetings.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>50/23</b> | <p><b>Neighbourhood Plan Update</b></p> <p>It was noted that the Neighbourhood Development Area Application was delegated for approval to Gareth Candlin. It is understood that it has been approved but no formal written confirmation of this has been received as Mr G Candlin is away on Annual Leave.</p> <p>It is hoped that there will be a £10,000 available from central government via DCHLUG and that this be applied for as soon as the next round be opened.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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**Resolved** by all present that authority be delegated to Cllr J Davies and the Clerk to submit applications for funding to support the development of a Neighbourhood Plan.

**Resolved** that a costs schedule for the preparation of a Neighbourhood Plan be prepared and approved at the July 2023 meeting.

**Resolved** that the Clerk timesheet any additional hours relating to this and these will be paid on one off basis until additional hours are approved for the Neighbourhood Plan Project on the basis of the costs schedule at the July 2023 meeting.

**Action: Clerk to prepare to costs summary and hours proposal for the July 2023 meeting.**

Cllr J Davies noted that it would be a good to work concurrently with the Neighbourhood Plan on a Neighbourhood Development Orders, and that if necessary, an additional single item agenda meeting be called to discuss this and to identify key stakeholders etc.

**Action: Clerk to prepare a summary of the differences between a Neighbourhood Development Orders and Neighbourhood Plan**

51/23

## Highways & Parish Maintenance Update

*i. To receive updates on any Highways related matters within the Parish*

- National Highways currently have works on the M6 which have resulted in closures of the M6 and diversions on the A6. National Highways have agreed following a number of complaints that they are going to install speed cameras on the A6 during the overnight closures to address the speeding issues. They have also been asked to install environmental impact monitors to baseline the impacts on the local community when Clifton is used as diversion route.
- Eamont Bridge closures have caused some local disruption and concerns have been raised with WaF about the issues with the traffic lights at Eamont Bridge when they were restarted after the works.
- Concern was raised that when WaF scheduled these road closures that they did consider the other events taking place in the local area (e.g. Brougham Hall War Time Weekend, Lowther events etc).

*ii. Lengths man/Parish Maintenance*

It was noted that Mr H Seddon had given Clifton Community Council notice that he would no longer be continuing as the lengthsman for the Parish.

**Action: Cllr J Davies to organise with the outgoing lengthsman to transfer the equipment.**

**Resolved** that a budget of £50 be approved to the Clerk to organise a thank you gift and card.

It was noted that there are jobs that Mr Seddon used to do that will need to be picked up by someone.

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Cllr J Davies noted that GCA Garden Services are currently cutting the Clifton Pocket Park on a three-week cycle.

**Resolved** that conversations be commenced with WaF to put in place a lengthsman agreement for Clifton along the same lines as Shap(e.g. street clearing, general maintenance, drain checking etc), with an associated devolution of budget.

Previous requests had been made to EDC for such an agreement but had not been progressed by EDC due to LGR.

**Action: Clerk to take this forward and bring to a future meeting.**

*iii. Bus Shelter Repairs/Warranty*

Cllr J Davies noted that shelter opposite the George & Dragon is unstable/unsecure and that the installing company need to be contacted to return to site to resolve the issue.

**Resolved** that the Clerk contact the company that undertook the works on the road that caused the damage to the bus shelter to ask them to contact the company to come back to repair it.

**Action: Clerk to take this forward.**

*iv. Autospeed watch update*

Cllr J Davies has circulated to all an Auto Speed watch report prior to the meeting.

*Northbound (8<sup>th</sup> April 2023-4<sup>th</sup> May 2023)*

- 263 vehicles traveling at more than 30mph
- The fastest recorded speed was 64mph
- 83 vehicles were moving at 40mph or above
- 22 were noted as SORN/Not Taxed or without MOT

*Southbound (1<sup>st</sup> April 2023-4<sup>th</sup> May 2023)*

- 275 vehicles travelling at more than 30mph
- The fastest recorded speed was 69mph
- 46 vehicles were moving at 40mph or above
- 14 were noted as SORN/Not Taxed or without MOT

**Resolved** by all present that an amendment is made to the existing speed watch policy that where commercial vehicles can be identified that Clifton Community Council directly engage with the operators.

Cllr J Davies noted that he has a meeting with the PCC and a senior police operative to discuss this, and to encourage Cumbria Police to follow through with Auto Speedwatch.

The Clerk noted that Greystoke Parish Council have requested to work with Clifton Community Council on this matter.

**Resolved** by all present that Auto Speedwatch data (GDPR) compliant be

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|              | <p>shared on the Clifton Community Council website and Facebook page to make people aware of the extent and seriousness of the issue.</p> <p><b>Resolved</b> by all present that a request be put to WaF to make the entire village 20mph with associated buffer zones.</p> <p><b>Action: Clerk to look into the legislation for 20's plenty installation throughout the village (and if this can be enacted by a Parish/Community Council without Highways Authority input).</b></p> <p><b>Action: Clerk to speak to raise the request for the speed limit reduction with WaF.</b></p> <p><b>Action: Clerk to add S Blaylock to the auto speedwatch system for checking of registration plates.</b></p> <p><b>Action: Cllr J Davies to review the Autospeed watch settings to allow the Clerk to view reports.</b></p> <p><b>Resolved</b> by all present that a further modification be made to the Auto Speedwatch Policy to reflect that Clifton Community Council report to the Police any vehicle that is SORN/Not Taxed or MOT by more than a month.</p> <p>Cllr J Davies suggested to Cumbria Police that Parish Council's have the authority to send letters of the back of the Auto Speedwatch letters.</p>                                     |
| <b>52/23</b> | <p><b>Footway Lighting</b></p> <p>i. To consider taking action regarding the failure by EDC/ENW to reconnect the damaged light</p> <p>Cllr J Davies noted that the hole in the pavement has now been filled, but the light is still not working.</p> <p>ENW have confirmed that they no longer have a contract to connect lights for EDC/WaF</p> <p><b>Action: Clerk to check with WaF legal department about the legal status of the Footway Lighting Devolution Agreements as there has been no novation notification, so it is unclear if the contracts are still in place (or not).</b></p> <p>It was noted that we had a contract in place with EDC for street lighting and maintenance and EDC failed to deliver on this due to the time it has take for this light to be repaired/reconnected. An additional point was raised that Clifton CC shouldn't be paying for the electric/maintenance services for the damaged light since it was damaged.</p> <p><b>Action: Cllr J Davies to draft this letter and if no response is received within a 21 day period then legal action will be taken.</b></p> <p><b>Resolved</b> by all present that if no response is received that delegated authority be given to the Clerk to get legal advice.</p> |
| <b>53/23</b> | <p><b>Planning</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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*i. Planning applications received for consultation*

None

*ii. Planning decisions*

None

*iii. To discuss any other planning related matters*

George & Dragon Works- Cllr J Davies has met with residents who are concerned about the 1 Town End Cottage application. The developer has taken this on board and have submitted new plans taking into account residents' feedback; consultation on this new planning application is awaited.

During the course of meetings to discuss the planning application for 1 Town End, it was identified that extraction fans had been installed without planning consent that were materially different from those which had been approved historically, along with the creation of additional letting rooms. WaF are now looking at these as planning compliance matters.

**54/23**

**Financial Matters**

*i. To authorise the below payments.*

**Resolved** by all present that the below payments were authorised/ratified for payment:

| Date    | PAYEE                               | Budget line                              | Value   | Action  |
|---------|-------------------------------------|------------------------------------------|---------|---------|
| 11.5.23 | Becx Carter                         | Expenses                                 | £42.71  | Approve |
| 11.5.23 | Autospeed watch                     | Renewal                                  | £296.00 | Approve |
| 11.5.23 | Cumbria Payroll Services            | Payroll Services (movement to monthly)   | £90.00  | Approve |
| 11.5.23 | Gareth Davidson/GCA Garden Services | Cutting of Clifton Pocket Park (3 times) | £240.00 | Approve |
| 11.5.23 | Rachael Kelly                       | Internal Audit                           | £50.00  | Approve |
| 11.5.23 | G Kerr                              | Fuel cost for removal of items from VH   | £50.00  | Approve |
| 11.5.23 | CALC                                | Subscription                             | £220.94 | Approve |
| 18.5.23 | BHIB                                | Insurance                                | £306.18 | Approve |

**Action: Clerk to add P Clarke on the to Bank Account.**

*ii. To adopt the General Power of Competence for Clifton Community Council*

The Clerk confirmed that as she now holds the CiLCA qualification and the Council is at least two-thirds elected Clifton Community Council satisfies the conditions of eligibility for the General Power of Competence as defined in the

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Localism Act 2011 and SI 965 The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012.)

The General Power of Competence is a power of first resort, as opposed to the previous power held by Clifton Community Council which was a power of last resort.

**Resolved** by all present that Clifton Community Council adopt the General Power of Competence with immediate effect (proposed by J Davies, seconded by S Davies)

*iii. To approve Standing Orders for the Clerks Salary & HMRC for the forthcoming financial year*

**Resolved** by all present that the below standing orders be paid on a monthly basis to the Clerk & HRMC.

|             |        |         |
|-------------|--------|---------|
| Becx Carter | Salary | £244.30 |
| HMRC        | PAYE   | £162.40 |

*iv. To approve the insurance quotation for the forthcoming year.*

**Resolved** by all that the Insurance Quotation from BHIB of £306.18 be approved for the forthcoming year.

*v. Approval of certificate of exemption 22/23*

**Resolved** by all present that Clifton Community Council submit the Certificate of Exemption to Moore Auditors to exempt the Parish Council from external audit as the income and expenditure of Clifton Community Council was less than £25,000 for the 22/23 Financial Year.

**Action: Clerk to submit the certificate of exemption.**

*vi. Approval of Annual Statements of Governance Y/E 31<sup>st</sup> March 2023*

**Resolved** by all present that the following responses be given to the Annual Governance Statement of Y/E 31<sup>st</sup> March 2023.

| Statement                                                                                                                                                                                                                                                                                      | Response |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements                                                                                                                                                  | Yes      |
| 2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness                                                                                                                                  | Yes      |
| 3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances | Yes      |

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| 4. We provided proper opportunity during the year for the exercise of elector's rights in accordance with the requirements of the Accounts & Audit Regulations.                                                                                                       | Yes |
| 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 insurance where required                                                         | Yes |
| 6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records & control systems                                                                                                                                   | Yes |
| 7. We took appropriate action on all matters raised in reports from internal and external audit                                                                                                                                                                       | Yes |
| 8. We consider whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and where appropriate have included them in the accounting statements             | Yes |
| 9. (For local Councils only) 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 it required independent examination or audit. | N/A |

*vii. Approval of Y/E Accounts for 31<sup>st</sup> March 2023, statement of variations & signing of the Annual Governance and Accountability Return*

**Resolved** by all present that these be approved, and the AGAR be signed by the Chair & Clerk as required.

**Action: Clerk to submit the AGAR and prepare the relevant notices for the website & noticeboards.**

*viii. Acknowledgement of receipt of internal audit*

**Resolved** by all present that the unqualified (no issues) internal audit be noted as received.

*ix. To sign the relevant paperwork to apply for a Corporate Multi-Pay Card*

The Clerk confirmed she had spoken with Unity Trust Bank Ltd who were able to offer a Corporate Multi-Pay Card on the Clifton Community Council Bank Account that would function similar to a debit card.

**Resolved** by all present that Cllr J Davies & Cllr S Blaylock sign the application form for this card.

*x. Council DBS Check*

**Action: Clerk to agenda for a future meeting the DBS checking of all councillors.**

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| <b>55/23</b> | <p><b>Policies</b></p> <p><b>Resolved</b> by all present that the below polices be re-adopted with no alterations:</p> <ul style="list-style-type: none"><li>- Standing orders</li><li>- Training Policy</li><li>- Autospeedwatch Policy</li><li>- Sabbatical Leave Policy</li><li>- Record Management Policy</li><li>- Recording of meetings policy</li><li>- Health &amp; Safety Policy</li><li>- Grant Policy</li><li>- Freedom of Information</li><li>- Equality &amp; diversity policy</li><li>- Disciplinary &amp; Grievance procedure</li><li>- Data protection policy</li><li>- Complaints procedure</li><li>- Financial Regulations</li><li>- Communications policy</li><li>- Appraisal policy</li><li>- Risk Management policy</li><li>- Co-option procedure</li><li>- Code of Conduct for Members</li><li>- Serious Infectious Disease policy</li></ul> |
| <b>56/23</b> | <p><b>Date of next meeting</b></p> <p><b>Resolved</b> by all present that the next meeting be scheduled for 10<sup>th</sup> July 2023 at 18:30 in the Abbott Lodge Conference Room.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

The meeting was closed at 20:24