

# AGENDA

**TRIPARTITE MEETING BETWEEN CARLISLE CITY COUNCIL,  
COUNTY COUNCIL LOCAL COMMITTEE FOR CARLISLE,  
AND CARLISLE PARISH COUNCILS**

**MONDAY 24 OCTOBER 2016 AT 7.00 PM  
IN THE COUNCIL CHAMBER  
CIVIC CENTRE CARLISLE**

**\*\* The Carlisle Parish Councils Association AGM will follow the Tripartite Meeting – the Agenda is therefore set out in two parts \*\***

## **PART 1 – TRIPARTITE MEETING**

**1. Welcome and Introductions**

**2. Apologies for Absence**

To receive apologies for absence.

**3. Notes of Previous Meeting**

To receive the notes of the Tripartite Meeting held on 22 March 2016.  
(Copy herewith)

**4. Planning Charter – Planning Working Agreement**

The Development Manager (Carlisle City Council) and Councillor Nicholson (Carlisle Parish Councils Association) to provide an update on the completion / launch of the City and Parishes Planning Charter. The Agreement was adopted by the City Council's Executive on 1 August 2016.  
(Copy Parish Charter Planning Working Agreement herewith)

---

5. **Flood / Winter Ready Plan for Carlisle**

The Corporate Director of Economic Development (Carlisle City Council) and Area Manager – Carlisle (Cumbria County Council) to give a presentation / update on the Flood / Winter Ready Plan for Carlisle.

6. **Services for Young People**

The Chairman of the City Council's Community Overview and Scrutiny Panel to outline the Panel's approach to reviewing services for young people.

7. **Review of Future Tripartite Meetings**

The Chairmen to facilitate a review of arrangements for future Tripartite meetings.

*Short break followed by:*

**PART 2 – CARLISLE PARISH COUNCILS ASSOCIATION ANNUAL GENERAL MEETING**

1. **Welcome and Apologies**

2. **Minutes of the last AGM held on 20<sup>th</sup> October 2015**

3. **Matters Arising**

4. **Chairman's Report**

5. **Treasurer's Report**

6. **Election of Officers**

7. **Election of Representatives to the CPCA Executive Committee**

8. **Election of Representatives to the CALC Executive Committee**

9. **Any Other Business**

10. **CPCA Meeting Dates 2017**

Enquiries to Democratic Services Officer:

Morag Durham – Tel: 817036

---

**TRIPARTITE MEETING BETWEEN COUNTY COUNCIL LOCAL COMMITTEE FOR  
CARLISLE, CARLISLE CITY COUNCIL AND CARLISLE PARISH COUNCILS**

Notes of a tripartite meeting between the County Council Local Committee for Carlisle, Carlisle City Council and Carlisle Parish Councils held on Tuesday 22 March 2016 at 7.00 pm at The Archives Centre, Petteril Bank, Carlisle.

**PRESENT**

**County Councillors**

Mr J Mallinson (Chair)  
Mr T Allison  
Mr L Fisher

**City Councillors**

Mrs H Bradley  
Mr C Glover

**Parish**

Councillor A R Auld	-	Dalston Parish Council
William Bundred	-	Kirkandrews on Esk Parish Council
Councillor B Earp	-	Wetheral Parish Council
Brian Edmondson	-	Castle Carrock Parish Council
Councillor M Fox	-	Stanwix Rural Parish Council
Councillor M Jack	-	Kirklington Parish Council
Gillian Kartach	-	Hayton Parish Council
Ms S Kyle	-	Hethersgill/Walton/Scaleby/Burtholme
David Lowe	-	Cummersdale Parish Council
Councillor W Little	-	Orton Parish Council
David Moorat	-	Brampton Parish Council
Andrea McCallum	-	St Cuthbert Without Parish Council
Charles Raine	-	Farlam Parish Council
Mari Reay	-	Beaumont Parish Council
Councillor M Ridley	-	Irthington Parish Council
Alison Sisson	-	Hethersgill Parish Council
Councillor R Tinnion	-	Hayton Parish Council

**Also in Attendance:-**

Ms R Davies	-	Cumbria County Council
Mrs J McKenna	-	Cumbria County Council
Mr D Coyle	-	Cumbria County Council
Mr T Thwaites	-	Cumbria County Council

Mr J Gooding	-	Carlisle City Council
Mr P Mason	-	Carlisle City Council
Mrs J Meek	-	Carlisle City Council
Ms R Arkley	-	Environment Agency

Ms S Bagshaw - CALC  
Craig Nicholson - CPCA  
Helen Aitken - Action with Communities in Cumbria

## **1. WELCOME**

The Chair welcomed everyone to the meeting.

## **2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Cyril Weber, Councillor Elizabeth Mallinson, Councillor Val Tarbitt, Councillor Jessica Riddle and Barbara Smith from Bewcastle Parish Council.

## **3. NOTES OF PREVIOUS MEETINGS**

The notes of the previous meeting held on 20<sup>th</sup> October 2015 were agreed.

## **4. MATTERS ARISING**

### **(1) Parish Charter**

Craig Nicholson reported that at the last meeting it was agreed that the wording relating to parish councils speaking at DCC committees had been agreed as follows:

**The LPA agrees that:**

- 4) If requested by a Parish Council to attend a site visit a Ward Member will make every effort to attend. In cases where a Parish Council Representative believes that they have reason to speak, but have not been invited so to do, the Ward Member will immediately act as an intermediary between the Representative and the DCC. In the absence of the Ward Member Parish Council Representatives may address their concerns through the Vice Chair of the Development Control Committee.**

**Parish Councils agree that:**

- 6) Should a representative at a site visit believe that they have reason to speak, but have not been invited so to do, they will address their concerns to the Ward Member present, who will immediately make them known to the DCC. In the absence of the Ward Member Parish Council Representatives may address their concerns through the Vice Chair of the Development Control Committee.**

After long negotiations the City Council had proposed that parish council representatives at site visits could address matters to the ward councillor, who would then relay the information/question etc. to the chair of the DCC. The site visit clause was drafted accordingly and accepted as a first step.

It was then felt that a problem could arise in single member wards, if the member could not attend a visit and had difficulty finding a substitute. It was suggested that, should the need arise, the parish council representative could have the right to approach the DCC Vice-Chair. A mutually acceptable form of words had now been drafted and re-circulated for further consultation.

Cumbria County Council informed the meeting that local parish councillors were entitled to speak at any County Council Development Control and Regulation Committees via the local elected member who would have been invited to the Committee if there was a planning application submitted for their area.

Carlisle City Council officers explained to the parish councillors that site visits were arranged to have a look at the specific site and not to debate the actual application.

## **(2) Street Lighting**

This item had featured in the last two meetings of the Tripartite but yet there was still some confusion around the issue. At the last meeting lighting provision was outlined within the Carlisle and District.

A representative was still unclear as to who's responsibility street lighting was especially with regards to new housing developments in rural areas. It was explained that the County Council were still waiting on a full audit report of street lighting. Once this had been received it would be reported back to the Tripartite Group.

## **(3) Fly Tipping**

William Little from Orton Parish Council address the meeting with his concerns on fly tipping, which was getting worse around the district. He was frustrated with the amount of time it took to get through to Carlisle City Council when reporting any issues.

It was explained that there were online facilities to report fly tipping but perhaps better advertisement of the website was needed. Carlisle City Council would look in to this and report back to the next meeting.

Carlisle City Council would also report back on how much they got back from on the spot fines.

Litter picking on roads was the responsibility of Cumbria County Council as this was part of their highways.

## **5. VILLAGE HALL GRANTS**

Cummersdale Village Hall and Castle Carrock Village Hall gave presentations on the works recently undertaken on their Village Halls.

David Rowe from Cummersdale thanked the group for the funding they had received and explained the history around Cummersdale Village Hall explaining that originally it was a bacon factory and was bought by Stead McAlpin for use by the local community.

Over the years it has had £52,000 spent on it and is now used for all kinds of community activities including weddings, birthdays, exercise classes and plays.

Brian Edmondson from Castle Carrock Village Hall informed the group that The Watson Hall was one of the first village halls built. Built in 1897 by Laing, the hall became a listed building in 2000.

Major restoration work had recently been undertaken at the hall, with a new kitchen, replacement roof and heating system the hall was now a major well used asset to the community.

A representative from Brampton Parish Council expressed his disappointment when Moot Hall had applied for a village hall grant but were unsuccessful. He was told that Moot Hall was not classed as a village hall but a separate identity.

Craig Nicholson flagged up how important Village Halls were to rural areas.

## **6 Flood Recovery**

Ted Thwaites gave a presentation on the recovery phase after the effects of Storm Desmond.

He explained to the meeting that during the early days of the event, emergency services led, but on 14 December this was passed over to the local authorities with Cumbria County Council taking the lead. The current cost to Cumbria at present was £500m.

There were 4 district based recovery groups and the overall aim was to get Cumbria back to full strength.

Ted introduced Doug Coyle from Cumbria County Council's Flood Recovery Team. Doug explained that it was the County's responsibility alongside the Environment Agency to investigate any floodings in the area.

Investigations were now being made in to the 2015 floodings and for the Carlisle area this would mean a series of flood forums being held in May 2016. All members of the public would be invited to these events so that the team could gather information and opinions with effected communities. A draft report would then be put together with all findings and submitted to Government.

Advertisement of these events was underway, with door to door leaflet drops, social media, the press and other agencies involved.

Helen Aitken from ACT was in attendance to talk about Community Emergency Planning.

Guidance had been written, aimed at smaller communities to help them become more resilient in the future. She explained that community emergency plans can help to minimise the impact of an emergency and help communities to recover more quickly.

The guidance and plan took in to consideration those who might be at greater risk or in need of additional support in the event on an emergency. It helped people feel included and know what to do and how to respond in the first few hours.

It set out what residents and businesses could do to be better prepared, know what to do and how to bounce back from any emergency. It also identified key contacts in the community who will co-ordinate the plan including one person who would be the point of contact with local authorities and emergency services.

Helen circulated a copy of the plan to the group and asked representatives to contact ACT for more information.

Rebecca Arkley from the Environment Agency gave the group an update on what the Agency were involved in. She explained that a Cumbria Floods Partnership had been established to consider what improvements to flood defences in the region may be needed such as upstream options for slowing key rivers to reduce the intensity of water flows at peak times and build stronger links between local residents, community groups and flood defence planning.

She explained that the process seeks to look beyond immediate flood recovery activities that are already in progress and to establish a template for future working on a short, medium and long term basis.

All of this work would be brought together in June 2016.

With regards to events taking place there would be a Flood Roadshow taking place on 30 & 31 March 2015 at the old Assembly Rooms in Carlisle town centre. Several agencies would be in attendance such as the Red Cross, National Flood Forum, Eden Flood Volunteers, Carlisle City Council, Cumbria County Council and the Environment Agency.

Parish representatives expressed concerns regarding the response from both the agencies at the time of the floods. It was felt that the rural areas had just been left to it while local authorities and emergency services had concentrated on urban areas.

Examples given included emergency services responding to the area with staff who were unfamiliar with the environs; skips and sandbags being readily available to urban areas but not to rural areas; Contaminated silage and dead livestock were also a problem in the rural areas and it took a phone call to the Chief Executive of Carlisle City Council for anything to happen with it.

It did not appear that a dedicated contact person was in place or any one taking responsibility from the local authorities and the parishes asked for a contact person to be made available in future plans. They acknowledged that members of the County Council's Area Team had been in contact. It was asked why the emergency plans set up after the 2005 floods were not implemented. Ted explained that whilst individual parishes had been represented on the flood recovery group in its infancy, the CPCA chair had quickly taken on responsibility for representing parish interests on the group and had attended its meetings since its inception.

The Chief Executive of Carlisle City Council explained to the group that his team made themselves available to those who needed problem solving. He was involved in the Flood Recovery Group meetings and he explained that any issues raised by the parishes at any of the recovery meetings were immediately reported back to the City Council and dealt with.

He went on to explain that plans were not in place for every contingency but they do their best to make sure everyone is available and take responsibility, he felt it was unfair to imply that no one was available.

The Leader of Carlisle City Council agreed that lessons needed to be learned but that all staff excelled themselves at the time and it was unfair to criticise them now. He further explained that all areas felt neglected not just rural areas but agreed that they needed to work better with rural/parish council.

Councillor Mallinson thanked everyone for their reports and presentations and closed the meeting.

The Meeting ended at 8.55 pm.

**Title: Planning – Development Control**

**Purpose:** This document details the core agreements and mechanisms used to ensure active partnership working by the Planning Authorities and Parish Councils to ensure community interests are properly served. .

**Developed by:** Christopher Hardman (Development Manager)  
Carlisle Parish Councils Association

**Date:** 1 August 2016

**Review Date:**

---

**COMMITMENTS:**

**General:**

**The LPA and the Parish Councils agree that:**

- 1) In addition to the bi-annual meetings of the City Council Executive and the Carlisle Parish Councils Association, and outwith the continuing work between the City Council and Parish Councils, representatives of the Local Planning Authority (at officer level with Portfolio Holder if required) and the CPCA will meet twice yearly to:
  - monitor the implementation and operation of this planning agreement, and;
  - identify solutions to any problems which may arise, and;
  - agree any draft amendments as may prove necessary, and;
  - consult Carlisle City Council and Parish councils upon any draft amendments, and;
  - following consultation modify this document accordingly.
  
- 2) Parish Councils and the LPA will co-operate to examine ways of providing enhanced training opportunities for parish councils, with a view to enabling closer and more effective joint working.

**The LPA agrees that:**

- 1) An evidenced objection from a Parish Council will automatically trigger a referral to committee, unless the officer recommendation is to refuse permission.
- 2) The local knowledge unique to Parish Councils is recognised and their recommendations will be given full consideration and investigated prior to recommendation when they are at variance with those of a technical or other specialist consultee.

**The Parish Councils agree that:**

- 1) An evidenced objection to a proposal will automatically trigger referral to committee.
- 2) Recommendations, based upon a Parish Council's local knowledge, will be evidenced timely and will address material planning considerations.

**Regarding Parish Councils Right to Speak at DCC Meetings:**

**The LPA agrees that:**

- 1) In the interests of clarity, transparency, and openness; any advice issued in respect The Right to Speak Scheme will provide clear guidance on the use and duration of discretionary extensions to time limits.
- 2) Following any deferral as may arise, a Parish Council, should it so request, may be allowed a further 3 minutes to speak at the committee's discretion.

**Parish Councils agree that:**

- 1) A Parish Council wishing to invoke its right to speak will do so at the earliest opportunity and upon publication of the committee's schedule of applications. A Parish Council subsequently wishing to withdraw its wish to speak will immediately notify to the LPA.
- 2) When exercising its right to speak a Parish Council will ensure that its representative is fully aware of DCC procedure including speaker's time limits and other restrictions and will adhere to them.

- 3) When exercising its right to speak, at a DCC meeting, a Parish Council will ensure that its representative, including any substitute, will be well prepared and properly capable of the task.
- 4) It is the duty of Parish Council's representatives, including substitutes, to represent only the properly agreed view of the Parish Council and under no circumstance express personal views or opinions.
- 5) A Parish Council will ensure that its representative will address only material considerations and will desist from making negative statements in respect of individuals; speculating upon any supposed hidden agenda; or making inappropriate allegations, etc.
- 6) A Parish Council wishing to present any audio visual evidence at a meeting of the DCC will ensure that it is provided in a suitable format; that it is lawful, and; that it complies with the requirements the LPA. Any such material will be submitted no later than 3 days prior to committee.

### **Regarding Site Visits:**

#### **The LPA agrees that:**

- 1) A Parish Council's request that a site visit be made in respect of any application will be brought to the attention of the City Council Ward Member prior to issue of the schedule of site visits.
- 2) A Parish Council's invitation to attend site visits will include any visit made in respect of any application upon which a parish council is consulted.
- 3) The Member's Planning Code of Good Practice will clearly stress the importance of a member's duty to attend site visits and their understanding of this duty.
- 4) If requested by a Parish Council to attend a site visit a Ward Member will make every effort to attend. In cases where a Parish Council Representative believes that they have reason to speak, but have not been invited so to do, the Ward Member will immediately act as an intermediary between the Representative and the DCC. In the absence of the Ward Member Parish Council Representatives may address their concerns through the Vice Chair of the Development Control Committee.

#### **Parish Councils agree that:**

- 1) Requests for DCC site visits will be made at the earliest opportunity and within the relevant consultation/notification period.
- 2) Representatives at site visits, including substitutes, will be well prepared and properly capable of the task and will be fully aware of correct procedure.
- 3) Representatives at site visits will not interject or otherwise attempt to communicate with members of the DCC unless invited so to do by the chairman of the DCC.
- 4) If invited to speak at site visits by the DCC chairman, Parish Council representatives will address material considerations only.
- 5) It is the duty of Parish Council's representatives at site visits, including substitutes, to represent only the properly agreed view of the Parish Council and under no circumstance express personal views or opinions.
- 6) Should a representative at a site visit believe that they have reason to speak, but have not been invited so to do, they will address their concerns to the Ward Member present, who will immediately make them known to the DCC. In the absence of the Ward Member, Parish Council Representatives may address their concerns through the Vice Chair of the Development Control Committee.

### **Regarding Timescales for Responding to Planning Consultations:**

#### **The LPA agrees that:**

- 1) Especially with regard to major or locally significant proposals; it will, at the earliest opportunity, encourage developers to discuss their proposals with Parish Councils.
- 2) In order to maximise opportunities for responding, it will notify Parish Councils of proposals and issue consultation documents at the earliest possible opportunity.
- 3) It will be alert to a Parish Council's urgent requests for clarification, information, or advice in respect of planning applications and will respond quickly to them.
- 4) With regard to large and/or complex planning applications, or consultations, the limited resources available to parish councils may have a significant effect upon their capacity to respond within the desired timeframe, and that;

- 5) In such cases as may arise at 4) above; it will make reasonable allowance for the difficulties a Parish Council may be encountering should it request an extension to the consultation period and endeavour to accommodate that request.

**Parish Councils agree that:**

- 1) They will be alert to the statutory requirements which govern LPA performance targets in respect of applications for planning consent and do their utmost to respond within the consultation period.
- 2) They will, individually, endeavour to implement any procedures required that will enable prompt responses to consultation on planning applications and other consultation documents circulated by the LPA having regard to statutory timescales.
- 3) The granting of requests for extensions to deadlines is entirely at the discretion of the LPA.
- 4) If, despite its best efforts, a Parish Council is habitually unable to respond adequately to consultations, within statutory timescales, it may inform the LPA in writing that it wishes to refrain from being routinely consulted on planning applications. This will not prejudice a Parish Council's right to request to be consulted on any specific application which may be made; nor its right to re-invoke, at any time, its statutory right to be consulted and/or to speak.

**Regarding the Explanation of Reasons for a Decision, when at variance with the recommendation of a Parish Council**

**The LPA and the Parish Councils agree that:**

- 1) In respect of variant decisions LPA officers and members of the CPCA executive will, through constructive dialogue, identify an expedient means of explaining the reasoning behind the LPA's interpretation of planning policy.

**Regarding the LPA Website:**

*(The terms LPA website and planning website refer to those parts of the Carlisle City Council Website relating the Councils role as a Local Planning Authority.)*

**The LPA agrees that:**

- 1) All planning applications relevant to the interests of a Parish will be notified to the Clerk of any Parish Council that has expressed a wish to be so notified.
- 2) Prior to notifying a Parish Council of any planning application it will endeavour to ensure that **all** relevant documents are available to view on the planning website.
- 3) It will ask all applicants to supply copies of all relevant documents in formats, or using media, which will enable them to be viewed with clarity on the website.

**Parish Councils agree that:**

- 1) They will prioritise the use of electronic communication with the LPA.
- 2) In the event of any difficulty arising, e.g. accessing the website, ISP failures etc; they will notify the LPA immediately.
- 3) They will ensure that any Parish Council IT system (hardware and software) will be compatible with that used by the LPA.
- 4) They will ensure that Parish Clerks are competent in the use of IT and are able to access the best available internet connection.

**Issue/s for Further Joint Discussion**

**(These issues may require changes to Council procedures and will require additional work prior to any changes being made. Options will be considered related to each of the following areas:)**

1. Acknowledging the dispersed nature of some settlements and individual properties in the rural area, consideration will be given to allow the waiving of the requirement for the receipt of a prescribed number of objections from separate households as an initiator of automatic referral to committee.
2. DCC Members and officers attending a site visit will, at their discretion, have the right to conduct a short informal discussion with Parish Council representatives.  
(Note: **This can come out if the RtS at site visits clauses are agreed**)

**Title:** **Neighbourhood Planning:**

**Purpose:** To provide a partnership framework to enable the LPA and Parish Councils to co-develop effective methods of ensuring that communities are genuinely engaged in the place shaping decisions which affect them.

**Developed By:** Carlisle Parish Councils Association

**Date:**

**Review Date:**

---

**The LPA agrees that:**

- 1) It will consult Parish Councils, from the outset, on all emerging policies that may affect them.
- 2) It will seek to work co-operatively with Parish Councils in the preparation of Neighbourhood Development Plans/Village Design Statement etc.

**The Parish Councils agree that:**

- 1) They will, from the outset, consult the LPA on the production of any Neighbourhood Plan/Village Design Statement etc.
- 2) They will work co-operatively with the LPA in producing any Neighbourhood Plan/Village Design Statement etc. as may be required to enable the active engagement of their communities in the local planning process.