

# Garsdale Parish Council

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## Minutes of the bi-monthly meeting for the Parish Council of Garsdale held at 7.30pm on Wednesday 12 March 2025 at Garsdale Village Hall, Garsdale.

**Present: Councillors** Colton, Todd, Labbate, Mawdsley and Simmonds. Also in attendance, the Clerk J Hassam. (Councillors Dickinson and Ellwood joined Members following Item 6)

### Part I

#### **1. Elect a Chair**

Cllr Colton was proposed and seconded by those present, and duly elected to act as Chair for the meeting. (All remaining items had moved up in number, from the Agenda, to accommodate this Item)

#### **2. Apologies for absence**

There were no apologies, all Members present (two vacancies, with Co-Option Item 6)

#### **3. Declaration of Interest**

There were no personal or prejudicial declarations of interest made.

#### **4. To adopt the minutes of Garsdale Parish Council meeting, dated 15 January 2025**

Members resolved to adopt the minutes previously circulated, dated 15 January 2025, and they were signed by the Chair of the meeting, Cllr Colton.

#### **5. Policy/Procedure Reviews**

Members considered the following policies/procedures, and all were unanimously adopted. Delegated Authority to the Clerk, Co-Option Policy, Standing Orders, Financial Regulations, Parish Council Risk Assessment, Complaints Policy, Data Processing Agreement, Schedule of Publications, Freedom of Information Policy, Vexatious Complaints Policy, Grievance Policy, Disciplinary Policy, Dignity at Work Policy, Diversity and Equality Policy and Councillor Data Security Checklist. An Asset Register was discussed, in respect of the Clerk laptop/printer. It was, anecdotally, also understood that the Parish had assumed responsibility for 1 around square meter of land at East Coat Weggs – though no formal agreement is known.

#### **6. Co-Option Vacancies**

Following adoption of the Co-Option Policy (Item 5) members were pleased to receive four applications previously circulated to Members, from qualifying candidates, for the two vacancies. They were, Paul Benson, Jack Butterworth, Gill Dickinson, and Karen Ellwood. Following votes on each candidate, with Members having two votes each, Gill Dickinson and Karen Ellwood were unanimously declared successful by the Chair and, therefore, were duly elected. Each of the successful candidates signed their Acceptance of Office and joined the Council. They were each given Declaration of Interest forms for completion in due course. The Clerk will then submit to Westmorland and Furness Council and check that all Member declarations are up to date.

#### **7. Report/Update from Westmorland and Furness Council**

Cllrs Mitchell and Hodgson were unable to attend. However, Cllr Mitchell had shared some information in respect of the current Local Government Boundary Commission Review. The review was being undertaken to balance number of electors in Wards. One suggestion sees Garsdale (along with Sedbergh and Dent) being placed into a two Member Ward with Tebay. Another sees Garsdale, Sedbergh and Dent becoming a one Member Ward. Garsdale Parish members had no preference at this stage. Members also noted the ongoing Local Community Governance review, including a Mayor for Cumbria.

**7.1 Community Governance Review – Electoral Review.** Members noted the recommendation by Westmorland and Furness Council to align Elections years going forward, which would delay Garsdale to 2027.

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## **8. Progress reports/updates**

**8.1** Clerk – the clerk advised that all current actions are included on the agenda.

**8.2** Village Hall – the Chairman of the Village Hall read out a short statement. This included reference to the Trustees currently undertaking a review of various policies and procedures and working with ACT Cumbria. This followed recent discussions outlining possible administrative overlaps with the Parish Council. It has, however, now been established that the Trustees at the Village Hall are the Managing Trustees, and that the Parish Council are Holding Trustees only. The Village Hall Trustees acknowledge that there now remains work to do, to bring all practices and procedures into place. The Parish Council also acknowledge the issues and will be working toward separating matters, including a review of the Parish Council current insurance policy. The Village Hall advise that they are looking forward to working with the Parish Council on this, for the benefit of the community, going forward. Finally, it was welcomed that the Village Hall are holding a Community Forum open drop-in event on Sunday 16 March 2025, where all are welcome to attend, speak with Trustees, ask questions, and share thoughts.

**8.3** Highways – it was noted that there were some concerns about the poor condition of the road close to Pot Gill. Cllr Simmonds advises that he will report this to WFC highways, and invites anyone else to do the same. Cllr Colton advises that she has recently spoken with WFC Cllr Mitchell regarding outstanding issues relating to the roadside barriers installed in 2022, and this remains ongoing.

**8.4** Village Signs – it was noted at the meeting in January, that some permissions may not have been sought in advance of the village sign install at Langstone Fell. Cllr Colton and the Clerk will send an apology, and thanks, on behalf of the Council, to explain how this happened and request permission retrospectively.

**8.5** Community groups – Members noted that Respect the Dales had been 'shelved' and was no longer active.

**8.6** B4RN VoIP emergency phones – Cllr Simmonds will liaise with the Village Hall over the planned installation and speak further to relevant bodies in respect of the installation proposed at Garsdale Station.

**8.7** Community Survey conducted by Respect the Dales (RtD) Group in 2023 – a brief history of how the group had originally formed following CANS (communities against noise and speed) and their request to support a survey to help establish community concerns around noise/speed of vehicles etc. Funds from the former CANS group to be utilised toward postage etc. The survey had been completed independently, by RtD, with only limited data/summaries ultimately shared with the Parish Council. Other matters noted from the survey, as well as speed etc, included a hope for increased public transport and emergency phone access. Ultimately, some points raised on the survey were beyond the Parish Council remit, and were shared with other authorities and the local MP for any progress. Members do believe that the survey was not fully representative of all residents, with a relatively low return households (and not separately counting individuals within households) which may have also skewed some figures. Members of the Parish Council believe there is nothing more they can do in direct response to the survey now, however, took the opportunity to thank all those involved at the time, and throughout the project and to all those who responded. Whilst the Parish Council is of limited means, and powers, all residents are reminded that they are welcome to raise issues at Public Participation at any meeting of the Parish Council, or the Annual Meeting of the Parish in May.

## **9. Public Participation/Open Session**

Eighteen members of the public had been welcomed to the meeting. One question was asked regarding ownership at Langstone Fell, with no other contributions made.

## **10. Potential irregularities**

Following recent allegations of financial irregularities and other potential breaches of regulations for Parish Councils.

**VAT** - Members discussed the accusation of potential VAT avoidance. Cllr Colton advised that the former Clerk and Internal Auditor had been consulted and it was confirmed that there were no matters of concern.

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It was acknowledged that some items had been purchased by the Parish Council, historically, which had been ordered and paid for by the Council directly. Some of these items had then donated to the Village Hall, which is acceptable according to the detailed advice on the HMRC website.

Members also discussed the allegation of voting to 'cover up' VAT avoidance/fraud, however, Members advised that this had not taken place as suggested. In fact, Members had delayed further discussion, at the time, whilst advice was sought and to diffuse debate on a topic that needed additional input. A member of the public interjected, at this point, advising that fraud had not actually been alleged, however, Members advised that various correspondence had been seen evidencing this allegation. It was further noted by Cllr Colton that various matters had now also been submitted, via a complaint, directly to the Monitoring Officer at Westmorland and Furness Council which included allegations around VAT. These related to Members of the Parish Council acting inappropriately and not in accordance with the Code of Conduct – this remains ongoing.

**Insurance** – Members noted that the current policy had been renewed by the former Chairman, Jack Butterworth, in November 2024. Members are now aware that the terms of the Village Hall lease do not require the Parish Council to insure the Village Hall, and will be addressing this issue. Cllr Simmonds, and the Clerk, will be seeking comparative quotes for the revised insurance requirements of the Parish Council and will report to Members in due course.

**Budget** – Members acknowledge that the budget setting was delayed, following resignation/s of the former clerks. However, Precept and financial information was then concluded at the January meeting.

**November 2024 Minutes** – Members noted that the Clerk's original notes for the minutes of the meeting held in November had not been made available to Members and, following the resignation of the Clerk and the former Chairman, produced minutes for the meeting held 28 November 2024. These minutes were agreed as a true record, by the Council, on 15 January 2025.

**Energy Performance Certificate – Village Hall** Members noted that an EPC had been sought, by the former Chairman, without confirmation of the Full Council. Furthermore, it had been evidenced by Cllr Colton that Village Halls were exempt, and had confirmed this to the former Chairman.

**Policies** – Members are invited to consider any other outstanding policies that may be required ahead of the next meeting, including the revised Westmorland and Furness Council Code of Conduct. Members hope that future projects/actions can be agreed by the new Council going forward. Unfortunately, due to various instances/resignations in recent months, all administrative time has been taken up by various correspondence/complaints/freedom of information requests. The Clerk does hope that once all necessary records are in place, any outstanding clarification on alleged irregularities, can ultimately be sought from Cumbria Association of Local Council.

Cllr Colton advised that following allegations of varying nature, she had recently spoken to Cumbria Association of Local Council regarding the various recent issues. They acknowledged that the Chairman of a Parish Council should not ideally additionally act as the Clerk – as this potentially leaves the Council in a vulnerable position. Essentially, due to possible overlaps in administration they advise, therefore, that they hope to refer to this in future training. It was also noted that no individual councillor can act alone and that all actions should follow resolution of the Council. Expenditure should be agreed, in advance, and recorded in relevant minutes – unless urgent, and therefore agreed between the Clerk and Chair/Members as required. The Council should, where possible, undertake to obtain comparative quotes for works.

Councillor Colton also noted that during the annual audit of the Parish Council accounts, the auditor will check that all expenditure is listed, by exact amount, as approved in the minutes prior to being incurred. Members noted that some recent activity had taken place without the knowledge of the full Council. Including, work on the Clerk's laptop, completed by a relative of the former Chairman and without prior authority or comparative quotes. This would be a problem during the next annual audit of accounts. Members, therefore, resolved that further information should be sought from the former Chair, in connection with the work, and why it was undertaken. Also, why this was not reported to Members to ratify and where the former Chairman would have needed to declare an interest. There were also concerns raised over the EPC inspection that was carried out, as this too had not been authorised by Members of the Parish Council, it was also not believed that any additional quotes/estimates had been obtained. Finally, the village signs that had recently been purchased, had been bought directly by a member of the public and then reimbursed from the Parish Council.

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No additional costings had been obtained, and advance authorisation and ordering had not taken place through the Clerk. Due to the ad hoc nature of the order/works carried out, one receipt £69.70 had mistakenly been reimbursed, twice, in error. The new Clerk had now been in contact with those individuals, and a refund of £69.70 is anticipated.

## 11 Financial Matters

**11.1** Bank statement reconciliation and update of receipts and payments 2024-2025, with the current bank balance being £3198.71 (12/2/25). The Clerk had circulated a financial summary for Members reference, following receipt of outstanding statements.

**11.2** To approve payments to March 2025, some retrospectively, and consider ICO Membership in the future if/as required (to be decided at a future meeting). Members noted that payments included invoices for work at the Village Hall, but acknowledged that this was an overlap from previous administrative procedures.

Payments, were, therefore agreed by Members – though further correspondence/confirmation is necessary with the former Chairman in respect of the EPC completed at the Village Hall.

Staff remuneration (January to March 2025, PAYE tbc)	£514.72
Cumbria Association of Local Council (retrospective)	£166.00
Works undertaken at Village Hall	
Repairs (retrospective)	£150.00
Energy Assessment EPC (retrospective) awaiting further information and approval	£200.00

**11.3** Consider actions for the Annual Governance and Accounting Statement. The Clerk confirmed that preparations would be made ahead of the annual meetings in May, and Cllr Colton confirmed the ongoing appointment of the Internal Auditor (agreed May 2024).

**11.4** Ongoing and future banking arrangements were discussed, including change of address to the new Clerk, commencement of standing order for salary (new PAYE currently being set up with HMRC) and the cancellation of two cheques, now considered lost in the post (issued November 2024). Finally, it was resolved and agreed that alternative banking arrangements should be sought (to reduce fees) and NatWest Bankline was proposed. The Clerk will commence an application with NatWest, and Members resolved that Cllrs Colton, Simmonds and Mawdsley, along with the Clerk, would be the signatories - with dual authorisation required for all payments.

## 12. Planning Applications

**S/02/1K Mouse Sike, Grisedale, Sedbergh.** Householder planning permission for creation of additional windows/door openings – **no objections**

**S/02/93D Waters Nook Barn, Garsdale, Sedbergh.** Full planning permission for change of use of agricultural land to domestic curtilage; conversion of agricultural 'lean-to' attached to existing dwelling to create additional residential accommodation, office, and storage space; installation of 14no. roof mounted solar pv panels to lean-to roof and erection of single storey extension to the south east elevation to provide a secure enclosure for pedigree cats (existing temporary cat pen to be removed) (part retrospective) – **no objections**.

## 13. Correspondence, notices, and publications

The Clerk noted that a Public Transport User/Action Group was hosting an inaugural meeting in Sedbergh on 27 March 2025, and it was resolved that Cllr Ellwood hoped to attend. This followed the reduction of the existing service in Sedbergh, and general hopes to extend to Garsdale/Hawes to enhance services for the communities.

**13.1** Complaints – Members believe that all matters, directly addressed to the Parish Council, are now closed.

**13.2** Freedom of Information requests – see Part II

**13.3** Local Government Boundary Commission review – see Item 6.

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## 14. Councillor matters/exception items

Cllr Labbate raised the issue of overhanging vegetation at two addresses in the village, and the Clerk agreed to report to Westmorland and Furness Council.

## 15. Date of next meeting

Members scheduled **7.00pm Thursday 22 May 2025**. These would be the Annual Parish Meeting, The Annual Meeting of the Parish Council, and the normal bi-monthly meeting. Members further proposed, to be formally agreed at the annual meeting, to hold future bi-monthly meetings on the 3<sup>rd</sup> Wednesday of alternate months commencing 16 July 2025

In accordance with model Standing Orders, it was proposed and resolved that the public should be excluded from the meeting by reason of the confidential information to be discussed in relation to the following item.

## Part II

### 12.2 Freedom of information

The Clerk advised that following a previous confidential matter, a further enquiry had been received in relation to a Freedom of information request. Members resolved the Council's position had not changed and the Clerk was asked to advise.

Chairman.....

Date.....

Please note that these are draft minutes, subject to change and will not be signed until the next meeting.