

1989 No. 2097

1/4/90

**Local Government
Boundary Commission
For England
Report No.557**

Review of Non-Metropolitan Counties

THE COUNTY OF CUMBRIA
AND ITS BOUNDARIES
WITH NORTH YORKSHIRE
NORTHUMBERLAND AND
DURHAM

LOCAL GOVERNMENT

BOUNDARY COMMISSION

FOR ENGLAND

REPORT NO. 557

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND

CHAIRMAN

Mr G J Ellerton CMG MBE

DEPUTY CHAIRMAN

Mr J G Powell CBE FRICS FSVA

Members

Professor G E Cherry BA FRTPI FRICS

Mr K F J Ennals CB

Mr G R Prentice

Mrs H R V Sarkany

Mr B Scholes OBE

THE RT HON NICHOLAS RIDLEY, MP
SECRETARY OF STATE FOR THE ENVIRONMENT

REVIEW OF NON-METROPOLITAN COUNTIES

THE COUNTY OF CUMBRIA AND ITS BOUNDARIES WITH NORTH YORKSHIRE, NORTHUMBERLAND
AND DURHAM

COMMISSION'S FINAL REPORT AND PROPOSALS

1. This report is divided into four separate parts. Part 1 is an introduction to the Cumbria review. Part 2 concerns each stage of the review relating to all but one of the boundary issues raised. Part 3 deals with the remaining issue, namely the village of Gilsland. Part 4 briefly describes the arrangements for distributing and publicising the report.

PART 1: INTRODUCTION

2. On 26 July 1985 we wrote to Cumbria County Council announcing our intention to undertake a review of the county under section 48(1) of the Local Government Act 1972. Copies of the letter were sent to the principal local authorities and to the parishes in the county of Cumbria and in the surrounding counties of Durham, Lancashire, Northumberland and North Yorkshire and the National and County Associations of Local Councils. Copies were also sent to the Members of Parliament with constituency interests, the headquarters of the main political parties and government departments which might have an interest, as well as to the Northern Regional Health Authority, British Telecom, the Merseyside, North Wales and North Western Electricity Boards, the North Western and Northern Regional Gas Boards, the North West and Northumbrian Water Authorities, the English Tourist Board, Port Authorities in the counties, the local government press and local television and radio stations serving the area.

3. The County Council was requested, in co-operation as necessary with other local authorities concerned, to assist us in publicising the start of the review by inserting a notice for two successive weeks in local newspapers so as to give a wide coverage in the areas involved. The County Council was also asked to ensure that the issue of the consultation letter was drawn to the attention of those concerned with services such as the police and the administration of justice, in respect of which it has a statutory function.

4. A period of six months from the date of the letter was allowed for all local authorities, including those in the surrounding counties, and any person or body interested in the review, to submit to us their views in detail on whether changes to the county boundary were desirable and, if so, what these changes should be and how they would serve the interests of effective and convenient local government.

PART 2: ISSUES OTHER THAN GILSLAND

A. SUBMISSIONS MADE TO US AND OUR DRAFT PROPOSALS/INTERIM DECISION

5. In response to our letter we received representations from the County Councils of Cumbria, Northumberland and North Yorkshire, Appleby-In-Westmorland Town Council, and the Parish Councils of Dent, Garsdale, Ireby and Uldale and Sedbergh (Cumbria). We also received representations from the South Cumbria Health Authority, the Northumbrian Water Authority, the Yorkshire Ridings Society, the Sedbergh and District Action Group for Yorkshire (including a petition), and three residents of Cumbria.

6. We also received submissions suggesting changes to Cumbria's boundary with Lancashire; these are being considered separately as part of the review of the latter.

The boundary between Cumbria and North Yorkshire

Stretch of the C29 road isolated within Cumbria

7. Cumbria County Council suggested an adjustment to the boundary between North Yorkshire and Cumbria to transfer a small stretch of the isolated C29 road in the vicinity of Drover Hole Hill into North Yorkshire. North Yorkshire County Council did not object. We decided to issue a draft proposal to effect the transfer.

Sedbergh, Garsdale and Dent

8. Cumbria County Council informed us that several residents from the Sedbergh area had expressed a desire for change to the county boundary. The County Council therefore wrote to Sedbergh, Garsdale and Dent Parish Councils asking for their views before it formulated its submission. The three Parish Councils stated that they wished to see no change to the existing boundary. Dent Parish Council held a public meeting to test local opinion on the issue of a transfer to the district of Craven in North Yorkshire. It later decided not to recommend any changes to the existing boundary. Garsdale Parish Council expressed some dissatisfaction with the present administration, but felt that such problems as existed were unlikely to be solved by a transfer to North Yorkshire.

9. Sedbergh Parish Council held a public meeting at which residents were invited to put forward their case for a transfer to North Yorkshire. The Parish Council then considered the case but felt it to be unconvincing; it had some sympathy with those wishing to transfer but felt that it was in the best interests of effective and convenient local government for Sedbergh to remain in Cumbria.

10. The Sedbergh and District Action Group wanted the area to return to Yorkshire, and in support of this forwarded a petition with approximately 1,100 signatures. It felt that the area was more akin to North Yorkshire and had been neglected by Cumbria County Council. It stressed that historically and

geographically the area was part of Yorkshire and would be better served by North Yorkshire County Council. The Yorkshire Ridings Society supported this view.

11. North Yorkshire County Council considered that no case had been made for the suggested transfer. The "Cumbria" County Branch of the National Farmers' Union opposed the transfer because of the easier links with Kendal and Carlisle in Cumbria. The South Cumbria Health Authority also opposed it on the grounds that the Northern Regional Health Authority is currently investing in a health centre in Sedbergh and would be unlikely to continue to do so if the area were transferred. It considered that the suggested transfer would cause confusion and have an adverse effect on the provision of health care in the area.

12. We noted the depth of feeling in Sedbergh, Garsdale and Dent for a return to the county to which they belonged prior to 1974. We considered the claim that there is a community of interest and sentiment between this area and Yorkshire and noted that the area appears to fall between two stools from the stand point of tourism. We also noted that the area was closer geographically to the headquarters of the district authority in Cumbria than the nearest equivalent authority in North Yorkshire. The principal authorities and the three parish councils concerned informed us that they wished to see no change but indicated some dissatisfaction with the low priority given to the needs of the area, as they saw it, by the present administration. However, they were of the opinion that such problems would best be met by an improvement of the existing lines of communication, and that a transfer to North Yorkshire would not be in the interests of the area. In the absence of a more convincing argument in favour of change, and in the light of the views of the local authorities that the existing arrangement was more in the interests of effective and convenient local government, we made an interim decision to make no proposals in respect of Sedbergh, Garsdale and Dent.

The boundary between Cumbria and Northumberland

Midgeholme

13. Cumbria County Council suggested that a small area of the parish of Hartleyburn in Northumberland should be transferred to the parish of Midgeholme in Cumbria because the existing county and parish boundary divides the community. Carlisle City Council supported the suggestion. Northumberland County Council agreed but suggested an alternative boundary line, as the one proposed by Cumbria County Council did not follow any clearly defined feature and went further into Northumberland than it considered necessary.

14. We felt that Cumbria County Council's suggestion for this area would be sensible if amended as Northumberland County Council had proposed, and decided to issue a draft proposal accordingly, incorporating a further minor technical amendment put forward by Ordnance Survey.

The boundary between Cumbria and Durham

Cow Green Reservoir

15. The Northumbrian Water Authority suggested that Cow Green Reservoir, which is at present split by the county boundary, should lie entirely in Durham. It had subsequently informed us that Durham County Council was the enforcing authority for the reservoir, under the Reservoirs Act 1975. Cumbria County Council reserved the right to comment at the next stage of our consultation procedures. In the absence of any opposition, we decided to issue a draft proposal to place the reservoir wholly in Durham.

Our draft proposals/interim decision letter

16. The letter announcing our draft proposals (including a draft proposal on Gilsland - see 3 below) and interim decision was published on 26 September 1986.

Copies were sent to all the local authorities concerned and to those who had made representations to us. The County Councils of Cumbria, Durham, Northumberland and North Yorkshire were asked to publish a notice giving details of our decisions and to post copies of it at places where public notices are customarily displayed. They were also asked to place copies of our letter on deposit for inspection at their main offices for a period of eight weeks. Comments were invited by 24 November 1986.

B RESPONSE TO OUR DRAFT PROPOSALS/INTERIM DECISION: OUR FINAL DECISIONS

17. We received representations from 29 sources in response to our draft proposals letter. Many of these concerned our draft proposal for Gilsland (see Part 3 below). Comments on the other issues were received from the County Councils of Cumbria, Durham, Lancashire and Northumberland, Carlisle City Council, the District Councils of Eden, South Lakeland and Teesdale and the Parish Councils of Arkholme with Cawood and Dufton. We also received representations from the South Cumbria Health Authority, the Northumbrian Water Authority, Councillor Iveson (a South Lakeland District Councillor), the Yorkshire Ridings Society, the Sedbergh and District Action Group for Yorkshire, and from other interested bodies and individuals.

18. As required by section 60(2) of the Local Government Act 1972, we have carefully considered all the representations made to us and set out below our final proposals.

The boundary between Cumbria and North Yorkshire

Stretch of the C29 road isolated within Cumbria

19. Our draft proposal was supported by Cumbria County Council, and we have decided, in the absence of any opposition, to confirm it as our final proposal.

Sedbergh, Garsdale and Dent

20. No comments were made directly to us in support of our interim decision. The majority of comments we received again referred to the area's historic and geographical links with Yorkshire. The Yorkshire Ridings Society also opposed our interim decision and considered the arguments put forward in favour of no change to be incorrect.

21. Mrs Walsh, a Sedbergh Parish Councillor, and Mr Iveson, a South Lakeland District Councillor, who are also members of the Sedbergh for Yorkshire Action Group and the Yorkshire Dales National Park Committee respectively, forwarded a detailed submission in favour of transferring the area to North Yorkshire. They complained of what they saw as the difficulties the area experienced as a result of neglect and maladministration by the authorities in Cumbria.

22. We asked Cumbria County Council to comment on the points raised. The County Council suggested that there was no evidence to support the view that the area had closer links with North Yorkshire and believed that all the available evidence suggested that Sedbergh had stronger links with Cumbria than any other area. The County Council pointed out that the majority of residents worked in the district of South Lakeland, and Kendal appeared to be regarded as the local centre for shopping and services. It claimed that it is providing the best services possible, given the available resources, and said that it delegated planning control to the Yorkshire Dales National Park Committee only as a result of a recommendation by the Department of the Environment but that it still retained long term planning control.

23. We note that no new arguments in favour of change have been brought forward. We note also that the majority of residents work in Cumbria. The very limited response from residents does not bear out the claimed strength of local feeling that the area had been neglected by Cumbria County Council. We have decided, on the evidence placed before us, to confirm as final our interim decision to make no proposals for the area.

The boundary between Cumbria and Northumberland

Midgeholme

24. Cumbria and Northumberland County Councils and Carlisle City Council all supported our draft proposal. In the absence of any opposition, we have therefore decided to confirm it as our final proposal.

The boundary between Cumbria and Durham

Cow Green Reservoir

25. Our draft proposal was opposed by Cumbria County Council, and by Eden District Council, after Dufton Parish Council had pointed out that the three local authorities in Cumbria would lose rateable value. Durham County Council, Garsdale District Council and the Northumbrian Water Authority all supported our draft proposal. The principal authorities in Durham stressed, in response to the objections from Cumbria County Council, that our draft proposal reflected the fact that communities in Durham used water from the reservoir and would suffer most in the event of a failure in the supply. They further pointed out that the loss of revenue to the Cumbrian local authorities would not be high.

26. We considered all the representations made to us for this area. We felt that there would be benefits in the water authority having to deal with only one set of local authorities. We have therefore decided to confirm our draft proposal as our final proposal.

PART 3: GILSLAND

SUBMISSIONS MADE TO US AND OUR DRAFT PROPOSAL

27. Thirlwall Parish Council, in response to our letter announcing the start of the review, pointed out that the village of Gilsland is presently served by

three parish councils, two district councils and two county councils. It suggested that the whole village should be included within one county, preferably Northumberland. We noted that Carlisle City Council had made no reference to this area in its parish review which was nearing completion.

28. We felt that the village would benefit from the administration of one county authority. We therefore decided to issue a draft proposal to unite the community in Northumberland; (see paragraph 16 above).

RESPONSE TO OUR DRAFT PROPOSAL, INFORMAL MEETING AT GILSLAND, AND OUR FURTHER DRAFT PROPOSAL

29. Our draft proposal attracted a great deal of opposition. Cumbria County Council objected because the proposed transfer would still leave part of the Gilsland community in Cumbria and because it felt that the community as a whole looked towards Carlisle and Cumbria for its shopping and services. Similar objections, from their respective standpoints, were received from Northumberland County Council, Carlisle City Council and the Parish Councils of Denton Upper and Waterhead, in Cumbria, and Thirlwall, in Northumberland. The Reverend C T Matthews (Chairman of the Governors of Gilsland School), Mr David Maclean MP, the Chairman of Denton Upper Parish Council and 22 other residents of Gilsland raised similar objections. They also expressed concern about the complex educational problems which would result from our draft proposal, since the Gilsland village school, at present operating under the Cumbrian 2-tier system, would be transferred into the Northumbrian 3-tier system. Some felt that if we were to decide to unite the village, then it would be more desirable to place it entirely within Cumbria. Similar views were expressed at a public meeting held in Gilsland on 25 November 1986 by Denton Upper Parish Council. The results of various local polls on both sides of the county boundary indicated a desire to leave matters as they were.

30. On the educational issue, Cumbria County Council claimed that our draft proposal would jeopardise the present arrangements for co-operation between the Education Authorities. The two counties operated different systems and any Cumbrian children still attending Gilsland school after its transfer to

Northumberland might have to transfer to another Cumbrian school at the age of nine to avoid having to continue in the Northumbrian system. It stated that Gilsland Primary School forms an integral part of community life and would therefore have to be included in any logical proposal to unite the village in Northumberland. It also stressed that a transfer would leave parents in Cumbria with difficult choices about the education of their children and might also endanger the future of Gilsland school, or that of the nearby Greenhead School in Northumberland, which some of the village children attended.

31. At the request of Cumbria County Council, and with the agreement of the other authorities concerned, an informal meeting was held at Gilsland on 24 March 1987, so that local views could be expressed to the Secretary of the Commission. The general view of the meeting was that the division of the village caused only minor problems for the provision of present services. It was also made clear, in response to questioning by the Secretary, that the present boundary was not seen as a serious obstacle to the development of tourism in the area. It was widely believed in the village that there was little to be gained from changes to the county boundary. The education issue was raised again and it was emphasised that there would be great difficulties for parents and children if the village were to be united in Northumberland but that the problems would be less severe if it was united in Cumbria, although the future of Greenhead School might then be in doubt. It was also indicated that Cumbrian roads appeared to receive priority for snow clearance, that there were two separate refuse collection services and that some footpaths seemed to terminate at the county boundary. There was a widespread feeling that Gilsland would benefit from a single parish council, but it was not clear locally that this would not be possible without Gilsland being in a single county. It appeared that joint parish meetings had been attempted but had so far proved to be unsuccessful. It was also pointed out that Greenhead was a Church of England assisted school and that therefore Northumberland County Council might not be able to close it.

32. We remained of the view that the present division of the village by the county boundary could not be conducive to effective and convenient local government. We noted there was some dissatisfaction among residents at the

practical problems caused by the division of the village in the provision of services and a desire for better communication and co-operation on matters of common interest. We noted that there appeared to be a general desire to unite the village into a single parish but realised that this could not be achieved without uniting the community in one county. In the light of the further information we had received we took the view that most residents tended to look towards Carlisle for their shopping and similar services, rather than towards Northumberland.

33. We therefore considered that it would be in the interests of effective and convenient local government for the community of Gilsland to be united in a single county, which would eventually enable a single parish to be formed. We felt that the educational problems that would result if the village were united in Cumbria would be less significant than if it were united in Northumberland as under our draft proposal. We therefore decided to issue a further draft proposal to unite the whole community in Cumbria. We invited the local authorities to assist us by suggesting a new boundary line which would bring into Cumbria the whole of the community of Gilsland presently in Northumberland.

34. The letter announcing our further draft proposal was published on 30 June 1987. Copies were sent to Cumbria and Northumberland County Councils, Carlisle City Council and Tynedale District Council, the Parish Councils of Denton Upper, Greenhead, Thirlwall and Waterhead, and to all those who had made representations to us on this issue. The local authorities were asked to publish a notice giving details of our further draft proposal and to post copies of it at places where public notices are customarily displayed. They were also asked to place copies of our letter on deposit for inspection at their main offices for a period of eight weeks. Comments were invited by 25 August 1987. This period was subsequently extended to 30 September 1987 at the request of the local authorities.

RESPONSE TO OUR FURTHER DRAFT PROPOSAL ON GILSLAND AND OUR FINAL PROPOSAL

35. We received representations from 44 sources in response to our letter. The majority were from residents on the Northumbrian side of the village who were opposed to our further draft proposal. The remaining comments came from the local authorities concerned, various interested bodies and organisations, Mr Alan Amos MP, Mr David Maclean MP, and three residents from the Cumbrian side of Gilsland.

36. As required by section 60(2) of the Local Government Act 1972, we have carefully considered all the further representations made to us.

37. Northumberland County Council, Tynedale District Council and Greenhead and Thirlwall Parish Councils were all opposed to our proposal. Cumbria County Council, Denton Upper Parish Council, and Waterhead Parish Council, however, all supported it. Carlisle City Council also expressed support but considered that public opinion was the most important factor to be taken into account and felt that this favoured the existing arrangements. Residents from the Northumbrian part of the village expressed almost unanimous opposition and forwarded a petition signed by 211 adult residents out of 222, to the effect that the present boundary should not be changed.

38. One resident from the Northumbrian side of the village stressed the need for Gilsland to be united in one county to enable it to have a more forceful impact on local government. She spoke of a lack of effective co-operation between the three parish councils and of the duplication of services to the village. However, she felt that Gilsland was essentially a Northumbrian village and should therefore be united within Northumberland.

39. Northumberland County Council and Tynedale District Council said they were unaware of any dissatisfaction with the service provided to Gilsland by the local authorities on the Northumbrian side and contested our view that residents look towards Carlisle for shopping and entertainment. They felt that Hexham, in

Northumberland, provided a good range of facilities and was just as convenient to residents as Carlisle. Thirlwall Parish Council said that most of its residents shopped in Hexham or Haltwhistle and that the library, doctors, dentists and local hospital were in these towns. Mr Alan Amos MP and several residents all felt that practically, historically and culturally Gilsland was allied to Northumberland. The Northumberland Association of Local Councils felt that there might be a case for transfer on administrative grounds but did not find the arguments put forward sufficiently convincing. Several residents referred to the higher rates they would have to pay if transferred to Cumbria.

40. In response to one of the comments put to us we established that there was no formal arrangement between the county councils for the provision of emergency services to Gilsland. However the services themselves appeared to co-operate whenever necessary. Denton Upper Parish Council pointed out that uniting the village in Cumbria would place all its focal points under one set of authorities and that the present parishes could then be dissolved and replaced by one parish council which could represent the whole community. Waterhead Parish Council and two individuals also expressed similar views.

41. The majority of individual comments we received concerned the effect that our proposal would have on educational arrangements. Northumberland County Council, Greenhead Parish Council, the Northumberland Association of Local Councils, Mr Alan Amos MP and Mr David Maclean MP, all believed that the future of Greenhead school could be threatened and felt that the number of pupils would be reduced. Several residents were satisfied with Northumberland's 3-tier education system which they regarded as superior to Cumbria's 2-tier system. At present 39 children from the Northumbrian side of the village attend schools in Northumberland. Parents feared that they would have to pay transport costs if they wished their children to continue in the Northumbrian education system. They also felt that their freedom of choice would effectively be removed. (Cumbria County Council later stated that, subject to any constraints applying at the time of boundary change, it would give favourable consideration to meeting the school transport costs of children transferred to Cumbria who

were then attending Northumbrian middle or upper schools, until they had completed their schooling in the Northumbrian system). Denton Upper Parish Council supported our proposal because Gilsland school would no longer be under threat. One resident felt that this issue had been "blown out of all proportion," with parents placing allegiance with whichever county their child was being educated in at present.

42. We noted the local opposition to our further draft proposal but have nevertheless concluded that, uniting the village in one county and district would be in the longer term interest of effective and convenient local government. We felt that practical advantages in the administration of highways, public transport, education, emergency services, waste disposal, housing, tourism and amenities, could reasonably be expected to follow from unification. We considered that these potential benefits outweighed the objections to change that had been made to us. We noted that Thirlwall Parish Council itself had originally recognised that there was a case for uniting Gilsland and that Waterhead and Denton Upper Parish Councils had supported our further draft proposal. We also took note of the desire for the village to be in one parish which seemed to us to reflect a strong local loyalty to the community; this could only be effectively recognised by uniting it in one county.

43. We have therefore reaffirmed our view that Gilsland should be united in one county, district, and, ultimately, one parish, and that unification of the village within Cumbria would be more appropriate and less disruptive than unification in Northumberland. We have decided, therefore, in the interests of effective and convenient local government, to confirm our further draft proposal as final. Initially, pending a parish review by Carlisle City Council, the Northumberland part of the village should in our view become part of Denton Upper Parish.

PART 4: PUBLICATION

4. A separate letter is being sent to the County Councils of Cumbria, Durham, Lancashire, Northumberland and North Yorkshire asking them to deposit copies of this report at their main offices for inspection for six months. They are also asked to put notices to this effect on public notice boards and in the local press. The text of the notice will explain that the Commission has fulfilled its statutory role in this matter, and that it now falls to you to make an Order implementing the proposal if you think fit, though not earlier than six weeks from the date it is submitted to you. Copies of this report, to which are attached maps illustrating the proposed changes, are also being sent to everyone who received our draft proposals and interim decision letter, our further draft proposal letter and to those who made written representations.

G J ELLERTON (Chairman)

J G POWELL (Deputy Chairman)

G E CHERRY

K F J ENNALS

G R PRENTICE

HELEN SARKANY

BRIAN SCHOLES

S T GARRISH
SECRETARY

JUNE 1988

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND

COUNTY BOUNDARY REVIEW

CUMBRIA

AFFECTING DURHAM, NORTH YORKSHIRE
AND NORTHUMBERLAND

FINAL PROPOSALS

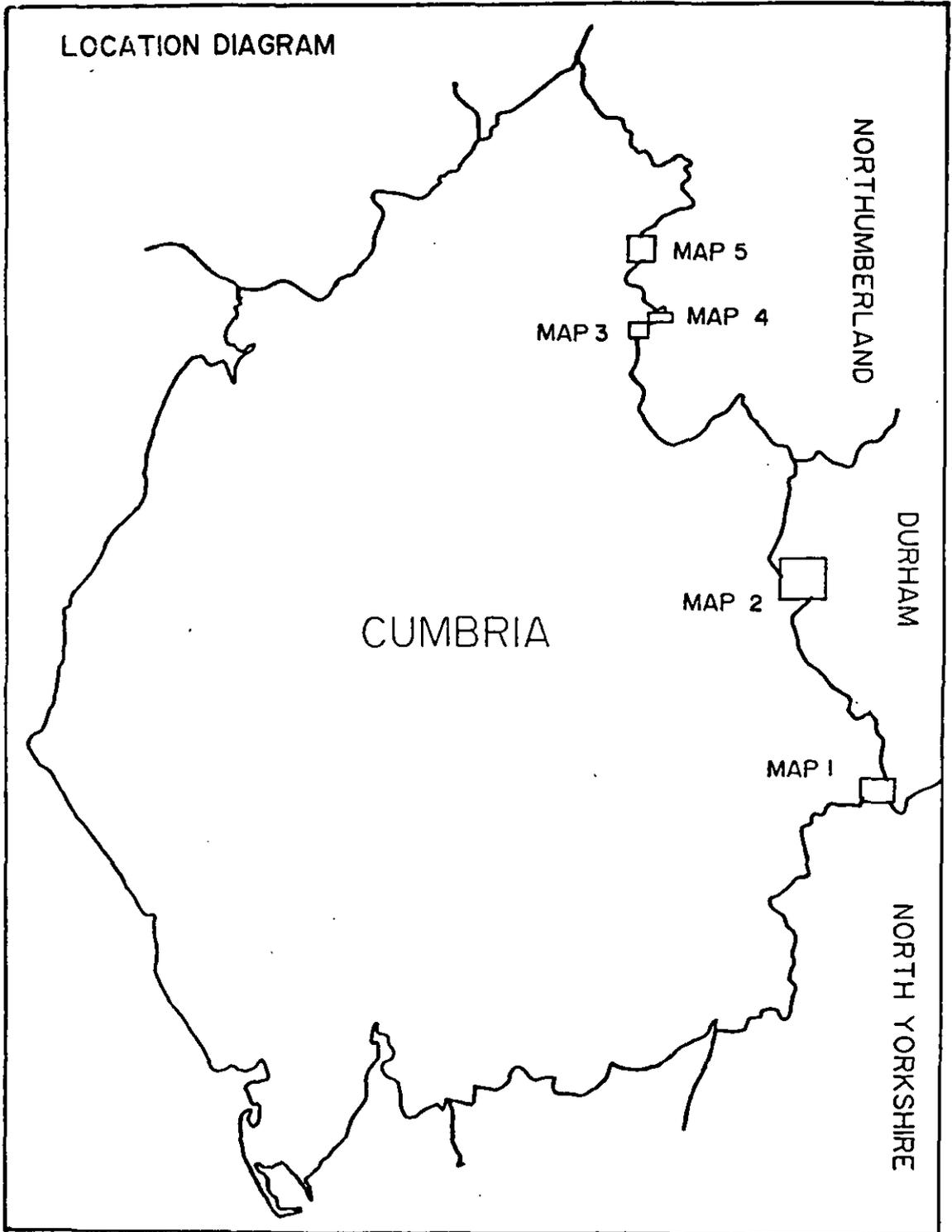
Existing County Boundary

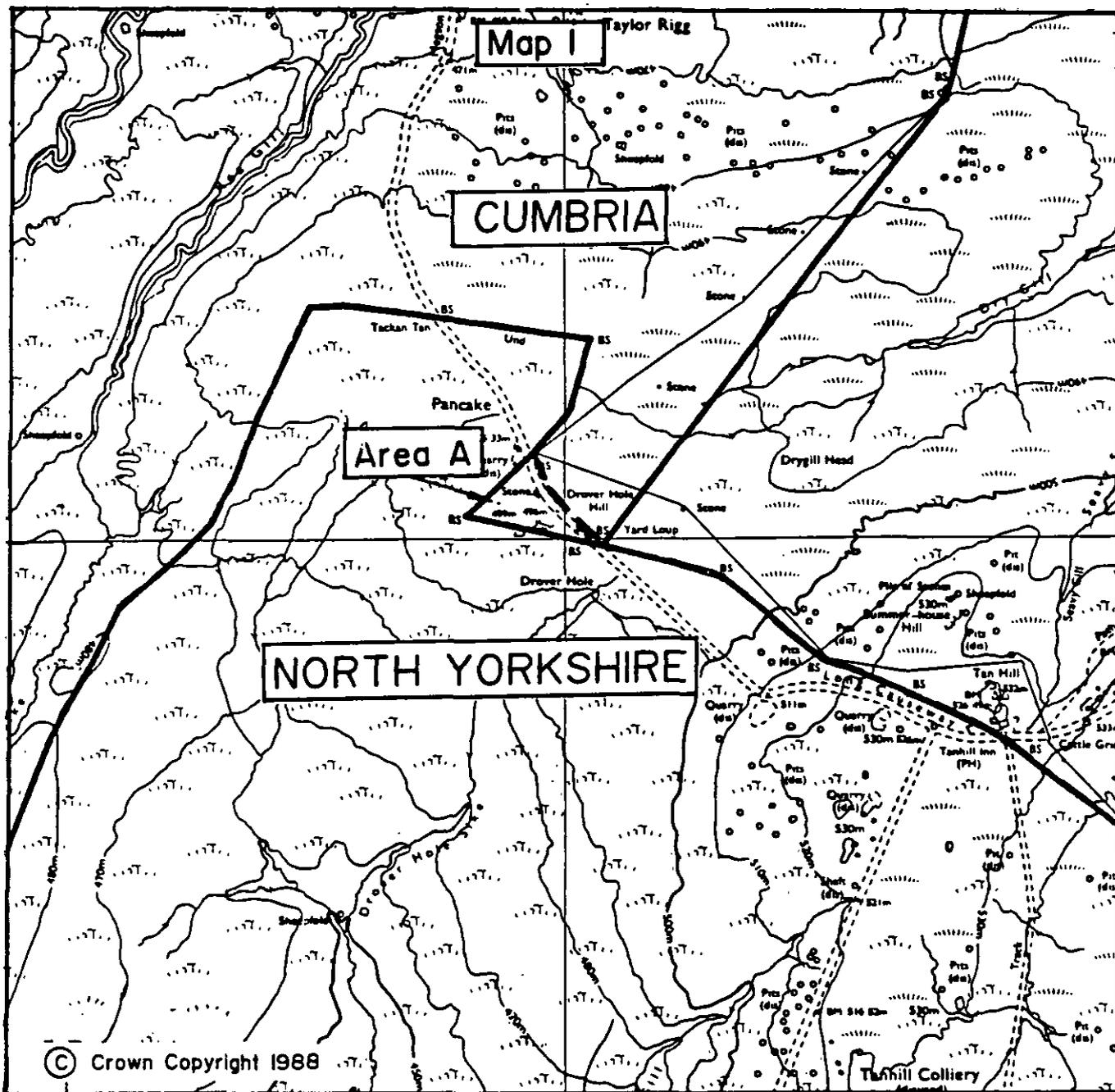


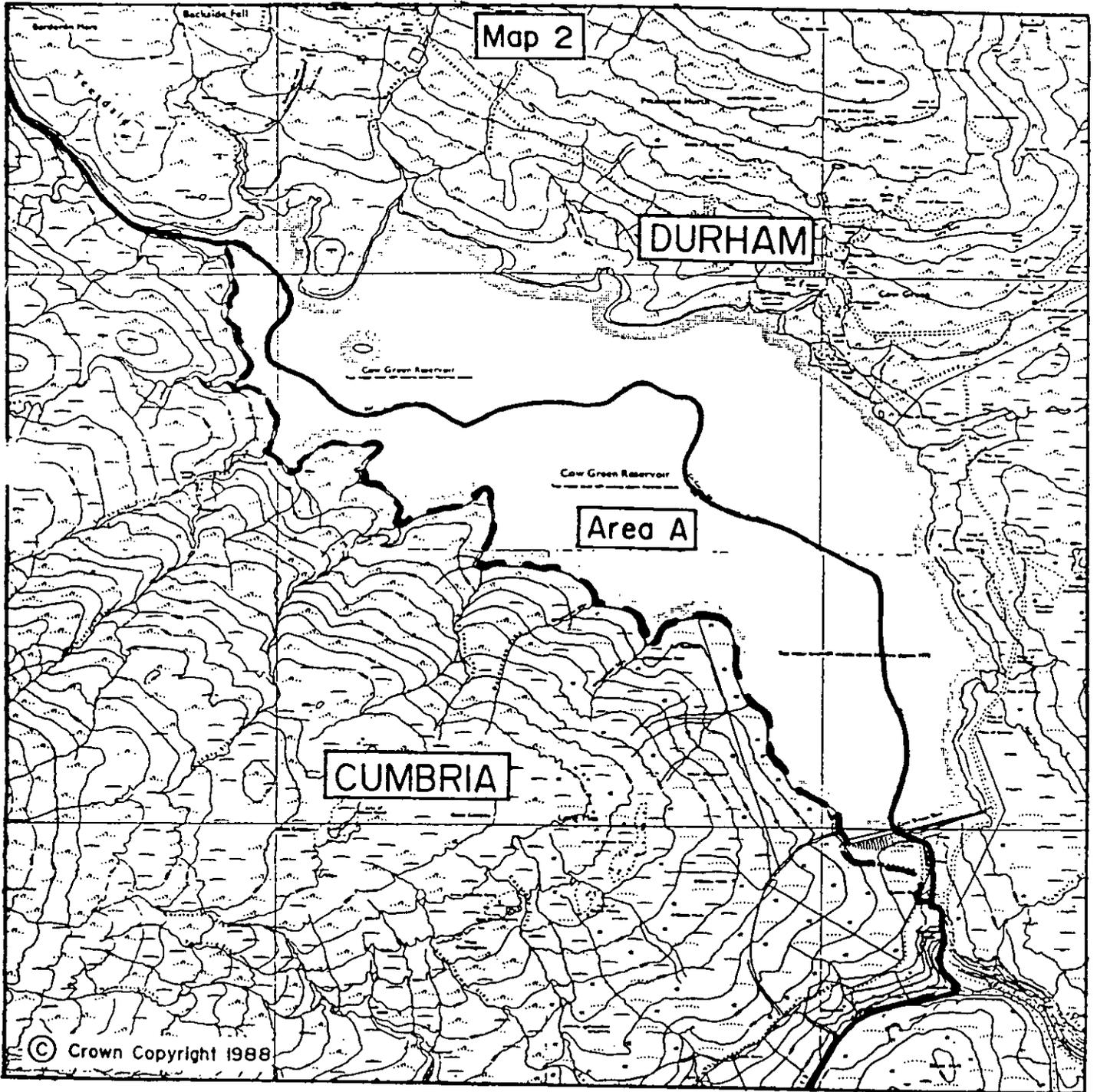
Proposed County Boundary



LOCATION DIAGRAM







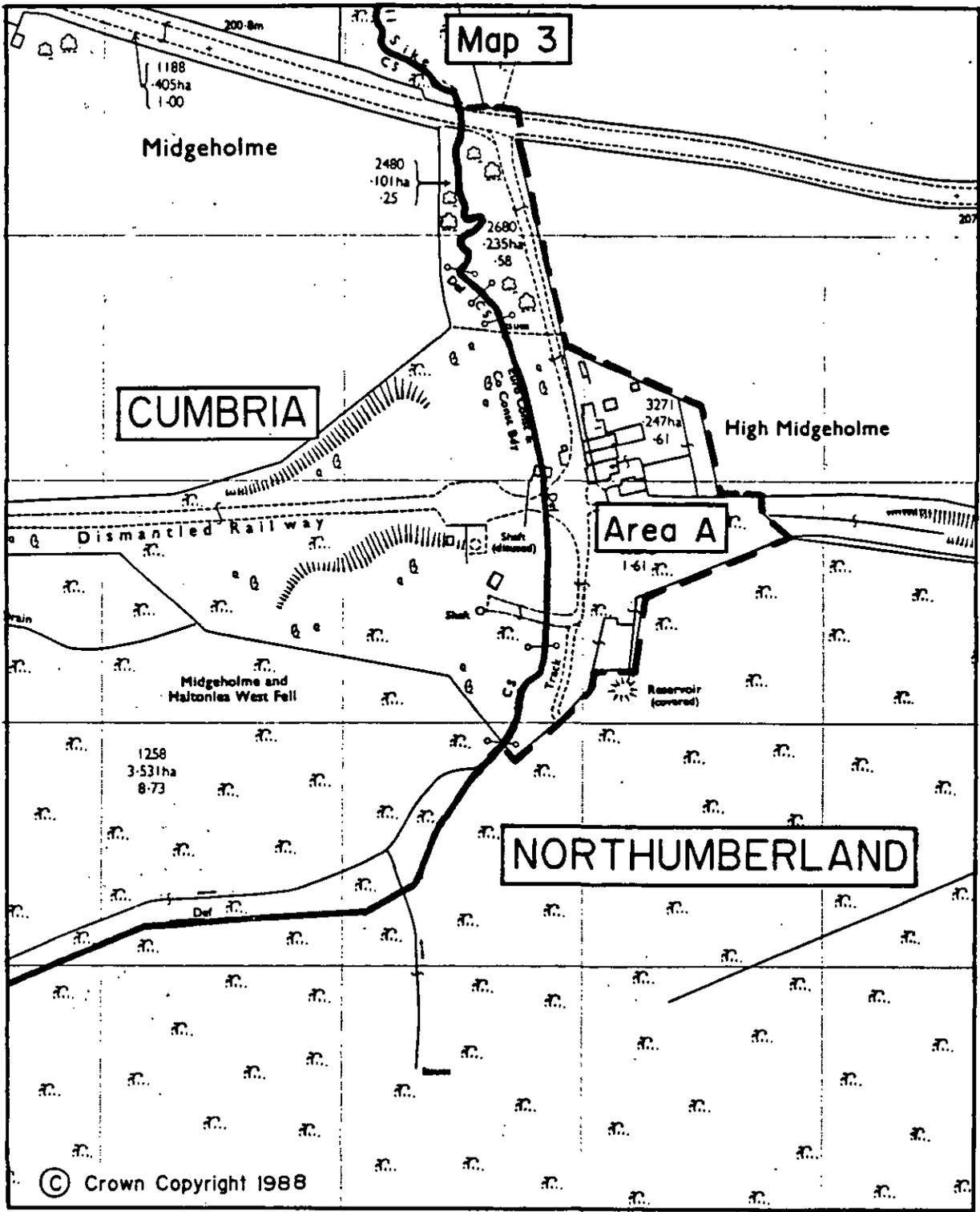
Map 2

DURHAM

Area A

CUMBRIA

© Crown Copyright 1988



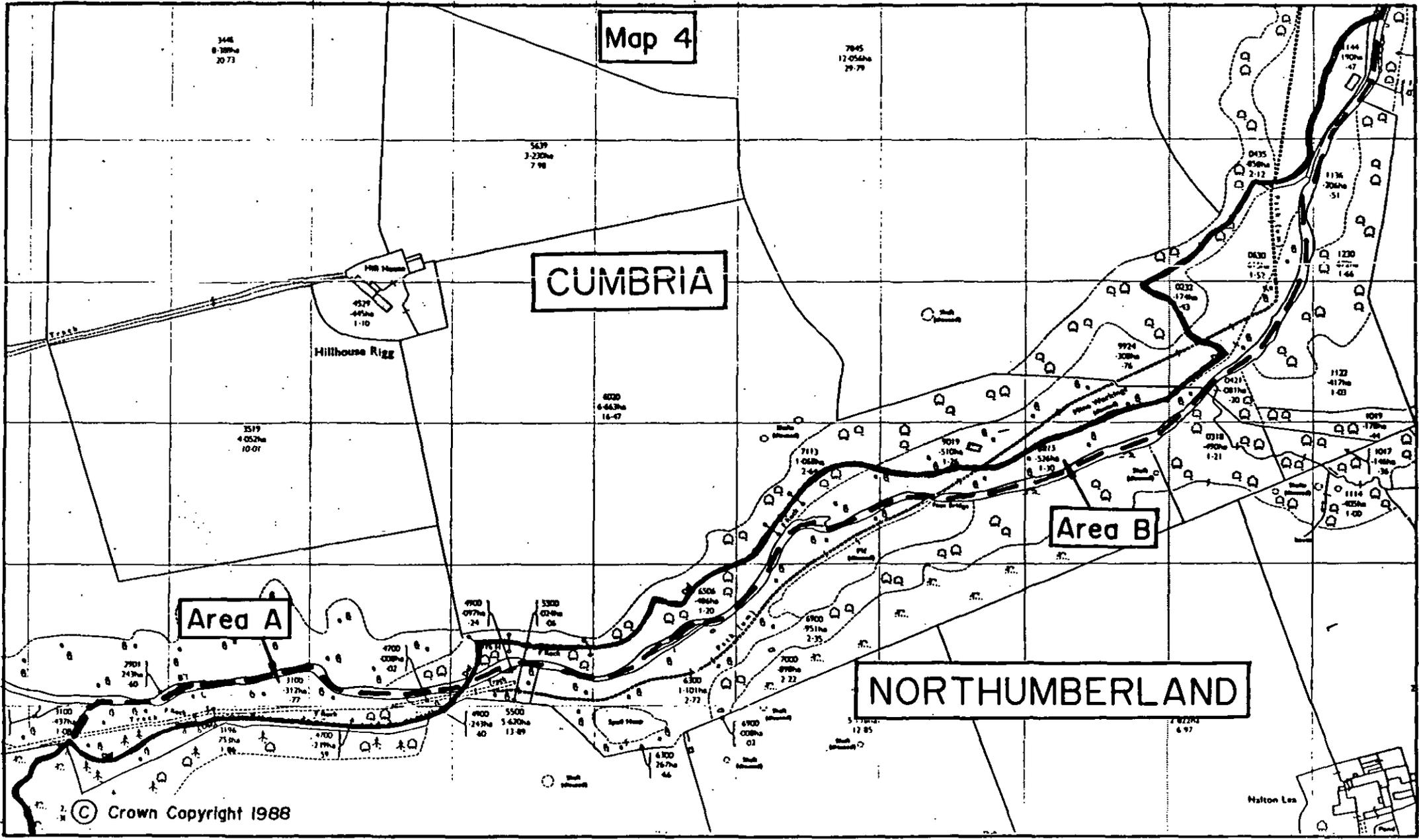
Map 4

CUMBRIA

Area B

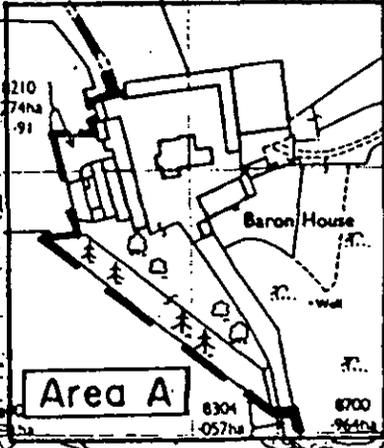
Area A

NORTHUMBERLAND



Map 5

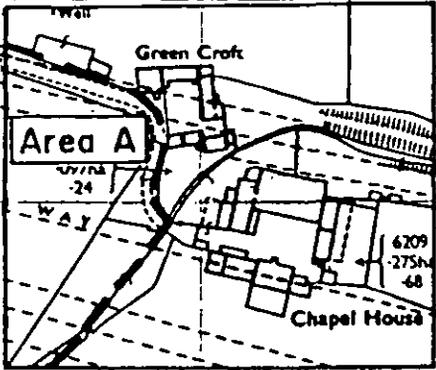
Inset 1



See Inset 1

CUMBRIA

Inset 2



See Inset 2

Area A

BR DENTON CP

NORTHUMBERLAND

CONSEQUENTIAL CHANGES

MAP NO	AREA REF	FROM	TO
1	A	Cumbria Eden District Kaber CP Kirkby Stephen Ward Kirkby Stephen ED	North Yorkshire Richmondshire District Muker CP Grinton and Upper Swaledale Ward Upper Dales ED
2	A	Cumbria Eden District Dufton CP Long Marton Ward Appleby ED	Durham Teesdale District Forest and Frith CP Middleton-in-Teesdale Ward Barnard Castle West ED
3	A	Northumberland Tynedale District Hartleyburn CP West Tynedale Ward Plenmeller ED	Cumbria City of Carlisle Midgeholme CP Irthing Ward Brampton and Gilsland ED
4	A	Cumbria City of Carlisle Midgeholme CP Irthing Ward Brampton and Gilsland ED	Northumberland Tynedale District Hartleyburn CP West Tynedale Ward Plenmeller ED
	B	Northumberland Tynedale District Hartleyburn CP West Tynedale Ward Plenmeller ED	Cumbria City of Carlisle Midgeholme CP Irthing Ward Brampton and Gilsland ED
5	A	Northumberland Tynedale District Thirlwall CP Tipalt Ward Plenmeller ED	Cumbria City of Carlisle Upper Denton CP Irthing Ward Brampton and Gilsland ED

