

**ALLITHWAITE UPPER PARISH COUNCIL  
(LINDALE and NEWTON IN CARTMEL)  
MINUTES OF THE MEETING HELD LINDALE  
WEDNESDAY 20<sup>th</sup> October 2010 at 7.30 pm**

Min No	Agenda Item	Action Req By:
1495	<b>PRESENT:</b> Cllr Ms Hall (Chair), Cllr Mrs Tattersall, Cllr Mrs McClure, Cllr Armstrong, County Cllr Wearing, District Cllr Walsh.	
1496	<b>IN ATTENDANCE:</b> Mrs D Cowperthwaite- Clerk, John Barwise and Sue Scott, Monitoring and Enforcement Officers SLDC. Public:- 3	
1497	<b>APOLOGIES:</b> Cllr Bond.	
1498	<b>MINUTES OF PARISH COUNCIL MEETING HELD ON 8<sup>th</sup> September 2010:</b> The minutes as circulated from meeting on 8 <sup>th</sup> September 2010. Proposed Cllr Mrs Tattersall and Seconded Cllr Mrs McClure. All in favour.	
1499	<b>CHAIRMAN'S ANOUNCEMENTS AND DECLARATION OF INTERESTS BY MEMBERS REGARDING ITEMS ON THE AGENDA.</b> No announcements or declarations of interest by members.	
1500	<b>PUBLIC PARTICIPATION/QUESTIONS OR CONCERNS RELATING TO ITEMS ON THE AGENDA:</b> Mr Bertlin stated he would like to express his appreciation for action taken to put up temporary signs and reported that they are now all missing. He offered to monitor and if we give him some spare copies he will replace. He also said he would make an official complaint to the Police in capacity as central control for Neighbourhood Watch scheme.	
1501	<b>FEEDBACK FROM JOHN BARWISE ENFORCEMENT OFFICER SLDC REGARDING VISIT TO PARISH AND GIVE AN OVERVIEW OF HOW WE COULD POLICE/ENFORCE A DCO IN THE RECREATION GROUND.</b> John Barwise gave a short presentation to the Parish Council that outlined his role and how the Parish Council are working closely with SLDC to reduce dog fouling and littering, he explained how SLDC officers for a trial period are going to visit the parish for 2 x ½ hour visits per week, the scheme is also running in some other parishes to target hot spots. Officers are happy to attend at any reasonable hours, they need evidence and information, i.e. description, details of offence, time, date, location etc. He also outlined engagement project/competition with primary school and plans for the SLDC road show to visit in spring in conjunction with a deep cleanse using street cleaning machines and engage residents for a litter pick. He confirmed that our plans <u>not to</u> train our Councillors to enforce proposed Dog Control Order is appropriate, any breaches would be reported to SLDC who would deal with them. This will also assist with monitoring of issues arising from DCO. He then answered questions from public and Councillors.	
1502	<b>Action</b> Clerk to maintain contact with SLDC officers and Rob Kitchen regarding monitoring visits, education programme, school competition and road show. <b>CLERKS REPORT AND AGREE ARRANGEMENT FOR REMEMBRANCE SUNDAY, SCHOOL VISIT TO WAR MEMORIAL AND SCHEDULE OF MEETING FOR 2011.</b> Members agreed that Cllr Mrs Tattersall will attend annual visit to the war memorial with Primary School on 12/11/10 and Cllr Ms Hall and Cllr Armstrong will attend Remembrance Day Service on 14/11/10.	DJC  JT JH/RA

1503	<p>Schedule of proposed meeting dates for 2011 was agreed, clerk will circulate list of meetings to all members.</p> <p><b>TO NOTE CORRESPONDENCE RECEIVED TO 15TH OCTOBER 2010 AND AGREE APPROPRIATE ACTIONS AS APPLICABLE.</b></p> <p>Correspondence as per schedule was noted.</p> <p>Cllr Ms Hall reported regarding the access dispute regarding the A590 underpass at Witherslack, the BOAT decision has been deferred pending site visit. Some residents from Witherslack are also taking legal action and have instructed a leading QC. Members agreed we should support this cause as underpass is used by many residents from the parish. Clerk is in contact with Witherslack clerk.</p> <p><b>TO NOTE CORRESPONDENCE RECEIVED AFTER 15TH OCTOBER 2010</b></p> <p>Correspondence was reported and noted. Clerk reported that response from SLDC regarding deadline for precept request was contrary to CALC's advice. Clerk will seek clarification regarding this matter and advise at budget meeting.</p> <p><b>MATTERS ARISING-</b> Reported under respective agenda items.</p> <p><b>PARISH COUNCIL REPRESENTATIVES REPORTS</b></p> <p>Grange and Cartmel LAP meetings 14/9/10 -Cllr Ms Hall attended.</p> <p>Grange and Cartmel LAP meeting regarding Funding Applications 6/10/10 - Clerk attended.</p> <p>Attendees submitted written reported on above meetings which were noted.</p> <p><b>PARISH COUNCIL CONSULTATIONS.</b></p> <p>Members agreed to respond individually for next phase of SLDC and CCC spending consultations, Cllr Wearing will keep us informed regarding Boundary Commission review regarding CCC Councillors. Members agreed to respond when specific numbers of councillors/boundaries are know and potential impact on this parish is known.</p> <p><b>FORTHCOMING MEETINGS:</b></p> <p>Grange and Cartmel LAP Lindale Village Hall 9/11/10 Cllr Ms Hall and Cllr Mrs McClure and Cllr Armstrong all offered to attend.</p> <p><b>PLANNING REPORT AND MATTERS ARISING:</b></p> <p><b>PLANNING APPLICATIONS APPROVED, AMENDED, REFUSED, APPEALS, WITHDRAWN AND PENDING AND DECISIONS MADE UNDER CLERKS DELEGATED POWERS TO BE RATIFIED</b></p> <p>The following decisions made under Clerk's Delegated Powers in conjunction with discussion with Chair were ratified.– Proposed Cllr Mrs McClure and Cllr Mrs Tattersall, Unanimously supported, 1 abstention.</p> <p><b>NEW DECISIONS MADE UNDER CLERKS DELEGATED POWERS TO BE RATIFIED:-</b></p> <p><b>7/2010/5466 Honestly Lee, Lindale - Proposed new dormer window- SUPPORTED</b></p> <p><b>NEW APPLICATIONS TO BE CONSIDERED AT MEETING: -</b></p> <p><b>Haines and Lowrie, Smithy Hill Works, Smithy Hill, Lindale – Proposed conversion of joiners workshop to three dwellings SUPPORTED</b></p> <p><u>Action</u></p> <p>In view of changes to planning policy/LDF Core Strategy that have meant this previously declined application can now be resubmitted, members requested that clerk contact LDNPA and ask for update in respect of planning policy changes to LDF Core Strategy.</p> <p><b>AMMENDED PLANS: None</b></p> <p><b>APPROVED:</b></p> <p><b>7/2010/5319 Thistledene, Newton in Cartmel –Proposed porch extension to front elevation.</b></p> <p><b>7/2010/5371 Land South of Ivy Cottage, High Newton- Proposed Erection of</b></p>	<p>DJC</p> <p>DJC</p> <p>DJC</p> <p>WW</p> <p>LMcC/ JH/RA</p> <p>DJC</p>
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1504	<p>agricultural building for feedstuffs/bedding pigs.  <b>7/2010/5344 Watery Lots, High Newton</b> - Proposed Garage.  <b>REFUSED: None</b>  <b>APPEALS:</b>  <b>1) Town and Country Planning (Control of Advertisements) Regs 2007 Appeal against refusal of signs Low and High Newton and Ayside</b>  Members resolved not to make any further comments but let original comments stand.  <b>2) 7/2010/5021 South View, Newton in Cartmel</b> – Proposed 2 storey side extension, including self contained annexe and detached garage.  Under Householders Appeals Service therefore no opportunity to submit further comments, our existing comments will be submitted.  <b>PROPERTY RE-NAMING: NONE</b>  <b>WITHDRAWN: NONE</b>  <b>ENFORCEMENT: NONE</b>  <b><u>OUTSTANDING APPLICATIONS WITH LDNPA</u></b>  <b>7/2009/5456 Lindale School decking area, Amended plans.</b>  <b>7/2010/5332 Calabash, Newton in Cartmel. Change of use of grass verge to domestic curtilage.</b>  <b>7/2010/5398 12 Sheepbarrow Close, Lindale. Addition of 2 windows to gable.</b>  <b>7/2010/5025 Moss End Farm, Lindale</b> – Proposed Replacement of overhead line.  <b>7/2009/5456 Lindale C of E Primary School</b> - Proposed erection of open sided decking area with steps and sloping roof.  Members discussed mobile food unit that has been in lay-by at Newton, Cllr Armstrong has investigated and it seems legislation means that authorities are powerless as long as units move periodically and re-site.  <b>FINANCE REPORT</b>  <b>A) CONSIDER THE FINANCE REPORT AS AT 15<sup>TH</sup> OCTOBER 2010.</b> Resolution to approve payment of accounts as listed on the attached schedule. Proposed Cllr Mrs Tattersall, Seconded Cllr Armstrong, all in favour.  <b>B) CLERK TO PRESENT HALF YEARLY BUDGET REPORT FOR 2010/11 AND AGREE WHAT PARISH AREAS NEED YEAR END CUT-BACK BY CONTRACTOR.</b>  Clerk presented half yearly finance report, projected year end within overall budget, some virements required to adjust excesses will be agreed at budget meeting on 10/11/10.  <b><u>Action</u></b>  Members agreed to request Parish Greens contractor to carry out yearend cutbacks on Yew Tree Green, Wilkinson Monument Banking, collect leaves at Coronation tree area and clear stream in skateboard park.  <b>c) FINANCE MEETING ON 10<sup>TH</sup> NOVEMBER 2011 TO CONSIDER BUDGET PROPOSALS FOR 2011/12 AND PROPOSAL TO AGREE TO DEFER SUBMISSION OF PRECEPT REQUEST TO SLDC UNTIL FEBRUARY 2010 UNTIL OUTCOME OF SPENDING REVIEW AT DISTRICT AND COUNTY LEVEL.</b>  Members resolved to proceed with budget planning for 2011/12 and decision to be made whether to approve at meeting on 24/11/10 or defer until January/February 2011 in accordance with CALC information. Clerk to update at Finance meeting on 10/11/10 when some clarification regarding SLDC's advice being contrary to CALC's advice.  <b>IMPROVE COMMUNICATION WITH LOCAL RESIDENTS - PROPOSAL TO LAUNCH "E_MAILING LIST" WITHIN THE PARISH FOR RESIDENTS WHO WANT COPIES OF AGENDA AND MINUTES OF COUNCIL MEETING.</b></p>	DJC
1505		DJC

1506	<p>Members resolved not to proceed with proposal.</p> <p><b>Action</b></p> <p>Remind residents in Newsletter that Agendas are displayed on notice boards and Minutes of Meetings published on parish website.</p> <p><b>SLDC PROPOSED CLOSURE OF SOME PUBLIC CONVENIENCES - PROPOSAL TO INVITE REPRESENTATIVES FROM SPORTS CLUB, PARISH COUNCIL AND VILLAGE HALL COMMITTEE TO FORM WORKING PARTY TO INVESTIGATE OPTIONS TO ENSURE CONTINUATION OF PUBLIC CONVENIENCE FACILITIES IN LINDALE</b></p> <p>Members resolved to hold informal meeting w/c 15/11/10 to establish way forward to ensure continuation of public convenience facilities in Lindale. Representatives from Parish Council, Sports Club and Village Hall Management Committee to attend. Cllr Armstrong to contact Sports Club reps, Cllr Mrs McClure to contact Village Hall reps. Clerk to finalise date and venue.</p>	DJC
1507	<p><b>ENVIRONMENT:-</b></p> <p><b>HIGHWAYS ISSUES</b></p> <p><b>Letter of complaint from local resident regarding speeding in Skinner Hill/ Windermere Road area.</b></p> <p>Cllr Wearing to follow up to see outcome of discussions with police.</p> <p><b>Concerns regarding speeding through Lindale village and HGV's accessing both village as result of lack of clean signs and Windermere Road despite ban.</b></p> <p>Cllr Wearing to follow to establish status following Cabinet meeting on 16/09/10.</p> <p><b>Concerns regarding triangle area Windermere Road/Lindale Hill area and request to close slip road by Tower Cottages.</b></p> <p>John Bell has referred to be investigated as small improvement scheme – monitor progress.</p> <p><b>Update/actions regarding ongoing Highways issues.</b></p> <p><b>1) Subsiding wall at Windermere Road</b> – report confirms no issues.</p> <p><b>2) Falling rocks onto footpath opposite Castle Head entrance Kendal Road (between VW and BMW garages)</b> – Report considers no hazard to Highway, query ownership – (Hadwin's VW or Bateman BMW garages)</p> <p><b>3) Signage for High Newton Businesses in view of recent planning application for signs being refused?</b></p> <p>Now subject to appeal.</p> <p><b>Additional Issues Raised by Bill Wearing</b></p> <p><b>i) The road marking outside and near the school is faded so could we re-mark this next time the team is in the area?</b></p> <p>Monitor progress.</p> <p><b>ii) On the Back of the Fell Road depressed trench following instatement by one of the utility companies.</b></p> <p>Monitor progress.</p> <p><b>LINDALE: –</b></p> <p><b>i) Report regarding parish areas by member completing weekly inspections and SLDC monthly playground inspection report and update of action regarding grid in recreation ground beck.</b></p> <p>Clerk reported no issues regarding SLDC play area inspection. Regarding parish areas, a silver birch tree in skateboard park that had started to split and fall has been removed. Cllr Mrs McClure reported a small Rowan tree on Yew Tree Green that is unstable and needs removing.</p> <p>Replacement grid for culvert now in place arranged and funded by Taylor Newton &amp; Hibbert Charity as within their boundary. Clerk to send letter of thanks to Chairman.</p>	<p>RA/LM cC DJC</p> <p>WW</p> <p>WW</p> <p>DJC/ WW</p> <p>DJC/ WW</p> <p>DJC WW</p> <p>DJC DJC</p>

1508	<p><b>ii) Members to consider proposal in principle to proceed with Dog Control Order in respect of Clean Neighbourhood and Environment Act 2005 for Lindale Recreation ground pending finalisation of appropriate sections and supporting information required regarding consultation , full resolution when full details of proposed order are finalised to be passed at next meeting.</b></p> <p>Actions completed to reduce risks associated with dogs accessing recreation ground since last meeting as reported in meeting papers – noted.</p> <p>Members resolved to agree in principle to proceed with Dog Control Order in respect of Clean Neighbourhood and Environment Act 2005 for Lindale Recreation ground pending finalisation of appropriate sections and supporting information required regarding consultation, full resolution when full details of proposed order are finalised to be passed at meeting on 24/11 /10.</p> <p>Clerk reported the difficulties in considering if to include the sections regarding dogs on leads (using footpath for access) is appropriate or if it may be confusing because of with the dog exclusion zone, people may think dogs are allowed access <u>to all areas as if on a lead</u>.</p> <p>Proposed Cllr Armstrong, Seconded Cllr Mrs Tattersall.</p> <p>Members requested that it is noted that the Parish Council have had to take this action because of problems caused by a lack of consideration by a small number of people not the majority.</p> <p><b>iii) Update on requests for relocation of litter bins</b></p> <p>Cllr Hall has secured an additional waste bin transferred from Grange Town Council for Windermere Road/School Hill junction and transfer of bin from Wilkinson bus shelter to Audi bus shelter and recreation ground bin to be moved to Sheilling entrance. All work to be carried out within next month.</p> <p><b>iv) Review rota for parish inspections.</b></p> <p>October –Cllr Bond, November – Cllr Armstrong, December – Cllr Ms Hall, January – Cllr Mrs Tattersall, February – Cllr Bond, March – Cllr Armstrong.</p> <p><b>v) Highways Steward report.</b></p> <p>Nothing to report</p> <p><b>NEWTON-</b></p> <p><b>i) Report regarding parish areas by member completing weekly inspections</b></p> <p>No report available.</p> <p><b>ii) Update on action taken and work completed by Probation Service and agree budget/funding allocation.</b></p> <p>Clerk reported on improvement work (as detailed in meeting notes), project is ongoing. Costs to be allocated to parish greens, repairs and contingency budgets. Further report at next meeting. Report in supporting papers noted and agreed.</p> <p><b>PARISH PROJECTS:</b></p> <p><b>a)Wilkinson Monument: Update on progress</b></p> <p>Cllr Ms Hall was delighted to report that funding from English Heritage has been approved. This now means we have reached target, Cllr Ms Hall and Clerk to meet to review project and funding and agree action plan for way forward regarding commencement of tender process and acceptance of grant etc.</p> <p><b>b) Windermere Road:</b> Update on Proposal to engage with Lingarth/School Hill residents to identify ideas for landscaping scheme with view to parish council sourcing funding and consider in budget proposals for 2011/12 and application to CWMET for grant funding.</p> <p><b>Action</b></p> <p>Members agreed to proceed with grant application to CWMET for 50% costs of project, an application to be made to Taylor Newton &amp; Hibbert Charity when</p>	<p>DJC</p> <p>SLDC</p> <p>All</p> <p>JH/DJC</p> <p>LMcC/ DJC</p>
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<div data-bbox="59 273 130 306">1509</div> <div data-bbox="59 739 130 775">1510</div>	<p>outcome of this application know for balance of funds. Application deadline 12/11/10. Cllr Mrs McClure to coordinate estimates from groundwork contractors. Local residents' opinion is that they want the area to be "tidied-up".</p> <p><b>c) Recreation Ground upgrade project.</b></p> <p>Report in supporting papers noted, next meeting 3/11/10.</p> <p><b>COUNTY CLLR AND DISTRICT COUNCILLOR REPORTS.</b></p> <p>County Cllr Wearing reported the impact of the Government Spending Review, there will be a 26% reduction in County's budget over next 4 years. The Council tax freeze for 2011/12 is to be met by central government. County will know actual figures of coming year in Dec 2010 and then some difficult choices will need to be made.</p> <p>District Cllr Walsh reported on recent appointment of Lawrence Conway as new Chief Executive of SLDC. He also reported on latest news regarding LDF, proposed toilet closures, road sweeping and cleansing issues in rural areas.</p> <p>He also asked for it to be noted that report from September LAP meeting that referred to him in connection with transport for young people was inaccurate as he was not at he meeting.</p> <p><b>THE MEETING CLOSED AT 9.45 NEXT MEETING ON FINANCE MEETING WEDNESDAY 10<sup>TH</sup> NOVEMBER 2010 AT CASTLE HEAD AT 7.00 AND PARISH COUNCIL MEETING ON WEDNESDAY 24<sup>TH</sup> NOVEMBER 2010 AT NEWTON VILLAGE HALL AT 7.30</b></p>	
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## APPENDIX 1

**AGENDA ITEM – CLERKS REPORT CORRESPONDANCE UP TO 15<sup>TH</sup> OCTOBER 2010**

FOR INFORMATION		
Received From:	Subject	Action taken or required
CALC	<ul style="list-style-type: none"> <li>CALC Circular for Oct 10</li> <li>Big Society Briefing Meeting</li> <li>Notification of intent of Boundary Commission to start review of electoral boundaries wef 12/10/10.</li> <li>Cumbria and the Public Spending Review 2010</li> </ul> (Encouraging parishes to respond to CCC and local authority consultations available on websites for CCC and SLDC.	Noted Noted  Should PCllrs's all respond as individuals?
LDNPA	<ul style="list-style-type: none"> <li>Misl Correspondence with Nick Thorne R of W footpath signage and requested diversion of public footpath.</li> <li>Planning decisions and notices of appeals.</li> </ul>	Noted  Planning Report noted
SLDC	<ul style="list-style-type: none"> <li>Monthly playground inspection</li> <li>Declaration of Vacancy District Councillor Lyth Valley Ward and Notice of Poll</li> <li>Correspondence with SLDC Solicitor regarding advice on DCO requirements</li> </ul>	Noted Displayed  Noted
FLD	Open Green Spaces Info	Noted
Bill Wearing	Misl corresp regarding ongoing Highways Issues	Noted
Clerk Witherslack PC	Regarding Closure of Underpass -next EGM will be on Tuesday 19th Oct at 6pm, to meet with CCC officers from both the legal department and highways to discuss technical issues that are involved in our BOAT application witness statements	Highways Agenda – proposal to support as this is widely used by residents in our parish and surrounding area.
CCC	Newsletter, CD etc Consultation of new highway signs off A590	FIO Planning Agenda item
Correspondence requiring Action		
SLDC	Misl corresp re:- Proposed Public Convenience Closure and updated decision.	See agenda item and report in supporting notes

<b>CALC</b>	Local Council Precepts 2011/12 (advising that statutory deadline for issue of precepts to District Councils is end Feb and councils may wish to have regard to this in budget setting process this year)	<b>See Finance agenda item</b>

Plus misl brochures/newsletters, ACT newsletter and LDNPA planning decisions.

## Appendix 2

### FINANCE REPORT – AGENDA ITEM 8

### REPORT TO FINANCE COMMITTEE FOR MEETING WEDNESDAY 20<sup>TH</sup> OCTOBER 2010

#### BALANCES AS AT 15<sup>th</sup> October 2010

<b>Apprentices Fund</b>	£663.51
<b>J W Monument</b>	£3902.68
<b>General</b>	£8661.42
<b>Recreation Ground</b>	£4268.75
<b>VAT outstanding -</b>	£230.47

#### Cheques for ratification:

<b>Date</b>	<b>Details</b>	<b>Amount inc. VAT</b>	<b>VAT</b>
	<b>General Cheque Account</b>		
15/09/10	Rob Marriott – Web site maintenance	78.00	
22/09/10	Cumbria Design Scaffold – planks for path HNOG	76.38	11.38
22/09/10	CALC – Risk Assessment training for Clerk	49.00	
26/09/10	Amey grass cutting Sept	99.44	
30/09/09	D J Cowperthwaite Clerks exp re telephone, broadband, travel etc July – Sept 10	154.81	
30/09/10	D J Cowperthwaite Clerks salary July – Sept 10	1246.83	
01/10/10	D J Dixon – Parish Greens	320.00	
08/10/10	Builders Supply Grange Materials HNOG materials/brushes Benches/path chippings	110.64	16.48
15/10/10	S Lishman- Bus shelter/notice board cleaning 3 months	36.00	
15/10/10	Annual donation St Paul's Church for use/delivery of newsletter articles	100.00	

#### Bank Charges:

<b>Date</b>	<b>Details</b>	<b>Amount</b>
None		

#### Receipts since last meeting:

<b>Date</b>	<b>Details</b>	<b>Amount</b>
23/09/10	Raffle tickets sales Lindale Sports Day (held pending LVPF opening bank account	28.00
06/09/10	Barclay's Int Apprentices Fund -	0.08
06/09/10	Barclay's Int John Wilkinson Monument Fund -	0.49
06/09/10	Barclay's Int Business Saver Acc	0.23