

**ALLITHWAITE UPPER PARISH COUNCIL  
(LINDALE and NEWTON IN CARTMEL)  
MINUTES OF THE MEETING HELD AT NEWTON  
WEDNESDAY 15<sup>th</sup> October 2008 at 7.30 pm**

Min No	Agenda Item	Action Req By:
1242	<b>PRESENT:</b> Cllr Shearer, Cllr Ms Hall, Cllr Mrs Tattersall, Cllr Dixon, Cllr Armstrong, Cllr Bond, County Councillor W Wearing, District Cllr Ballantyne-Smith, District Cllr Leal.	
1243	<b>IN ATTENDANCE:</b> Mrs D Cowperthwaite- Clerk Public:- 7 <b>APOLOGIES:</b> Cllr Mrs Smith, Cllr Mrs McClure.	
1243	<b>MINUTES OF PARISH COUNCIL MEETING HELD ON 3<sup>rd</sup> September 2008.</b> The minutes as circulated from meeting on 3 <sup>rd</sup> September 2008 were agreed. Proposed Cllr Mrs Tattersall, Seconded Cllr Armstrong. All in favour.	
1244	<b>CHAIRMAN'S ANOUNCEMENTS AND DECLARATION OF INTERESTS BY MEMBERS REGARDING ITEMS ON THE AGENDA.</b> No declarations of interest regarding items on the agenda made by members.	
1245	<b>PUBLIC QUESTIONS OR CONCERNS RELATING TO ITEMS ON THE AGENDA:</b> No questions were raised regarding items on the agenda.	
1246	<b>ENERGY IN NATURA.</b> 10 Min Presentation By Bob Ayres regarding proposed wind farm at Ellerside / Stribers Ridge and question and answers session from public. The purpose of the presentation was to inform PC members and public not to debate the issues surrounding the proposed development. <b>CLERK'S REPORT/MATTERS ARISING:</b> a) <b>To note correspondence received to 10<sup>th</sup> October 2008 and agree appropriate actions as applicable.</b> All noted. b) <b>To note correspondence received after 10<sup>th</sup> October 2008.</b> The clerk reported on correspondence received since 10/10/08 – details in correspondence report attached – all noted.. c) <b>Matters arising.</b> The clerk reported on various matters arising from last meeting on 04/09/08 detailed in notes for this meeting. d) <b>Consultations co-ordinators report :-</b> i) <b>Communities and Local Government and Enforcement – The Making of Bye-laws. Already circulated, responses to clerk by 20/10/08.</b> Members were reminded to forward responses to clerk by 20/10/08. Cllr Armstong was advised by clerk that she would respond to the questions he had raised. <b>WEB SITE – REVIEW AND UPDATE AT END OCTOBER, ANY FURTHER COMMENTS?</b> Members were reminded if they have any further comments to forward them to clerk by end of month, the clerk acknowledged that the site needs updating with recent information and minutes of meetings. This will be completed as part of first 6 month review and update.	DJC
1247	<b>PC REPRESENTATIVES REPORTS:</b> i) <b>CALC AGM Held at Gilpin Bridge Inn on 4<sup>th</sup> September 2008.</b> Detailed in notes for this meeting- noted by members.	DJC
1248	<b>PLANNING REPORT AND MATTERS ARISING:</b> a) Planning Committee to report on new applications considered and agree recommendation of decision to LDNPA and approve any recommendations and comments made in respect of applications made under clerks delegated powers. <b>NEW APPLICATIONS:-</b> <b>Planning visits 10.10.08</b> <b>Responses:-</b> <b>7/2008/5483 White Rock Cottage, Back Road, Lindale- Proposed domestic extension to form additional living and bedroom space.</b> <b>Agreed</b>	DJC

Agreed to request site visit and comments as follows.

- Concerns about the size of the extension particularly with balcony and first floor window and door overlooking adjacent garden and house. May also restrict light to rear of property to left hand side.
- Is the balcony indicated as being for escape purposes necessary?
- Questions as to whether extension is detrimental to a character cottage-a single storey extension to incorporate the utility room may be more acceptable.
- We realise there is no way of extending to the rear of the property.

Proposed Cllr Armstrong, Seconded Cllt Mrs Tattersall, all in favour

**7/2008/5559 - Hill Top, Newton in Cartmel. Proposed Garage extension ( Revised application from withdrawn ref 7/2008/5426)**

**Agreed**

Agreed to recommend approval subject to following comments and request approval is subject to appropriate landscaping.

- Concerned about the accuracy of the existing elevations in that timber boarding is not as indicated.
- Concerned about the choice of existing materials - rendering to the extension may be an improvement but some stone walling may be more appropriate. There is no alteration to the height of the building.
- Some considered landscaping is essential as is the use of the area outside the building to restrict any further ad hock extension.

Proposed Cllr Armstrong, Seconded Cllt Mrs Tattersall, all in favour

**7/2008/5505 Proposed new dwelling on land adjacent to Hawes Brae, Lindale. (Amended application)** After consideration it was considered there were No problems with amendments, recommend approval under clerks delegated powers.

**Agreed**

All members agreed to ratify decision made under clerk's delegated powers.

**ENFORCEMENT/other planning matters: none**

**Notice of Intention** for Eller Howe Wood, Lindale Tool store and shelter.

b) Clerk to report on planning applications approved, refused and pending.

**WITHDRAWN: 7/2008/5426 Hill Top, Newton in Cartmel. Proposed Garage extension.** Response by clerk under delegated powers Application Rec 25/5/08 response due by 20/08/08..

**APPROVED: NONE**

**AMMENDED PLANS:** - See above for Hill Top submitted as new application.

**REFUSED: NONE**

**APPEALS: NONE**

**PROPERTY RE-NAMING: NONE**

**OUTSTANDING APPLICATIONS:**

**7/2008/5407 Approved Notice of Intention Application in respect of Tow Top Plantation, High Newton. Proposed Barn, storage shed and woodland track.**

**7/2008/5238 near The Hawthorns, Kendal Road, Lindale, Grange over Sands. Proposed installation of covered compact conductor overhead electricity lines. Decision outstanding**

**7/2008/5125 Horse & Farrier Cottage, High Newton, Grange over Sands.- Proposed construction of dwelling ( resubmission)**

c) Any other planning matters.

**ENFORCEMENT/other planning matters: none**

**Notice of Intention** for Eller Howe Wood, Lindale Tool store and shelter.

Cllr Armstrong tendered his resignation from the Planning Committee, he felt on reflection it would be appropriate if he did not consider planning applications submitted by other professionals in the local area.

**Action.** Agenda item at next meeting to elect new chair of planning committee, nominations to clerk prior to meeting on 26/11/08.

**FINANCE REPORT:**

a) **Consider the finance report as at 10<sup>th</sup> October 2008. Resolution to**

DJC

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**approve payment of accounts as listed on the attached schedule**

Proposed by Cllr Ms Hall and Seconded by Cllr Mrs Tattersall. All in favour.

**b) b) Financial report on budget expenditure up to 30/09/08 for period 2008/09.**

The clerk reported on the current financial position of expenditure against budget and projected expenditure up to year end 31/03/09. It was recommended that some adjustments can be made on budget headings such as the surplus on insurance and parish greens to contingency budget to cover other proposed expenditure. These options together with sufficient on reserve will cover proposed financial expenditure for discussion at this meeting

**c) Proposal to review Clerks hours from 6 to 10 per week. See supporting notes for proposal options regarding effective date.**

*The Clerk left the meeting while this item was discussed).*

**Agreed**

Members agreed to approve Option 3 as per supporting notes to increase clerk's hours of work from start of the monitoring period on 01/07/08 to from 6 to 10 hours per week. Proposed Cllr Shearer Seconded Cllr Hall. All in favour. This is to be funded by adjustments to budget heading where there is surplus available, contingency budget and balance from general fund reserves.

**ENVIRONMENT:**

**a) Lindale – Report regarding parish areas by member completing weekly inspections and SLDC monthly playground inspection report. (Reports outstanding August Cllr Smith, September Cllr Bond) Inspections for Oct Cllr Mrs Tattersall, November Cllr Armstrong. New weekly inspection forms circulated.**

SLDC - All in order, swing brackets painted. Parish inspection grill over stream is broken, clerk to investigate and Chairman has strong bag to replace the burst sandbag on goal post.

**b) Agree action regarding cutback of overgrown vegetation in skateboard area at estimated cost of £300.**

It was agreed to defer cut back of lower branches to allow access for strimming around bases until spring, hedge at front of car park to be included in proposals for grant application for development of Wilkinson car park project. Branches overhanging pathways have been cut back, any fallen branches to be removed by working party of members/clerk.

**c) Agree action regarding request from local resident to have cutback of brambles at top of banking in recreation ground to give access for wall repair.**

Members agreed not to approve request from local resident at Winster How to pay for cost of removing brambles in order for her to repair her wall. It was agreed that it would be acceptable for resident to have access to cut brambles and leave cut vegetation. This area is difficult to access and our arrangement to maintain the banking on behalf of Taylor Newton and Hibbert Charity is that it is strimmed twice a year. Clerk to check deeds to confirm that we do not have any liability regarding ownership of this boundary, unlikely as this area is owned by the charity.

**d) To agree proposed action regarding complaint about dogs being admitted to recreation ground.**

Background information and details of investigations and advice contained in supporting notes for meeting. The following action was agreed:-

1. Poop and Scoop/Penalty signed obtained and placed at all recreation ground entrances as priority.
2. We aim to education local residents with regard to use of dogs in recreation ground, article and regular polite reminders in newsletter in November reminding owners to clear up after their dogs throughout the parish and particularly the recreation ground and to enjoy it's facilities respectfully.
3. When the youth club is firmly established we approach them to see if they would like to work on a joint project with the parish council to produce a code of conduct leaflet/flyer containing a plan of the footpath, general

DJC

1251	<p>information about dog fouling penalties and an article from the young people regarding how they would like people to use the recreation ground with their dogs.</p> <p>4. No action to be taken regarding fencing footpath following guidance from LDNPA RofW officer or to fence off play area.</p> <p>Members agreed the parish council fully appreciates the health hazards associated with dog fouling, the clerk reported she had spoken to the parish greens contractor who regularly strims in the recreation ground and he confirms that there is not a problem with faeces. However, the recreation ground as well containing a children's play area is a facility to enable people to enjoy open air and recreation and many people have dogs who cannot be denied access to recreation ground.</p> <p><b>e) Newton- Report regarding parish areas by member completing weekly inspections and consider proposal to replace bench by pump.</b></p> <p>There was no report available on Parish Areas in Newton. Members considered the options of purchasing a wooden bench from Ayside Arks at £126 or Enviropol Plastic bench at £377 made from recycled materials for durability and low maintenance. Members voted 3 for Enviropol and 2 for wooden bench. Agreed to purchase Enviropol Countryside bench from Glasdon UK Ltd.</p> <p><b>PARISH PROJECTS:</b></p> <p><b>a) Wilkinson Monument: Update on progress.</b> Councillor Hall provided a 'wish-list' of suggestions that may need to be included in Wilkinson Project to meet wider funding criteria beyond the scope of the restoration and painting of the monument. Clerk and Chair to review and feedback.</p> <p><b>b) Windermere Road: Update on progress.</b> It was resolved to wait for response from CCC following their request to SLDC to take back northern section of land, it was suggested to the meeting that members should consider withdrawing from completing the proposed lease regarding concerns about project budget now requiring additional provision in 2009/10 for landscaping and additional legal costs due to existing budget utilised for legal costs and disbursements to date. Updated costs for landscaping to be obtained and to be placed on agenda at Finance and next PC meeting for discussion and agreement about future of project.</p> <p><b>c) Youth Engagement Strategy:</b></p> <p><b>i) Update on progress regarding grant applications, summer activities and Constitution of group and establishment of management committee.</b> Meeting held on 13/10/08 to discuss requirements of Management Committee with prospective members, members are hoping to visit Witherslack Youth Group to meet Management Committee member who is also group leader for discussion to give them first hand feedback. Club nights are going well and horse riding and quad bike activities have been arranged for half term.</p>	<p>DJC</p> <p>CLERK CHAIR</p> <p>DJC</p>
1252	<p><b>REMEMBRANCE DAY ARRANGEMENTS: To agree Parish Council representatives to attend War Memorial with school on 7/11/08 and 2 members to attend Sunday service on 09/11/08.</b> Cllr Mrs Tattersall agreed to attend Sunday service, Chair will enquire about taking a days holiday for Friday service with primary school, 1 other member needed to attend Sunday Service to be agreed.</p>	
1253	<p><b>PROPOSAL TO NOMINATE CLLR MRS JILL TATTERSALL FOR NEW TERM OF OFFICE AS PARISH COUNCIL REPRESENTATIVE ON TAYLOR NEWTON AND HIBBERT CHARITY BOARD OF TRUSTEES.</b> Proposed Cllr Hall, Seconded Cllr Armstrong. All in favour.</p>	<p>DJC</p>
1254	<p><b>APPROACH FROM LINDALE SPORTS CLUB REGARDING TAKING OVER LEASE FOR TOILETS IN RECREATION GROUND.</b> It was resolved in view of investigations currently being made regarding the liability for non-domestic rates, decision regarding taking over running of toilets from sports club to be deferred until finance meeting on 12/11/08 and considered along with other projects being considered for 2009/10.</p> <p><b>COUNTY CLLR AND DISTRICT COUNCILLOR REPORTS:</b></p> <p>Cllr Wearing reported that the new Highways Steward is now in place, Judith Wilson who is an experienced ex SLDC employee. Meeting to launch scheme in</p>	

Parish 23/10/08 clerk to attend as nominated contact person.  
Cllr Ballantyne-Smith reported that she is making progress regarding lights at Lingarth.

As Cllr Leal had left the meeting to attend another commitment, Cllr Ballantyne made his report on his behalf. "He is very concerned regarding the proposed turbines at Stribers, he has got questions to ask at this time in respect of the issue of access roads, he is curious about the developer's comments about 'taking out corners and removing gradients'. He considers that there are concerns as much about what Mr Ayres didn't say as much as what he did say!" He considers it 'an insidious encroachment in the countryside for financial gain'".

**NEXT PARISH COUNCIL MEETING:- FINANCE COMMITTEE MEETING ON WEDNESDAY 12<sup>TH</sup> NOVEMBER 2008 AT CASTLE HEAD, NEXT PARISH COUNCIL MEETING WEDNESDAY 26<sup>TH</sup> NOVEMBER 7.30  
THE MEETING CLOSED AT 9.50 P.M.**

## APPENDIX 1

### Agenda item 5a – Clerks Report

#### CORRESPONDENCE RECEIVED TO 10<sup>th</sup> October 2008

FOR INFORMATION		
Received From:	Subject	Action taken or required
<b>CALC</b>	<ul style="list-style-type: none"> <li>Monthly Circl September/Oct</li> <li>CiLCA Autumn Tutorials for clerks completing portfolio</li> <li>Meeting of Town and Parish Councils in LDNPA on 13/10/08 at U of C Ambleside and 'Call for Nominations for Rep + Agenda for meetings and Mins of meeting on 28/04/08.</li> <li>Report Parish Council Trends in Cumbria 2001/08</li> <li>CALC Guidance – Employing a Parish Steward</li> </ul>	<p><i>FIO</i> <i>N/A at moment</i></p> <p><i>Circulated to all members 15/09/08</i></p> <p><i>FIO</i> <i>Clerk/Chair to review</i></p>
<b>SLDC</b>	<ul style="list-style-type: none"> <li>Playground Inspection report</li> <li>New Grounds Maint Contract Consultation acknowledgement.</li> <li>Publicity for Annual Electoral Registration Canvas</li> <li>AUPC – Casual vacancy - no nomination to be filled by co-option.</li> <li>Request for Annual Precept for 2009/10 by 28/11/08</li> <li>Working Better Locally Consultation leaflet</li> <li>Misl emails in response to our enquiry regarding guidance about dog fouling.</li> </ul>	<p><i>Repaint suspension brackets on swings.</i> <i>FIO</i> <i>Displayed</i></p> <p><i>Finance meeting 12 Nov 7.30pm @ Castle Head</i> <i>Completed by clerk</i> <i>For info</i></p>
<b>LDNPA</b>	<ul style="list-style-type: none"> <li>E-Consultations on planning.</li> <li>Notice of Intent for farm and forestry buildings normally permitted – Notifications to be sent but not for consultation.</li> <li>Email in response to our enquiry regarding fencing off footpath in recreation ground</li> </ul>	<p><i>To continue with paper copies for ease of review by members</i> <i>For info</i></p>
<b>CCC</b>	<ul style="list-style-type: none"> <li>Environment for Thriving Third Sector response form.</li> </ul>	<p><i>Completed by clerk and returned.</i></p>
<b>Government Office NW</b>	<ul style="list-style-type: none"> <li>NW Regional Spatial Strategy to 2021 - now published.</li> </ul>	<p><i>Notice displayed</i></p>

<b>ICAS</b>	Independent Complaints Advocacy Service – Free independent service for patients who want to make a formal complaint about any part of NHS treatment/care	<i>Poster/leaflets displayed at PO</i>
<b>S M Evans</b>	Invoice for disbursements re lease with CCC	<i>To be paid.</i>
<b>Standards Board for England</b>	Town and Parish Newsletter No 3	<i>FIO</i>
<b>Items for action/ Clerks Report or Agenda items</b>		
<b>CCC</b>	Meeting at Grange 23/10/08 at 7.00 with Highway Steward for area.	<b>Clerk to attend as Parish liaison person.</b>
<b>CALC</b>	CALC AGM to be held on Saturday 8/11/08 at 10.30 Reghed. Guest Speaker Chief Constable Craig Mackey Freedom of Information Act – New Model Publication Scheme	<b>Clerks report Agenda item No 6a</b> <b>Is anyone able to attend?</b>  <b>Clerk/Chair to review – New model to be adopted by 31/12/08</b> <b>Agenda for Nov meeting</b>
<b>Consultations</b>	<b>Communities and Local Government and Enforcement –</b> The Making of Bye-Laws	<b>Clerks report Agenda item No 6d</b>  <b>Response due by 20/11/08</b>
<b>J &amp; J Bertlin by email.</b>	Complaint about dogs being admitted to recreation ground and request for action.	<b>See Agenda item No 10d</b> <i>Background information and suggestion actions in notes for meeting.</i>
<b>S M Evans and Ian Astle CCC</b>	Updates regarding progress of completion of lease with CCC re land at Windermere Road	<b>See Agenda item 11b to agree response to solicitor – see notes</b>
<b>G Brierley and A Leonard by email.</b>	Remembrance Day arrangements	<b>See agenda item No 12</b> 1 members required to attend War memorial on 07/11/08 at 9.30 with school and 2 members for Sunday Service on 09/11/08?

#### **Correspondence received since 10<sup>th</sup> October 2008**

**CCC- Neighbourhood Forum Mins- FIO.** Clerk to contact D Whitehead to see if Youth Group can do presentation at next meeting on 03/12/08 as update since start-up grant in July.

**SLDC – Review of recycling bank facilities – FIO**

**SLDC – Code of Conduct Training –** Members informed if they wish to attend.

**NALC – Banking Crisis impact on local authorities.** – SLDC Dist and CCC County Cllrs confirmed that we are not effected by any funds held in Icelandic banks.

**Dr Geoff Dellow by email lobbying support for dissatisfaction with County Engineer –** members agreed not to support this course of proposed action.

## **APPENDIX 2**

### **8a) REPORT TO FINANCE COMMITTEE FOR Meeting Wednesday 15<sup>th</sup> October 2008**

#### **BALANCES AS AT 10<sup>th</sup> October 2008**

**Apprentices Fund**     £662.14  
**J W Monument**        £3095.47  
**General**                £7263.54 \*\*\*  
**Recreation Ground**   £4151.22  
**AUPC –Youth Provision** £3206.00

**\*\*\* Includes £520.61 of CPSG funds from grant from VAC and donation from PC and funds raised held on behalf of Community Plan Steering Group.**

13/07/2009

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**VAT outstanding to be reclaimed - £651.18****Cheques for ratification:**

<b>Date</b>	<b>Details</b>	<b>Amount inc. VAT</b>	<b>VAT</b>
	<b>General Cheque Account</b>		
30/08/08	NEWTON VILLAGE HALL – ROOM HIRE LITTERPICK	7.00	
30/08/08	AMEY INFRASTRUCTURES – GRASS CUTTING AUG	94.00	14.00
03/09/08	S M EVANS – LEGAL FEES TO DATE LEASE WITH CCC WINDERMERE ROAD	916.50	136.50
06/09/08	D J DIXON – PARISH GREENS	280.00	
10/09/08	S M EVANS – DISBURSEMENTS /SEARCH FEES RE: LEASE WITH CCC	182.00	
10/09/08	REFUND TO CLERK RE TONER CARTRIDGE FROM PRINTERLAND	51.11	7.61
24/09/08	D J DIXON – CUT HEDGE AT SKITTERGATE	45.00	
30/09/08	D J COWPERTHWAITES SALARY JULY, AUG, SEPT	720.87	
30/09/08	D J COWPERTHWAITES – EXPENSES JULY, AUG, SEPT	83.26	
02/10/08	AMEY INFRASTRUCTURES- GRASS CUTTING SEPT	94.00	14.00
02/10/08	D J DIXON PARISH GREENS	280.00	
08/10/08	GRANGE NOW- TENDER ADVERT	64.63	9.63
10/10/08	JOEL DAVENPORT – BUS SHELTER CLEANING NEWTON ( 4 MONTHS)	18.00	
10/10/08	BEN LISHMAN – BUS SHELTERS CLEANING LINDALE ( 4 MONTHS)	48.00	
10/10/08	D J DIXON – ANNUAL STRIM AND CLEAN OF BECK IN SKATEBOARD AREA.	85.00	
	<b>Youth Cheque Account</b>		
24/09/08	FIELD STUDIES COUNCIL – YOUTH ACTIVITY DAY	124.00	
01/10/08	YOUNG CUMBRIA – BRATHAY CELEBRATION DAY	30.00	

**Bank Charges:**

<b>Date</b>	<b>Details</b>	<b>Amount</b>
30/09/08	BARCLAYS BANK QUARTERLY CHARGE	5.00

**Receipts since last meeting:**

<b>Date</b>	<b>Details</b>	<b>Amount</b>
08/09/08	QUARTERLY INTEREST BARCLAYS BANK BUS RESERVE GENERAL	47.33
08/09/08	QUARTERLY INTEREST BARCLAYS BANK WILKINSON MONUMENT	8.04
08/09/08	QUARTERLY INTEREST BARCLAYS BANK APPRENTICES FUND	1.60
26/09/08	YOUNG PEOPLE'S CONTRIBUTION TO ACTIVITY DAY AT CASTLEHEAD	40.00
26/09/08	YOUNG PEOPLE'S CONTRIBUTION TO CELEBRATION DAY AT BRATHAY	9.00

**Transfers between accounts**

<b>Date</b>	<b>Details</b>	<b>Amount</b>
10/10/08	TRANSFER FROM BUS RESERVE GENERAL TO CA GENERAL	3000.00