

ALLITHWAITE UPPER PARISH COUNCIL
(LINDALE and NEWTON IN CARTMEL)
MINUTES OF THE MEETING HELD AT NEWTON ON WEDNESDAY 5TH SEPTEMBER 2012
at 7.30 pm

Min No	Agenda Item	Action Req By:
1772	PRESENT: Cllr Armstrong, (Chair), Cllr Mrs McClure, Cllr Mrs Tattersall , Cllr Marsden, Cllr Squire, Cllr Barker, County Cllr Wearing, District Cllr Holmes, District Cllr Sanderson. IN ATTENDANCE: Mrs D Cowperthwaite - Clerk. PCSO Howard Firth. Public:- 3	
1773	APOLOGIES: None	
1774	MINUTES OF PARISH COUNCIL MEETING HELD ON 18th July 2012: The minutes as circulated from meeting on were amended to read Planning application No. 7/2012/5346 The Institute, 8 School Hill, Lindale Not Supported with comments. Clerk confirmed correct response sent to LDNPA. Proposed Cllr Squires, Seconded Cllr Mrs McClure . CHAIRMAN'S ANOUNCEMENTS AND DECLARATION OF INTERESTS BY MEMBERS REGARDING ITEMS ON THE AGENDA. No new announcements. Cllr Armstrong declared an interest in any planning issues and abstained from involvement with planning issues. It was agreed to move County Councillor Wearing's report to start of meeting due to other commitments. COUNTY COUNCILLOR WEARING'S REPORT:- Cllr Wearing reported that there were no new issues county wide. He was pleased to report he has submitted a bid for the triangle at Windermere Road junction to be kerbed and hope's it's successful in view of long term issues regarding this area. HGV Ban – issues ongoing. Grit bins – it was reported that the 2 Newton grit bins need filling, Cllr Wearing to follow-up to see if the new bin agreed earlier this year for Coronation Tree area will still go ahead in view of cutbacks on replacement bins. He has also been asked about the seat plaque on the old seat by the Newton pump. Clerk to follow up with Cllr Dixon who removed the seat. Cllr Marsden agreed to strim around the phone box following comments about this area. Main issue this month is the proposed removal of vascular services from Lancaster Royal Infirmary meaning referral to Preston or Blackburn for local residents. Parish Council agreed to support campaign against this by completing template letter, copies also made available for individuals to respond in their own right. Cllr Wearing also to take action regarding drain cover which has been covered by tarmac when the road was recently resurfaced near Fairlawns, Windermere Road. He will ask Highways to liaise with United Utilities.	DJC
1775	PUBLIC PARTICIPATION/QUESTIONS OR CONCERNS RELATING TO ITEMS ON THE AGENDA. Mr Bertlin requested speed checks in the centre of the village. The Chair reassured him that we were already aware of this and had reported near miss accident regarding HGV to highways last month. Speed checks were carried out at B5277 Windermere Road area last year. PCSO reported that he will be involved in speed-gun activities in next few weeks in the area in the near future, but he is obviously unable to give more details about times and locations, but noted the concerns. Mr Bertlin also reported that dog fouling is still an issue, particularly in top corner near play area. Also instances of a terrier off lead and fouling. Cllr McClure reported Lingarth area is continuing to be a “hot-spot”. Action - Clerk to report to Mark Harris – SLDC Enforcement Officer, PCSO Firth also noted issues.	Clerk NM Clerk /all WW
1776	PSCO HOWARD FIRTH TO TALK TO MEETING ABOUT LOCAL POLICING. PCSO Firth gave a very informative presentation to the meeting about his work in the local and surrounding area. He reported crime stats in local area and details of incidents that have required police response. He also reported regarding initiatives that are being carried out. Priorities are to reduce anti-social behaviour and improve detection rates. He advised the meeting he will put information of the police system about breaches to the HGV ban and if we are able to provide a registration number and/or company name action can be taken. He also provided contact details of parking enforcement officer in cases when irresponsible parking is giving cause for concern.	Clerk
1777	Action- It was agreed that it was not necessary to attend every meeting, but to keep communication open, he can send written report. Will attend another meeting early 2013. DECLARATION OF VACANCY FOR PARISH COUNCIL FOR LINDALE WARD DUE TO RESIGNATION OF CLLR BOND WHO HAS RESIGNED DUE TO MOVING OUT OF THE PARISH AND NOMINATIONS FOR NEW VICE CHAIR.	Clerk /HF

1778	<p>Vacancy declared for Lindale ward following resignation of Cllr Bond who has now moved out of the parish. It was agreed Cllr Bond had made a very active and valuable contribution during his term as a Parish Council. Clerk to send letter of thanks to be sent acknowledging that he was a very active parish councillor and thank him for all his work and he will be a big loss to the parish. Action:-Clerk to commence formal procedures to declare vacancy with SLDC.</p> <p>Vice Chair - Cllr Mrs McClure proposed Cllr Mike Squire as nomination for new vice-chair. Seconded by Cllr Marsden. No other nominations. 4 votes supporting which was unanimous. Cllr Squire accepted the position of vice-chair.</p> <p>CLERKS REPORT.</p> <p>TO NOTE CORRESPONDENCE RECEIVED TO 31ST AUGUST 2012 AND AGREE APPROPRIATE ACTIONS AS APPLICABLE.</p> <p>Correspondence as per schedule was noted.</p> <p>TO NOTE CORRESPONDENCE RECEIVED AFTER 31ST AUGUST 2012.</p> <p>Correspondence was reported and noted.</p> <p>Clerk reported the BDO have made queries regarding the asset register changes in value in respect of additions and removals and donations (LVPF) during last year. Clerk reported confusion has arisen due to update of register in accordance with Auditors report 2010/11 which recommended more details and analysis of assets. Play equipment was shown prior to this time a 1 value. It has now been broken down into individual items/value. Clerk has sent explanation to BDO.</p> <p>MATTERS ARISING:</p> <ul style="list-style-type: none"> i) CCC have now carried out repair to the railing at the waterfall. ii) Bergen Arbotech to carry out annual treatment of Japanese knotweed in recreation ground at appropriate time. iii) No Response from the probation service regarding request to refurbish benches at Lindale Fu. 28/8/12 and 6/9/12. <p>Various ongoing issues/actions are covered under specific agenda items.</p> <p>PARISH COUNCIL REPRESENTATIVES REPORTS:</p> <p>LAP Interim meeting August 2012 - Report by Cllr Roger Armstrong.</p> <p>Members reviewed the report from Margaret Belk and the suggested provisional sums allocated to the proposed projects. Members considered each project and voted on whether to support or make suggestion/comment. Report sent to M Belk for inclusion in meeting on 9/10/12. Cllr Armstrong and Cllr Marsden will also attend.</p> <p>Broadband Project Report by Cllr Neil Marsden.</p> <p>No further news at this time.</p> <p>PARISH COUNCIL CONSULTATIONS</p> <p>See correspondence report below for details</p> <p>NEW CONSULTATIONS:</p> <p>See correspondence report below for details.</p> <p>NEW CODE OF CONDUCT JULY 2012</p>	Clerk
1779	<ul style="list-style-type: none"> i) Feedback on SLDC training event held at Kendal Town Hall on 23/08/12. <p>Clerk and Cllr Armstrong attended Code of Conduct training session at Town Hall Kendal. It is quite clear that this is an evolving process; the code was implemented very quickly throughout the District and Parishes. There was a great deal of discussion regarding the amount of detail required on the disclosable interests form. We are awaiting further guidance which is expected in October and we will review our member's forms at this time.</p> <p>Also action is required regarding Parish Council procedures' regarding dealing with dispensations and this is to be dealt with at this meeting in accordance with the guidance received.</p> <ul style="list-style-type: none"> ii) Resolution to adopt Parish Council Policy for dealing with dispensations to Code of Conduct. <p>Council to delegate to clerk- delegated authority to grant dispensations in cases where a majority of members of the council would be affected by the requirement to declare a disclosable pecuniary interest. i.e. Setting of Parish Council Precept</p> <p>Clerk should keep a record of decisions which can be made available for public inspection if required in the interests of openness and transparency.</p> <p>Agreed:- Members resolved to delegate to the Clerk the authority to grant dispensations where a majority of members of the council would be affected by the requirement to declare a disclosable pecuniary interest. i.e. Setting of Parish Council Precept. (4 in support)</p> <p>Agreed:- Parish Council resolved in all other cases dispensation requests i.e. for individual members, they will be considered by the full council and all requests to be made to the clerk.</p> <ul style="list-style-type: none"> ii Members to apply for Dispensation to take part in and vote on the setting of the precept for the remainder of the life of the council and complete the pro-forma provided. <p>Members completed the request for dispensation to take part in and vote on the setting of the precept for</p>	Clerk

	<p>the remainder of the life of the council. Chair Roger Armstrong felt very strongly about members having to complete this as he felt it made clear who pays Council Tax and who does not. He was reluctant to sign, but on reflection he did and annotated his dispensation request with comments regarding these views. Cllr John Holmes to raise his concerns at the Standards Committee meeting.</p>	
1780	<p>PLANNING APPLICATIONS APPROVED, AMENDED, REFUSED, APPEALS, WITHDRAWN AND PENDING</p> <p>NEW APPLICATIONS TO BE CONSIDERED AT THE MEETING:-</p> <p>NEW DECISIONS MADE UNDER CLERKS DELEGATED POWERS TO BE RATIFIED –</p> <p>Both applications were reviewed by clerk in conjunction with Cllr Marsden.</p> <p>Low Nab Wood- proposed cattle shed – Supported and recommended approval</p> <p>High Tarn Green – proposed implement store – Supported and recommended approval</p> <p>For information only - Low Nab Wood, Proposed Wood shed</p> <p>NEW APPLICATIONS TO BE CONSIDERED AT MEETING:</p> <p>None</p> <p>APPROVED:</p> <p>7/2012/5307 The Hawthorns, Kendal Road, Lindale, Proposed extension to provide accommodation for carer and side extension to lounge. SUPPORTED</p> <p>REFUSED: NONE</p> <p>PROPERTY RE-NAMING: NONE</p> <p>ENFORCEMENT: NONE</p> <p>AMMENDED PLANS: NONE</p> <p>OUTSTANDING APPLICATIONS WITH LDNPA</p> <p>7/2012/5326 Beech Lea, Lindale, Proposed alteration and extension of 2 storey dwelling to form 2 x separate dwellings, one 2 bedroom, one 3 bedroom including provision of additional car parking spaces. SUPPORTED WITH ADDITIONAL COMMENTS</p> <p>7/2012/5346 The Institute, 8 School Hill, Lindale – Variation to condition 2 of planning permission 7/2011/5402 regarding boundary fence. NOT SUPPORTED WITH ADDITIONAL COMMENTS</p> <p>7/2012/5355 Rock Cottage, Newton- Demolish garage/workshop and make access for 2 x proposed dwellings for local occupancy. SUPPORTED WITH ADDITIONAL COMMENTS</p> <p>7/2011/5529 Sunny Green Farm, Back o the Fell Rd, Lindale Minor amendments to 7/2011/5226 regarding drawings ref 359-100b SUPPORTED</p> <p>7/2011/5054 Land to east of A590T, near junction with Cartmel Lane, High Newton – Proposed new sheep housing – SUPPORTED</p> <p>7/2010/5025 Moss End Farm, Lindale – Proposed Replacement of overhead line – SUPPORTED</p> <p>OTHER PLANNING MATTERS AND CONSULTATIONS-</p> <p>Enforcement issues regarding 8 School Hill are now being dealt with by application no 7/2012/5346</p>	JH
1781	<p>FINANCE REPORT:-</p> <p>A) Consider the finance report as at 13th July 2012- Resolution to approve payment of accounts as listed on the attached schedule.</p> <p>RESOLVED – Proposed Cllr Squires and Seconded Cllr Mrs McClure. All in favour.</p>	
1782	<p>UPDATE ON PRELIMINARY INVESTIGATIONS REGARDING SUGGESTION MADE AT ANNUAL PARISH MEETING BY LOCAL RESIDENT TO INVESTIGATE POSSIBILITY OF HARNESSING WATERFALL AS A POTENTIAL SOURCE OF RENEWAL ENERGY, WITH VIEW TO FORM WORKING PARTY FROM COUNCIL MEMBERS AND LOCAL COMMUNITY WITH INTEREST AND EXPERTISE TO RESEARCH AND INVESTIGATE VIABILITY.</p> <p>Local resident Chris Phelps has provided report from her employers Gilbert Gilkes Ltd (Turbine manufactures). Regrettably the setting up costs of approx £250,000 could make further pursuit of this proposed project unrealistic, however further investigation required.</p> <p>AGREED :- Cllr Squire to meet with Mike Sykes and investigate potential funding sources and report progress at next meeting in October.</p>	
1783	<p>ENVIRONMENT</p> <p>Better Highways Scheme –Clerk reported on circulated See attached Briefing Paper regarding introduction of new scheme to improve communication and reintroduce a programme of scheduled visits to parishes.</p> <p>Winter Gritting – Rob Lawley has said that the Cabinet would consider a report on the County’s winter gritting arrangements for 2012/13 in September 2012.</p> <p>New Issues- Members again raised concerns about the general condition of Lindale Hill and the need for renewing white lines. Action:-Clerk to report to Keith Masser and Cllr Wearing.</p> <p>It was suggested that the clearing of gulley’s could be included in general maintenance and prevention,</p> <p>Ongoing issues:-</p> <p>Action:- It was agreed for clerk to follow up all outstanding issues with Hotline/Better Highways.</p> <p>Highway defects – Lingarth (Hotline reference 567571 July 2012)</p> <p>Lindale Hill and The Gill general condition of road (Hotline ref 559261 April 2012)</p>	MS Clerk Clerk /WW Clerk

APPENDIX 1

CLERKS REPORT- AGENDA ITEM 7

CLERKS REPORT CORRESPONDANCE UP TO 31 ST AUGUST 2012 FOR INFORMATION		
Received From:	Subject	Action taken or required
CALC	<ul style="list-style-type: none"> South Cumbria Water Level Management Group meeting with DEFRA 20/6/12 mins of meeting CALC views on MRWS 	Noted
LDNPA	<ul style="list-style-type: none"> Planning apps Creation agreement for High Newton Reservoir Notice and plan for new footpath number 579027 NOT 579023 LDNPA Summer Update from Clive Wickham LDNPA partnership Parish Forum 	Noted
CCC	<ul style="list-style-type: none"> Better Highways Briefing – Revised Operation Aug 2012 Community Assets in South Lakeland Changes to County Council supported local bus services <p>Clerk to investigate why timetables not available at all bus stops/shelters</p>	<p>Circulated</p> <p>Action DJC</p>
SLDC	<ul style="list-style-type: none"> Electoral Registration Poster Parish Remuneration Panel – report on allowances for parish Councils 2013/14 	Displayed Requests by 7/9/12
Cumbria CVS	Changes at Cumbria CVS – centralisation of functions to Penrith	Noted
P Sill	Walney Wind Farm extension	Noted
Correspondence requiring Action		
CALC	<p>Safeguarding Public Money – Following repeal of S 150 (5) of Local Government Act 1972 guidance to take advantage of modern payment methods while protecting public assets in their care.</p> <p>Resp - Agreement in principle, but we will remain with existing arrangements.</p>	See report in meeting notes regarding recommended action to take
CALC	Code of Conduct – Guidance on dispensations for Town and Parish Councillors	See report in meeting notes regarding recommended action to take.
SLDC	<ul style="list-style-type: none"> Monthly Play area inspection report Code of Conduct Training dates Power up your Community 	Holes to be filled in tarmac around Fun-box in skateboard park. Fu next meeting
NEW CONSULTATIONS		
Local Government Boundary Commission for England	<p>Summary of electoral arrangements for CCC can be viewed at www.lgbce.org.uk</p> <p>Recommends 84 CC in future – same as current arrangements</p> <p>Agreed no action</p>	Survey seeking feedback on review processed and procedures to identify improvements that can be made at www.lgbce.org.uk/about-us/satisfaction-surveys/opinions-survey
Previous Consultations now closed since last meeting.		
SLDC	Clean Streets Dog Control Orders and urination and defecation in street.	<p>Consultation from 2/7/12 to 24/9/12. Paper copies of questionnaire circulated to all members.</p> <p>STILL TIME TO RESPOND</p>

If you require copies of any of the above, please contact me prior to the meeting.

APPENDIX 2

AGENDA ITEM 7-FINANCE REPORT FOR MEETING WEDNESDAY 5TH SEPTEMBER 2012 BALANCES AS AT 31ST August 2012

Apprentices Fund	£664.07
J W Monument	£0.68
General	£14741.25
Toilet Main Fund	£365.07
Recreation Ground	£227.55
VAT outstanding -	£474.68

Cheques for ratification:

Date	Details	Amount inc. VAT	VAT
	General Cheque Account		
18/07/12	Builders Supply Grange – Chippings for Newton gardens	79.24	13.21
02/08/12	South Lakes Services – Parish greens and rec ground - £340 and misl half-year cuts £175	618.00	
09/08/12	S Lishman – bus shelter maintenance April-August	60.00	
09/08/12	Wareing and Son – repair to waste pipe/down pipe	84.00	14.00
09/08/12	Martin Troughton – web site maintenance April-August	60.00	
14/08/12	Grange Plant Centre – planting Windermere Road sub-station	50.50	
14/08/12	St Paul’s Church – Annual Donation for Parish magazine	100.00	

Bank Charges:

Date	Details	Amount
05/08/12	Monthly bank charges	1.66

Transfers between accounts since last meeting:

Date	Details	Amount
NONE		

Receipts since last meeting:

Date	Details	Amount
NONE		