

CALDBECK PARISH COUNCIL

Minutes of the ordinary meeting held at Caldbeck Parish Hall on Monday 29th October 2007.

PRESENT Mrs A Cartmell (Chairman) Mr A Savage
 Mr A Armstrong Mr C Smithson
 Mr H Hellon Mr D W Whitson
 Mr R Knowles

 Mrs E Auld (Clerk) Mr D S Fairbairn (County/Borough Councillor)

29/10-50 APOLOGIES

Apologies for absence were received from Messrs W Cowx (meeting), A Tyson and Mrs A Noble (holiday)

29/10-51 MINUTES

The minutes of the ordinary meeting held on 24th September 2007 were agreed and signed as a correct record.

29/10-52 DECLARATION OF INTEREST

Mr A Armstrong declared and recorded a prejudicial interest in planning appeal 07/2088. Mr A Savage declared and recorded an interest in the Caldbeck pond area work carried out by him.

29/10-53 PUBLIC PARTICIPATION

Deborah Harman, Caldbeck Surgery Practice Manager attended and spoke about the radical changes to services proposed in the PCT consultation document 'Closer to Home'. It was agreed that the Parish Council and Caldbeck Practice would hold a public meeting on 13th December 2007 to consider the affect that the changes might have on Wigton Hospital and the Caldbeck Surgery. Councillor Fairbairn advised the Council that a site meeting had been arranged for 5th November 2007 in Hesket Newmarket with Andrew Butler, Cumbria Highways to discuss the side road/play area access. The use of the bridge by large HGVs, problem drains and potholes were also to be discussed. Mrs S Braithwaite attended and explained details of planning application 07/2270.

29/10-54 PLANNING DECISIONS AND APPLICATIONS

Decisions:

06/2181 Calva Cottage, Park End, Caldbeck – erection of 1 x double garage and 1 x single garage on land formerly used as car park to former Parkend Restaurant – refused.

07/2088 Denton House, Hesket Newmarket – notification of an appeal against refusal of planning permission for garden decking and pergola (retrospective) – **resolved**, proposed H Hellon, seconded D Whitson to support the appeal – carried 1 abstention.

07/2173 Syke House, Hesket Newmarket – extension, alteration and improvements – approved 1 condition.

07/2198 Lieutenants Barn, Hesket Newmarket – installation of satellite dish – approved 1 condition.

07/2202 The Beeches, Hesket Newmarket – construction of shed and lean-to log and coal stores, construction of garden shelter – approved 3 conditions.

Applications:

T/07/0066 The Barn, Caldbeck – raise crown on copper beech (A & B), fell willow ©, fell pine trees and other mixed self-seeded trees (D) – no observations.

07/2269 The Banks, Hesket Newmarket – extension to create study and master suite – supported as an improvement on existing.

07/2270 Caldew House, Hesket Newmarket – alterations to existing house including raising the roof of the rear extension and new gable window – supported.

29/10-55

PARISH MAINTENANCE

- a) Heskett Newmarket allotments - the Clerk reported that no response had been received from the landlord's agent to date, but file papers indicated that the allotments were originally subject to the 1908 and 1922 Allotment Acts. An email communication from Allerdale BC indicated that the proposed pest control officer's visit on 27th October 2007 had been cancelled as there had been no positive response from the allotment holders that they would be present to give permission or sign the safety sheet. It was suggested that the inaugural Allotment Society meeting should be held prior to Parish Council representatives being invited to attend one.
- b) Caldbeck pond area - a site meeting was held on 1st October 2007 with Mr Stevens, Capita Symonds, Messrs Savage, Hellon and Mrs Cartmell in attendance. No action would be taken by Cumbria CC re the ditches or sieves but some work could be undertaken by the Parish Council on the fallen edges of the pond on safety grounds. Mr Savage had carried out the work – **resolved**, proposed Mrs Cartmell, seconded Mr Smithson to authorise payment for this of £100 plus VAT. It was felt that there were an excessive number of drakes on the pond area, but no resolution to dealing with the problem was forthcoming. The Clerk reported on correspondence with Mr Monkhouse regarding misunderstandings relating to the Caldbeck pond area maintenance contract. It was agreed that a plan of the area and more details should be provided when putting the contract out to tender in future.
- c) Heskett Newmarket recycling bins – the Clerk reported that John Somerset, Allerdale BC Recycling Officer had met with Councillors Armstrong and Knowles to acquaint him with the site proposals. This meeting had led to several email communications instigated by Mr Cosgrove. At a workshop to discuss the legislation governing village greens, recently attended by the Clerk and Mr Knowles, advice had been given by the barrister present specialising in property law. Although the law was not clear, it appeared that the siting of the recycling bins to the rear of the Brewery in Heskett Newmarket might be construed as impeding the legitimate use of the Back Green and was probably not lawful. The vehicles that empty the bottle bins are larger than they used to be and the contractors had indicated to Allerdale Borough Council that it would now be difficult to gain access to empty them in that location. It was **resolved** that Heskett Newmarket residents should be made aware of the situation through the Parish magazine and dependent on the consultation response, either the bins would remain on Woodhall Road or be removed from Heskett Newmarket altogether.
- d) Trees/shrubs maintenance – The LDNPA was inspecting and carrying out any tree/shrub maintenance in the car park and Deer Park areas as well as filling in potholes in the car park. Work on the trees in the Caldbeck pond area and School Hill required permission as they were in the Conservation Area – Mrs Cartmell agreed to meet with the LDNPA Tree and Woodland Adviser to discuss the matter
- e) Grass cutting – it was agreed that Messrs I Todhunter, C Coulthard, T Reed, B Glendinning and Mrs J Watson should receive letters of thanks for cutting grass and keeping public areas tidy, especially in preparation for the Cumbria in Bloom competition entry.
- f) Gully and road sweeping – it was felt that Cumbria CC had not attended to the gullies recently, nor had Allerdale BC carried out any road sweeping. Councillor Fairbairn offered to take these matters up with both Councils.

29/10-56

PARISH PLAN

There were no items for discussion.

29/10-57

CORRESPONDENCE

- 1 Allerdale BC Parish Charter – decision on signing up to Charter deferred to next meeting.
- 2 Mrs Braithwaite letter re safety issues with the Heskett Newmarket Play Area access and adjacent road - site meeting with Andrew Butler, Cumbria Highways arranged for 5th November 2007 at 10.30am – Councillors Armstrong, Knowles, Cartmell and Fairbairn to attend.
- 3 Bowness, Thursby & Caldbeck Neighbourhood Forum 25th September - R Knowles reported that the main speakers were Mark Southern, Allerdale BC and Nigel Christian, Cumbria CC on waste collection and disposal respectively. Kerbside collections, recycling centres and the distinction between household waste and trade waste were all topics discussed. Government targets for recycling household waste increases each year and, although Cumbria is currently

- over target, efforts to increase recycling and composting need to be sustained to avoid huge fines.
- 4 Friends of the Lake District Rural Greens Workshop 26th October – R Knowles reported on an excellent event led by Jo Chaffer, with a barrister specialising in property law in attendance to answer queries. Items discussed were:
 - The various Acts governing the legislation on village greens including the Commons Act 2006 – still lack of clarification in some areas.
 - Village green management responsibilities for local councils and scope for bye-laws.
 - Encroachments include buildings, fences, car parking areas, gardens, dumping, unauthorised grazing and anything permanently altering the surface.
 - Public use of greens for sports and recreation to be encouraged and items to enhance the enjoyment of these, such as goalposts, are permitted.
 - Driving and parking of vehicles on greens is not lawful. Local councils can allocate a portion of the green for parking provided it does not impede the reasonable use of the green for lawful sports and activities.
 - To protect the edges of greens from vehicle erosion, the kerb can either be built up or a post and chain fence installed. The use of boulders alongside the track on Heskett Newmarket Back Green is probably lawful as a solution to protecting the drains.
 - 5 Fairtrade steering committee meeting 10th October – A Tyson attended.
 - 6 Mr and Mrs Cosgriff letter re supervision of youth parties at Parish Hall – Clerk to respond indicating that the comments were noted and the situation was to be monitored. It was suggested that the matter should be discussed with the Parish Hall Committee.
 - 7 Allerdale BC invitation to Corporate Improvement Plan refresh public meeting – no attendance
 - 8 LDNPA notification to changes in Trails Management administration – noted.
 - 9 Notification of Cumbria CC Minerals and Waste DF consultation on Preferred Options 01/11/07 -14/12/07 – no response.
 - 10 North West Air Ambulance appeal letter – **resolved** to donate £50
 - 11 Invitation to West Cumbria Strategic Partnership Forum 2nd November – no attendance.
 - 12 Allerdale BC review of Polling Districts and Polling Places – satisfied with current arrangements.
 - 13 Cumbria CC article for Newsletter re direct payment provision for social care – Clerk to pass on to Editor.
 - 14 SID Partnership meeting 6th November 2007 – A Cartmell to attend.
 - 15 CALC AGM agenda and minutes 10th November 2007 – R Knowles might attend. Resolved to approve £10 lunch cost.
 - 16 Cumbria in Bloom AGM agenda and minutes 26th November 2007 – no attendance.
 - 17 Cumbria NHS PCT ‘Closer to Home’ consultation 27th September 2007 – 4th January 2008 – copies circulated prior to comments at December meeting.

29/10-58 ACCOUNTS

Resolved to approve the following payments and record of receipts:

North West Air Ambulance – donation s137	50.00
Mr A Savage – remedial work to edges of Caldbeck pond	117.50
Royal British Legion Poppy Appeal – wreath s137	15.00

Receipts:

Third World Shop – rent 05/10/07	100.00
T Richardson – Heskett Newmarket Back Green shed licence	5.00
Anonymous donation 15/10/07	2,000.00
Anonymous donation	1,000.00
Cumbria CC – Caldbeck village green/pond area maintenance	550.00
W L Turner – Ratten Row parking area licence	5.00
C I Dickson – Heskett Newmarket parking space licence	5.00

Current a/c balance 08/10/07 £2,599.76 29/10/07 £4,403.53 (£20.50 un-presented)
 Deposit a/c balance 08/10/07 £3,696.94 Interest 08/10/07 £5.12
 Receipts to date were £12,360 (£649 to come). Payments were £9,004.08 (£2,900 to come). £900 Parish Plan budgeted expenditure was unused. 2008/09 budgets to be agreed at the next meeting.

29/10-59 Date of the next meeting – 10th December 2007. The meeting closed at 9.27pm.