

# CALDBECK PARISH COUNCIL

Minutes of the Meeting held at Caldbeck Parish Hall on Monday 25 February 2019 at 7:30pm.

**Cllrs Present:** Paul Doherty (Vice Chairman), Richard Hellon, Norman Atkinson, Ian Shaw, Angela Glendinning, Colin Smithson, Alan Tyson.

**Also Present:** Tony Annison, Allerdale Borough Council, Simon Smith (Clerk)

## 1. Apologies

Apologies were received from Tim Cartmell (Chairman), Christina Coulthard and Alistair MacFadzean and accepted by all attending. The Clerk reported that Cllr Coulthard had tendered her resignation and Parish Councillors expressed their regret and appreciation for all the work Cllr Coulthard had undertaken for the Parish Council.

## 2. Minutes

The Chairman was authorised to sign the minutes of the Ordinary Meeting of the Parish Council held on 14 January 2019 as a true record.

## 3. Declaration of Interest

Cllr Shaw made a declaration of interest in respect of Item 13 - legal advice pertaining to grants for grass cutting by parish councils for the upkeep of church yards.

## 4. Public Participation

Cllr Annison, Allerdale Borough Council, reported on his support for extending the winter gritting route between Howbeck and the B5035 via Millhouse. He would be attending the Development Panel where the Friar Row Tree Preservation Order was under consideration. He also reported on the Workington Stadium project and expressed concern about the costs falling to council tax payers. Cllr Annison offered to pursue any enquiries the Parish Council had with Allerdale Borough Council and advise on contacts with the County Council. Parish Councillors expressed appreciation for his support.

## 5. Planning applications and decisions

### a) Applications

- i) Allerdale Borough Council - **Tree Preservation Order No 12-18, Friar Row, Caldbeck**. Scheduled for Development Committee, 5 March 2019. The Clerk reported that Cllr Cartmell and Paul Taylor, Cumbria Trees Services would attend and arrangements had been made for them to speak. Cllr Annison would be attending as a member of the Development Panel.
- ii) **7/2019/2029 Hall Close, Park End, Caldbeck, CA7 8HQ**. The National Park had recently circulated details of the notification of the breach of agricultural workers dwellings condition. The National Park had set out that the correspondence was for information only and no comments were requested. The Parish Council expressed concern as to the facts as stated, the processes being followed, and the potential change in occupancy restrictions without the normal arrangements for consultation. It was agreed the Clerk should make enquiries of the National Park and seek to register the Parish Council's concerns.

### b) Decisions notified by Lake District National Park

- i) **7/2018/2277 Bonners Farm, Caldbeck, Wigton, CA7 8HB**. Demolition of existing store. New replacement building to be used for storage and housing livestock.  
**Granted with conditions**

## **6. Heskett Lonning Footpath**

The Clerk reported that the landowners had declined the County Council's offer to meet on 13 February to discuss mediation, with the Parish Council also attending. The County Council will need to decide on its next steps and the Parish Council has offered to help in anyway it can to progress the footpath. The Information Commissioner's case officer has provided an update. The County Council has submitted its case for not releasing the independent report and it will take him some weeks to examine and concluded the case.

## **7. Community Led Affordable Housing**

The Clerk reported he had been in touch with architects/consultants and had received supportive responses from 3 architects and 1 consultant. He was awaiting confirmation from Kevin Richards about pre application advice fees. He had kept Paul Taylor, Allerdale Borough Council, informed of developments and expected to submit a grant application which would be processed speedily. Once the grant is confirmed, architects would be appointed and papers prepared for pre application advice. The aim is to get agreement in principle from the National Park so that a Community Led Group can then develop detailed plans knowing the effort is worthwhile. Cllr Tyson agreed to update landowners.

## **8. Lake District National Park land disposals**

The Clerk reported the National Park's Executive Board is to meet on 4 March to take decisions on land disposals, including the Parish Council's offer.

## **9. Parish Maintenance**

Updates from the December meeting - items listed in Site Visit 8 December report order:

a) Issues raised with Matt Bish, County Council Highways

i) Caldbeck Green - pot holes. Cllr Doherty to add details to HIMS.

ii) B5299 Ratten Row, Caldbeck - Surface water across road & Caldbeck Boundary Sign. Drainage ditch established - Clerk to check if further work is expected higher up.

iii) Chippings stocks held on Common Land Blue Gate Crossroads - chipping stock now removed.

iv) Warning signs at Faulds Brow - Clerk to contact Philip Groom

v) Warning signs and Wath Brow - Clerk to contact Philip Groom

vi) Upton, Caldbeck - Road surface - some repairs undertake, Cllr Doherty to add details to HIMS.

vii) Heskett Lonning road particularly near Throstle Hall - not scheduled until 2020 but Heskett Lonning remains the Parish's top priority.

viii) Heskett Newmarket/Newlands - step protruding on road. Awaiting news.

ix) Heskett Newmarket, Street Head/Woodhall Junction - Surface water drainage/road markings. Action continuing

x) Heskett Newmarket, Street Head/Hudscals. Repairs undertaken.

xi) Drain between Burplethwaite and Bonners Farm. Awaiting news.

xii) Branthwaite historic signpost - fully restored and back in place.

xiii) Heskett Newmarket to Newlands Road including Heskett Bridge - work now completed.

xiv) Whelpo Bridge to Faulds Brow - pot holes.

b) Other issues

xv) Street lighting issues - reinstallation of light near Calva. The Clerk reported on recent correspondence. Following discussion, it was agreed the Clerk should write and offer to arrange a meeting for the owners and their representatives to discuss matters with two Parish Councillors and himself. If no agreement were forthcoming the full Parish Council would consider the matters. It remained open for the owners to contact Allerdale Borough Council and express any concerns to the Standards Committee.

Other urgent matters regarding parish maintenance

xvi) Cllr Atkinson drew attention to the disturbed grit bin near Howbeck which had been upended during the construction of the drainage channel. The Clerk to report.

xvii) Two street lights were requiring attention, outside the Caldbeck Shop and In Ratten Row. The Clerk to report.

#### **10. Gritting from Howbeck to B5305**

The Clerk reported that the County Council had agreed to extend the gritting route from Howbeck to the B5305 following correspondence from the Police and Crime Commissioner and lobbying from County Councillors and the Parish Council. Parish Councillors welcome this good news.

#### **11. Street Lighting**

Cllr Doherty reported that he had held discussion with a number of firms in Cumbria offering street lighting products. These were being assessed and a number of options considered, including shorter footway lights triggered by motion sensors.

#### **12. Election preparations**

The Clerk reported the election timetable: 19 March nominations commence; 3 April nominations close. Papers need to be delivered by hand and it was agreed the Clerk would take completed nominations forms to Allerdale Borough Council after the Parish Council meeting on 25 March and would arrange for election staff to check everything is in order. He would also ask about the costs of an election

#### **13. Legal advice - Council support for grass cutting churchyards**

The Clerk reported on the legal advice regarding parish councils supporting grass cutting in church yards and whether such expenditure may be subject to legal challenge.

Most councils consider that they cannot contribute towards church infrastructure but can assist with grass cutting for the wider benefit of the community (as Caldbeck Parish Council does). Given the uncertainties, CALC has advised it is content that councils are not at any immediate risk of acting beyond their powers by giving grants for maintenance. Challenge through Judicial Review is costly for those wishing to take action and considered highly unlikely. In preparing its advice, NALC reported the Government believes the 1894 Act restrictions do not override the provisions in later Acts of Parliament and there is no need for further legislation. In the unlikely event of expenditure being challenged and ruled unlawful, the Government would legislate to ensure that such expenditure would be lawful. The Parish Council considered that there was a satisfactory level of assurance for the current arrangements and that the Parish Council was able to carry on making payments.

#### **14. Parish Council Internal controls**

The Clerk reported on the draft Internal Controls papers and suggested they should be formally approved at the March meeting, together with updated Standing Orders and final year end papers. Any comments or suggestions on the drafts would be welcomed.

#### **15. Monthly Accounts 2018-19**

The receipts and payments since the last meeting were noted. The Clerk reported that Allotment rents for both 2018-19 and 2019-20 were being collected at the Allotment Society Annual General Meeting scheduled for early March. In addition the County Council is arranging to pay its £860.00 contribution towards Caldbeck greens grass cutting and the National Park is contributing £50.00 for Caldbeck car park.

- a) Receipts
  - i) Interest February £22.05
  - ii) Allotment rents £36.00
  - iii) John Peel centre and other rents £105.00
- b) Payments
  - i) R G Bell & Sons - winter snow clearance £301.59
  - ii) M&A Metalcrafts - sign post repairs £93.00
- c) Bank Balances
  - i) Current Account £9,001.86
  - ii) Deposit account £108,209.00 including £98,627.80 for Hesket Lonning footpath
- d) On line banking arrangements operating satisfactorily. Bank figures as at 17 February 2019, cheques received £117.00 to be banked.

#### **15. Correspondence**

The following items of correspondence received since the last meeting not included on the agenda were noted:

- i) National Park Geoff Davies: January Report
- ii) CALC: February Newsletter; 125 years since 1894 Local Government Act; Local Industrial Strategy
- iii) Northern Fells Dementia Alliance
- iv) Jenny Johnson - Memories of Hesket Newmarket. It was agreed the Clerk would write to Jenny Johnson setting out how her memories had been shared with older residents, including head teachers at Hesket Newmarket and Caldbeck who very much appreciated her memories.
- v) Jason Smith - Parish Maps

#### **16. Meeting Date**

Date of next meeting 25 March 2019

The meeting closed at 9:15 pm.