

HELINGTON PARISH COUNCIL

Minutes of the meeting held on Wednesday 6 July 2016 in the Helington and Brigsteer Village Hall at 7.30 pm

Present: Cllrs A Davies, (Chairman), B Mansbridge, K Ritchie and S Savasi.

Also present were District Cllr A Rawlinson, County Cllr J Bland, Ms J Saunders (Clerk) and 6 members of the public.

21/16 Apologies

It was resolved for apologies with reasons given to be noted and accepted from Cllrs S Carman and J Seddon.

22/16 Declarations of Interest / Dispensation Requests

Cllr K Ritchie declared a disclosable pecuniary interest in Agenda item 6 re planning application no SL/2016/0514 Thurston, Brigsteer. There were no dispensation requests.

23/16 Minutes

It was resolved for the Chairman to sign the minutes of the Annual Meeting held on Wednesday 18 May 2016 as a true record.

24/16 Public Participation

Mr Mike Fleetwood reported that a section of the toposcope near the church had been overturned by a bullock, causing damage to a stone wall. The toposcope unit needs lifting and repairs undertaken. The incident has been reported to the National Trust, but not the tenant farmer. Ownership of the toposcope is unclear as, although funds were raised towards the installation, it was ultimately paid for privately. £328.93 raised at the time has been retained in a bank account and could be used to fund repairs. Cllr J Bland offered to ask the tenant farmer to reinstate toposcope.

Mr Christopher Shaw reported that bullocks had also caused damage to cars parked outside church, including his own car which had incurred nearly £800 of damage. Mr Shaw had reported the incident involving his car to the National Trust, but been advised that he must take up the matter with the tenant farmer. The tenant farmer had responded by stating that cars parked in the area at the owners' risk. Mr Shaw was unsure about his legal position and how to proceed, but wished to advise the Council that the National Trust was taking no responsibility for the parking area and expressed the view that there should be a sign re cars being parked at owners' risk.

It was agreed that the Council would report the concerns which had been raised by members of the public to the National Trust, including the concern about the lack of signage to indicate that cars were parked at owners' risk.

25/16 Councillors

- (i) It was reported that Cllr B Mansbridge's Declaration of Acceptance of Office of Vice-Chairman had been received;
- (ii) It was noted that Cllr J Seddon has agreed to be the Council's representative to the South Westmorland Village Maintenance Association;
- (iii) Following the advertisement of the vacancy on the Council, an application for co-optation had been received from Richard Park. Cllr A Davies proposed and Cllr

B Mansbridge seconded Richard Park's nomination for co-option and the vote was carried unanimously. It was further resolved that Richard Park would sign the Declaration of Acceptance of Office before the next meeting of the Parish Council.

26/16 Planning

The following planning applications had been received, and responses submitted by the Clerk on behalf of members under delegated powers, after the agenda for the last meeting had been issued:

- i. SL/2016/0422 - Glenwood, Brigsteer, Kendal - Extension to porch with extension over.

No objections or observations.

- ii. SL/2016/0196 - Larkrigg Riding School, Larkrigg - Use of land for exercising horses, including the laying of an all-weather track for that purpose.

No objections or observations.

It was noted that this application had now been determined: **Granted with conditions on 27 June 2016.**

- iii. CU/2016/0006 - Lane House Barn, Low Road, Brigsteer, Kendal - Change of Use of barn into single dwelling.

It was noted that the Council's observations on this application may be viewed on SLDC's website under the planning application reference number.

It was noted that this application had now been determined: **Prior approval given with conditions on 28 June 2016.**

The following application was received and considered. (Cllr K Ritchie left the room and took no part in the discussion of this application):

SL/2016/0514 - Thurston, Brigsteer, Kendal – Single storey extension to front of dwelling with flat roof as extended balcony; addition of patio doors and rooflights to existing kitchen at first floor.

No objections or observations.

27/16 Parish Land To receive and consider updates regarding:

a) Registration of parish land. Cllr B Mansbridge reported that a search of the Common Land Register in respect of the land at Crooked Gate had shown this was not common land. Additional information had been obtained regarding a dispute over this land in 1990s when it was fenced off, so this would have to be reported prior to registration. It was anticipated that the registration fee would be £30.

b) Parish land adjacent to Syke House near the Watering Place, Brigsteer.

Clerk reported that an inquiry along with a plan of the area had been sent to the Levens Estate and passed to its Land Agent, but a response was still awaited.

Cllr A Davies reported that Mr Cheesbrough of Syke House had agreed to use limestone chippings for hard landscaping of this land and had also offered to undertake work to the Watering Place. It was agreed that the latter offer should be left on the table pending further clarification on ownership.

c) Parish land lying to the south west of Low Barrow House, Low Lane, Brigsteer. Concern was expressed regarding the impact of the approval of change of use application re Lane House Barn on access rights over lane. Cllr B Mansbridge advised that the Council had in its possession a copy of a letter asserting long standing rights of access, both pedestrian and vehicular, over the parish land, and therefore over the lane, to the allotments/gardens. Clerk advised that a Planning Officer had stated that approval was for development of the barn only, and that no building to the extent of the curtilage in the lane would be permitted, ie no structures, walls or fences could be erected. The Planning Officer had referred to a copy of an Environmentally Sensitive Areas scheme application submitted with the Change of Use application which indicated the extent of the curtilage of the land subject to the Notice of Change of Use, but this document was not in the

public domain. It was resolved that Cllr Mansbridge would undertake a Land Registry search to try to establish ownership of the lane. If this produced no results, the next course of action would be to approach the owner of Lane House Barn.

d) Responsibilities of Councils as Landowners (Clerk to report on NALC Legal Topic Note 41, June 2016). Clerk reported that this Note contained advice on duties and liabilities arising from land ownership, such as maintaining land, ensuring there were no breaches of covenants and making best use of assets. It was suggested that the Council should maintain a register of assets in their ownership, including land. It was noted that the Council had produced a document listing land it owned or may own. Clerk had sought advice from CALC re a register of assets and asset valuation and was awaiting a response. It was agreed that this would be a future agenda item;

e) There were no other matters regarding parish land.

28/16 Highways/Footpaths

a) A report was received from Cllr A Davies regarding a road traffic accident near the junction adjacent to the Wheatsheaf Inn, Brigsteer. Cllr Davies had written to both Cumbria Police and Cumbria Highways in a personal capacity about the accident and highlighted concerns about highway safety at this location, especially the speed of vehicles coming down the steep hill towards a blind bend by the pub and the need for improved signage.

A response from Sgt Bill Nolan on behalf of Cumbria Police had advised that the Police had no-one available to attend the July meeting of the Parish Council and that the accident had been logged as a minor injury road traffic collision. There had been no response from Highways to date. County Cllr J Bland recommended contacting Tony Beaty at Cumbria Highways regarding the issue.

b) There were no other matters regarding Highways/Footpaths.

29/16 Community Led Plan

No report had been submitted regarding the Community Led Plan.

30/16 Reports

- a. Meetings attended: Clerk reported that Cllr J Seddon had attended the LDNP Extensions Programme Board on 29 June 2016. No report of the meeting was available as yet. Cllr K Ritchie had attended a Code of Conduct training session.
- b. Helsington Community Land Trust Ltd. Cllr A Davies reported that a public drop-in session had been held in Brigsteer on 29 June 2016 with displays showing the proposed development on site RN213 adjacent to the Village Hall and directors of the Trust and the architect in attendance. Copies of the architect's plans and drawings had been circulated to members. It was noted that the planning application was likely to be submitted in July, and therefore it may be necessary to hold an extraordinary Council meeting at which to consider the application. Clerk confirmed that the application had not yet been submitted and SLDC Planning Officer had advised that the application could take anywhere between a day and a week to be validated before being put out for consultation. Planning Officer had also advised that there should not be a problem in obtaining an extension to the consultation deadline in order to allow the Parish Council to consider the application and submit a response. It was noted that because of LDNPA becoming the planning authority from 1 August, SLDC and LDNPA were currently working in conjunction with each other on planning applications. It was agreed that Cllr A Davies would check with SLDC regarding the submission of the application whilst the Clerk was on leave in July, and that an extension to the consultation deadline would be sought as necessary.

- c. Helsington & Brigsteer Village Hall. Cllr S Savasi reported that the trustees would be meeting every three months in future.
- d. District Cllr A Rawlinson:
 - (i) Kerbside recycling collections of cardboard and plastic are being rolled-out.
 - (ii) Re the Electoral Review of SLDC, her preference was to remain as councillor for the current three parishes. She opposed combining this ward with Stonecross in Kendal as the mix of rural and urban areas would not work.
 - (iii) Noted that she would be attending the meeting for parish council representatives on 27 July 2016 re the proposed Lyth & Witherslack Water Level Management Board.
 - (iv) Locality Budget of £1000 available to split between three parishes.
 - (v) Offer to communicate with SLDC Planning department re extensions to deadlines or if more information required.
- e. County Cllr J Bland:

Also noted meeting on 27 July re proposed Water Level Management Board.

31/16 Lake District National Park Extension

- a) It was noted that the extension to the Lake District National Park takes effect on 1 August 2016, and that LDNPA was planning a National Park Extension Day Celebration event at Sizergh Castle that day. Cllr J Seddon had advised LDNPA that publicity material for this event should be sent to Cllr A Davies for display/circulation;
- b) It was noted that a meeting between Council members and Graham Standing, LDNPA Area Ranger had been arranged for Friday 29 July 2016 at 10.00am in the Village Hall Meeting Room to discuss the LDNP extension and related matters;
- c) It was noted that although the Council had been omitted from an invitation to attend an early engagement event regarding the LDNPA Local Plan Review, a document containing feedback from these events had subsequently been received. A dedicated webpage re Local Plan Review was under development. Paula Allen, LDNPA Strategy Planner, had agreed to hold a session to discuss the Local Plan Review at 7pm on Wednesday 7 September 2016, prior to the commencement of the next Council meeting. It was agreed that this session would be advertised alongside the agenda for the September meeting.

32/16 Electoral Review of South Lakeland District Council: Draft Recommendations

Draft recommendations re new electoral wards, boundaries and names had been received and circulated previously and these were considered. Concerns were expressed re:

- the idea of three member wards, as there would no longer be a single point of contact;
- the expense incurred by local residents due to the plan to hold elections more frequently;
- the combining of rural and urban areas which have little in common. This would result in a bias against more sparsely populated rural areas and a loss of community identity and representation.

Authority was delegated to Cllr K Ritchie to draft a response to the recommendations which she would circulate to members for comment and approval prior to submission by the deadline of 18 July 2016.

33/16 Clerk's Report and Correspondence

A number of items of correspondence had been received by email and circulated previously to members. A copy of Clerks and Councils Direct has also been received and was available to members.

A letter inviting three Parish Council representatives to attend a meeting on 27 July 2016 regarding the proposed Lyth and Witherslack Water Level Management Board had been received earlier that day. It was agreed that the Council's representatives

would be Cllrs J Seddon (if available), Richard Park, Beryl Mansbridge, with Cllr A Davies as reserve or fourth attendee if permitted.
A request from Crosthwaite School for a donation towards a new classroom has also been received since the agenda had been issued. The request had been acknowledged, but further clarification sought as to the catchment area of the school and whether any children from Helsington were on roll there. If appropriate this request would be considered at the next meeting.

34/16 Finance

a) Annual return 2015/16: The Annual internal audit report 2015/16 (copy circulated previously) re accounting records and control systems was received and noted; the publication on the Council's website of the accounting and audit information required under the Transparency Code was also noted. The public had been advised via notice board and website that the Period for the exercise of public rights in respect of the accounts 2015/16 was 13 June – 22 July 2016. The Annual return had been posted to external auditors on 24 June 2016.

b) The following payments were authorised:

i. Jane Saunders (Clerk's salary, July 2016, by SO)	£273.70
ii. Jane Saunders (Clerk's salary, August 2016, by SO)	£273.70
iii. Jane Saunders (Clerk's expenses, 1 April - 30 June 2016)	£150.71
iv. Alan Hartley (Internal audit fee)	£50.00

c) Clerk advised that NJC National Salary Award for 2016-18 had been announced and, as anticipated and budgeted for, local council clerks had received a 1% pay award for each year, backdated to 1 April 2016. This would require an amendment to the monthly standing order payment re the Clerk's salary and a calculation re back pay, but this would be deferred in view of the proposed changes to the Council's banking arrangements.

d) Clerk advised that a Transparency Fund Application for £716.86 re laptop, software and work to website to ensure compliance had been submitted.

35/16 Future meetings

It was confirmed that the next scheduled meeting of Helsington Parish Council would be Wednesday 7 September 2016 at 7.30 pm in the Helsington and Brigsteer Village Hall, with the session re the LDNPA Local Plan Review taking place prior to the meeting at 7pm.

The meeting closed at 09.00 pm

Signed:
(Chairman)
Date: 9 August 2016