

## CROSTHWAITE AND LYTH PARISH COUNCIL

### DRAFT Minutes of the Ordinary Meeting of the Parish Council

held on Monday 05 February 2024 at 7.30 p.m. in the Parish Room, Crosthwaite

**Present:** Cllrs Angela Dobson, Matthew Dobson, M. Harkness, E. Sharp, R. Sykes, H. Young

**In Attendance:** Cllr. S. Bavin (Westmorland & Furness Co.), Martin Curry (Clerk),

**128/23 Apologies:** No apologies had been tendered – all Councillors were present. It was noted that it was not necessary for the Responsible Finance Officer to attend this meeting.

**129/23 Minutes of the meeting held on the 11 December 2023:** It was **Resolved** that the Minutes of the meeting held on 11 December 2023 be signed by the Chair as a true record.

**130/23 Declarations of Interest:** Cllr. M. Harkness declared an interest in Item 8.a(ii) – Planning Application 7/2023/5817: Land west of Oak Fold and would withdraw if required to do so.

**131/23 Requests for Dispensation:** No Declarations of Interest had been submitted.

**132/23 Chair's Announcements:** The Chair mentioned that there had been a request from the operators of a pizza van to use the frontage of the Village Hall on a periodic basis. Councillors confirmed that they had no objection, but that it was not for them to give permission which should be gained from the Hall itself.

**133/23 Public Participation:** No members of the public were present.

#### 134/23 Reports:

**a) Westmorland & Furness Council (W&FC):** Cllr. Bavin reported as follows:

- i) Grit Bins: Highways have declined to site bins on the Mill Lane / Durham Bridge section. Cllr Bavin has asked them to re-assess this as it is a major route for school traffic. Cllr. Young reported that it had been treated during the last snow / ice event - but not apparently by Highways. Council noted its appreciation that this had been done.
- ii) Mill Lane Bridge: There is no change in the current situation whereby the requirement for 'In-River Works' will mean delay until mid-June 2024.
- iii) A5074: The narrow section by Hubbersty Head is due to be resurfaced the week before Easter and will probably require a road closure. It is hoped that this will be an overnight closure.
- iv) Potholes are apparent in various locations, and many are getting worse in the current weather conditions. These are reported on HIAMS and will be dealt with as part of the repair programme.
- v) A590: An informal meeting of the A590 Working Group had been held recently but National Highways had not been in attendance. Notwithstanding the downgrading in priority of work at Gilpin Bridge the Group is committed to campaigning hard for improvements at this junction including discussion at Ministerial level.
- vi) Cllr. Harkness thanked Cllr. Bavin for his help with the supply of equipment for the litter picking event to be held in March. The amount of larger scale dumped debris on verges was noted and it was agreed that where apparent Councillors and Parishioners should report it on HIAMS.

**b) Police:** The Clerk reported that there was nothing in recent Police Focus Newsletters of direct relevance to Crosthwaite and Lyth.

#### 135/23 Planning

**a) Applications received:** Councillors considered the following applications received since the last meeting:

- i) **7/2023/5726 (& 5727 – Listed Building Consent): Pool Bank house, Witherslack LA11 6SB** – Having considered the detail of the applications for extensions and the replacement of a greenhouse with a garage and office, it was **Agreed** to submit **No Objection**.
- ii) **7/2023/5817: Land west of Oak Fold and north of Totter Bank:** Erection of three dwellings - one a self-build two-storey detached dwelling and domestic outbuildings and two custom-build semi-detached dwellings with associated access, drainage and landscaping. Cllr. Harkness withdrew from the discussion as having declared an interest but was not required to leave the meeting. Councillors noted that it had been originally proposed to develop this field at the time of the Oak Fold development. They noted that the plans were specifically designed to be eco-friendly and that the two semi-detached houses were to be for local occupancy. No other representations had been received and it was **Agreed** to submit **No Objection**.
- iii) **7/2024/5012 - Low Foulshaw Farm LA8 8ET:** Landscape plans under 7/2017/5507- Councillors noted that this application had been received for information only and that there was no provision for consultation.

- b) Applications received since publishing the Agenda:** Councillors considered the following applications received since the Agenda was published:
- i) **7/2024/5030: Gilpin Farm, Levens, Kendal LA8 8EW:** Having considered plans for the refurbishment and extension of existing farmhouse into an adjoining former barn including re-cladding of the exterior of the barn and a proposed new garage building with home office above to be built on an existing hardstanding, it was **Agreed** to submit **No Objection**.
- c) Responses submitted to LDNPA following consideration by the Parish Council:** The following responses were noted:
- i) See (d) i & ii below – No Objections submitted.
- d) Decisions notified since the last meeting:** Councillors noted the following decisions made since the last meeting:
- i) **7/2023/5634 - Totter Bank Fields, LA8 8HY:** Change of use from agricultural building to multi-purpose agricultural building for storage and livestock. Approved with conditions (ACON) - 22/12/2023.
- ii) **7/2023/5787 – Redwood House, Crosthwaite, LA8 8HX:** 2-storey extension including utility room and bedroom over; circulated to Councillors 20/12/2023. No objections received. ACON 29/01/2024
- e) To note any other Planning Matters:**
- i) Alleged breaches of planning relating to various structures: The following updates on the Schedule of Structures were noted:
- No. 5:** Structure in field north of Tarnside Farm: Enforcement Case No. E/2023/0233: Conclusion 12/12/2023: There is no operational development and therefore there is no breach of planning control.
- No. 8:** Land opposite Row Lane, adjacent to A5074 Lyth: Enforcement Case No. E/2023/0234:
- Stables: In situ for over 4 years – no enforcement action
  - Childs swing: Not material change of use – no breach of planning control
  - Caravan: Material change of use – to be removed
  - Surfaced area: Amounts to breach of planning control but considering all the factors, planning does not believe it to be in the public interest to take further action.
- No. 10:** Starnthwaite Field – Shepherd’s Hut: Enforcement Case No. E/2023/0261: Update 04/01/2024: ‘We opened a separate case for the Shepherd’s Hut; the investigation is ongoing.’
- ii) Correspondence in relation to land to the rear of Cross Howe, Totter Bank: Councillors noted that the H&S Executive had advised that it was not within their remit to investigate as it is not a work related issue but had recommended an approach to W&F Building Control. The latter had responded on 02/02/2024 as follows (abridged):
- “A site visit was made to confirm if anything would constitute a dangerous structure under S77 or 78 of the Building Act. Nothing is considered to be potentially or immediately dangerous. I have asked the contractor to visit and make sure the fencing is secure to stop any access onto site.”*

### 136/23 Highways and Footpaths

- a) Highways matters:** There were no highways matters other than those dealt with under Cllr. Bavin’s report.
- b) Footpaths / Tracks Matters:** There were no footpaths / tracks matters reported.

### 137/23 Trees, Woods, Hedges and Grass: The following matters were noted:

- i. Tree Health and Safety: It was noted that the tree work at Mearsons had been completed. In respect of tree health and safety generally Cllr. Sharp reported on the possibility of securing a management plan via LDNPA and possible grants from Cumbria Woodlands. The Clerk will send details of Hubbersty Head, Mearsons and Cowmire Hall to him for consideration.
- ii. Oak tree and ivy: The Clerk reported that he had written to the apparent owner of the oak tree opposite Oak fold and was awaiting a reply.
- iii. Encroachment of a hedge onto the footpath in the vicinity of Oak Fold – neighbours had confirmed that the hedge was owned / manged by Castles and Coats Housing Association. The Clerk has written to them requiring attention to the hedge.
- iv. Councillors noted that Robert Moser had sent a helpful note regarding arrangements for hedge cutting in the vicinity of Cannydale.

### 138/23 Parish Land

- a) Letting of Vacant Parish Land:** The vacant sites will be re-advertised.
- b) Other Land Related Matters:** The Clerk reported that new property profiles had been completed for each property and work on reviewing leases was ongoing. Councillors **Approved** payment of the annual subscription to Parish On-line for £57.60.

### 139/23 Neighbourhood Plan:

It had not been possible to arrange an early meeting in the New Year with LDNPA and it had been agreed to rearrange this for late January / early February. The Clerk had written to try to set this up but to date, there had been no dates agreed. Councillors mentioned their increasing awareness of the upcoming Parish Council elections and discussed what progress could be made before those elections. It was **Agreed** to continue liaison with LDNPA but to revisit the timescale available to the Parish Council at the next meeting.

### 140/23 Environmental Initiatives

- a) Annual Litter Pick: Cllr. Harkness confirmed that she was coordinating the annual litter pick which will take place around the week commencing 18 March. Volunteers will be organised on a flexible basis and Cllr Bavin received thanks for undertaking to supply high-viz vests, litter-pickers and bags. Cllr. Young will supply gloves. Councillors confirmed sections they would do and Cllr. Sharp will move larger debris. If encountered, fly tipping will be reported to Highways.
- b) CLEAN: The initiative was continuing to progress and Cllr. Sykes had attended the last meeting which had explored best practice with regards to septic tanks.

### 141/23 Membership of the Parish Council:

- a) **Councillor Vacancy:** The Vacancy Notice enabling co-option remains on the website and the Parish Council will respond to any expressions of interest. Any candidate will be made aware of the Parish Council election date on 02 May.

### 142/23 Finance: Councillors considered the following report submitted by the Responsible Finance Officer:

- a) Receipts: Councillors noted the following receipt in addition to investment income since the last meeting:  
Thomson Hayton Winkley – Refund of legal fees: £255.00
- b) Councillors noted that there had been no additional receipts since publishing the Agenda
- c) Councillors **Approved** the following payments made between meetings:
  - iii) M R Curry – salary and expenses December 2023: £418.27
  - iv) M R Richardson – salary and expenses – 3 months to December 2023: £499.00
  - v) HMRC – PAYE December 2023: £195.60
  - vi) Npower – Parish Room electricity November 2023: £ 64.27
- d) The following were **Approved** for payment:
  - i) Npower – Parish Room electricity December 2023: £ 72.88
  - ii) A2A Advertising Ltd – website hosting fees and domain name registration: £174.00
  - iii) M R Curry – salary and expenses January 2024: £418.27
  - iv) HMRC – PAYE January 2024: £ 97.80
- e) Councillors noted that there were no payments due since publishing the Agenda
- f) Councillors noted the bank balance of £19,251.67 at 31 January 2024 and authorised the Chair to counter-sign the bank statement

### 143/23 Correspondence:

- a) Updates from CALC and other Agencies: Councillors noted that these had been circulated as appropriate.
- b) Specific items of correspondence: The only items not dealt with as part of the Agenda were:
  - A note from LDNPA promoting a survey of local infrastructure needs. The Chair agreed to complete this and that it should be reviewed at the next meeting;
  - Various correspondence on the 20-mph initiative: Whilst the Parish Council had agreed not to pursue the current initiative, the question of speed restrictions around the village remains important. Cllr Bavin agreed to try to get a Highways Officer to discuss the position with the Council.
- c) No further correspondence had been received since publishing the Agenda.

**144/23 Items 'for Information':** No items were submitted.

### 145/23 Councillors' Issues to be Raised

The following items were noted for inclusion on the next Agenda:

- The litter pick
- Speed limits
- Local infrastructure needs

**Date of next meeting** – The next full Parish Council meeting will be held on **Monday 04 March 2024**

The meeting finished at 8.45 p.m.

**Signed as a correct record:**

**Date:**