

Minutes of Crosthwaite and Lyth Parish Council Meeting
held in the Argles Memorial Hall on Tuesday 06 July 2021 at 7.30pm
(contact details for clerk crosthwaiteandlyth.pc@hotmail.co.uk)

MEMBERS PRESENT

Cllr Mary Harkness (Chair), Cllr Angela Dobson (Vice Chair)
Cllr Lisa Bibby (arrived at item 8), Cllr Matthew Dobson (*), Cllr Edward Sharp,
Cllr Andrew Metcalfe, Cllr Robert Sykes

Invited :

Cllr Jim Bland - County Council Representative
Cllr John Holmes - District Council Representative

4 members of the public present

MINUTES

1. Apologies

- a. Cllr Lisa Bibby emailed she would be late

2. Declaration of interest

- a. Cllr Andrew Metcalfe Item 13 prejudicial interest

3. Dispensations

- a. None

4. Minutes of the previous meeting held on 01 June 2021

- a. The minutes for the meeting held on 01 June had been circulated prior to the meeting and it was **proposed** that they are accepted as a true and accurate record of the meeting.

The Council **RESOLVED** to accept the proposal and the minutes were signed by the Chair.

- **Action** – Clerk to post to the web site

MF

5. Items carried forward from the previous meeting but not covered on this agenda

- a. Cllr Robert Sykes raised the matter of a Management Plan for the Jubilee Field and river bank. He will contact the River Trust to arrange a meeting with Parish Council representatives (Cllr Mary Harkness, Cllr Angela Dobson, and himself).
- b. Cllr Mary Harkness raised a matter drawn to her attention by a parishioner of Poison Hemlock (Water Dropwort) being prevalent on the river bank by the clapper bridge, and common on river banks. The Clerk was asked to mention this in the Newsletter, and on the Web site.
- c. A visit to the quarries, and Bees Orchard is to be arranged by Cllr Angela Dobson

- **Action** – Cllr Robert Sykes to arrange meeting

RS

Clerk to highlight the dangers of Poison Hemlock in the Newsletter and Web site.

MF

Cllr Dobson to arrange for quarry visits

AD

6. Chairman's Announcements

Cllr Harkness welcomed everyone to the meeting

7. Open Session

- Sarah Martin wished to thank the Council for work being done on the Village Walkway. She walks the route with her two small children regularly and said that a walkway would provide a much safer way of walking through the village.

- Agenda Item 13 was taken here (see minutes below)
- Simon Abbott raised the matter of people straying from the right of way between Starnthwaite Mill and the Jubilee Wood and being unruly, and noisy. He asked if the Council would arrange for additional signage and was advised that the Council cannot erect signage on private land but that the LDNPA which maintains the access gates and stiles might help.

Cllr Lisa Bibby joined the meeting at this point with apologies

8. Reports

- a. County Councillor Jim Bland

Helsington Moss Bridge is continuing to be an issue. The **United Utilities road works** on the Underbarrow Road are due to finish on 11 July when traffic lights will be removed. The Council has purchased a **new pothole repair machine** which will be coming to Crosthwaite. The council has received a grant of £450k to prepare documents proposing a **northern relief road for Kendal**.

- **Action** – clerk to write to CCC referring to potholes in Woodside Road, Moss Lane, and the A5074 between Lamb Howe and Mearsons (the turning for Hubbersty Head) **MF**

- b. District Councillor John Holmes

Cllr Holmes passed round a written report and talked through the points

No news yet on the **Unitary Council** decision.

CAfS are involved with Parish Councils on the **Green Initiative** (see item 15 below).

An introduction to the **Community Energy Scheme** is available with grants and feasibility studies.

A consultation is current regarding proposed **Constituency Boundary** changes.

A consultation is current regarding **SLDC Local plan**.

- c. Police

The Police had emailed a report saying the only issue was a feral peacock.

9. Planning

- a. 7/2021/5506

Location : Damson Dene Hotel

Proposal : Construction of a model village in the grounds of the Damson Dene

Comments by 27 July

Cllr Lisa Bibby had researched the number of visitors to the model village attraction for 2019 at its location in Flookborough and found it to be 6000. In view of this :-

It was **proposed** that the Council objects to this application because the road and access is not suitable for a large number of visitors in cars and coaches; the stretch of road past the Damson Dene has several bends, and a reduced width offering poor visibility to drivers. The Council felt there is insufficient parking at the hotel which may result in parking on the roadside or in the lay-by at Barkbooth Lane end.

The Council **RESOLVED** to accept this proposal and the Clerk asked to highlight the matter of safety especially in light of the many accidents that occur on the A5074 through the parish.

- **Action** – clerk to notify LDNPA **MF**

10. Finance

The Clerk had circulated the Cash book and Income and Expenditure spreadsheets to all councillors prior to the meeting. There were no questions.

a.	Bank balance at 26 June	£ 11,618.70 Business account
		£ 11,340.35 Business Premium Account
b.	Martin French (Wages)	£ 148.20(20 hours)
c.	HMR&C	£ 37.20 (PAYE)
d.	NPower	£ 18.80 (April act)
e.	NPower	£ 20.10 (May act)
f.	Argles Memorial Hall	£ 75.00 (4 meetings, 10 hrs)
g.	Charles Walmsley	£ 101.94 (1 year web hosting)
h.	M French	£ 125.00 (tokens for photo comp prize)
i.	Recreation Field Trust	£ 500.00 (annual contribution)
j.	Chris Smith	£ no invoice
k.	Lengthsman Insurance	£ no invoice
l.	It is proposed that above payments are made, and receipts recorded	

The Council **RESOLVED** to accept the proposal and the Clerk was asked to make the necessary payments.

- **Action** – Clerk to record and make payments.

MF

11. Neighbourhood Plan

a. Terms of Reference

i. To review and agree the Terms of Reference

The document was discussed and amendments were made to items 7 and 9. The document is to be circulated again prior to proposing its acceptance.

- **Action** – the Clerk to amend and circulate, add to the September agenda.

MF

b. Update from the Neighbourhood Plan Steering Group along with proposals for the current year

Cllr Mary Harkness introduce the update by stating that all councillors had received two training sessions on the Neighbourhood Plan process and the situation to date, as well as having had time to undertake private study. In light of the most recent session which included Louise Kirkup from Kirkwells Consultants Cllr Harkness asked Parish Councillors for their feedback.

Cllrs Edward Sharp and Angela Dobson, who had recently joined the Group, reported back to the Council on the information they had received. Their feeling is that the Plan will not help to meet the needs of residents, and questioned the need for an additional Plan to that of the LDNPA Local Plan 2021. Cllr Sharp and Cllr Dobson tendered their resignation to the Neighbourhood Plan Group.

Cllr Lisa Bibby and Cllr Robert Sykes spoke in support of the Plan and the process and wished to see the Plan produced. Cllr Bibby asked that associated papers for an agenda are published on the web site.

In summary Cllr Harkness stated that the Plan must have the support of the Parish Council and must be well represented on the Neighbourhood Plan Working Group. Council was asked, by 'show of hands' to indicate whether or not it was time to reconsider producing a plan, with a result that 4 are against the Plan and 2 in favour of the Plan.

(The Clerk advised that the 'show of hands' was not a binding vote and that the motion should be stated on an agenda for a future meeting. He said that the Council could consult with parishioners at an Annual Parish Meeting but that no decisions could be made at that meeting).

It was **decided** to hold the Annual Parish Meeting on 10 August to enable parishioners to discuss the Neighbourhood Plan.

12. The Annual Parish Meeting

- a. A format and date for the meeting
Cllr Harkness suggested that the meeting should be deferred to 2022. There was no decision on this matter.

13. The Village Walkway (Cllr Andrew Metcalfe left the meeting)

- a. Feedback on meetings and an update MH & AM
Cllr Harkness and Cllr Metcalfe had met with Jim Bownass and Chris Fletcher to discuss the land offered for the Walkway as shown in Appendix B below

It was **agreed** that the revised plan is accepted and the Clerk asked to arrange for three quotes for the new proposal (Joel Crompton, Andrew Metcalfe, and Atkinsons)

- **Action** – Clerk to arrange for the quotes. **MF**

14. A Policy on Parish Council Land

- a. To consider the need for a Policy on the principle of selling Parish Council land

It was **proposed** that in principle the Council is reluctant to sell land owned by the Parish Council but will look at each case on an individual basis.

15. The Greening Campaign

- a. Update from RS
Cllr Robert Sykes reported that nobody from the Parish had volunteered to take on the project. Cllr Harkness suggested that the School may be interested. Cllr Harkness also suggested a meeting with CAfS (see also Item 8 above). Cllr Sykes agreed to speak with the School. The Clerk was asked to arrange for CAfS to attend the September meeting.

- **Action** – Clerk to arrange for CAfS to attend the September meeting **MF**
Cllr Sykes to speak with the School about the Greening Campaign **RS**

16. Lamb Howe Plantation

- a. To consider the felling of 6 acres of broadleaf woodland and how the Council should respond
Cllr Sykes will arrange a meeting with Andy Bennett of the Forestry commission which Cllr Harkness, Cllr Metcalfe and he will attend on behalf of the Council.

Cllr Harkness asked that the Council be included as a statutory consultee and the Clerk was asked to write to the Forestry Commission to officially notify the Council of applications for felling trees in the Parish.

17. Dead ash tree

- a. It is **proposed** that the Council writes to the owner of an ash tree opposite Oak Fold as it has died and could be unsafe.

It was **proposed** that the Clerk contacts the landowner.

The Council **RESOLVED** to accept the proposal.

- **Action** – Clerk to contact the landowner. **MF**

18. Drain at the Argles Memorial Hall

- a. It is **proposed** that the Council contacts CC Highways to clear this drain. It is unclear which drain this refers to. Cllr Harkness will speak with Chris Smith to clarify which drain.

- **Action** - Cllr Harkness to contact Chris Smith **MH**

19. Safety in A5074

- a. In light of recent accidents on the A5074 it is **proposed** that the council contacts CC Highways to conduct a thorough safety assessment. Cllr Edward Sharp suggested chevrons may slow the traffic.

It was **proposed** that the Clerk writes to CCC Highways department to ask for a full review of safety the road in particular around Low Fell.

The Council **RESOLVED** to accept the proposal.

- **Action** – Clerk to write to CCC Highways **MF**

20. Use of cottage for holiday let

- a. It is **proposed** that the Council checks on the use of a cottage for a holiday let which has a local occupancy clause attached.

Cllr Harkness confirmed that the property in question has a supplementary document attached to the purchase which states that it is to be lived in for six months and a day but that it can be let for six months minus a day.

21. Communications

The clerk is asked to highlight :-

- The meeting with CAfS
- Planning application decision
- Letter to the Forestry commission
- Safety on the A5074
- Policy on Council land
- The walkway

22. Date of Next Meeting

- a. Meeting 10 August 2020, 7:30pm in the Argles Memorial Hall
- b. Parish Council Meeting Tuesday 07 September 2021 starting at 7:30pm

..... Cllr Mary Harkness (Chair) Dated:- 07 September 2021

Appendix A

Crosthwaite and Lyth Parish Council Neighbourhood Development Plan Working Group Terms of Reference

1. Following a Public Meeting with community vote Crosthwaite and Lyth Parish Council are committed to producing a Neighbourhood Development Plan.
2. Crosthwaite and Lyth Parish Council is the qualifying body for the preparation of a Neighbourhood Development Plan for its civil parish.
3. The Council has formed a working group to be called the Neighbourhood Development Plan Working Group.
4. The Group will report to the Parish Council at each monthly Council meeting.
5. Minutes of each Group meeting are to be sent to the Clerk to be circulated to all councillors and posted onto the community web site.
6. Notification of budgets and planned expenditure will be approved by the Parish Council prior to actual costs being incurred.
7. The Group will consist of a minimum of 5 members, (2 (or more) must be serving Parish Council members), and in addition the Parish Council chair is an ex officio member and an extra member included in the Group.
8. Communications within the Group will go to all members of the Group (Item 7).
9. A written draft of any community consultation document is to be sent, by email, to :-
 - a. Parish Council Chair - Mary Harkness
 - b. A councillors - Angela Dobson
 - c. Copy in the Clerk
 - d. A minimum of two councillors will decide on any written document to be circulated to the parish is to be made within 3 working days.
10. All publications, communications and community engagement exercises are to be undertaken under the name of Crosthwaite and Lyth Parish Neighbourhood Development Plan.
11. The task of the Group is to produce a Neighbourhood Development Plan by gathering evidence and analysis which it will advise the Parish Council on throughout the project.

12. The Council will not ask the Group to work on anything other than the Neighbourhood Development Plan.

13. The Group will not initiate any action or communication that is not relevant to the Neighbourhood Development Plan.

14. The Group will abide by the Code of Conduct as agreed by the Parish Council.

Dated :-

07 July 2021

Appendix B

Crosthwaite Village Walkway

Councillor Metcalfe and Chair Mary Harkness visited Jim Bownass and Chris Fletcher on 15th June to discuss the footway with the aim of improving safety for walkers on the most dangerous part of the village lane.

The Parish Council is asked to decide on whether to proceed with the below proposal.

1. A strip 2 metres wide to be transferred freehold for £1 by Jim and Pam Bownass and Chris Fletcher to Crosthwaite and Lyth Parish Council. The 2 metres to be measured from the internal field side of the stone wall and to include a stock proof fence on the inside field side boundary. This to be **excepting the gated** field access area which is to be retained by Messrs Bownass and Fletcher where the PC will create an improved and wider pull off access area to the field and provide a new field gate for farm vehicles. In addition the Rocky outcrop at the western end of the field is to be included in the sale at a point to be agreed with the surveyor, the owners and the PC at a later date.
2. The 2 metre strip will be measured from the inside of the stone wall on the field side. The PC will be granted a right of access over the field gate area and fit a pedestrian gate to protect stock from wandering onto the footway.
3. The PC to pay all legal expenses.
4. The PC to have authority to erect a temporary stock proof fence within the field during construction of the footway.
5. The design and plan for the footway to be in accordance with the LDNPA planning permission, Excepting that it will only go into the first westerly field and not the second field. It will be surfaced in hard core, and levelled as much as is possible given the steep gradient at the Hollow Clough end. Steps will be avoided.
6. The footway will end opposite Oak Fold where pedestrians can cross more safely onto the Oak Fold pavement and is NOT to continue on into the next field.
7. The footway will be maintained by the PC and will be a permissive path usable at the individuals own risk.
8. The approximate cost of the project is £8/10,000 and will be subject to 3 quotes. Quotes have already been received for the entire footway with the most competitive price being approx £16000. The proposed path will be half the length, although legal fees and the new field gate access area may add £1000/1500 to the cost.

Mary Harkness Chair Crosthwaite and Lyth PC June 16th 2021