

DALSTON PARISH COUNCIL

Minutes of the ordinary monthly meeting held at Victory Hall, Dalston on Tuesday 8th July 2008.

PRESENT	Mr A R Auld (Chairman)	Mrs C Millar
	Mr D C Cowen	Mr R Potter
	Mr D B Craig	Mrs J L Rawstron
	Mr D W Hand	Mr O J Rickerby
	Mrs F Kaye-Krzeczkowski	Mr S A Sinclair
	Mr J F G Kelsey	Mr S Scaife

28 APOLOGIES

Apologies for absence were received from Mrs P Dalton (holiday), Messrs G Harrison (ill), I Newton (meeting/work).

29 MINUTES

The minutes of the monthly meeting held on 10th June 2008 were agreed and signed as a true record.

30 DECLARATION OF INTEREST

Mr D Cowen declared and recorded an interest in agenda items 5, 7 – Kingswood, Station access footway & Cumbria in Bloom.

Mr D W Hand declared and recorded an interest in agenda item 5 – planning application 08/0600 Westwood Nurseries, Orton Grange.

Mr O J Rickerby declared and recorded an interest in agenda item 7a) – Library.

Mr A R Auld declared and recorded an interest in agenda item 10 – Clerk's Contract.

31 PUBLIC PARTICIPATION

Apologies for absence were received from Carlisle City Councillors N Clarke and S Tweedie. Thirty members of the public were present PCSO Emma Tonge reported on a few anti social behaviour and road traffic incidents since the last meeting. She indicated that cars parked in Sowerby Wood were being monitored and that a Speed Indication Device was to be used on the Green.

Mr Armstrong spoke on behalf of the Cumdivock Group about the two planning applications submitted for Kingswood Educational Centre (08/0567 & 08/0644). After 6½ years of difficulties, a residential development on the site would be welcomed, provided certain conditions were imposed. Mrs Wright endorsed the objections to the application for the maximum number of children on site being increased from 160 to 200. The Centre had not been operational since November. She questioned the appropriateness of the site for further use as an educational establishment of this type, the age range of the children, pupil/staff number and age ratio, the amount and type of supervision, noise levels and whether 17/18 year olds would be permitted their own transport. Councillor Allison, Kingswood Liaison Group Chairman felt that an increase in numbers would exacerbate the difficulties in its current format as an educational establishment. The alternative exception site application for housing and office development was a more favourable option for both him and Councillor Collier. There was discussion on whether additional car traffic generated would be detrimental or preferable to bus traffic, with the latter thought to cause greater problems. Traffic was currently considered to be a minor issue in relation to noise. Concern was expressed regarding the refusal of a planning application for an agricultural workers dwelling at The Gill, adjacent to the Kingswood site. Councillor Allison offered to follow this up and suggested that the applicant might appeal against the decision.

Mr Bell expressed concern regarding a further increase in traffic on the Durdar/Bridge End road, without any alleviation measures, that the proposed Westwood Nurseries (Dobbies application 08/0600) development would cause. He questioned the 10% traffic generated through Dalston as shown in the Green Travel Plan and felt that additional traffic 7 days/week especially on Sundays was unacceptable. Mrs Craig questioned the need for Dobbies (Tesco) on the back door when there

were already good local businesses in the Parish and immediate area. Mr Gordon asked about the opportunity for any planning gain, which the Clerk had ascertained would probably be through the provision of the roundabout on the A595. Mrs Bell wondered how vehicles would access the Dobbies site, Mrs Rawstron felt that increased traffic from the A595 would exacerbate the flow through Dalston and Mr Roberts suggested that some additional vehicles would stay in the village. It was felt that traffic management was not being addressed without provision of an inner ring road. Councillor Allison thought that the planners should have regard for residents' views as well as looking at employment opportunities. Councillor Collier felt that Dalston was the 'de facto' Carlisle southern bypass and that he would request that the Dobbies garden centre planning application was called in to be considered by the Cumbria CC Development Control Committee.

Councillor Collier reported that he and Mrs Dalton had attended the Dalston Cluster of Extended Schools meeting and that the advanced business sign for Mallinson Fabrications highways issues had been resolved.

Mr Wilkinson, 36 Low Moorlands stated that he had contacted Carlisle CC, including the Tree Officer, regarding some overgrown trees near his property, but had not had a satisfactory response. Mr Craig agreed to inspect the trees and report back to the Clerk and Councillor Allison would also make further enquiries. There appeared to be some uncertainty regarding responsibility and ownership.

Mr Gordon commented on planning application 08/0594 land at Hallfield. He welcomed the proposal in principle to extend the gardens but in order to help recover the landscape he felt that there should be more trees in the new boundary, buildings on the new land should be prevented by the removal of permitted development rights and the remaining trees in the existing boundary should be protected by TPOs.

32 PLANNING DECISIONS

APP/E0915/A/07/2060181 Kingswood Educational Study Centre, Greensyke, Cumdivock – amendment to condition 12 of 04/1203 to allow an extension of time to three planting seasons – reply received from Planning Inspectorate acknowledging request for representative to attend and speak at the informal appeal hearing on 22nd July 2008.

APP/E0915/A/07/2060191 & 2060188 Kingswood Educational Study Centre, Greensyke, Cumdivock – variation of condition 10 from six months to twelve months retention of access road in current position; discharge of condition 10 of application 04/1203 – as above

08/0283 Station Road – display of 2no directional signs – Clerk reported on correspondence with Carlisle CC planning officer and Bingham Yates & Partners Provided the sign, similar to the Station sign in design, was moved back from the highway land, but remaining on the traffic island, Cumbria Highways would not object.

08/0572 37 New Road – proposed ground floor porch with office accommodation on first floor (revised application) – approved 2 conditions.

33 PLANNING APPLICATIONS

08/0533 Kingswood Educational Study Centre, Greensyke, Cumdivock – variation of condition 10 from six months to twelve months, retention of access road in current position – no observations.

08/0567 Kingswood Educational Centre, Cumdivock – mixed use development comprising a) alterations and minor extensions to some of the existing buildings b) change of use of the building known as Windermere from Use Class C2 to Use Class B1 c) change of use of the remaining buildings as altered and/or extended (as relevant) from Use Class C2 to Use Class C3 (12 single dwelling houses) d) erection of car ports to serve the dwelling houses e) the alteration of existing access ways f) the provision of parking areas for the offices and for visitors to the dwelling houses g) landscaping following removal of mounds surrounding the quad bike track and removal of other earthworks and apparatus associated with existing activities – **resolved** to defer decision pending more information regarding the appropriateness of the development proposals in relation to the pertinent planning policies. An email from Mr Hutchinson, Planning Officer indicated that more information had been requested regarding the basis and appropriateness of the current proposal in the context of national and local policies. The proposed use of the green spaces on the site was questioned and the application did not appear to address the five national policy statements identified as being relevant.

08/0644 Kingswood Educational Study Centre, Greensyke, Cumdivock – variation of condition 5 of 04/1203 to increase the number of students from 160 to 200 – **resolved** to defer decision as no information received on age of pupils, sleeping arrangements, indoor and outdoor facilities, staffing/pupil ratio and supervision, implications re the management code and noise issues. The email from Mr Hutchinson advised the Council that these details had been requested. The Parish Council requested representation at any site visit arranged and the right to speak at the Development Control meeting when applications 08/0567 and 08/0644 were considered.

08/0600 Westwood Nurseries, Orton Grange – garden centre retail development incorporating restaurant/café and farm foodhal, with ancillary works including car parking, access, ‘greenhouse’ horticultural interpretation centre, outdoor display/demonstration areas and landscaping – the Parish Council supported the views expressed by residents attending the meeting and unanimously **resolved**, proposed Mr Kelsey seconded Mr Sinclair to object for the following reasons:

- Scale of development – the size of the proposed development was considered to be too large and inappropriate for the location. The Parish Council urged Carlisle City Council planners and members to visit other Dobbies sites in order to get a feel for the scale and range of retail products that are sold, as well as the franchising of space which occurs elsewhere.
- Increase in traffic - the Council thought that the traffic figures shown in the Green Travel Plan were underestimated and rejected Dobbies figures that only 10% of the traffic flow would come through Dalston. In the absence of a southern bypass, many of the potential visitors from the south and north of Carlisle, Penrith direction and from the Caldbeck area would come through Dalston village. Traffic and parking was a major issue in Dalston and one which was currently being pursued by the Parish Council in conjunction with Cumbria Highways and Carlisle City Council. The existing infrastructure just could not sustain more traffic. An increase in weekend traffic, particularly on Sunday was not felt to be desirable
- Inadequacy of the roads on the Dalston side - all of the traffic coming through Dalston to this site would have to pass along a very narrow, twisty unclassified road. This route was already used as a ‘rat run’ from junction 42 of the M6 motorway.
- Sustainability of local business - many of the products that Dobbies was likely to sell can be sourced in and around the Dalston area, from high quality locally farm sourced meat and other provisions, to the full range of garden and horticultural produce.
- Employment - the Council felt that, although Dobbies was planning on employing a significant number of people, given that much of the present workforce in local industry comes in from Carlisle and elsewhere, it was thought unlikely that the people of Dalston would benefit. With the potential number of job losses in the area due to businesses scaling down as a result of Dobbies, it could even be a net loss.
- Planning creep - the Council was especially concerned about the long-term likelihood of other large scale retail enterprises seeking permission to build alongside this site. Also, the proximity of the current and future city boundary made it possible that, in 20 or so years, Carlisle and Dalston might merge. Dalston was particularly concerned to retain its rural village identity and did not wish to become a major service centre to Carlisle. In at least one other area where Dobbies had been granted permission for a similar scale development outside the obvious city boundaries, already other commercial developments were being built alongside.

The Parish Council requested representation at any site visit arranged and the right to speak at the Development Control meeting when application 08/0600 was considered.

08/0599 Luanna, Townhead Road – single storey extension to provide kitchen, dining and living room. Erection of detached garage – no observations.

08/0579 25 The Green – erection of 1no. end of terrace town house (revised application) – no observations..

08/0584 Cottage & Barn, rear 25 The Green – conversion of existing cottage to 3no. bed dwelling (revised application) – no observations.

08/0594 Land at Hallfield – change of use from agricultural land to residential garden – **resolved**, proposed Mr Cowen seconded Mr Sinclair to object as the development was felt to be inappropriate and an encroachment (urban creep) onto agricultural land, which itself was

- possibly of historical significance. If permission was granted, the Parish Council requested
- a) the removal of permitted development rights in the new sections of gardens
 - b) protection of the remaining trees (TPOs) in the existing gardens.
- 08/0609 The Joiners Shop, Holmhill – replacement doors and windows to south elevation (LBC) no observations..
- 08/0661 Shiel Green, Townhead Road – demolition of garage/utility and the erection of a new garage/utility (pitched roof to replace flat roof) – no observations.
- Consultation on content of Cardewmires Quarry Scoping Opinion for forthcoming EIA application for an extension of time on planning permission refs 1/01/9010 and 2/01/9021 – agreed to support the submission of the Clerk’s comments that the Parish Council had always (as per the Parish Plan and Design Statement) been in favour of a right of way foot/cycle path/bridleway link to Cardewmires Quarry from Dalston following the end of the working extraction and the development of the wildlife reserve and water sports areas.

34 CORRESPONDENCE

- 1 Cumbria CC Working in Your Locality & Highway Stewards scheme – Mr Scaife reported on the meeting held on 3rd July that he and Mr Newton had attended. A copy of the information supplied was to be given to the Clerk. Mr Scaife was willing to be the Parish contact with the Highway Steward.
- 2 Carlisle CC LDF draft Supplementary Planning Document – Urban Design Guide and Public Realm Framework SPD consultation response by 25th July – Clerk authorised to submit comments. Mr Rickerby suggested that it was a useful document in relation to materials selection and ideas.
- 3 Dalston Festival Scarecrow competition – agreed to a Parish Council entry (£2) at Forge Green. Messrs Rickerby, Auld, Mrs Millar and the Clerk to make it. Messrs Rickerby, Scaife, Mesdames Dalton and Kaye-Krzeczkowski were put forward to make up a Parish Council Quiz team (£10).
- 4 Cumbria CC PPI Agreement – **resolved** to authorise Clerk to sign.
- 5 Caldew School Premises Committee financial support/access to grants for replacement fencing – Clerk to advise that Parish Council grants only available in November, but that the PC would be willing to act as a conduit to other funding bodies.
- 6 Carlisle CC Local Plans – consultation on the proposed removal of payphones in Carlisle District – Carlisle CC Final Notification and Schedule – noted.
- 7 Extended Educational Services Dalston Cluster report on 11th June meeting – for information.
- 8 Dalston & Cummersdale Neighbourhood Forum 23rd June – report deferred.
- 9 Carlisle Environment Forum 26th June – report deferred
- 10 Cumbria Police Authority Carlisle Community Liaison Forum 30th July, Victory Hall, 7pm - ‘The Big Drink Debate’ – attendance welcomed.
- 11 Cumbria CC Cumbria in Bloom 2009 Design Awards – submissions by 30th September – decision deferred.
- 12 Cumbria Police Authority – recruitment of Independent Members – information noted.
- 13 Mrs Jones letter re The Gill planning application refusal – Clerk acknowledged.
- 14 Cumbria CC notification of temporary road closure at Buebank Lane on 11th September – noted for information.
- 15 Cumbria NHS PCT consultation on mental health services for adults – deadline for comments 30th September – deferred to next meeting.

35 GARDENS AND MAINTENANCE

- a) Library – notes on 28th April and 11th June 2008 Working Group meetings were made available. It was agreed that Councillors should look at 28 The Square before the next meeting to assess its suitability as a combined Parish Council facility with Cumbria CC library provision. The County Council was to be asked for further confirmation of its interest.
- b) Traffic and Parking – notes on 25th June 2008 Working Group meeting were made available. PC representatives were extremely encouraged with the progress made by Cumbria Highways.
- c) Cumbria in Bloom – Mr Rickerby was thanked for compiling the judges’ tour brochure. Mrs Rawstron was providing transport, with the Clerk and Mrs Rickerby acting as guides for the visit on 10th July 2008.

Resolved to approve the monthly expenditure and record of income.

1	Barclays Bank – safe custody fee DD	1.00
2	J Nicholson & Sons – the Green fencing repair/renewal	3,519.97
3	Allianz insurance plc – fidelity guarantee additional premium	52.38
4	Staples – ink cartridge	14.99
5	Inland Revenue - PAYE	641.54
6	Mrs E Auld – salary £607.49, expenses £49.60	657.09

Income:

1	C Collins – 2 Forge Green rent 10/06, 17/06, 24/06	290.00
2	Bank of England – 3½% War Stock interest	4.37
3	Mrs Ellams – Sheepwash rent	1.00
4	J Tremble – grave space purchase and burial ashes fee x2	165.00
5	L Hogg – 1 Forge Green July rent	234.00
6	Able Memorials - headstone	55.00
7	Beattie Memorials - headstone	55.00
8	HM Customs & Excise – VAT repayment	5,928.65

Community a/c balance 08/07/08 £6,687.16

Business Premium Step Saver a/c balance £43,561

37 CEMETERY MATTERS

Able Memorials – black granite headstone ‘Treasured memories of Jack Stainton loving husband, father and granddad died 22nd Jan 2008 aged 83 years’ – approved.

Beattie Memorials – granite headstone ‘With love we remember John Walton 1935- 2008-06-16 who lived all his life at Dalston House’ – approved.

The Clerk had received a request to purchase a child’s grave space to enable the erection of a memorial stone and future use for cremated remains of the twin sister. It was agreed that Messrs Auld, Potter and Craig should examine the records in relation to the grave space on the ground before a decision was taken.

38 CLERK’S RETIREMENT ENTITLEMENT AND CONTRACT OF EMPLOYMENT

It was **resolved** to exclude members of the public and press from the meeting pursuant to section 1(2) of The Public Bodies (Admission to Meetings) Act 1960. The Chairman and Clerk left the meeting. Mr Craig, Vice Chairman took the Chair. It was **resolved**, proposed Mrs Rawstron seconded Mr Rickerby to co-opt Mr M Smillie onto the Parish Council for agenda item 10. Messrs Craig and Kelsey outlined the issues to be considered.

a) Mr Smillie outlined in detail the proposed financial formula to calculate the Clerk’s retirement entitlement. Mr Kelsey presented and clarified the Clerk’s response to the proposal. The amount would be subject to taxation and it was suggested that the Clerk should choose her retirement date with this in mind. It was **resolved** proposed Mrs Kaye-Krzeczkowski seconded Mrs Millar to accept the proposed financial formula to calculate the Clerk’s retirement entitlement. It was agreed that Wragg Mark-Bell Solicitors Ltd should draw up the new Agreement on behalf of Dalston Parish Council, at its expense, to be countersigned by the Clerk alongside the new Contract of Employment.

b) It was **resolved**, proposed Mr Potter seconded Mr Hand to agree the proposed new Contract of Employment amended to exclude clauses 10.1.1 and 10.2.2, Job Description and Staff Handbook, together with the written Agreement to be drawn up – carried unanimously. Messrs Smillie and Kelsey agreed to check the Agreement letter when it was received, prior to signing.

Mr Smillie was thanked for all his efforts in helping to bring this matter to an acceptable solution.

The meeting closed at 9.50pm.