

## DALSTON PARISH COUNCIL

Minutes of the monthly meeting held at Forge Green on Tuesday 10<sup>th</sup> January 2006.

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PRESENT	Mr D B Craig (Chairman)	Mr I Newton
	Mr A R Auld	Mrs C Oakley
	Mr D C Cowen	Mr R J Potter
	Mrs P Dalton	Mrs J L Rawstron
	Mr G Harrison	Mr O Roberts
	Mr A G Jackson	Mr S A Sinclair
	Mr J F G Kelsey	Mr M Smillie

Apologies for absence were received from Mr D W Hand. Six members of the public were present.

### 108 MINUTES

The minutes of the monthly meeting held on 13<sup>th</sup> December 2005 were agreed and signed as a correct record.

### 109 PUBLIC PARTICIPATION

Apologies for absence were received from Councillor L Crookdake and PC Colin Hird. Mr Bruce Armstrong representing the Cumdivock Group thanked the Parish Council for its support over the past four years and two months regarding the on-going planning and legal matters in relation to Kingswood. The Cumdivock Group felt that as much as possible had been squeezed out of the application with the planners, but there were still loopholes, which the Cumdivock Group would continue to fight to close and the proposed trade-offs by the Kingswood lawyer were not felt to be an option. Mrs E Harle made no further comments.

Councillor Allison stated that some of the residents of Summerfield were disappointed that the access to the Station had been fenced off. He also expressed concerns about the conditions at the Kingswood site seen during the Development Control Committee visit and he felt that without acceptable noise monitoring, the s106 Agreement was unlikely to be worthwhile.

Mark and Lucy Stakim and Gordon Winter attended the meeting and outlined their plans for Dalston Pharmacy Ltd. Mr Stakim suggested that a pharmacy in a Doctors surgery was not necessarily ideal, that 2 Vicars Cottages had been a commercial property for a long time, 75 square metres was more than adequate in terms of working space and there could be scope for expansion, deliveries would be made to the rear of the building and they would be offering a delivery service, which would help alleviate any anticipated problems with parking, traffic and footfall. Questions were raised regarding the viability of both a dispensing surgery and a pharmacy in a reserved location. The pharmacists were thanked for their presentation of the services that they were hoping to provide in Dalston.

The Clerk read out the Police report. There had been some criminal damage to vehicles, at the Victory Hall, Corner Shop and Tennis Club and a sneak burglary at Caldew School. Minor accidents had occurred in icy conditions, motorcycles continued to be a problem; evidence of drug misuse might have contributed to disorderly behaviour and poaching showed a huge increase. Motorbike legislation was available for publication on the website and in the magazines.

### 110 DECLARATION OF INTEREST

Mr D Cowen declared and recorded an interest in agenda item 5 – Cumdivock resident/Kingswood Educational Centre.

Mr M Smillie declared and recorded an interest in agenda items 7 – correspondence 3) as PCT Director and 8 – gardens and maintenance b) as resident 5 Station Cottages..

Mr R Potter declared and recorded an interest in agenda item 5 – planning application 05/1320 High Garth, Lakerigg.

Mr I Newton declared and recorded an interest in agenda item 5 – planning application 059027 St Michael's CE School as Governor.

Mrs P Dalton declared and recorded an interest in agenda item 8 – gardens and maintenance a) proximity of home to Show Field/Glave Hill car park.

## 111 PLANNING DECISIONS

05/1131 Dalston Amey Depot, Barras Lane – replace existing asbestos pitch roofing sheets with new metal insulated panels to garage – approved 1 condition.

05/1041 37 New Road – change of use for the parking of a 37 seater coach and an additional three vehicles. Retention of metal storage container approved 5 conditions.

05/1153 Deepdale Cottage, Bridge End – alterations and extensions to provide bathroom, utility/wc and entrance lobby, together with the surfacing of the existing access to form a holiday cottage – approved 6 conditions.

05/0992 Tilecote,orton Grange – two storey extension to provide entrance porch with enlarged bedroom over – approved 2 conditions.

05/1236 Temperance Farm, Raughton Head – livestock building (revised application) – approved.

## 112 PLANNING APPLICATIONS

04/1042 Kingswood Educational Study/Activity Centre, Greensyke, Cumdivock – proposed agreement pursuant to Town and Country Planning Act 1990, Section 106 – Mrs Dalton and Mr Auld reported on the Development Control Committee site inspection on 14<sup>th</sup> December 2005. Resolved to respond to Legal Services about the proposed amendments to the 106 Agreement and areas of concern regarding the condition of the premises – a copy was to be sent to Carlisle CC Chief Executive for passing on to appropriate bodies.

1 Progress was being made with a viable framework, but loopholes in the s106 agreement reduced its worth as a binding document. There was still scope for disagreement with:

a) Interpretation of the sound monitoring equipment findings. Concerns were expressed regarding enforcement issues.

b) Level of breach/level of sanction if failure to comply with noise standards needed clarification. Unless sound monitoring was clearly defined in terms of method, frequency of recordings and sanctions as part of the s106 agreement, its inclusion was of little value.

2 Intervention at the Development Control meeting offering a summer respite period was made without any strings attached – to be asking for a quid pro quo for the rest of the year with longer operating hours/increased numbers of students against this concession, should be discounted.

3 Continuing concern was expressed about keeping young children confined indoors or to a courtyard during summer evenings after 6.05pm and the level of supervision between 8.00am and 9.15am.

4 160 students plus staff was considered to be too many for this site.

Mrs Dalton and Mr Auld were appalled at the neglected condition of the premises and facilities on the unsatisfactory site visit to Kingswood. Odours emanating from the dining/kitchen area were particularly obnoxious. Sleeping arrangements needed to be looked at – bunk beds tiered up to three high must be a safety concern, which should to be addressed. Storage containers observed on site were unsightly and contrary to the rural nature of the vicinity and should be subject to planning consent. Councillor Allison endorsed these observations, as did Councillor Crookdake when she telephoned with apologies for absence from the meeting. In addition, concern was expressed about compliance with Health and Safety standards, particularly regarding fire exit provision and assurance was requested that a recent inspection and fire certificate covered the premises. It was understood that Carlisle City Council had an obligation with regards to Health and Safety issues. Kingswood was now under new ownership and it was felt that more should be known about them and their intentions for the site at Cumdivock. A copy letter from Mr Harle to Mr Egan, Legal Services had also highlighted noise monitoring, sanctions and the respite period/quid pro quo.

05/9027 St Michael's CE School, Carlisle Road – erection of open sided covered shelter to provide rain protection for waiting parents – no observations as part of the 'Walk to School' initiative.

05/1320 High Garth, Lakerigg – ground extension to provide lounge, kitchen/dining room and front porch and extension of first floor to provide 2no. en-suite bedrooms, sitting room and gallery. Formation of pitched roof over existing flat roof garage, with extension to provide additional garage space (revised application) – no observations.

- 05/1346 High Meadow Cottage, Hawksdale – erection of conservatory to front elevation – no observations..
- 05/1362 Dobcross Hall, Gaitsgill – construction of new agricultural building for the accommodation of livestock (phase 1) – no observations.
- 05/1361 Dobcross Hall, Gaitsgill – construction of new agricultural building for the accommodation of livestock (phase 2).- no observations.
- 05/1364 Lime House School, Holm Hill, Hawksdale – construction of external steel fire escape stair (revised proposal) 05/0903 – no observations.
- 05/1363 Lime House School, Holm Hill, Hawksdale – construction of external steel fire escape stair to replace existing timber fire escape stair – no observations.
- 05/1365 Lime House School, Holm Hill, Hawksdale – construction of external steel fire escape stair to replace existing timber fire escape stair (LBC) – no observations.
- 05/1352 Pen Beck Cottage, Gaitsgill – extension to existing cottage to provide additional kitchen and living room area with 1no. additional bedroom and en-suite bathroom – no observations.
- 05/1352 Pen Beck Cottage, Gaitsgill – extension to existing cottage to provide additional kitchen and living room area with 1no. additional bedroom and en-suite bathroom (LBC) – no observations.

113 FORGE GREEN AND OFFICE/STORAGE ACCOMMODATION

The Clerk reported that Messrs Auld, Cowen, Craig and Mrs Dalton had met on 6<sup>th</sup> January 2006 at Forge Green to measure up the boundaries for marking on the Super Plan and completing the Seller's property information and fixtures, fittings and contents forms. Information received from the Solicitors indicated that the purchaser could not proceed with buying the property until the issue with regard to the Common land had been resolved. Resolved, proposed Mr Smillie, seconded Mrs Oakley to set the end of January 2006 as the deadline for a decision prior to putting Forge Green back on the market. Agreed that the Clerk should make the tenants aware of the situation. Agreed that a right of access to maintain the septic tank herringbone outflow and servitude right of access to the property should be granted to the buyer. The Clerk reported that enquiries regarding alternative office/storage accommodation were on going.

114 CORRESPONDENCE

- 1 Carlisle CC Legal and Democratic Services reminder letter re Parish Councils Code of Conduct Notice of Interests being kept up to date. Letter of resignation as a Councillor from Mrs Cathy Oakley. The resignation was received with regret and Mrs Oakley was thanked for her service to the community over many years, part of the time as Chairman.
- 2 Cumbria CC letter re ceasing of operation of Stagecoach night buses in Cumbria – for information.
- 3 Carlisle and District PCT consultation letter re application for pharmacy premises at Bank Croft, Townhead Road, Dalston and copies of representations to the PCT received to date. Resolved, proposed Mr Roberts, seconded Mr Kelsey to respond as follows:
  - a) Support, as shown in the Parish Plan for a community pharmacy in Dalston village.
  - b) Concerns about vehicles being parked on the highway bend outside the premises at Bank Croft.
  - c) Support of the application provided that the area would be classed as a 'reserved area'. This would preserve the ability of the Dalston Medical Practice to be a dispensing practice and afford the opportunity for an independent pharmacy in the village.
- 4 The Countryside Agency letter re closure of Local Heritage Initiative at the end of September.
- 5 Cumbria CC notification of making the second Legal Event Modification Order to bring the Definitive Map and Statement of Public Rights of Way up to date.
- 6 Highways Agency North West road works and traffic information leaflets.
- 7 Cumbria Waste Partnership Review December 2005.
- 8 Cumbria Highways Working Together magazine Winter 2005
- 9 English Nature Sitelines magazine Winter 2005
- 10 Copy of Eden DC Statement of Community Involvement.
- 11 ODPM letter and Standards of Conduct in English Local Government: The Future document.

- 12 Data Protection – additional statement to sign that the Parish Council is a public authority under the Freedom of Information Act 2000 – agreed.
- 13 Cumbria Police Authority – additional correspondence re police service restructuring – no further comments.

115 GARDENS AND MAINTENANCE

- a) Mr Craig reported that to install a grasscrete type surface on the top part of the Show Field, which might be approved by the planners, would cost about £50/sq m for 1554sq m area. The preliminary plans had been shown to Dr John and the Dalston Medical Surgery Practice Manager and they had expressed interest in the proposals. It was agreed that the Victory Hall Committee should be asked about a right of access through its existing car park. The Agricultural Society Committee had not held a meeting to discuss the matter to date.
- b) Mrs Dalton and Mr Smillie had met Mr Gray on 17<sup>th</sup> December 2006 on site to discuss improvements to the Station entrance. Mr Gray had subsequently produced some plans for consideration and estimated costs for 3 phases for the scheme. Resolved that Messrs Craig, Harrison and Cowen should agree the professional fees in relation to Standing Orders before instructing Mr Gray to proceed with the ‘island’ specification and putting the work out to tender.
- c) The Property and Maintenance Committee at a meeting on 4<sup>th</sup> January 2006 had gone through and amended the grass cutting, ground works and Cemetery maintenance schedules. The contracts were to be advertised and tenders invited for consideration at the meeting on 14<sup>th</sup> February 2006.
- d) Caldew School and Mr Hickson had raised concerns regarding litter and the lack of a bin at the Corner Shop. Carlisle CC was unable to move the litterbin from across the road or provide an additional one. Agreed that the school should be asked to be more diligent regarding litter, especially along the boundary of its premises and that the owner of the Corner Shop might consider providing a litterbin to help fulfil the business obligations in relation to the Litter Act.

116 ANNUAL PARISH MEETING

The Clerk reported that the Victory Hall had been booked for the Annual Parish Meeting on 28<sup>th</sup> March 2006. Dalston WI agreed to provide refreshments. Mr James Carr was to be asked to speak about the work of the Eden Rivers Trust, with emphasis on restoration following the flooding.

117 ACCOUNTS

Resolved to approve the following expenditure and record of income:

1	Barclays Bank – safe custody fee 20/12/05	1.00
2	CVS Funding Fair – deposit x 2	20.00
3	Dalston Victory Hall – room hire 14/11 & 05/12 Dalston Festival Committee	18.00
4	Fullpoint Design Associates Ltd – additional charge Design Statement printing	58.75
5	Cumbria CC – replacement signpost High Head Castle	615.43
6	Mr D Cowen – purchase of OS Super Plan for Forge Green	46.00
7	Mrs E Auld – salary £645.57, expenses £25.46 (inc £20 voucher s137)	671.03
8	Inland Revenue – PAYE & NIC	622.73

Income:

1	Bank of England – 3½ war stock interest 01/12/05	4.37
2	T & E Allinson – 2 Forge Green December rent	398.67
3	Corner Shop – 24 x Dalston postcards	3.84
4	United Utilities – way leaves	27.38
5	P Rowcroft & R Willatt – 1 Forge Green January rent	261.25
6	T & E Allinson – 2 Forge Green January rent	398.67

Mr Gregory had asked for a replacement cheque, as payment for his account had not been received – agreed. The invoice from Signpost Restoration Ltd was still awaited.

118 CEMETERY MATTERS

Mr Newton had undertaken some gate repairs in the Cemetery and fitted a replacement padlock. The meeting closed at 9.47pm.