BASSENTHWAITE PARISH COUNCIL

**Clerk:** Ms Becx Carter, 40 Windebrowe Avenue, Keswick, Cumbria, CA12 4JA – bassenthwaiteparishcouncil@hotmail.com 077866 78283

**Minutes of the Bassenthwaite Parish Council Meeting held at Bassenthwaite Parish Room Thursday 29th February 2024 at 17:45**

**Parish Councillors present:** Cllr B Cooper-Holmes, Cllr D Cannon, Cllr J Mattinson, Cllr L Briggs,

**Others:** Becx Carter (Clerk), Adrian Pini, Adrian Clarke

**Absent:** Sarah Langcake, Ken Armstrong

With 4 Councillors present (initially) rising to 6 after co-option the meeting was quorate (quorum is 3)

|  |  |
| --- | --- |
| 15/24 | ApologiesNo apologies for absence were received.It was noted that Mr E Trafford & Ms C Grace have resigned from the Parish Council with immediate effect. Cumberland Council as the electoral authority for the area have been notified of these resignations.Cumberland Council have confirmed that as of the 29th February 2024 there has been no request for an election for either of these vacancies and confirmed that Bassenthwaite Parish Council is free to co-opt to fill the vacancies.  |
| 16/24 | To appoint a Chair Person for the duration of the meetingResolved by all present that Cllr J Mattinson be appointed as the Chair of Bassenthwaite Parish Council for the duration of the 29th Feb 2024 meeting. Cllr J Mattinson completed the Chair’s declaration of office form and this was witnessed by the Clerk.  |
| 17/24 | Minutes of last Bassenthwaite Parish Council meeting The Chairperson was authorised to sign, as a correct record, the minutes of the Parish Council Meeting held on 1st February 2024 (*previously circulated)* |
| 18/24 | **Declarations of Interest/requests for dispensation**1. *Register of Interests*

All councillors have completed their DPI forms. 1. *To declare any personal interests in items on the agenda and their nature*

None1. *To declare any prejudicial interests in items on the agenda*

None1. *To make any requests for dispensation*

None |
| 19/24 | Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)None |
| 20/24 | To consider applications for co-option (3 vacancies)It was noted that applications for co-option from Mr Adrian Pini & Mr Adrian Clarke had been circulated to all councillors in advance of the meeting. The Clerk confirmed that both individuals are eligible for co-option.Both applicants for co-option introduced themselves to those present. Mr A Pini & Mr A Clarke left the room whilst councillors discussed their co-option applications.Resolved by all present that Mr A Pini & Mr A Clarke be co-opted on to Bassenthwaite Parish Council with immediate effect.Mr A Pini & Mr A Clarke completed their declaration of acceptance of office forms and these were witnessed by the clerk.Action: Clerk to update the website with the new councillor informationAction: Mr A Pini & Mr A Clarke to complete their declaration of pecuniary interest forms and return them to the Clerk within 14 working days.  |
| 21/24 | Public ParticipationNone |
| 22/24 | Cumberland Council updateNot present  |
| 23/24 | **Planning Applications**None |
| 24/24 | Planning Decisions*To receive the below decisions* Resolved by all present that the below decisions be noted as received:

|  |  |  |  |
| --- | --- | --- | --- |
| Ref | Location | Proposal | Decision |
| 7/2023/2269 | Vale House, Bassenthwaite, Keswick | Removal of existing conservatory, formation of a new two storey side extension to incorporate expanded kitchen etc | Approved with conditions |
| 7/2023/2284 | Armathwaite Hall Hotel | Full retrospective planning application for the installation of a generator compound and associated gas tank compound within the grounds Armathwaite Hall | Approved with conditions |

 |
| 25/24 | Highways & Parish Maintenance1. *To discuss any issues in the parish*

It was agreed to consider the replacement of this tree in due course1. *To consider the outcome of the play area independent inspection report*

The Clerk confirmed that the independent inspection (legal requirement) had taken place on the Bassenthwaite Village Play areas. The conclusion of this independent inspection is that the site is a ‘low risk’ site. A number of packages of work are recommended on safety grounds:* Replacement of chain links on both sets of swings
* Replacement of chains on the 1 bay mixed seat (1 cradle & 1 flat seat)

**Resolved** by all present that the Clerk seek a quotation for the required works and agenda for approval at a future meeting.**Action: Clerk to take this forward**1. *Village Interpretation boards*

It was suggested that consideration be given to the installation of an interpretation board in the future. **Action: Clerk to get some quotes for the April Meeting.** |
| 26/24 | **Financial Matters** 1. To consider and authorise the below payments:

**Resolved** by all present that below payments were approved/ratified as per the below table.

|  |  |  |
| --- | --- | --- |
| **To** | **Budget line** | **Value** |
| Becx Carter | Feb Salary | £297.66 |
| HMRC | PAYE | £74.40 |
| Becx Carter | Expenses | £14.40 |
| Bowland Tree Consultancy | Survey for various sites (Village Green and Beck Edge) | £798.00 |
| Kevin Barton | PAT testing | £37.50 |

1. To consider and adopt policies.

**Resolved** by all present that the below policies be adopted with immediate effect:* Village Green

**Action: Clerk to update the website.** |
| 27/24 | **Role of Clerk & RFO (Responsible Financial Officer)**The Clerk offered to stay on as permanent clerk now her six months of locum work has concluded**Resolved** by all present that Miss R A Carter be appointed as permanent clerk to Bassenthwaite Parish Council with immediate effect.  |
| 28/24 | **Councillor Reports**1. Village Green Committee

The Clerk confirmed that legal advice has now been received from Wellers Hedley Solicitors relating to a number of queries regarding the village green.The questions that were posed to solicitor related to:1. Do the Parish Council have any responsibility/liability for the ‘maintenance’ of the Village Green Surface? Or is it acceptable to say that it is a rural village green and that therefore it is sometimes uneven/muddy/wet etc?
2. Is it legal for stock to be driven across the Village Green? And if stock is moved across/in proximity to the Village Green is there any liability on the Parish Council to do any surface repairs for say hoof damage?
3. The Village Green is used by various different organisations for school fetes, duck race, community events etc, what are the insurance implications of these events?
4. There is a byelaw that maybe active on the Village Green site how does this fit with the responses to the above questions?

The responses provided by the solicitor were:1. There is no obligation on the Parish Council to maintain the Village Green to any particular standard. There is an obligation NOT to do anything on a Village Green which causes a danger to those using the Green (most works are prohibited in any event). The Council should undertake tree safety surveys if there are trees on the Village Green, and public liability insurance should be in place.
2. There is no automatic right for stock to be driven over a Village Green (like with Common Land), but there is also no law preventing it. The Council CANNOT be forced to restore the surface if stock is driven across the Village Green. It could be arguable that any significant damage is the responsibility of the farmer.
3. Any organisation using the Village Green MUST have their own public liability insurance and undertake their own risk assessments and these should be evidenced to the Parish Council. No event held on the Village Green can prevent or exclude anyone from accessing the site.
4. Byelaws can’t be enforced unless adequately publicised, and in any event they can’t permit/restrict anything that would be contrary to the legislation relating to Village Greens.

The Village Green Policy (considered at 26/24) covers the majority of the above and makes it clear for all. **Action: Clerk to look into the purchase of signage to notify users of the Village Green of the policy etc, and to include an article in the Binsey Link about this new policy.** 1. Parish Owned Land Committee

No quotes have yet been received for the required tree works.**Action: Clerk to agenda this for the April 2024 meeting.** **Action: Clerk to ask the tree surgeon about the clipping/thinning the lime trees on the Village Green up to circa 10 ft up for highway visibility.** 1. Playareas Committee

It was noted that there are no age restriction signage on the current swings and there used to be. There are concerns about the liabilities of adults using this equipment and if the equipment is suitable for adult usage. **Action: Clerk to look at quotations for signage to be installed at both sites around age restrictions and safe use.**  |
| 29/24 | **Date of next meeting****Resolved** by all present that the next meeting date be set asThursday 4th April 2024 19:00- Bassenthwaite Parish Room**Action: Clerk to check with the VH about this date.**  |