BASSENTHWAITE PARISH COUNCIL

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

**Minutes of the Bassenthwaite Parish Council Meeting held at Bassenthwaite Village Hall Thursday 5th October 2023 at 19:30**

**Parish Councillors present:** Cllr C Grace, Cllr J Mattinson, Cllr B Cooper-Holmes, Cllr L Briggs, Cllr K Armstrong, Cllr S Langcake, Cllr E Trafford, Cllr D Cannon (from agenda point 15)

**Others:** Becx Carter (Clerk), 1 member of the public.

**Apologies:** Cumberland Cllr J Perry.

With 7 Councillors present the meeting was quorate (quorum is 3)

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| 1 | Apologies  None |
| 2 | To appoint a Chairperson for the duration of this meeting/remainder of the current yearResolved by all present that Cllr B Cooper Holmes be appointed as Chairperson for the duration of this meeting.Cllr B Cooper Holmes completed the Chair’s Declaration of Acceptance of Office and this was witnessed by the Clerk as RFO of the Council.Action: Clerk to agenda the role of Chair Person for the November 2023 meeting. |
| 3 | 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 6th July 2023 (*previously circulated)* |
| 4 | **Declarations of Interest/requests for dispensation**   1. *Register of Interests*   The Clerk noted that Cumberland Council have not yet received DPI forms from:  Jonathan Mattinson  Ken Armstrong  Edward Trafford  Sarah Langcake  **Action: Clerk to check the files and send forms to those as necessary.**   1. *To declare any personal interests in items on the agenda and their nature*   None   1. *To declare any prejudicial interests in items on the agenda*   Cllr J Mattinson declared an interest in 7/2023/2151 Planning Application and left the room whilst discussions took place.   1. *To make any requests for dispensation*   None |
| 5 | Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960) None |
| 6 | Public ParticipationNone |
| 7 | To ratify the appointment of Ms Becx Carter as Locum ClerkResolved by all that Ms Becx Carter be appointed as Locum Clerk to Bassenthwaite Parish Council effective as of the 1st of September 2023 for 18 hours per month at Salary Scale SCP 28, this appointment to be for a term of a maximum term of 6months, any extension beyond a 6month point requires further Council ratification. Cllr Barbara Cooper-Holmes signed the Clerk’s Contract (as previously circulated to all councillors) on behalf of Bassenthwaite Parish Council. |
| 9 | Cumberland Council updateNot present |
| 10 | **Cumbria Police**  No updates received. |
| 11 | **Chairpersons Announcements**  None |
| 12 | **Planning Applications**  **Ref: 7/2023/2170**  Location: Kestrel Lodge  Proposal: Proposed amendment scheme for ground floor conversion of traditional barn  **Resolved** by all present that the Parish Council had no comments or objections.  **Action: Clerk to submit this response.**  **Ref: 7/2023/2151**  Location: Green Farm, Bassenthwaite  Proposal: Proposed local needs dwelling (1 no Barn conversion & 1 no new build)  Cllr J Mattinson left the room during discussions relating to this application.  A member of the public at the discretion of the Chair spoke to this application. The member of the public attended to speak on behalf of the three properties that back on to the area on which the proposed development would be sited.  The member of the public noted that they don’t object to proportionate or appropriate development within the Parish, but they don’t feel this is either proportionate or appropriate. Concerns were raised regarding the need for 3 local needs house, there is an existing approved application in place for the same applicant for 3 local needs houses elsewhere in the Parish of which only 1 has been developed.  The neighbours noted they are grateful for the 6ft maintenance strip that has been left on the plans, and the reduction in the size of the property closest to the neighbouring properties, however the residents remain concerned about the ridge height of the proposed new development.  The member of the public raised concerns about references in the planning documents to the rooms in the existing homes on the ground floor being non habitable rooms, this is incorrect and the loss of light to the existing rooms will be unacceptable in their opinion.  Concerns were also raised about the location of proposed car parking linked to the development in close proximity to the existing dwellings, and the noise implications of the additional traffic, and the safety of the access lane for additional traffic.  The above concerns were noted by all councillors present.  **Action: Clerk to circulate material planning consideration guidance to all councillors for reference.**  **Resolved** by the majority (with 1 abstention) that the Parish Council raise no material objections to this application.  **Action: Clerk to submit this response.** |
| 13 | Planning Decisions*To receive the below decisions* Resolved by all present that the below decisions be noted as received:  |  |  |  |  | | --- | --- | --- | --- | | Ref | Location | Description | Decision | | 7/2023/2130 | Mirehouse, Underskiddaw | South elevation re-roof | Listed building consent granted | | T/2023/0071 | Mill Cottage, Bassenthwaite | Yew Tree-Crown reduce all round by up to 1m | Approved with conditions | | 7/2023/2095 | Low Melbecks Barn, Bassenthwaite | Proposed stand alone garage & extension to existing kitchen | Approved with conditions | | 7/2023/2058 | Vale House, Bassenthwaite | Removal of existing conservatory, construction of new 2 storey side extension etc | Withdrawn | |
| 14 | Highways & Parish Maintenance  1. A591 Junction with School Road   Concerns have been raised by a member of the public regarding the safety of this junction in particular following an accident on the 8th July 2023. The particular focus of concerns relate to the inadequacy of signage for the mirror (to be used at the junction) and the size of the mirror itself.  **Resolved** by all present that the Parish Council have concerns regarding the safety of this junction as well.  **Action: Clerk to raise concerns about the safety of this junction (School Road/A591 with Cumberland Council and ask for the approach signage to be improved notifying road users of the mirror and request consideration to be given to if this junction could be made a Stop Junction (rather than a give way).**  Concerns were raised about Park Road in terms of the overgrowth of vegetation from the sides of the road and the condition of the road surface in this location.  **Action: Clerk to raise this via HIMS**  **Action: Clerk to circulate information on the HIMS system to Councillors.** |
| 15 | To consider applications for co-option (2 seats) **Resolved** by all present that Mr Derek Cannon be co-opted to the Parish Council with immediate effect.  **Action:** Clerk to update the website and obtain the relevant information for the DPI etc. |
| 16 | **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   |  |  |  | | --- | --- | --- | | **PAYEE** | **Budget line** | **Value** | | Tivoli Group Ltd July | Maintenance Services | £241.06 | | Tivoli Group Ltd August | Maintenance Services | £241.06 | | Tivoli Group Ltd Sept | Maintenance Services | £241.06 | | Becx Carter | Sept Salary | £263.61 | | HMRC | PAYE | £65.80 | | Becx Carter | Expenses | £82.07 | | Community Heartbeat Trust | Annual Support Cost | £151.20 | | Elizabeth Clark | Postage Costs | £10.20 | | Cumberland Council | Village Green Records Copy | £7.00 |  1. To note the Cash Book to date   **Resolved** by all present that the cashbook balance at the 30th Sept 2023 was £6,985.71   1. To remove the ex Chair from the Parish Council Bank Account.   **Resolved** Clerk confirmed that Ex-Councillor Mr J Stephens needs to be removed from the Parish Council Bank Accounts.   1. Approval of change of address for Parish Council Bank Accounts.   **Resolved** by all present that letters be signed to go to the administrators of all the Bassenthwaite Parish Council Bank Accounts requesting that the registered address be updated as a matter of urgency to the address of the Locum Clerk. Cllrs B Cooper-Holmes and Cllr J Mattinson signed the relevant letters as current signatories on the accounts.  **Action: Clerk to process this and agenda Bank Accounts for a future meeting.** |
| 17 | **Committee Reports**   1. Village Green Committee   The Clerk confirmed that concerns have been raised with the Parish Council regarding the condition of the surface of the Village Green.  The Clerk provided a brief over view of Common Land legislation/management guidance and confirmed that under S.12 of Inclosure Act 1857 it is a criminal offence to ‘undertake any act which causes injury to the green’ (including digging the turf) so it would be illegal for the Parish Council to take any action to replace/alter the surface of the Green, and under S.29 Commons Act 1876 any disturbance or interreference with the soil of the green could be deemed a public nuisance.  Further the Clerk noted that under the same piece of legislation the surface of the Village Green can’t be disturbed (without consent from the Secretary of State) so to have goal posts/play equipment/benches etc on the Village Green are also potentially outside of the law and consideration will need to be given on how to regularise the legal position of these structures.  The Clerk confirmed there is a balance to be held with S.29 Commons Act 1876 which does allow for some works to take as long as they for the ‘better enjoyment of the green’ but this would again be subject to legal advice.  The Clerk confirmed that further investigations would need to be undertaken by a solicitor regarding if there is a registered right of common exercisable over the land regarding the movement of livestock over the village green. This would come at a cost, and a quotation would need to be obtained for legal advice on this matter if this is something the Council feel they want to take forward. The information regarding the registered rights of Common is not available in the digital commons/village greens record held by Cumberland Council.  **Resolved** by all present that the Clerk seek initial legal advice re droving of stock across a Village Green and associated liabilities for Village Green Management.  **Resolved** by all present that the Clerk obtain a quotation for the surveying of the trees on the Village Green and agenda for the November 2023 meeting.   1. Parish Owned Land Committee   No further updates were received.   1. Playareas Committee   No further updates were received.  **Action: Clerk to send over playarea fortnightly inspection forms to Cllr K Armstrong**  **Action: Clerk to check that Bassenthwaite Playarea is on the independent inspector list for 2023** |
| 18 | **Correspondence Received**  Unless otherwise mentioned below all correspondence was noted as received   1. LDNPA Visitor Management Questionnaire   **Resolved** by all present that delegated authority be passed to the Clerk to complete this on behalf of Bassenthwaite Parish Council  **Action: Clerk to complete this questionnaire**   1. Messenger Mire Woods Access Works   It was noted that United Utilities have recently undertaken tree works on the access track to Messenger Mire Woods to facilitate easier access.   1. Letter from Above Derwent re Joint Devolution Work   It was noted that a letter had been received from Above Derwent asking if anyone from Bassenthwaite Parish Council would like to joint a working group to discuss possible joint devolution of assets/services.  **Resolved** that Bassenthwaite Parish Council don’t wish to be involved at this stage**.**   1. Parish Councillor Training   The Clerk confirmed in response to a question from Councillors that training is available via CALC.  **Action: Clerk to circulate to training prospectus to all.**   1. Noticeboards   Councillors raised a query regarding which noticeboards need to have notices erected on them, and which ones are Parish Council noticeboards.  **Resolved** by all present that going forward only the noticeboard in the centre of the village would be kept updated with agendas/minutes along with the Parish Council website. |
| 19 | **Date of next meeting**  **Resolved** by all present that the next meeting date be set as  Thursday 2nd November 2023 19:30- Bassenthwaite Village Hall  Thursday 7th December 2023 19:30- Bassenthwaite Village Hall  No meeting in January |

The meeting was closed at 21:25