

DAFT MINUTES FROM THE MEETING OF URSWICK PARISH COUNCIL

Held Thursday 13th August 2009

At Bardsea Schoolroom

Present: Mr J Keen (JK) (Chairperson), Mrs N Cowsill (NC), Mr J Winder (JW), Mr G James (GJ), Mr P Rixom (PR), Mr D Stubbs (DS), Mrs H Gregson (Clerk)

Councillor James Airey (Low Furness)

Councillor Jane Carson (Mid Furness)

Also in attendance Mr M Stables (Tarn Association)

1. Apologies for absence Cllr Jackie Cooper
2. New Clerk Mrs Hilary Gregson was formally introduced by the Chairman.
3. Declarations of interest: GJ member of Tarn Assoc, NC family member has commoners rights to Stainton Green, JW rights over Urawick Green.
4. Approval of minutes from previous meeting (25th June 2009) Approved with correction of item 8 re Core Strategy by Cllr Carson.
5. To note progress on items for action agreed at previous meetings
 - Seat on the Hagg.** Three signs have been put to say that cycling is not permitted.
 - Highway Steward.** Members of the relevant dept have visited JK who expressed his concerns and passed on a list of items which require attention including two soak aways which are blocked by tree roots and will have to be moved. Highway Steward is currently on Paternity Leave. Situation to be monitored by GJ ACTION GJ
 - Railings Repair.** GJ reported that 50ltrs of paint would be required at approx £12 per ltr. Alternative sources of paint are being looked into but may need to apply to the Neighbourhood Forum for a grant. ACTION GJ
 - Picnic Table.** GJ and M Stables have now agreed a position and the table has been purchased and sited. The Council expressed its thanks to Cllr G James for paying for and setting up the table.
 - Financial Regulations.** Clerk to study the proposed regulations and report to next meeting ACTION CLERK
 - Village appearance.** Clerk to write letter to SLDC ACTION CLERK
 - Allotments** GJ to research ACTION GJ
 - Accounts** Accounts have now been submitted and will be posted on the website, clerk to write a letter of thanks to Mr Crammond ACTION CLERK
6. Public Forum: Comments, questions or concerns from any local resident: No issues raised.
7. Report from Police on any matters of local concern and /or interest to Councillors and residents: No issues raised
8. Report from District and County Councillors on matters of interest to Councillors and residents

Cllr Carson reported on the Comprehensive Area Assessment which took place on 3rd July. A talk was given by David Hoole, lead person for Cumbria's AA. Assessment began in April this year and will report annually in November, details are available on the Audit Commission web site. There is an Area Assessment and an Organisational Assessment. The organisations are, Councils, Primary Care Trusts, Fire Service, Police and similar. The report will be 20 pages long and based on a red and green flag system, green to indicate innovative practice, red to indicate under performance. Practices working normally and successfully will not be flagged.

There was a Neighbourhood Forum Meeting on July 13th.

At the Council meeting on July 16th accounts were finalised for the end of the year. There were the following referrals from cabinet, £10,000 contribution from LABGI Reserve to South Lakes Development Trust to help new and developing small businesses and, Local Area Partnerships adoption of project boards with the first one to start in the autumn of this year.

Core Strategy Consultation will take place 27th Aug-23rd Oct, 853 members of the public having responded. Regarding the allocations of land, preferred options will be reported on December 2009.

Cllr Carson welcomed suggestions from the Parish Council regarding the devolution of services to a Local Communities Task Group and which services it would like to see devolved to Parish and Local Area Partnership level. Cllr Airey commented that there would be a danger of duplication and wasted funds regarding the devolution of services.

Cllr J Airey reported that residents had expressed concerns over the lack of road sweeping in the Parish and that the situation has now improved in Bardsea. He also reported that area engineer Nick Raymond would be on secondment for 6 months and that concerns had been expressed about the highways in the area although funding has been received to resurface the coast road between Ulverston and Bardsea.

Cllr Airey pointed out that £20,000 is available in the form of grants from the Neighbourhood Forum and that the community should be made aware of this.

Concern has been expressed over the closure of public toilets in the area, Cllr Airey stated that Bardsea toilets were not marked down for closure but for more community involvement and that a consultation process would be gone through.

9. Planning Applications and decisions

i) To confirm the Council's response to the following applications

SL/2009/0521 Brow View, Church Road Great Urswick. Conversion and extension of barn to form new dwelling and attached garaging for the new and existing dwellings.

SL/2009/0572 2 The Barns, Barn End, Great Urswick. Replacement UPVC windows and doors.

SL/2009/0571 Land adjacent to Hooks Lane, Urswick. Field shelter (Retrospective)

SL/2009/0537 Land on the north side of Laurel Cottage, Great Urswick. Engineering operation to form access to field and hard standing.

SL/2009/0502 Dale Garth, Marcalles, Ulverston. Engineering work to infill water tank (Retrospective)

ii)To note SLDC's decision on the following local planning applications

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SL/2009/0228 Bardsea Ice Cream Kiosk. Change of use of land to form seating area (Retrospective) PERMITTED

SL/2009/0277 Eden House Conishead Grange, Coast Road, Bardsea. Change of use from residential home to guest house. PERMITTED with one condition.

SL/2009/0395 Bankfield Barn, Weint Lane, Great Urswick. Formation of domestic equestrian ménage. PERMITTED with conditions.

SL/2009/0303 Mid Town Cottage, Mid Town Barn, Great Urswick. PERMITTED with a number of conditions.

10. Tarn Association: To report on anything of concern or interest to Councillors and residents. Mr Stables expressed concern at the use of boats on the tarn which don't have boasting licences and enquired about the responsibility for enforcement. Councillors suggested that Cumbria Association for Local Councils legal department should be contacted for advice to clarify the position. ACTION CLERK

11. Litter bins: Report on progress. A grant of £600 has been received from the Local Area Forum. The bins are to be ordered and SLDC will need to be notified that they will need to be emptied. ACTION CLERK

12. Claim for Adverse Possession. The following statement was read by the Chairman –

Claim for Possessory Title: Land adjacent to the Landings. (CU238841)

I am pleased to announce that a compromise agreement has been reached with the objectors to the Parish Council's claim for ownership of land north of the Landings. The PC has sought, over a period of about 18 months, to register ownership of this land on behalf of the Parish.

The Council should now be able to register the majority of this land- essentially all the remaining area of reed fen. Two areas that have been infilled by the objectors and owners and of the adjoining land to the north, Mr and Mrs Jackson, to create a raised flower bed and standing for a shed and barbeque area, have been withdrawn from the Council's claim.

The Parish Council met in private on the 8th July. JK, JW, NC, PR and DS attended. GJ had previously declared a personal and prejudicial conflict of interest as he was a friend of the objectors. Prior to the meeting JK and the Clerk (DF), had been to see Mr and Mrs Jackson as there appeared from Mr and Mrs Jackson's Statement of Case to be some confusion over the nature, designation and dimension of some of the area in dispute. It was clearly in both party's interest to have no confusion over these points.

Clarification was achieved and some dimensions were taken during the process. The meeting was attended by neighbours of Mr and Mrs Jackson and there was some discussion over the basis for a possible compromise. It was left for Mr and Mrs Jackson to give this further consideration and to make any proposal prior to the PC's private meeting.

At the subsequent private meeting of the PC, Members of the Council discussed the objectors Statement of Case and supporting evidence and reviewed the PC's own Statement of Case and evidence and the legal advice it had received. Councillors had available all the relevant papers and other information. Councillors agreed that they could not pre-judge whether their case and evidence would meet the criteria for a successful claim for adverse possession of all the land.

In the absence of any proposal for a compromise from Mr and Mrs Jackson Councillors agreed to make a proposal: That the PC would withdraw its claim to the areas of flowerbed and shed/barbeque if Mr and Mrs Jackson withdrew their objection to the PC's claim to the remaining area of reed-fen. Both parties to bear their own costs on the whole matter.

Subsequent communication has refined this proposal and the PC and Mr and Mrs Jackson have signed an agreement. The Adjudicator and the Land Registry have been informed of this agreement.

Fencing will be erected by Mr and Mrs Jackson along the boundary that has been agreed and measurements will be taken to allow clear mapping of the area. Registration of the revised area will now be progressed by the PC.

The previous Clerk, David Foot, has now finished as representative of the PC on this matter, and the new Clerk, Hilary Gregson, will now take this on as part of her responsibility as Clerk.

It was noted that DS will be putting up a boundary fence and that JK will check the measurements. The area will need to be surveyed once this is done ACTION DS/JK

13. Co option of councillors: The Clerk is in receipt of two applications for the current vacancy.

The Council agreed on an informal meeting on Wednesday 19th August 2009 at the General Burgoine to speak to both candidates.

14. Dog Fouling, to note any progress made. The Council noted that the situation seems to have improved and expressed the hope that once the new litter bins are installed the situation will improve further as the intention is to place disposal bags near each bin to encourage people to clear up after their dogs.

15. Bye laws. Clerk to progress this matter in time for the next meeting ACTION CLERK

16. Community travel plan. Plan has been circulated by GJ.No progress at this time.

17. Village Design Statement Update. A number of dropped kerbs have been installed in Urswick.
18. Village Appearance Council expressed concern over the appearance of Greenbank House. Cllr Carson agreed to contact SLDC for advice about what action could be taken. ACTION Cllr CARSON
19. Monitoring Council's Assets. Councillors to view council owned land starting with the Stainton area on Monday 24th August. ACTION ALL
20. Insurance and Maintenance of War Memorial. GJ to get quotes for cleaning, Clerk to check insurance position ACTION CLERK/JG
21. Stainton Green footpath: Monies have been secured for the work, NC asked for and advance from the Council of £1,100 for equipment and materials. Cheque to be provided at next meeting. ACTION NC/CLERK
22. Stainton Green Residents Access. NC to deliver individual letters to neighbouring residents.
23. To authorise payment of bills and expenses received since the last meeting.

David Foot – Expenses re possessory title case	£485.39
Purchase of printer from Council	£45
Glasdon – purchase of litter bins inc VAT	£841.73 (inc grant)
Clerks expenses -	
Extra Hours prior to formal appointment x 9	£79.47
Extra Hours subsequent to appointment x 4 ½	£39.73
Mileage @ 22ppm 72	£15.64
Printer	£48.92
Sundries (paper,stamps,ink etc)	£46.68

24. Items to be added to agenda for next meeting – boating licences re Urswick Tarn and their enforcement, Bardsea Open Spaces.
25. Date and time of next meeting 17th September 7.30 Urswick Parish Rooms (later changed to 1st October same time and venue. HG)