



**Colton Parish Council**

Tel: 01229 861408  
 e-mail: coltonpc@btinternet.com  
 web: www.coltonparishcouncil.org.uk

Clerk: Ms Mandy Lane  
 Lilac Cottage  
 Oxen Park  
 Ulverston LA12 8HG

The following are the minutes of the Colton Parish Council meeting held on Monday 7<sup>th</sup> September 2015 in Finsthwaite Village Hall at 7pm

**Members Present:** Cllr Barr (Chair) Cllr Dean Cllr Hoyle Cllr Milburn Cllr Potts Cllr Watson Ms M Lane (Clerk)

**Also present:** PCSO Paul Harris and Mr Mike Postle (High Furness Broadband Champion)

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| <p><b>127/15 Apologies</b><br/>         Cllr Champion (holiday) Cllr Patterson (working) Cllr Fletcher (other meeting)</p>   | <b>ACTION</b> |
| <p><b>128/15 Minutes of Last Meeting</b><br/>         It was resolved that the Chair be authorised to sign the minutes of the Parish Council meetings held on <u>Monday 20<sup>th</sup> July 2015</u> and <u>Monday 3<sup>rd</sup> August</u> as true records.</p>   |               |
| <p><b>129/15 Declarations of Interest</b><br/>         None</p>  |               |
| <p><b>130/15 Requests for Dispensations</b><br/>         None</p>  |               |
| <p><b>131/15 Public Participation</b><br/> <u>Police:</u> PCSO Paul Harris gave a summary of incidents in the area since the last Council meeting: just 2 minor vehicle accidents. He reported on the following issues, on request from the Council:<br/>         i) <u>Shooting :</u> The legal position with respect to shooting near a highway was that discharging a firearm within 50 feet of a highway was an offence only if the road user was interrupted, endangered or injured. It could, however, amount to a civil offence of nuisance.<br/>         ii) <u>Spark Bridge traffic speed monitoring:</u> On request from the Council, the police had been monitoring traffic speed at two locations within Spark Bridge 30mph zone. Data from the Tottlebank cross-roads direction showed the highest speeds, with a maximum speed of 60mph. However the 85<sup>th</sup> percentile speed was over the speed limit by only 5mph. This was insufficient for the police to consider any enforcement action. However, PCSO Harris suggested that the Council speak to Lowick Parish Council who had bought a laser speed gun operated by volunteers which recorded speed and number-plates. Data from this device would enable the police to issue warning letters to speeding vehicles.</p>  | <b>Clerk</b>  |
| <p><b>132/15 Connecting Cumbria: Superfast Broadband (SFBB) Proposals</b><br/>         Mike Postle, High Furness Broadband Champion, summarised recently released details from the Connecting Cumbria initiative, showing which areas would receive SFBB during Phase 1 (expected delivery by Spring 2016). Whilst communities in the south of the parish (Finsthwaite, Lakeside, Bouth and Spark Bridge) would receive SFBB, those in central and north Colton Parish (Colton hamlet north, Nibthwaite, Oxen Park, Bandrake Head and hamlets in Rusland) would not during this Phase, nor was it clear whether they would in Phase 2. This was disappointing news.<br/>         It would be important to make a case under Phase 2 of the initiative to connect more of Colton's communities. It was recognised that those communities on the far reaches of the 861 (Greenodd) exchange (Oxen Park, Bandrake Head, Colton hamlet north) were receiving by far the worst current broadband speeds (some less than 1mb/s with frequent breaks in service) because of the poor quality of the aluminium line. For this reason, and because of the higher concentration of population on which to base a case, <b>it was resolved</b> (unanimous vote) to prioritise efforts for improving SFBB delivery under Phase 2 to the central area of the Parish on the 861 exchange.<br/>         In support of this resolution, the Council agreed to i) work in partnership with BT and Connecting Cumbria to assist in the planning of infrastructure to minimise costs and maximise coverage of SFBB. ii) help to negotiate relevant way-leaves, and iii) help to investigate how the placing of fibre cables from Spark Bridge to Springfield could be facilitated.<br/>         Cllr Barr had written a letter to the National Park Authority in his capacity as member, copied to Tim Farron MP, to complain about how the National Park had been largely excluded from SFBB connectivity.</p> |               |

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| <p><b>133/15 Update on Issues and Actions from Last Meeting</b></p> <ul style="list-style-type: none"> <li>• <u>Notice-boards</u>: The Clerk had investigated aluminium notice-boards for Oxen Park, but they had all been too heavy for mounting on the gig-house doors. A lightweight wooden one with a perspex front would be sufficient for this location, not too exposed to the weather. She would seek estimates from local joiners/wood-workers.</li> <li>• <u>Assets of Community Value (ACV)</u>: The Clerk had completed and sent to SLDC the necessary forms for nominating Rusland Reading Rooms as an ACV; she was awaiting a response.</li> </ul>  | <p><b>Clerk</b></p>                         |
| <p><b>134/15 Comments from District and County Councillors</b></p> <p>None present.</p>   |   |
| <p><b>135/15 Vacancy in Central Ward</b></p> <p>One application had been received from a Ms Kate Lodge-Brown of Crosslands, Rusland.</p> <p><b>It was resolved</b> by unanimous vote that Ms Kate Lodge-Brown be co-opted onto the Council (Nominated by Cllr Hoyle, Seconded by Cllr Watson).</p>  |   |
| <p><b>136/15 Bouth Playground</b></p> <p>The RoSPA Annual Inspection Report had shown a Medium Risk rating, based principally on wear to the chain links of the swings and chain walk. The Bouth Village Green Committee would contact a local firm to assess repair and provide estimates.</p>   | <p><b>BVG<br/>Ctee/<br/>Clerk</b></p>       |
| <p><b>137/15 Planning</b></p> <p>Cllr Barr declined to take part in discussions, being a member of the LDNPA Development Control Committee.</p> <p><u>The following planning applications were discussed and responses agreed:</u></p> <ul style="list-style-type: none"> <li>– 7/2015/5449: Nibthwaite Grange Farm, Nibthwaite: Open-fronted wooden multi-purpose agricultural building. <b>Resolution: Support.</b></li> <li>– 7/2015/5490: Swan Hotel, Newby Bridge: Proposed chicken coop, shed and greenhouse. New arrangement of land to rear for chicken runs, wildflower meadow and cut grass area. <b>Resolution: Support</b></li> </ul> <p><u>The following planning permission granted was noted:</u></p> <ul style="list-style-type: none"> <li>– 7/2015/5334: Way Green Cottage, Bouth: Extensions and internal alterations</li> </ul> <p>The Clerk summarised a change in procedure for discussing planning applications, following the Localism Act: it was <u>not</u> now forbidden for Councillors to discuss applications outwith a formal public meeting, but they should be extremely careful not to be 'predetermined' before a formal Council view is taken. This meant that they should be open to different views and should never express their position on an application beforehand. It was advised that an officer (the Clerk) be present for any pre-meeting that might take place between Councillors and applicants.</p> |   |
| <p><b>138/15 Highways and Lengthsman</b></p> <p>The Clerk gave an update as follows:</p> <ul style="list-style-type: none"> <li>i) <u>Road surface and drainage</u>: two long-standing drainage issues to the north and south of Oxen Park appeared to have been solved as no puddles had formed during recent rains.</li> <li>ii) <u>Traffic management and road safety issues</u>: There had still been no progress, nor indeed any response on road markings, Thwaite Moss signpost or Grizedale signs, despite the Clerk and Chairman making enquiries. The Clerk would chase this up.</li> <li>iii) <u>Lengthsman</u>: Amongst other jobs, Mr Workman had strimmed back vegetation and saplings growing at Tottlebank cross-roads and south to Bent Hawes, which had pleased residents.</li> <li>iv) <u>Green Roads</u>: Cllr Barr was still awaiting a meeting date from the Area Highways Engineer, Mr Nick Raymond. He would chase this up.</li> </ul>  | <p><b>Clerk</b></p> <p><b>Cllr Barr</b></p> |
| <p><b>139/15 Community Plan</b></p> <p><b>It was resolved</b> to make the suggested change to Community Plan policy PH2 to relax the restriction for conversion of buildings to holiday lets for farm businesses only. The new policy stated that conversion for holiday letting would be supported only where i) the residence was unsuitable for local housing or employment purposes, <u>and</u> ii) where the income supported the local economy for a main resident. The policy was also now better aligned with the National Park Core Strategy. The final version of the Plan could now be forwarded for publication.</p> <p>Confirmation of Action Plan portfolio holders and representatives on Working Groups was again deferred until more Councillors could be present.</p>   | <p><b>Clerk</b></p> <p><b>Clerk</b></p>     |
| <p><b>140/15 Finance and Accounts</b></p> <p><b>It was resolved</b> to make the suggested amendments to the Financial Regulations, concerning</p>   | <p><b>Clerk</b></p>                         |

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| <p>thresholds for issuing of contracts and obtaining estimates.</p> <p><u>The following payments were noted:</u></p> <ul style="list-style-type: none"> <li>- Cheque no. 000758 A.Workman, Lengthsman, July working: <b>£280.00</b></li> <li>- Cheque no. 000759 A.Workman, Lengthsman, August working: <b>£294.00</b></li> </ul> <p><u>The following payments were approved:</u></p> <ul style="list-style-type: none"> <li>- Cheque no. 000760: SLDC Data Protection/Freedom of Information briefing, 31<sup>st</sup> July: <b>£10.00</b></li> <li>- Cheque no. 000761: Playsafety Ltd., Annual Bouth playground inspection: <b>£78.00</b></li> </ul>   |              |
| <p><b>141/15 Meetings</b></p> <p>The following meeting reports were received:</p> <ul style="list-style-type: none"> <li>• <u>Data Protection and Freedom of Information Briefing</u>, Kendal, 31<sup>st</sup> July: The Clerk reported that this had been a very helpful reminder of the legal aspects of holding personal data. It had been confirmed that the Colton PC Housing database, being a list of properties only, did not constitute personal data.</li> <li>• <u>Oxenholme to Grasmere Corridor Travel Plan meeting</u>, 24<sup>th</sup> July: Cllr Patterson had attended but was not present to report.</li> <li>• <u>Illegal Off-road Working Group meeting</u>, Torver, 13<sup>th</sup> August: The Clerk reported a disappointing turn-out for this meeting in that none of the agencies nor the police had sent representatives. The group considered what could be done without agency support and agreed to explore signage which could be placed with landowners' consent. The Chairman would write to the agencies to urge their participation.</li> </ul>   | <b>Clerk</b> |
| <p><b>142/15 Correspondence</b></p> <p><u>Receipt of the following correspondence was noted:</u></p> <p><b>CALC/NALC</b></p> <ul style="list-style-type: none"> <li>• South Lakeland District Association meeting papers for 17<sup>th</sup> Sept, Gilpin Bridge.</li> <li>• Financial Services Compensation Scheme changes (for larger town and parish councils with income and expenditure below £355K)</li> <li>• CALC AGM invitation for 14<sup>th</sup> November, 10.30 at Whitehaven</li> <li>• Casual Vacancy on CALC Executive Committee</li> <li>• New CALC Chief Officer, Samantha Bagshaw - introduction</li> <li>• Connecting Cumbria – new SFBB deployment map.</li> <li>• Cumbria Action for Sustainability – Community energy projects – funding opportunity</li> <li>• Video of workshop on emergency planning, held at Millom</li> <li>• Letter to councils in Cumbria from Ulverston Town Council on planning blight caused by derelict buildings</li> <li>• Questionnaire from Lazonby Parish Council on play areas</li> <li>• Letter to the Environment Agency and NFU concerning the lack of consultation on the formation of a Water Level Management Board for the Lyth Valley – has implications for Council Tax across South Lakeland</li> <li>• Cumbria Tourism August newsletter</li> <li>• Re-accreditation dates for Local Council Awards Scheme.</li> </ul> <p><b>CCC</b></p> <ul style="list-style-type: none"> <li>• Funding opportunity through Bay and Lakeland Radio</li> <li>• Response from Nick Raymond (Area Highways Engineer) in response to letter to Cllr Keith Little regarding Colton's Green Roads</li> <li>• Survey: Parish Councils' readiness for the government's new Transparency Code (making documents available through a website)</li> <li>• Police- SID traffic speed data from Spark Bridge</li> <li>• Temporary Road Closure information, Finsthwaite-Backbarrow (Cuckoo Bridge)</li> <li>• Mobile Library Service closure notification</li> </ul> <p><b>SLDC</b></p> <ul style="list-style-type: none"> <li>• Invitation to SLDC Overview and Scrutiny 'Housing Fit for the Future' Review, 11<sup>th</sup> August 4-6pm, Kendal</li> <li>• Agenda for Council meeting, 28<sup>th</sup> July, Kendal (for information)</li> <li>• Electoral Registration Canvass due to be sent to every household – request to help promote responses. Poster also sent.</li> <li>• South Lakeland Community Newsletter - July</li> <li>• Notes from Planning Workshop events held by SLDC, LDNPA and CALC. Followed by updated guidance on discussing planning applications, following the Localism Act</li> <li>• Poster – forthcoming changes to bin collection days.</li> <li>• Notification and poster about changes to bin collection days.</li> <li>• Copy of Empty Homes Strategy response (Cllr Barr)</li> <li>• Invitation to submit requests to the Annual Parish Remuneration Panel, by 25<sup>th</sup> Sept</li> </ul> <p><b>LDNPA</b></p> <ul style="list-style-type: none"> <li>• Oxenholme to Grasmere Corridor Travel Plan meeting 24<sup>th</sup> July, 10am, Grizedale.<br/>Plus subsequent minutes of that meeting</li> </ul> |              |

- Notes of Lake District Parishes meeting, 1<sup>st</sup> June, and survey.
- Concern from local resident about Broadband roll-out and areas of Colton missed from the rollout
- Affordable Housing Practice Guidance – High Court ruling that government's changes unlawful (via Cllr Barr)
- Temporary closure of rights of way for Grizedale Stages & Malcolm Wilson rallies
- Sky rides – (cycling events) – in Oxenholme to Grasmere corridor area.

#### **Cumbria CVS and ACT**

- Newsletters/Training courses

#### **Government Departments and Agencies**

- National Grid NWCC – (via CALC) – Briefing meeting, 23<sup>rd</sup> July, Grizebeck Community Hall, 7pm
- Department of Energy and Climate Change: Publication of: Appraisal of Sustainability (AoS) scoping report and a Habitats Regulations (HRA) Methodology report, associated with the draft National Policy Statement (NPS) for geological disposal of radioactive waste.
- Letter from Cumbria Trust regarding the "Implementing Geological Disposal" White Paper and the Call for Evidence. The letter urges Parish and Town Councils to respond. Deadline 4<sup>th</sup> Sept
- Dept of Energy and Climate Change – NW Coast Connections – upcoming events

#### **Other Correspondence**

- Walney Extension wind-farm consultation survey
- Hawkshead Surgery – information about proposed merger with Ambleside practice, and public meeting 16<sup>th</sup> September, Hawkshead Market Hall, 7.30pm
- Cumbria Rural Housing Trust, AGM 2<sup>nd</sup> October, Newbiggin Village Hall
- Coniston & Torver Community Land Trust - 8<sup>th</sup> Report on Loss of Village Homes in Coniston. Response from Peter Thornton – Leader of Council – urging all to write to government requesting exemptions for National Parks.
- Citizens Advice – Cross Bay Walk 5<sup>th</sup> September – poster for website and NBs
- Playsafety Ltd. Inspection Report for Bouth Playground, August 2015
- Brathay Trust – Notification of powerboating course, from Low Bank Ground, Coniston on 2<sup>nd</sup>/3<sup>rd</sup> September, with high speed session on Sept 3<sup>rd</sup> pm.

#### **143/15 Date of Next Meeting**

The next meeting was confirmed as a Parish Council meeting on Monday 19th October in Bouth Village Hall, at 7pm