

## **BOTHEL AND THREAPLAND PARISH COUNCIL**

At the Meeting of Bothel & Threapland Parish Council held at St. Michael's School, Bothel on Tuesday 8<sup>th</sup> July, 2014 commencing at 7.30 p.m.

Present:

S. Austin  
M. Story  
N. Todhunter  
R. Watson

Also Present:

A. Bowness, Cumbria County Council  
J. Mounsey, Allerdale Borough Council  
J. Rae (Clerk)  
Three members of the public

Cllr. Todhunter in the Chair

### **23 APOLOGIES FOR ABSENCE**

An apology for absence was received from G. Bowe.

### **24 MINUTES OF THE MEETING 13 MAY 2014**

**RESOLVED** that the minutes of the Annual Meeting held on 13<sup>th</sup> May, 2014 were agreed as a true record and signed by the Chairman.

### **25 CHAIRMAN'S ANNOUNCEMENTS**

Home Group had advised that the issues with the contractors and the grass cutting of land adjacent to the Crofts have now been resolved. Hopefully the area will be regularly maintained for the rest of the season.

Hallmark Power Ltd. intends to seek planning permission for the erection of a 3 blade 500kw wind turbine at land west of Wharrels Hill wind farm. A pre-application consultation will be carried out and any member of the public is invited to forward any comments concerning the proposal by 27<sup>th</sup> July, 2014. Details of the consultation have been displayed on the parish notice boards.

Letters of thanks for donations from the Community Fund had been received from Torpenhow PCC and Bothel First Responders.

Two members of the public present at the meeting have expressed an interest in joining the parish council.

### **26 DECLARATIONS OF INTEREST**

No declarations of interest were received.

### **27 MATTERS ARISING FROM THE MEETING 13 MAY 2014**

Further to minute ref 17/14 the Clerk had contacted the Chairman of the Village Hall Management Committee regarding the progress of the drafting of the revised Deed of Trust. This is progressing but some inaccuracies have been highlighted with the transfer deed lodged at the Land Registry and the Charity Commission. It was agreed that:

- Land Registry should be contacted to arrange to have the transfer document amended to state that Bothel and Threapland Parish Council are the registered owners of the property.
- The Charity Commission to be advised of the amendments to the transfer document regarding ownership.
- Once advice has been received from the Land Registry and the Charity Commission the Big Lottery Fund would also need to be contacted and advised of any amendments.

- The Village Hall Trustees listed in the current document are in fact the Village Hall Charity Management Trustees
- The two named signatories should actually be the Holding Trustees the Parish Council
- No person can be both a Holding Trustee and a Management Trustee.

Concern was also raised with regard to some of the conditions in the Legal Charge particularly where it states that under the terms of the legal charge various powers arise in favour of the Big Lottery Fund if any conditions in the offer letter are breached. Under clause 3.1 the amount of the grant advanced is to be repaid and if not repaid the Big Lottery Fund's power of sale will arise as will its right to appoint a receiver.

The following additional points were also discussed:

- Whether the Village Hall Management Committee have fulfilled their obligations to the Big Lottery Fund. This was confirmed.
- Advice was being sought from the Borough Council's Planning Department on the removal of a hedge at the village hall
- When and how the payment of the monies set aside from the Community Fund will be required. It was agreed that Village Hall would e-mail the Clerk and the Chairman of the Parish Council with the amount and to whom the cheque was to be made payable. After a discussion it was agreed that the full amount currently held would be transferred if requested.
- The Chairman of the Village Hall Charity Management Trustees acknowledged the lack of referral to Community Fund monies at the Village Hall meeting in May.

The Clerk reported that the annual audit had been completed. The completion of audit notice will be displayed on the parish notice boards.

A response had been received from the Environment Agency regarding the complaint received that effluent was discharging into a field on the Bothel to Threapland road. Environment Agency had requested that the complainant contact them direct as further information was required to take the matter forward.

## **28 PUBLIC PARTICIPATION**

No matters were raised.

## **29 REPORTS**

- Allerdale Borough Councillor - Cllr. Mounsey reported that:
  - ENW have been carrying out pole replacement works in Blennerhasset. The street lights have been reinstated on the new poles.
  - Tablet devices are available to local schools – Cllr Story agreed to pass on the details to the school.
- Cumbria County Councillor - Cllr Bowness reported that:
  - County Highways are proposing to make two visits to the parish per year with the gully wagon. It has been suggested that it would be beneficial if a representative from the parish council could accompany the driver to assist in identifying the locations of the gullies.
  - When reporting matters on the Highways Hotline a request should be made for a call back on the progress of the matter reported.

- (c) Cumbria Police  
PCSO Lyndsay Tuck was unable to attend the meeting. The police reported provided advised there had been one incident in the parish in the last 30 days. On 5<sup>th</sup> June jewellery was reported as stolen from property in Bothel. Enquiries are ongoing to trace the offender.

### 30 COMMUNITY FUND

**RESOLVED** that £1,000 should be set aside to cover the costs/solicitors fees that might be incurred in resolving the issues with the Land Registry transfer document and the legal charge for the Village Hall.

### 31 FINANCIAL REPORT

- (a) The up-to-date financial report was circulated at the meeting:

Bank Balance 30 June 2014

HSBC	£ 3,806.34
CBS	£85,605.66

- (b) Payment of accounts

**RESOLVED:** The following accounts were approved for payment

Clerk's account Quarter 1	£500.27
HMRC PAYE Quarter 1	£ 96.20
BDO LLP External Audit	£120.00
St. Michael's School Room Hire	£ 14.00

### 32 CORRESPONDENCE

The list of correspondence received since the last meeting was circulated with the agenda and noted by Members.

CALC	Allerdale Parishes Three Tier Meeting
Cumbria CC	Allerdale Newsletter
CALC	Circular June 2014
Cumbria CC	Winter Maintenance
CALC	United Utilities Water Resource Management Plan
Hallmark Green Power	Pre-application consultation – Proposed 500kw wind turbine at land west of Wharrels Hill Wind Farm

A complaint had been received regarding the three LPG tanks at Limestone Lodges. A copy of the Land Registry title had been provided which shows that the tanks are not installed on land owned by Limestone Lodges. The complainant had requested that the parish council raise the matter with Allerdale Borough Council, Cumbria County Council Highways Department and the Fire Department to question whether the tanks meet legal requirements. It was agreed to raise the matter with the aforementioned authorities plus the Health & Safety Executive. Enquiries would also be made at Land Registry as to ownership of the land on which the tanks are situated.

### 33 PLANNING

- (a) Applications Received:

2/2014/0434 - 3 Park Road, Bothel  
Proposed first floor extension (resubmission)

- (b) Decisions:

2/2014/0228 - Threapland Lees  
Proposed extension to existing cubicle shed FULL PLANS APPROVED

**34 HIGHWAYS/HIGHWAY MAINTENANCE**

The following matter was reported:

Loose gravel being washed onto the Bothel to Threapland road during periods of heavy rain is still causing problems.

**35 STREET LIGHTING**

Cllr Mounsey reported that at the last meeting of the Borough Council's Scrutiny Committee it had been decided to employ a part time person to go around the villages and assess the street lights to see if they are needed or if they can be moved. Cumbria County Council had confirmed that if the street lights are removed the speed limits will still be enforceable. The next meeting of the Scrutiny Committee will be held in September.

**36 WEBSITE**

A discussion took place as to the additional pages required for the website. It was agreed that a public services page should be added plus a page listing the various businesses in the parish with a link to further advertising for individual businesses for a nominal charge.

**37 ASPATRIA RURAL PARTNERSHIP**

The minutes of the last meeting of the Aspatria Rural Partnership had been circulated. A discussion took place about the problems of a representative from the parish attending the meetings held on a Thursday afternoon. Cllr Watson advised he may be able to attend the next meeting of the Partnership on 4<sup>th</sup> September. It was therefore agreed to defer a decision on whether to join the partnership until the next parish council meeting. It was reported there would be no cost to the parish council joining the partnership.

**38 UNITED UTILITIES – WEST CUMBRIA WATER SUPPLY PROJECT**

It was reported that The Secretary of State has decided to call in for an examination in public of United Utilities revised draft Water Resources Management Plan.

A response from United Utilities had not been received to the parish council's request for clarification on several points if Option C (Bothel Moor area) is chosen. The Clerk was requested to send a follow up letter requesting a response to the parish council's letter.

**39 ACCESS TO NOTICE BOARDS**

Following a discussion it was RESOLVED that the current arrangements for access to the notice boards should remain. Only parish councillors and the clerk to hold keys to the locked part of the notice boards.

**40 REVISION OF STANDING ORDERS**

Revised standing orders were circulated with the agenda with amendments to reflect the changes to the Code of Conduct and the introduction of the Localism Act. An amendment was also made to standing order 5(a) to state that the summons to meetings can be served by email. RESOLVED that the revised standing orders be adopted.

**41 DATE OF NEXT MEETING**

The next meeting will be held on Tuesday 9<sup>th</sup> September, 2014.

The meeting closed at 8.50 p.m.

Signed.....Date.....