

# *Lindal and Marton Parish Council*

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Councillors:-  
Mr A Waite (462922) Mr R Lord (464034) Ms S Rainbow (462383) Mr D Howarth (463304) Mrs S Kelly (465343)

## **Minutes of the meeting of the Parish Council held on Tuesday, 11th August 2009 at 7.30 pm in the Buccleuch Hall, Lindal.**

NB. This meeting was in place of that which had been scheduled for Thursday, 6<sup>th</sup> August 2009, which was cancelled due to lack of a quorum.

**Present:-** Councillors A Waite (Chairman); R Lord; D Howarth..

**Apologies:-** Mrs S Kelly; Ms S Rainbow.

**Also present:** - 11 members of the public.

**In attendance:-** PCSO Louise Perry, Cumbria Constabulary.

### **75/09 Urgent business. Items normally needing to be publicised but received too late for the agenda. (Section 100B (4) (b) Local Government Act 1972)**

None.

### **76/09 Disclosure of Interests.**

None.

### **77/09 Minutes of the meeting held on Thursday, 2<sup>nd</sup> July 2009.**

The minutes of the meeting held on Thursday, 2<sup>nd</sup> July 2009 were taken as read and APPROVED.

PROPOSED:- Councillor D Howarth

SECONDED:- Councillor R Lord. Carried unanimously.

### **78/09 Matters arising.**

- a) 65/09 (b) Councillor Lord reported that the sign for Guards Road had now been affixed to the wall.

- b) 65/09 (a) Councillor Howarth asked whether there had been any further developments regarding traffic-calming measures for the road past the school. The Clerk confirmed that there was no further information.
- c) 65/09 (c) Councillor Howarth enquired regarding the apparent dumping of spoil on the roadside near to Henning. The Clerk confirmed that the matter was in the hands of the Local Authority and that he had no further information.
- d) 69/09 Councillor Howarth asked whether there was any further information about waste disposal, particularly insofar as the Parish was concerned. It was confirmed that no more information was available.
- e) 73/09 (c) Councillor Waite reported that the County Council was arranging for a new lamp post to be erected in Marton in place of the damaged telegraph pole which had previously held the street lamp.
- f) 70/09 (a) The Clerk reported that he had asked Barrow Borough Council's planning committee to undertake a site-visit before they decided upon the planning application in relation to Fell View, Marton. However, such committee was unable to support the Parish Council's recommendation to allow the applicant to park on his forecourt, supporting the planning official's recommendation (not to approve the applicant's request) instead.

#### **79/09 Attendance of Officer from Cumbria Constabulary.**

PCSO Louise Perry, from Cumbria Constabulary, was in attendance but there was nothing of any significance to discuss.

#### **80/09 Report of School Governors. Submission of minutes – if any.**

There were no minutes for consideration.

#### **81/09 Lindal Village Green.**

The Clerk confirmed that the damaged railings had finally been repaired and also that the hole by the hard-standing at the entrance gate had been filled in. (*vide minute 73/09 (f), July 2009*).

#### **82/09 BT telephone kiosk, The Green, Lindal.**

The Clerk reported that the Evening Mail's "Action Desk" had been in touch with BT regarding the condition of the telephone kiosk and the need for its exterior to be cleaned and repainted. Unfortunately, BT's response was to confirm that the inside of the kiosk had been cleaned very recently, seemingly unaware that the problem was in connection with the exterior. They also repeated that the repainting was scheduled for "this year", without any indication of a time-scale.

The Clerk had pointed out to "Action Desk" that there appeared to be some confusion over what required cleaning but, in the absence of any feed-back from the journalist concerned, he assumed that no further action was being contemplated.

He also reported that information had just been received from BT Payphones suggesting that the kiosks in both Lindal and Marton would probably be de-commissioned in the not-too-distant future on economic grounds with the kiosks declared "surplus to requirements" and available to local communities to "adopt". Such adoptions had already occurred in other parts of the country, with communities using them for purposes ranging from mini art galleries to information centres.

It was AGREED that

- no action be taken on the suggestion that the Parish Council seek authorisation to be re-paint the Lindal kiosk,
- The Residents Association be advised of the "adoption" suggestion,

- Councillor Kelly be requested to publicise the matter within her hair-dressing salon by means of personally mentioning it to her clients,
- The Clerk seek further information from BT Payphones regarding re-painting, etc before any adoption,
- The Clerk confer with Barrow Borough Council to clarify any planning issues,
- The matter be placed on the agenda for the September meeting.

#### **83/09 Barrow Council. Review of gambling policy.**

The Clerk reported that Barrow Borough Council was required to review its Gambling Policy, which was created following the introduction of the Gambling Act, 2005. The Policy is common to all the local authorities within Cumbria in order to provide consistency across the county. A draft of a revised and updated policy has been produced and interested bodies can comment by 25<sup>th</sup> September 2009. It was AGREED that the draft be placed in the circulation file and that it be an agenda item for the September meeting.

#### **84/09 Cumbria County Council. Strategic Housing Market Assessment.**

Reference was made to the document from the Cumbria Housing Group, a County-wide forum for the assessment of housing needs/economic development in Cumbria, and the Clerk pointed out that the information relating to Barrow and district was not yet available. It was AGREED that this be an agenda item for the September meeting.

#### **85/09 Planning applications relating to the Parish.**

- a) **2009/0234. Appeal against refusal of planning permission for the erection of a block of 3 stables, Snipe Ghyll, Marton.** It was PROPOSED by Councillor Lord and SECONDED by Councillor Howarth that, *“in view of the fact that no representations had been made to the Council from either the appellant or anybody else, no action be taken regarding this appeal”*

Carried unanimously.

- b) **2009/1126. Variation of conditions 3 and 15 of planning permission 1997/0218, to remove requirement for a separate access road for Lindal Business Park.** It was confirmed that a proposed development of additional visitor attractions at Lindal Business Park (Colony Candles site) had been given planning permission in 1998 with a condition that a “relief” road had to be provided to run behind the allotments on London Road and that this be completed before the visitor attractions be brought into use. The current application was to have these conditions lifted, the applicant stating that the highway authority considered that such relief road was no longer necessary and that access to the Business Park could be via London Road only.

It was PROPOSED by Councillor Lord and SECONDED by Councillor Howarth that:-

*“the Parish Council register its strongest objections to the application. The value of the relief road was in diverting traffic from running in front of the houses on London Road and if the additional traffic from the development was allowed to use London Road this would be detrimental to the safety and well-being of the residents. The letter from the applicant’s agent was noted (Barden Planning Consultants to Barrow Borough Council, 6<sup>th</sup> July 2009) whereby it was claimed that the highway authority*

*“saw no reason to divert the road in this way, believing that London Road was entirely adequate.....to deal with the level of traffic proposed.”*

*In the absence of any written evidence of the highway authority's view, this assertion was viewed with some scepticism.*

*The Council accepted that, irrespective of whether any relief road was created, the additional traffic generated by the Business Park development would need to use the existing A590/London Road junction, with all that that would mean regarding road safety and quality of life for local residents. In that context it noted previous comments made by the Area Engineer for Cumbria Highways in August 2006 to the applicant's agents (CS/HI/SJS/2.01 – 21<sup>st</sup> August 2006) when it was stated*

*“Even back in 1987 the Lindal crossroads were described as **busy** and identified as a constraint to development by the County Council”*

*and*

*“Where is the proposed improvement for London Road/A590(T)? The junction was substandard a number of years ago, any future expansion will only increase the opportunities for an increase in collisions at this junction, in addition, the traffic flows have increased since the original planning application was made.”*

*The Council noted with dismay that, even with the latest application(s) there were still no proposals to resolve this problem.*

*The Council recognized that, should this application be rejected, the development of the visitor attractions could still proceed, with the consequential additional problems at the junction, providing that conditions 3 and 15 were met in full (albeit that there might be other difficulties to be overcome by the applicant) but felt that this would be the lesser of two evils in that the relief road would divert traffic from running in front of the houses on London Road”.*

Carried unanimously.

- c) **2009/1127. Alterations to London Road, Lindal, to improve it as an appropriate access to approved visitor facilities at Lindal Business Park.** It was explained that, should application 2009/1126 be approved, with access to the Business Park being purely via London Road, the applicants were suggesting that improvements could be made to London Road for pedestrians by utilising the currently-unused pedestrian bridge which runs alongside the railway bridge and by providing a short length of footpath leading up to the footbridge. In addition, there would be minor adjustments to the corner of London Road as it met the A590, to assist vehicles turning left.

It was PROPOSED by Councillor Waite and SECONDED by Councillor Howarth that

*“This application be opposed. The applicant had estimated that the visitor facilities would generate approximately 50% more traffic for London Road and, given the narrowness of the road, coupled with the lack of off-street parking, this additional burden would be an unreasonable imposition on the residents. In addition, the proposal to create a short length of footpath leading up to the footbridge was seen as a retrograde step in that it would result in a further narrowing of an already-narrow road.*

*The Council also noted comments from the Area Engineer of Cumbria Highways (CS/HI/SJS/2.01) – see 85/09 (b) above – when it was stated*

*“it has to be accepted that the approach of the road-over-rail crossing is of an unacceptable standard in terms of containing **vehicle incursion onto the railway**. The events at Selby have served to highlight this issue and a Road Vehicle Incursion Risk Ranking exercise will be required.”*

*and*

*“The existing bridge is inadequate.”*

*Bearing in mind the comprehensive nature of the various caveats embodied within the Area Engineer's letter regarding safety and the railway bridge, the Council would expect a comprehensive risk analysis to be undertaken before any plans were agreed which would lead to any increase in the traffic.*

*The Council was similarly concerned that the only proposal within the application regarding the London Road/A590 junction was to improve the turning arc for traffic leaving London Road and turning left onto the A590. Even with the existing levels of traffic, the narrowness of London Road can cause difficulties for HGVs and the like wanting to turn left off the A590 into London Road if other vehicles are waiting at the junction: equally, such traffic waiting at the junction experiences major problems when trying to cross the traffic stream if turning right. These difficulties can only be exacerbated if no attempt is made to address these fundamental issues."*

Carried unanimously.

#### **86/09 Correspondence.**

- a) Planning applications outwith the Parish. NOTED.
- b) Duddon Estuary Committee. Agenda re meeting on 15<sup>th</sup> July. NOTED.
- c) Barrow Borough Council. Minutes 21/4/09 to 27/4/09 and 12/5/09 to 9/7/09. NOTED.
- d) Cumbria Highways newsletter. NOTED.
- e) Northwest Regional Plan Review. NOTED.

#### **87/09 Finance.**

- a) Cash balances :- Current account £50 Reserve account:- £3164.58.
- b) Annual Audit. Report by Audit Commissioner's auditors. The Clerk submitted the Annual Return, which had been returned by the auditors with only one comment, in relation to a discrepancy of £1 which stemmed from the need to "round up or down" all cash totals. The Parish Council was required to formally accept the Annual Return, as audited, and it was, therefore, PROPOSED by Councillor Lord and SECONDED by Councillor Howarth that the Return be duly accepted. Carried unanimously.
- c) The Clerk requested approval for payment of the auditor's invoice in the sum of £57.50 and a petty cash cheque in the sum of £18.79. It was PROPOSED by Councillor Howarth and SECONDED by Councillor Lord that such amounts be approved and cheques signed. Carried unanimously.

#### **88/09 Any Other Business.**

Councillor Waite mentioned that on a recent visit to Scotland he had seen an example of a village notice board which was sheltered from the elements by means of an arch/alcove under which people could stand. Items available for perusal included Parish Council information, minutes etc; a potted history of the area; a map of local footpaths and points of interest. It was AGREED that this would be a useful subject for further discussion, particularly in the light of possible developments with the BT Payphone kiosks as mentioned above.

#### **89/09 Date and Time of Next Meeting.**

It was AGREED that the next meeting would take place on Thursday 3<sup>rd</sup> September 2009, at 7.30 pm in the Buccleuch Hall, Lindal.

*(All residents of the Parish are reminded that the Council meetings are open to the public and that all are welcome to attend.)*