

**PARISH OF OVER KELLET**

**Draft Minutes of the Meeting of the Parish Council held at the  
Wilson's Endowed C of E Primary School on Tuesday 13<sup>th</sup> March 2018 at 7-15pm.**

**Present:** Councillor Mr N Ward - Chair  
Councillor Mr S Atkins  
Councillor Mrs M Fowler  
Councillor Mrs R Lauder  
Councillor Mr M May

**In attendance:** Ward Councillor Mr JR Mace and members of the public

- 1 APOLOGIES FOR ABSENCE:** Apologies were received from Councillor Mr G Agnew. Apologies were subsequently received from County Councillor Mrs P Williamson.
- 2 MINUTES:** It was **RESOLVED** that Minutes of the meeting held on **Tuesday 13<sup>th</sup> February 2018** be approved and signed.
- 3 DECLARATIONS OF INTEREST:** There were no declarations of interest relating to items on the Agenda for this meeting but as members of the Village Hall Committee Councillors Lauder and May wish to record a dispensation on Agenda item 4 iii) in respect of the storage of emergency plan and parish council equipment at the Village Hall.
- 4 ADJOURNMENT FOR PUBLIC DISCUSSION & INFORMATION ONLY UPDATES:**
  - (i) Public Discussion:** Residents noted that notices had been posted around the village about a consultation on a proposed housing development in the North East Edge of the village. Residents were advised that this was a consultation being carried out by the developers, Russell Armer Homes. The Chair, informed residents that it would not be appropriate for the Parish Council to comment on the proposals until the planning application has been submitted and formal consultation has been requested by the principal authority, Lancaster City Council.

It was noted, however, that this proposal was the subject of a previous application in late 2014 that was subsequently withdrawn and residents were advised that the Parish Council had submitted a Freedom of Information (FOI) request for details of all the pre-application advice that the City Council has provided to Russell Armer, relating to the new application and the one in 2014. The FOI has been acknowledged but no details provided yet.

A resident raised concerns about overgrown trees and ivy that are on the school grounds that need to be addressed and better controlled. **The Clerk was requested to write to the school about this matter.**
  - (ii) Clerks report on activities and actions:** The Clerk presented his report on activities during February that are not otherwise covered by the Agenda. Service requests have been reported using via [Fixmystreet.com](http://Fixmystreet.com) including a dangerous pothole that has been outstanding for several weeks.

The Clerk had written to, and received a positive response from the Witherslack Group that action will be taken to improve driver behaviour/vehicle parking outside the Old Vicarage (Merefell) and surrounding properties.

As requested representation has been made to Lancashire County Council against the proposals to close ticket information centres, including the one at Carnforth Station. Residents are encouraged to send their views on the proposals to the County Council via the email address: [haveyoursay@lancashire.gov.uk](mailto:haveyoursay@lancashire.gov.uk). Residents were advised that the eight-week consultation began will close on Sunday 29 April 2018.

The Annual Meeting and Assembly will be held on Tuesday 15<sup>th</sup> May. A flyer has been produced and arrangements will be made shortly to invite organisations to attend the event. The first meeting to discuss the development of a new Parish Plan was held on Tuesday 6<sup>th</sup> March attended by Parish Council Members and residents.

It was a very positive meeting and several actions were agreed starting with the development of questionnaire to gain an insight into the things that are relevant and important to people in the community. This will help to inform the production of a Parish Plan that is a clear statement of how the community sees itself developing over the next few years. A broad timetable has been agreed to produce a final version of the Plan for the period 2019 – 2022 by 31<sup>st</sup> December 2018.

The Clerk's report set out correspondence received in the last month. **The Clerk's report was noted.**

**(iii) Members provided the following updates on issues arising since the last meeting:**

**Quarry Matters:** The Chair reported on the main matters arising from the bi-annual meeting held on 6<sup>th</sup> March for Dunald Mill and Leapers Wood quarries attended by Councillors from Over Kellet and Nether Kellet Parish Council's; Carnforth Town Council; the Ward Councillor, Councillor Mace and a representative from the Quarry. The meeting in respect of the Back Lane Quarry will be held on 27<sup>th</sup> March.

It was reported that that general maintenance and restoration work is ongoing at Dunald Mill and will continue for several months. With the purchase of a new crusher it had been hoped that work would be completed in daylight hours at Leapers Wood, but problems with the machine has resulted in further night working, although it is hoped that this will be discontinued by the end of March. Plans to relocate the offices and concrete plant were scuppered by exceptional rainfall which has delayed the move until later in the year. Production is slightly down and two complaints have made been in the last 6 months, although these were well within permitted limits but may have sounded different given that they took place in the west quarry that has not been blasted for many years and the geology of the area.

**Footpaths & PRow:** The Kissing Gates and surrounding area needs attention and it was suggested that this could be undertaken by the Cumbria and Lancashire Community Payback Scheme.

Several concerns were raised about the general state of footpaths including:

- Footpath by the school around 1 and 3 Leapers View, that has become broken and dangerous. Drainage and issues with the gutters have added to the problem causing water to drain onto the footpath;
- Footpath at Top Green and Greenways needs attention. The work has been costed with a view to it being funded by the Parish Council, although it is understood that this is the responsibility of Lancashire County Council it is felt unlikely that they will be in a position to do any work on it;
- Footpath at Greenways and Church Bank – the Lengthsman will tidy up but gravel is needed to make good and, longer term, a drainage system probably needs to be in place.

There followed a discussion about general responsibilities around the maintenance of footpaths and whether the Parish Council had a general power that would allow it repair and maintain public footpaths. **The Clerk was asked to find out and report back to Members for further consideration at the next meeting of the Parish Council;**

**B4RN:** A working party to do further digging for cabling / ducting has been arranged. Volunteers are always welcome to join in with the digs.

**STORAGE OF EMERGENCY PLAN & PARISH COUNCIL EQUIPMENT:** Further enquiries have been with the Village Hall Committee about the storage of equipment and options and associated costings were discussed. Further clarification will be sought and arrangements agreed by/at the next meeting of the Parish Council.

**Report of District and County Councillors:** Nothing to report

**5 PLANNING APPLICATIONS:**

Application No / Description	Parish Council Comment / Application Decision Status
<p><b>18/00028/CU</b> -Change of use of land for the siting of 36 static caravans/lodges including retrospective raising of land levels, creation of a new road and installation of a sewage treatment plant - Castleview Caravan Parks Castle View Park Borwick Road LA6 1FE</p>	<p><b>Parish Council Objection.</b> Awaiting decision</p>
<p><b>18/00085/FUL:</b> Demolition of detached garage &amp; existing conservatory, erection of a single storey rear extension and a single storey side extension -10 Hall Garth Gardens Over Kellet LA6 1BY</p>	<p><b>No comment</b> – Awaiting decision</p>
<p><b>17/01311/FUL:</b> Demolition of existing machinery store and stables, erection of an agricultural building for free range laying unit, change of use of existing agricultural building for egg packing facilities, construction of two bulk feed bins, installation of staff facilities with associated package treatment unit and associated landscaping - Martin Mulligan, Parsons Field Restarigg Farm Kirkby Lonsdale Road Arkholme LA6 1BQ</p>	<p><b>Parish Council Objection.</b> Awaiting decision</p>
<p><b>17/01133/FUL:</b> Erection of car showroom, maintenance workshop and preparation building, display area, storage compound with associated access and landscaping - Parker and Parker Limited Land North off Kellet Road</p>	<p><b>Objection /</b> Awaiting decision</p>
<p><b>18/00125/EIR</b> - Screening opinion related to 17/01133/FUL above</p>	<p><b>No further comment</b> – Awaiting decision</p>
<p><b>18/00038/FUL</b> - Erection of a 2-storey dwelling and creation of a vehicular access - Mr Metcalfe Old Hall Kirkby Lonsdale Road Over Kellet LA6 1DA</p>	<p><b>No Comment /</b> Awaiting decision</p>
<p><b>18/00087/FUL</b> - Demolition of agricultural buildings, change of use and conversion of three agricultural barns into four 4-bed dwellings (C3) and erection of four 2-storey detached dwellings (C3) with associated access - Old Hall Farm Kirkby Lonsdale Road Over Kellet LA6 1DA</p>	<p><b>Comment submitted</b> - Awaiting decision</p>
<p><b>18/00088/LB</b> – Listed building application relating to 18/00087/FUL above</p>	<p><b>Comment submitted</b> – Awaiting decision</p>
<p><b>18/00187/FUL</b> - Extension to existing building to provide covered midden, Field 9759 Kellet Lane Over Kellet Lancashire- Mr Andrew Thompson</p>	<p><b>New application</b></p>

Members commented on the planning applications and their status, providing further updates as necessary.

The Chair advised that he and Councillor May had recently visited Restarigg Farm at the applicant's request regarding planning application 17/01311/FUL. Considering the information provided by the applicant on his plans for the new agricultural building and having seen first-hand the high standard of maintenance and general health of the chickens, together with assurances provided by the Environment Agency, it was recommended that the Parish Council's objection to this application be withdrawn.

Councillor May drew Members attention to a new application number 18/00236/FUL, not shown on the Agenda being: Replacement of flat garage roof with a slate pitched roof.

After some discussion, it was **RESOLVED** that the latest position on planning applications be noted; that the planning authority be informed that the Parish Council withdraws its objection to Planning Application 17/01311/FUL and that no representations be made in respect of Planning Application Numbers: 18/00187/FUL and 18/00236/FUL

**6 PAYMENT OF ACCOUNTS:**

1113	Mr R Bailey, Clerks Fee and Expenses January 2018	£305.16
1114	Lesley Gee – Paediatric pads for the village defibrillator	£ 66.00
1115	Twinning Association Annual contribution	£ 7.00
1116	Mr G Agnew – Folders for Emergency Plan	£ 19.93
1117	Wilson's Endowed School – Hire of Hall for Parish Meetings 2017/2018	£250.00

It was **RESOLVED** that the above accounts be paid.

**7 APPOINTMENT OF INTERNAL AUDITOR:** The Clerk informed Members that as set out in the *Governance Plan*, previously reported, he had approached and had subsequently received an expression of interest from a qualified public service accountant to be the appointed Internal Auditor for the audit of the Parish Council accounts for the year ending 31<sup>st</sup> March 2018.

Members were advised that the individual has many years' experience as a local government Internal Audit Manager and it was then **RESOLVED** that, subject to the receipt of a CV and confirmation of the cost of undertaking the internal audit, Derek Whiteway CPFA be appointed as Internal Auditor for the financial year ended 31<sup>st</sup> March 2018.

**8 RISK ASSESSMENT 2018/2019:** The Clerk advised that as a local council it has a responsibility for ensuring that its financial management is adequate and effective and that it must have a sound system of internal control that facilitates the performance of its statutory functions and powers and includes internal audit and the management of risk. This requires a review of the effectiveness of its system of internal control at least once a year.

Considering this, and the previous qualification of the council's accounts the Clerk presented an assessment of the work activities of the parish council, including the potential for things going wrong, the impact if they did and what controls are, or should be in place to eliminate or reduce the risks. The Clerk advised that as well as physical risks there could also be financial; legislative; technological; reputational or operational risks.

Members asked several questions and commented on the content of the document and it was then **RESOLVED** that, subject a minor amendment, the Risk Assessment 2018/2019 be approved and reviewed annually.

**9 LANCASTER DISTRICT LOCAL PLAN 2011 – 2031:** Members considered two key elements of the developing Local Plan being the Strategic Policies and Land Allocations Development Plan document (DPD) and a review of the Development Management DPD, originally adopted in 2014. The Clerk advised that the reported that the Strategic Policies and Land Allocations DPD *'...sets out the strategic basis for plan-making within the Lancaster district up to 2031, it sets out the scale of growth required and how that growth will be delivered.*

*The DPD sets out a range of allocations which address the delivery of new development and the protection of land for its environmental, economic and social value'. The Development Management DPD provides '...updated advice and guidance to reflect any changing circumstances over recent years'.*

It was reported that the statutory eight-week period for making representations relating to both DPD's is **Friday 9th February to 5pm on Friday 6th April 2018**. Members were advised that only comments on the 'soundness' and/or 'legal compliance' of these documents will be considered.

Members noted the detail and evidence set out in the DPD's and that upon adoption they will be the key documents in the Local Plan that will set out requirements, in planning terms, upon which all planning applications will be considered until 2031.

Members commented that the Parish Council had previously commented on a Sustainable Settlements Review that has yet to be completed and it was felt that given that this is not yet available the 'soundness' of the DPD's is questionable. Councillor Mace said that he understands that both Over Kellet and Nether Kellet are identified as sustainable settlements and agreed with the view that since the Sustainable Settlements Review had not been made available until some weeks into the consultation on the two DPD's now under consideration, their 'soundness' could be challenged.

After further discussion, it was **RESOLVED** that the Parish Council makes a representation that the soundness of the Local Plan is questionable on the basis that the Sustainable Settlements Review has yet to be completed and made available for consideration and comment.

- 10 EMPLOYMENT AND SKILLS SUPPLEMENTARY PLANNING DOCUMENT:** The Clerk reported that Lancaster City Council are currently consulting on this document which seeks to encourage and deliver more training opportunities and apprenticeships for local people through new development. Members were informed that the consultation period for this document is a four-week period from **Monday 26th February to 5pm on Monday 29th March 2018**

Members noted, favourably, that the implementation of this SPD will make it a condition that employment and skills form part of any planning permission to ensure that local labour will be used during the construction phase of schemes and that local people will be provided with the opportunity for training and apprenticeships.

There was a slight concern as to whether this would have an impact on other priorities such as the building of affordable homes, but after further discussion, it was **RESOLVED** that principles of the Employment and Skills SPD be noted without comment.

- 11 LOBBY DAY 2018:** The Clerk reported on the Lobby Day to be held on 20<sup>th</sup> March which the National Association of Local Council's (NALC) is promoting as a means of raising the profile of local councils with Members of Parliament, including Government Ministers. NALC are seeking to increase the influence of local councils with Government and to inform them of the achievements of local councils and to seek their support for changes that will help local councils to fulfil their potential and put 'communities back in control'.

Members **RESOLVED** to note the aims of the Lobby Day, the NALC proposals and the increased influence that they are seeking to achieve from Government.

- 12 GENERAL DATA PROTECTION REGULATIONS (GDPR):** The Clerk reported on the main concepts and principles of GDPR that will apply from 25<sup>th</sup> May 2018. Members were advised that, essentially, GDPR is an update and review of the Data Protection Act 1998 taking account of technological advances whilst placing a greater emphasis on more accountability and transparency when dealing with personal data and the rights of individuals should a breach occur.

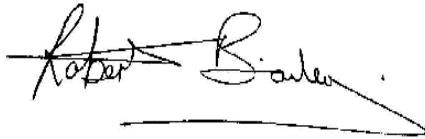
Members attention was drawn to a 12-step guidance provided by the Information Commissioners Office to prepare for the implications of GDPR. Members noted that not all steps are relevant to the activities of the Parish Council and that a sense of proportionately was needed.

The Clerk reported that further guidance on the direct implications and actions needed to ensure compliance will be provided by the Society of Local Council Clerks (SLCC) in week commencing 26<sup>th</sup> March. This will include advice on whether Parish Clerks can be appointed as the Data Protection Officer for small councils.

It was then **RESOLVED** that the Parish Clerk provide a further update on GDPR at the April meeting of the Parish Council.

**13 DATE & TIME OF NEXT MEETING:** The next meeting of the Parish Council will be **Wednesday 13<sup>th</sup> April 2018 commencing at 7:15pm.**

The meeting closed at 8:35pm

A handwritten signature in black ink, appearing to read "Robert B. Baker". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Clerk of the Council

Chair

Date: