

OVER KELLET PARISH COUNCIL

**Parish Council Meeting to be held at the Over Kellet Village Hall on
Tuesday, 13^h February 2024, commencing at 7.15pm**

A G E N D A

1. **Apologies.**
2. **Minutes of the Parish Council Meeting held on Tuesday, 9th January 2024** (attached).
3. **Declarations of Interest.**
4. **Planning Applications.** To consider and comment on the following new planning application consultations received since the last meeting.

| Application No: | Description |
|---------------------------------------|---|
| 24/00034/FUL | Change of use of agricultural land to site six holiday lodges with associated hardstanding and internal access road, installation of a package treatment plant and drainage infrastructure. Land To The North Of Capernwray House, Hobsons Lane, Capernwray. Consultation Deadline – 3rd February 2024 |
| 23/01413/FUL & 23/01414/LB | Alterations to convert attached former barn/storage room to include installation of doors to existing opening to rear (north west) elevation, remediation works to gable wall, replacement of window in gable wall and in rear elevation including replacement heads and cills, replacement of the window to the front (south east) elevation with a door, installation of roof lights to the rear slope, relocation of flue onto rear roof slope, works to courtyard to provide disabled access ramp, erection of a greenhouse and associated landscaping works. Yew Tree House, Kirkby Lonsdale Road, Over Kellet. Consultation Deadline – 17th February 2024 |
| 24/00112/FUL | Construction of arena for horses including alterations to land levels, erection of boundary fencing and associated landscaping. Pastordale Farm, Kellet Lane, Over Kellet. Consultation Deadline – 24th February 2024 |
| Pre-Application Consultation | City Council Member Engagement Forum - McDonalds Carnforth. Consultation Deadline – 16th February 2024 |

5. **Planning Authority Decisions.** To receive an update on previously considered applications. Clerk's report attached.
6. **Consultation on Traffic Regulation Orders - A6070 Carnforth.** To consider the Parish Council's response.
7. **Biodiversity Small Grants Scheme.** To consider proposals for applying funding received. Councillor Johnson to report.

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8. **Designation of Community Assets.** To consider progress with a proposal that the Council should apply for The Eagle's Head to be designated as an Asset of Community Value.
9. **Church Bank Local Green Space.** To consider progress in seeking a formal designation of the Green as a 'Green Space'.
10. **Parish Council Website and Email Addresses.** To consider changes in 'proper practice' regarding email addresses. Clerk's report attached.
11. **Public Discussion and Update Reports.** To adjourn the meeting for a period of public discussion and to provide 'information only' updates on activities in recent weeks. (Note: Any matters needing a 'decision' will be considered as an agenda item at a future meeting).
 1. Public discussion
 2. Clerk's report on activities and correspondence since the last meeting
 3. Members updates and reports since the last meeting, including:

| | | |
|---------------|------------------|-----------------|
| 1) LALC | 2) Quarries | 3) Village Hall |
| 4) Lengthsman | 5) Other Matters | |
 4. Report of District and County Councillors
12. **Payments.** To authorise payment of accounts. Report attached.
13. To confirm the **date and time of the next meeting.**

Derek Whiteway, Parish Clerk
7th February 2024

Tel: 01524 64908
Email: clerk@overkelletpc.org

OVER KELLET PARISH COUNCIL

Minutes of the Meeting of the Parish Council, held at the Over Kellet Village Hall on Tuesday, 9th January 2024 at 7.15pm

Present: Councillor Graham Agnew – Chairman
Councillors David Burns, Derek Johnson, Liz Moody and Mathew Towers.
Derek Whiteway (Parish Clerk)

In attendance: 5 members of the public.

23/099 Apologies For Absence

Apologies were received from Councillors William Candlin and Josie Candlin, City Councillor James Sommerville and County Councillor Phillippa Williamson.

23/100 Minutes of the Meeting of the Parish Council, held on Tuesday, 12th December 2023

Resolved: That the Minutes of the Meeting of the Parish Council, held on Tuesday, 12th December 2023 be approved and signed without further amendment.

Matters Arising from the Minutes

1. Minute 23/089(2) – Post Boxes

The Chairman referred to the Royal Mail's failure to consult on the closure of the post-box at the former village store. It was agreed that the Royal Mail's advice concerning door-to-door collections be publicised in Over Kellet View.

Action: An item will be submitted for inclusion in Over Kellet View to publicise the Royal Mail's advice concerning door-to-door collections.

2. Minute 23/089(4) and 23/089(5) Response to Resident's Emails

The Clerk and Chairman are to finalise the Council's response to emails received from a resident concerning planning application 23/00518/FUL and the village Conservation Areas, and arrangements for the Parish's Act of Remembrance.

Action: The Clerk and Chairman are to finalise the response to the resident.

3. Minute 23/096(1) - Footpath FP0124009

The Chairman reported that some work had been undertaken to clear leaves and debris from the footpath, leaving the surface clearer but still damp.

4. Minute 23/096(2) – Flooding at Resident's Property.

County Councillor Williamson has reported that relevant staff from the county Council had arranged to visit the property to investigate the issues.

5. Minute 23/096(3) – School Playground Refurbishment

The Clerk had received no further update from the Headteacher regarding progress with the refurbishment and potential for adding a new slide.

23/101 Declarations of Interest

No further declarations or changes to existing declarations were made.

23/102 New Planning Consultations

The following new planning applications were considered. It was resolved to respond as set out against each individual case.

| Application No: | Description |
|-----------------|--|
| 23/01387/FUL | Erection of a single storey detached outbuilding. 7A Woodlands View Over Kellet. Resolved: No comments submitted |
| 23/01452/FUL | Retrospective application for the erection of a detached outbuilding to the front elevation. Westerdale, Moor Close Lane, Over Kellet. Resolved: A response is to be submitted, not objecting in principle to the application, but asking that representations submitted by individual residents are given due consideration. |
| 23/01462/FUL | Part retrospective application for the erection of an agricultural storage building. Field At Grid Reference 351950 471570, Netherbeck, Carnforth. Resolved: No comments submitted |
| 23/01411/FUL | Demolition of one existing barn, erection of agricultural building and creation of a pond. Havelock House, Borwick Road, Capernwray. Resolved: No comments submitted |
| 23/01474/FUL | Erection of a two storey side extension, construction of raised decking, installation of external steps, erection of a detached garage ad associated landscaping. Old Watermill, Capernwray Road, Capernwray. Resolved: No comments submitted |

Kellet Bridge Farm – Haulage Operator Licence Application

The Chairman referred to a recently advertised application to the Traffic Commissioner to establish a haulage operating centre at Kellet Bridge Farm. It had been established that the Parish Council was not a statutory consultee on the application, but that representations could be made to other relevant authorities. Councillors agreed that objections to the application should be sent to Lancashire County Council and the Canal and River Trust concerning the potential traffic and environmental impacts on the village and surrounding highways and properties.

Resolved: That the Parish Council should make representations to Lancashire County Council and the Canal and River Trust objecting to the application.

23/103 Planning Authority Decisions

The Clerk presented an update report, which was accepted and noted by Councillors.

Resolved: That the Clerk's report is noted

23/104 Parish Council Budget and Precept 2024/25

The Clerk presented a report covering revised budget estimates for 2023/24 and a draft budget for 2024/25. General account balances of £9,129 were being projected for 2023/24. A net budget requirement for 2024/25 of £10,010 was estimated. Lancaster City Council had advised that the Parish's Council Tax Base had increased from 368.88 to 404.65.

The Clerk provided a range of options for the precept. Following discussion, the Chairman proposed, and Councillors agreed, that the precept figure be set at £10,000, which would result in a 2% increase in the Parish's annual charge to residents.

Councillors unanimously resolved that:

- a) a target level of general reserve of £8,000 is endorsed;
- b) the draft budget for 2024/25 is approved; and
- c) the precept for 2024/25 is set at £10,000 and notified to Lancaster City Council.

Resolved: That the Clerk's report is accepted and that:

- a) a target level of general reserve of £8,000 is endorsed.
- b) the draft budget for 2024/25 is approved.
- c) the precept for 2024/25 is set at £10,000 and notified to Lancaster City Council.

23/105 Local Delivery Scheme and Biodiversity Small Grants Scheme

Councillors discussed a range of potential projects under the Biodiversity Small Grants Scheme, including:

- a) Production and installation of a new interpretation board for The Dub;
- b) Purchase and installation of bat and swift boxes;
- c) Development of a further wildflowering area within the parish, possibly at the Millennium Stone;
- d) Educational installations or resources at the Village Hall.

It was agreed that proposals on the above should be developed for consideration at the February meeting of the Parish Council.

Action: It was agreed that proposals for using the Biodiversity Small Grants Scheme funding (£600) should be developed for consideration at the February meeting of the Parish Council.

Action: The scheme and the Parish Council's deliberations will be publicised in Over Kellet View, seeking ideas and expressions of interest from residents.

23/106 Designation of Community Assets

It was agreed that the Clerk should use information received so far to develop an initial draft ACV Nomination Form for The Eagles Head.

Action: The Clerk will draft an ACV Nomination Form for The Eagles Head, for consideration at the February meeting of the Parish Council.

23/107 Church Bank Green Space

It was agreed that the Clerk should use information received so far to develop an initial draft submission to the City Council seeking a 'green space' designation for the Church Bank Green

Action: The Clerk will draft a submission to the City Council seeking a 'green space' designation for the Church Bank Green, for consideration at the February meeting of the Parish Council.

23/108 Adjournment For Public Discussion and Information Only Updates:

Reports From Members of The Public:

No further matters were raised.

Clerk's Report:

1. **Lancashire Devolution.** The Clerk advised of an ongoing public consultation on proposals for devolution for Lancashire Councils.

Action: The Clerk will circulate details of the consultation to Councillors

2. **Old Hall Barn works.** The Clerk reported on correspondence with a resident and with the City Council's planning enforcement team regarding materials being used on the barn. Councillors agreed not to pursue the matter further and ask the resident to contact the City Council directly.

Action: The Clerk will contact the resident concerned and ask them to raise any concerns directly with Lancaster City Council.

Members' Reports:

3. **LALC.** The Clerk advised that LALC members were being consulted on proposals to reintroduce a Spring Conference.

Action: The Clerk will consider the consultation and report further to Councillors as necessary.

4. **Quarries.** Councillor Johnson reported that the Quarries' Public Exhibition into future operation proposals is to be held on 3rd April 2024 at Over Kellet Village Hall, from 1pm until 7pm.

A resident's query about the height of the bund at the Quarry viewpoint had been referred to Aggregate Industries and a response is awaited.

5. **Allotments.** Councillor Towers enquired about the terms of the Parish Council's allotments agreements and the fees being charged to the Allotments Association.

Action: The Clerk will report back on the terms and conditions of the Parish Council's agreements with the City Council and the Allotments Association.

6. **Village Hall.** Nothing to report.
7. **Lengthsman.** Nothing further to report.
8. **Other Matters.** None reported.

City and County Councillors' Reports:

None received.

23/109 PAYMENT OF ACCOUNTS

| Payee & Detail | £ |
|---|--------|
| Over Kellet Village Hall – Room Hire on 12/12/23 | 14.00 |
| Over Kellet Village Hall – Post Office Outreach Room Hires, August to November 2023. 34 hours @ £3.50 | 119.00 |
| Derek Whiteway – Parish Clerk salary and expenses, December 2023 | 235.76 |
| HMRC – PAYE deductions, December 2023 | 55.00 |

Resolved: That the above accounts are approved for payment

23/110 DATE & TIME OF NEXT MEETING

The next Council meeting is to be held on Tuesday, 13th February 2024 at the Over Kellet Village Hall, commencing at 7.15pm.

The meeting closed at 9:00pm

Clerk of the Council

Chairman

Date:

Agenda Item: 5

Planning Application Comments & Decisions

Update for January – February 2024

| Application Number / Description | Parish Council Comment | Planning Authority Decision / Status |
|--|---|--------------------------------------|
| Part A – Applications decided since the last update | | |
| 23/01452/FUL Retrospective application for the erection of a detached outbuilding to the front elevation. Westerdale, Moor Close Lane, Over Kellet. | Response submitted, not objecting in principle to the application, but asking that representations submitted by individual residents are given due consideration. (minute 23/102) | Application Permitted |
| 23/01387/FUL Erection of a single storey detached outbuilding. 7A Woodlands View, Over Kellet. | No comments submitted (minute 23/102) | Application Permitted |
| 23/01318/FUL Erection of a detached garage. The Barn, Kirkby Lonsdale Road, Over Kellet. | No comments submitted (Minute 23/091) | Application Permitted |

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|--|--|--|
| Part B – Undecided Applications | | |
| 22/00237/CCC and LCC/2022/0006 County Council Consultation request for the variation of condition 1 of planning permission LCC/2016/0061 to allow for continued operation of the concrete batching plant until 21 February 2034, with all buildings, plant and associated equipment being removed and the site restored by 21 February 2035. Dunald Mill Quarry, Long Dales Lane, Nether Kellet. PC Response: No comments to be submitted (Minute 21/118) | | |
| 22/01203/FUL Change of use of open space for the siting of 9 caravans with associated internal road, parking spaces, hardstanding and drainage and construction of a pond. McCarthy Caravan Parks, Castle View Park, Borwick Road, Capernwray. PC Response: No comments to be submitted (Minute 22/060) | | |
| 23/01103/FUL Erection of 5 dwellings and garages, construction of internal access roads, driveways and associated landscaping. Land To The Rear Of Old Hall Farm, Kirkby Lonsdale Road, Over Kellet. PC Response: A response is to be submitted drawing attention to concerns over highway and access implications of the proposals. (Minute 23/065) | | |

Part B – Undecided Applications

23/00025/REF (Planning Appeal) Appeal against refusal of planning permission. Erection of a dwelling (C3) with associated access. Land At Grid Reference E352250 N470040, Kirkby Lonsdale Road, Over Kellet.

PC Response: Comments are to be submitted, not objecting to the application, but drawing the Inspector's attention to the comments of the County Archaeology Unit and the City Council Conservation Officer. (Minute 23/065)

23/01400/FUL Erection of a veterinary referral clinic (Use Class E) with associated access, infrastructure, cycle shelter, bin store, pallet store, generator/fuel tank, parking and landscaping and installation of package treatment plant. Land To The North Of Porsche Centre South Lakes Electric Drive Carnforth.

PC Response: A response is to be submitted, not objecting in principle to the application, but raising concerns over: a lack of provision of solar panels; the bio corridor crossing the site; waste management arrangements; and errors regarding public transport services to the site. (Minute 23/091)

23/01462/FUL Part retrospective application for the erection of an agricultural storage building. Field At Grid Reference 351950 471570, Netherbeck, Carnforth.

PC Response: No comments submitted. (minute 23/102)

23/01411/FUL Demolition of one existing barn, erection of agricultural building and creation of a pond. Havelock House, Borwick Road, Capernwray.

PC Response: No comments submitted. (minute 23/102)

23/01474/FUL Erection of a two storey side extension, construction of raised decking, installation of external steps, erection of a detached garage and associated landscaping. Old Watermill, Capernwray Road, Capernwray.

PC Response: No comments submitted. (minute 23/102)

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Meeting Date: 13th February 2024

Agenda Item:

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Report of: The Parish Clerk

Parish Council Email Addresses – ‘Proper Practices’

Background

Under legislation, Parish Councils (as with other local authorities) are required to operate in accordance with ‘proper practices’ relating to governance and finance. For Parish Councils those proper practices are taken as being defined by the Joint Panel on Accountability and Governance (JPAG) in their ‘Practitioners’ Guide’ (the Guide). Our organisational link to the JPAG and the Guide is via Lancashire Association of Local Authorities (LALC) and the National Association of Local Authorities (NALC).

The JPAG conducts an annual review and issues a revised Practitioners Guide each year in advance of the financial year to which it relates. The 2023/24 Practitioners’ Guide was issued in March 2023. Under the definition of ‘proper practices’, the codes of practice included in the Guide are deemed to be mandatory.

The Guide is structured in line with the nine ‘assertions’ set out in the Annual Governance Statement section of the Annual Governance and Accountability Return (AGAR), with which long-standing Councillors will be familiar and which is completed in April/May each year.

Recent Developments

The 2023/24 Guide includes a new requirement regarding Councils’ use of email accounts. This is set out in paragraph 1.26 (page 12) of the Guide as a requirement regarding Governance Statement Assertion 3 - Compliance with laws, regulations and proper practices. Para 1.26 (also set out in the Addendum) states:

“Email management - every authority should have an email account that belongs to the council and to which the council has access – this ideally would be a .gov.uk or .org.uk address or could be an address linked to the council website.”

The Guide, at section 5 (page 56), includes ‘Supporting Information for Officers’, which includes four paragraphs (5.205-5.208) related to para 1.26. These are also set out in the Addendum.

Observations and Conclusions

As Councillors are aware, the Council’s website is a .org domain and my official email address is linked to that domain. With few exceptions, official email correspondence is issued through this email account on behalf of the Parish Council. I am therefore satisfied that the Parish Council’s current arrangements meet the wording of para 1.26.

I do, however, feel that the supporting information for officers in paras 5.205-5.208 suggest that further, more stringent requirements may be forthcoming. These could conceivably require the use of a .gov domain and the issuing of Councillors with an official email address linked to that domain. I would be surprised if any such measures did not involve additional expense for the Council.

I am trying to find out more information from LALC as to the likely direction on this.

Recommendations

At this stage, I am satisfied that the Parish Council will be able to provide a positive assertion in the 2023/24 Governance Statement and I am not recommending that any immediate action is necessary. I do feel it is important that Councillors are aware of the issue and able to consider whether to take a proactive approach at this stage.

Addendum

Extracts from the 'Practitioners' Guide 2023/24' issued by the JPAG

SECTION ONE — PROPER PRACTICES ANNUAL GOVERNANCE STATEMENT

Assertion 3 — Compliance with laws, regulations and proper practices

We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and proper practices that could have a significant financial effect on the ability of this smaller authority to conduct its business or on its finances.

To warrant a positive response to this assertion, the following processes need to be in place and effective:

- 1.26 Email management - every authority should have an email account that belongs to the council and to which the council has access – this ideally would be a .gov.uk or .org.uk address or could be an address linked to the council website.

SECTION FIVE — SUPPORTING INFORMATION FOR OFFICERS

The importance of secure email systems and GOV.UK

- 5.205 All authorities except parish meetings must now have an official website. To comply with GDPR, councils should provide official email accounts for their councillors as well as for their clerk and other officers.
- 5.206 When choosing a domain name for the council's website and emails, many local council websites are appropriately making use of the official GOV.UK domain (for example, ourparishcouncil.gov.uk), with email addresses being linked to that domain.
- 5.207 Using a GOV.UK domain for your council website and email accounts demonstrates the council's official local government status. Members of the public are increasingly cyber security awareness, so a GOV.UK domain can also help to build trust, and credibility and visibly demonstrates authenticity. Many people will now reasonably expect a local council to have a GOV.UK domain name.
- 5.208 For the purposes of user management, councils should ensure that the proper officer can add and remove member and staff email accounts. Commercial 'dashboard' email and web systems offer centralised searching of all data contained within the system for effective compliance with GDPR Subject Access Requests and Freedom of Information Requests.

OVER KELLET PARISH COUNCIL

Parish Council Meeting, 13th February 2024

Agenda Item 12 – Payments for Authorisation

| Payee & Detail | £ |
|---|----------|
| Over Kellet Village Hall – Room Hire on 09/01/24 | 14.00 |
| Mike Ashton. Lengthsman Services, November 2023 – January 2024 | tbc |
| Derek Whiteway – Parish Clerk salary and expenses, January 2024 | 219.80 |
| HMRC – PAYE deductions, January 2024 | 54.80 |