

# CULGAITH PARISH COUNCIL

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Fell View  
Blencarn, Penrith  
Cumbria, CA10 1TX

## Minute of the Meeting Held on Monday 4<sup>th</sup> March 2024 in Blencarn Village Hall. commencing at 7.30pm

Unapproved.

### 18/24 Present

Cllrs Caroline Richardson (Chair), Pauline Toppin (Vice Chair), Ken Philipson, Andrew Clay, Sue Smith, David Witney, Ian Stowers, WAF Cllrs Mary Robinson and Michael Hanley and John Fleming (Parish Clerk).

### 19/24 Apologies

Cllr Nick Mason

### 20/24 Minutes

The Chair was unanimously authorized to sign the minutes of the meeting of the Parish Council held on Monday 8<sup>th</sup> January 2024, as a true record.  
Proposed by Cllr S Smith and Seconded by Cllr. D Witney

### 21/24 Declaration of Interests

There were none.

**22/24 A Fraud Prevention Talk** – was received by the meeting from Detective Constable Claire Keyes, of the Economic Crime Unit of Cumbria Police, The talk proved invaluable in pointing out the very devious means fraudsters go to, to gain your trust and highlighted preventative measures that can be taken to safeguard your personal interests.

### 23/24 Councillor Co-option

**23.1** Following the Councillor co-option procedure aiming to co-opt two new Councillors for the Culgaith Ward and one for Skirwith; only one application was received and that was in respect of the Culgaith Ward, namely Ian Stowers from 29 Otters Holt, Culgaith.

**23.2** Following studying the application received, Councillors were unanimously pleased to co-opt Ian Stowers to represent the Culgaith Ward of the Council.

Proposed by Cllr D Witney  
Seconded by Cllr A Clay

**23.3** After signing of a 'Declaration of Acceptance' Ian Stowers took his place on the Council.

### 24/24 Public Participation

There was none

## **25/24 Westmorland and Furness Council Reports**

### **25.1 Councillor Michael Hanley**

1. Eden Planning Committee 17.1.24 Sockbridge Housing Estate: 24 houses, 7 due to be affordable but developer says he can't afford any. Compromise: 7 reduced to 2. Decision delayed by 4 weeks to check about grants.

2. Health and Adult Scrutiny Committee 19.1.24 Presentation re North East and North Cumbria Integrated Care Board: population 3 million, North Cumbria (NC) is 10% of this. Budget: £9 million. Main problem in NC: high suicide rate. Domiciliary Home Care: from March 24 WAFC will take on this. Cost: £11 million per year.

3. Eden Locality Board (ELB) 24.1.24 M6 Lune Gorge Bridges repair. 8 bridges. Lane closures and some total motorway closures. Started now, end winter 29. Place Action Groups (PAGs): Alston Moor PAG: discussed public transport, village hall generators, youth provision, Fairhill community market, astronomical observatory at golf club. Highways: School Streets. Eden Bridges: 10 will have new weight limits.

4. Biodiversity Workshop, Penrith, 1.2.24 Cumbria Wildlife Trust: budget £2.5 million. Nursery in Carlisle. 100k plants. Aim: planting road verges, orchards, churchyards, parks, playing fields. Planted 19 k plants, 10 k bulbs, 34 kg of wild flower seed. Mainly have been active in areas other than Eden but looking for 4 areas in Eden.

5. Eden Planning Committee 14.2.24 Sockbridge Housing Estate: no grants for developers apart from housing associations and community groups. Application to build estate with 2 out of 24 houses as affordable granted.

6. WAFC Meeting 22.2.24 Budget: £10 million for decarbonising. Council tax in by 4.99%. Double on second and empty homes. Empty homes for longer than 10 years: treble. 5% increase in council house rents. Increased costs in elderly care homes: £688 to £752 per week.

7. ELB 6.3.24 Active Cumbria presentation: Samuel King School, Alston (secondary): £27k spent on improving exercise and sports facilities: rugby, soccer, archery, swimming. Planting for Pollinators: ELB agreed to spend £20k on this focusing on 4 areas in Eden.

8. Health and Adult Scrutiny Committee 7.3.24 Recruitment plan for NHS staff. What attracts workers to the area? a good working environment, good support and free parking.

### **25.2 Cllr Mary Robinson**

Cllr Mary Robinson raised the issue of the major problem being experienced with potholes on the whole County road network. The pressure on financial and staffing resources, within WAFC Highway, had come about by numerous Central Government cuts to local authority budgets, over many years. This had resulted in a deteriorating state of rural roads over recent years, making them very susceptible to potholes appearing. Highways staff were struggling to keep on top of the situation; potholes over 60mm deep were receiving priority.

**26/24 Finance (Incl.Vat)**

<b>26.1</b>	<b>The following balances were noted as at: -</b>	28/2/2024
		<b>£</b>
	HSBC Account	1503.59
	Penrith Building Society	16954.24
	NSI Account	24.00
	Vat to be claimed	<u>531.97</u>
	Total Cash	<u>19013.80</u>

**26.2 Presentation of Interim Accounts - 8<sup>th</sup> January 2024 – 28<sup>th</sup> February 2024**

These accounts were unanimously approved.

Proposer Cllr S Smith, Seconder Cllr A Clay

**26.3 The Following Accounts were Ratified**

26.3.1	J Fleming Salary December 23 January 24	As per contract
26.3.2	J Fleming Office Provision December 23 January 24	40.00
26.3.3	D Willetts – Skirwith Tree Pruning	58.00
26.3.4	Cartridge People – Printer Toner	159.90
26.3.5	Web Hosting	20.00
26.3.6	HSBC charges – 15/1/24	5.80
26.3.7	Room Hire – Skirwith	15.00
26.3.8	Culgaith Defibrillator Pads	72.00
26.3.9	HSBC charges – 15/2/24	5.00
26.3.10	Play Inspection Company	192.00
26.3.11	Mark Binney – Skirwith Path and Steps Village Green	297.00
26.3.12	Donation to Guardians of Tarn – John Watson	50.00
26.3.13	20mph Application – Postage	7.35

**26.4 To Approve the Following Account for Payment**

J Fleming Expenses, 8<sup>th</sup> January – 4<sup>th</sup> March 2024 14.40

**26.5 To Approve 26.3 and 26.4**

These were unanimously approved

Proposer Cllr P Toppin

Seconder Cllr C Richardson.

**26.6 Receipts**

<b>26.6.1</b>	Drove Road Bench Donation	250.00
<b>26.6.2</b>	Electricity NW – Wayleave	22.48

**27/24 Planning**

To Report.

2023/1191	Abbey Farm Skirwith Penrith CA10 1RB	Erection of building to house livestock.	Supported
2024/0154/TCA	Holly Cottage, Skirwith, Lime	- fell and Replace	Supported
2024/0029/FPA	Helmwinds, Culgaith,	Erection of Stable Block	Supported
2024 1208 FPA	Land at Settle Close	Culgaith	Supported
2024/0154/TCA	Holly Cottage Church Street Skirwith Lime	–Felled. - Replant smaller native trees – Rowan Crab-apple.	Supported

**28/24 Willan Living – The Gift of Two Parcels of Land at Otters Holt****28.1 Conveyancing Quotations.**

- a. It was confirmed to the meeting that the conveyancing quote from Nicholson Portnell was £3000 + Vat. Following a discussion by the Clerk with Nicholson Portnell there was a possibility that this could be reduced to a minimum figure of £2500. Willan Living, having agreed to cover the conveyancing cost of the Parish Council, had indicated that a fee of this level was a 'Stumbling Block', to progress, in their professional opinion a fee in the region of between £1000 and £1500 was a more reasonable figure.

- b. Following a confirmation from Butterworth Solicitors that their conveyancing fee of £1200 + Vat, included a full and detailed search (not limited) and in addition, following completion, a detailed Title Map and Title Document, being registered with the Land Registry, Councillors unanimously decided to accept their quote. Butterworth's to be asked to forward a Business Contract to Willan Living for signing. This fee, of £1200 being in line, with what would be deemed reasonable and acceptable to Willan Living.  
Proposed by Cllr D Witney  
Seconded by Cllr A Clay
- c. The Clerk was instructed to write to Jenny Ford of Nicholson Portnell, to inform her of this decision and to thank her for the initial interest she has shown, on behalf of Culgaith Parish Council. Whilst Councillors had respect for the sound professional reputation of Nicholson Portnell, it was regrettable that the high cost of their quote was uncompetitive and proving a stumbling block to matters proceeding between Willan Living and the Council.
- d. Councillors discussed the suggestion of obtaining a third quote. In view of the fact that the Butterworth quote was acceptable to Willan Living and Councillors had full confidence in Butterworth's, as a firm of solicitors, this was considered unnecessary; however, if the Council had been bearing the conveyancing cost, then maybe a third quote might have been considered.
- e. Cllr Nick Mason had suggested that the Council worked with Nicholson Portnell, in good faith, at the January meeting, not being aware, at the time, of any future fee issue. Councillors asked the Clerk to thank Cllr Mason for his conscientious and detailed input into this conveyance and for his thoughts on what was important to clarify within searches; this has been appreciated.

## 28.2 Search Priorities

With regard to Issues relating to searches to be carried out, prior to completion, the following points require confirmation or clarifying: -

1. **Boundary Responsibilities** – Willan Living have stated that all the boundaries on these two pieces of land are owned by and are the responsibility of the adjacent properties; having taken over these two pieces of land, the Parish Council would not be responsible for the upkeep of any boundaries, thus eliminating any boundary disputes arising in the future. This issue is important and requires confirming.
2. **E NW – Electricity Substation.** Located on the parcel of land by the entrance to Otters Holt. Requires confirmation that the stone wall surrounding this substation is owned by and the full responsibility of E NW; also requires confirmation whether E NW have any easement rights over the ground surrounding the substation.
3. **Utilities – Manhole Cover.** Situated on the inner piece of land is a utilities manhole cover. Confirmation is required that this is United Utilities responsibility and what easement rights over the ground, surrounding this cover, they may have.
4. **Roads, Pavements and Highways Lighting** on the whole Otters Holt site. The Council is led to believe that these all are adopted by Westmorland and Furness Council and are their responsibility. There are surrounding pavements on both parcels of land, Culgaith Parish Council assume that these belong to Westmorland and Furness Council and are not included in the ground being gifted to the Parish Council. This requires confirmation.
- 5 **Revised Plan of Two Parcels of Land.** – A new, updated, detailed, plan of the two gifted sites needs to be drawn up, the surrounding pavements needing to be shown outside of the land gifted to the Parish Council. On the first piece of ground, by the entrance to Otters Holt, there is a paved area, this needs adding to the plan.

- 6 **Specific Planning Stipulations.** These require clarifying, if applicable, relating to these two parcels of ground.
- 7 **Any other issues** relating to the land in question, such as any further underground utilities, following a search, requires clarifying.
- 28.3 **Willan Living Solicitors and the Willan Living Legal Department,** it was suggested, both could be helpful to Butterworths in seeking answers on some of the above queries, thus keeping the time to clarify the above issues to a minimum. The Council requires a 'full' rather than a 'limited' search to be carried out, finally, following completion, a detailed Title Map and Title Document, being registered with the Land Registry. (see 28.1 b above)
- 28.4 **Completion Document** – Councillors confirmed that the completion document would only be signed once satisfactory and acceptable answers had been provided to the queries listed in 28.2.

## 29/24 Highways and Land Matters

### 29.1 **WAFC's 20mph Speed Restriction Schemes – Culgaith Parish.**

It was reported that an application had been submitted, in respect of Station Road, going through the village. All applications would be vetted by WAFC, successful applications would then go out to a public consultation, organised by WAFC.

### 29.2 **Skirwith Village Green. Path Off Road by Beck Cottage.**

Reported that this work has been completed. It was also noted that a very favorable reaction, to the work undertaken, had been received.

### 29.3 **Tree Safety Pruning – Woodland Located by Blencarn to Kirkland Road.**

Reported that this work has been completed.

### 29.4 **Voneus Broadband Fibre Installation Queries – Culgaith**

A response had been received and was on file.

### 29.5 **Uneven Pavement Outside Rose Walk, Culgaith**

This issue had been reported to Highways, they were aware of the problem but could not action a repair until funding became available in the 2024/2025 financial year.

### 29.6 **Raised Edging on the lay - by outside 6 Whinfell Terrace – Culgaith**

Reported to the meeting.

**Action:** - To report to Highways.

### **Work Still In Hand**

### 29.7 **Skirwith Footway Light by Pear Tree House– Non-Functioning**

### 29.8 **HGV and Coach Traffic from Station Road to 'Black Swan' Junction.**

### 29.9 **Skirwith – Church St. Roadside Concrete Post and Rail Fence Repair**

### 29.10 **Drainage issue - The Pea to A6412 Junction**

## 30/24 Schedule of Correspondence, Notices and Publications.

The following item of correspondence was received since the last meeting.

### 30.1 **17 E - Mails** had been forwarded to Councillors since the 8<sup>th</sup> January meeting, these being kept for 1 year.

### 30.2 **Playground Inspection Reports** – circulated to Culgaith and Skirwith committees

### 30.3 **Footway Lighting Charges – 2023/2024 and 2024/2025**

WAFC had confirmed that the Parish Council will not be invoiced for 2023-2024 maintenance and electricity charges for the 'Agreed' footway lights and do not need to include or allow for this, in setting the precept for 2024-2025.

Furthermore, there is now to be a review of the lighting policy for the whole of the Westmorland & Furness area during 2024 and the WAFC will provide an update once that progresses.

- 30.4 Westmorland and Furness Council Healthy Homes Project**  
Reported to the meeting, for further detail visit: -  
[healthyhomes.westmorlandandfurness.gov.uk](https://healthyhomes.westmorlandandfurness.gov.uk)
- 30.5 Framed Portrait of the King** – Reported had been applied for.
- 30.6 Cumbria Fire and Rescue Service (CFRS)** is currently consulting on a Community Risk Management Plan (CRMP).  
A link to the consultation is shown below if you wish to take part.  
<https://www.cumbriafire.gov.uk/our-community-risk-management-plan-crpm-2024-2028>
- 30.7 Police Report** - circulated

**31/24 Councillor Matters.**

An opportunity for Councilors to raise issues on behalf of residents.  
There were none

**32/24 Dates and Venues of 2024 Meetings.**

All on Mondays at 7.30pm

13th May	Culgaith, Victoria Institute, (Annual Parish Meeting/AGM/May meeting)
1 <sup>st</sup> July	Skirwith Village Hall
2 <sup>nd</sup> September	Blencarn Village Hall
4 <sup>th</sup> November	Culgaith, Victoria Institute,

The Chair thanked Councillors for their attendance and closed the meeting at 21.10

Signed by Chairman \_\_\_\_\_ Date \_\_\_\_\_