

Lindal and Marton Parish Council

Chairman
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Clerk
J Smith
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Cumbria LA12 0LG
Tel 01229 467261

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

Minutes of the Annual General Meeting of the Parish Council held on Thursday, 17th May, 2007, at 7.30 pm in St Peter's Church, Lindal.

Present:- Councillors A Waite (Chairman); R Lord; D Howarth; Mrs S Kelly.

Also present:- 3 members of the public.

In attendance:-

Borough Councillors Mrs K Unwin; Mrs J Heath

Apologies from County Councillor Mr P Phizaclea.

42/07 Apologies:- Councillor Ms Rainbow.

43/07 "Acceptance of Office" declarations.

Those councillors present duly signed their "Acceptance of Office" declaration forms and were given a copy of the Code of Conduct.

44/07 Election of Chairman.

It was PROPOSED by Councillor Lord and SECONDED by Councillor Howarth that Councillor Waite be Chairman for the coming year. Carried unanimously
Councillor Waite assumed the chair and welcomed a new member of the Council, Mrs Sarah Kelly. He also referred to the services of ex-Councillor Ms M Richards and the support of ex-District Councillor Mr J Major.

45/07 Urgent business. Items normally needing to be publicised but received too late for the agenda.

None.

46/07 Disclosure of Interests.

None.

47/07 Minutes of the meeting held on Thursday, 1st March, 2007.

The minutes of the Meeting held on Thursday, 1st March, 2007 were taken as read and APPROVED.

PROPOSED:- Councillor Howarth.

SECONDED:- Councillor Waite.

Carried unanimously

48/07 Matters arising.

There were no matters arising from the minutes.

49/07 Attendance of Officer from Cumbria Constabulary.

There was no-one in attendance from Cumbria Constabulary.

50/07 Report of School Governors. Submission of minutes – if any.

The minutes from the meeting of the governors held on 15/1/07 were NOTED..

51/07 Royal Mail post collection times.

The Clerk reported that he had received a reply from Royal Mail on the question of collection times from post boxes in the parish. (*vide* minute 25/07 (b) 1st February 2007). Royal Mail were unwilling to revert back to a mid-afternoon collection time for the boxes as a whole but had offered to collect from the box by the bus-stop on the A590 between 3.00 pm and 4.00 pm. He had asked them to implement this arrangement as an interim measure, before the matter was discussed by the Parish Council. It was AGREED that no further action be taken.

52/07 Lindal Village Green.

The Clerk reported that he had met the contractor, Urswick Engineering (Stately Gates) on site, on Wednesday, 16th May, along with David Barr, Chairman of the Residents Association, and Des Barlow, representing Barrow Council, to discuss minor items of the scheme, with a view to the work starting on Monday, 4th June 2007. A question was raised regarding the availability of the old railings and it was AGREED that The Clerk would enquire as to the intentions of the contractor but that, in any event, anybody interested in utilising any of the railings should liase with the contractor as and when he commenced on site.

53/07. Local Government Reorganisation.

The Clerk referred to correspondence which had previously been circulated regarding the proposals to abolish the six district councils in Cumbria and replace them with an enhanced county council – a unitary authority – covering the responsibilities hitherto covered by the existing district and county councils. Reference was also made to recent press reports where Barrow Borough Council was making it quite clear that it felt that the proposals were flawed and would bring no benefits to the population of Barrow and Furness. The Parish Council was sympathetic to the Borough Council's position and it was PROPOSED by Councillor Waite and SECONDED by Councillor Howarth that the Clerk reply to the Secretary of State for Communities and Local Government confirming that the Parish Council was not in favour of the County Council's proposals for a unitary authority. There were 3 votes for the proposal and 1 abstention. The proposal was carried.

54/07 Model Code of Conduct. Consultation on amendments.

The Clerk confirmed that further information had now been received regarding the Code of Conduct as applicable to Parish Councillors. The Standards Board for England had issued a Model Code of Conduct, based on that issued by the Department for Communities and Local Government, which Parish Councils were invited to adopt, with the Board drawing attention to one particular item. The previous Code, which applied to all local councillors, included a reference to councillors having “prejudicial interests” in a subject being discussed by the council i.e., interests which the public might think could affect a councillor’s ability to take an impartial judgement. In such circumstances the councillor would have had to declare his/her interest and leave the council chamber when the subject was being discussed and not participate, or vote, at all.

The new Code as issued by the Department of Communities and Local Government (paragraph 12 (2)) allows councillors who have such “prejudicial interests” to make representations and give evidence on the matter in question *but not to vote* on the matter (they must withdraw from the meeting at that stage) *provided that* the public are allowed to attend the meeting in question.

However, because the Department had not made this paragraph a mandatory part of the new Code, the Standards Board were advising that Councils who wish to adopt this must pass a special resolution specifically accepting paragraph 12 (2).

It was, therefore, PROPOSED by Councillor Lord and SECONDED by Councillor Mrs Kelly that the revised Model Code of Conduct, as issued by the Standards Board, and inclusive of paragraph 12 (2), be adopted by Lindal and Marton Parish Council. Carried unanimously.

55/07 CALC Roadshow. Submission of draft Standing Orders.

Further to minute 36/07 (1st March 2007) the Clerk submitted copies of draft Standing Orders. He had received the Model Standing Orders as suggested by CALC (Cumbria Association of Local Councils) and had produced an abridged and amended version which he considered to be appropriate for this council. It was AGREED that Councillors should peruse the draft with a view to it being discussed and, if appropriate, being adopted by the Council at the next meeting.

56/07 Planning applications relating to the Parish.

- a) 5/7/9002. *Development of stone-crushing business, Whinfield Farm, Lindal.* It was pointed out that this was an application to make permanent a temporary license for the business and that, in addition, it was outside the Parish/District boundary, being in the area of SLDC. It was PROPOSED by Councillor Lord and SECONDED by Councillor Mrs Kelly that the Council raise no objections to this application. Carried unanimously.
- b) 6/2007/0621 *Amendment to application 2006/1455. Tarnside Cottage, Marton.* It was PROPOSED by Councillor Lord and SECONDED by Councillor Howarth that the Council offer no objections to this proposal. Carried unanimously.
- c) 6/2007/0627 *Pruning of trees, The Green, Lindal.* The Council listened to several expressions of concern *from the floor* when it was highlighted that the inspections of the trees had all been from the ground and that no decay detection equipment had been used. It was pointed out that the most recent casualty of the winter storms had been a tree which had split at a fork part way up the trunk which had then revealed a large amount of decay in the centre of the trunk. It was then PROPOSED by Councillor Lord and SECONDED by Councillor Howarth that the Council offer no objections to this proposal, provided that, as part of the remedial works to these trees, an inspection was made, both visually and utilising decay detection equipment, to determine that the trees were not suffering from decay which was not immediately apparent. Carried unanimously.

57/07 Correspondence.

- a) Planning applications outwith the Parish. NOTED.
- b) Barrow Council minutes – 16/1/07 to 12/4/07 NOTED.
- c) Dog-Ban Control Orders. The decision by Barrow Borough Council to apply Dog-Control Orders to Lindal and Marton Children’s play areas, but without including Lindal Village Green, as had been requested, was NOTED. However, the Clerk confirmed that the Parish Council’s request to have Lindal Village Green covered by the same Orders had now been accepted and Barrow Borough Council would take appropriate action.
- d) Cumbria Highways newsletter. NOTED.
- e) Duddon Estuary Partnership agenda/minutes. NOTED.
- f) Highways Agency. De-trunking of (part) A590. NOTED.
- g) Friends of the Lake District. Annual Report. NOTED.
- h) Morecambe Bay Partnership. Newsletter. NOTED.

58/07 Finance.

- a) Cash balances :- Current account £50 Reserve account:- £2732.37
- b) The Clerk submitted an appeal from “Childline” for a donation towards its running-costs. It was noted that the Council had awarded a sum of £38 in previous years, this being the cost of a telephone counselling session. It was PROPOSED by Councillor Howarth and SECONDED by Councillor Waite that a sum of £38 be awarded. Carried unanimously.
- c) The Clerk reported that the annual insurance premium for the coming year was £235.85 and it was PROPOSED by Councillor Lord and SECONDED by Councillor Howarth that this be accepted. Carried unanimously.
- d) Reference was made to the generosity of the church authorities in allowing the Parish Council to use St Peter’s Church for the meeting and it was PROPOSED by Councillor Lord and SECONDED by Councillor Howarth that a sum of £10 be paid as “rent” for the evening. Carried unanimously.
- e) The Clerk referred to documents previously circulated regarding the Annual Audit Return. It was PROPOSED by Councillor Lord and SECONDED by Councillor Waite that:-
 - Section 1, The Statement of Accounts, be approved,
 - Section 2, The Annual Governance Statement, be approved,
 - Section 4, The Annual Internal Audit Report, together with the Internal Auditor’s report on internal financial controls, be accepted.
 - Councillor Howarth should act for the Council in assessing the effectiveness of the internal audit arrangements, reporting to the Council no later than October each year.

Carried unanimously

59/07 Any Other Business.

None

60/07 Date and Time of Next Meeting.

It was AGREED that the next meeting be held on Thursday, 7th June 2007, 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.