

SHAP PARISH COUNCIL

Minutes of the ORDINARY MEETING, Monday 4th December 2017 at 7.30p.m Venue: Market Cross

Attendance:

Chairman:	Mrs J Jackson
Councillors:	Mr A Sowerby, Mr D. Mallinson, Mr N. Lindwall, Mr A Bindloss, Mr W. Jones, Mrs J. Morris, & Miss L Millican.
County Councillor:	Mr N. Hughes
District Councillor:	Mr J. Owen
Police	None
Clerk	Mrs J. Scott-Smith
Public:	Two

147/12/17 Apologies for absence – Ms E. Stirling

148/12/17 Public participation

- 148.1 Two members of the public addressed the meeting concerning a route across land in Rosgill that had been historically used by local people, that was potentially being blocked by placement of boulders and bollards by a third party. Councillor Lindwall declared an interest in the matter.
- 148.2 Chloe Randall addressed the meeting to outline the concern of some members of the parish electorate that the land in question (shown on the plan attached) was, to all intents and purposes, considered by those members of the public present and others to be a right of way and green area which has been enjoyed free of restrictions by the people of Rosgill since time immemorial. She informed the Council that a group of concerned residents were seeking support from Shap Parish Council to protect this alleged right of way by making a submission to the Lake District National Park Authority (LDNPA) for it to be formally registered as a Byway Open to All Traffic (BOAT) Shap Parish Council were reassured on inspection of various maps and documents supplied by Miss Randall, that there was no evidence of anyone owning the land, although all parties were made aware of a potential boundary dispute concerning the land over which the access proceeds. Miss Randall had received advice from LDNPA who had indicated that an application to create a footpath/bridleway marked on the plan into a BOAT might have more weight if the Parish Council were the Applicants. Parish Councillors were invited to ask questions.
- 148.3 The chairman invited opinions on how the PC should proceed. Cllr Morris suggested that if we were to go ahead in supporting this application legal advice should be sought regarding our position and entitlement to consider this matter. Ms Randall suggested that there was some urgency attached to this application however the Chairman told Council that no decision could be made at the meeting as the item had not been on the agenda.
- 148.4 A survey of opinions suggested that all councillors present were minded to support the application on the basis that as a Parish Council it was within their remit to support any steps to protect rights of way in the parish as had been done at previous council meetings, and would be done in future.
- 148.5 A meeting would be convened in one week to confirm any resolution to formally make a decision on the matter following advice being sought on the part of the Parish Council as to whether it was within its powers to support this application, and in what capacity. Councillor Lindwall took no part in the discussion.
- 148.6 An extraordinary meeting was planned for 11th December.

149/12/17 The Minutes of the Ordinary Meeting of 6th November 2017 were signed as a true and accurate record.

150/12/17 Requests for dispensation – None

151/12/17 Declarations of interest – Cllr Bindloss in respect of Agenda Item 9.2, Proposed diversion of footpath.

152/12/17 Finance

152.1 Council RESOLVED to approve the statement of accounts to 30th November 2017. *Proposed Cllr Sowerby, seconded Cllr. Lindwall.*

152.2	Payments received Recycling credits April-Sept.		£585.14
		Total	£585.14

152.3	Payments between meetings British Gas – MuGA electricity by DD		£157.20
		Total	£157.20

152.4	Council RESOLVED to authorise payment of the following accounts:		
	Clerk's Salary November 2017		£310.89
	Clerk expenses November		£32.97
	Recycling cleaning November		£57.60
	Shap Local History Society – Market Cross electricity and repairs		£600.00
	Royal British Legion – poppy wreath		£17.00
		Total	£1,018.46

Proposed Cllr Bindloss, seconded Cllr Morris

153/12/17 Planning applications

153.1 **Planning application 17/0880 and 17/0881**, Internal and external alterations and installation of biomass boiler and associated plant. Greyhound Hotel, Main Street, Shap CA10 3PW for Hindley – Shap Lodge Ltd. No objections raised.

153.2 **DECISION Application 17/0831** Greyhound Hotel application for lawful development certificate drinking establishments - CONFIRMED

153.3 **DECISION Application 17/0893-** single storey rear extension 5 Croft Avenue for Mr N Healy – APPROVED.

153.4 **Notice of intention** – extension to agricultural building Thornship Farm, Keld, for Mr R. Fishwick. No objections raised.

154/12/17 Highways.

154.1 No reports.

154.2 **Proposed diversion of footpath no's 360009 and 360011 in Parish of Shap.** Diversion requested by landowner to move paths out of garden of property Riggghall, and extinguish path 360009; extinguish path 360011, create path 360011. The closure of one and the creation of another path seemed to provide an adequate alternative and no concerns or objections were put forward.

155/12/17 Swimming Pool

155.1 Cllr Morris reported that 3 tenders had been received, and the work had been awarded to Cox and Allen from Kendal, it is hoped that work will start in the New Year.

155.2 The lease had been signed by the Parish Council and was handed to Cllr Morris.

156/12/17 Emergency Plans

156.1 No progress has been made. No uptake of sand or sandbags..

157/12/17 Allotments

157.1 No further report.

158/12/17 Tennis Courts

158.1 No further report

159/12/17 Devolution of services

159.1 After further discussions with Sonia Hutchinson the Chairman reported that CALC had strongly advised that the Parish Council offer to take the responsibility for these immediately so as not to

- miss the opportunity of taking advantage of the funding available to upgrade the lights by EDC before any takeover They advise registering an interest and then negotiating later.
- 159.2 Cllr Owen (EDC) supported the advice given.
- 159.3 The Chairman asked Council to vote COUNCIL RESOLVED to register an interest in taking over the lights and play areas, and also taking the toilets on under the offer from EDC. *Proposed: Cllr Jackson, seconded Cllr Lindwall, all were in favour.*
- 160/12/17 Eden Governance review**
- 160.1 Form to complete, one part was with regard to changing the number of councillors, Chairman proposed that the total be reduced to 9 with a ratio of 7 to 2. Counter proposal from Cllr Bindloss that the number remain the same at 10 with a ratio of 7 to 3. Voting: First proposal – 3, second proposal 4, so the so the second proposal was carried.
- 160.2 The clerk will complete and return the form.
- 161/12/17 MuGA**
- 161.1 The Chairman told council that there was now only one paying user, and there was concern over the expense of lighting when no-one is using the facility.
- 161.2 The chairman proposed that the lighting timer be changed for the winter months to go off at 6p.m. All agreed
- 162/12/17 Speed indicator**
- 162.1 The Chairman had contacted Mrs Hutchinson at CALC regarding the firm that her parish council used to obtain a speed indicator device (SID). This is the same company that was recommended by the Police Commissioner when PC met with him.
- 162.2 Cllr Hughes suggest linking up with Lowther Parish Council as they have speed issues in Hackthorpe.
- 163/12/17 Correspondence**
- 163.1 Shap Medical Practice -offering basic life support training.
- 163.2 Email enquiry about ownership of Sandy Lane near Wreay bridge; the Clerk had responded, and also asked for the lane from the Iron bridge to Sandy Lane (art of Cost to Coast route) be inspected too.
- 163.3 Letter from person looking for woodland to erect camping pods.
- 164/12/17 Matters for report**
- 164.1 Cllr Bindloss reported that he and Cllr Mallinson would put the light on the Christmas tree at the weekend.
- 164.2 Cllr Mallinson asked if anyone from the Co-op had been in touch; they have not. The Clerk was asked to write and leave the letter at Shap store.
- 164.3 Cllr Sowerby reported that a sign on Crayston Bridge on the Sleagill road was only attached by one bolt, danger of it coming off and falling onto the M6. Clerk to report.
- 164.4 Cllr Sowerby suggested that a letter be sent to Mr Gale thanking him for mowing the pitches.
- 164.5 Cllr Morris reported a blocked rain in Church Street, this has been reported by the Clerk, Cllr Sowerby and residents several times. Clerk will report again.
- 164.6 The chairman reported that the pavilion doors had been partly replaced in the previous week, it is hoped that the rest are replaced in the next week.
- 165/12/17 Date of next meeting the next meeting of Council will be on Monday 8th January at 7:30p.m.**

The meeting closed at 9.20 p.m.