

# MURTON PARISH COUNCIL

Clerk: June Watson  
Telephone: 017683 52851  
E-mail: [clerk@merton.org.uk](mailto:clerk@merton.org.uk)

Correspondence:  
The Nurse's House, 50 Scattergate Green  
APPLEBY-IN-WESTMORLAND CA16 6SP

## MINUTES OF ORDINARY MEETING OF MURTON PARISH COUNCIL

7 August 2017

**Present:** Steve Atkinson, Barbara Govan (Chair), Debbie Hewitt, Anne King, Tina Longstaff, Pat Laverty (Vice Chair), Alan Taylor. EDC/CCC Cllr Andy Connell and two members of the public were welcomed to the meeting.

**45/17 Apologies for Absence** – No apologies had been received.

**46/17 Declarations of Interest** – no declarations of pecuniary interest were made.

**47/17 Minutes of Previous Meeting**

**Resolved:** that the minutes of the meeting of 15 May 2017 be signed by the Chairman of the meeting as an accurate record.

**48/17 OPEN SESSION**

**48/17/1** Mr G Waine, Hilton reported suspected fly-tipping in the Pump Fold at Hilton and volunteered to remove the waste and put it in the garden waste skip. It was agreed this would be discussed under *Item 12 Maintaining the Parish Environment*.

**48/17/2** Cllr Atkinson tabled a document (attached) and read a statement objecting to a second vehicular access across village green outside Fairview, Hilton and the lack of assurance that there was a legal right of access. A preliminary discussion took place. Following an exchange involving Mr Waine, Mr Darren (Fair View) and Cllr Atkinson, Cllr Atkinson was asked to declare a personal interest and took no further part in the discussion. The discussion continued under item 12.

**49/17 EDEN DISTRICT COUNCIL**

**49/17/1 Planning Applications**

**17/0586 – Outline application for one family member dwelling, Langton Farm, Langton, Appleby for Mr JT Bell**

**Resolved:** that there were no objections to this outline planning application.

**17/0382 Full application for proposed first floor extension over existing garage, Laburnham House, Murton for Mrs JT Foster** – it was noted that the Parish Council had written in support of this application.

**17/0454 Full application for proposed agricultural building, Murton Hall Farm, Murton for Ms GE Harker & Sons** – it was noted that the Parish Council had written in support of this application.

**49/17/2      Eden Local Plan 2014-2023: Public Consultation on the Proposed Main Modifications**

The Chair had attended a meeting on these modifications which had been drafted to replace the existing document and bring it up to date with government requirements. Consultees were asked to comment on the legal compliance and soundness from their point of view. Murton had no land designated for building and therefore had no comments to make.

**50/17      CUMBRIA COUNTY COUNCIL**

**50/17/1      Highways – widening of Hilton Bridge** – CCC have stated that they are due to receive the plans by 17 December. If they are not available by the next PC meeting in November the Chair proposed that the Annual Parish Meeting is brought forward to January to enable an open discussion. CCC Cllr Connell offered to liaise and remind CCC.

**50/17/2      Grit Box at Murton Bus Shelter** – Cllr Laverty was thanked for his persistence and efforts in getting the grit box moved to a location which no longer causes salt damage to the bus shelter.

**51/17      HEALTH & SAFETY** – No reports of issues requiring maintenance were reported. H&S Checklists were handed out to Councillors to complete before the next meeting.

**52/17      Household Emergency Planning** – it was agreed that the ACT leaflets on emergency planning were useful. Copies would be obtained to be inserted with the next edition of *The Villager*.

**53/17      Data Protection** – General Data Protection Regulation is being introduced in May 2018. No action needs to be taken by the PC and CALC will keep PC's updated on the steps to be taken to be legally compliant.

**54/17      FINANCIAL REPORTS**

**54/17/1      Budget 2016/17 and Current Financial Situation** – This report was tabled.  
**Resolved:** that the current Financial Report and list of Clerk's Expenses be signed by the Chair.

**54/17/2      Annual Return for 2016/17** - The Clerk reported that the value of the two defibrillators donated to the PC had been inaccurately recorded on the Asset Register as 2 x £2,000 instead of 2 x £1 (the required figure for donated items). This will result in the PC receiving a 'qualified audit' but formal notification had not yet been received. This would be corrected on the Asset Register and adjusted on the following year's Annual Return.

**55/17      Cemetery Management** (Appendix 2) – the clerk explained the detail of the appendix which compared cemetery charges with other local cemeteries. Fees for all items were more expensive at EDC cemeteries (Alston, Appleby, Garrigill,

Nenthead and Penrith), Kirkby Stephen and Warcop. Great Asby and Soulby were mostly less expensive. In particular the fees for Exclusive Right of Burial (purchasing a grave space) were £20 (£40 for non-Murton resident) and £535-560 at the other cemeteries (£1,070-£1,120 for non-residents).

It was noted that the cemetery will require serious maintenance in the future, particularly where walls are being damaged by tree growth. Not all parish residents might be inclined to contribute to these costs through the precept so the PC should consider beginning to raise funds. The following proposals were discussed and agreed in principle:

- 1 Introduction of an ERoB transfer fee to resident of Murton of £24 to cover administration.
- 2 Introduction of an ERoB transfer fee to non-resident of Murton of £47.
- 3 Raising the fee for ERoB to £75 (£150 for double) with a staged increase to £150 over 3 years, to bring it in line with other cemeteries.
- 4 Amending the period of time for ERoB to 50 years in line with other cemeteries.

**Resolved:** That items 1,2 & 4 be adopted at the next review of Cemetery Fees in May 2018. That item 3 be accepted in principle, the staging to be agreed in May 2018.

#### **56/17 MAINTAINING THE PARISH ENVIRONMENT**

##### **56/17/1 Report on CALC Course: Common Land, Village Greens and Rights of Way –**

Cllr Taylor had attended this course in July. The consensus was these were very difficult and wide-ranging topics. The legislation and definitions relating to Common Land and Village Greens were covered and there were discussions about the various problems raised by delegates. The Clerk will circulate the delegate notes from the course.

##### **56/17/2 Village Greens – Annual Village Green Walk – this had taken place on 18 June.**

**Murton Top Green** – Cllrs King, Govan and Laverty took part. Some of the Yellow Rattle had taken which will hopefully help to tame the coarse grass. Cllr Hewitt offered to cut the grass at the end of August with a pasture cutter. Mr & Mrs Ormrod, Rumney Green, had done a good job mowing a play area for several years but had not been able to do so recently. It was reported that there are few children in the village currently using this play area. The Chair will discuss the mowing of the Top Green with Mr & Mrs Ormrod.

**Murton Middle Green** – Mrs Macfadzean and other volunteers have been doing an excellent job maintaining the children's play area.

**Hilton Top Green** – Mr McDarren had joined Cllrs King and Govan for this walk. Some of the plug plants donated by the North Pennines Pollinators project had taken, mostly clover. Volunteers had planted and maintained the area, the cutting being done by the Hoggs and Mr McDarren. A suggestion that the Pump Fold be used for the grass clippings from Top Green had been followed by Cllr King and volunteers. This was what Mr Waine (see 48/17/1) had observed and assumed to be fly-tipping. A discussion regarding the ownership and the customary use of the

Pump Fold ensued. A view that the Pump Fold could be used as a parish composting site, under the VG Management Plan was raised. Cllr King undertook to discuss this with Mr M Knowles.

- 56/17/3** **Vehicular Access across Village Green** – Cllr King stated this was a very complicated area. The PC had taken a pragmatic approach to requests for vehicular access in both Murton and Hilton in the past. There are more areas of VG traversed in Hilton than in Murton and they are also longer as the VG is broader in front of the Hilton houses. All the drives and access routes to houses in this particular area of Hilton cross VG. In the past the PC has given permission to tarmac drives although this is now understood to be outside the PC's remit. Mr McDarren's request to the PC to create a gravel drive across VG to Fair View in 2013 led to considerable discussion at the time. Letters and advice had been issued. Mr McDarren reported that an agreement had been reached between the then Chair and Mr McDarren which entailed Mr McDarren repairing damage to VG, which had been created by contractors, and subsequently laying grass reinforcement grids (plastic slats) to protect this route to his property. Mr McDarren stated that although there was an established gravel drive he also had a legal right of access at the point under discussion. He stated that Common Land management allows the use of permeable materials for this purpose. Subsequent discussions at PC meetings in 2013 and 2014 regarding this and other issues relating to VGs in the parish, resulted in the PC inviting the CALC Expert on Village Greens to speak at the 2014 Parish Meeting. The outcome of this was the development of the Village Greens Management Plan, led by Cllr King. This involved the state of all the VGs being monitored regularly and noted on annual basis. Cllr King reported that no damage to VG had been noted by the use of the access route to Fair View. The Chair stated that the PC's responsibility is to maintain the VG for the enjoyment and recreation of the community.
- Resolved:** that things continue to be monitored and no action to be taken unless there is damage. (Cllr Atkinson did not vote as he had declared a personal interest.)
- 56/17/4** **Murton Middle Green** – Cllr Laverty reported that a car had been parked near to the VG for several weeks, weeds were growing around it and it was unsightly. The Clerk would write to the owner to ask them to move it to a more suitable location.
- 15/17/5** **Murton Top Green** – Mr & Mrs Ormrod had complained about dog fouling and non-removal of dog mess. It was agreed that an item would be put in *The Villager*.
- 57/17** **MILITARY RANGE AT WARCOP**
- 57/17/1** **Commons Deregistration** – Cllr Connell reported that the application made by the Secretary of State for Defence to amend the Registers of Common Land relating to Murton Fell, Hilton Fell, Burton Fell and Warcop Fell will be discussed at a CCC sub-committee, next month. Mr McDarren gave an update on the situation from the

Commoners point of view. Both he and Cllr Govan plan to attend the meeting too and make representations.

- 57/17/2** **Warcop Local Liaison Briefing - 17 May** – Cllrs Govan and Laverty attended this meeting. A lot of strong feeling about the Commons Deregistration and poor communication locally was registered. Jonathan Pounder, Rural Estates Delivery Advisor (Landmarc) will give a short presentation before the PC meeting in November about the developing Integrated Risk Management Plan for Warcop Range.
- 57/17/3** **Warcop Training Area Public Access Working Group - 13 June** – Cllrs King and Taylor attended this meeting. Again a lot of strong feeling about the Commons Deregistration was noted. The movement of two public rights of way away from the live firing range were discussed. More frequent meetings and increased communications between MOD and the local community were requested.
- 57/17/4** **Natural England: Proposed Planting and Fencing on Murton, Burton and Hilton Commons** – 20 people had attended the open meeting organised by Natural England on 21 June. NE realised there was a lot of strong feeling about the Commons Deregistration and decided not put in fencing at the moment but would tidy fallen trees and replace them with low-lying brush to improve habitats.
- 58/17** **Correspondence for Information** - the list of correspondence had been noted. The Clerk drew attention to two items:
- 1 EDC Chairman's invitation to nominate individuals to be recognised for their contribution in volunteering in their community. Deadline for nominations 31 December.
  - 2 The PC's current insurance provider, AON, will no longer be providing local council insurance and the PC should expect a renewal invitation from BHIB Ltd, their nominated successor.
- 59/17** **Clerk's report on any actions taken under delegated powers not otherwise mentioned** – No actions had been taken.
- 60/17** **Councillors' reports and items for future agenda** – no items were proposed.
- 61/17** **Date of next meeting: 6 November 2017 at 7.30 pm**  
At 7.15 pm Jonathan Pounder, Rural Estates Delivery Advisor for the North (Landmarc) will make a short presentation about the developing Integrated Risk Management Plan for Warcop Range.

**The meeting closed at 9.40 pm**

**A LARGE PRINT VERSION OF THESE MINUTES IS AVAILABLE ON REQUEST FROM THE PARISH CLERK**