

Cockermouth Town Council



Town Hall, Market Street
Cockermouth
Cumbria CA13 9NP

Tel: 01900 821869
Fax: 01900 827166

Email:
cockermouthtowncouncil
@btconnect.com

Website:
www.cockermouth.org

10 September 2020

Dear Councillor,

You are summoned to a meeting of Cockermouth Town Council to be held virtually using Microsoft teams on **Thursday 17 September 2020 at 7.00 pm** for the purpose of the under-mentioned business.

Please let me know if you are unable to attend.

All welcome.

Yours sincerely

Sheila Brown

Town Clerk
Sheila Brown

- 1. Apologies for absence**
- 2. To authorise the Mayor to sign as a correct record the minutes of the last meeting held on 19 August 2020 (pages 1-5)**
- 3. To authorise the Mayor to sign as a correct record the minutes of the last special planning meeting held on 3 September 2020 (pages 6-7)**
- 4. Declaration of Interest** – Members to give notice of any disclosable pecuniary interest, other registrable interest or any other interest and the nature of that interest in relation to any item on the agenda in accordance with the code of conduct.
- 5. Mayors Announcements** – The Mayor will announce the events she has attended since the last meeting.
- 6. Public Participation**
 - a) To answer any questions from members of the public in accordance with the Summary of Public Rights
 - b) To receive a petition from a member of the public in accordance with the Summary of Public Rights
- 7. Planning Matters**
 - a) To make recommendations upon various planning applications (**page 8**)
 - b) To make recommendations upon WTPO/2020/0027, various tree works,



Joint Winners
Council of Europe Year 2000
Europe Prize

Previous Awards
Plaque of Honour, Flag of Honour
European Diploma



Twin Town
Marvejols, France



A Fairtrade Town

Strawberry How (**pages 9-14**)

8. Financial Matters

- a) To agree the attached schedule of payments (**page 15**)

9. Correspondence

- a) To comment upon Calc's interim position statement regarding Local Government reorganisation in Cumbria (**pages 16-20**)
- b) To comment upon a request to consider Harris Park for inclusion in Allerdale Borough Council's list of Assets of Community Value (**pages 21-23**)
- c) To comment upon a request to consider Memorial Gardens for inclusion in Allerdale Borough Council's list of Assets of Community Value (**pages 24-26**)

10. Clerks Report (page 27)

- 11. Cumbria Dark Skies Project** – To decide whether or not to take part in the project (**pages 28-29**)

12. Responsibility for grass land areas, Harrot Hill

The Mayor will move –

Under the Public Bodies (Admissions to Meetings) Act 1960, the public be removed for the following item of business due to contractual issues being discussed.

- 13. CCTV** – To consider the installation, costs, yearly on-going costs, overview of proposed support, maintenance agreement and dependencies for a cctv camera on Main Street (**pages 30-78**)

Press and Public Welcome

Minutes of a Meeting of Cockermouth Town Council held virtually on Wednesday 19 August 2020 at 7.00pm

Present: Councillor A Smith (Deputy Mayor)
Councillor S Barnes
Councillor I Burns
Councillor A Kennon
Councillor D Malloy
Councillor S Nicholson
Councillor A Semple
Councillor C Smith
Councillor A Tyson
Councillor R Watson

Apologies: Councillors G Bennion & J Laidlow

Also Present: Councillor Rebecca Hanson, a representative from the Press, Cumbria Dark Skies Project Officer & Mr Routledge.

40 Minutes

Resolved – That the Mayor be authorised to sign as a correct record the minutes of the last meeting held on 15 July 2020.

41 Declaration of Interest

Councillors A Smith and A Tyson declared an interest in item 7 due to being members of the Development Panel.

Councillor Semple declared an interest in item 7 due to being a substitute member of the Development Panel.

Councillor Malloy declared a prejudicial interest in planning application 2/20/9004 due to being employed by United Utilities.

42 Mayor's Announcements

The Mayor was not in attendance.

43 Public Participation

There was no public participation.

44a Planning Applications

The following applications were circulated via email to members due to time

constraints:-

WTPO/2020/0020

30% reduction of oak tree

17, Low Road Close

Recommended – Approval

PB/2020/0005

Removal of public payphone

Main Street,

Recommended – Approval

The following planning applications were discussed:-

HOU/2020/0113

Removal of existing single vehicle concrete driveway and construction of new asphalted driveway suitable for parking two cars

40 Lowscales Drive

Recommended – Approval

HOU/2020/0119

Re- submission of approved application HOU/2019/0217 for a single storey rear Extension

The Old Workshop, Skinner Street

Recommended - Approval

FUL/2020/0132

Change of use of land to allow the siting of 6 holiday chalets

Violet Bank Holiday Home Park Ltd, Simonscales Lane

Recommended – Refusal overdevelopment.

HOU/2020/0116

Single storey extension with balcony and single storey side extension

1B Oaktree Avenue

Recommended – Approval

2/20/9004

Covering of tanks and installation of odour control unit and vent stack to reduce odour levels at Cockermouth WwTW

Cockermouth Wastewater Treatment Works, Low Road

Recommended - Approval

44b Tree Works

Recommended – That the crown of a tree be reduced by 2m at Strawberry How, Strawberry How Road.

44c Tree Works

Recommended – That a mature sycamore be felled, 2 Moor Park.

44d TPO NO.2 Holmewood Residential Care Home

Agreed – That the confirmation of TPO No. 2 of 2020 be noted.

44e Adoption of Allerdale Local Plan

Allerdale Borough Council voted formally to adopt the Allerdale Local Plan (Part 2) (ALPP2) at a virtual meeting on 22 July 2020. This followed receipt of the Inspector's report which concluded that the plan was legally compliant and sound subject to his recommended modifications.

Agreed – That the adoption be noted.

44f Allerdale Borough Council – Local Validation List for Applications

Allerdale Borough Council require information to be submitted to validate a Planning application in addition to those stated in National requirements.

The list of requirements must be published on their website and reviewed every 2 years.

Agreed – That the content of the Local Validation list for applications be noted.

45a Schedule of Payments

Resolved – That the schedule of payments in the sum of £4,361.48 be formally approved for payment.

45b Financial Budget Comparison

Resolved – That the contents of the financial budget comparison between 1/4/20 – 30/6/20 be noted.

46 Correspondence

46a Cockermouth Music Society

Those present considered a request from Cockermouth Music Society for Financial assistance with a shortfall in their income due to the imposed lock down.

Resolved – (a) That due to a shortfall in our own income no grant be given at this time.

(b) That Councillor Tyson assists the Society to re-apply to Allerdale Borough Council.

46b Cockermouth Loop Cycling/Walking Route

Those present considered a request for support for the Cockermouth Loop, a proposed circular walking and cycling route from the town with Dubwath as its furthest point. The route was currently before Cumbria County Council for consideration in the next round of spending.

Resolved – That the request for support for the Cockermouth Loop be forwarded to Cumbria County Council.

47 Clerk's Report

Resolved – a) That the content of the report be noted.

b) That the following meeting dates be confirmed:-

20 January 2021
18 February 2021
17 March 2021
21 April 2021

20 May 2021

c) That it be noted that the North Lakes Foodbank received the Community Shield in 20/21.

d) That the Dorothy Wordsworth Statue be restored and revisited periodically to re-wax and check for corrosion of the bronze.

e) That the cenotaph be professionally maintained on a 6 monthly basis.

f) That William Wordsworth's bust be cleaned. Permission to be sought from the Round Table.

48 Regeneration of the Memorial Gardens

Those present considered a proposal to renovate the former toilets into a café/takeaway.

Resolved – That consideration of this item be deferred for further consideration.

49 Cumbria Dark Skies Project

Further to minute number 36a (2020/21), The Cumbria Dark Skies Project Officer gave a detailed presentation outlining the main aims of the project and the potential funding sources.

Resolved – That consideration of this item be deferred until the next meeting.

Resolved –

That the Public Bodies (Admissions to Meetings) Act 1960, the public be removed for the following item of business due to contractual issues being discussed.

50 Room Hire

Those present considered a request from one of our tenants to further extend their rent free period due to the ongoing effects of covid-19.

Resolved – That the tenant be given a further two month extension of their rent free period.

The meeting closed at 20.11 pm

Minutes of a special planning meeting of Cockermouth Town Council held virtually on Thursday 3 September at 7.00pm

Members

J Laidlow (Mayor)

S Barnes
A Kennon
D Malloy
A Smith
A Semple

I Burns
J Laidlow
S Nicholson
C Smith
A Tyson

Apologies: G Bennion

53 Declaration of Interest

Councillor Malloy declared a prejudicial interest in planning application FUL/2020/0172 due to being a shareholder.

Councillors A Smith & A Tyson declared an interest due to being members of the Development Panel.

Councillor A Semple declared an interest due to being a substitute member of the Development Panel.

54 Public Participation

There was none.

55 Planning Applications

These amended plans were circulated for comment due to time constraints:-

Reference: **FUL/2019/0240**

Proposal: Formulation of car parking including disabled parking spaces and associated works

Location: All Saints Church, Kirkgate, Cockermouth

Amendment: Amended Description, Location, Block and Proposed Site

Recommend – Refusal same reasons as last time

These planning applications were considered at the meeting:-

Reference: **FUL/2020/0172**

Proposal: Proposed B1/B8 industrial units and associated ground works

Location: Lakeland Livestock Centre, Lakeland Agricultural Centre,
Cockermouth

Recommended - Approval

Reference: **FUL/2020/0177**

Proposal: Demolition of old garage/store

Location: Old Garage and Store to rear of The Huntsman, Main Street,
Cockermouth

Recommended – Approval

Town Clerk asked to request that the lane be improved.

Reference: FUL/2020/0181

Change of use and alteration to commercial and residential property to 5 flats
1 & 2 Wyndham Row

Recommended - Approval

The meeting closed at 7.08 pm

FUL/2020/0182

Agenda Item 7a

Demolition of garage and construction of 3 no. flats

2a Wyndham Row

Recommended –

Our Ref: WTPO/2020/0027

This matter is being dealt with by: Kerry McCartney

Direct Line: 01900 01900 702743

Email: planning@allerdale.gov.uk



03/09/2020

Cockermouth Town Council
Sheila Brown
Town Hall
Cockermouth
Cumbria
CA13 9NP

Dear Sir/Madam

Notification on works to Tree Preservation Order trees –

Applicant: Strawberry How Limited
C/O Edwin Thompson
Proposal: Proposed works to TPO trees T115, T116, T117 and T120 to cut back overhanging branches
Site: Strawberry How Strawberry How Road Cockermouth

I would be grateful if you could use the link below to view the above planning application. By inputting the above reference number it will display the application for you to view. Please indicate any observations the Parish/Town Council may have by e-mail to planning@allerdale.gov.uk or by separate letter.

In order to ensure that applications are dealt with as quickly as possible I would be grateful if you could reply within **21 days** of the date of this letter. Representations received after this date may be too late to influence the Local Planning Authority's decision on this application.

Could you please mark any correspondence for the attention of Kerry McCartney and could you please quote the reference number **WTPO/2020/0027**.

Please note that all the information contained in this application can be viewed by the public and on our website
www.allerdale.gov.uk/planningapplicationsearch

Yours faithfully

Kerry McCartney



Allerdale - a great place
to live, work and visit

Allerdale Borough Council
Allerdale House
Workington
Cumbria CA14 3YJ
tel: 0303 123 1702
www.allerdale.gov.uk

**Application for tree works: works to trees subject to a tree preservation order (TPO)
and/or notification of proposed works to trees in a conservation area.**

Town and Country Planning Act 1990

You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Please complete using block capitals and black ink.

You must use this form if you are applying for work to trees protected by a tree preservation order (TPO). (You may also use it to give notice of works to trees in a conservation area).

It is important that you read the accompanying guidance notes before filling in the form. Without the correct information, your application / notice cannot proceed.

1. Applicant Name and Address	2. Agent Name and Address
Title: <input type="text"/> First name: <input type="text"/>	Title: <input type="text"/> MR First name: <input type="text"/> BEN
Last name: <input type="text"/> STRAWBERRY HOW LIMITED	Last name: <input type="text"/> ANDERTON
Company (optional): <input type="text"/> C/O EDWIN THOMPSON	Company (optional): <input type="text"/> EDWIN THOMPSON
Unit: <input type="text"/> House number: <input type="text"/> 28 House suffix: <input type="text"/>	Unit: <input type="text"/> House number: <input type="text"/> House suffix: <input type="text"/>
House name: <input type="text"/> ST JOHNS STREET	House name: <input type="text"/> FIFTEEN ROSEHILL
Address 1: <input type="text"/>	Address 1: <input type="text"/> MONTGOMERY WAY
Address 2: <input type="text"/>	Address 2: <input type="text"/>
Address 3: <input type="text"/>	Address 3: <input type="text"/>
Town: <input type="text"/> KESWICK	Town: <input type="text"/> CARLISLE
County: <input type="text"/> CUMBRIA	County: <input type="text"/> CUMBRIA
Country: <input type="text"/> UNITED KINGDOM	Country: <input type="text"/> UNITED KINGDOM
Postcode: <input type="text"/> CA12 5AF	Postcode: <input type="text"/> CA1 2RW

3. Trees Location

If all trees stand at the address shown in Question 1, go to Question 4. Otherwise, please provide the full address/location of the site where the tree(s) stand (including full postcode where available)

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode (if known):

If the location is unclear or there is not a full postal address, either describe as clearly as possible where it is (for example, 'Land to the rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road') or provide an Ordnance Survey grid reference:

Description:

4. Trees Ownership

Is the applicant the owner of the tree(s): ☒ Yes ☐ No
If 'No' please provide the address of the owner (if known and if different from the trees location)

Title: First name:

Last name:

Company (optional):

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone numbers

Country code:	National number:	Extension number:
<input type="text"/>	<input type="text"/>	<input type="text"/>
Country code:	Mobile number (optional):	
<input type="text"/>	<input type="text"/>	
Country code:	Fax number (optional):	
<input type="text"/>	<input type="text"/>	
Email address (optional): <input type="text"/>		

5. What Are You Applying For?

Are you seeking consent for works to tree(s) subject to a TPO? ☒ Yes ☐ No

Are you wishing to carry out works to tree(s) in a conservation area? ☐ Yes ☒ No

6. Tree Preservation Order Details

If you know which TPO protects the tree(s), enter its title or number below.

7. Identification Of Tree(s) And Description Of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out. Continue on a separate sheet if necessary. You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work. Where trees are protected by a TPO, please number them as shown in the First Schedule to the TPO where this is available. Use the same numbers on your sketch plan (see guidance notes).

Please provide the following information below: tree species (and the number used on the sketch plan) and description of works. Where trees are protected by a TPO you must also provide reasons for the work and, where trees are being felled, please give your proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

E.g. Oak (T3) - fell because of excessive shading and low amenity value. Replant with 1 standard ash in the same place.

7. Identification Of Tree(s) And Description Of Works continued ...

8. Trees - Additional Information

Additional information may be attached to electronic communications or provided separately in paper format.

For all trees

A sketch plan clearly showing the position of trees listed in Question 7 must be provided when applying for works to trees covered by a TPO. A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes). It would also be helpful if you provided details of any advice given on site by an LPA officer.

For works to trees covered by a TPO

Please indicate whether the reasons for carrying out the proposed works include any of the following. If so, your application must be accompanied by the necessary evidence to support your proposals. (See guidance notes for further details)

1. **Condition of the tree(s)** - e.g. it is diseased or you have fears that it might break or fall: ☐ Yes ☐ No

If YES, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

2. **Alleged damage to property** - e.g. subsidence or damage to drains or drives. ☐ Yes ☐ No

If YES, you are required to provide for:

Subsidence

A report by an engineer or surveyor, to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals. Also a report from an arboriculturist to support the tree work proposals.

Other structural damage (e.g. drains, walls and hard surfaces)

Written technical evidence from an appropriate expert, including description of damage and possible solutions.

Documents and plans (for any tree)

Are you providing separate information (e.g. an additional schedule of work for Question 7)? ☐ Yes ☐ No

If YES, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application. If they are being provided separately from this form, please detail how they are being submitted.

N/A

9. Authority Employee / Member

With respect to the Authority, I am:

- (a) a member of staff (c) related to a member of staff
(b) an elected member (d) related to an elected member

Do any of these statements apply to you?

☐ Yes

☐ No

If Yes, please provide details of the name, relationship and role

AGENT

10. Application For Tree Works - Checklist

Only one copy of the application form and additional information (Question 8) is required. Please use the guidance and this checklist to make sure that this form has been completed correctly and that all relevant information is submitted. Please note that failure to supply precise and detailed information may result in your application being rejected or delayed. You do not need to fill out this section, but it may help you to submit a valid form.

Sketch Plan

- A sketch plan showing the location of all trees (see Question 8)



For all trees

(see Question 7)

- Clear identification of the trees concerned
- A full and clear specification of the works to be carried out



For works to trees protected by a TPO

(see Question 7)

Have you:

- stated reasons for the proposed works?
- provided evidence in support of the stated reasons? in particular:
 - if your reasons relate to the condition of the tree(s) - written evidence from an appropriate expert
 - if you are alleging subsidence damage - a report by an appropriate engineer or surveyor and one from an arboriculturist.
 - in respect of other structural damage - written technical evidence
- included all other information listed in Question 8?



11. Declaration - Trees

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant:

[Signature area]

Date (DD/MM/YYYY):

28/08/2020

(This date must not be before the date of sending or hand-delivery of the form)

12. Applicant Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Country code: Fax number (optional):

Country code: Fax number (optional):

Country code: Fax number (optional):

Email address (optional):

13. Agent Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Country code: Fax number (optional):

Country code: Fax number (optional):

Country code: Fax number (optional):

Email address (optional):

b-enderton@edwin-thompson.co.uk

Electronic communication - If you submit this form by fax or e-mail the LPA may communicate with you in the same manner.
(Please see guidance notes)

Edwin Thompson

Fifteen Rosehill
Montgomery Way, Carlisle, CA1 2RW

Application for works to a protected trees at Strawberry How

SCALE: 1:2500

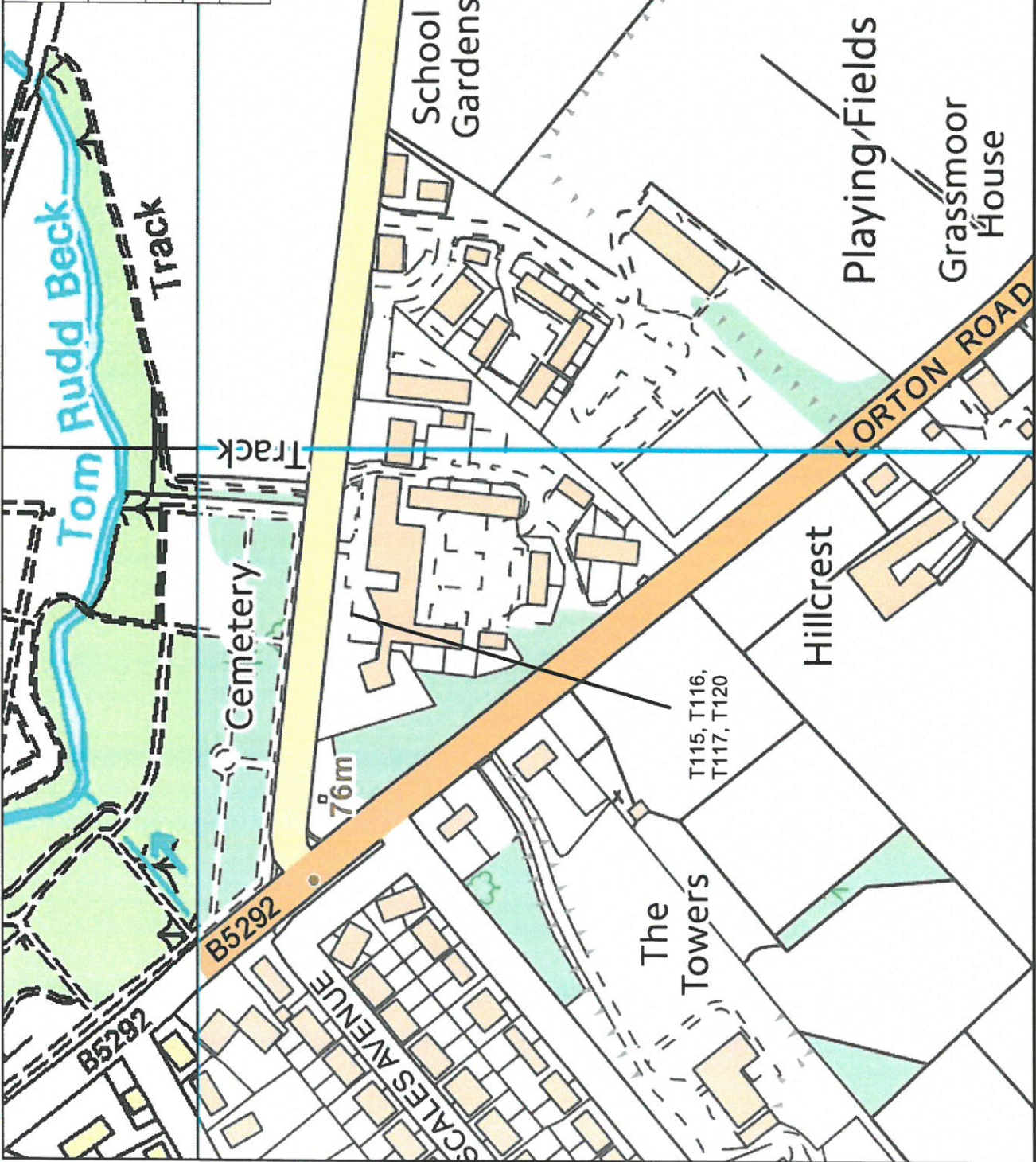
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DATE: 28/08/2020

MAP FILENAME:

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Cockermouth Town Council

Expenditure transactions - payments approval list Start of year 01/04/20

Tn no	Cheque	Gross	Vat	Net	Invoice date	Details	Cheque Total
132	112591	£2,199.42	£366.57	£1,832.85	04/09/20	Tivoli Services Ltd - Ground Maintenance- Aug - inv 00019454	£2,199.42
1		£1,839.42	£306.57	£1,532.85		MG mem gardens	
2		£360.00	£60.00	£300.00		OP 4 play areas	
133	112588	£10,490.00	£0.00	£10,490.00	04/09/20	Allerdale Borough Council - Rates	£10,490.00
1		£6,240.00	£0.00	£6,240.00		TH TH	
2		£3,180.00	£0.00	£3,180.00		TIC Library	
3		£510.00	£0.00	£510.00		toile PC Main Street	
4		£560.00	£0.00	£560.00		toile PC Bitterbeck	
134	112589	£92.10	£15.35	£76.75	04/09/20	WF Cascade - cleaning products	£92.10
135	112590	£180.83	£10.39	£170.44	04/09/20	Npower Ltd - Electricity Charges	£180.83
1		£8.47	£0.40	£8.07		toile Harris Park	
2		£60.27	£3.76	£56.51		toile Main Street	
3		£32.27	£2.43	£29.84		toile Bitterbeck Toilets	
4		£8.62	£0.41	£8.21		MG Mem Gardens	
5		£6.43	£0.31	£6.12		TIC Cockermouth Library	
6		£64.77	£3.08	£61.69		TIC Cockermouth Library	
136	112592	£12.00	£2.00	£10.00	04/09/20	Tech 4 Office Equipment Ltd - Printer KG	£12.00
137	112593	£77.71	£12.95	£64.76	04/09/20	Viking - stationery TH	£77.71
138	112594	£4.29	£0.72	£3.57	04/09/20	Firns Home Hardware - padlock gents toilet mem gardens	£4.29
141	112595	£345.00	£0.00	£345.00	09/09/20	D Huddart - Open Harris Park Toilets - School Halls	£345.00
Total		£13,401.35	£407.98	£12,993.37			

Signature

Signature

Date



Fire and Rescue Service Headquarters
Carleton Avenue
Penrith
Cumbria, CA10 2FA

01768 812663
office@calc.org.uk

To: Clerks of CALC member Councils and Meetings

13 August 2020

Dear Clerk

Local government reorganisation in Cumbria – interim position statement

The national government is actively driving a devolution agenda across the UK. This is most likely to result in the reform of the existing two tiers of local government within the county.

In early July 2020, the leaders and chief executives of the County Council and the District Councils met with Simon Clark MP to discuss what this might mean for Cumbria. At that meeting, the principal authorities of Cumbria were invited to submit a collective proposal, or separate proposals, for how devolution and local government reorganisation might look. Any new structure of local government will be subject to consultation but the decision will sit with Ministers.

There are various options currently under discussion including all the present councils being replaced with one or two unitary authorities providing public services and the creation of a combined authority to receive the additional powers.

CALC's Executive Committee gave consideration to the association's position at its virtual meeting on 12 August 2020.

The view of the Executive Committee is that CALC should be active in the debate that is now taking place in Cumbria about future local government arrangements. The Executive Committee also considered it important to respond promptly to requests from the County and District Councils for CALC's views on the role of town and parish councils in any new arrangements.

The Executive Committee has therefore agreed an 'Interim Position' statement and I attach a copy.

The Executive Committee would like to hear the views of your council or parish meeting on the 'Interim Position' statement and requests that you email them to the CALC office as soon as possible.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Samantha Bagshaw', with a stylized flourish at the end.

Samantha Bagshaw, Chief Officer



Local government reorganisation in Cumbria Interim position - August 2020

The purpose of this paper is to clarify CALC's current position on the future of local government in Cumbria and the role of town and parish councils.

Summary of Cumbria Association of Local Councils' interim position

1. Cumbria Association of Local Councils (CALC) welcomes in principle the aim of delivering better public services through a local government reorganisation in Cumbria.
2. CALC feels that local government in two tier areas like Cumbria faces additional challenges that can sometimes make it harder to achieve the strong leadership and clear accountability which our communities need. There are risks of duplication and inefficiency between tiers resulting in confusion for local residents and the stretching of limited resources for small districts.
3. CALC agrees with the government's view that in two tier local government areas like Cumbria, maintaining the status quo is no longer an option. Our view is that the people of Cumbria are not as well served by existing local government as they could be and the time has come to make significant changes in the way local government operates within the county.
4. The best prospect of achieving high quality local government in Cumbria in the future lies in the replacement of the present two tier local government structure with one or more unitary authorities delivering services and the creation of a combined authority to receive the additional powers. We understand that any new model of local government will be subject to consultation but the decision will be made by ministers.
5. CALC will consider and take a position on any proposals submitted to the government and hopes that the present county and district councils will produce practical proposals for a unitary local authority structure in Cumbria by the government's deadline.
6. In any reorganisation, CALC would expect to see arrangements in place which allow communities, through their elected town and parish councils, greater influence over what happens in their areas. We are looking for decentralised decision making which enables service planning and delivery to be sensitive to local aspirations and circumstances. CALC is looking for this level of community influence to be integral to any new arrangements.

Empowered communities

7. CALC's particular interest in any future local government arrangements is focussed on how town and parish councils and a principle authority could work together to achieve empowered communities. The following paragraphs are a contribution to debate on how this may be achieved.
8. Some general principles are:
 - a. The empowerment of local communities should be an explicit objective of the principle authority. It will need to organise itself appropriately and allocate adequate resources to achieve the objective.

- b. Governance at the local community level should be led by elected town and parish councils in partnership with the principle authority and other community groups. This means town or parish councils should be created in those areas where they currently do not exist.
 - c. The principle authority should not micro-manage at the community level itself but should empower town and parish councils and others to do so.
 - d. Arrangements for community governance and empowerment should be flexible to allow for variations in capacity and aspirations amongst town and parish councils. Communities should be free to choose the nature and extent of their involvement.
 - e. Local diversity should be viewed as an opportunity, not a problem. There should be no 'one size fits all' solutions.
9. The interest of town and parish councils in empowerment covers:
- a. Influencing principle authority decisions before they are made
 - b. The opportunity to take on responsibility for the management of local services, facilities and land
 - c. scrutinising and challenging principle authority performance

Influencing decisions

10. Influencing decisions is about town and parish councils collectively influencing broader policy decisions and also about individual councils influencing decisions affecting their specific area.
11. Currently decisions are taken at local level within the framework of policies that have been decided at a more strategic level. This presents a dilemma for town and parish councils – their forté is handling detailed local matters yet they need to find time and resources to participate at the strategic level to ensure the options at local level are not closed down. This means that individual council representatives or CALC representatives need to commit, often over lengthy time scales, to debates, discussions and consultations. Sometimes representatives with sufficient expertise and free time are difficult to find. A way will need to be found to resource community participation in strategic policy making.
12. At the individual parish level, councils want consultation and participation processes to leave them with the feeling that they have been listened to and their views actually taken into account. This is particularly important in town and country planning where the current process leaves local councillors feeling that sometimes decisions have been taken without their views being properly heard or considered. The 'neighbourhood plan' initiative has helped in recent years but many smaller communities are not in a position to develop their own neighbourhood planning strategy.
13. Town and parish councils have been increasingly working with their communities to prepare and adopt a 'community plan', which is a constructive contribution to place shaping by the community. It is increasingly the main way that a community will seek to highlight and prioritise matters of importance to them. The principle authority should actively engage in the preparation of community plans and establish protocols which enable them to influence policy decisions and initiate actions. In particular, there needs to be arrangements that enable all aspects of a parish plan to influence community strategies and local development frameworks.

Devolution of service responsibility

14. A town or parish council's interest in taking on a service responsibility from the principle authority will depend on whether the council believes it can provide a better service or better value for money, the benefits of the service or facility to the community and the adequacy of resources and officer support from the principle authority. It will also depend on the council's preferences and its assessment of its own capacity.
15. A principle authority should not think in terms of either 'we' do it or 'they' do it. Often the combination of local resources, local knowledge and sensitivity to local considerations provided by the town or parish council, coupled with the professional officer expertise and support provided by the principle authority will provide the best arrangement.
16. The initiative to encourage town and parish councils to take on ownership and management of services, facilities and land should come in the first instance from the principle authority. The principle authority is in the best position to shape some possibilities for discussion, enabling town and parish councils to explore the specific opportunities.
19. Proposals for the devolution of service responsibility should be accompanied by the necessary financial resources from the principle authority to deliver the service. This does not mean that town and parish councils are always looking to undertake service provisions at no cost to themselves and their communities. In fact they will sometimes be prepared to provide some form of 'added value' from their own resources.
20. Arrangements to enable town and parish councils to take on the ownership and management of services, facilities and land will need to be flexible to allow for the variations in capacity and aspirations. Allowances will need to be made for the likely increase in capacity and aspirations over time. It is anticipated that in the future, more councils will be recognised under the Local Council Award Scheme (LCAS) and as more clerks qualify with the Certificate in Local Council Administration (CiLCA), an increasing number of councils will also become eligible to implement the General Power of Competence. However until that time, fixed long term contractual arrangements will not always be appropriate.
21. Although town and parish councils will resist being pushed into geographical 'clusters' where a loss of identity will be feared, they recognise that working in groups on cross boundary service provisions will often be the only practical arrangement. This can also deliver economies of scale.

Scrutinising performance

22. The 2000+ town and parish councillors across the county have considerable knowledge and experience of principle authority performance in the delivery of services. At present feedback to the principle authority is random, partial and most commonly in the form of complaints. There needs to be a mechanism for this wealth of experience to be gathered in a more systematic and constructive manner. There should be a clear role for town and parish councils (perhaps via CALC) in formal scrutiny and review of activities, as well as more informal mechanisms through the principle authority's own front line councillors.
23. Arrangements which enable town and parish councils to hold principle authorities to account are of no value unless they also enable town and parish councils to influence change. Following the scrutiny and review of existing performance, processes need to be in place to either implement change or give full explanations of why change is not possible.

Capacity of town and parish councils and availability of resources

24. A review by CALC indicates that in relation to 'good practice' the performance of town and parish councils has improved in recent years. There is good attendance at CALC training courses, there was an encouraging cross section of councillors from across the county at the 2019 summer conference, there is a more professional approach amongst parish clerks with a growing number serving more than one council, there is widespread interest in the preparation of community plans, the use of IT and the internet is now universal despite variations in availability of Broadband, most councils have recently embraced virtual meetings as routine and there is a willingness to raise money through the precept to implement projects.
25. However there remain differences in capacity across the parish sector which will need to be taken into account if empowerment of communities through town and parish councils is to be a reality across the county. A variety of measures will need to be implemented with the support of the principle authority.
26. CALC and other organisations will need to continue to provide basic training for councillors and clerks. This work may include a mix of traditional courses, workshops and conferences (Covid-19 restrictions permitting), discussions and coaching via virtual meeting platforms and webinars. The Local Council Award Scheme will need to be promoted more actively, alongside the Certificate in Local Council Administration qualification course.
27. Efforts will need to be made to attract new people to local council activities and this will require a higher profile for parish elections without the fear of the financial burden of a poll. It is acknowledged that some parish councils are too small to generate sufficient capacity and should be encouraged to join with an adjacent council, while many other councils should be encouraged to reduce their number of councillors to improve decision making.
28. Town and parish councils have to raise their income from the parish precept. There is an understandable reluctance amongst town and parish councillors to add to the council tax burden and face the disapproval of their neighbours. All town and parish councils have considerable 'back office' costs, including salaries, insurance, audit fees, health and safety inspections, subscriptions and IT costs. As a consequence, financial allocations for training and parish elections are often lower down the list of annual budget priorities and there is a wariness about taking on new responsibilities unless the financial consequences are small.
29. Town and parish councils' natural caution about spending will constrain efforts to empower them unless the principle authority is prepared to help find economies of scale in meeting their 'back office' costs and where appropriate fund or subsidise specific expenditure such as training costs, election costs, IT costs etc.
30. CALC is capable of helping to facilitate change and assist in the empowerment of town and parish councils but has limited income provided by its member councils and grants from county and district councils. In view of the potential contribution CALC could make to successfully implementing an agreed local government reorganisation in Cumbria, CALC will be seeking principle authority assistance to promote and support the key training and development programmes of Local Council Award Scheme and Certificate in Local Council Administration.

CALC Executive Committee
August 2020

Our ref: 2020-003

This matter is being dealt with by:

Ian Hinde

Direct line: 01900 702544

Email: ian.hinde@allerdale.gov.uk



Cockermouth Town Council
BY EMAIL ONLY

08.09.20

Dear Cockermouth Town Council,

Harris Park, Cockermouth

I am writing to advise you that we have received a request to consider the above land/property for inclusion in the Council's List of Assets of Community Value. The information below explains more about what this means.

Under the Localism Act 2011, town and parish councils and local voluntary and community organisations can nominate local land or buildings to be included in a 'list of assets of community value.' If the owner of a listed asset subsequently wishes to sell the asset, there will be a period of time during which the asset cannot be sold. This is intended to allow community groups the time to develop a proposal and raise the required capital to bid for the asset when it comes onto the open market at the end of that period.

For an asset to be listed the Council must consider either that (i) its main use contributes to the social wellbeing or cultural, recreational or sporting interests of the local community – and that it is realistic to think that this use will continue or (ii) where the main use does not currently have such a community benefit but in the 'recent past' it did have and the Council considers it realistic to think that it would be able to have such a use in the next 5 years.

Certain assets are exempt from being listed as assets of community value. These are detailed in full in the regulations but include:

- Residential property including gardens, outbuildings and other associated land (there is an exception to this general exclusion of residential property where an asset which could otherwise be listed contains integral residential quarters, such as accommodation as part of a pub).
- Land covered by Caravan Sites and Control of Development Act 1960
- Land used by public utilities, defined as Operational Land in section 263 of the Town and Country planning Act 1990



We are required to make this decision within a period of 8 weeks from receipt of the nomination.

**Allerdale - a great
place to live,
work and visit**

Allerdale Borough Council
Allerdale House
Morecambe
Cumbria CA14 3YJ
Tel: 01900 702702
Fax: 01900 702507

Where an asset is included in the list of assets of community value, it has the following implications:

- Details of the listing are recorded with the Land Registry and as a local charge on the property for a period of five years.
- The owner is required to notify the Council in writing of their intention to dispose of the asset.
- This notification will trigger a moratorium period (a period of delay) during which the asset owner may not dispose of the asset (other than where the disposal is exempt under the Regulations). This interim moratorium is for a period of six weeks from the date upon which we receive written notification of the owner's intention to dispose of the asset.
- During this six week period, suitably constituted community groups and organisations which can demonstrate a local connection may submit an intention to bid. Where this is received, a six month moratorium period (starting from the date upon which we receive written notification of the owner's intention to dispose of the asset) is triggered during which no disposal may take place except to a qualifying community group by negotiation.
- This six month period is intended to enable a community group or organisation to prepare to be able to submit a bid to the owner to purchase the asset. Any subsequent sale takes place under normal market conditions. There is no obligation for a group to make a bid and the group has no rights of purchase over other potential buyers. The owner is under no obligation to sell the asset to a community group or any other person. If the owner decides to sell to a community group, they may do so within the six month moratorium period.
- If after the six month moratorium period a community group has not successfully bought the property, the owner is protected for a further 12 month period (the total eighteen month period commencing on the day upon we received written notification of the owner's intention to dispose of the asset) during which the asset may be sold on the open market without the risk of any further moratorium period being triggered.
- If any land included in the Assets of Community Value List which is unregistered becomes registered for the first time (because of a disposal, mortgaging or voluntary registration), the owner or new owner must notify the Council as soon as is practicable and complete the Form QQ to enter a restriction on their land register.
- The Regulations state that any sale of an asset included in the list of assets of community value which do not comply with the requirements will be void, meaning that the change of ownership has not taken place.

Further information about the Right to Bid and Allerdale Borough Council's processes is available at <https://www.allerdale.gov.uk/en/council-and-democracy/community-right-bid/community-right-bid-nomination-process>

The following links provide full details of the legislative provisions.

Localism Act Chapter 3 <http://www.legislation.gov.uk/ukpga/2011/20/part/5/chapter/3>

Assets of Community Value (England) Regulations 2012

<http://www.legislation.gov.uk/uksi/2012/2421/contents/made>

If you feel that there are reasons why the land/property named in this letter does not meet the criteria to be eligible for inclusion in the Council's list of Assets of Community Value, or wish to provide any further information in connection with the nomination, please contact me by Tuesday 22 September 2020.

We have acquired your details as the proprietor of the above property from HM Land Registry and will handle your personal information in line with our Privacy Policy <https://www.allerdale.gov.uk/en/privacy-policy/>.

Yours sincerely

Ian Hinde

Ian Hinde
Policy Officer (Scrutiny and Partnerships)

* Emailed Ian on 10/9/20 asking for clarification / map of land in question.

Allerdale own Hams Park.

CTC own Hams Park Extension.

Should have clarity before meeting

If NOT will have to defer.

Our ref: 2020-004

This matter is being dealt with by:

Ian Hinde

Direct line: 01900 702544

Email: ian.hinde@allerdale.gov.uk



Cockermouth Town Council
BY EMAIL ONLY

08.09.20

Dear Cockermouth Town Council,

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Yours sincerely

Ian Hinde

Ian Hinde
Policy Officer (Scrutiny and Partnerships)

CLERK'S REPORT

Tourism and Publicity/Library

Visitor numbers for July – TIC closed.

The library/tic closed on 18 March 2020.

Weddings

We have 8 September bookings.

Public Toilets

They re-opened on 29 June 2020.

Harris Park toilets closed on 2/9/20.

Memorial Gardens

The trees works will be carried out w.c. 14 September 2020.

Play Areas

These re-opened 4 July 2020.

Councillor Malloy kindly checked that the notices regarding usage were still in good condition and replaced those which were not.

Allotments

Work on the temporary support to the banking at St Helens Street is now complete.

The allotments have been re-inspected.

Staff Handbook

Calc have offered to update our staff handbook. I would like to take them up on this offer.

Dorothy Wordsworth Fountain and William Wordsworth Bust

The busts will be cleaned/restored on 14 September 2020.

Metalcraft Community Fund

The next meeting will be held on 6 October 2020. Closing date for applications is 30/9/20.

Clerk - Cockermouth TC

From: Jack Ellerby <Jack-Ellerby@fld.org.uk>
Sent: 23 June 2020 12:12
To: Clerk - Cockermouth TC
Subject: Cumbria Dark Skies Project - Brief for 15 July 2020 Meeting
Attachments: Briefing for Cockermouth TC - Dark Skies Project - July 2020.docx

Sheila

Hope the attached is the right length/level of detail. The asks of the Town Council are:

1. Would you like to be the small Town pilot for the LAAPs in Cumbria?
2. Are you able to contribute any funding? (I'm setting a budget of £4-5,000 for the Cockermouth audit).

Then perhaps after the meeting if you'd like to get involved, I could speak to someone regarding:

- a. Any local potential funding sources you think we should apply to, for either the initial LAAP or the follow-up individual lighting assessments; and
- b. Suggest some key, doing people from the community you think might be interested in helping to work alongside myself to drive the work forward.

Many thanks, best jack

Please note I work on a part-time basis, with normal office days Monday, Tuesday and Wednesday mornings. Thank you.

Cumbria Dark Skies Project – Briefing for Cockermouth Town Council 15 July 2020

Light pollution is the outward and upward transmission or reflection of light wasted into the night sky contributing to sky glow and lighting glare.

The three main aims of the Project and associated actions are:

1. *Celebrate and raise awareness of the value of Dark Skies and impacts of light pollution* – giving talks to community groups and organisations, a festival of events is planned for February 2021 (including events with the Cockermouth Astronomical Society), Dark Skies information on our website and regular media communications highlighting relevant issues/latest research.
2. *Preventing more light pollution* – I'm liaising with planners, highways lighting, crime prevent officers and others across the county and have drafted a lighting policy that will go on our website shortly to try to get better policies in place (eg. Allerdale's next Local Plan). We give guidance/comment on planning applications and public projects to try to prevent bad lighting. Do flag up any which concern you if you think we can help where the landscape or Town's character would be damaged (we can't comment on everything, so we focus on bigger, more damaging proposals).
3. *Reducing existing levels of light pollution* – the updated website will include a simple home lighting self-assessment and we will promote that with others. The main thing I'm working up is what I've called a Lighting Audit and Action Plan (LAAP) in four communities across Cumbria. I have picked Cockermouth as the small Town pilot - this has not been done before to the best of my knowledge talking to lighting professionals and Dark Sky places. I am seeking funding now for this and would hope to appoint lighting consultants at the beginning of September.

The purpose of the LAAP is to:

- Provide a baseline assessment of external lighting;
- Identify the main contributors to light pollution; and
- Identify priority actions to mitigate the effects of stray/obtrusive light on sky glow.

I would then work alongside a small team of key people in Cockermouth (including hopefully someone on the Town Council) to approach businesses, organisations and any premises where light pollution was a major issue, and try to fix the problem. I am hoping to secure further funding to pay lighting engineers to do individual assessments as an incentive to these property owners.

Jack Ellerby, Cumbria Dark Skies Project Officer employed by Friends of the Lake District (FLD).