

**MINUTES OF A MEETING  
OF KIRKBY LONSDALE TOWN COUNCIL  
HELD IN THE BECTIVE ROOM  
LUNESDALE HALL, KIRKBY LONSDALE  
ON WEDNESDAY 12<sup>th</sup> JUNE 2024 AT 7PM**

**Present:** Councillors Paul Cassell (Chairman), Mike Marczynski, Nigel Martin, Malcolm Perrin, and Robin Ree. Apologies for absence were accepted from Councillor Stuart Taylor.

Also in attendance: Westmorland & Furness Councillor Hazel Hodgson (from 7.25pm), five members of the public and Town Clerk Kevin Price.

**24/59 Public participation:**

- a. Questions were raised concerning financial transparency and the large sums that had been spent on The Brow over the past three years. The Chairman said that a full report would be presented later in the meeting and the Clerk indicated that financial procedures are being currently looked at. At present, the Council's finances are healthier than of recent times.
- b. Town Council Work Programme. The meeting was assured that the Work Programme is still in place but, with the current shortage of Councillors it has not yet been possible to progress things as was originally thought. The Council was urged to make 'accessibility' its priority, following the survey carried out in recent years. The Emergency Plan needs to be put in place still and this, together with accessibility issues, were noted for future agendas.
- c. A report was made of a visitor who had tripped and fallen in the town recently. This should be referred to W & F Council, the owners of the footpaths/pavements in the town.

**24/60 Minutes:**

It was resolved that the minutes of the meetings held on 12<sup>th</sup> April 2024 and 8<sup>th</sup> May 2014 should be signed.

**24/61 Requests for Dispensations:** None.

**24/62 Declarations of Interest:**

There were no Declarations of Interest made in respect of any matters on the agenda.

**24/63 The Ram:**

Councillor Marczynski said that Chris Potts has written to W & F Council to remind them that the paperwork for the erection of The Ram has still not been received. Andy Kay (the sculptor) is unable to commence work until he knows that the project is definitely going ahead.

The stone for the plinth has been supplied and brought from Ingleton to Kitirdding; this is likely to cost £500.

#### **24/64 Ruskin's View/The Brow:**

This is a summary of activities carried out by KLTC Technical Team during May/June 2024 in an effort to re-open The Brow footpath using a cost-effective approach that is low risk and safe for public access.

Monthly Report No.6 was presented to Kirkby Lonsdale Town Council at the monthly Council meeting on 12<sup>th</sup> June 2024.

The Technical Team continued to make positive progress through May/June 2024, concentrating on discussions with Westmorland & Furness Council (W&F) Highways Engineering and Countryside Access Teams to determine what criteria must be met in order to re-open The Brow.

Incidents / Adverse events to date:

Despite locked gates preventing public access along The Brow, many visitors and families continue to climb over handrails at the top of Radical Steps and walk along a well-worn path next to the footpath railings. Many continue to rest at the first viewing platform to enjoy Ruskin's View in fine weather.

KLTC has placed signs at each gate showing the footpath is 'CLOSED' and not taking any responsibility for harm or injury to anyone choosing to use the path. KLTC has agreed not to install any further fencing for fear of vandalism and causing injury by further climbing over spiked iron railings.

Stage 1a. – Tree Management and Vegetation Clearance:

Consent has finally been given by Yorkshire Dales National Park Authority (YDNPA) to carry out minor tree cropping along the footpath and embankment. Ivy that is choking mature trees will be cut at 1.0m above ground level and damaged / loose tree branches will be removed. Two or three trees showing no sign of life (ash die back) can now be cut down and removed from the embankment. Local tree surgeons are being asked to quote for the work. Work will progress in June 2024.

Stage 1b – Survey Monitoring of The Brow:

The final monthly survey of No 6 site surveys is now complete for June 2024. All survey data will be analysed by MHL and presented on drawings, photographs and spreadsheets for inclusion in a Geotechnical Assessment Report for submission to W&F Council for approval.

There is no significant movement of The Brow footpath.

The footpath has deteriorated over the past two and half year's closure and remedial construction work is required to eliminate all hazards before re-opening, ie... slips, trips and falls on uneven surface, poor surface for mobility, tarmac edge breaking up... etc. Design work is ongoing.

Drainage over the natural slope:

High pressure jetting - clearing three drains at the top of the embankment and connecting new pvc pipelines to carry surface water directly to the river Lune below. All pipes will be covered with a woven geotextile blanket (or approved hessian) and laid with suitable grass seed to hide the pipelines. Local drainage Contractors are being asked to quote for the work. Work to progress in July 2024.

Westmorland & Furness Council (WFC):

A successful and positive meeting between KLTC and W&F Council was held on site on 22<sup>nd</sup> May 2024.

Full disclosure of the meeting is detailed in document 'Note for the Record' – NFR-01-MP RevB attached to Technical Team Monthly Report No.6 – 11<sup>th</sup> June 2024, available on the Kirkby Lonsdale Town Council website.

It was agreed by all parties that a Technical Assurance Report must be commissioned by KLTC and submitted to W&F Council before The Brow can be safely re-opened or partially re-opened to the public. Such a report will be written by an independent and accredited Geotechnical Engineer approved by KLTC and W&F Council. It will include but not limited to:-

- a. A study of the site and review of historical reports and the more recent Fairhurst Options Appraisal;
- b. All current monitoring data will be analysed and a continuing monitoring regime will be established, ie... from monthly to perhaps quarterly or six monthly.
- c. Current vegetation and tree management to be reviewed and a future programme implemented;
- d. To recommend, design and detail any remedial construction required to strengthen and correct failing surfaces along the edge of footpath;
- e. Establish a Risk Management Register and implement a strategy to reduce and manage risk to the Public using the footpath, ie... continual monitoring and perhaps a biennial Geotechnical assessment of the slope stability;
- f. Ascertain costs for remedial repair works and future management of The Brow.

KLTC Technical Team appointed Simon Ferley, Dentonside Geotechnical Consultants on 6<sup>th</sup> June 2024 to carry out the following scope of work, to advise on and write the Technical Assurance Report.

A staged approach to the investigation, as proposed below:

- a. Desk based review of existing data and survey reports
- b. Site visit to assess the scale problem and any constraints
- c. Brief report including potential for re-opening part of the footpath, and outlining proposals for next stages of investigation, monitoring and remediation.

Simon Ferley will visit The Brow site on 20<sup>th</sup> June 2024.

Commercial:

Expenditure paid by KLTC for The Brow during 2021/22, 2022/23, 2023/24 as per the invoices:-

- a. £108,489 Total payments as per invoices supplied;
- b. £50,000 Grants paid by KLTC to The Friends of Ruskin's View;

TOTAL = £158,489 Total payments made by KLTC, as per information supplied.

#### **24/65 Appleby Horse Fair:**

There had been a number of instances of disturbance, noise and abuse surrounding the recent event, and large amounts of rubbish had been left at Devil's Bridge car park. The brick walls around the car park had been burnt. Councillor Hodgson will pass these comments on at the forthcoming Respect meeting.

#### **24/66 Rural Services Network:**

It was agreed that this Network could be useful to the Council and it was resolved to apply for membership, providing the subscription was reasonable, say below £100.

#### **24/67 Planning sub-group:**

*The following application was considered and approval recommended:*

2024/0320/FPA Field off Hophouse Lane. Change of use of agricultural field to equestrian, erection of stable block & creation of new field access & track onto Hophouse Lane.

## 24/68 Reports:

*Councillor Hodgson reported as follows:*

A meeting with W & F Highways has been held recently. There are currently 21 projects in the Sedbergh and Kirkby Lonsdale Ward alone. Representatives from Highways are visiting Kirkby Lonsdale on 9<sup>th</sup> September. The pavement is to be extended from outside the Copper Kettle to Queen's Square, near to the Orange Tree. W & F Council will work with the Town Council and will endeavour to deal with requested work/projects. She is meeting with the CIC on 24<sup>th</sup> June.

## 24/69 Finance:

a. *It was resolved to pay the following accounts:*

Craig Bradshaw	£1,800.00	Maintenance contract
Lunesdale Hall	£93.50	Hall booking
Moore	£756.00	External Audit for <b><u>2022-23</u></b>
Julie Wright	£600.00	Internal Audit for 2023-24

- b. The cash and budget statements were noted; these will be updated at every meeting in future. It was noted that the Council's funds are in a much healthier state than formerly.
- c. The report from the Council's new Internal Auditor had been circulated to all Councillors. It was resolved to set up a working group consisting of Councillors Cassell, Marczynski and Martin, to study the report, and make recommendations to a future Council meeting.
- d. The External Auditor's Report had only been received a couple of days prior to this meeting (it should have been sent to this Council by 30<sup>th</sup> September 2023) and so it could not be an agenda item. It will be considered at the next meeting, if it has not already been covered by c (above).
- e. A request from the Lunesdale Hall, for funding towards repairing the cupola on the Hall, was considered. The total cost is likely to be in the region of £11,000. It was resolved that the Council will 'ring-fence' the sum of £5,000 towards this work, to be paid when required.
- f. Councillor Martin submitted a full report on the finances associated with Ruskin's View/The Brow, together with an analysis of spending thus far. £10,000 is still owed by the Town Council to the Friends of Ruskin's View. Discussions will continue, including ascertaining what level of funds will be required to open Ruskn's View and the setting up of a Contingency Fund for future repairs. The Council expressed its thanks to Councillor Martin for this very useful report.

**24/70 Correspondence:**

- a. Councillor Marczynski pointed out that the garage in Tram Lane, previously rented by the Town Council, has now been vacated. The items stored in the garage are now at the Drill Hall Yard and the rent will now be £50 monthly, divided between the Council and the CIC rather than £90 monthly. The Clerk will contact Allan Muirhead to ensure the payments are altered.
- b. It was noted that there had been a fire recently at the Royal Barn, which had necessitated the Fire Service from Sedbergh attending. Fortunately, the fire was easily extinguished but the Council is concerned at the apparent lack of cover locally.
- c. Back Lane is very overgrown and Craig Bradshaw has been requested to deal with it. This may be an additional cost to his contract.

**24/71 Date of the next meeting:**

***Wednesday 10<sup>th</sup> July 2024 at 7pm at the Bective Room, Lunesdale Hall, Kirkby Lonsdale.***

*The meeting closed at 8.45pm.*

*Signed:*

*Dated:*