

**MINUTES OF A MEETING  
OF KIRKBY LONSDALE TOWN COUNCIL  
HELD IN THE BECTIVE ROOM  
LUNESDALE HALL, KIRKBY LONSDALE  
ON WEDNESDAY 17<sup>th</sup> JULY 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.

**24/72 Public participation:**

- a. Concerns were raised regarding the access at the certified campsite at the Rugby Club.
- b. Thanks were expressed to the Technical Team for their work thus far, in progressing towards the re-opening of The Brow.
- c. A resident wished to know when The Brow will be re-opened. It is not yet possible to fix a date.
- d. A question was asked as to who suggested Fairhurst should carry out the initial survey.
- e. Concern is expressed as to where to 'pledges' to the Friends of Ruskin's View are coming from, and are they likely to be paid.
- f. There may be two further expressions of interest for co-option to the Council. The Clerk will follow these up.

**24/73 Minutes:**

It was resolved that the minutes of the meeting held on 12<sup>th</sup> June 2024 should be signed.

**24/74 Requests for Dispensations:** None.

**24/75 Declarations of Interest:**

Councillor Taylor declared an interest in planning application 2024/0968/FPA (Royal Barn New Road), and took no part in the discussion.

**24/76 The Ram:**

It now appears that a further Memorandum of Agreement will need to be prepared and signed as the original one was only 'draft'. The Council is extremely frustrated with the lack of progress from Westmorland & Furness Council and Councillor Hodgson is to take the matter up with Councillor Peter Thornton, the Portfolio Holder.

## **24/77 Ruskin's View/The Brow:**

*Councillor Perrin had submitted (by email) the following report:*

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

The Technical Team continue to make positive progress through June/July 2024, concentrating on work with Simon Ferley at Dentonside Geotechnical Consultants for an independent Geotechnical Assessment to submit to Westmorland & Furness Council. It is hoped to open the footpath to the first viewing point within the next few weeks.

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.

The locked gates were opened to the public two weeks ago by someone who obviously has access to the combination lock code. The gates were closed immediately to prevent harm or injury to the public and the code changed.

Damage is noted to steel railings halfway along the Brow footpath. One steel panel has been forced away from its post support and steel bracing left hanging loose. This allows pedestrians to climb through the railings and on to the steep embankment. The railings will be made safe again as soon as practicably possible. The footpath remains CLOSED to unauthorised persons.

Stage 1a. – Tree Management and Vegetation Clearance:

Two local tree surgeon contractors have visited the site and been shown the scope of work by John Peel. Fred Gibson has submitted his quotation and we await the other from Charlesworth. Work will commence ASAP.

Stage 1b – Survey Monitoring of The Brow:

Six months of survey monitoring is now complete with all results recorded. Our data shows no movement on the footpath or stone boundary wall near the Norman Motte. Cracks in the footpath show nominal movement of up to 1mm which is acceptable within survey tolerances and in particular flexible tarmac paving. It is agreed with Dentonside Consultants that monthly survey monitoring will continue for a further six months, up to and including December 2024. Costs will remain at the same rate as before. We are advised by Dentonside Geotechnical Consultants to begin survey monitoring erosion at the top of the slope along the River Lune bank. Although the base conglomerate is solid and preventing low level erosion, the banking a few metres higher is of stone and sandy gravel being vulnerable to high water erosion, particularly after torrential rainfall and a high, fast flowing river. The Technical Team will discuss a methodology and scope with Malcolm Hughes Survey Ltd.

Drainage over the natural slope:

Martyn Fawcett (Percolation Services Ltd) visited the site this week to advise on future plans to drain surface rainwater flowing over and under the footpath. Martyn surveyed St Marys Glebe area last year and notes that three pipes at the top of the slope are blocked with clean boulders and stone. This may be acting as a filter from the gabion baskets. However, all pipes are running 'dry'. An exposed stone culvert in the ground on the Glebe next to the boundary wall is also running 'dry'. This is possibly an old Victorian culvert used to drain surface water from the Glebe and surrounding area down to the river. We will investigate further and plot the full extent of the culvert to determine its outlet on the slope. This culvert is well constructed from slate and stone and may be very useful in the future.

Geotechnical Engineering:

As mentioned already, an independent Geotechnical assessment of The Brow is being written by Simon Ferley. The first draft has been distributed amongst Technical Team members. We await the FINAL Report for APPROVAL by KLTC, before submitting to W&FC for their consideration and approval.

*The following matters were also reported:*

- a. Quotations for clearing the vegetation are awaited.
- b. A meeting of the Technical group is to be arranged now the six months of survey has been completed.

#### **24/78 Traffic calming measures:**

An offer had been received from a resident to share the cost of a Speed Indicator Device (SID) for use in the town. Councillor Ree had contacted Westmorland & Furness Council and registered an interest in this. Traffic speed data will need to be obtained first and so it is in the very early stages yet.

The Council was assured that the Traffic Plan proposed in 2023 is still live and Councillor Hodgson said that Westmorland & Furness Council are continuing to monitor the situation. Their proposals will come before this Council in due course.

#### **24/79 Planning sub-group:**

- a. *The following applications were considered:*

2024/1095/FPA Unit 4 Kirkby Lonsdale Business Park Kendal Road..  
Change of use of retail unit (Use Class E) to an independent school providing 1 to 1 education for up to 4 children (Use Class F1). Approval recommended.

2024/0968/FPA Royal Barn New Road. Variation of condition 3 (opening hours) attached to planning permission SL/2014/0254 (Change of use to brewery and visitor centre with associated café and bar). Approval recommended.

- b. Proposed Pollinator picnic area at Devil's Bridge – it is now too close to the deadline to be able to submit comments. It was resolved to defer this to Westmorland & Furness Council to take forward if desired.
- c. The Tree Preservation Order and work to a tree on the Ruskin's View footpath (email from Yorkshire Dales Planning Authority (circulated) was noted.
- d. Lane House Business Park Kirkby Lonsdale/Planning 5 New Offices – a letter from John Collis (circulated to Councillors) was considered. The Council was asked to help in any further way if possible. Councillor Hodgson said she would investigate this matter.

**24/80 Westmorland and Furness Local Plan – Consultation 8<sup>th</sup> July – 9<sup>th</sup> September:**

This was deferred until the next meeting – in the meantime, Councillors are requested to study the documents already sent carefully.

**24/81 Reports:**

Councillor Hodgson had already had input to the meeting, which the Council appreciates. She also said that the issue of 'dropped kerbs' in the town would be looked into during August. The continued closure of Rigmaden Bridge was noted.

**24/82 Finance:**

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

Craig Bradshaw	£1,800.00	Maintenance contract
Malcolm Hughes	£1,194.00	Monitoring survey
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Lunesdale Hall	£27.50	Hire of Hall
ZOOM Communications	£155.88	Renewal of ZOOM licence for one Year (to be reimbursed to K M Price) (other Councils will share the cost)
K M Price	£249.50	Quarterly expenses to 30 <sup>th</sup> June, Including use of home office and travel.

- b. It was resolved to pay for the bookings of the Lunesdale Hall for meetings of The Friends of Ruskin's View but only up to the time the Friends were established as a Trust. As there is an outstanding invoice for £744.20, The Clerk will ask for a breakdown of this sum and pay the Council's share accordingly.
- c. The Clerk reported that the new financial procedures suggested by the Internal Auditor have been put in place. There is be a 'mini-audit' in September which the Clerk will attend.

- d. Councillor Martin had circulated his report, following research into how much the Council had spent on The Brow/Ruskin's View project. £50,000 had been a grant from the Precept but in addition to this a total of £108,489 had been spent and it was felt that this should be refunded to the Council in due course.

It was resolved that the Chairman will write to Mike Burchnall, Chairman of the Friends and the Trustees, requesting that this is repaid, and also ask for details of any pledges that have been made for future funding. It is believed that a Memorandum of Agreement between the Council and the Friends is being drawn up by the Friends but the draft of this has not yet been seen. It was emphasised that the Council did not request a Memorandum of Agreement and do not believe one to be necessary.

- e. The ongoing implications of the relationship between the CIC and the Council were briefly discussed. The Council took advice from CALC and their financial advisors as well as the Council's new Internal Auditor, and their directions were followed in the setting up of the new system. There are still some issues that are being addressed on a month by month basis and the CIC are appreciative of the Council's support and help.

#### **24/83 Correspondence:**

A letter was read from a resident of Tram Lane, regarding the deteriorating state of the stone wall by the Play Park, and the fact that it is overgrown with ivy, causing some of the stones to fall out. Council Ree undertook to investigate the matter and the Clerk will reply to the correspondent.

#### **24/84 Date of the next meeting:**

***Wednesday 28<sup>th</sup> August 2024 at 7pm at the Bective Room, Lunesdale Hall, Kirkby Lonsdale.***

**Please note change of date – the following meeting will be on Wednesday 9<sup>th</sup> October 2024.**

*The meeting closed at 9pm.*

*Signed:*

*Dated:*