

# Ennerdale & Kinniside Parish Council

Clerk to the Council: Jane Coltman  
54 Gosforth Road, Seascale, Cumbria CA20 1PJ  
Tel: 07977339928  
clerk@eandkpc.co.uk

## DRAFT MINUTES V3

### Minutes of the Parish Council Meeting

Held on 7<sup>th</sup> November 2023 at 6.30pm in The Gather, Ennerdale Bridge

**Present:** Cllr J Thursz (Chair), Cllr S Guise (SG), Cllr R Maxwell (RM), Cllr R Outhwaite (RO), Cllr S Parker (SP), Cllr N Rowson (NR), Cllr P Rowson (PR), Cllr B Wright (BW). Cumberland Councillor L Jones-Bulman (LJB)

**Clerk:** J Coltman (JC)

**Members of the public:** 7

Meeting commenced at 6.30pm

| Minute Number | Item   | Action |
|---------------|--|--------|
| 953/11/23     | <b>To Receive Apologies</b><br>Cumberland Councillor L Jones-Bulman sent apologies that she would be running late.   |        |
| 954/11/23     | <b>Declarations of Interest</b><br>SP declared an interest in agenda item 11d  |        |
| 955/11/23     | <b>To Approve Minutes</b><br><b>Resolved</b> to approve the minutes of the Parish Council meeting held on 22/08/23.  | JC     |
| 956/11/23     | <b>Exclusion of Press and Public</b><br>Agenda items 31 & 32 involved details of private individuals, so should be discussed confidentially. <b>Resolved</b> to exclude press and public for agenda items 31 & 32.   |        |
| 957/11/23     | <b>Report from Wild Ennerdale</b><br>A report had been received from Wild Ennerdale which had been circulated. It was agreed that the Council should invite Hayley Dauben back to meet informally with councillors again to have a further discussion.   | JC     |
| 958/11/23     | <b>Clerk's Updates</b> <ul style="list-style-type: none"> <li>• <b>Grant Requests</b> Had been received from the Church and Lamplugh Sports Committee. The previous applicant from Low Gillerthwaite Field Centre had been contacted to ask if their application was to be considered for the 2024-25 budget, but no response had been received.</li> <li>• <b>National Pay Award</b> The national pay settlement agreement had been received, which was effective from 1<sup>st</sup> April 2023.</li> <li>• <b>Expiry of Temporary Consent</b> The temporary planning consent for Low Stowbank Farm had expired but the structure was still in place. <b>Resolved</b> Clerk to speak to planning department at Cumberland Council to ask for an update.</li> </ul> | JC     |
| 959/11/23     | <b>Councillor Updates</b><br><b>Wild Ennerdale</b><br>RO & SG had been invited to a meeting on 23 <sup>rd</sup> November<br><b>Parish Enhancement</b>  |        |

|           |  |                     |
|-----------|--|---------------------|
|           | <p>BW said that the Churchyard had been cleared. Red squirrels had been sighted and they wished to encourage wildlife into the area with the consent of the vicar. Oakhurst Garden Centre had kindly donated food and nesting boxes for the wildlife in the churchyard. The efforts of parishioners was acknowledged with thanks. There was a budget available for any Parish enhancement purchases required, that could be made through the Clerk.</p> <p><b>Complaints Committee</b><br/> SP said that they were finding it difficult to make progress given the community dynamics. The ongoing complaints were not yet concluded. In the absence of agreed terms of reference, all the information that the Complaints Committee gathered would be brought to the next meeting for a Council decision.</p> <p><b>Staffing Committee</b><br/> JT thanked the Councillors who had submitted feedback towards the Clerk’s appraisal.</p> <p><b>Regen</b><br/> RO said that he would be able to raise the highways issues and gain more information on the proposed Wath Brow to Ennerdale trail at a meeting planned for 16<sup>th</sup> November.</p>  | <p>SP</p> <p>RO</p> |
| 960/11/23 | <p style="text-align: center;"><b>Public Participation</b></p> <ul style="list-style-type: none"> <li>• <b>Work at Churchyard and in the Village.</b> Rev. Ian Parker said that he would like to thank the councillors and members of the public that had come together and worked so hard in clearing the churchyard. The Chair took the opportunity to thank the Vicar for his assistance in monitoring the safe condition of the defibrillators in the Parish. The funding of the village enhancement works was clarified as being through the Clerk with a budget already set aside.</li> <li>• <b>Land adjacent to Greenthwaite.</b> SP, speaking as a member of the public, stated that the applicant had submitted a further letter to support their application. Much of the content of their letter contradicted what the Council had stated and he sought Council support for refuting the applicant’s letter. It was acknowledged that the Council should revisit the previous correspondence before replying.</li> <li>• <b>Wild Ennerdale</b> A member of the public said that the statement on the Wild Ennerdale website was incorrect as the application to install the fish gate that was referred to had not been made.</li> <li>• <b>Signs in the Valley.</b> A member of the public raised concern over the number of ad hoc signs being erected in the Valley and on the footpaths under the banner of Crown Land.</li> <li>• <b>Culverts.</b> A member of the public raised concerns over the condition of the culverts between Wath Brow and Ennerdale contributing to flooding on the roads. The matter was to be raised with Cumberland Council.</li> </ul> | <p>JC</p>           |
| 961/11/23 | <p style="text-align: center;"><b>Report of Decision taken under Delegated Authority</b></p> <p>The report of the Clerk’s decision to offer no objections to planning ref 7/2023/4078 was received and noted. Councillors were encouraged by the Chair to find the time to reply to the Clerk when matters of planning were raised.</p>  |                     |

|           |  |              |
|-----------|--|--------------|
| 962/11/23 | <p style="text-align: center;"><b>Planning</b></p> <p><b>Decisions noted:</b><br/> a) 7/2023/4063 – Granted<br/> b) 7/2023/4078 – Granted<br/> c) 7/2023/4042 – Granted</p> <p><b>Other planning</b><br/> d) <b>7/2023/4068</b> SP was granted dispensation to remain in the room but did not vote. <b>Resolved</b> to send a further letter to say that the Council's views were unchanged.</p>   | JC           |
| 963/11/23 | <p style="text-align: center;"><b>Hedgecutting</b></p> <p>The Clerk had been supplied with a number of contact details by SP. The exact scope of works was still being discussed and a tender document would be sent once the wording was confirmed.</p>   | JC/JT/R<br>O |
| 964/11/23 | <p style="text-align: center;"><b>Training</b></p> <p>The Clerk would email a selection of dates. JT asked that everybody responded in a timely manner.</p>  | JC           |
| 965/11/23 | <p style="text-align: center;"><b>Purchase of Replacement Speed Indicator Device</b></p> <p>SP and BW to research and select a replacement. Budget up to £3000. Order to be placed through the Clerk.</p>  | SP/BW/<br>JC |
| 966/11/23 | <p style="text-align: center;"><b>Terms of Reference for Complaints Committee</b></p> <p>Still to be discussed and proposed by the Committee.</p>  |              |
| 967/11/23 | <p style="text-align: center;"><b>Terms of Reference for Staffing Committee</b></p> <p><b>Resolved</b> to accept the proposed terms of reference</p>   |              |
| 968/11/23 | <p style="text-align: center;"><b>Scheme of Delegation for the Clerk</b></p> <p>Deferred</p>   |              |
| 969/11/23 | <p style="text-align: center;"><b>Biodiversity Obligations</b></p> <p><b>Resolved</b> Clerk to bring a proposed policy to the January meeting.</p>   | JC           |
| 970/11/23 | <p style="text-align: center;"><b>Report from County Councillor</b></p> <ul style="list-style-type: none"> <li>• Cumberland Council (CC) sits on the 21<sup>st</sup> of the month, which is when reports are handed in. LJB would write up any report and email it to the Clerk then.</li> <li>• There were network/community panels set up. Ennerdale &amp; Kinniside was in the South Lakeland group. One had been held in Frizington. There was a meeting next Tuesday to decide on priorities.</li> <li>• LJB is on the Highways Committee and the department is looking at having a full restructure and it appears to be a positive move.</li> <li>• JT said that he had something that he would like to raise. LJB said that she had been very busy and had been told that it was not within her remit, she reported to Parish Councils, she did not work for them. JT said that the road to Bleach Green would always be topical. LJB said that was the Parish Council's job to raise that with CC.</li> <li>• JT asked if E&amp;KPC would be able to get a power source for the SID and LJB said it would need to ask CC.</li> <li>• JT asked about the culverts towards Wath Brow. LJB said they would need to be reported on the CC website.</li> </ul> |              |
| 970/11/23 | <p style="text-align: center;"><b>Bullying and Harassment Policy</b></p> <p>Fell for want of a proposer.</p>   |              |

|                             |   |                             |            |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
|-----------------------------|---|-----------------------------|------------|---------|--------|------------|-----------|---------|--------|-----------|----------|---------|--------|-----------|--------|----------|--------|------|------|----------|--------|-------|----------------|----------|--------|--|
| 971/11/23                   | <b>Co-Option Policy</b><br><b>Resolved</b> to adopt the Co-option Policy  |                             |            |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| 972/11/23                   | <b>Grants Scheme Policy</b><br><b>Resolved</b> to adopt the Grants Scheme Policy  |                             |            |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| 973/11/23                   | <b>Unacceptable Behaviour Policy</b><br>Deferred for further investigation  |                             |            |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| 974/11/23                   | <b>Vexatious Requests &amp; Complaints Policy</b><br>Deferred for further investigation   |                             |            |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| 975/11/23                   | <b>Replace Street Lamps with Low Energy Ones</b><br><b>Resolved</b> Clerk to contact CC to start communications.  | JC                          |            |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| 976/11/23                   | <b>Payments for Approval</b><br><b>Resolved</b> To approve the payments.<br><table border="1" data-bbox="300 544 1273 779"> <tr> <td>Lamplugh with Ennerdale PCC</td> <td>Newsletter</td> <td>£ 25.00</td> <td>000688</td> </tr> <tr> <td>The Gather</td> <td>Room Hire</td> <td>£ 30.00</td> <td>000689</td> </tr> <tr> <td>J Coltman</td> <td>Expenses</td> <td>£ 99.84</td> <td>000690</td> </tr> <tr> <td>J Coltman</td> <td>Salary</td> <td>£ 593.63</td> <td>000691</td> </tr> <tr> <td>HMRC</td> <td>PAYE</td> <td>£ 148.40</td> <td>000692</td> </tr> <tr> <td>Moore</td> <td>External Audit</td> <td>£ 504.00</td> <td>000693</td> </tr> </table>  | Lamplugh with Ennerdale PCC | Newsletter | £ 25.00 | 000688 | The Gather | Room Hire | £ 30.00 | 000689 | J Coltman | Expenses | £ 99.84 | 000690 | J Coltman | Salary | £ 593.63 | 000691 | HMRC | PAYE | £ 148.40 | 000692 | Moore | External Audit | £ 504.00 | 000693 |  |
| Lamplugh with Ennerdale PCC | Newsletter  | £ 25.00                     | 000688     |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| The Gather                  | Room Hire   | £ 30.00                     | 000689     |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| J Coltman                   | Expenses  | £ 99.84                     | 000690     |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| J Coltman                   | Salary  | £ 593.63                    | 000691     |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| HMRC                        | PAYE  | £ 148.40                    | 000692     |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| Moore                       | External Audit  | £ 504.00                    | 000693     |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| 977/11/23                   | <b>Finance Report</b><br>The finance report had been circulated. <b>Resolved</b> to accept the finance report.  |                             |            |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| 978/11/23                   | <b>Draft Budget for 2024-25</b><br>The Clerk went through the individual budget lines and explained that these would be finalised in January.   |                             |            |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| 979/11/23                   | <b>Councillor Matters</b><br>No matters were raised.  |                             |            |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| 980/11/23                   | <b>Date of next meeting</b><br>Confirmed as January 16 <sup>th</sup> 2024   |                             |            |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |
| 981/11/23                   | <b>Council Conduct Matters</b><br>1) JT summarised the events of the July and August meetings. Following an exchange between NR and JC in the July meeting, the Council had resolved, in a closed session in August, that it would write to NR, asking her to apologise. The action was placed on JT [Minute 952/08/23]. NR had declined the Council's request.<br><br>JT recused himself from the rest of the debate as a code of conduct complaint had been raised against him by NR.<br><br>JT left the room and SP chaired the rest of this section.<br><br>NR stated that her position was unchanged, she would not apologise.<br><br>SP asked for others' views:<br><br><ul style="list-style-type: none"> <li>• RM stated that he was present at the incident and he was shocked and disappointed at NR's conduct. He fully supported the meeting at which this was discussed and the letter being written to ask her to apologise.</li> </ul> |                             |            |         |        |            |           |         |        |           |          |         |        |           |        |          |        |      |      |          |        |       |                |          |        |  |

|  |   |  |
|--|---|--|
|  | <ul style="list-style-type: none"> <li>• SG said that the Council had a duty as a good employer and should ensure good standards are upheld.</li> <li>• RO said that NR had refused to apologise so the Council could either report this to the Standards and Ethics which would need a councillor to take that forward, or decide that they had made their point and would not take it any further.</li> <li>• BW agreed with RM and said that the Council needed to be cohesive and get on with working for the parish.</li> </ul> <p>RO proposed that it was taken no further and this was seconded by RM. JC advised that a “no” vote against a lack of action may be interpreted as a vote for action, so the wording of the motion was not clear. RM said he wished to withdraw his support for the motion. He said he would support the motion if the code of conduct complaint against the Chair was withdrawn as he felt these were linked. PR &amp; NR stated that the complaint would not be withdrawn. Motion fell for want of a seconder.</p> <p>SP proposed that the Council referred the matter to the standards and ethics committee. Motion fell for want of a seconder.</p> <p>JT returned to the room and took the Chair. JC summarised that no decisions had been resolved.</p> <p>2) JT stated that a document had been received from a parishioner in support of a complaint. The metadata of the document indicated that it had been authored by PR, then sent to the Council by the parishioner just a few minutes later.</p> <p>PR confirmed that he’d helped a parishioner with the document and saw nothing wrong with that.</p> <p>JT said that it was odd to be investigating a complaint that he [PR] had helped to draft.</p> <p>PR said that he could step down from the complaints committee and then confirmed that he would step down.</p> |  |
|  | <p>Members of the public left the room.</p>   |  |

|           |   |  |
|-----------|---|--|
| 982/11/23 | <p style="text-align: center;"><b>Confidential Matters</b></p> <p><b>Staffing Committee.</b> A staffing issue was raised and JT said that he would recuse himself from that matter. SG said that the Committee would need a third person. RM said that he would step in if required.</p> <p><b>Complaints Committee.</b> SP said that he had found it difficult to make progress.</p> <p>Item 1) Further meetings would be required before coming back to the Council. The Clerk suggested that they should ask her and RO for information.</p> <p>Item 2) SP said nothing to report. PR said that he was in contact with the Chief Financial Officer of CC and had made progress. JC stated that the comment attributed to the S151 Officer in the complaint submitted by the parishioner was incorrect. She suggested they may not have all the information and they would be better asking her for information at some point. PR said they needed to establish that.</p> |  |
|-----------|---|--|

Meeting closed at 8.32pm

Chairman’s signature.....

Date.....