Ennerdale & Kinniside Parish Council

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Minutes of the Annual Parish Council Meeting
Held on 17th May 2022 at 6.30pm in The Gather

Present: Cllr R Outhwaite (RO), Cllr L Coverley (LC), Cllr S Guise (SG), Cllr K Park (KP), Cllr N Rowson (NR), Cllr R Taylor (RT), Cllr D Young
Also in attendance: Ward Councillor G Everett (GE), County Councillor A Lamb (AL).
Clerk: J Coltman (JC)
Members of the public: 11

Meeting commenced at 6.42pm

Minute Number	Item	Action
712/05/22	RT stated that he wished to raise a point of order and made a number of comments regarding the agenda. DY (chair) stated that these were to do with job role and procedure before the meeting, but were not a valid point of order. A member of the public suggested that we start the meeting so that we could get all items covered. RT made an accusation against the clerk who raised this as a point of order with the chair. The chair made no ruling on the point of order. The chair said that the points that had been raised by RT were not a point of order, but were to be noted.	
713/05/22	**Election of Chair** • The clerk had received a nomination for Cllr Sharpe • NR nominated KP, but he declined the nomination **Resolved: To elect Cllr Sharpe as chair.** • RT made a number of allegations about Cllr Sharpe • As Cllr Sharpe was absent, the vice-chair RO took over as chair of the meeting	
714/05//22	**Election of Vice Chair** • LC nominated RO • RT nominated DY **Resolved: To elect Cllr Outhwaite as Vice Chair**	
715/05/22	**Acceptance of Office** • RO proposed that the newly elected chair be allowed to sign the acceptance of office at or before the next scheduled meeting. **Resolved: To allow the chair to sign the acceptance of office at or before the next meeting.** • RT made an allegation against Cllr Sharpe The clerk raised this as a point of order. The chair did not make a ruling.	

716/05/22	**Apologies** • Cllr Sharpe had sent apologies due to a prior engagement. **Resolved: To accept apologies and authorise the absence.**	
717/05/22	**Declarations of Interest** • The clerk had issued all members with a copy of their declarations of interest form for an annual review and they were asked to notify the clerk of any amendments required. • DY said that he would need to change his address	DY/JC
718/05/22	**To Approve the Minutes of the last Ennerdale and Kinniside Annual Parish Council Meeting 05/05/2021** • **Resolved: To approve the minutes**	
719/05/22	**To Approve the Minutes of the last Ennerdale and Kinniside Parish Council Meeting 15/03/22** RT was rude towards the clerk and was asked to improve his attitude by the chair. **Resolved: To make the following amendments to the minutes:** • 693/03/22 44 to read 46 • 706/03/22 RTO to read TRO • 692/03/22 Add a line to say that the member of the public had asked for a written response from the chairman. • 692/03/22 To add the words “in line with the existing action on the council in the current Ennerdale and Kinniside Community led plan issued in 2018” • 692/03/22 Add the word “plans” • 699/03/22 To add the words “Press and” to give the policy its full title. • 709/03/22 To add “It was understood at the meeting that a group would be set up to prepare for a meeting on the 14th April with Forestry England.”	
720/05/22	**Exclusion of Press and Public** There were no items requiring exclusion of the press and public	
721/05/22	**Items Required to be Reviewed at the Annual Meeting** **Resolved:** • **To form a sub-committee to review the Standing Orders. Members appointed to the sub-committee were Cllr Sharpe, KP and LC.**	SS/KP/ LC

	• **The Village Enhancement and Jubilee Committees to continue with the current members and terms of reference.** • **The Parish Council would wait to hear from ECRAG regarding any assistance required with the playing field.** • **RO to continue to represent the council on Regen. RO to continue to represent the council at meetings with Wild Ennerdale; SG to be a second representative if RO was not available.** • **The asset register will need to be checked to ensure all items are still there and in satisfactory condition.** • **The subscription to CALC to continue.** • **Complaints procedure, FOI procedure to all be covered by the sub-committee looking at standing orders and for them to also bring forward proposals of any other policies that are required.** • **Dates for the ordinary meetings for the next year would be 19/07/22, 20/09/22, 15/11/22, 17/01/23, 21/03/23, 16/05/23.**	RO/SG SS/KP/ LC
722/05/22	**Public Participation** • A member of the public asked for an update on seating and signage on the Broadmoor trail. KP said that three benches were agreed to be located along the trail. RO said that there was a requirement for the NP to signpost public footpaths which would be done. • A member of the public made a statement about the April 14th Forestry England presentation. He said that he'd prepared a package to present to the council which they had refused to look at. The member of the public made an allegation against RO. He thought the meeting on 14th was a shambles and he had no confidence that the council could do anything competently and he would not rely on them to do anything for him. He would send a written statement to the clerk. He said that he had written to the County Council and the monitoring officer to register a complaint about that issue. • A member of the public asked if a community group was set up, would the parish council support them and ask Wild Ennerdale to work with them. RO said that we would have to be very careful. The clerk said that we would need a mission statement from them. The member of the public asked if they had a clear mission statement would the parish council then support them. RO said that community consultation would need to take place, then that could be presented to the Forestry and others, which they would have to take account of. The clerk explained that the mission statement was key, as we could support an aim or objective, but couldn't offer open support to a group because they may head in different directions.	

	• A member of the public said that an ice cream van was at Bowness Knott car park selling teas, coffees & ice creams all weekend. There were no bins or toilet facilities and the Forestry England ranger was there and did nothing so they must have been given permission. People were also wild camping and they did nothing about it. They asked the parish council to ask Forestry England and Copeland about this.	JC
723/05/22	**Reports from Ward & County Councillors** • GE said that there had been confusion over refuse collections, but the only bank holiday that will affect the collections this year was Boxing Day, which falls on a Monday, when there will be no collection. The recycling system is changing in October when boxes will be replaced by two bins. Leaflets will be sent out. A number of events are running at the Beacon. • AL said that following the elections, Linda Jones-Bulman was our new councillor for the new unitary authority. There would be traffic monitoring undertaken in the near future following on from a complaint raised, which would check numbers and speed of traffic. The Timber transport forum intended to complete a route review for the whole of Cumbria. This would be in the next couple of months. RT said that Kevin May was refusing to follow Forestry Commission guidelines. RO asked if they thought a complaint should be submitted about him. DY stated that a complaint had been lodged from the meeting they had held with Gareth Browning and Peter Fox because they didn't have a procedure to work from. It has now been four months and the complaint system has not acknowledged the complaint. They read it last month and have made no formal comment to it. He thought that the parish council ought to pick up on the complaint that has been issued, raise one on Kevin May to say that he's the regional director of the complaints and should by now have addressed the complaints and at least given the parish council the courtesy of a response. RT said that Kevin May didn't want the road registered as a severely restricted route or it would hinder his plans for development further up the valley. RO said that the first thing that we needed to do was to make a formal complaint about Kevin May. The clerk said that no information had been put before councillors and this was not on the agenda for the council to make a decision on now. RT said the councillors involved with the group should word the complaint as they understood it. SG queried if the group was still running as this was just for the one meeting. AL said that it was for just that meeting, but most of the councillors present had been at the meeting. RO said the item would need to go on the next agenda, but we could follow through on the existing complaint. DY would share an email that he had received and would draft a letter of complaint for the next meeting.	DY/JC
724/05/22	**Police Matters** • One incident had been reported at Croasdale and one at Ennerdale Bridge	

725/05/22	**Planning Applications** • One new application had been received. Reference: 7/2022/4021 Location: Lagget, Kinniside, Cleator, CA23 3AQ Proposal: Rear 2 storey extension for living kitchen diner with sunroom/study at first. **Resolved: To offer no objections.**	
726/05/22	**Clerk's Updates** • Minute 694. Narrative regarding the budget to go on the website. • Minute 704. Footpaths. RT was still to give the clerk the locations of where the footpath problems were. • Key contacts. There had still been nobody allocated from the National Trust. • Empty Properties. The clerk had written to the National Trust and United Utilities but had received no response. Clerk to send a reminder. • The letter sent out regarding the lack of consultation had been widely acknowledged. There had been a response from Natural England which the clerk had forwarded to councillors but had not received any feedback. Councillors would need to consider what response they wished to give, if any, and this would be put on a future agenda. • SSSI Training. The clerk now had a contact who had asked her to phone them initially to discuss what training is required. RT had sent the clerk the details of the procedure at the river Esk. He said that there was no procedure in place for the river Ehen. He said this was because UU and FE had damaged the river so they didn't want to put a procedure in place or they would have to enforce it. DY said we needed to know why places of less significance had something in place but the river Ehen did not and we should ask this of Natural England. RO said this could be incorporated with the consultation about the nature reserve.	JC
727/05/22	**Finance** • The figures could only be draft as the clerk had not received both bank statements. • At the financial year end the bank totals would be £6879.77, the Broadmoor Trail balance was £3876.00, leaving funds of £3003.77. • Balance at the last statement on 5th May after all outstanding cheques are cleared will be £17900.22. RT said that the £3876.00 was for the surface on the path. He said that new standards had come out and the "miles without stiles" standard was not as good. RO said that we could only insist that it was to the standard that had been specified.	

728/05/22	**Payments for approval** |					
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17 May 2022	01-22-23	Lamplugh Sports Cttee	Grant	£ 300.00	000635
17 May 2022	02-22-23	St Mary's Church Yard Committee	Grant	£ 550.00	000636
17 May 2022	03-22-23	CALC	Annual Subscription	£ 146.58	
17 May 2022	04-22-23	CALC	Effective Counsellor	£ 20.00	000637
17 May 2022	05-22-23	Cindy Hoten	Jubilee - Singer	£ 270.00	000638
17 May 2022	06-22-23	Amberol	Planters	£ 535.80	000639
17 May 2022	07-22-23	J Coltman	Expenses	£ 448.96	000640 | **Resolved.** • To approve the payments as listed • DY queried if there was an outstanding invoice for Stuart Kenyon as he had not received payment. The clerk would look for this and advise if there was a problem.	JC
729/05/22	**Nominations to the LDNPA** A vacancy had arisen and nominations were being sought for a councillor for the Western Lakes area. RO said that he was willing to stand. **Resolved: To nominate RO for the position.**	JC to submit form
730/05/22	**Internal Auditor** The council needed to appoint an internal auditor as there had been an error in the previous appointment, as that person was married to a serving member so was not eligible. RT asked why this could not stand since they did not have control of any money. The clerk said that this was the guidance in JPAG 2022. RT said that he thought it was due to handling money and the clerk said that it wasn't. RO said that councillors were considering issues regarding money. RT said that there was nothing wrong with the report that he had produced and the clerk said that it was not an internal audit. RT said that there was nothing wrong with his audit and the clerk said that she hadn't even completed the AGAR. RT made allegations about the clerk's performance. RO said that if there was constructive criticism offered to help inform a review of the standing orders and procedures, then it would be taken account of. RT asked why it was not being taken account of. The clerk said that all those matters were being taken care of by this meeting anyway. RT said that we were turning a blind eye to malpractice within the council. RO said that nobody was turning a blind eye and RT said that we were by not accepting the audit. SG said that wasn't true; there was a point of principle that we had been advised since, that it wasn't an appropriate appointment. RT said that it was a witch hunt. RO said that was his opinion and we needed to move on. RT said there had been a witch hunt in the council for the last twenty minutes. NR said that she was unhappy with an email that was shared to all the councillors and started to read out something. The clerk tried to interrupt but RT raised his voice and asked her to let NR speak as she was	

	"making it worse". The clerk continued and explained to NR that she just wanted to advise her that the emails had remained within the council and were not public knowledge; if she now read them out to the meeting, they would be. NR said that she was just concerned that the clerk had a conversation with someone from the council and had been given confidential information in an email that she couldn't share. She was concerned what that information was. The clerk explained that there were a number of matters covered in the one email from CALC and it was some of the other items that were confidential, not those relating to the internal auditor. The clerk read the extract that related to the internal auditor which confirmed that a) items that were in the report were not within the remit of an internal auditor and b) that his appointment was not appropriate. RT said that the clerk had instructed the internal auditor what to audit. The clerk said that she had sent instructions to him, but he was not doing what had been instructed. The clerk refused to comment further as this involved privacy issues concerning a member of the public. She said that she would share all emails with the council, but would not comment further in public. She said that she had advised him that he was off topic and looking at things not within his remit. RT said that he did find things. RO said that if somebody comes forward with suggestions as to how the parish council can improve, we will take account of them. DY said that we were looking at standing orders and procedures and the clerk said that at the audit the asset register is checked and most things are covered. At that point, if anyone wants to send any suggestions afterwards, that would be fine. RO said that when the standing orders are being reviewed if somebody has sent in a constructive suggestion it can be considered. The appointment of the internal auditor. RT asked of we could have time to consider. DY asked what the time constraints were. The clerk said the end of June for submission of the accounts but the internal audit needed to be done first. The clerk said that she had details of Jean Airey for the internal auditor position and read a summary of her experience. RO proposed to appoint Jean Airey, seconded by SG. RT asked if she did Parton's audit and the clerk confirmed that she did. RT opposed the appointment as he said that it was too close to the clerk and there ought to be someone else, independent. He then made an allegation against the clerk. The clerk raised a point of order and the chair agreed. RT said "okay". **Resolved: To appoint Jean Airey as internal Auditor.**	JC to forward emails
731/05/22	**Council Email Addresses** **Resolved: To adopt council email addresses**	JC
732/05/22	**Plant Health Notice** RO said that there was a plant health notice letter to sign. The clerk said that it appeared that we had until the end of September. DY said that they agreed at the timber transport meeting in the forum with four councillors present they agreed in principle that a plant health committee is required and it should be accepted and signed because that's us	

	notifying that there is diseased larch on common land owned by the parish council and it has to be dealt with as a statutory requirement. DY proposed that it be accepted because we can't not. He said that Forestry Commission were writing to the parish council as owners, so admitting that it was our land. RT said we needed to make it clear in that letter. DY said there was no comment box, it was simply a form to sign. **Resolved: To complete the plant health notice.** The clerk queried where the rest of the form was as she wasn't sure if it was meant to be sent after the trees had been cleared and wanted to make sure. DY said that he'd missed it when scanning the form. The clerk was concerned that we weren't stating that the work had been done when it hadn't. DY would check and only send if it was just an acknowledgement.	DY
733/05/22	**Removal of diseased larch – Forestry England Response** DY said that FE had agreed to remove the diseased larch as they had planted it. FE had responded to the request for the profit from the timber sales and said they could fell the timber and the council could sell it. This did not seem practical so it had been suggested to ask them for a contribution towards something, perhaps the defibrillator for Croasdale. **Resolved: The clerk was instructed write as suggested but to address the request to Kevin May rather than the land agent.** 21:36 SG gave apologies and left the meeting Agenda item 21 passed over	JC
734/05/22	**Forestry England (FE) Presentation** • RO suggested the community group could gather evidence of how people wanted the consultation to happen and what information they wanted in that consultation. If the community group then gave that information to the council, they could present that to FE, National Park etc. • RT said that there was a lot of information to gather and he didn't think there was the expertise within the council, but there were experts in the broader community that could help. • RO said we needed to establish how they were going to go about the consultation and the detail from that would be critically analysed and looked at. • RT said that the biggest part was gathering the information and getting hold of that, then sitting down and reviewing it and then the review would go before the parish council. RT suggested a member of the public (PS) could help because of his experience with the nuclear site. PS asked what the parish council had to offer in relation to how to consult and asked what the parish council had to put into that discussion.	

	• RT said that PS had a lot of experience with setting up a group about Moorside. KP asked if this was an opposition group because we had to be careful that we were not seen as for or against. RT said that it wasn't about that, it was the gathering of the information. • RO said that the community group could come forwards with terms of reference. They could take advice on what information was wanted; they could ask the parish council what they required. The council could then present that to FE and they would have to provide it. It was necessary to enable people to come to an informed judgement. • RT asked if the community group didn't come forward, what would the parish council do about it. DY said we needed to see if the parish council were going to behind it or be proactive. He stated that FE had replied to members of the public but had not come forwards to give the council any information. This meant that we had information but had not been formally notified. What should the parish council do therefore, as we knew their intent. He queried if we could act. • The clerk advised that the council would have to be careful about being seen to take sides, otherwise if planning applications came forwards in the future, the council's views may be disregarded since they may be shown to have been predetermined and not impartial. • RO said that FE needed to be clear as to what the long term, as well as the short-term plan was for the valley and the community group could feed in to this plan. He said if we knew the long-term plans then we could FE for the information and he believed that was what FE had said they would provide when they were at the meeting. FE had recognised that their consultation exercise was poor. The clerk said that FE had asked a few times at the meeting for people to tell them how they wanted the consultation to be run, but they had only been told how they didn't want it to be run. No suggestions had been offered. • DY said that the forestry commission had suggestions that were hundreds of pages long that suggested how a consultation should be run. The government had guidelines, so he should already have that information and he did not think that it was fair for FE to say "tell me what you want". He said that FE wanted us to put the suggestions forward and then they would just say that they were doing Citizen Space anyway. The clerk said that we had to at least try. • RT said that at Moorside they were recognised as being the people to talk to since the parish council recognised them and the county council recognised them. He said that we needed to be careful as there would be a lot of change in the valley and it needed to be a change that we had input in. RO said that one of the problems was that FE and UU were independently operated. • RO said that the response in terms of FE following the meeting should be that they have quite a lot of information in terms of consultation and perhaps we should approach it that way. It is a	

	case of making the information clear and publicly accessible, not hidden in an obscure website. • RT said we should be able to work together to find a solution. RO said all we were trying to find out at the moment was information, we weren't trying to make a decision on it. The clerk asked if the council wanted to send a response to FE. • KP asked if there was going to be a proposal at the end of this or if it was just a discussion. RO said as a proposal we should write back to Kevin May, pointing out the information that was available on the website and as an organisation they have a lot of information on how to consult, but we need to know their five-year, ten-year, fifteen-year plan. PS said that a letter had already been sent to Kevin May, stated what the content of the letter was, and said that he presumed that there hadn't been a reply to that. He and another member of the public then continued to debate this. • RO called the meeting back to order and stated that with little time left we needed to reach an agreement. There was a proposal to follow up the letter sent by DY to Kevin May asking them to explain their consultation proposals. RO said we should say what we wanted – a display and information in the village with reasonable hours. **Resolved: The clerk to press for a response before the next meeting or representation in person at the meeting.**	JC
735/05/22	**Date of Next Meeting** Next meeting confirmed as July 19th.	

Meeting closed at 10:02pm

Chairman's signature……..

Date…….