

Ennerdale & Kinniside Parish Council

Minutes of meeting held on Wednesday 21st November 2012
in St. Mary's Community Centre, Ennerdale Bridge.

113.11.12: In Attendance: Cllrs. Lachlan (Chair), Ayling, Oakley, and Topping.

There were also 5 members of the public in attendance and two prospective councillors.

114.11.12: Apologies: Cllrs. Wood & Taylor. Cath McMullen also presented her apologies.

115.11.12: Declarations of Interest: All Cllrs present are shareholders in the Ennerdale Hub Ltd.

116.11.12: Minutes of the meeting held on 12th September:

The minutes of the September meeting were accepted as a true and accurate record.

Proposed: Cllr. Oakley

Seconded: Cllr. Topping

The Chair duly signed them.

117.11.12: Actions from the minutes (not covered by other agenda items):

96.9.12 The Clerk has sent MRWS letters to local councillors and the Leaders of CBC and CCC. Responses received from all but CBC. Local Cllrs will vote against the move the Stage 4.

99.9.12 The Clerk has contacted potential Councillors..

100.9.12 All payments sent.

101.9.12 The Village Hall Trust charity has now been closed. The Charity Commission has sent confirmation.

104.9.12 Cllr. Lachlan has met with LDNPA officers and the funding applications for the shoreline footpath development have now been submitted in the name of the Parish Council.

108.9.12 Letter of support sent re: retaining the Household Waste site at Frizington. Site has now been given a 12 months extension for operation.

118.11.12: Public Participation:

The Chair asked the members of the public present if they were all in attendance to make their views known on the proposal to set up a Campaign Group to try and ensure that the proposed Nuclear Waste Repository, or the preparatory works associated with it, is not situated within the parish. The five members of the public in attendance all confirmed that this was the reason they were in attendance. The Chair suggested that the MRWS Proposal (Agenda Item 11) be moved and taken under Public Participation. This was agreed by the councillors present.

The Chair read out the proposal:

It is proposed that Ennerdale & Kinniside Parish Council agree to take the lead on pursuing the withdrawal of the parish area from the MRWS process and form a Campaign Group to this end, as a sub-committee of the Parish Council.

The Chair asked the Clerk to relay the information he had received from the Cumbria Association of Local Councils (CALC) on this particular issue.

The Clerk informed the meeting that CALC were clear that the proposal fell foul of the 2011 Code of Practice on Local Authority Publicity, in particular paragraphs 15, 16 and 19 under the heading of 'Objectivity' and 'Even-handedness'.

15. Local authorities should ensure that publicity relating to policies and proposals from central government is balanced and factually accurate. Such publicity may set out the local authority's views and reasons for holding those views, but should avoid anything likely to be perceived by

readers as constituting a political statement, or being a commentary on contentious areas of public policy.

16. Any publicity describing the council's policies and aims should be as objective as possible, concentrating on the facts or explanation or both. Local authorities should not use public funds to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy. It is acceptable for local authority publicity to correct erroneous material which has been published by other parties, despite the fact that the material being corrected may have been published with the intention of influencing the public's opinions about the policies of the authority. Such publicity should seek to explain the facts in an objective manner.

19. Under Even-Handedness "Where local authority publicity addresses matters of political controversy it should seek to present the different positions in relation to the issue in question in a fair manner."

Further concerns were raised regarding the provision of a grant from the Parish Council to any independent group that might be set up. Whilst there is nothing to stop individual councillors or the council as a body expressing a view on matters of public policy, the difficulty arises when councillors and councils seek to use public money to further those small (or even big) "p" political views. If the council were to consider a proposal to incur expenditure on setting up or supporting an anti repository group then the only power available to it to incur expenditure would be section 137 of the 1972 Local Government Act which has restrictions as to what public money can be spent on.

The CALC advice concluded: the advice, therefore, would be that individual councillors and the council can speak out against a nuclear repository but the council as a body should not take the lead in, or incur expenditure on, the setting up of a repository related campaign group for the reasons above. The position regarding the making of a donation to an independent group is not free from doubt and the council could consider making a grant to an external group under s137 of the Local Government Act 1972. If such an application did come forward it would be prudent to seek NALC's legal advice before any grant was approved because any expenditure could be challenged by the auditor, or indeed by an elector.

The Clerk informed councilors that in light of the above advice from CALC the proposal should be withdrawn. The withdrawal of the proposal was:

Proposed: Cllr. Oakley

Seconded: Cllr. Ayling

All the councilors in attendance supported the withdrawal of the proposal.

The Chair informed the members of the public in attendance that their names, together with those members of the public who had emailed their support for the creation of a Campaign Group, would be passed on to Cllr. Wood with a view to the creation of a wholly independent Campaign Group.

ACTION: Clerk to pass on details of people who have expressed an interest in supporting a Campaign Group to Cllr. Wood.

119.11.12: Co-option of new councillors:

The Chair welcomed Mark Denham-Smith and Roger Shail to the meeting and thanked them for their CV's and their interest in becoming Parish Councillors. The Chair then reminded councillors that there had been a third person who had expressed an interest in becoming a Parish Councillor, Cath McMullen, who was unable to attend the meeting. With the resignation of Cllr. Atkinson there are two vacancies but a proposal to increase the number of councillors from eight to nine, and thus accommodate the three applicants, was put forward.

With the increase in the size of the parish, both in terms of area and population, it is agreed that there should be an increase in the number of Ennerdale & Kinniside Parish Councillors from eight to nine to ensure adequate representation.

The proposal was:

Proposed: Cllr. Topping

Seconded: Cllr. Oakley

All councilors present supported the proposal.

The co-option of Mark Denham-Smith was proposed by Cllr. Ayling and Seconded by Cllr. Topping. Roger Shail was proposed by Cllr. Oakley and seconded by Cllr. Ayling and Cath McMullen was proposed by Cllr. Topping and seconded by Cllr. Oakley. All the above proposed co-options were unanimously agreed by the councilors present.

The Chair welcomed the new councilors to the council.

ACTION: Clerk to meet up with the new councilors to go through the various papers and forms with them.

120.11.12: The Proposed Council Budget for 2013/14:

The Clerk talked councillors through the various budget headings contained within the proposed budget for the next financial year. All were agreed with the following comments:

Insurance: best value should be sought.

Clerk's salary: Increase to SCP 19 from 1st April and upon completion of CiLCA put up to SCP22.

Grounds maintenance: set at £1,000 to accommodate works on the Parish Field.

Councillor's expenses: a new heading agreed.

Service 217: probably will not be required.

The increase in the budget from £3,459 to £4,350 is to be met from the reserves within the Council current account thus allowing the precept to remain at £3,390, i.e. no increase.

ACTION: Clerk to inform CBC of 'no increase' in the precept for 13/14.

121.11.12: Council Finances:

The Clerk provided councillors with a revised bank reconciliation showing the balance of the main account as £12,477.20p as per the latest available bank statement dated 24th October. The Chair checked the balance with the bank reconciliation and initialled the latest statement.

The following payments were agreed:

- £29.25p CALC Training (CiLCA – The Clerk)
- £33.00p Hall hire: September & November

Once the above receipts and payments had been taken into account the reconciled balance of the main account was £12,414.95p

ACTION: Clerk to send off all payments.

122.11.12: The Copeland Budget:

It was agreed that individual councillors should respond to the Budget Consultation, currently available on the Copeland Borough Council website.

123.11.12: Planning Matters:

There were no new applications to consider. The Chair drew councillors attention to works currently being undertaken above Croasdale on the installation of a wind turbine. The structure is outwith the parish and the National Park, thus explaining why the application had not been presented to the Parish Council for comment.

124.11.12: Report from the Police and Neighbourhood Watch: Cllr. Wood, in a written report, informed councillors that, since the last meeting, the police had attended, 1 lost and found property incident.

The Cumbria Community Messaging service sent out 19 alerts during the last two months, 5 in September and 14 in October.

125.11.12: Highways Matters:

Cllr. Lachlan reported that he had undertaken a tour of the parish with Rikki Crawford (RC) of Cumbria Highways in early November and he had highlighted various issues during the tour. These included overhanging branches - letters to be sent to land owners, flooding in various parts of the parish – roadside gullies continue to be located and cleared, salt bins – no more available, lighting on Church Lane – RC to pick up on this and 20mph limit by the school – Kevin Cosgrove will be in touch when he returns from leave.

The Chair informed councillors that the total project cost of the new footpath project, see above, was £32,000. He is to provide additional supporting evidence to the LDNPA.

ACTION: Cllr. Lachlan to send information to LDNPA.

126.11.12: Report from ECRAG:

Cllr. Oakley reported that the applications have now been submitted for the pavilion and supporting works. A donation of 200 saplings has been received from the Woodland Trust, half of which will be planted on the site, the rest will be available for local residents to plant elsewhere.

ACTION: Cllr. Oakley to provide an article for the Christmas edition of the newsletter.

127.11.12: Broadband Update:

Cllr. Topping informed the meeting that BT had won the contract and were now the provider for the Rural Broadband Initiative. This project has been approved by the EU so the funding is now secure. BT are now wanting to move things forward and engage with the local Broadband Champions.

Cllr. Topping has decided to step down from the role of Hub Co-ordinator due to pressure of work. This role has now been taken on by a councillor from Lamplugh PC.

ACTION: Clerk to write to Ronnie Auld (CALC) to press the case for fibre optic connection to the street cabinet in every village by December 2013. Cllr. Topping to check letter before it is sent out.

128.11.12: Correspondence:

All electronic correspondence has been forwarded to councillors. Other Correspondence:

Correspondence	For information	For action
Sellafield Ltd: infrastructure enhancements	X	X
Copy of grant application: footpath improvements	X	
Emails & various information from UU: Ben Gill	X	X
CBC: request for precept details 13/14	X	
LDNPA – Minerals Safeguarding Area consultation	X	X
Northumbria Healthcare: Improving Quality	X	
CCC: Leaders Office: MRWS acknowledgement	X	
Emails from Cllrs. Salkeld & Clarkson: MRWS	X	
Neighbourhood Forums Newsletter	X	
LDNPA: Parish Tour South 28/11/12	X	
CALC: Legal advice	X	X
CALC: Copeland 3 Tier Meeting 6/12/12	X	X

ACTION: Clerk to respond to Sellafield and CALC Three Tier meeting letters.

129.11.12: Parish Council Website: Cllr Topping reported that he had received feedback from councillors and that the listings page was now OK and that there had been a link established to the School website.

130.11.12: Feedback from meetings:

Cllr. Ayling reported from the recent 217 Bus Service meeting. He stated that it was looking unlikely that the service would continue in its present form. Cllr. Wood, in his written report, highlighted discrepancies in the passenger numbers provided by CCC.

Cllr. Topping reported back from the Copeland 3 Tier meeting which was very poorly attended. Topics covered included the Environment Agency who are to set up a flood investigation group and Copeland BC who reported on the impact that the Welfare Reforms could potentially have on other council budgets.

Cllr. Lachlan reported back from the RNEC West Lakes Xtreme project meeting. Three sites are still potential sites. He also reported from the Cold Fell Communities Action Group at which discrepancies in the reported accident figures were highlighted as was an overall reduction in the average speed of vehicles using the road. The SID's have been relocated to the villages around the fell for the winter months.

131.11.12: Topics for the next meeting:

- The Ben Gill Project – United Utilities

132.11.12: Date of next meeting:

7.00pm on Wednesday 9th January 2013 in St. Mary's Community Centre, Ennerdale Bridge

Signed: _____ **Date:**

Chair

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