

Ennerdale & Kinniside Parish Council

Clerk to the Council: Susan Denham-Smith, Routen Farm, Ennerdale, Cleator, Cumbria, CA23 3AU.
Tel: 11946 861270

Minutes of the meeting held on Wednesday 14 November 2018 in St Mary's Church Ennerdale Bridge at 7pm

Present

Cllrs Denham-Smith (MD-S) – Chairman

Councillors

Bridget Johns (BJ), Muir Lachlan (ML), Chris Ayling (CA), Ric Outhwaite (RO),
Richard Taylor (RT)

Also in attendance

Susan Denham-Smith – Clerk (SDS),
Arthur Lamb - CCC -(AL)
Rev Ian Parker
George and Susan Casson (Public)

Minute Number	Item	ACTION
208/11/18	Apologies for Absence No Apologies	
209/11/18	<p style="text-align: center;">Declarations of Interest</p> <p>Resolved:</p> <ul style="list-style-type: none"> • that Councillors had all signed and updated the Declaration of Interest sheet dated 14 November 2018 in the Declaration of Interest Folder. Richard Taylor's Signed Declaration of Interest form was added to the folder and his name added to the register. 	
210/11/18	<p style="text-align: center;">Minutes of the Parish Council Meeting Held on 12 September 2018</p> <p>Resolved: that the minutes of the meeting of Ennerdale and Kinniside Parish Council held on 12 September 2018 be signed as a true record by the Chairman.</p>	
211/11/18	<p style="text-align: center;">Co-option of new Councillor</p> <p>Richard Taylor of Longmoor has volunteered to be co-opted as Councillor.</p> <p>Resolved that: Mr Taylor sign the Declaration of Acceptance of Office form witnessed by Susan Denham-Smith (Proper Officer of the Council) and Mr Taylor be welcomed as Councillor.</p> <p>The Council still has one vacancy for a new Councillor, and this remains advertised on the noticeboard, newsletter and website.</p>	All
212/11/18	<p style="text-align: center;">Public Participation</p> <p>Mr & Mrs George and Susan Casson made comment that they had been the victims of antisocial behaviour around their property at Ehen</p>	

	<p>Garth, from another resident. In addition, the broken streetlamp has not been mended</p> <p>Although this is not directly a Parish Council matter and the Cassons were advised to keep the police/Homegroup involved in the matter, it was resolved that:</p> <ul style="list-style-type: none"> • the clerk would contact Homegroup (Jenny Lloyd – Barrow) to inform them that the situation was sufficiently upsetting that the Cassons had reached out for help. • AL to contact James Varer Local Operations Manager • ML to report the broken streetlamp to Homegroup (the street is not publicly adopted so maintenance is the responsibility of the residents/Homegroup). 	<p>SDS</p> <p>AL ML</p>
213/11/18	<p style="text-align: center;">County and Borough Council Updates Cllr Lamb (CCC)</p> <p>A595 Survey has been sent out to all the homes in the areas affected by proposed changes to the road. A consultation will take place 17 & 27 November at the beacon and 28 November at Ingwell Hall, WLSP. Cllr Lamb urged everybody to fill in the form.</p> <p>Cold Fell Road has been shut since last night. Some Sellafeld traffic was, however, still coming over, 13 November 2018. Water damage has caused the road to go “mushy” and the saturated section is in danger of collapse. Local residents can drive up to middle cattle grid. Planned reopening is for mid-week beg 19/11/18.</p> <p>Tom Butt Cottages - Mr Bott and Arlynn Robson contacted AL. The original contractors who caused the drainage problem are holding the work until they see if the drainage alterations are addressed on the new development.</p> <p>Resolved that: this is not an acceptable situation and the contractor who caused the problem should remedy the problem immediately. AL to contact the contractor.</p> <p>Speed Limit Review – 192/09/18 – Traffic Surveys 3 - AL expects reporting by 10th December.</p> <p>Cllr Outhwaite commented that it might be a good idea for residents to start to drive at 20mph in the village to endorse practicing the 20mph limit.</p> <p>Cllr Ayling commented that he was overtaken on the speed bump going into the village.</p> <p>Cllr Lamb queried whether there were any problems around the school with parking. SDS commented that the lack of fence and narrowness of the pavement in front of the school gate meant that children stand in the road between the cars, with the potential for an accident. CA said the school had been aware of the problem for many years.</p>	<p>AL</p>

	<p>Cllr Lamb queried whether there were any problems with Sellafield workers dropping cars off in the village. Areas identified were: around the church, the Hale turning by cattle grids on Cold Fell, lay-by near Tom Butt Cottages, and in Calder Bridge.</p> <p>There is a current planning application for 600 cars to park and ride on the old Kangol site.</p> <p>Other issues: The concrete has been taken back from the road at Waterside. This has not helped the water pooling in the road. No conditions were put on the planning permission. The land owner is responsible for their own drainage, therefore there is no action required of the Parish Council</p> <p>The pile of soil in the layby beyond Waterside has now grassed over and the layby is almost unrecognisable. A HIMS notice is pending</p> <p>Fearon Place has had additional works carried out to the road/kerb access to the drive. There was a standing water problem there, but this position has been improved although not completely solved by the work.</p> <p>Resolved: No immediate action required.</p>	
214/11/18	<p style="text-align: center;">Planning Application 11 Dwellings, Kirkland Road, Ennerdale Bridge</p> <p>The Planning Officer is expecting revised plans in the next week and will re-consult if they are forthcoming.</p> <p>Cllr Lachlan had been advised by Kevin Thompson (Highways) that no further plans have been submitted regarding road access. Gavin Murray (Planning Officer) has moved on. The new Officer is Michael Hogg Bains.</p>	
215/11/18	<p style="text-align: center;">Progress Reports</p> <p>A: Clerk's report (incl. outstanding actions, correspondence and planning) The full clerk's report is issued to Councillors prior to the meeting detailing all outstanding actions and correspondence received, including planning applications.</p> <p>Clerk Actions from meeting 12 September 2018 All actions complete.</p> <p>Councillor Actions not covered in Progress Reports</p> <p>202/09/18 UU Liaison Group - circulation of report from Ms Roberts to Cllr Johns. This action was not completed.</p> <p>Resolved: Cllr Johns to forward the report.</p> <p>The following correspondence was received and is to be considered by Councillors for comment or action.</p>	BJ

It was resolved that:
the Clerk's Report be accepted with the following actions to be completed.

Date	Correspondence	Actions and Resolutions
28/09/18	Phone Call from Tom Burditt NT, requesting to speak to MDS re Stewardship plan return.	MDS called back on Tuesday 2 October
20/11/18	HIMS Ref: W1880940725 Fallen tree on Cold Fell reported by Sally Hill	No further action
1/10/18	NRGNorth Sellafeld Permit Update. Public Consultation Brief	No further Action
1/10/18	HIMS Ref: W1880941766 re waste dumped at side of the road.	ML following this up
2/10/18	CALC – AGM 10 November Newbiggin and 2018 Annual Report. P13 of the annual report included article about the GDF consultation	No further action
4/10/18	Dr Kate Granger – Medical Scholarships	No further action
9/10/18	Mr M Watts - Invoice for Newsletter in Contact	X Council Finance
9/10/18	Ian Mulvie – Ennerdale Trail Races on 20/1 st October	No further action
23/10/18	St Mary's community centre AGM 13 th November 2pm	No further action
25/10/18	Complaint of antisocial behaviour via Cllr Johns	See "Public Participation"
26/10/18	Nuclear Regulation News – consultation on RAS regulation until 21 Dec 2018	Personal Interest
29/10/18	NHS North Cumbria Commissioning Group Questionnaire on Strokes	Personal reply to questionnaire
2/11/18	CALC 2018 report	No further action
2/11/18	ACTion in Cumbria Autumn newsletter	No further action
3/11/18	GNAA funding request – letter forwarded via David Smith and Lorton Clerk (dated 19/11/18)	Consider donation to be included in the 19/20 budget.
9/11/18	CALC - Three tier meeting Thursday the 6th December 2018 starting at 6.00 pm in the Bainbridge Room at the Copeland centre.	Delegate required from the Council
12/11/18	Keith Milburn – Shepherds Arms Hotel, quote for Defib box	See below
13/11/18	RPA application form for Footpath East This was sent 9/8/18 to the wrong email address	See below

ML

SDS

All

All

All

Planning Applications

Planning:

Correspondence or applications received between meetings:

Planning:

Correspondence or applications received between meetings:

	<p><u>Parish Consultation – no reply necessary</u></p> <p>Reference: LDNPA Location: Low Waterside, Kinniside, Cleator, CA23 3AG Proposal: Agricultural Development Permitted 9/7/18 under General Permitted Development</p> <p><u>Planning Applications</u></p> <p>Reference: 7/2018/4107 Location: Greenthwaite, Ennerdale, Cleator, CA23 3AR (map) Proposal: Erection of new two storey 4 bedroom dwelling with detached garage and sheltered external storage areas (resubmission of 7/2018/4016) Reply by: 23 November 2018 Reply to: planning@lakedistrict.gov.uk</p> <p>Resolved to: reply with objections as drafted by SDS/RO prior to the meeting</p> <p>Reference: CH/4/18/24440F1 (Copeland) Location: Kentsbank, Croasdale to the U4028 Road Ennerdale CA23 3AP Proposal: Extension and Alterations Reply by: 8th November 2018 Reply to: info@copeland.gov.uk</p> <p>No Objections reply sent 6/11/18</p> <p><u>Planning Applications Granted/Refused</u></p> <p>None received.</p> <p><u>Additional Duties</u></p> <p>Web Site - updating web site.</p>	<p>SDS</p>
<p>216/11/18</p>	<p>Progress Reports</p> <p>B: Defibrillator Project – (Cllrs Outhwaite/Johns)</p> <p>Keith Milburn (landlord of The Shepherds Arms) has provided quotes to fit/install the cabinet £120. The defibrillator will be fitted in the outside porch to the left of the main door of the Shepherds Arms. Cllr Outhwaite provided a quotation of £70.50 including VAT and fitting for the location signs for the Defibrillator, to be fitted by CCC to the existing 3 brown and white signs at the entrances to the village.</p> <p>Resolved:</p> <ul style="list-style-type: none"> for both actions to be taken. The Defib to be fitted and the signs attached as per the quotations. 	<p>SDS/KM/ RO</p>
<p>217/11/18</p>	<p>C:GDPR (Cllr Denham-Smith)</p> <p>Resolved to: continue taking the actions recommended in the NALC Toolkit:</p> <ul style="list-style-type: none"> Cllr Denham-Smith to Carry out Data Audit and recommend actions based on those findings. 	<p>MDS</p>

218/11/18	<p>D: Village Open Spaces Maintenance (Cllrs Outhwaite/Lachlan/D-Smith)</p> <p>Estimate for maintenance has been received from Mr Kenyon - £27/hour @ 5-6 hours, total £135-£162. This includes the inside face of the outer hedge closest to the road, along the length of the off-road footpath coming off Cold Fell into the village, including around Bridge Park (but not up to the Fox & Hounds garden to the Gather).</p> <p>The current supplier Mr Crozier's last price was £240, but he has not been unable to cut the inside of the hedges. Mr Crozier cuts in January when he is carrying out other contracts in the village.</p> <p>The preferred time for cutting is March.</p> <p>Also, the possibility of reducing the height of the hedge, where the walkers emerge onto the road, was discussed. This would enable drivers to be able to see people emerging from the path and would make it safer. There is a wire in the hedge, which would need to be removed before cutting. Cllr Taylor suggested he could have a look at the wire and remove it, if it is possible, over winter.</p> <p>Resolved:</p> <ul style="list-style-type: none"> • To write to Mr Crozier for a written revised quote on the same basis as the estimate from Mr Kenyon and with the requirement to do the work in March. • The best offer to be put into place at the next meeting. 	SDS/MD
219/11/18	<p>E: Wild Ennerdale update Rachel Oakley (Cllr Outhwaite)</p> <p>Notes from the partners meeting 19/9/18 were circulated amongst the councillors 6/11/18. Cllr Outhwaite had nothing further to report.</p> <p>The Grant Application request for the footpath West had been approved in August but the email had been sent to the wrong email address. This is now in hand with a slightly amended deadline. The cost of the eventual scheme is being underwritten by the NT, this is important given the overall value of the work is several times the annual precept of the PC, and as such the PC can only facilitate the work. This will now proceed to the full application.</p> <p>Concern was raised by Cllr Taylor regarding the number of cars and increasing speeds witnessed on the forest track between Bowness Knott car park and Gillerthwaite. He believed the amount of dust generated to be above the dust mask level. In a personal capacity he has written to the Forestry Commission, and sent another letter to the Highways dpt as he believes that they have a duty of care regarding allowing cars to drive on the bridleway. He pointed out that many car insurances are not valid for driving on a bridleway and permission is required from the land owner to drive on the bridleway.</p> <p>Resolved:</p> <ul style="list-style-type: none"> • Cllr Outhwaite to continue with making the full footpath application 	RO/ROY

	<ul style="list-style-type: none"> No further action was decided upon regarding use of the track between Bowness Knott and Gillerthwaite. 	
220/11/18	<p>F: Highways Issues: to consider and raise issues of concern regarding the highways.</p> <p>Cllr Lachlan circulates a full report of actions taken and matters discussed with The Highways department, to Councillors prior to the meeting:</p> <ul style="list-style-type: none"> 1 Signs Missing or Damaged – Kevin Cosgrove has actioned the replacement of most of the signs listed in the Highways report November 2018. Clarification was requested regarding the wording of the fingerpost at C4017/C4004 directing traffic to Ennerdale Bridge. Cllr Lachlan suggested Kirkland - 13/4 (and below that) - Cockermouth 11 Resolved: Cllr Lachlan to make further enquiries as to the correct wording. 2 Potholes on Longmoor Common – awaiting revised design from the NT, who have been informed if they delay and the design is not received before Christmas the budget will no longer be available to carry out the work. 3. Road Banking Collapse Swinside, Work completed. 4. Croasdale Beck Banking Erosion, deferred until summer 2019 5. Kirkland Road Flooding No action has been taken by the highways yet, see item 213/11/18. Application for Public Street Status for Grike Corner to Bleach green Kevin Cosgrove has approached the CCC legal team to clarify whether CCC can make this application. This was initially proposed by Nick Thorne of LDNP and following correspondence between Cllr Lachlan and Nick Thorne and Paul Haggin CCC. The road is currently in the ownership of UU/Forestry commission and is in bad state of repair. <p>Additional Items Discussed</p> <p>Dead/dying or diseased tree on west side of cold fell road Three quotes have been received:</p> <ol style="list-style-type: none"> £550 – email from “Paul” £650 – Precision Tree Services £540 - Property & Landscape Services Ltd <p>The issue of building materials stored at Grike corner was discussed with the issue of the building materials blocking a Right of Way being questioned. Post Meeting Note: The ownership of this land was minuted at 056/09/17 with LDNP being satisfied that the building materials were not blocking the path and no further action was required of the Parish Council.</p> <p>Resolved:</p> <ul style="list-style-type: none"> The contract for removal of the tree should be let to Property Landscape services with immediate effect so that the current road closure can be used for this work. 	<p>ML</p> <p>RO</p>

	<ul style="list-style-type: none"> No further action was decided upon regarding the building materials at Grike Corner. The PC resolved that they had no further interest in the position at Grike corner and that no formal position would be taken. 	
221/11/18	<p>G: Cold Fell Action Group (Cllr Lachlan) Nothing further to report.</p>	
222/11/18	<p>H: West Coast Travel Plan, Off-Road Footpath/Cycleway - West (between Ennerdale Bridge and Cleator Moor) Cllr. Outhwaite Nothing further to report</p>	
223/11/18	<p>I: United Utilities Liaison Group – (Cllr Outhwaite/Cllr Lachlan) There have been no more meetings of the UULG.</p> <p>A walk and talk was advertised for 21st September led by Diane O’Leary - Rivers Trust, There was no official representation of the PC 202/09/18, but some Councillors did attend in a private capacity.</p> <p>Cllr Outhwaite commented that nothing new was shared at the evening event and he is concerned about their attitude to Low Moor End.</p> <p>Cllr Denham-Smith – attended in a private capacity to find out about the land. He circulated a report of his conversation with Diane O’Leary and noted that in his opinion he was sympathetic to the approach being adopted by UU. MDS also commented that he appreciates that his private view of the corporate actions or UU are not reflective of the position of the Parish Council, which will remain as per the majority view as and when it is debated further.</p> <p>Cllr Taylor regarded the Environment Agency as holding responsibility and expressed concern about the management of the Marsh Fritillary Butterflies.</p> <p>There has been no meeting of the UULG since July 2017 and there are many outstanding actions which need to be moved forward.</p> <p>Resolved:</p> <ul style="list-style-type: none"> Cllr Outhwaite to write to Diane O’Leary and appropriate person in UU and copy to Wild Ennerdale (ROY) to arrange another meeting. 	RO
224/11/18	<p>J: Asset Register</p> <p>Consideration of need/use and liability of common land in Parish Ownership/other assets</p> <p>Following the work already completed regarding logging the assets and the mapping of areas of land and common land owned by E&KPC the question of whether the PC needs to own these “assets” or should they be disposed of was tabled.</p> <p>The land amounts to approximately 6.2 Hectares. Cllr Taylor commented on an historic parcel of land 109 of approx. 70 acres which was previously transferred to the Forestry Commission. Ownership requires management of the asset but also guarantees a right of access.</p>	

	<p>Resolved:</p> <ul style="list-style-type: none"> • Cllr Taylor will visit the Commons Registration Office in Carlisle to look at the Deeds in order to define what the land worth. • Cllrs Taylor and Denham-Smith to carry out Asset Audit, produce risk assessment and recommend further action. 	RT RT/MDS																		
225/11/18	<p>K: Lakeside/Inland Footpath Bleach Green Shore –</p> <p>Correspondence between Cllr Outhwaite and Nick Thorne LDNPA Countryside Access Advisor</p> <p>Cllr Outhwaite had circulated correspondence between himself and Nick Thorne, Rebecca Cathay and Mike Tattersall on 31 October 2018 regarding correspondence from 4 October 2018 and initially 27th September 2017, regarding the protection/reinstatement of the footpath at the head of the lake shore, from the Weir to the fence at Sawdust Lonning. The Councillors discussed whether they would like the footpath maintained/reinstated as useable and accessible. The responsibility for the work was discussed as to whether UU should be responsible due to the work at the weir causing the loss of access to the path.</p> <p>Resolved to: Follow up with UU and LDNPA to request that action is taken for the path to be reinstated to a useable state.</p>	RO																		
226/11/18	<p>Neighbourhood Watch and Police reports No report had been received from the Police.</p> <p>Rev Parker reported that antisocial behaviour after dark at the Bleachgreen car park had been reported to police.</p>																			
227/11/18	<p style="text-align: center;">Council Finance</p> <p>To consider any payments and/or grants to be made and receive an updated bank reconciliation.</p> <p>Resolved: to make the following payments:</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Voucher Number</th> <th>Payee</th> <th>Description</th> <th>Amount</th> <th>Cheque number</th> </tr> </thead> <tbody> <tr> <td>14 Nov 2018</td> <td>0055</td> <td>Lamplugh with Ennerdale PCC</td> <td>Newsletter in Contact</td> <td>£40.00</td> <td>000537</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Total</td> <td>£40.00</td> <td></td> </tr> </tbody> </table> <p>Total spend this meeting £40.00</p> <p>Budget 2019/20 The Draft Budget proposed by the Clerk and Chairman (Document title Ennerdale and Kinniside Spend Review Nov 2018) was accepted with the following considerations:</p> <ul style="list-style-type: none"> • Confirmation of the maintenance costs regarding the battery life of the Defibrillator. • £1000 for planning application removed as it is not required as was already budget for 18/19 	Date	Voucher Number	Payee	Description	Amount	Cheque number	14 Nov 2018	0055	Lamplugh with Ennerdale PCC	Newsletter in Contact	£40.00	000537				Total	£40.00		RO
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	<ul style="list-style-type: none"> • Insurance increase to £500 • Increase contingency to £1,500 – with regard to the cost of removing the dead tree on cold fell road and associated review of the Asset Register. • Increase in Clerk Salary (SCP22) £53 (144 hrs months @ £0.37/hour) possible (subject to review) to be allowed for. <p>Resolved:</p> <ul style="list-style-type: none"> • to accept the Bank Reconciliation dated 14 November 2018, of a current account balance of £8,131.27. This represents an uncleared balance of £8,091.27 made up of the cleared balance minus £40.00 spend agreed at this meeting. The reconciliation was against Bank Statement 224 dated 21/9/18. <i>(Statement 225 was not available before the meeting).</i> • Clerk to Make adjustments to the draft Budget Proposal and Chairman to suggest Precept Application, for final agreement at January 2019 meeting. 	SDS/MDS
228/11/18	<p style="text-align: center;">Councillor Matters</p> <p>Councillor Matters: Feedback from other meetings attended: not covered by other agenda items.</p> <ul style="list-style-type: none"> • Cllr Denham-Smith meeting with Diane O’Leary (see 223/11/18) • Deadline for reports for next meeting 2nd January • Lamplugh world Heritage site meeting. World Heritage Status community conversation - Lamplugh Village Hall 4-8pm 29th November. • ML had asked UU to confirm the status of the works around the weir, completing the connections in to the fish pass, completing the connections for the old works. He received an email 14/11/18 which stated the civils works aimed to be finished by end of November, landscaping in the new year, and finally finished by the end of summer 2019. Delays were caused by the low water this year. • Cllr Taylor has looked into the historic value of The Mill. He has discovered that we can apply to get The Mill listed due to the historical value the last one of its type. DEFRA may give money for this type of application for historical buildings. <p>Resolved:</p> <ul style="list-style-type: none"> • Some Councillors may attend the World Heritage Status Community Conversation in a private capacity • Historic Value and listing The Mill will be added to the agenda for next meeting and then the council can decide if it wishes to back an application for it to be listed. 	All RT
229/11/18	<p>Items for the next meeting: for Councillors to suggest items for the next agenda:</p> <ul style="list-style-type: none"> • Budget 2019/20 agreement • Appointment of Internal Auditor • Grant applications for approval 	

	<ul style="list-style-type: none"> • Report on whether the PC can apply for listed status for the Mill. • Feedback from the World Heritage Status meeting. <p>Date of the next meeting: <u>Wednesday 16 January 2019 7:00pm</u> <i>this is a week later than the published date, due to the Christmas holiday making the time too short to prepare for the meeting.</i></p> <p>Meeting Closed at 21:15hrs</p> <p>Chairman.....</p> <p>Date.....</p>	
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