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 16 January 2019 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)

Members of the Public

Sue Roberts, Ian Topping, Sandra Guise, Sue West, Margaret Younghusband

Minute Number	Item	ACTION
230/01/19	Apologies for Absence	
	No Apologies	
231/01/19	Declarations of Interest	
	Resolved:	
	 that Councillors had all signed and updated the Declaration of 	
	Interest sheet dated 16 January 2019 in the Declaration of	
	Interest Folder. Richard Taylor's resubmitted his Declaration of	
	Interest to update section 4. beneficial interests in land to	
	include his home.	
232/01/19	Minutes of the Parish Council Meeting Held	
	on 14 November 2018	
	Deschards that the minutes of the macting of Engage and Vinniside	
	Resolved: that the minutes of the meeting of Ennerdale and Kinniside Parish Council held on 14 November 2018 be signed as a true record	
	by the Chairman.	
233/01/19	Co-option of new Councillor	
	Resolved that:	
	The Council still has one vacancy for a new Councillor, and this	
	remains advertised on the noticeboard, newsletter and website.	All
234/01/19	Public Participation	
	and 11 House Development on Kirkland Road	
	(Reference: 4/18/2071/0F1 – Copeland Borough Council)	
	A meeting of residents concerned about the resubmission of the plans	
	for the proposed development of houses on Kirkland Road	
	(Reference: 4/18/2071/0F1 – Copeland Borough Council)	
	had been convened on Tuesday 15 th January 2019. 12 people attended, including 3 Parish Councillors in a private capacity. Sandra	
	Guise, Sue West and Margaret Younghusband were making	
	representation to the Ennerdale and Kinniside Parish Council to	
	express their concerns about the development including:	
<u> </u>	express their concerns about the development including:	

- The development being at odds with the Community Led Plan.
- The revised plans had done nothing to address the visual impact of the development. It was on rising land and overlooks the local properties.
- Nothing had been done to address the problem of introducing more traffic to an already troublesome stretch of highway. The residents were of the opinion that in 2002 the Highways department had already discounted the introduction of a oneway priority, traffic calming scheme due to the unsuitability of the sight-lines.
- Problems with the sewage plant.
- Insufficient clarity of which is new and old with regards to the
 presentation of the submission papers. The quality of the
 documents, and the fact that some are contradictory or include
 inconsistencies, as well as obvious wrong maps and plans
 being included.
- General concerns about the process.
- Concern that the applicants have made no consideration of the impact on the village with regard character and the local residents.
- One of the residents owns the part of the land mentioned in the proposal, which currently houses her sceptic tank
- No approach has been made by the applicants to the land owners with regard to the discharge from the proposed sceptic tank and run-off towards another of the properties from the attenuation tank.
- Another resident is aware of trespass onto his property to take photographs which in his opinion are not representative of the impact on the view.
- The availability of the plans (and amendments) has not been advertised well and is not available on line.
- The track to the side of the development (left after crossing the bridge) is not adequate for reversing vans and has poor sitelines for pulling out. If traffic calming is introduced and the bridge is narrowed local residents will find it very difficult to turn right onto Kirkland Road.

Note the above points are the views of the residents and not necessarily the expressions of the view of the Ennerdale and Kinniside Parish Council.

Resolved that:

- Mrs Guise to summarise these points in writing and forward them to Cllr Outhwaite.
- The report provided prior to the meeting to Councillors by Cllr Outhwaite listing the Council's objections to the development should be sent to CBC as a reply with Objections to the Housing development
- Cllr Outhwaite would review the comments made by the concerned residents' group and appendix them to the report to be sent to Copeland Borough Council in objection to the development.

Mrs Guise

SDS

RO

Resident lan Topping raised concerns about on road parking from
patrons of The Gather at and around the junction to the turning for
Forrest houses and on the pavement on the corner. Access and
manoeuvring at the T-junction is becoming difficult as visibility up and
down the road is reduced by parked cars in contravention of the
Highway code within 10m of the corner.

Resolved:

It was agreed that this motion should be discussed at the March meeting and in the meantime the management at The Gather be informed of this decision. SDS

235/01/19

County and Borough Council Updates Cllr Lamb (CCC)

Speed Limit Review

The County Council Speed Limit Review has concluded that Ennerdale Bridge did not fit the criteria to be recommended for a speed limit reduction to 20mph. Cllr Outhwaite requested and explanation as to what authority the officers were making the recommendations, and whether they had been given delegated powers. Also, he requested clarification as to what the criteria had been for the review in order that the result could be contested/assessed and that the PC could judge whether changes could be made in the village regarding the criteria. The proposals are currently undergoing public consultation.

In relation to this the demise of the A595 group was commented on and a request made that Cllr Lamb find out about whether it will be revived, as it was felt that making the A595 the route of choice would ease traffic through the village.

Tom Butt Cottages drainage from the highway.

The responsibility for the change of camber during road resurfacing on Kirkland Road affecting Tom Butt cottages is considered a contractual dispute between the CCC and the contractor. The view of the Council is that CCC sub-contracted the work and therefore needs to action the remedial works to stop the affected properties being damaged by water. Cllr Lamb commented that this is part of a wider dispute with CCC and the contractor involving 13 other schemes.

Integrated Risk Management Plan (IRMP) Fire Services Proposal

The IRMP Fire Services has recommended that Frizington fire station's full-sized Fire Truck will be down-graded to an IRV (Initial Response Vehicle) if a trial in the south of the country is successful. Smaller tenders are not capable of dealing with big fires and in terms of the back-up vehicles arriving from Whitehaven, Ennerdale Bridge will have one of the longest response times of any community.

Road Closure

Longmoor Common will be closed from 4th February for up to 2 weeks for the drainage works.

Resolved:

MDS_

The following correspondence was received and is to be considered by Councillors for comment or action.

It was resolved that:

the Clerk's Report be accepted with the following actions to be completed.

Date	Correspondence	Actions and	
15/44/40	A 1 01 1 000 0 1 1 0 1 1 1	Resolutions	
15/11/18	Andrew Clerk CBC Budget Consultation	Feedback to survey	Α
45/44/40		by individuals	
15/11/18	Carl Carruthers Grant Application for	Agreed £100 but	
	Lamplugh Sports Day	further contributions	S
		would be conditional	
		on better marketing	
		particularly in	
		Ennerdale bridge.	
20/11/18	Property Landscape Services Invoice	Cheque raised for	
		payment	
20/11/18	Clive Willoughby Re pecuniary interest	Update address and	
	register Cllr Taylor	Section 4 Action	
		complete	
21/11/18	CALC Changes to Standing Orders 2018	Action Required to	
		update and Adopt	
		Standing Orders	Α
		incorporating the	, ,
		NALC2018 changes	
		(see below)	
28/11/18	World Heritage Status meeting at	Cllrs Lachlan and	
	Lamplugh Village hall 29/11/18	Taylor attended	
3/12/18	Jenny Brunskill Auditor Invoice	For payment below	
3/12/18	CALC - Julian Glover review of National		
	Parks and AONB. DEFRA is currently	Personal replies by	_
	consulting on the purpose, governance	18/12/18	Α
	and funding of protected landscapes		
	such as National Parks and AONBs.		
7/12/18	Nick Hayhurst CBC		
	Planning Application Reference		
	4/18/2071/0F1 - Land Adjacent to	See Action Above	
	Kirkland Road, Ennerdale Bridge -	234/01/19	
	RECONSULTATION - Email 1 of 3		
13/12/18	Notes from a private meeting of		
	Richard Taylor and Muir Lachlan with		
	Caroline Holden and Ian McCoy,		
	12/12/18 to discuss the work being	0	
	done at Grike Corner.	See below UU	
	After a discussion in The Gather		
	about the boundaries of the Old Mill		
40/40/40	property, now owned UU.		
18/12/18	Response from Nick Hayhurst extending	Nia Aatlan D	
	Planning application response until	No Action Required	
	1/2/18		

				T		
	4/1/19	Chris and Sandra Guise – copy of letter of objections sent to CBC re the 11 Dwelling housing development	No Action Required			
	20/12/18 8/1/19	Cllr AL /Gillian Elliot CBC Fire Services Review	Action resolved above			
	14/1/19	Resident Ian Topping regarding parking around the entrance to the Gather and the corner of the road to Forrest Houses.	Motion agreed to pursue the issue at March meeting and inform the Gather of the concern raised above	SDS		
	All other re	elevant electronic mail has been forward	ed to councillors			
	Planning: Correspon	dence or applications received betweer	n meetings:			
	Planning .	<u>Applications</u>				
	RECONSU	JLTATION - Email 1 of 3 CBC				
	Reference: 4/18/2071/0F1 - Location: Land Adjacent to Kirkland Road, Ennerdale Bridge - Proposal: 11 dwelling development Reply by: Initially 28 days from date of the letter 7 January – extension granted until 1 February 2019 Reply to: Copeland Borough Council					
	No reply at the time of the meeting - see 234/01/19 above for action Objections to be sent by 1/2/19					
	Reference: 7/2018/4132 Location: Longmoor Head, Kinniside, Cleator, CA23 3AG (map) Proposal: Partial grouting of walls as enabling works for underpinning of eastern elevation and return walls of farmhouse Reply by: 17 January 2019 Reply to: planning@lakedistrict.gov.uk No Objections reply sent 8/1/19. Pecuniary Interest Declaration made by Cllr Taylor who abstained from comment					
		pplications Granted/Refused				
	None receive Additional	ed in this period. Duties				
	Update the	Website.				
		Progress Reports				
237/01/19	B: Defibril	lator Project – (Cllrs Outhwaite)				
	Defibrillato • The	aite had circulated a report regarding the to Councillor prior to the meeting. current machine needs to be replaced end of its functional life of its battery.	·			

	Battery (current price £180 +VAT shelf life 4 years) and pads £23 +VAT adult and £47.50 +VAT paediatric	
	 Chris Abbot of First Responders Arlecdon will facilitate purchasing the upgraded machine. 	
	Cllr Outhwaite commented that the cabinet had been donated	
	by the Gavin Curwen Heart Screening Foundation and suggested an acknowledgement for the donation should be	
	made to Gavin and the foundation (no decision was taken on this matter at the meeting and will be moved to the Agenda for	
	the March meeting)	
	Resolved:	
	 To accept Cllr Outhwaite's proposal Clerk to inform Chris Abbot of First Responders Arlecdon 	SDS
238/01/19		
	Resolved to: continue taking the actions recommended in the NALC Toolkit:	
	Cllr Denham-Smith to carry out Data Audit and recommend	MDS
239/01/19	actions based on those findings and write privacy Statement D: Village Open Spaces Maintenance (Clirs Outhwaite/Lachlan/D-Smith)	
259/01/19	The Clerk reported that Mr Crozier had declined to quote for the work	
	as his machinery could not fulfil the requirements of reaching the	
	inside of the hedge. Mr Crozier was thanked for is many years of service to the parish.	
	Resolved:	
	For Mr Kenyon to be awarded the contract based on the guarantee received a 8/40/48 by a guil to Clip Toylor, \$27/baser.	SDS
	quotation received n 8/10/18 by email to Cllr Taylor - £27/hour @ 5-6 hours, total £135-£162. This includes the inside face of	303
	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).	
	Cllr Taylor will ensure that the wire meshed in the hedge close	DT
	to the end of the footpath is removed prior to work being carried out.	RT
240/01/19	E: Wild Ennerdale update Rachel Oakley (Cllr Outhwaite)	
240/01/19	Rachel Oakley was unable to attend due to date change of the	
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240/01/19	Rachel Oakley was unable to attend due to date change of the meeting. Cllr Outhwaite requested that the Footpath East progress report be considered as a separate item from Wild Enenrdale in the next Agenda as this is a Parish Council project working with UU, NT, FC and WE.	SDS

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	Cllr Lachlan circulates a full report of actions taken and matters	
	discussed with The Highways department, to Councillors prior to the	
	meeting:	
	1 Signs Missing or Damaged Fingerpost at C4017/C4004	
	directing traffic to Ennerdale Bridge will be worded Ennerdale	
	Bridge 1/2 Kirkland 2 and the sign at Braemar Cottages which	
	should read "Ennerdale Water" will both be refurbished in the	
	next financial year. Other signage problems are complete or in	
	hand, Cllr Lachlan commented that he had reminded KT that	
	we had applied for work to the finger posts in 2013/4 as a reply	
	to a BBC report 15 January 2019 which suggested that by	
	, , , , , , , , , , , , , , , , , , , ,	
	simply adding reports of black & white sign posts in need of	
	TLC onto the HIMS system they will be automatically renovated	
	by CCC.	
	 2 Potholes on Longmoor Common – Works programmed for 	
	commencement 4 February 2019	
	3. Cold Fell Road Repairs – no further plans	
	 4. Croasdale Beck Banking Erosion, deferred until summer 	
	2019	
	5. Kirkland Road Flooding No action has been taken by the	
	highways yet, see item 213/11/18 235/01/19	
	6. Application for Public Street Status for Grike Corner to	
	Bleach green Kevin Thompson (Highways) is looking into this	
	possibility via CCC Legal and Paul Haggin (LDNPA – taken	
	over from Nick Thorne).	
	• 7. Accidental Damage to the Bridge (Ennerdale Bridge over	
	the Christmas holiday) The Highways department have	
	assessed the bridge and concluded that there is no structural	
	damage of concern except cosmetic damage to the parapet.	
	Work will take place before the end of March 2019	
	Decelved	
	Resolved:	
	That the PC will make the section 56 application for adoption of the	PC Action
	road from Bleach Green to Grike Corner as a public highway once a	March
	reply has been received by Paul Haggin (LDNPA) who has taken over	IVIAICII
	from Nick Thorne, and has contacted CCC legal for clarification. KT is	
	disputing that the Highways department should adopt it.	
242/01/19	G: Cold Fell Action Group (Cllr Lachlan)	
	The Open Spaces Society are campaigning for 20mph on the fells not	
	just Cumbria or Cold Fell but for all open moorland. Cllr Lachlan	
	produced a cutting from the News and Star. It was agreed that the	
	farmers would probably welcome it to reduce livestock losses, but	
	that it did not currently require any further action.	
243/01/19	H: West Coast Travel Plan, Off-Road Footpath/Cycleway - West	
	(between Ennerdale Bridge and Cleator Moor) Cllr. Outhwaite	
	Nothing further to report, but there was a meeting taking place at the	
	same time as the PC meeting 16 January 2019.	
244/01/19	I: United Utilities Liaison Group – (Cllr Outhwaite/Cllr Lachlan)	
	Sue Roberts (public rep on the UULG) raised concern that UU had not	
	got in touch to convene a new meeting since July last year and felt	
	that recent emails and the Wild Ennerdale newsletter suggested the	
	Liaison Group had been closed down. Cllr Outhwaite had also been	
	in touch by letter and email.	
·	104	

	Following an informal meeting of some members of the Liaison Group, including Cllr Outhwaite, it was agreed that the remit of the group had been quite narrow The group was set up in May 2016 and its overall purpose was defined as:	
	'The purpose of the group is for UU staff and Ennerdale residents (EKPC) to work together to achieve favourable outcomes for both parties, in relation to UU work to protect the fresh water mussel	
	and salmon populations in Ennerdale.' and it was felt that purpose had been fulfilled and that a new group with a wider remit including landscape and access should we be set up. This could include invitations to the major landowners (including UU) but would be led by the local people with concern and interest in the use of the land in their locality.	
	It was suggested that this could be commenced with a public meeting and be increased to a broader membership looking at what residents want from and for the valley.	
	It was discussed whether the Parish Council would be agreeable to back this as a reporting mechanism for the community to express their views to the Council.	
	 Resolved that: The Council would support a move to expand the purpose of the brief of the UULG and a public meeting group be set up to promote the value of Ennerdale That the first meeting could be part of the Annual Parish 	
	Meeting	
245/01/19	J: Asset Register Consideration of need/use and liability of common land in Parish Ownership/other assets Cllr Taylor reported that we own all the common land. 6ha. There is a further 68 acres CL109 of Common Land located at the end of the lake (not owned by the PC). Bulls are not allowed on common land. Common land allows for the right to roam. If you own the common land it is your responsibility to fence against the land on the other side.	
	Cllrs expressed opposing views as to whether the PC ownership of common land was an asset or a liability. Resolved that:	
	Cllrs Denham-Smith and Taylor would carry out a full visual and photographic risk assessment on the weekend of 2/3/February 2019.	MDS/RT
246/01/19	K: Lakeside/Inland Footpath Bleach Green Shore (Cllr Outhwaite) Cllr Outhwaite reported that a LDNPA ranger has scheduled to do work to bring the path back into use. He has said he is not going to upgrade the surface however the PC's view is that disabled access is needed. This is possibly an area that would be of importance to the	2. 2.
	proposed new local interest group.	
247/01/19	L: Newsletter (Clir Johns)	
	Resolved:	
	 to publish the next newsletter for the April edition of Contact items to include the Annual Parish meeting. 	D.I.
	- Roms to morado the Annual Lansh meeting.	BJ

248/01/19	Review of	Governa	nce Documer	nts			
	Resolve to:						
	 Update standing Orders in accordance with Legal 						
	briefing L09-18 NALC 2018						
	•		o send out the				SDS
	•		enham-Smith to				MDS
249/01/19			tus Meeting (
			aylor attended				
			ack to be sent		ards to queri	es and	
250/01/19			on cold feel roa				
250/01/19			atch and Polic received from	•	r 2 months h	owovor	
			had forwarde				
	map to the		g riad forwarde		the Cumbrie	Cillie	
	•		k/cumbria/GAF	RW2.CLE/cri	me/		
	11000171111	MPONOOTG	14 04:11101104 07 11	<u> </u>	<u>,</u>		
	The Clerk	has forwa	rded this to the	e Councillors	for informat	ion.	ALL
251/01/19			Council	Finance			
		, , ,	ments and/or (grants to be	made and re	ceive an	
	updated ba	ank recon	ciliation.				
	Resolved:		the following p	ayments:	T		
		Voucher				Cheque	
	Date	Number	Payee	Description	Amount	number	
	16/04/204		Property				
	16/01/201	VN0056	Landscape Services	Tree Felling	£ 540.00	000538	
	16/01/201	V110030	Chapel	Internal	2 3 10.00	000330	
	9	VN0057	Consulting	Audit	£ 36.00	000539	
	16/01/201		Clerk Expenses	Letter to Mr			
	9	VN0058	(Postage)	Crozier	£ 0.67)	
	16/01/201	\/N100C0	Clerk Expenses	Office Costs	£ 24.00) 00541	
	9	VN0060	(office Costs) Clerk Holiday	Office Costs	1 24.00) 00341	
	16/01/201		Pay (3rd				
	9	VN0061	Quarter)	Holiday pay	£ 43.80) £68.47	
	16/01/201		Clerk Salary (Qtr				
	9	VN0061	3 Oct, Nov, Dec)	Clerk Salary	£ 394.20	000540	
			Norton Anti				
	16/01/201		Virus (paid by		0 0:00	000-10	
	9	VN0062	Cllr MDS)	Office Costs	£ 24.99	000542	
				TOTAL	£ 1,063.66		
	Total sper	nd this m	eeting £1,063.		,000.00	1	
	Budget 20						
	_		id been amend	ed by the CI	erk to includ	e the	
		•	the previous m	•			
			ne meeting.	· · · · · · · · · · · · · · · · ·			
		•	ed consideration	ns renarding	the renews	I of the	
		•		•	•		
	Defibrillator during this meeting it was agreed to add a further £250						
	into the draft budget. The total proposed budget, therefore stands at						
	£7,576.20.						

Precept Application

As the current cash position is already lower in January than the end of year last year the Chairman proposed an increase of 2% on last year's Precept to a total of £3,916.00.

Grant Application

Lamplugh sports committee £100.

Appointment of Chapel Consultants as Internal Auditor

NALC recommended pay review for Clerk (The currently SCP 22 - salary becomes £11.22 per hour from 1 April 2019 with the adjusted SCP numeral of 12)

Resolved:

- to accept the Bank Reconciliation dated 16 January 2019, of a current account balance of £8,091.27.
 This represents an uncleared balance of £7,027.61 made up of the cleared balance minus £1,063.66 spend agreed at this meeting. The reconciliation was against Bank Statement 225 dated 21/12/18.
- to accept the Precept proposal application of £3,916.00
- to offer a grant of £100 to Lamplugh Sports Committee with the request that the marketing was more effective amongst Ennerdale school pupils and the name of the event makes this clear.
- to appointment Jenny Brunskill, Chapel Consultants as Internal Auditor
- To Adopt the NALC recommended pay review for Clerk
 (The currently SCP 22 salary becomes £11.22 per hour from 1 April 2019 with the adjusted SCP numeral of 12)

252/01/19

Councillor Matters

Councillor Matters: Feedback from other meetings attended: Items not covered by other agenda items.

• Fly tipping in the layby on the left approaching Wath Brow past Fearon Place. Cllr Lachlan had written to the Highways and raised it again with a new reference no. The issue has been passed on to the technical team. 11/1/19 It has been 16 weeks since the first call W188094166. The Highways claim they cannot identify the address. It is known locally as Fearon Place

Resolved that:

Cllr Taylor will action the confirmation of the address.

Protection of the Marsh Fritillary Cllr Taylor is attending a
meeting on Monday re protection of the Marsh Fritillary
Butterfly. He has put himself forward as the contact for
Management of the Habitat with UU and Ecologists. Cllr Taylor
called the meeting as he has evidence that the Devilsbit
Scabious has been damaged by the non-management of the
field and this is an important habitat for the butterflies the
largest population in Europe.

Cllr Taylor has been in touch with the Land Agent for Gillerthwaite regarding the issue of dust on the track. There was no further action resolved regarding the above two items. Items for the next meeting: for Councillors to suggest items for the	
next agenda:	
March meeting	
 Annual Parish Meeting (1 March – 1 June 2019) 	
Dates and times	
 Section 56 Application for adoption of the road between 	
 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. This item was missed off the agenda for the meeting in January. 	
Date of the next meeting:	
Wednesday 13 March 2019 7:00pm	
Meeting Closed at 21:33hrs	
Chairman	
Date	
	Gillerthwaite regarding the issue of dust on the track. There was no further action resolved regarding the above two items. Items for the next meeting: for Councillors to suggest items for the next agenda: March meeting • Annual Parish Meeting (1 March – 1 June 2019) Dates and times • Section 56 Application for adoption of the road between Grike Corner and Bleach Green if this has not been actioned by LDNPA/CCC • 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. This item was missed off the agenda for the meeting in January. Date of the next meeting: Wednesday 13 March 2019 7:00pm Meeting Closed at 21:33hrs Chairman