

Ennerdale & Kinniside Parish Council

Clerk to the Council: Susan Denham-Smith, Routen Farm, Ennerdale, Cleator, Cumbria, CA23 3AU.
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Minutes of the extraordinary meeting of the Ennerdale and Kinniside Parish Council on Friday 11 June 2021 St Mary's Church rooms 5pm

To discuss/agree interim payment to TT Kirkbride, for work to date
on the Broadmoor Trail Project

Present

Cllr Daniel Young (DY– Chairman)

Councillors

Cllrs Denham-Smith (MD-S) Ric Outhwaite (RO), Richard Taylor (RT), Neil Hardisty (NH)

Also in attendance

Susan Denham-Smith – Clerk (SDS),

Members of the Public

Sarah Sharpe, Nancy Rowson
Muir Lachlan

Minute Number	Item	Action
586/06/21	Apologies for Absence None	
587/06/21	Declarations of Interest Resolved: <ul style="list-style-type: none">that there were no declarations of interest which were in conflict with the subject matter of this meeting	
588/06/21	Public Participation For members of the public to table issues and ideas they would like to put forward to the council for future consideration. Nancy Rowson asked why an extra ordinary meeting was necessary. Chairman - Dan Young moved a motion to reply that all payments had to be agreed at a full Council meeting and as this was concerning a request for payment of a large sum of money, received between meetings, an extraordinary meeting was required to discuss and agree the payment.	
589/06/21	Broadmoor Trail Project To consider the payment of Invoice 3243 from TT Kirkbride Ltd for work completed to date on "Broadmoor new bridleway routes associated with the multi-user track". A cheque for payment in the sum of £35,553.60 - number 000607 was drafted prior to the meeting	

Prior to the meeting some of the Councillors had inspected the work on the trail completed to date. The following comments/issues were tabled and discussed

- The invoice was for exactly half of the quoted price by TT Kirkbride
- It was considered that 1/3 to 1/2 of the work may have been completed
- The path section from Lillyhall to Braemar Corner, which is supposed to be complete, has issues including:
 - it is not domed for run-off,
 - The edges have not been cleared,
 - Some sections are still boggy
 - Roots/tree stumps are sticking through the Terram
- Should we pay the invoice as presented for work completed to date?
- Is 50% of the work done to justify the payment?
- Is the work completed according to the quotation and plans?
- The LDNPA are responsible for project managing the work so they need to agree to sign off the work to date and the payment of the interim invoice.
- Why has work ceased for the last 11 days when the weather has been fine?
- The section from the container park to Sawdust Lonning is too boggy, roots are coming through and cut trees have been used to line the track bed. There are a lot of potential problems with this section, which has not been completed.
- FE suggested a change to the route during the planning phase.
- LDNPA are responsible for the planning and project management, (there is email evidence for this), therefore they need to be accountable for the agreement of the quality of the work before agreement to pay is resolved.
- Part of the payment of the invoice could be withheld so the actual payment made reflects the volume of satisfactory work completed to date and retains a sum large enough to ensure the project can be completed to the correct standard.
- What proportion of the invoice should be paid, giving regard to how much work is still to complete and the cost of any remedial works that may be required if the current contractor does not complete the work satisfactorily in budget?
- Has Mr Kirkbride indicated that the job is running over budget? It was confirmed he had not.

Resolved:

- Not to pay the invoice or agree a part payment of the invoice, until after a site meeting has taken place.
- To arrange a site meeting of a minimum of 2 councillors (RO/RT and MDS volunteered) with LDNPA, Thomas Kirkbride, and Forestry England, before payment of the invoice or part thereof is

RO/RT/
MDS

	<p>made. The site meeting is required to highlight the Council's concerns with the quality and structure of the work to date and to identify the way forward to completion. The meeting will need to be minuted and take place before the Council meeting on 13 July 2021</p> <ul style="list-style-type: none"> • RO to draft the Agenda for the meeting and invite attendees • Clerk to copy Thomas Kirkbride into the minutes and explain the delay of payment, by email if possible if not by post. 	RO SDS
590/06/21	<p>Date of the next meeting: 13 July 21 at 7pm inThe Gather</p> <p>Meeting Closed at 17:46 hrs</p>	
	<p>Chairman.....</p> <p>Date.....</p>	