

# Ennerdale & Kinniside Parish Council

Clerk to the Council: Susan Denham-Smith, Routen Farm, Ennerdale, Cleator, Cumbria, CA23 3AU.  
Tel: 03946 861270

## Minutes of the meeting held on Wednesday 10 March 2021 Via "Zoom" at 19:00

### Present

Cllrs Denham-Smith (MD-S) – Chairman

### Councillors

Ric Outhwaite (RO), Daniel Young (DY), Richard Taylor (RT),

### Also in attendance

Susan Denham-Smith – Clerk (SDS),  
Arthur Lamb – CCC – (AL)  
Gwynneth Everett – CBC - (GE)  
Steven Morgan – CBC - (SM)

### Members of the Public

Margaret Younghusband, Gill and Annabel Greggain, Norman Stanfield, Jill and Peter Trainor,  
Claudia, Peter Maher, Paul and Nancy Rosen  
Rev Ian Parker

Minute Number	Item	Action
	The March meeting of the Ennerdale and Kinniside Parish Council was held virtually over the "Zoom" platform in accordance with NALC guidelines as a result of the Coronavirus Pandemic. The Clerk ran the meeting from The Gather due to issues with Broadband in the family home.	
526/03/21	<b>Apologies for Absence</b> Neil Hardisty	
527/03/21	<b>Declarations of Interest</b> <b>Resolved:</b> <ul style="list-style-type: none"><li>that there were no changes to the Declarations of Interest as recorded in the Pecuniary Interest Register.</li><li>Cllr Denham-Smith - discussion and resolutions re The Clerk as he is related to the Clerk</li></ul>	
528/03/21	<b>Minutes of the Parish Council Meeting Held on 11 November and Extraordinary Meeting - Wednesday 20 January 2021</b> <b>Resolved:</b> that the Minutes of the meeting of Ennerdale and Kinniside Parish Council held on 20 January 2021 be signed as a true record by the Chairman.	
529/03/21	<b>Councillor Resignation/Vacancy</b> <ul style="list-style-type: none"><li>There are 2 vacancies for new Councillors.</li><li>The Chairman explained the importance of participation in the Council by members of the public in order to create a fair representation of the community.</li><li>The Chairman noted he would not be looking for re-election as Chair at the May AGM.</li></ul>	

	<p><b>Resolved:</b></p> <ul style="list-style-type: none"> <li>• To accept Mr Lachlan's offer to continue to service the SID and not to accept payment for battery charging.</li> <li>• To write to thank Mr Lachlan for his many years of service.</li> </ul>	SDS
530/03/21	<p style="text-align: center;"><b>Public Participation</b></p> <p style="text-align: center;">For members of the public to table issues and ideas they would like to put forward to the council for future consideration.</p> <p>3 members of the public voiced opinion for consideration by the Council:</p> <ul style="list-style-type: none"> <li>• Annabel (age 10) and Gill Graggain (Croasdale) spoke of the extreme difficulties they were experiencing with securing acceptable levels of broadband reception, particularly with regard to home-schooling. Annabel spoke of how it was difficult to keep up with school work but also of the social isolation experienced, as a result of not being able to interact with her peers.</li> <li>• Claudia introduced herself as a new member on The Gather committee and liaison to the Parish Council</li> <li>• Rev Parker queried why Wild Ennerdale liaison Rachel had not attended recent meetings and asked about progress on mending the fence at the Cold Fell Boundary.</li> </ul> <p>It was commented that Wild Ennerdale had submitted a report at the January meeting and attended at every other meeting when appropriate or practical. It was concluded that the fence may be the responsibility of The Highways Dept so should be reported on HIMS</p>	
531/03/21	<p style="text-align: center;"><b>Copeland Borough- Cumbria County- Council Update</b> <b>Cllrs Arthur Lamb, Steven Morgan, Gwynneth Everett</b></p> <p>Cllr Morgan – UU have offered the land near the weir (and possibly The Mill) for a picnic park. He had carried out a site visit with Cllr Taylor, and CBC Openspaces have visited. This would be a service by CBC at no cost to them. Does the PC want to pursue this?</p> <p>RT commented that there should be an engineers report with the planning permission for The Mill.</p> <p>The walkway lights initiative has been postponed due to Local Government reform.</p> <p>Local Government Reform proposal – SM encouraged everyone to look at what has been proposed.</p> <p>Cllr Everett - Application for levelling pub fund for £20k to improve the harbour front at Whitehaven has been successful</p> <p>The Beacon café will open after Easter.</p> <p>– Green waste collections will resume on 22<sup>nd</sup> March. There are no printed refuse collection calendars, but they can be downloaded from CBC website.</p>	

	<p>The Census takes place on 21 March.</p> <p>She attended a meeting called “Cold to cosy homes charity” to tackle fuel poverty and insulation solutions.</p> <p><b>Cllr Lamb</b></p> <p>Council tax will increase.</p> <p><b>Local Government Reform</b></p> <p>CCC are in favour of 1 unitary council for Cumbria. Other options can be found on the web site and Cllr Lamb encourages that Cllrs research the options. Response required by 19<sup>th</sup> April.</p> <p>GDF working group is only looking at areas outside the National Park. Currently there is no CBC representative the GDF council</p> <p>HIMs will be updated at the end of summer and Cllr Lamb is requesting that Ennerdale PC be included in the trial.</p> <p>He is working with Peter Maher on the car park/cycle hub proposal.</p> <p>Broadband – He is continuing championing the need for better broadband in the village/valley. He apologised to Annabel that she had not receive a 4g router from DFE and that the school had not been allocated any after ½ term. AL will raise the issue with CCC.</p> <p>The Clerk queried if the May Elections and therefore the AGM would go ahead. Cllr Lamb confirmed that Parish and Town Councils would be having AGM meetings.</p> <p><b>Resolved:</b> to support Cllr Morgan in securing the weir site as a picnic site.</p>	
532/03/21	<p><b>Zoom Meeting protocol and plans for future hybrid meetings</b></p> <p>The Clerk apologised that the previous meeting had been inadvertently recorded. This was as a result of a “Zoom” procedure update, and had not been intentional the recording had not been retained.</p> <p>She also commented that the current legal advice regarding how future meetings were to be conducted was undecided, but that hybrid meetings would possibly be included.</p> <p>Cllr Lamb commented that current legislation expires during the first week in May, which means the law would revert to requiring face to face meetings. This is, however, not in line with current Covid guidelines. We therefore await further legal update and will plan for continuing with Zoom/hybrid meetings for the foreseeable future.</p>	
533/03/21	<p><b>4/19/2397 - 9 Dwelling Housing Development</b></p> <p>No further reports or changes to the circumstances.</p>	

	<p>Simon Blacker SRE Associates (representative of the developer), was asked to report back to the meeting. He did not attend the meeting but an email was received after the meeting by the Clerk.</p>	
534/03/21	<p style="text-align: center;"><b>Broadband Digital Infrastructure</b></p> <p>John Harris of Connecting Cumbria had been invited to address the Council, but had declined the invitation, citing the fact that there were simply too many Councils to address each one in person and had written a letter which addressed the Council and issues raised by Cllr Hugh Branney, in his letter to the Whitehaven News.</p> <p><b>Updates from Councillors included informal reports:</b></p> <ul style="list-style-type: none"> <li>• Cllr Young commented that the original Openreach engineers have retired, so there was a loss of continuity.</li> <li>• Cllr Denham-Smith – had spoken to Tom Hails (Routen House), who said that the original report by Openreach operative from Liverpool had been passed up the chain at Openreach and a new survey would be undertaken.</li> <li>• Cllrs were aware that Openreach had made a recent site visit and been escorted around the valley by a member of the public, but no formal report was available.</li> <li>• Cllr Lamb commented that he would pursue Connecting Cumbria’s decline of the invitation, as Jonathon Harris had offered to visit Parish Councils at the Three-Tier meeting.</li> <li>• Peter Maher commented that his property is served by High Speed fibre cables, on poles, and are therefore only a few hundred meters (2 fields) away from Croasdale, and could make a speedy and cheap connection.</li> </ul> <p><b>Resolved:</b></p> <ul style="list-style-type: none"> <li>• Cllr Lamb to take up the lack of engagement with Jonathon Harris, Connecting Cumbria and to find out about the most recent site visit by Openreach.</li> </ul>	AL
535/03/21	<p style="text-align: center;"><b>Ennerdale Visitor Management Plan - VMAP (RO)</b></p> <p>This consultation was initiated by the LDNPA following the unprecedented numbers of visitors/camping incidents to the Lake District during the pandemic and anticipated in summer of 2021.</p> <p>An initial meeting took place in January and Cllr Outhwaite attended. An early draft/working document was circulated on the day of the meeting.</p> <p>It is documenting the actions to encourage local land owners to consider providing official but temporary sites for car parking, camping, provision of litter bins and waste management, possible portaloo siting and associated signage.</p> <p>Caution was voiced:</p> <ul style="list-style-type: none"> <li>• that if you provide more parking more people will come</li> <li>• If you prevent parking/camping, how will it be policed?</li> </ul>	

	<ul style="list-style-type: none"> <li>Naturally available car parks at Lowther Forest and Heck Barley were suggested as alternative locations to direct visitors to.</li> </ul> <p><b>Resolved:</b></p> <p>Councillors to study the report and feed-back to Cllr Outhwaite to collate a PC response to Steve Tatlock</p>	All
536/03/21	<p style="text-align: center;"><b>Disposal of land – PC (RO)</b></p> <p>Cllr Outhwaite had been approached by a local member of the public to ask if the PC would be willing to sell some land (part of off road foot path close to the Old vicarage)</p> <p>The options were discussed as follows:</p> <ul style="list-style-type: none"> <li>The land would have to be valued</li> <li>Was disposal the only option (ie lease)</li> <li>We would need more information to make an informed decision, ie what was to be built on the land, its value,</li> <li>Does the potential purchaser have other parts of planning permission in place ie Highways permissions.</li> </ul> <p><b>Resolved:</b></p> <p>To defer a decision until next meeting, or when more information is available from the enquirer.</p>	
537/03/21	<p><b>Proposed Cycle Access Scheme/Parking in the Village (Cllr Taylor)</b></p> <ul style="list-style-type: none"> <li>Response from Mr Maher regarding the possible site identified at 513/01/21</li> </ul> <p>Mr Maher sent a report to Councillors prior to the meeting which was summarised:</p> <p>Concern was expressed that a site that may have been available from The Forestry Commission at the head of the lake came with unacceptable commercial conditions, and a sense that it would lead to monetising the valley for commercial exploitation and would lead to pulling people out of the village which would be at the detriment of the businesses in the village.</p> <p>There is a believe that a hedge on Mr Bradley’s field has a condition to keep hedge at a certain height, which restricts visibility for access.</p> <p>There is a possibility that LDNPA might be sympathetic to development at High bridge farm.</p> <p><b>Resolved:</b></p> <p>Look at plans at Heck Barley to check if there is a restriction on the hedge height for visibility.</p>	RT
	<b>Progress Reports</b>	
538/03/21	<p style="text-align: center;"><b>A: Clerk’s report</b></p> <p>(incl. outstanding actions, correspondence and planning)The full Clerk’s</p>	

The report is issued to Councillors prior to the meeting detailing all outstanding actions and correspondence received, including planning applications

**Actions on Clerk and Councillors from previous meeting requiring further action/updates**

There were no outstanding Councillor or Clerk Actions.

**Other outstanding items are covered in Progress Reports below**

The following correspondence was received and was 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	For Action/ Resolution
11/1/21	Daniel Young Invoices from Web site update	Awaiting evidence of web site before payment
25/1/21	M Lachlan confirmation that he will continue to monitor the SID	Send thanks for his service and continued support
28/1/21	Mr J Gartland re potholes Longmoor common	Add to highways report
28/1/21	CALC Samantha - Copeland District Association meeting requested that Local Government Review CCC scrutiny review be sent around.	Response required by 19 April 21
29/1/21	Section 137 update £8.41 per elector (NALC Ministry of Housing)	Noted by Clerk
29/1/21	Chris Shaw – virtual meetings and postponing elections	Action to be taken when more information available
14/2/21	Gill Greggain regarding the flooded icy corner ½ mile west of Croasdale	Add to Highways report
18/2/21	Victoria Lancashire copies of emails re commons land	Agenda Councillor Matters
19/2/21	Calc Breakthrough Communications Post lockdown communications Webinar 17/3/21	Clerk Registered to attend
19/2/21	Zoom Invoice - payment to 18/3/21 (mds)	Finance
22/2/21	Invoice for Brash removal – Colin Stevens via Gareth Browning	Payment at March meeting

SDS

RT

All

RT

SDS

	23/2/21	Cllr Denham-Smith notice of resignation from Chair	Acceptance of Resignation from position as Chairman by Cllr Denham-Smith	
	25/2/21	Connecting Cumbria re Broadband and invite to John Harris to speak at March meeting	Invitation declined - AL to follow up	AL
	4/3/21	CALC Crime Police Commissioner survey re hidden rural crime	Personal responses	All
	5/3/21	Phil Saunders step down from Chair of the Gather and invoice from Gather for room hire	Payment at March meeting	
	9/3/21	CALC local government reorganisation Zoom event 18 March 21	Individual attendance	
	10/3/21	P Porter via Cllr Taylor invoice	Payment at March Meeting	
	10/3/21	Rachel Oakley response re Ennerdale Horseshoe	PC in favour of events going ahead but do not wish to police parking and the event should be carried out in an industry standard Covid secure way.	RO
<p><b>All relevant electronic mail has been forwarded to councillors</b></p> <p><b><u>Planning</u></b></p> <p>Correspondence or applications received between meetings:</p> <p><b><u>Planning Applications received</u></b></p> <p>Reference:7/2021/4005  Location: The Old Post Office, Ennerdale, CA23 3AR(map)  Proposal: Single storey flat roof extension to rear of dwelling  Reply by: 03 March 2021  Reply to:planning@lakedistrict.gov.uk</p> <p>replied on 22/2/21 No Objections</p> <p><b><u>Pre Planning information</u></b>  None</p> <p><b><u>Planning Applications Granted/Refused</u></b>  None</p> <p><b><u>Planning Applications Amended</u></b></p> <p><b>4/19/2397/0F1</b>  Re-Consultation – Additional/Revised Drainage Information for:  Residential development of nine dwellings and surfacing of lane. Land adjacent to Kirkland road, Ennerdale bridge.</p>				

	<p><b><u>Additional Duties</u></b> None</p>	
539/03/21	<p align="center"><b>B: Broadmoor Trail Project - (Lilly Hall corner, Braemar to the Lake)</b> (Cllr Outhwaite)</p> <p>The path creation is due to be started on Monday 15 March 21. A variation to the finish date has been accepted by the RPA of 30 June 21</p> <p><b>Resolved:</b></p> <ul style="list-style-type: none"> <li>• Acceptance of variation agreement</li> <li>• Payment to Colin Stevens Forestry for Brash extraction (see finance below for details).</li> </ul>	
540/03/21	<p><b>C: Highways Issues:</b> to consider and raise issues of concern regarding the highways.</p> <p>Very little work has taken place due to lockdown. Kevin Thompson has retired.</p> <p>Flooded corner west of Croasdale gully has been cleared. Cllrs requested that the flood signs be cleared up.</p> <p>Hazel Holme flood work moved to July 21</p> <p>High Waterside problems in both directions</p> <p>There is a new correspondent dealing with hedge problems at the Highways dept</p> <p>Cllrs queried if Ash trees around the church were being addressed due to Ash die back</p> <p>Rev Parker confirmed that trees were being cut back as preparatory work for mending the wall. For which they have funding.</p> <p>The road to Cat Howe track is in a terrible state. This problem was reported to the Clerk a couple of years ago by George Marrs. Cllr Lamb confirmed that the Highways dept were aware of the need for work to be carried out.</p> <p><b><u>Resolved</u></b></p> <ul style="list-style-type: none"> <li>• Send a retirement card to Kevin Thompson</li> <li>• Chase Highways to collect signs at Croasdale flood (AL)</li> <li>• New correspondent at The Highways co-ordinating the hedge trimming work Cllr Lamb to provide name and contact details.</li> </ul>	<p>SDS AL</p>
541/03/21	<p><b>D: West Coast Travel Plan, Off-Road Footpath – West /REGEN -</b> (Cllr Outhwaite)</p> <p>Nothing to report</p>	
542/03/21	<p><b>E: Lakeside/Inland Footpath Bleach Green Shore and Off-road Footpath</b> (Cllr Outhwaite)</p>	



	<p>They have agreed to carry out some off the work. There is a new park ranger (Name TBC). Cllr Taylor queried whether stone for footpath works could be retrieved from the quarries in the valley by Forestry England</p>	
543/03/21	<p style="text-align: center;"><b>F: Village Open Spaces Maintenance</b> (Cllr Taylor)</p> <p>Discussion about the boundaries on common land.</p> <p>Cllr Denham-Smith queried what the aim was once the common land boundaries had been established.</p> <p>Blocked ditch on Cold fell road footpath.</p> <p><b>Resolved:</b></p> <ul style="list-style-type: none"> <li>• To find out what is permissible use for the common land</li> <li>• Plan what the PC wishes to do with the land once the boundaries are in place at the next meeting</li> <li>• Speak to the LDNPA about clearing the ditch, and improving the drainage associated with the ditch and the path..</li> </ul>	<p>RT</p> <p>SDS</p> <p>RT/RO</p>
544/03/21	<p><b>9: Newsletter for inclusion in Contact (Cllr Denham-Smith)</b></p> <p><b>Resolved:</b> Draft letter to be produced for May Meeting</p>	MDS
545/03/21	<p style="text-align: center;"><b>Web Site Accessibility</b></p> <p>New laws require Local Councils to update their websites to conform to accessibility guidelines LTN 09.</p> <p>A draft of the new website had been circulated to the Councillors prior to the meeting for comment</p> <p><b>Resolved:</b></p> <ul style="list-style-type: none"> <li>• Cllr Young to organise a meeting with the developer to screen share and explain the functionality of the website</li> </ul>	DY
546/03/21	<p style="text-align: center;"><b>Council Finance</b></p> <p>To consider any payments and/or grants to be made, receive updates on Financial News from the Clerk and receive an updated bank reconciliation.</p> <ul style="list-style-type: none"> <li>• Bank reconciliation to 10 March 2021</li> <li>• New Signatory form complete and has been presented to NatWest by Cllr Young</li> <li>• Digital Banking Request Form to be completed now signatories are completed</li> </ul> <p style="text-align: center;"><b>Payments to be agreed –</b></p> <p>Cheque book will passed to Councillors for signature after the meeting</p> <p><b>Resolved:</b></p> <ul style="list-style-type: none"> <li>• Accept the agreed Precept request to CBC of £4,935</li> </ul>	

- To nominate Cllr Young as 3<sup>rd</sup> signatory and apply to NatWest to change signatories, removing ex-Cllr Lachlan
- Not to pay invoices for the Web site updates until evidence of work is received.
- and to accept the following payments:

Date	Voucher Number	Payee	Description	Amount	Cheque number
10/03/2021	0141	Mark Denham-Smith	Zoom Jan 18/1/21 - 17/2/21 (MDS)	£ 14.39	) 28.78
10/03/2021	0142	Mark Denham-Smith	Zoom Feb 18/2/21 - 17/3/21 (MDS)	£ 14.39	) 000594
10/03/2021	0143	Colin Stevens Ltd	Colin Stevens Forestry Ltd B2640	£ 1,020.00	000595
10/03/2021	0144	Susan Denham-Smith	Clerk salary QTR 4 (Jan, Feb March)	£ 518.85	000596
10/03/2021	0145	Susan Denham-Smith	Clerk Expenses Office Cost	£ 26.08	) 000597
10/03/2021	0146	Susan Denham-Smith	Clerk Expenses Office Cost Postage	£ 1.32	) £85.28
10/03/2021	0147	Susan Denham-Smith	Holiday Pay	£ 57.88	)
10/03/2021	0148	The Gather Ennerdale Hub Ltd	Room Hire	£40	000598
10/03/2021	0149	P Porter	galvanised sign post	£ 160.00	000599
			<b>Total this meeting</b>	<b>£ 1,852.91</b>	

**Total spend this meeting £ 1,852.91**

**Resolved:**

- to accept the Bank Reconciliation dated 10 March 2021, of a cleared current account balance of £81,389.22. This represents an uncleared balance of £79,227.31 made up of the cleared balance minus £1,852.91 spend agreed at this meeting, plus 2 uncleared cheques, totalling £309.00. The reconciliation was against Bank Statement 245 dated 23/02/21.

	<b>Note:</b> The cleared balance includes £76,003.20 balance of grant payment allocated to the Broadmoor Trail project.	
547/03/21	The following Motion included in Councillor Matters was of a sensitive nature. <b>It was resolved that:</b> members of the public be requested to leave the meeting.	
548/03/21	<p style="text-align: center;"><b>Councillor Matters</b></p> <p><b>Councillor Matters:</b> Feedback from other meetings attended: Items not covered by other agenda items.</p> <p>Cllr Denham-Smith had received a letter from Forestry Commission stating that a member of staff had been upset by the tone of questioning used by Cllr Taylor. She requested that the Council look into the matter and that Cllr Taylor be removed from liaising common land issues with Forestry Commission.</p> <p>Cllr Denham-Smith had replied requesting details of the incident from the Forestry Commission perspective.</p> <p>Cllrs Young and Taylor had contacted CALC for advice on how to handle such a complaint, and proposed a format for an appropriate complaint procedure/structure.</p> <p>Cllr Taylor's recollection was that the phone call was cordial and had been concluded amicably. This had been witnessed by Cllr Young. (It was noted that there is a conflict of interest in Cllr Young's witness as he is related to Cllr Taylor). Cllr Taylor stated that at the moment this complaint was a matter of opinion and that if he had offended anybody, he would be happy to apologise.</p> <p>Cllrs Denham-Smith and Lamb cautioned about escalating the situation and to consider the fact that some people have a lower tolerance threshold of direct questioning or a robust tone.</p> <p>Cllr Outhwaite cautioned against linking 2 unrelated incidents of complaint.</p> <p>Cllr Denham-Smith had drafted a response prior to the meeting, which it was agreed was reasonable and could be sent.</p> <p><b>Resolved:</b> Cllr Taylor should sleep on the discussion, after which adjustments could be made in accordance with CALC advice and the response sent</p>	MDS/R T
549/03/21	<p><b>Items for the next meeting:</b> for Councillors to suggest items for the next agenda:</p> <p><b>Date of the next meeting:</b> Wednesday 12 May 2021 AGM (TBC) at 6:30pm, Main Meeting 7.00pm</p> <p><b>Meeting Closed at 21:52 hrs</b></p>	
	<b>Chairman</b> .....	
	<b>Date</b> .....	