**UNDERSKIDDAW PARISH COUNCIL**

MINUTES OF THE MEETING **held in the Underskiddaw Church Rooms on Tuesday 9th July 2019 at 14:00**

**PRESENT:** Mr J Wilson (in the Chair), Mr Tony Gibbs, Mr Chris Corder, Mr David Horsburgh, Becx Carter-Parish Clerk, 3 members of the public

With four councillors present the meeting was quorate.

## 2019.34 Apologies for Absence

Mrs J Boniface, Mr Ian Hall, Mr David Lake

## 2019.35 Minutes of the 14th May 2019

**Resolved** that the minutes be signed as a true and accurate record by Cllr J Wilson in his role as Chair of the meeting.

**Action: Clerk to upload minutes to website.**

## 2019.36 Declarations of Interest & request for Dispensation

None

## 2019.37 Public Participation

3 members of the public were present and a number of issues were raised:

### Communications with Parishioners

Concern was once again noted by a Parishioner that the Parish Council distribution email no longer occurs.

The clerk re-iterated that this was due to the General Data Protection Regulations that recently came into force. The mailing list held prior to GDPR coming into force was not consented for post GDPR communications.

The Village Hall Committee offered to include a form/details in their next mail out to all properties to ask people for their details again to set up a new GDPR compliant mailing list for Parish Council agendas & minutes.

**Resolved** by all present that the Clerk prepare the relevant communication to be issued to all households and then maintain a new GDPR compliant mailing list based on the responses.

**Action: Clerk to send the relevant information to Mr J Hayes of the Village Hall Committee for wider distribution.**

Underskiddaw Parish Council thanked the Village Hall Committee for their kind offer of help relating to this matter.

### Large pothole on Millbeck to Dancing Gate Road

It was noted that there is at least one large pothole on this road which has been caused/exacerbated by the large amount of builders & construction vehicles which have been parked on the opposite side of the road for many weeks during the construction of a dwelling.

The Clerk confirmed that the appropriate way to raise issues relating to the public realm is via the Cumbria County Council Highways Information Management System.

<https://www.cumbria.gov.uk/roads-transport/highways-pavements/reporting-problem-on-highway/WDM/default.asp>

### Appearance of a fence

A member of the public raised concern regarding the unsightly appearance of a piece of fencing/boundary structure that has recently appeared linked with a new development within the parish.

Cllr J Wilson as the chair of the meeting confirmed that whilst the Parish Council can understand the concerns there is nothing the Parish Council can do regarding actions on private land.

Further it was noted that the development at Gillside, Millbeck (Planning Reference 7/2014/2165) doesn’t appear to have been finished exactly in line with the planning approval. Particular concern was raised regarding the glass balustrade which extends closer to the adjacent property than expected and is causing issues with overlooking of neighbours.

**Action: Clerk to raise this concern with the LDNPA as the Planning Authority**

### Emerald Lodge Woods- footpath.

The Clerk confirmed that this is not a public right of way and is owned by a private landlord who has allowed permissive rights of way across the land. There is no recourse that the Parish Council can take to require a private land lord to maintain in any particular way there woodland as long as it is not causing a danger to a public highway or similar.

### Keswick Garden Centre

Concern was once again raised about the state of this site, and the fact that the garage on the site now appears to being used as a residential dwelling.

The Clerk confirmed that both matters have been raised with the LDNPA who have responded with:

1. Site Condition- The LDNPA is having ongoing discussions with the landowner about the use of the site and their future intentions. Given the context of these discussions the LDNPA confirm that it would not be appropriate for them to take any action at this time. These discussions are ongoing and as such no further updates have been provided.
2. Garage- The LDNPA have confirmed that the alterations to the windows & doors are covered under Permitted Development. Regarding the usage of the garage, the owner of the site has confirmed to the LDNPA that it is to be used for the accommodating of his elderly father as a contiguous part of the main dwelling house. The LDNPA have confirmed it is unlikely that this would have constituted a material change of use. The LDNPA have confirmed that Building Control from ABC has visited the site and an appropriate application is for the garage to be used as an Annex. If the Parish Council or local residents believe there is a breach of planning on this site (over and above the occupation as a residential dwelling) e.g. the advertisement of the Garage for holiday letting, or for sale as a standalone dwelling the LDNPA would be willing to look further into it.

## 2019.38 Update from other bodies (if present)

#### Police

The Clerk read out the Police report and the two incidents contained within it were noted.

#### Allerdale Borough Council

The Clerk informed those present that as of the 8th July 2019 Allerdale Borough Council were ‘suspending’ the collection of garden waste, and co-mingled recycling (glass, tins & plastic) due to the ongoing issues with the new waste collection contract. Waste can be taken to one of the household recycling points (Otley Road in Keswick) or to one of the larger sites (e.g. Flusco). Alternatively all waste can be placed into the domestic waste bin if that is the only option available.

**Resolved** that disappointment and frustration with Allerdale Borough Council for taking such a decision be noted. The likely end results of this suspension are that less people will recycle and that waste will become an environmental hazard due to lack of collections, people being unable to get rid of their refuse.

## 2019.39 Clerks Report

All matters were covered in the Clerks written report circulated to all councillors prior to the meeting.

## 2019.40 Finances

### Bank Balances

**Resolved** that these were noted as:

Current Account £7,680.76 at 5th June 2019

Money Manager £2,631.05 at 1st March 2019

### Approval of Cheques

**Resolved** that the following cheques were approved by all present and signed by Cllrs Wilson & Horsburgh

Crosthwaite Church Room Hire £25.00

Andrew Wilson Parish Maintenance (Jan-March) £169.46

Becx Carter Salary top up due to failed SO £35.88

Becx Carter Expenses £35.20

Community Heartbeat Trust. Replacement Defib Pads £54.00

**Action: Clerk to process the above payments**

### To approve & sign the Bank Reconciliation and Spend Against Budget Report up to 5th June 2019

**Resolved** by all present that this be signed as a true & accurate record.

### Citizens Advice Request for a donation

**Resolved** by all present that no donation be offered as the Citizens Advice are not active within the Parish

### Signing of a complaint letter & revised Standing Order form HSBC

The Clerk informed those present that despite the signing & submitting of a revised Standing Order mandate to HSBC to reflect the Clerks new Annual Salary from the 1st April 2019 HSBC failed to action this, resulting in the incorrect salary being paid on the 15th May 2019.

**Resolved** by all present that a new Standing Order revision request be sent to HSBC and a formal complaint be submitted regarding this matter.

**Action: Clerk to process the relevant paperwork.**

## 2019.41 Lake District National Park Authority

### Decisions

**Resolved** by all present that the below decision be noted:

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| --- | --- | --- | --- |
| **Ref** | **Address** | **Proposal** | **Decision** |
| 7/2019/2006 | Mirehouse Estate, Mirehouse, Keswick | Forest track and access | Approved with conditions |
| 7/2018/2342 | Underscar Manor, Underskiddaw | NOTIFICATION OF APPEAL DECISION- 7/2017/2338 (Garaging for 8 cars, access forecourt utilizing existing entrance and undercroft grounds equipment storage area) | Appeal Dismissed |
| 7/2019/2084 | Burnside Caravan Park, Underskiddaw | Variation of Condition 4 (36 Caravans to be sited at one time) on planning application 7/2003/2136 | Approved with conditions |
| 7/2019/2089 | Land adjacent to A66, Naddle Beck & Greta Viaduct | Temporary works consisting of formation of a vehicle lay-by and haul road at A66 | Approved with conditions |
| 7/2019/2148 | Underscar Manor, Underskiddaw | Erection winery & storage facility | For information only |
| 7/2019/2082 | Site of the Keswick to Threlkeld Railway | Approval of details reserved by conditions on planning application 7/2018/2116 | Compliance confirmed. |

### United Utilities Pipeline Project

*General Queries:*

The Clerk informed those present that she had raised the list of issues with United Utilities following the May 2019 meeting, but had received so far only a response from Ian McCoy confirming that he had been involved in reorganization and had been away from his emails.

**Action: Clerk to continue to pursue a response to the various queries raised and circulate on email to all councilors if/when received**

*Permanent Structures Query:*

The Clerk read out a formal response from the LDNPA regarding concerns raised on behalf of Underskiddaw Parish Council relating to the lack of transparency regarding the need for permanent structures along the Pipeline easement and the details of the location, size & finish of these structures. For information of local residents the LDNPA response is provided below:

*“Permanent above ground structures were part of the original planning application which the Parish Council and others were consulted on in 2016, including the line valves & air valves as well as the kiosk installations associated with some of these. The description of the development included reference to kiosks, valve chambers and other associated development along the route. Locations were shown for the valves on all site plans along the route of the pipeline and drawings were supplied which showed the valve structures & concrete plinths associated with them. These documents remain on the website and can be found using reference 7/2016/2027. In my view it was clear to consultees that permanent above ground structures formed part of the planning application.*

*Whilst the above-ground structures were part of the original (and subsequent) planning applications it was known at the time that the precise locations of these may change due to engineering requirements. This was the reason for the condition which allows us (LDNPA) to agree ‘micro-siting’. It does not allow us to revisit the principle of permanent above ground structures, their general appearance, number or general location, which were approved as part of the original planning permission.*

*United Utilities are required to make applications to agree the siting of the permanent above ground structures but these are not applications for planning permission, they are simply an application to agree the details required by the condition. Any decision we take on these applications must be in the context of a) the existing overall planning permission and b) that the condition only allows us to consider micro-siting and not the principle of the permanent above ground structures.*

*In this context there is only a limited degree of influence which we can have, particularly as the location and number of these structures is driven by operational and engineering requirements. In the event however, we have been very successful at securing stone & slate kiosks where appropriate, securing minor adjustments to the locations of valves (placing these in the corner of fields for example) and we will continue with this work, to ensure what is left behind is as good as it can possibly be.*

*It is possible that in discussing these matters with the Parish Council both ourselves (LDNPA) and United Utilities have raised expectations about the degree of influence which can be had. However we felt it important to make the Parish Council aware of these details and in particular if there are a small scale changes which can be achieved which it is felt by the Parish Council would make a meaningful difference then these can be put to United Utilities.*

*I’m sorry that the parish Council felt that the application was difficult to understand. It is a complex and large-scale proposal. If it would help for us (LDNPA) to attend a Parish Council meeting specifically about the pipeline then we would be happy to do so.”*

**Resolved** by all present that Under Skiddaw Parish Council and local residents remain hugely disappointed with how the project has been managed and overseen both by United Utilities & the LDNPA. The working easement is a visual disgrace and despite repeated reassurances from United Utilities that restoration would be starting there is no evidence of this yet within the Parish.

Parish Councilors noted that this project has reduced further the lack of faith and confidence within the LDNPA as a planning authority tasked to protect the natural environment within the National Park area. There appears to be limited if any enforcement against United Utilities for ongoing breaches of planning permission that are detrimental to both the environment and local communities, it is the opinion of local residents and Under Skiddaw Parish Council that the LDNPA are equally as culpable as United Utilities in this rape and destruction of the natural landscape. Underskiddaw Parish Council feel that they are powerless against this project to be able to raise concerns relating to this project with a high enough authority to have any influence.

**Action: Clerk to once again raise the concerns with United Utilities, the LDNPA and Sue Hayman as the MP for the area.**

**Action: Clerk to speak with Friends of the Lake District regarding this project.**

### Planning applications for consideration

**Ref: 7/2019/2051**

Location: Field View, Applethwaite

Proposal: Single Story extension to the rear, creation of porch, Juliette balcony & incorporation of insulation into the roof (marginal increase in ridge & eaves height).

**Resolved** by all present that the Parish Council have no comments or objections to this proposal.

**Action: Clerk to submit these comments.**

It was noted by all present that the previous application for this site for the agricultural storage and stock shed may not be being built in accordance with the approved plans.

## 2019.42 Members Reports

#### Village Hall

Mr J Hayes confirmed that he was placing notices from the Parish Council onto the Village Hall noticeboard when they are emailed to him by the Clerk.

A number of future events are being planned including a BBQ in August & an ‘Underskiddaw Arms’ later in the year.

## 2019.43 Councillor Matters

None

## 2019.44 Date & Time of the Next Meeting

**Resolved** by all present that the next meeting date be:

Tuesday 10th September 2019-14:00