**UNDERSKIDDAW PARISH COUNCIL**

**MINUTES OF THE MEETING held in the Underskiddaw Church Rooms on Tuesday 14th May 2019 at 14:30**

**PRESENT:** Mr J Wilson (in the Chair), Mr Tony Gibbs, Mr Chris Corder, Mr Ian Hall, Mr David Horsburgh, Mrs Jan Boniface, Mr David Lake, Becx Carter-Parish Clerk, 4 members of the public

Prior to the meeting all Councillors completed their Declaration of Acceptance of Office Forms which were witnessed by the Clerk.

# 2019.21 To elect a Chairman & Vice Chairman for the forthcoming year and for the appointed Chair

Cllr I Hall proposed Cllr J Wilson to be the Chairman for the forthcoming year.

**Resolved** by all present that Cllr J Wilson be appointed as Chairman for the forthcoming year.

Cllr J Wilson completed his Chair’s Declaration of Office form which was witnessed by the Clerk.

Cllr J Boniface confirmed that she was resigning from her role as Vice Chair but was very happy to continue in her role as a Parish Councillor. All present thanked her for all her work over her years as Vice-Chair.

Cllr J Wilson proposed Cllr D Horsburgh to be Vice Chair for the forthcoming year.

**Resolved** by all present that Cllr D Horsburgh be elected to the role of Vice Chair for the forthcoming year.

**Action: Clerk to update the Underskiddaw Parish Council Website.**

# 2019.22 Apologies for Absence

 None received

# 2019.23 Minutes of the 12th March 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.**

A member of the public noted concern regarding the tone and content of the minute relating to the Village Hall from the 12th March 2019 meeting.

 All Councillors present agreed that the minutes were a true and accurate record, and that no alterations were required. Further all councillors present confirmed that there was no intention to cause any form of upset due to the discussions relating to the Village Hall at the March meeting, and expressed that all present were pleased that following recent meetings the Village Hall now has a viable committee who will be moving forward with a new events programme.

 Mr J Hayes of the Village Hall Committee confirmed that a member of the Village Hall Committee will attend all future Parish Council meetings and if they are unable to be present a written update will be provided.

# 2019.24 Declarations of Interest & request for Dispensation

 None

# 2019.25 Public Participation

 None

# 2019.26 Update from other bodies (if present)

##  Police

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

##  Cumbria County Council

 The Clerk informed all present that the Road Closure that was scheduled for the 14th May 2019 on the top road though the Parish was actually two works jobs and that they would be conducted between the hours of 9:30-15:30 and residents access would be maintained for the duration (if safe to do so).

# 2019.27 Clerks Report

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

# 2019.28 Finances

### Bank Balances

**Resolved** that these were noted as:

Current Account £6,466.88 at 31st March 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 & Boniface.

Crosthwaite Church Room Hire £25.00

 Andrew Wilson Parish Maintenance (Jan-March) £482.50

 Andrew Wilson Parish Maintenance (March -May) £325

 Zurich Insurance £303.34

 Cumbria Payroll Services Payroll Services £67.20

 Jean Airey Internal Audit Fees £35

 CALC Subscription Fees £131.48

 Becx Carter Expenses £103.84

 HMRC Qtr 1 £110.40

 Becx Carter Salary (Via SO) £441.92

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

### To sign the certificate of Exemption for Underskiddaw Parish Council

**Resolved** by all present that Underskiddaw Parish Council sign the statement of exempt authority to remove the need for an external audit due to the Council having a turnover & expenditure of less than £25,000 for the last financial year.

### To receive the Internal Auditors Report

**Resolved** by all present that the unqualified audit report be noted as received.

### To consider & approve the Annual Governance Statement 18/19

**Resolved** by all present that the following responses be given to the Annual Statements of Governance for Underskiddaw Parish Council for Y/E 31st March 2019

|  |  |
| --- | --- |
| **Statement** | **Response** |
| 1.We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements  | Yes |
|  2.We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness  | Yes |
| 3.We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances | Yes |
| 4.We provided proper opportunity during the year for the exercise of elector’s rights in accordance with the requirements of the Accounts & Audit Regulations. | Yes |
| 5.We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal audit of the accounting records and control systems | Yes |
| 6.We maintained throughout the year an adequate and effective system of internal audit  | Yes |
| 7.We took appropriate action on all matters raised in reports from internal and external audit | Yes |
| 8.We consider whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and where appropriate have included them in the accounting statements | Yes |
| 9.(For local Councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and it required independent examination or audit. | N/A |

### To approve the Accounting Statements & End of Year Accounts of Y.E 31st March 2019 & Statement of Variances

**Resolved** by all present that the End of Year Accounts for 31st March 2019 & the Statement of Variances for Underskiddaw Parish Council be approved by all.

**Resolved** by all present that the Accounting Statements for 18/19 be approved & signed by the Chair & Responsible Financial Officer of the Parish Council

**Action: Clerk to submit and publish the audit form.**

# 2019.29 To Review &/or adopt Council’s policies & procedures

**Resolved** by all present that the below documents be formally adopted with no alterations by Underskiddaw Parish Council (All available on the website)

1. Standing Orders 2019
2. Financial Regulations
3. General Data Protection Policy
4. General Data Protection Compliant Privacy notice
5. Asset Register
6. Risk Assessment Policy & Procedures
7. Protocol for Internal Audit
8. Complaints Procedure
9. Publication Scheme

# 2019.30 Lake District National Park Authority

### Decisions

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

|  |  |  |  |
| --- | --- | --- | --- |
| **Ref** | **Address** | **Proposal** | **Decision** |
| 7/2019/2052 | Underscar Manor, Underscar | Minor internal alterations of basement to accommodate new staff and overnight quarters | Approved with conditions |
| 7/2019/2047 | Lake View Cottage, Millbeck | Change of use of a shepherds hut for holiday letting as part of a farm diversification | Approved with conditions |
| 7/2019/2048 | Orchard House, Raven Lane | Erection of workshop at the foot of the garden | Approved with conditions  |
| 7/2019/2075 Various approvals to conditions related to Keswick to Threlkeld Railway Multi User Footpath reinstatement  |

The Clerk confirmed to all present that following the March meeting she had contacted Underscar Manor who had confirmed the works that were ongoing in the vicinity of the recently refused garage were the digging out of a drain/gully and the piping of it. The works immediately in front of Oxleys are for a pre-approved domestic garage.

### United Utilities Pipeline Project

The Parish Council noted that it is incredibly frustrating and disappointing that at this stage in the project that the detail of the permeant structures has still not been confirmed nor consulted on.

**Action: Clerk to express this concern to the LDNPA & UU.**

**Action: Clerk to seek clarity from UU on which of the structures will require permanent vehicular access and ask that this be done in the form of grasscrete or similar to prevent the long term visual impacts.**

Further the Council noted concern at the proposed timescales for restoration, as with no works yet started on restoration within the Parish and UU still having faults on the pipeline at the Applethwaite road end it is improbable that restoration works are going to be completed by the end of July.

**Action: Clerk to ask for a revised timescale on restoration works.**

Councillors present asked for the actions from the previous minutes to be reiterated in this set of minutes with the UU response alongside (see below):

1: Clerk to ask UU to confirm if the location of all the kiosks/air valves/washout valves have planning permission.- *Confirmed by UU from Mr I McCoy that the discussions with the planning authority are ongoing and permission is not concerned.*

2: Clerk to ask UU for confirmation that all the structures will be stone clad rather than just stick on stone like at the sewage works.- *No response received*

3: Clerk to ask UU for a timescale for works within the Parish, the email from Mr McCoy in Mid January said the timescale was being finalized and would be shared ‘in due course’ but no update has been received.- *Timescale confirmed as restoration works completed by the End of July 2019*

4: Clerk to ask specifically when the restoration works are taking place in the Parish as the whole area is looking increasing unsightly and is just turning into a quagmire. -*As above*

5: There is one remaining ‘white hut’ on the depot in Applethwaite, there is nothing else there can this hut be removed, if not why not and when will it be removed? Clerk to seek clarity from UU on this matter.- *Now being used for storage and will be required until the end of works in the area*

6: There are a number of large piles of earth in close Proximity to Common Hill, when will these be removed/flattened/reinstated? Clerk to seek clarity from UU on these matters. – *As point 3 above.*

7: It was noted that the steel compound fencing on Applethwaite Lane keeps falling down & blocking the highway. This has happened a number of times and each time causes a significant health & safety hazard. Clerk to inform UU of this and ask for reassurances and works to ensure that this doesn’t happen again.- *UU confirmed this would be raised with the relevant contractors.*

**Action: Clerk to contact United Utilities again and request that the ‘White Hut’ be removed as a matter of urgency. The Parish Council had been told this was required for welfare facilities and now it is being used for storage. Surely storage could be housed elsewhere to reduce the visual impact on the Parish which has been tolerated for long enough.**

Cllr D Horsburgh raised concerned on behalf of the residents of Spooney Green Lane that when UU first installed the site easement across the Lane they destroyed the field drains that crossed the lane this has resulted in the water backing up and flooding and then flowing on to the road during wet weather periods.

**Action: Clerk to contact UU to raise this issue and request a works plan to deal with this issue.**

Further the residents of Spooney Green Lane have asked for clarity and confirmation on the restoration standards in their vicinity.

 **Action: Clerk to raise these concerns with UU.**

### Planning applications for consideration

**Ref: 7/2019/2084**

Location: Burnside Caravan Park, Underskiddaw

Proposal: Variation of Condition 4 (36 Caravan to be sited at one time) on planning application 7/2003/2136

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

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

**Ref: 7/2019/2089**

Location: Land adjacent to A66, Naddle Beck & Greta Viaduct Keswick

Proposal: Temporary works consisting of formation of vehicle lay-by and haul road at A66 Greta Viaduct, plus creation of site access & construction compound at A66/Naddle Beck

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

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

### Keswick Garden Centre

The Clerk read a response from the LDNPA out to the meeting:

Condition of the Land- The LDNPA are having ongoing discussions with the landowner regarding the use of the site and their future intentions. In the context of these actions the LDNPA feel it would not be appropriate to take any action at this time. Once these discussions have been concluded the Parish Council will be updated again.

Garage- There are two complaints relating to this firstly its usage, secondly the alterations to the doors on the front of the building. Alterations to windows & doors are permitted development by virtue of Class E of Part 1 of Schedule 2 of The Town & Country Planning (General Permitted Development) (England) order 2015.

Use- The owner has informed the LDNPA that it was the intention for their elderly father to occupy the building as a contiguous part of the main dwellinghouse. The LDNPA confirm it is unlikely this would have constituted a material change of use of the building. The LDNPA confirm they are happy to look at the matter again, but before further action could be taken they would have to reasonably believe a breach of planning control has taken place.

**Action: Clerk to contact the LDNPA and ask them to undertake a site visit and confirm if a breach of planning has occurred. The LDNPA have the authority to do this, the Parish Council do not.**

# 2019.31 Members Reports

*Village Hall*

Mr J Hayes reported that there were now 9 people on the committee and they were hoping to move forward now to developing a new programme of events. Mr Hayes confirmed that a member of the Village Hall Committee would attend future PC meetings, and there was no need for Parish Councillors to attend Village Hall Committee meetings.

# 2019.32 Councillor Matters

 Cllr T Gibbs raised a number of issues on behalf of a local resident:

1. Emerald Lodge Wood- Concern was noted regarding a number of fallen trees that have been in this wood and in proximity to the footpath for many years.

**Action: Clerk to research if this is a PROW and if so report the issue to the LDNPA as the PROW authority, or if it is a permitted footpath and if so consider what other actions could be taken.**

# 2019.11 Date & Time of the Next Meeting

**Resolved** by all present that the meeting dates for 2019 are:

Tuesday 9th July 2019 at 14:00