

**UNDERSKIDDAW PARISH COUNCIL**

**MINUTES OF THE MEETING held in the Village Hall Millbeck on Tuesday 16<sup>th</sup> September 2014  
at 2.00pm**

**PRESENT** : Mr J Wilson (in the Chair ); Mrs B Bulman; Mr T Gibbs; Mr C Corder; Mr T Ryan

In attendance : Becx Carter Clerk. Councillor Marion Fitzgerald Allerdale BC.

**2014.59**      **Apologies for absence** Mrs J Boniface,

**2014.60**      **Minutes** The Chairman was authorised to sign the Minutes of the last meeting held on the 15<sup>th</sup> July 2014.

**2014.61**      **Declarations on Interest** The Chairman requested Members should declare any interest they had in any of the Agenda items. No declarations of interest were received.

**2014.62**      **Public Participation**

PCSO Megan Jones was unable to attend the meeting, a written report from her was read out by the clerk, there and been three incidents of note;

- 1) On the 21<sup>st</sup> July 2014 a damage only Road Traffic Collision occurred in the Underskiddaw area where a driver reversed his vehicle into a ditch
- 2) 5<sup>th</sup> August 2014, police attended the Underscar area after receiving reports of two trees being cut down without the permission of the Land owner. The Police recorded a crime for Criminal Damage
- 3) 7<sup>th</sup> August 2014 one vehicle Road Traffic Collision occurred near to Dodd Wood. There were no injuries. It is believed that the vehicle collided with a wall.

Cllr Bulman requested that it be noted that bikes through the village very fast and this may cause an issue in the future. Cllr Corder also reported that motorcycles go along the A591 very fast on a Sunday morning.

**Action:** Clerk to contact highways for advice on how to deal with this matter.

**2014.63**      **Clerks Report**

The clerk had circulated in advance of the meeting a written clerks report, providing a list of all correspondence received for information, and an update on all actions from the previous meeting.

**Resolved** that this was a useful document and the council wished that the clerk continue to prepare and circulate this prior to all meetings.

**Action:** Clerk to prepare Clerks reports in the future.

**a) Newsletter**

It was **resolved** that the clerk prepare a newsletter for circulation. Articles to include:

- Village Hall Committee- *Cllr Corder to prepare*
- Oil Buying Committee-*Cllr Gibb to prepare*
- Thanks to Ms P Soulsby- *Cllr Wilson to prepare*

- Proposed Sheepdog Field development- *Clerk to prepare*
- New Clerks contact details- *Clerk to prepare*
- Revised Website- *Clerk to prepare*

**Action:** All to prepare their reports and send them to the clerk by the close of play on Friday 19<sup>th</sup> September.

Cllr Corder suggested that the newsletter could be distributed along with the village hall fliers the w/e 27<sup>th</sup> September. Cllr Corder further suggested that the newsletter could be printed in duplex form by the Village Hall at cost price.

**Action:** Clerk to send the newsletter to Cllr Wilson for a proof read by Sunday 21<sup>st</sup> September, and then send it to Cllr Corder for printing & distribution by Monday 22<sup>nd</sup> September.

**b) Japanese Knot Weed**

The clerk reported that the issue of Japanese Knot Weed escaping from Ben Y Craig has been raised with the police as it is an offence for a landowner to allow an invasive species to leave their land.

Cllr Wilson reported that the Japanese Knot Weed outside of Ben Y Craig has now been cleared so there is no further need for action on this matter at the moment as the species is contained within the property.

**Action:** Clerk to inform the police that no further action is required at this stage

**c) Little Dodd House Name**

The clerk informed the council that she had received an email from Allerdale Borough Council confirming that the house at Little Dodd had been registered as Dalpha. Therefore there was no conflict of names. A/BC Cllr Fitzgerald noted that there seemed to have been a slight over-reaction of ABC to this enquiry.

**2014.64**

**Consider Clerks Salary & Hours**

The Clerk left the room for this agenda item.

A proposal had been sent by the clerk to the chair requesting that the council consider an increase in her hours to four per week at the contracted salary to more accurately reflect the work load.

At this time the council also considered if they were happy with the new clerks work now that her probation period has ended.

**Resolved by all** that the clerks hours be increased to four hours per week with a review of this change 12 months from this date. It was also agreed by the council that they were happy with the work provided by the clerk and wished her to continue in her role.

**Action:** Cllr Wilson to confirm this change in hours to the clerk in writing, and to confirm the council's willingness for her to continue in her role.

**2014.65**

**Consider & Adopt the Complaints Procedure**

A draft complaints procedure had been circulated to all prior to the meeting. It was **resolved by all present** that the complaints procedure be adopted with the addition of the following to paragraph 3. "The clerk shall acknowledge receipt of the complaint in writing within 7 working days *unless unable to do so due to a force majeure event* and advise the complainant"...

**Action:** Clerk to make the relevant alteration and circulate the final document to all councilors and upload to the website in due course.

**2014.66**      **Consider co-option**

No applications for co-option had been received.

Cllrs Wilson & Corder agreed to spread the word about the vacancy with various contacts within the parish.

**2014.67**      **Finances**

i) **Bank Balances** were noted as Current Account £2,498.64; Deposit account £2,621.56 (at 30<sup>th</sup> June 2014- Most recent statement)

ii) **Cheques** were approved for payment by all present and signed by Cllrs Wilson & Bulman:

Ms P Soulsby ( <i>Approved at the July meeting, signed between meetings</i> )	£400
HMRC ( <i>Approved at the July meeting, signed between meetings</i> )	£100
Cumbria CVS ( <i>Approved at the July meeting, signed between meetings</i> )	£67
Becx Carter (Salary inc extra hours as per timesheet)	£490.55
Becx Carter Expenses	£46.26
HMRC (PAYE for BC)	£122.60
Cumbria Payroll Services (PAYE Services)	£14
Underskiddaw Village Hall	£75
Andrew Wilson- Grass Cutting	£44

iii) **Identify Provisional Sum for website refurbishment**

The clerk had circulated a proposal for the website refurbishment of between £250-£375.

**Resolved by all present** that the clerk proceed with this website development and invoice once the work is completed.

**Action:** Clerk to commence work on the new website over the coming months (including a hit counter) and also to include an article regarding the new website in the upcoming newsletter.

**Resolved** that following advice from CALC that councilor contact details (name, address, phone/email address) would be included on the new website.

iv) **Note change of PAYE Services provider**

The clerk informed the meeting that due to the delays in Cumbria CVS responding to queries the contract for PAYE services has been moved to Cumbria Payroll Services, this also will result in a financial saving to the council.

v) **Consider request to CCC for funding for defib kit**

The clerk confirmed that she had received an email regarding the fact that there is now an identified first responder within the parish and funds have been raised for

part of the kit, it has been mentioned that the local C/Cllr maybe willing to provide such funds if an application were completed.

A discussion regarding this issue was held, and it was noted that funding for part of the kit had already been raised but due to the delays in North West Ambulance Service providing the training for the volunteer no progress had happened on this matter for many weeks.

**Resolved** that the clerk should contact the Northwest Ambulance Service on behalf of Underskiddaw Parish Council and request that this training is organized as soon as possible to enable the community to benefit from having a trained first responder within the area.

No further action is to be taken on applying for further funding until the relevant training is completed.

**Action:** Cllr Wilson to speak with Mr Campion to discuss the council sending this letter prior to the letter being written

**Action:** Clerk to write a letter once Cllr Wilson has confirmed Mr Campion's feelings on this.

vi) **Completion of Concurrent Grant Form**

The clerk notified the council that Allerdale Borough Council had requested completion of the concurrent grant form before the end of September.

**Action:** Clerk to check the financial records and complete this form accordingly

vii) **Notice of conclusion of BDO Annual Audit**

It was **resolved** by the council that the Annual Report for 13/14 has been approved and accepted with only one minor issue being raised, regarding the inclusion of CTRS grant in box 2 as opposed to box 3. This issue is noted and will be monitored next year.

The clerk notified the council that the notice of conclusion of audit are displayed on the council noticeboards.

viii) **Change of banking Terms & Conditions**

It was noted by the council that a change in banking Terms & Conditions had been received from HSBC.

**2014.68**

**Lake District National Park Authority**

i) Decisions: The following decisions were noted by the council:

**New close Piggery, Millbeck 7/2014/2112-** Demolition of remaining part of Original New Close Piggery Single Storey Building- APPROVED with conditions

**Upper House, Lords Seat, Appleshwite, Keswick 7/2014/2176-** Construction of a balcony- APPROVED with conditions

**Forge Mill, The Forge, Keswick 7/2014/2099-** Redevelopment of building to create three extra residential units, comprising of four flats and an attached house- APPROVED with conditions

ii) Sewage Works: The clerk confirmed that following an email dialogue comments had been submitted to UU on the draft landscape that had been circulated.

A full response to the issues raised by the council in their comments has not yet been received.

Caroline has sent through a proposed option for screening using large mirrors that are currently being used in Ennerdale.

**Resolved** that the council are happy for the mirror to be placed on site whilst the other landscaping matters are addressed, and the screening vegetation grows.

**Action:** Clerk to pass this information on to Caroline.

**Action:** Clerk to write again to the owner of the fields where additional planting could be installed.

iii) Proposed Development in Sheep Dog Field

A set of notes prepared by the clerk following the pre-application submission meeting had been circulated to all in advance of the meeting.

The clerk confirmed that following this meeting a letter had been sent to CCC Highways raising concerns that the entirety of Brundholme Road needs a traffic review in advance of this proposed development due to issues with parking, narrowness of the road, damage to kerb stones, and potential health & safety concerns regarding pedestrians and vehicles. These are pre-existing concerns which any proposed development would only exacerbate. It was also noted that Keswick Town Council had sent a similar letter.

CCC confirmed that a meeting regarding this was taking place but no report from this had yet been received.

**Action:** Clerk to continue liaising with CCC & KTC on this matter.

iv) Planning Applications for Consideration

**7/2014/2222 Barley House, Underskiddaw, Keswick-** Extension to existing dwelling to provide entrance hall, improved kitchen/dining and bedroom accommodation.

Cllr Wilson read out a letter to the council from a parishioner raising concern that Barley House has a Local Occupancy Clause on it that is not currently being complied with.

**Resolved** by all present that Underskiddaw Parish Council have no comments on this application, however they would like to query if there is a Local Occupancy Clause on the property and if the LDNPA have evidence to show that this clause is being complied with.

**Action:** Clerk to write to the LDNPA with the above comments.

**7/2014/2224 Squirrel Cottage, Millbeck, Keswick-** Application to discharge S.106 agreement (occupancy) on planning application 7/1993/2144.

This application was raised at the meeting as the council had not been consulted on the application. The clerk noted that she had contacted the LDNPA to ask why the relevant documents had not been received and had been informed that 'the LDNPA do not consult the Parish Council on this type of application'.

Following a discussion regarding both this application and the lack of consultation with the parish council on this application the following resolution was reached.

**Resolved** by all present that Underskiddaw Parish Council strongly object to the lack of consultation on this application, the removal of a S.106 clause is of significant interest to the parish council as without the clause the property is lost for local housing, and could become another holiday property thereby further compromising the viability of the local community. Further to this Underskiddaw Parish Council object to the removal of the S.106 agreement from Squirrel Cottage, if the applicant wishes to amalgamate the cottage back into the main dwelling then Underskiddaw Parish Council request that the S.106 be transferred to the main property. Alternatively the S.106 agreement should remain in place on Squirrel cottage.

**Action:** Clerk to contact the LDNPA with these comments and request a formal response from them on why parish councils are not consulted on such applications.

**2014.69**

**Allerdale BC**

- a) Allerdale Local Plan- Part 2 Site Allocations for Discussion- This has been received for consultation, however the clerk & A/BC Cllr Fitzgerald confirmed that this doesn't really apply to us as our planning authority is the LDNPA. A/BC Cllr Fitzgerald confirmed that the ABC Local Plan Part 1 has now been formally adopted which means that ABC is the only authority in the country that has an official set back distance between wind turbines over 25m and dwelling houses.
- b) Report from A/BC Cllr Fitzgerald regarding the meeting held on the 12st September 2014. The background to this meeting was that questions had been raised by Bassenthwaite PC concerning the community shrinking due to the proportion of holiday homes which is affected the viability of the school etc. It is widely recognized that anything more than 30% empty properties at any time can affect the viability of a community can be affected.

Bassenthwaite sent these questions to the finance officer at Allerdale and some answers were received, it was following this that A/BC Cllr Fitzgerald decided to organize the joint meeting between all affected parties.

The discussion during the meeting was complex and it comes down to the fact that if a house is available (doesn't have to be occupied) for holiday accommodation for more than 140 days a year then business rates are payable. If the house is available for less than 140 days a year then it is ordinary council tax that applies. The business ratable value is determined by the valuations office. Currently if the ratable value is 6k or less than no business rates are payable.

Part of the purpose of the meeting was to find out how ABC & the LDNPA are working together, and it seems that they are not really engaging at all. A/BC Cllr Fitzgerald would like to work to change this as although LDNPA are the planning authority for this parish, it remains within ABC.

Following the meeting A/BC Cllr Fitzgerald queried with the LDNPA how she as a district councilor could 'call in' a planning application, so that it would be taken to full committee. The response was that District Cllrs couldn't do this, but LDNPA Members could E.g. Dr G Davies. So if there is a particularly controversial application this could be actioned.

A/BC Cllr Fitzgerald notified the meeting that she would like to lobby on a number of issues. 1) That ABC should stop offering a 5% discount in council tax on second properties that are empty for the majority of the year. 2) Support SLDC in their proposals to require a change of use from a dwelling house to a holiday home,

**Action:** A/BC Cllr Fitzgerald to keep U/S Parish Council informed on her progress with these matters.

**Action:** Clerk to look at the figures for home ownership within the parish.

- c) **Speed Limits-** Following the review of speed limits on 12 sections of roads within Allerdale there is now an opportunity for parishes to request reviews of other sections of roads. CCC have reviewed the A591 and the clerk has a copy of the report, the conclusion is that no change is required. Parish councils can request reviews of other areas of roads where they are concerned regarding speed limits.

**Action:** Clerk to contact CCC and request a speed limit review on the A591 through the parish.

**2014.70**

**Cumbria County Council**

**Highways Update**

- The Clerk confirmed that Mayson Bros would be working for CCC for 1 week a month to undertake gully clearing work, which would include Underskiddaw Parish area

**Action: Clerk to contact CCC and request if they would like local knowledge on the locaton of gullies.**

- The road between Applethwaite & Millbeck remains an ongoing concern, the Clerk confirmed that CCC stated these issues had been dealt with.

**Action: Clerk & A/BC Cllr Fitzgerald to continue to work with CCC on trying to get a satisfactory resolution to this issue, possibly including a site visit?**

**2014.71**

**Cumbria Association of Local Councils**

- a) The council noted receipt of the monthly circulars from CALC
- b) The minutes of the CALC 3 Tier Allerdale District Meeting held on the 19<sup>th</sup> June 2014 were noted as received
- c) CALC AGM- It was noted that the date for the CALC AGM has been set as the 15<sup>th</sup> November 2014 at 10:30am in Wigton

**2014.72**

**Consultations for Consideration**

- a) Government Consultation on raising the speed limits for HGV's on Dual Carriages- No Comment
- b) Eden Local Plan Consultation- No Comment
- c) DCLG The Right to Challenge Parking Policies- **Resolved** that all present would like to support this proposal to enable communities to request reviews on unfair parking charges.

**2014.73      Admin Issues**

Filing Cabinet- Cllr Corder has agreed that a filing cabinet for Parish Council paper work can be housed within the village hall. It was **resolved** that the council were happy that a four draw filing cabinet be purchased if a second hand one can't be sourced.

**Action:** Clerk to include a request for a second hand filing cabinet in the upcoming newsletter

**2014.74      Derwent 7**

It was noted that the next meeting of the Derwent 7 would take place on Monday 22<sup>nd</sup> September 2014 at 19:00 in the Keswick Quaker Meeting House. And would include a presentation on the LDNPA Valley Planning initiative.

**2014.75      Members Reports**

Village Hall Committee- Cllr Corder noted that there was still concern about new volunteers to join the committee in upcoming years. There are two future events taking place the race night, and also the Christmas Fayre on the 29<sup>th</sup> November.

**2014.76      Date & Time of the Next Meeting**

Tuesday 18<sup>th</sup> November at 14:30

Meeting Closed at 16:23