# Underskiddaw Parish Council Minutes

Minutes of the meeting of the Underskiddaw Annual Parish Council meeting held in Underskiddaw Church Rooms at 14:05 on the 17th May 2022

**Present:** Joe Saxton (Chair), Jan Boniface, Jana Lambert, Diane Griffiths, David Horsburgh,

**In Attendance:** 1 member of the public, Ian McCoy (United Utilities), Gaynor Murphy (United Utilities)

**Apologies**: Cllr Ellen Barker (Illness)

With 5 councillors present the meeting was quorate.

# 29/2022 To elect a Chairman for Underskiddaw Parish Council for the forthcoming year

**Resolved** by all present that Cllr Joe Saxton be elected as the Chairman of Underskiddaw Parish Council for the forthcoming year 22/23.

Cllr Joe Saxton signed the Chairman’s declaration of office form which was witnessed by the Clerk and RFO.

**Action: Clerk to update the website**

# 30/2022 Election of Vice Chairperson for the forthcoming year

**Resolved** by all present that Cllr David Horsburgh be elected Vice Chair of Underskiddaw Parish Council for the forthcoming year.

**Action: Clerk to update the website.**

# 31/2022 Apologies for absence

**Resolved** by all present that the above-mentioned apologies from Parish Councillors and the reasons for absence be accepted.

# 32/2022 Approval of Minutes of the Meeting held on the 15th March 2022

**Resolved** by all present that the minutes of the meeting held on the 15th March 2022 be signed as a true and accurate record by Cllr Joe Saxton.

**Action: Clerk to upload the minutes to the website and circulate to all.**

# 33/2022 Request for Dispensations & Declarations of Interest

None received

# 342022 Exclusion of Press & Public (Public Bodies Admission to Meetings Act 1960).

None

# 35/2022 Public Participation

Deferred until the 38/22 agenda item at the Chair’s discretion.

# 36/2022 Application for Co-option (1 Vacancy)

None received

# 37/2022 Policies

**Resolved** by all present that the below policies be re-adopted with no changes.

-Serious Infectious Diseases Policy

-Standing Orders 2018 for England (revised 2020)

-Inventory of Assets

-Health & Safety Policy

-Public Participation Process

-Co-option Process

-Terms of Reference Planning Committee

-Financial Regulations

-Complaints Procedure

-Risk Assessment

-General Data Protection Policy

-GDPR Privacy Notice

-Code of Conduct

-Publication Scheme

-Grievance & Discipline Policy

-Freedom of Information Policy

-Risk Management Policy & Protocol

-Retention of Documents Policy

-Dispensation Procedure

-Equality & Diversity Policy

-Non-Compliance with Code of Conduct Policy

**Action: Clerk to update the website.**

# 38/2022 Update from other bodies (If present)

## United Utilities- In attendance

Gaynor Murphy-Head of Stakeholder Relations for UU Northwest

Ian McCoy-Stakeholder Manager for Cumbria & Cheshire.

Gaynor confirmed that UU have attended as they have an update on where the project is in particular in terms of reinstatement, and also to have a discussion because some concerns have been raised about how communication has been handled in the past between UU and the Parish Council. The aim of the discussion is to look at issues and resolutions.

Ian provided a brief overview of the project to date: This is a 7-year project and is possibly the biggest project that UU has ever completed in terms of scale, this has also been delivered against a backdrop of Covid, which has provided some unique challenges with the working ways having to be altered to comply with the regulations.

As a result of Covid and delays in the supply chain UU are delayed in getting water into supply, it should have been the end of March, UU are looking now at the end of June 2022 approximately. The first area that will receive water is Wigton and Bassenthwaite area in approx. the end of June 2022. It will then follow on and by the start of September all the water will be in supply.

The project is now in the commissioning phase, and during this an issue was identified within the Parish (bottom of Applethwaite lane), with a gasket. This has now been resolved, and it is for reasons like this that reinstatement hasn’t followed along immediately behind the construction project, it is why reinstatement has been left. Currently producing about 40million litres of water through the commissioning process of the water treatment works, which is going into waste or storage tanks.

In terms of reinstatement this was originally being done by the contractors (Farrans & Road Bridge) UU removed this from the contractors about 12months ago due to issues that were raised with how the contractors were handling the re-instatement. It is now all being handled in house and where possible local contractors are being used. UU have confirmed that they are getting positive feedback from within the Naddle Valley on how the reinstatement is now being handled.

UU confirmed that they can’t discuss individual fields, but to give a brief over view of the three areas in the Parish.

The area between the A66 and Applethwaite Lane has had topsoil installed in the last couple of days, and this is now ready to be re-seeded in the coming weeks and this will complete this section.

The next section is from Applethwaite Lane to where the A591 closures were, there are still discussions ongoing with land owners regarding access issues, but where agreements are in place for access stone picking is taking place, and in other areas valve repairs are being undertaken. UU expect to be complete on this section this season.

A591-Scarness Road, landowner discussions are ongoing about the land profiles on this section, and how UU access the land in the future. An agreement regarding this has not been reached. UU hope that they can get this section completed this season, but this is dependent on agreement with landowners.

A question-and-answer session was then held a summary of which is given below:

Q: Do you think that this a project that shows UU at its best, and are you happy with the relationship that the project has had with the local community and landowners?

A: Yes- This is one of the largest projects UU have every done, and in terms of what UU have had from a complaints perspective (very little) this shows that it has been successful. That’s not to say there aren’t pockets where there have been issues with landowners, and contractors, this has been mainly localised to Underskiddaw area.

Ian acknowledges that there are lessons to be learnt. The project commenced in Underskiddaw in the Spring of 2017 during a very bad weather window which resulted in issues occurring which has put UU on the ‘back foot’ from day one in this area. However there has been a lot of good work done.

Gaynor confirmed that the biggest issues in construction has been in Underskiddaw Parish, but this is not the same elsewhere on the project. Gaynor would estimate 80% of landowners are happy and of the 20% that were not satisfied many are in Underskiddaw Parish.

Q: Do you undertake independent evaluation of your stakeholder /landowner interaction? Cllr J Saxton confirmed that he has not heard a positive report from any landowner.

A: UU have independent and retained land agents who deal with liaison with landowners, there has been teething troubles but these have been worked out. Gaynor estimates that it is circa 10 owners, out of over 200 that are unhappy. UU are confident they can evidence this high level of positive support, but if anyone has specific examples of poor relationships with landowners this can be raised directly with UU.

Q: In the first year of the project, Underskiddaw Parish Council had a direct contact with both the contractor and UU, but since GDPR was introduced this has disappeared. It is no wonder that no one has complained as there are no contact details available anywhere?

A: From the landowner perspective it is land agent to land agent, in a wider context email addresses have been provided for Parish Councils. In terms of customer representatives, they were in place at the start… As a result of Covid 19 people haven’t been able to be as accessible as normal.

Q: When is the project going to be finished? It did say on signage on the compound on the A591 in Underskiddaw Parish, firstly Spring 2018, Spring 2020, Spring 2021, and now Spring 2022, this is a four year delay?

A: Ian confirmed that Farrans Road bridge are still the contractor, but they are not leading the reinstatement.

**Action: Joe to provide photos to Gaynor of the irregular signage.**

Ian acknowledged that UU have over promised as there was never any intent to reinstate as the project construction moved along. UU always needed access to the pipes and easement, and the recent issue with the valve at the bottom of Applethwaite Lane is a case in point, as had it been reinstated this would have then have to be dug up again.

Gaynor apologised for the mis communication/information that has been shared in the past, as far as Gaynor is concerned the regulatory completion date is 2022.

Q: Will the project be completed in 2022 and all signs of UU have gone by the end of the year?

A: Gaynor, in honesty, no? Ian in this parish that is the ambition, the whole project will not be completed this year.

The date of project completion is the end of 2022 and this is for water in use (supplied to customers). From a reinstatement perspective due to Covid and contractual issues there are further delays.

Cllr Joe Saxton declared an interest in this project as he is a landowner on the pipeline.

There seems to have been an issue about communication and the meaning of phrases, as UU project complete is when water is in supply this is not the same as land restored, and this maybe the root of a number of issues.

**Resolved** that Gaynor and UU produce a FAQ/Updates document for circulation in the parish.

**Action: Councillors to confirm specific issues/concerns related to the UU Project to the Clerk who will then pass them to UU for answers to be provided for circulation**

Cllr J Saxton asked that the next time Ian McCoy is in the area that he meet with a number of local farmers to hear their perception as landowners.

**Action: UU agreed to this, and that Ian would schedule a date to meet with landowners.**

Cllr J Boniface raised the following concern, at the very beginning of the project you lost the trust of the Parish Council; Underskiddaw Parish Council had a meeting with John Hilton at the very beginning and the Parish Council raised concerns about the route of the pipeline passing close to a historic oak. John Hilton confirmed that this would not be touched, yet within weeks a red cross was marked on the tree resulting in an emergency meeting on site to discuss the variation of the pipeline route. Directly contradicting the agreement we had with John Hilton. The Parish Council has always felt we were a testing ground for the UU project.

Q: UU had a legacy fund, it has been very difficult to get a list of who received this funding? And if any funding had been allocated within the Underskiddaw Parish Council area.

A: Ian we didn’t receive any applications from the Parish Council.

This Parish did submit a request for a footpath alongside the A591, it was discussed in a meeting with a previous stakeholder manager but this didn’t come to fruition.

**Action: Clerk to share the historic minutes of all discussions relating to UU with Gaynor.**

A: Ian confirmed that there is still some separate funding that is available for community investment that could be utilised if anyone wanted to come forward with a project. Ian did contact John Hayes regarding potentially giving some funding to the village hall about 18months ago, but no further communication was received from the Village Hall.

Gaynor confirmed that the two funds (legacy and tree planting) were in total circa 1million. These funds have now closed.

The legacy fund was delivered by Cumbria Community Foundation to ensure it was transparent and accountable.

Gaynor acknowledged that Underskiddaw and St Johns Castlerigg & Wythburn Parishes have suffered the worst impacts of the project. Gaynor requested that the Parish Council consider what investment Underskiddaw Parish Council would like to see happen in the area, to recognise the unfair amount of disruption that some Parishes in particular Underskiddaw Parish Council have received as a result of the project.

Gaynor suggested that the Parish prepare a wish list of projects and then a future discussion can be held.

Q: Can you confirm again that there are no funds available for landowners who have lost trees on the easement to replace their trees?

A: Every tree that UU have removed has been replaced by two on the pipeline. If it is new tree planting where there weren’t trees before there is no funding available. However, if you want to include this in the list of parish proposals that would be fine.

**Action: Gaynor to provide stats on how many trees have been removed in the Parish/on the Pipeline and how many have been replanted.**

UU have a target across the Northwest of planting 1million trees by 2030, and thus far they have planted about 400,000.

Q: For a number of weeks now UU have been extracting something from the chambers at Applethwaite Lane, and a pipe is going up and over the field. What is being extracted and where is it going?

A: Ian it is probably the low point on the system and as a result of the valve being replaced/repaired, the water is being removed at this stage. This is raw water so it hasn’t been treated. It will require a discharge licence with the EA, and is being discharged into the beck.

Q: What is the finish for the little kiosk on Applethwaite Lane?

A: Ian will check this out and report back.

**Action: Ian to confirm back to the Parish Council what finish will be used on this kiosk.**

Gaynor acknowledged that UU have made errors in communicating with the local community on the changing end dates/signage etc.

Q: Why are UU still negotiating agreements with landowners surely these should have already been in place?

A: Ian confirmed that many landowners didn’t want to discuss reinstatement at the start. Also, the LDNPA has planning conditions that were stipulated on the project, so UU are trying to negotiate between landowner requirements on reinstatement and planning conditions that need to be complied with.

It was noted that the LDNPA have also been somewhat culpable in not protecting the interest of landowners who had this project forced upon them and have now been ‘abandoned’ by the LDNPA who don’t appear to Underskiddaw Parish Councillors to have provided any form of ongoing support for landowners.

Cllr J Saxton suggested that an independent evaluation of the project to establish feedback from landowners and communities would be a very interesting piece of work, to get an accurate overview of how the project has been delivered and received.

Gaynor noted that there is a split in the project in terms of issues; in this area it is construction and reinstatement, and in the west it is the quality of water and borehole water usage.

Gaynor agreed that UU would look at the possibility of some form of project review/evaluation to identify lessons learned and provide some quantifiable data on the perception vs reality of delivery, communication, issue resolution etc.

UU agreed that they would consider putting an update in the Keswick Reminder on the project and reinstatement forward.

**Action: Gaynor/Ian to share information from CCF on the Legacy Fund on how this has been broken down and spent.**

# 39/2022 Clerks report

The Clerk Report had been circulated to all prior to the meeting. The receipt of this report was noted by all.

# 40/2022 Finance & Accounts

## To receive note of the Bank Balances

**Resolved** by all present that the bank balance be noted as

Current Account £9,851.55 at 1st April 2022

## Invoices for approval

|  |  |  |
| --- | --- | --- |
| **To** | **For** | **Amount** |
| Zurich | Insurance | £312.34 |
| Cumbria Payroll Services | Payroll Services | £67.20 |
| Becx Carter | Salary | £380.76 |
| HMRC | PAYE | £253.20 |
| Becx Carter | Expenses | £38.65 |
| Andrew Wilson  | Parish Maintenance  | £565.16 |
| CALC  | Subscription | £124.30 |
| Rachael Kelly | Internal Audit  | £50 |

**Resolved** by all present that these invoices be paid.

**Action: Clerk to organise the payment of these accounts.**

## Approval of Certificate of Exemption 21/22

**Resolved** by all present that Underskiddaw Parish Council submit the Certificate of Exemption to PKF Auditors to exempt the council from an external audit as the income and expenditure of the Council was less than £25k for 21-22 Financial year.

**Action: Clerk to submit the certificate of exemption**

## Approval of Annual Statement of Governance Y/E 31st March 22

**Resolved** by all present that the following responses be given to the Annual Statements of Governance for Y/E 31st March 2022.

|  |  |
| --- | --- |
| **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 controls and/or external insurance where required | Yes |
| 6.We maintained throughout the year an adequate and effective system of internal audit of the accounting records & control systems  | 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 |

## Approval of Y/E Accounts for 31st March 2022, Variations Statement & Signing of the Annual Governance and Accountability Return

**Resolved** by all present that these be approved, and the AGAR be signed by the Chair & Clerk as required.

**Action: Clerk to submit the AGAR and prepare the relevant notices for the website & noticeboards.**

## Acknowledgement of Receipt of Internal Audit Report

**Resolved** by all present that the unqualified (no issues) internal audit be noted as received.

# 41/2022 Lake District National Park Authority

## Decisions

**Resolved** by all present that the below decisions be noted as received.

|  |  |  |  |
| --- | --- | --- | --- |
| **Ref** | **Location** | **Proposal** | **Decision** |
| 7/2022/2005 | Field View, Applethwaite | Enlargement of garden appurtenant to Field View etc | Withdrawn |
| 7/2021/2352 | Burnside Caravan Park, Underskiddaw | Use of land for the siting of caravans-Amendment to the number of caravans from 37 to 38 | Withdrawn |
| 7/2021/2213 | Underscar Manor, Applethwaite | Installation of 6 shepherds huts as farm diversification | Withdrawn |

## Planning Applications for Consideration

**Ref: 7/2022/2073**

Location: Endymion House, Millbeck, Underskiddaw

Proposal: Demolition of stable & creation of garden room

**Resolved** by all present that the Parish Council don’t object to this proposal, but would request that if possible the roof be a green roof so it blends in.

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

**Ref: 7/2022/2112**

Location: Valley Crest, Access road to houses from Thurshwood, Cumbria

Proposal: Demolition of existing single storey garage (15m2) and construction of a new single storey garage (26m2) with associated external works.

**Resolved** by all present that Underskiddaw Parish Council have no comments or objections.

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

**Ref: 7/2022/2087**

Location: Elder Cottage, Applethwaite, Keswick

Proposal: Two Storey rear extension

**Resolved** by all present that Underskiddaw Parish Councillors to provide the Clerk with comments by the 31st May 2022

**Action: Clerk to submit comments once received from Councillors.**

# 42/2022 Members Reports

## Village Hall

# 43/2022 Dates of next meeting.

**Resolved** by all present that dates for the forthcoming meetings of Underskiddaw Parish Council be set as:

19th July 2022- Underskiddaw Church Room- United Utilities to attend this meeting.

20th September 2022-Underskiddaw Church Room

15th November 2022-Underskiddaw Church Room

Meeting Closed 15:30