

Loweswater Parish Council Meeting

Minutes of the meeting held on Thursday 5th January 2023 at Loweswater Village Hall.

Meeting opened: - The chair declared the parish meeting open at 7.30pm

Present: Cllrs D Robinson (chair), C Todd , M Astley, L Meadley. R Thompson.

Cumbria County Councillor and Allerdale District Cllr. Cumberland Shadow Cllr Jill Perry.

Clerk, Mike Milner. Plus 14 members of the public.

Apologies, K Leck, A Bowness, (CCC).

466.00 Apologies for absence, as noted above.

467.00 Declarations of interest. None

468.00 To approve and accept the minutes of the last Loweswater Parish Council held on Thursday 3rd November 2022, as a true record.

468.01 Resolved to approve the minutes as a true and accurate record.

Due to the number of public present, 14, the chair advised he would make the development applications the next item followed by public participation.

469.00 Applications for development.

469.01 The only planning application for consideration was Crummock Barn, 7/2022/2034. The clerk advised the council members and members of the public that this particular development had been brought to his attention in the late summer and the application was submitted after a planning officer had visited the site and spoken to the owner's agent. The applicant was rebuilding a barn, but the building was subject to the LDNP local plan and policy 2 in particular. The clerk read out the appropriate policy to the meeting.

469.02 the chair Cllr D R invited input from the public before asking the Cllrs for their views. The barn is one of 3 owned by the same individual, who had bought a large tract of land. Then created a curtilage around the individual properties, fenced the perimeters and sold the surrounding excess acreage. The members of the public present expressed their concerns that the barn under discussion plus the other two would be changed into residential dwellings and that substantial access tracks had been created and water and power run to all the properties. The clerk advised the meeting that the discussion was currently about the Crummock Barn, the parish council would hear other issues during public participation.

469.03 Cllrs then gave their views on the development. Cllr C T pointed out that in a modern barn it was not unusual to have water and power supply. Cllr M A stated that in principal if a development or refurbishment was appropriate then fine, however there were procedures that must be followed and if they were not followed then they should be called to account.

469.04 At the end of the public's input and the Cllrs contributions the chair asked the Cllrs to indicate their support or otherwise for the application, by a show of hands. The vote indicated by 4 to 1 that the parish council objected to the planning application. The clerk was instructed to make the appropriate submission of objection.

470.00 Public Participation.

470.01 The chair having established what the topics that the public wished to raise he would start with the track issues.

470.02 Clerk asked the chair if he could start the discussion as he had been involved for more than a few months with the LDNP enforcement team and he could make everyone present of the factual history of his endeavours and bring everything up to date. He explained that the enforcement team actually already had 2 specific cases on going, E/2022/0146 and 0290. The clerk pointed out that they covered all the tracks that the public were concerned about, and the clerk then read out a lengthy email he had received from the enforcement officer on 3rd Jan' 2023. The email fully explained the situation and that concerns had been raised about access and use PROW/Bridleways or footpaths with the Senior Rights of Way Officer, under Section 131 of the Highways Act.

470.03 Clerk concluded by saying that a problem that the enforcement team had had was no historical pictorial record of what was in place on the ground before the tracks were made across the fell and up to Pottergill ruin. However, and he thanked two members of the public who had provided an excellent selection of images some 2 decades old, others from 2021 and then mid 2022 right through to December 2022 and even some from 2023. The enforcement team appreciated the contribution.

470.04 Members of the public again voiced their concerns. The chair reassured them that the parish council were fully involved, and the clerk would keep checking on progress. Before moving on one member of the public wished to query the legality of changing the name of the barn now known as Crummock Barn, from its original name of Rigbank. Cllrs were unaware that one had to make a specific request to change property names, but the member of the public would provide chapter and verse on that point.

470.05 The members of the public were interested to raise the issue of the planning application about Crummock Water and the removal of its dam, weir. A member of the public raised his concerns. The clerk then with the chair's agreement answered the issues. Clerk explained that the recent 217 page UU Crummock Water documentation, which he had personally read, was not a planning application but a "scoping" report and Buttermere parish council had taken the lead on behalf of the parishes of Buttermere/Lorton/Loweswater as Crummock Water was in Buttermere parish. The clerk was clerk for all 3 parishes and on the Buttermere parish council there is a parish councillor who is a barrister. Her legal analysis of the report had raised many questions and UU kept passing the questions up to the higher management at UU. A report had been submitted, which the clerk had circulated, but he would happily provide a copy to anyone present if they emailed him.

470.06 The final issue that a member of the public wished to raise was the felling of larch trees in Holme Wood and the timing of that felling in relation to the native red squirrel. The member of the public read out a lengthy email on the subject. The question she wanted answered was what the parish council's stance and their action. The clerk acknowledged seeing the email traffic and noted that as the first email was directed to the local NT manager, he felt it had been correctly directed. He noted that he has seen the recent emails, but apologised for taking no further action, but he hoped that all would realise he had been somewhat occupied over the recent New Year period with the Crummock Barn and tracks issues, plus the Crummock Water dam. He would though make the effort to contact the NT manager and stress the strength of public opinion in the local area of the representations made this evening.

470.07 the chair closed the public participation section and invited members of the public to stay to witness the rest of the council's business that even. With the exception of one member of the public, the hall emptied out.

471.00 Matters concerning District and County Councillors.

471.01 Cllr J P brought the council up to speed on community areas and community panels, which she hoped would be finalised and approved in the next two weeks. She indicated she would remain for the rest of the meeting or until 9pm.

472.00 Confirm the Loweswater parish precept request for the financial year 2023/24, revised budget document circulated.

472.01 The clerk had brought hard copies of the documents already circulated. After an explanation of the figures and a discussion by Cllrs they resolved that the precept request should be increased from £2866 by 10% to £3152. Clerk to make the appropriate submission.

473.00 Visitor management update.

473.01 Clerk confirmed that there was to be a further EGM at Buttermere on 21st February 2023 at which the new local police chief and the Allerdale enforcement officer would be invited. All 3 parishes would be invited. No other detail at this time.

474.00 Progress Reports, clerk.

474.01 Crummock Water scoping report as per minute 460.01 had been submitted.
474.02 Clerk still pursuing the Allerdale planning department enforcement team about the caravan, shipping container and chalet on Mockerkin Tarn.
474.03 Clerk had also been in contact with Catherine Weldon at CCC about commercial broadband access to the Fangs Brow new mast. She had actually had a meeting with the Home Office on the subject as part of a general broadband supply across Cumbria and she reported not much positive news from the meeting.

475.00 Councillors Reports.

475.01 Apart from the chair's comment about the state of the road through Low Lorton and on Scale Hill, a few large potholes, but in Loweswater parish there were no reports.

476.00 Correspondence.

476.01 Invoice received from Loweswater Village Hall committee to cover hall hire in 2022 for the parish council meetings.
476.02 Clerk had received a letter of thanks from the Great North Air Ambulance thanking the parish council for its £150 donation.
476.03 The central government audit unit have advised that from 2022/23 for 4 years the official external auditor will be Moore, no longer PKF Littlejohn.
476.04 As is obviously evident from this evenings meeting, numerous emails about Pottergill and tracks and Crummock Barn.

477.00.00 Payments for approval.

M Milner Intpay97, £129.36, salary November, no expenses.
HMRC PAYE Intpay98, Clerks tax £32.40, November PAYE
The above payments made to conform with new HMRC reporting and payment legislation.
M Milner Intpay 99, £168.92, salary £120.36 Dec. £39.56 expenses. Nov/Dec
HMRC PAYE Intpay 100, £32.40 PAYE Dec'.
Loweswater Village Hall Intpay 101, £90.00 hall hire fee.
HSBC 2 monthly bank account charges of £8.00 taken as a standing bank deduction. £16.00.
All approved
Meeting closed 8.46pm.

478.00 Date and time of next meeting Thursday 2nd March 2023 at 7.30pm, at Loweswater Village Hall.