

Buttermere Parish Council

Minutes of the parish council meeting held on Tuesday 5th December 2023 in The Old School Room at 7.30pm.

The chairman declared the meeting open at 7.30pm

Present: Cllrs H Fear Davies (chair), E Beard (vice-chair) A Maguire, K Beard, L Kyle,

Cumberland Councillor, not present.

Clerk: Mike Milner. Libby Bateman, External Stakeholder Partner, Fibrus Ltd.

Apologies for absence: Y Kahane (BPC) Jill Perry (CC) C Poate, Lorton Parish Council chair, D Robinson, Loweswater Parish Council chair, Peter Walter, North Distinctive Area Representative.

397.00 Apologies. As noted above.

398.00 Declaration of Interest. None

399.00 To approve and accept the minutes of the last Buttermere parish council meeting held on Tuesday 5th September 2023 as a true record.

399.01 The minutes were approved by councillors present at that meeting and duly signed.

400.00 Receive a presentation by Libby Bateman, External Stakeholder Manager, Fibrus Ltd, Highspeed Broad Provider. Timescale and availability of highspeed broadband directly to properties in Buttermere and also Loweswater and Lorton parishes, followed by short Q&A session.

400.01 The chair introduced Libby Bateman who outlined the broadband project, its background and current state of project. Fibrus are a company based in Northern Ireland and won the tender to provide a highspeed broadband facility across Cumbria. The project's objective is to supply a system in Cumbria, especially where other broadband suppliers are not making a highspeed broadband system option available in rural communities. She advised that the Buttermere supply is currently at a well-planned stage. It is anticipated that the village side of the parish will be the first to receive the highspeed option. There are still issues to be resolved. Fibrus, or their contractor, doing the physical installation are not piggy backing on any existing current installations, other than using existing ducting or poles to attach their fibre cable. Repairs to the existing infrastructure have to be carried out by Openreach, so if an existing pole is damaged Fibrus are unable to proceed until Openreach have taken appropriate action.

400.02 Chair, Cllr H F-D thanked Libby for providing the address list of properties that were to be offered the highspeed option in the parish and, noting her comments about Buttermere village being done earlier than the Cockermouth side of the parish, questioned if there was to be a black supply area as her property located at Rannerdale, also the vice-chair's and one other Cllr in the same hamlet were not listed? Libby did admit that there were likely to be properties where it would not be possible to provide the service. Libby to seek clarification and advise Cllr H F-D directly.

400.03 There were discussions of existing ducting which runs through Crummock Water, details of which Cllr H F-D would provide Libby with the link for. The most expensive installation cost is obviously by digging a trench along an existing carriageway. Libby did point out that although initially there had been issues establishing, "wayleave" permission, local landowners were now fully aware that the wayleave terms and conditions are now those fully supported and recommended by the NFU, which had smoothed out that issue.

400.04 There is a website that local residents can visit and use its Postcode Checker to establish the proposed date for the availability of a highspeed supply. After a brief Q&A session, and being thanked for her attendance, Libby Bateman left the meeting at 20.07 leaving behind a supply of Fibrus complimentary pens and general factsheets.

At that point clerk obtained the signatures of the chair and vice-chair confirming their acceptance of office.

401.00 Public participation, no members of the public present.

402.00 Police Matters. As normal clerk had circulated the relevant police e newsletter, when he received it.

403.00 Matters concerning Cumberland Councillor.

403.01 clerk had received a written report from Cllr J P and circulated it prior to the meeting.

404.00 Applications for development.

404.01 Clerk up dated on 7/2022/2312 Gatesgarth Farm Mast, he explained that as anticipated EE mobile provider have appealed their rejected application to the Planning Inspectorate at Bristol. Planning had already approved 7/2023/2212 the installation of a generator at the mobile mast opposite Honister Mine. The application did not require Prior Approval.

404.02 Councillors then discussed the application for Cornhow, 7/2023/2224, 3 additional cabin units on a site approved under application 7/2021/2236. That application had not been objected to by either the few immediate local residents or the parish council. The farm at Cornhow had an existing Airbnb cottage and the 2021 application was a further extension of farm diversification policy.

404.03 This latest application was for three additional cabins, but none are of the original slate riven finish. Cllr L K advised that he had no objections to the application. He had read the documents circulated by the clerk, one of which was from the LDNP Trees and Woodland Officer. He was of the opinion that although the car parking had not been increased on the site plan, he and other Cllrs agreed that there was ample parking in the farm yard for additional vehicles. Local knowledge meant that the prevailing wind in the area would generally blow the smoke from current fire pits and cooking facilities away from the immediate properties. The other 4 points raised by the Trees and Woodland Officer Cllr L K felt were irrelevant, because if the farm was a 100% working farm, that area could be used for over wintering cattle and their presence would create more damage to the bio-diversity of the local environment.

404.04 The discussion then proceeded to discuss the proposed additional 3 cabins. The clerk circulated an image of the American School Bus with a VW camper van welded on the bus roof. The Marmite moment, all Cllrs were horrified at the possibility of such an abomination should be on the site. All Cllrs agreed that this vehicle was not of a slate riven appearance. It has been located elsewhere in the area and as one Cllr remarked, folk who had stayed in it, had enjoyed the experience, however that was on an isolated site, no neighbours.

404.05 Cllrs had been provided with all the immediate local residents letters of objections and those of other valley residents. There followed a discussion and eventually a vote, which resulted in the parish council being equally divided on whether to approve or object to the application. Two in favour, two objecting and one abstention. The Cllrs, aware of local residents' views and the physical nature and facilities of the proposed additional existing cabins, being brought from other sites, requested the clerk to advise the planning officer of their no overall decision, the chair would not use her casting vote and that the planning officer would have to make a decision. Based on current Local Planning Policies and consider NPPF 132. How the "design quality" of 3 additional cabins should be interpreted. Clarifying that their visual appearance matches the original planning application specification, or permitting 3 additional diverse cabins.

405.00 Receive and approve the parish council accounts for 6 months to 30th September 2023. All documents distributed prior to the meeting.

405.01 Clerk had circulated the accounts prior to the meeting and no questions had been raised. The accounts had been externally audited as per the terms of the parish council's Finance Code. Councillors unanimously resolved to approve the accounts.

406.00 Receive an update on budget for financial year 2023/24 and consider the budget presented for 24/25. Finalise the precept figure for 2024/25. Budget spreadsheet and budget notes to be circulated. Budget submission required 12th January 2024 to Cumberland.

406.01 Clerk had circulated the budget document with notes and observations. As the clerk pointed out the biggest expense, between 60-70% of the expenditure each year was the clerk. Chair pointed out that the parish council did not require an excessive financial reserve as apart from the clerk and insurance there were no large regular charges. It was agreed that after a discussion, the latest precept request should be slightly larger than the anticipated budget requirement.

406.02 Cllrs unanimously agreed to approve a precept request of £2900.00 for the 2024/25 year.

407.00 Update HSBC bank mandate details and signatures

407.01 clerk explained that he needed to bring the signatures on the bank mandate, although all payments are made via internet banking the mandate require at least 2 of a number of Cllrs to sign authority forms.

407.02 It was agreed that Cllrs Harriet Fear-Davied, Edward Beard, Leslie Kyle, Adrian McGuire and Katherine Beard would be signatories, any two required at anyone time. Clerk to advise the bank and get the appropriate forms sent directly from the bank to each Cllrs home address.

408.00 Crummock Water weir removal, update on current position.

408.01 Cllr H F-D proceeded to advise on the current position. The September drop-in sessions had taken place and the timetable for submission of the planning application was still March 2024. There was an explanation of rights of way and bridges during and after the construction plus information on the car parking and construction traffic. With regard Park Beck, no landowner agreement could be reached upstream of UU land, so no island. UU however do own the river bed upstream and there is some necessary maintenance work which had been withdrawn from the project, which could now be done.

408.02 Lorton Cllr T St P and Loweswater Cllr M A had with H F-D met with Natural England and explained the locations of wetland areas that NE were unaware of, evidenced after the meeting by images from Cllr T St P. NE appeared to have taken the information onboard. NE would also investigate the Dipper population and evidence of Otters being found. UU have confirmed that they are undertaking ecology surveys, but will not share until all are completed and an accurate report can be provided.

408.03 There are still concerns about what level the water will finally be set at. The plan is to restore the outflow so it is consistent with the gradient of the Cocker, which UU says is consistent with the natural bed level prior to the timber weir. Newly discovered historical documents however indicate that may be incorrect. It is clear that the outlet was excavated when the first timber weir was installed. Cllr H F-D will provide the historical documents to UU without making any definitive observations, UU can make their own interpretations of the information, but cannot claim that details the parishes had, were withheld.

409.00 Parish Council vacancy.

409.01 Chair confirmed that the appropriate vacancy notice had been displayed in Old School Room noticeboard. There had been no response. It was agreed that the chair could consider a couple of individuals discussed the Cllrs present and liaise with the clerk to advise Cllrs of progress.

410.00 Progress reports, clerk

410.01 The visitor management questionnaire had been submitted to LDNP, Emma Moody had acknowledged the form's receipt.

410.02 clerk confirmed that Jason Tyson of Cumberland Highways had made contact and stated he was dealing with UU about weir decommissioning project. He had been involved with UU on similar projects.

411.00 Buttermere Councillors reports.

411.01 Cllr E B was concerned about the leaves in Buttermere and requested that the clerk reminded Highways to provide the road sweeper for the leaves on the main Buttermere roads.

411.02 Chair had proposed to attend the Ullswater transport project, but had not been able to keep the appointment, but she would seek notes from Jane Saxon from the NT, establishing what the scheme was about and its success if any.

412.00 Correspondence.

412.01 Emails received from Radio Cumbria/Look North about bus service cut backs.

412.02 Email received from a visitor about the public toilets in Buttermere, their lack of availability, email read out. Cllr L K reminded Cllrs he had raised exactly that problem with the visitor management team. He had recommended increase the parking charge and make the public toilets free. Clerk requested to take up the issue with the LDNP who were responsible for the toilets.

412.03 North Distinctive Area representative's newsletter from Peter Walter circulated.
412.04 Old School Room have had change of booking clerk, now David Robinson of Loweswater.
412.05 Various Fibus email exchanges, covered by earlier agenda item.
412.06 Invoice from Old School Room invoice for 2023 received 5 x £25 = £125.00
412.07 Invoice from Simone Morgan, external half yearly audit £30.
412.08 Letter from GNAA requesting a donation, parish don't normally make a donation. No donation this year.
412.09 Advised that further to the apology from Cllr Y K due to her recent hospitalisation and surgery, he had discussed with the chair that would be given a medical dispensation to be absent from parish council meetings until her treatment had been completed. Clerk pointed out that she had attended this evening she would probably have been ill as the room was barely above freezing point certainly not 16c for a working place. All Cllrs acknowledged that action.

413.00 Payments for approval.

Intpay106, M Milner, £142.90, salary December £107.80, Exp' £35.10.
Intpay107, HMRC, PAYE, £27.00 December.
Intpay 108, Old School Room, £125.00 Hall hire for 2023, 5 meetings.
Intpay 109, Simone Morgan, £30.00 half yearly audit.
Also paid Sept', M Milner Intpay 100, Sept salary £108.00 and Intpay 101 HMRC PAYE £26.80
October, M Milner Intpay 102, Oct' salary, £107.80 and Intpay 103 HMRC PAYE £27.00
Nov', M Milner Intpay104, Nov salary, £107.80 and Intpay 105, HMRC PAYE £27.00
HSBC bank charges, Sept, Oct, Nov and December at £8.00/month by D/D.

All approved

413.00 Date and time of the next meeting. Tuesday 5th March 2024, 7.30pm, at Old School Room, Buttermere.

Meeting closed 20.10.