

KIRKANDREWS ON ESK PARISH COUNCIL

MINUTES of a **VIRTUAL MEETING** of **KIRKANDREWS ON ESK PARISH COUNCIL** held on **MONDAY 14th SEPTEMBER 2020 at 7.00pm.**

Present: Cllrs W. Bundred (Chairman), S. Richardson, P. Armstrong , Z. Armstrong, L. Cragg, A. Hill, J. Rutherford and D. Wilson.

In Attendance: Clerk
City Councillors J. Mallinson and D. Shepherd.

Action

033/20	<p>APOLOGIES FOR ABSENCE</p> <p>RESOLVED to note that apologies for absence were made from:-</p> <p>City Councillor Tabitt</p>	
034/20	<p>REQUESTS FOR DISPENSATION</p> <p>RESOLVED to note that no requests for dispensation were received.</p>	
035/20	<p>DECLARATIONS OF INTEREST</p> <p>RESOLVED to note that the following declarations of interest were made:-</p> <p>Councillor Rutherford declared a non-pecuniary interest in item 038/20.1 Councillor Bundred declared a non-pecuniary interest in item 041/20 Councillors Z. Armstrong, Cragg and Hill declared a non-pecuniary interest in item 042/20.2</p>	
036/20	<p>MINUTES</p> <p>MINUTES OF THE MEETING HELD ON 13TH JULY 2020 WERE SUBMITTED.</p> <p>RESOLVED to authorise the Chairman to sign the minutes of the meeting held on 13th July 2020, confirmed as a true and accurate record. Minutes will be signed at the next face to face meeting.</p>	WB
037/20	<p>PUBLIC PARTICIPATION</p> <p>RESOLVED to note that no members of the public were present.</p> <p>CITY AND COUNTY COUNCILLOR REPORTS</p> <p>RESOLVED to note that Councillors Mallinson and Shepherd reported that local government reform was ongoing for a unitary authority for Cumbria which may result in more devolved powers for parish councils.</p>	
038/20	<p>TOWN AND COUNTRY PLANNING –</p> <p>Applications for planning consent were considered.</p> <p>RESOLVED to advise the appropriate Planning Authority of the Council's comments as follows:-</p> <p>038/20.1 L/A RICHARDSON HOUSE, GRETNA LOANING, MILL HILL (20/0586) – Creation of a lorry park up to 40 spaces including conversion of existing buildings to provide welfare facilities and storage unit; erection of commercial vehicles maintenance building and associated preparation yard.</p> <p>OBJECT – please see appendix 1 for full information.</p>	Clerk

(Signed) Chairman

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039/20 FINANCIAL MATTERS -**039/20.1 BANK RECONCILIATION TO 28.08.20**

There was submitted a report by the Clerk on the reconciliation of the Council's financial records with its bank account statements.

RESOLVED to receive and note the bank reconciliation and balance to 28th August 2020 of £33,374.02.

039/20.2 EXPENDITURE TO APPROVE

There was submitted a report by the Clerk detailing expenditure to approve.

RESOLVED to authorise payment of the expenditure listed below amounting to £11,539.49.

Amount £	Payee	Detail	Cheque number
£629.03	A Riddell	Net wage to 30.9.20	100996
£8.26	One.com (A Riddell)	Website	100997
£240.00	PFK Littlejohn	External Audit	100998
£10,440.00	B&C Energy Solutions	Bus shelters	100998
£222.20	HMR&C	PAYE	100100

039/20.3 EXTERNAL AUDITOR'S REPORT AND CERTIFICATE 2019/20

The external Auditor's report, certificate and opinion was submitted to the meeting for the Accounts for the year ending March 2020.

039/20.3.1 RESOLVED to note the report and certificate and that no other matters had come to the attention of the external auditor.

039/20.3.2 RESOLVED to note the display of the conclusion of notice of audit on the website and noticeboard prior to the end of September 2020.

039/20.4 NATIONAL SALARY AWARD 2020/21

The Clerk submitted a report advising members of the recent pay award which had been agreed at the National Joint Council for Local Government Services (NJC) for the financial year 1st April 2020 to 31st March 2021.

RESOLVED to implement updated pay scales for the clerk backdated from 1st April 2020. The additional hourly cost for the clerk was £0.33.

040/20 MATTERS TO BE RAISED BY COUNCILLORS

Councillors were given the opportunity to raise any unforeseen matters, with the consent of the Chair, that did not require a decision.

RESOLVED to note the following matters were raised:-

WEBSITE – Councillor Z. Armstrong requested her mobile phone number be removed.

WALL AT BECKSIDE – Councillor Wilson requested that the wall be removed as he felt it was dangerous. The Clerk had already reported the wall to highways who initially could not find the wall. Photos taken by Councillor Bundred had been submitted.

Clerk

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	<p>SPEED INDIATION DEVICES (SID'S) – Councillor Richardson asked what was happening with the SID's for Moat village. Councillor Bundred reported that a grant had been received but that highways were not responding to emails regarding the matter. Arthuret Parish Council had also requested SID's and were not being supported by highways for some of them.</p> <p>POTHOLES AT BLACKBANK/ROSETREES LANE – Councillor Hill had emailed the MOD again as they did use the road and were therefore liable for part of the repair costs.</p> <p>ABANDONED HOUSE AT BLACKBANK – Councillor Hill asked what was happening with the property. It was confirmed that it was still owned by the MOD.</p>	
041/20	<p>PAROCHIAL CHURCH COUNCIL (PCC)</p> <p>Councillor Bundred reported that the PCC were considering publishing a book that the parish council could possibly give financial support to. The widening of cattle grids was being investigated and County Councillor Tarbitt was waiting for confirmation on responsibility and/or ownership. The retaining wall at the church was a concern and the addition of a safety rail would be brought up at the next meeting.</p> <p>RESOLVED to note the report.</p>	
042/20	<p>PLAY AREAS –</p> <p>042/20.1 MOAT PLAY AREA</p> <p>RESOLVED to approve the work to the overhanging trees in the sum of £300.00 to be carried out by M. Lowther following a site visit in July. The Clerk would also ask Mr Lowther to cost the work to the willow at the play area and report back at a future meeting.</p> <p>042/20.2 PROPOSED PLAY AREA AT BLACKBANK/ROSETREES</p> <p>RESOLVED, after a lengthy discussion, to request further information from the MOD regarding sale or lease of land for a play area before making a final decision on whether to go ahead or not.</p>	Clerk Clerk
043/20	<p>SUPERFAST BROADBAND</p> <p>Councillor Bundred reported that he hadn't yet spoken to residents in the proposed build area and detailed the available voucher scheme for residents and businesses. Councillor Bundred would request an up to date costing from Openreach and report back at a future meeting.</p> <p>RESOLVED to note the report.</p>	WB
044/20	<p>WEBSITE</p> <p>The Clerk reported that the new website was up and running, the initial set up cost was £8.26, ongoing annual costs would be approximately £60.00. The site passes all the accessibility tests listed in the accessibility statement and adjusts its appearance on computer, tablet or phone screen. If anyone had anything they wanted added to the website could they please let the Clerk know. Information on the old website would need to be removed.</p> <p>Members thanked Mr Ivan Whetton for his work on the website.</p> <p>RESOLVED to note the report.</p>	
045/20	<p>DEER ON THE ROAD</p> <p>RESOLVED to note that following further incidents of deer on the road that the Clerk would request signage at either end of Blackbank Wood.</p>	Clerk

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046/20	<p>GREENMILL DITCH</p> <p>The issue of flooding at Greenmill ditch had been reported to the MOD again and to the Environment Agency (EA). The EA stated that it was outside its remit and the flooding should be reported to the County Council as the Lead Local Flood Authority.</p> <p>RESOLVED to report the flooding to the County Council.</p>	Clerk
047/20	<p>PROPOSED INCINERATOR AT KINGMOOR</p> <p>Councillor Wilson raised concern that an independent body should monitor the emissions from the site.</p> <p>Councillor Mallinson reported that the Environment Agency would be charged with whether the incinerator was safe to operate or not. A public consultation period was still ongoing and an appeal for material changes was dormant.</p> <p>RESOLVED to note the report.</p>	WB
048/20	<p>SAND MARTINS</p> <p>RESOLVED that Councillor Bundred should purchase a book through the Sand Martin Trust that gave details on creating a sand martin nest site. A donation of £20.00 was agreed.</p>	WB
049/20	<p>FLY TIPPING AT BACKBANK WOODS</p> <p>Several members reported ongoing problems with fly tipping at Blackbank Woods.</p> <p>RESOLVED that the Clerk would report the matter to the city council cleaning team.</p>	Clerk
050/20	<p>CALC</p> <p>RESOLVED that the following correspondence from CALC was received and noted:-</p> <p>050/20.1 GREAT BRITISH SEPTEMBER CLEAN</p> <p>050/20.2 CUMBRIA EMERGENCY SUPPORT HELPLINE</p> <p>050/20.3 LOCAL GOVERNMENT REORGANISATION CUMBRIA</p> <p>050/20.4 DEVELOPING YOUR SKILLS PROGRAMME</p> <p>050/20.5 COUNTY COUNCIL LOCAL GOVERNMENT REFORM</p> <p>050/20.6 DEVOLUTION WHITE PAPER</p> <p>050/20.7 CALC AGM</p> <p>050/20.8 HIGHWAYS ASSET MANAGEMENT STRATEGY</p>	Clerk
051/20	<p>CORRESPONDENCE RECEIVED BY THE CLERK</p> <p>RESOLVED to note the following correspondence had been received: -</p> <p>051/20.1 WHAT3WORDS – Email from Molly MacGregor</p> <p>051/20.2 CLIMATE CHANGE CONSULTATION – Email from Policy and Communications Manager, Carlisle City Council</p> <p>051/20.3 KENDON TO TONGLAND 132KV REINFORCEMENT PROJECT – Email from Community Relations Team.</p>	Clerk

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<p>052/20</p>	<p>LITERATURE AVAILABLE FROM CLERK –</p> <p>RESOLVED to note the following literature was available from the Clerk:-</p> <p>052/20.1 NOTICE OF EXECUTIVE KEY DECISIONS – 14th August 2020.</p>	
<p>053/20</p>	<p>AGENDA ITEMS FOR THE NEXT MEETING</p> <p>RESOLVED to note that agenda items for the next meeting should be submitted by 2nd November 2020.</p>	
<p>054/20</p>	<p>DATE OF NEXT MEETING - To confirm that the next virtual meeting will be held on Monday 9th November 2020 at 7.00pm and will be called by electronic summons unless there are changes to the Covid-19 regulations permitting public gatherings.</p>	

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The Parish Council wishes to **OBJECT** to the application and members have raised the following concerns and comments:-

1 – Wastewater/surface water drainage. Concern was raised that waste water and possibly polluted surface water could find its way into nearby ditches and then onto nearby farm land.

The drainage report does state that a new surface water drainage system will be constructed to take all surface water runoff from roofs and hard standing areas and a restricted discharge made through the existing outfall under the A6071 into the culverted drain that flows south. However, this proposal feeds into the existing drainage under the A6071 which currently drains into the fields and field drains by the road, then it goes along the bottom of the railway and then some of the run-off water from the MOD site joins it and one big drain goes under the main line railway, through fields and under the M6. The M6 run-off goes into a settlement pond by the service road, which overflows into that same drainage ditch. Then it all flows into the Solway, which is tidal, so sometimes when there's a lot of rain and a high tide, it has nowhere to go and there's some flooding of fields. To add the run off from a lorry park to that looks likely to increase the volume of water and therefore the incidence of flooding - and the risk of pollution. If the hard standing areas were to contain possible contaminants such as oil from vehicles etc. should this water not then be collected and disposed of off-site?

Furthermore, the existing pond referred to under 2.8 in the drainage strategy has already been filled in.

2 – Site access. Concern that access to the site is basically along a farm lane. The road has a 7.5T weight limit sign 'except for access'. With the additional traffic that will be generated - 60 trips two-way during peak hours alone, equating to 1 trip per minute 40 of which are HGV's per the submitted transport assessment – could the lane cope with this increase considering the weight restriction already in place?

3 – Road safety. Within the transport assessment document it refers to road safety and point 2.13 states that no accidents have been recorded in the vicinity of the site frontage over the past 5 years. However, within the submitted documentation it refers to the site as being *within the strategic M6 corridor* – with this in mind if you take junction 45 of the M6 into consideration there have been 5 accidents in the last year alone. Could the police be contacted to ascertain how many accidents there have been in and around the area over the last 5 years as the figures in the transport assessment are being disputed by several members and local residents.

4 – Traffic Generation. Although the applicant states under 4.20 of the transport assessment that the site is not proposed to be signposted from the motorway and much of the demand is likely to come from the A6071 and A7 to the east, word of mouth and drivers using the site from the A6071 and A7 could and more likely would increase usage from the A74(M) increasing the volume of traffic on the link road to Gretna Green or the B7076 through Gretna to then be far higher than the 13 movements per hour, or a trip every 5 minutes as suggested in the transport assessment.

The traffic data detailed in Appendix B of the Transport Assessment was compiled in July 2020. This data will not show the usual amount of traffic as it hasn't taken into account reduced traffic due to the current pandemic nor the reduction of HGV's in particular who are having to avoid the bridge at Longtown which is undergoing repairs.

Additional comment on traffic generation – following the upgrade to junction 45, it would appear that a major mistake has been made with the direction and flow of traffic. From a dual carriageway that by-passed Gretna this upgrade then led to traffic being directed back through Gretna. The area is a huge tourist attraction with up to 70 coaches per day (outside of the latest pandemic situation) visiting the famous Blacksmiths shop, the food-court and bar, Gretna Gateway shopping outlet etc. This traffic already impacts on the small town of Gretna, the village of Gretna Green and other neighbouring areas.

The social impacts of transport should be taken into consideration and according to recent studies motorised road traffic has a range of negative social impacts. For example, traffic creates air pollution and noise, which are

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linked with several health concerns (WHO 2005; Ndrepepa & Twardella 2011) and reduced well-being (Dratva et al. 2010; Orru et al. 2016). Increases in traffic levels also increase collision risk for cyclists (Reynolds et al. 2009) and pedestrians (Harwood et al. 2008). This may reduce the propensity for walking and cycling, leading to a reduction in physical activity and levels of accessibility to local facilities, and ultimately to social exclusion (SEU 2003) and to the deterioration of health and well-being (Mindell & Karlsen 2012). High traffic levels also separate communities, with potential effects on social cohesion (Appleyard et al.1981).

This increase in traffic from the development on the road network would be severe and is therefore not acceptable with regard to transport, in line with the National Planning Policy Framework and is contrary to Policies IP 2 (Transport and Development), and SP9 (Healthy and thriving communities) of the Carlisle and District Local Plan 2015-30.

5 – Local Disruption – The access road also currently serves a local farm which regularly moves livestock in the area across this road, farm vehicles use the road daily for feeding/checking on livestock, harvesting, silage etc and it is also the access to a local pig farm and dog kennels. The additional traffic that will be generated from the site will be disruptive to the workings of local businesses and the noise and lights would have an additional detrimental effect on the nearby boarding kennels.

The back road to Springfield is a very popular route for cyclists, dog walker and runners. The additional traffic from a truck park would ruin this route for local people to exercise and would become a greater risk for accidents with cyclists and pedestrians.

For clarity, roads relating to the application are the U1059 102 (Richardson House to A6071) U1059 103 (Peat Works to Guards) and the C1002 ((NY) 3315/6800 - 3457/6775 - Road from Scottish border at Plump Bridge, leading to A6071 at Blackbank)

6 – Inaccuracies on planning application. The following inaccuracies were raised –

- The applicant has ticked that work has not started on the site yet work has been ongoing for over 2 years and concerns regarding the effect on local wildlife and the environment were raised with the enforcement officer in April 2019. The response was the that the landowner had been ‘tidying up and securing the site and didn’t intend to carry out any further work until plans had been drawn up’. Further concern was raised that the description of the work that had been carried out wasn’t ‘tidying’ but ‘destroying the site’. The enforcement officer stated that the work being carried out ‘does not appear to be a breach of any planning control’ and that the landowner was ‘entitled to clear his land’.
- The applicant has ticked that there are no trees or hedges on the land adjacent to the proposed development that could influence the development or might be important as part of the local landscape character – work to trees on the site was carried out approximately a year ago (see reference to enforcement officer above) where most were cut down. Is it not illegal to carry out work to trees and hedges in April/May during the nesting season? Should a felling licence not have been applied for? Should a preservation order be placed on remaining trees?
- The Design and Access Statement refers to a tree survey, however there is no survey submitted with the planning documents.
- The applicant has ticked that the hours of opening are not relevant to the proposal. As the site will be operating 24/7 surely the hours of opening are very relevant?
- The applicant has ticked no to trade waste – but surely there will be trade waste. The selling of vans will surely require the vehicles to be washed at some point? What about the café? What about fuel pumps? What about waste from vehicle maintenance, for example an oil spill?

Some of the above concerns may make this application contrary to Policy CM5 (Environmental and Amenity Protection) of the Carlisle and District Local Plan 2015-30.

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7 – Landscape – According to the submitted planning documents the applicant states - ‘The proposal will utilise structural planting to create defined wildlife corridors and also to protect the character of the wider landscape’. The applicant has removed large amounts of landscaping from the area already without any consideration for the local wildlife and landscape. The area was green fields and now resembles a semi industrial area which is contrary to the site and development background statement which says ‘The application site has an extensive history linked originally to use by the Ministry of Defence and then commercially by The Scotts Company LTD. This activity has given the land its unique previously developed character with a number of buildings dotted around the site and large areas of hard-surfacing. All works subject of this application will be undertaken on previously developed land’.

8 – The applicant states that he has outgrown his current site at Harker. Although the need for a larger site is appreciated, perhaps land at Kingmoor would be more suitable and several pieces of land have been, and still are, available there for sale.

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