

Draft Minutes
of the
Seascale Parish Council Meeting
held on
Wednesday 1st December 2021
In the Methodist School Room Seascale

Present:

Chair Cllr David Halliday
Vice Chair Cllr Lizzie Mawson
Councillors Cllr Catherin Harvey-Chadwick
 Cllr John Graham
 Cllr Ken Mawson
 Cllr David Moore
 Cllr John Spokes
Clerk Jill Bush

Public B Parsons

The meeting is recorded for minuting purposes

1. Apologies

Cllr Eileen Eastwood

CCC Paul Turner

2. Announcements from the Chair

- Many thanks to the British Legion and that at least 100 people turned out on Remembrance Day
- The Haverigg team did a splendid job clearing and widening the footpaths between the boatyard and the railway. They also cleared the footpath by the cricket field. Numerous residents have commented on the improvement this has made. A letter to Haverigg thanking the team for their splendid effort and what an improvement it has made for the local residents. Actioned
- Special thanks to John McElroy for his continued commitment to organising the cycle coast-to-coast
- Turbine owners have to date cleared much of the turbine fibre glass debris, it is understood it is likely this debris comes from more than one turbine. However the team will continue to clean the area every Wednesday until further notice

3. Declarations of interest by councillors in respect to agenda items

Cllr L Mawson and Cllr K Mawson

4. Ratify the previous meeting's Minutes

Proposed by Cllr Moore and seconded by Cllr Harvey-Chadwick

5. Matters arising

(13) Due to time constraints at last month's meeting the Chair reiterated vexatious notices

are not against a person, but against behaviour and vexatious notices end when vexatious behaviour ceases. This year the Parish Council has received 61 complaint communications from one resident. However, these communications contain multiple specific complaints, which total 151 complaints. Over the 11-month period this averages out at approximately one complaint every 2 days. Cllr Moore reported at a recent meeting he attended with numerous other Councils, in contrast, other Councils acknowledged they occasionally receive complaints from one or two residents over the year. **Update:** as of 2 December the number of complaints received the Chair referred to above, has now increased to 152

6. To consider any planning issues

- 6.1** 4/21/2482/OF1 - New silage building & new pellet bin storage container - Baileyground Farm – No Objection
- 6.2** 4/21/2505/OF1 - Keld Green, The Banks - Formation of new car parking area on front forecourt of guest house - No Objection
- 6.3** 4/21/2515/OF1 - I Wastwater Rise - 2 storey side extension to replace single storey garage & single storey lean-to rear extension - No Objection
- 6.4** 4/21/2512/OF1 - Sellafield - Installation of a No. 1 site siren (16m high column) - No Objection

7. Reports from Councillors and Working Groups

7.1 F&GP meeting – Precept budget

- Overspend may be up 7.9%. Due to inflation. This is despite the in-house bin emptying system when compared with the Copeland quote, will save the parish approx. £2,000 p.a.
- The library business rates have been reduced.
- The parish council business rates will also receive a ‘small business’ rebate, should help offset this year’s precept overspend.
- The maximum precept rise is only 1.9%
- VAT is removed from precept spend, as this is claimed back. The period from 30 November 2020 to 30 November 2021 will be approximately £2,620, dependent on late invoices received dated within this period. The reason this is less than usual is because there were no large-scale asset refurbishments during this period
- The 2nd account renamed General reserve fund is to separate small project funding (BMX track) and large project funds (community hub). Library donations will also be transferred to this account. There will also be an emergency contingency fund. The reason this has been done is purely to separate the precept from other funding received, which is an annual audit requirement. The proposed transfer to this account will be £50,000. Agreed by Council
- Library gas boiler has been condemned. However, rather than replacing it now, the preference is to install a replacement when the community hub is being created. At present electric heaters are being used, which are not overly efficient and costly to run. However, these are necessary to have some heating in place not only for the volunteers but also for the people who use the library. Cllr Halliday asked if the council would consider the cost of purchasing and installing overhead heaters, which also could be used as an emergency back-up. Council agreed to the proposal

- ### **7.2 Amenities – Foreshore play area – rain and heavy footfall has resulted in soil and grass erosion. Some matting also needs replacing, also about 4 tons of play gravel is required. A new concrete base is required for one of the benches. This is the best time of the year to carry out these repairs, the new turf will have time to get established, before the spring/summer commences. Cllr L Mawson proposed an onsite meeting with the Copeland**

team on 13 December. Tand largely he Council agreed this work should be carried out.

- 7.3 Christmas tree** – Cllr Harvey-Chadwick proposed a 14’ tree (purchased from Pelley Mounters for £70) be off-loaded by the water tower, as there is an electrical supply available. Agreed by Council. T & C Biggins will connect the tree supply when the other Christmas lights are set-up.
- 7.4 Welcome Back Fund** – Whilst disappointingly delayed, this funding is nonetheless welcome. It will fund 2 new benches and re-install the existing ones, which will probably include the bench mentioned in item 7.2. Welcome board and a digital information board, though some of the cost may need to be met by the parish council. It can’t fund services. However, theatre groups could be interested in using the castle area.
- 7.5 Environmental Agency meeting Report** - The parish council submitted a question asking if the EA would carry out an assessment regarding the noisy gas turbine Sellafield recently advised would remain in situ for a further 9 years. Outcome: an environmental assessment will be carried out.
- 7.6 Community Partnership meeting** – This was the first formal meeting of the partnership and much of it was procedural, responsibilities, direction and terms of reference. This process is called an ‘on-boarding session. The next meeting will be on 17 January 2022. Participation enables the ability to apply for grants. Applications for grants will include:
- Electronic scoreboard for the cricket club
 - BMX track refurbishment – estimated cost £65,000. Application up to £50,000, with donations from elsewhere. To date these donations are over £8,000.
 - An enabler to commence the library upgrade

8. Finance Report

- 8.1** The reconciled Cash Book Balance for November is £96,569.90. No outstanding receipts or payments.
- 8.2** There are 5 payments for £707.33. This covers 2 water bills, litter bin emptying, parish magazine subscription, £200.00 to the Sports Hall for the Christmas lighting. **Update:** Binbag invoice from WF Cascade

9. To consider matters pertaining to Parish Assets

9.1 Library

- Good news – events taking place every Monday. Dementia Support Group meet once a fortnight. Women Wellness Group meet on the alternative Mondays.
The feedback has been very positive. Both are a benefit to the community

9.2 Play areas see item 7.2 above

9.3 Toilet Block

Nothing to report

9.4 BMX track see item 12

- 9.5** Fencing has been erected around the recycling area. Consulted on during the process. The people carrying out the work were very professional and parish council consulted during the process. Very pleased with the result. Seascale Parish Council thank the trade waste for the excellent job they have done.

10. To consider matters relating to highways and transport

- 10.1 Seascale traffic** – Despite the claims the parish council is not pro-active on behalf of the parish, there have been ongoing discussions. Seascale Cllrs Halliday and Moore and CC Cllr Turner had a meeting with Sellafield. Cllr Graham also advised at the meetings he had with Sellafield, their representatives had also expressed their frustration with the situation. The following issues have been raised:

There are now buses from Millom – The re-opening of the Greengarth carpark is delayed due to the probate process – Cllr Graham expressed a preference that the buses should not use the car park as a pick-up point, because all that is achieving is to encourage the workers to park there all day – return to designated bus stops, Cllr L Mawson suggested the old post office, which still has the bus stop signage, whereas at present they are stopping by the new post office and this is causing a traffic risk by the Co-op – Sellafield employees and contractors indiscriminate parking around the village and in the car park all day denies other people being able to park, especially the disabled and elderly, those who want to walk along the beach, visit the play area etc – once greengarth re-opens the bus going through Seascale could pick up at designated bus stops ,whereas at present they are stopping wherever they see a group of people waiting for it and this is exacerbating traffic problems - traffic orders (lines) by the cricket field in Seascale and the Ponsonby layby restricting the parking times are now on highways work programmed, but no date has been released when this will happen – St Bees, Seascale, Gosforth and Ponsonby are all experiencing this traffic problem – Sellafield is encouraging cycling in to work - speeding through the villages and also by Seascale school and whilst the radar checks slow traffic down at the time, it is not eliminating the problem. The parish council will continue to interact and propose positive way forward.

- 10.2** Cllr K Mawson advised a more suitable sign for the railway arch should be a ‘give way’ sign should be at the bottom on the village side. At present the single file sign is causing confusion as to who has right of way
- 10.3** Cllr K Mawson reported due to degradation caused by potholes network Rail has resurfaced the area of the car park they are responsible for. The beach side of the car park and also part of the cinder track a Sellafield/NDA responsibility and no even basic repairs have been carried out. Repairs are urgently required because the potholes are deep and dangerous. It is also responsible for the Calder River end of the cycle track, which has also fallen into a state of disrepair. NDA to be contacted and asked to provide an update on the repair status of these areas. **Clerk to action**

11. Urgent items raised by Councillors

- 11.1** Cllr K Mawson reported the local chemist has been opened everyis day of the week for about 2 months to provide covid booster injections. He praised and thanked the owners, Ken Poon, his family and the staff for their dedication, as they have provided a service to people far beyond the parish boundary. The Chair agreed the chemist was very busy. The Chair will be going to the chemist premises with a gift of appreciation and a thank you for the service.
- 11.2** Cllr K Mawson advised he strongly objected to an article in the parish magazine, which stated no-one expressed concern when the foot bridge over the rail track was removed. Whilst it is acknowledged the bridge was removed many years ago, concern was expressed at the time and has continued to be expressed.
- 11.3** Cllr K Mawson also expressed a strong objection to the suggestion of putting traffic lights (albeit temporary) at the bridge. See item 10.2 above as a proposed solution.

12. Correspondence

- 12.1** Received 8 November from Rachel Jones about her son. Jack Jones from Gosforth regularly uses the BMX track and undertook a sponsored cycle to raise funds for this track. He raised an incredible £230.00. A tremendous achievement, especially when you take into account, Jack is ten years old. Well done, Jack, you are a credit to the community and your family.

His mother Rachel Jones also organised the Christmas wreath workshop held in the Sports Hall, which took place on 28 November. Mrs Jones asked for an acknowledgement of thanks to Vanessa Adams who not only gave her time and skills to teach the wreath makers, but kindly donated materials. Further thanks for the help from the volunteers of Seascale Sports Hall and the Bowling Club who helped move tables and chairs etc. Finally, thanks to Dawn Thompson Dennett and Sylvia Thompson for beautiful cakes and raffle prizes. This workshop also raised an incredible £655.00 toward the refurbishment of the BMX track.

Seascale are very fortunate to have so many local people, whatever their age, who are so community minded. Seascale parish council extend its heartfelt praise and thanks to all those involved. Especially to Jack for his amazing achievement.

12.2 CCC Paul Turner received an email from Mrs Scott on 10th November, following a visit she and her husband made to Seascale. The following email was forwarded to the Parish Council

Thank you, Paul

I was pleased you answered my desperate phone call. I will outline the problem. We had got a new CV40 campervan which is the size of an ambulance its only 5.99 metres long, so it fits in any carpark lines. We had taken early retirement because of my health. I had covid in December, I was very lucky to survive covid as it hit me like a ton of bricks. The hospital had to give my husband oxygen, tablets equipment to give to me as I was unable to be transferred to hospital, because I have an allergic reaction to anything that's made of rubber ingredients. All PPE, masks, gowns, face visors etc all were not tested for latex contamination or what the elastic was used, as a pandemic was in place my husband looked after me for 12 weeks with little support except doctor surgery.

We decide to get this camper so we could go away and for me to be safe. I can't go into hotels because of my allergy they use rubber on beds all I wanted was to enjoy the fresh air and just pass the days away in lovely villages like yourself in Seascale. We went on the Cumbria tourist board website to find out how to do it safely, they gave us the 200 miles coastal route. Seascale was also listed, and it looked so lovely I wanted to stop there for two nights, so we cut short a day on a camping site to do this.

We arrived, parked up and watched the loveliest sunset I had ever seen. The local policemen were parked next to us and taken photos; they came three times in the night. We spent £30 in local shop to get stocked up with food etc we spent £20 in takeaway and then went to bed at 8.30 pm.

At 10.15pm we heard lots of dogs barking at our van and an old lady, with another women with long hair, but could not see face. Then were heard the old lady shout wakey wakey, you should not be parked here we are nor a caravan park. Then she said don't worry they will get an early morning wake up as well. I was petrified I never slept that night as I thought we were going to be attacked and our van vandalised, but my husband had only two hours sleep so could not move on. The morning came and yes to her word she came back at 6am to shout wakey wakey, it's time to get up and her dogs were barking like mad, she had 3 dogs. The whole street must have woken up, as these dogs are very, very loud. She was about to knock on the camper doors, but I could see her approach, so I opened

them, my husband went to the side door we told her to get on her way. But all she wanted was to raise her voice and be nasty. What a horrible lady she is.

I hope this is read out, as she needs to understand we are not all bad. We cleaned your beach as the local shop is promoting this, what a great idea. You have a gem-stone village and lovely beaches, but you have no caravan park near you. I would like to say that if the tourist board can do this for your village, then work together and get some tourism back in your village, it is so beautiful. We would have put £20 in the box, if we had not encountered one old crazy lady. People would pay that to see the sun setting. Other people using the carpark also get this behaviour off the old lady. I found out where she lives in the village and posted her face on Facebook, the response I got was hundreds telling me of this crazy lady.

Please I give you permission to read this out at a meeting. You have a lovely village with lots to do and see.

Yours sincerely
Barbara Scott

The Parish Council have been advised the police visited the resident concerned, who was warned to stop harassing people using the car park. Anyone who experiences this sort of behaviour should report it to the police.

- 12.3** Email from Brenda Parsons – please note, the sentence highlighted in blue is taken from a comment previously made by the parish council.

Thank you for acknowledging email. I am quite happy that all the Cllrs have a copy.

Please be advised the ICO decision, which referred to case law on vexatious behaviour still applies. Means absolutely nothing you have no authority to impose law. If you wish to make it lawful then you need to go through the the courts. If you remember it was tried previously but the police were not interested.

Parish Council formal response:

Law is established 2 ways. Through legislation made in Parliament and Case Law, which on occasions, will interpret and define the parameters how parliamentary legislation is applied. Collectively, these are the laws of this country, which we, the people are required to follow.

The Upper Tribunal considered the case between Devon CC and Dransfield. The Upper Tribunals approach to defining vexatious behaviour was considered through 4 broad issues. This decision was subsequently upheld in the Court of Appeal. This is the law that defines vexatious behaviour, which the ICO applies to reach its decisions in these matters and this is acknowledged by the parish council. Sections 14 and 17.6.c clearly sets out what constitutes vexatious behaviour and how and in what way this behaviour can be regulated under this Law.

To summarise, there is no legal requirement for the parish council to apply to the Courts for permission to work within existing law.

Finally, there is no record of the police advising the parish council it was attempting to operate ultra vires.

13. Members of the public questions submitted to Council

Brenda Parsons read out a statement, the subject matter is as follows:

Calder end of the cycle path has effectively washed away and there is no way there can be a cycle path along this route

Acknowledged Cllr Grahams efforts regarding the traffic issues caused by Sellafield staff and its contractors. Cllr Graham provided an update on the latest meeting and Sellafield would endeavour to control on contractors with requirements in their contract regarding indiscriminate and selfish parking. However, Sellafield was of the opinion, whilst its intranet contained notices to staff regarding the problems indiscriminate parking creates in not just Seascale, but also Gosforth, St Bees and Ponsonby (and confirmed by Cllr Spokes), admitted what staff did off site was beyond its control. This was not accepted by B Parsons and believed they do have control regarding the use of the village car park. The Parish Council advised some contractors do live in Seascale and local businesses also rely on their trade.

Stated Seascale village was losing its identity and referred to 'Street 73'. She was advised this street is in Sellafield.

Brenda Parson was in the tunnel from the beach up the Dell and having difficulty putting the lead on one of her dogs when it reacted to a cyclist, resulting in the rider falling of his bike. He expressed anger and swore. She stated another member of the public suggested that language was not necessary. A member of the Council asked shouldn't the dogs be controlled by being on the lead, and in doing so, may have prevented the incident? Brenda Parsons believes the tunnel from the beach up to the Dell should not be used as a cycle path.

During this statement reading, the Chair advised she had exceeded the 4-minute period, and asked if she had any questions? There were no questions in the remaining statement that was read out.

The Chair declared the meeting closed

14. Date of forthcoming meetings

Full Council 5th January 2022