

LPC

LAZONBY PARISH COUNCIL – WORKING FOR THE COMMUNITY

Clerk to the Council: Rebecca Wyatt, 15 Dunfell View, Kirkby Thore, Penrith, Cumbria CA10 1UT

Tel: 0843 2894416

Website: www.lazonbyparishcouncil.org

Email: LazonbyPC@googlemail.com

A NOTICE TO:

All Members of Lazonby Parish Council and to all Lazonby Parishioners.

Date: Friday 2nd October 2015.

Dear Sir/Madam,

There will be a Meeting of Lazonby Parish Council on **Wednesday 7th October 2015, in the Jubilee Rooms, Lazonby Village Hall, at 7.30 pm.** The Agenda for the Meeting is enclosed and you are hereby summoned to attend.

The Agenda for the Meeting is set out as below.

Yours faithfully,

Rebecca Wyatt
Clerk to the Council.

AGENDA

ITEM NO:	ITEM	RECOMMENDATIONS, CONSIDERATIONS & ACTIONS.
1.	Apologies for absence.	TO RECEIVE any apologies for absence.
2.	The filling of Council Member Vacancies by Co-option.	TO CONSIDER nominations to fill the Council Member vacancies left unfilled at the election by reason of insufficient nominations.
3.	Requests for Dispensations.	TO RECEIVE any requests received by the Clerk since the previous meeting for dispensations to speak and/or vote on any matter where a member has a disclosable pecuniary interest.
4.	Declaration of Interest.	TO RECEIVE any Declarations by elected and co-opted Members of any Personal or Prejudicial Interests relating to any items on the agenda for this meeting. Members are invited to declare any personal interests they may have relating to any item on the Agenda and, having done so, to consider whether they also have a prejudicial interest in that item. Members are also reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registerable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting.) Members may, however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registerable or other interests. <i>If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote, he/she is advised to contact the clerk at least 48 hours in advance of the meeting.</i>

		<p><u>A note from the Clerk to the Council.</u> <i>A personal interest might be reasonably regarded as one which might affect a member's wellbeing, financial position, or business (which would be a 'direct' interest, as it impacts on the member directly); or that of a relative or friend (which would be an 'indirect' interest) to a greater extent than that of other council tax payers, ratepayers or other inhabitants of the area.</i> <i>A personal interest will also be a prejudicial interest if a member of the public, who knows the relevant facts, would reasonably think that a member's personal interest is so significant that it is likely to prejudice his / her judgement of the public interest.</i></p>
5.	Matters of Urgency.	<p>TO CONSIDER any matters on grounds of urgency which arrived too late to be otherwise placed on the agenda and/or are determined by certain deadlines.</p> <p><u>Please Note:</u> This item can be used to raise any 'matters of urgency', even if the matter is to be discussed later in the agenda under a related item heading. For example: planning applications which were received after the agenda was issued in order to meet the 21 day deadline. These will then be dealt with in the appropriate agenda item.</p>
6.	Minutes of the Council Meeting of the 2nd September 2015.	<p>RECOMMENDATION that the minutes of the Parish Council meeting on the 2nd September 2015 be approved and signed as a true record of those proceedings. <u>Note: Please see Appendix 6a.</u></p>
7.	Matters Arising from the Minutes of the Council Meeting of the 2nd September 2015.	TO CONSIDER any matters arising from the minutes of the 2nd September 2015
	15/108 - Grass Cutting in Scaur Lane.	TO RECEIVE an update about grass cutting issues in Scaur Lane and in other areas in the parish.
	15/137 - Photocopier Lease Review.	TO RECEIVE an update on the lease of a new photocopier.
	15/138 - Request to hold a Training Event on the Planning Process.	TO RECEIVE an update regarding the holding of a 'Training Event on the Planning Process' now the event has been held.
	15/163 - Local and National races.	TO RECEIVE an update about the Tour of Britain 2015 Cycle Race.
	15/152 - Report from County Councillor Hilary Carrick.	TO RECEIVE an update about the drainage system for the Story Homes housing development.
	15/169 - Footpath to Garthfold Farm.	TO RECEIVE an update about the unstrimmed footpath at Garthfold Farm.
	15/170 - Town and Country Planning Act 1990 Appeal under section 78 for Planning Application 14/0919.	<p>TO RECEIVE an update about the Town and Country Planning Act 1990 Appeal under section 78 for Planning Application 14/0919 (behind the Lilacs).</p> <p><u>Report of the Clerk to Council.</u> Following the September meeting of the Parish Council the Clerk wrote a letter of complaint to the Planning Inspectorate, on behalf of the Parish Council, regarding the handling of the Appeal for Planning Application 14/0919, after it was brought to the Council's attention that parishioners who were also making representation were hindered by the fact that the wrong correspondence Email was given. Also Emails with attached files (photographs mainly) had been bouncing back due to file size requirements but no guidance had been given out about file sizes. The Clerk also requested that an extension be given on the deadline to give responses, and the correct Email address be given out as well as guidance about files sizes to send attachments. To date the Clerk has not</p>

		had a reply.
	15/190 - Overgrown pavement, Seat and damaged Bus Stop Sign - Armathwaite Rd End.	TO RECEIVE an update about the Overgrown pavement, Seat and damaged Bus Stop Sign at Armathwaite Road End of the A6.
	15/193 - Community Oil Buying Groups.	TO RECEIVE an update about the possibility of a Community Oil buying group being set up in Lazonby.
8.	Public Participation.	TO RECEIVE any contributions from the parishioners relating to: a) Any item on the agenda; b) And any other parish-related matter which they may wish to raise.
9.	Fibre Optic Broadband.	TO RECEIVE an update regarding Fibre Optic Broadband from Brian Smythe.
10.	Report from the District Councillor Gordon Nicolson.	TO RECEIVE a report from the District Councillor Gordon Nicolson about Eden District Council matters affecting the Parish.
11.	Report from County Councillor Hilary Carrick.	TO RECEIVE a report from County Councillor Hilary Carrick about County Council matters affecting the Parish.
12.	Lazonby Parish Projects:	
	a. Registration of Parish Land.	TO RECEIVE an update regarding the registration of Parish land.
	b. Will Pool Project.	TO RECEIVE an update regarding the path to Will Pool and the possible funding possibilities to achieve this.
	c. Neighbourhood Plan.	TO RECEIVE an update regarding the implementation of a Neighbourhood Plan.
	d. Street lighting in the Parish.	TO RECEIVE an update regarding the Street lighting in the Parish. <u>Report of the Clerk to Council.</u> The Council received a letter regarding the Village Hall Light from the Village Hall Management Committee. The possibility of a Solar powered light has also been suggested as a possible gift to the parish and as a trial of new technology. <u>Note: Please see Appendix 12d.</u>
	e. Scaur Close Green.	TO RECEIVE an update on the revamp of the Scaur Close green.
	f. Recycling Centre and Eden Bridge Car Park.	TO RECEIVE an update on the maintenance of the Eden Bridge Car Park surface.
	g. Community Play Ground.	TO RECEIVE an update about the ownership and maintenance of the Community Playground. <u>Report of the Clerk to Council.</u> Jill Eastham, the Chairperson of Lazonby & District Swimming Pool, has been in contact over the issue of whether they wish to transfer the 'lease' of the Community Playground to the Parish Council. The Management Committee has now considered it at their last meeting and has said that as the land involved is part of an area of land that includes a field and the Camp Site as well as the Community Playground, the Committee feels that they need to seek legal advice on transferring a part of the original area of land 'conveyed' to the Pool. Once they have this advice the Committee will consider the transfer issue and be in touch to advise the Parish Council of any outcome.

	h. Creating a 'Child friendly' Village.	TO CONSIDER the possible use of the parish sports playing field as a more child friendly space and the funding possibilities to achieve this.
13.	Financial Report by the Treasurer.	TO RECEIVE the Financial Report of the Treasurer. <u>Note: Please see Appendix 13a.</u>
14.	Authority for Payments.	TO CONSIDER any requests for payment received by the Treasurer, Clerk or Council Members.
15.	Planning Applications – New (or Appeal).	<p>TO CONSIDER any new applications which have been issued for consultation by Eden District Council.</p> <p><u>1. Consultation on a Mineral County Matter Application for Planning Permission</u></p> <p>Ref No: 3/15/9008 Location: Scratchmill Scar Quarry, Lazonby Fell, Plumpton, Penrith, Cumbria, CA10 1BY Proposal: Section 73 planning application to vary Conditions 1 & 23 of planning permission 3/00/9015 in order to extend the timescale for mineral working by 15 years, to 30 January 2031 and amend the working and restoration scheme.</p> <p>And</p> <p>Ref No: 3/15/9009 Proposal: Section 73 planning application to vary Conditions 1 & 23 of planning permission 3/00/9016 in order to extend the timescale for mineral working by 15 years, to 30 January 2031 and amend the working and restoration scheme.</p> <p>2. Planning Application No: 15/0808 - (Full Application) Proposed side extension, at Braeside House, Lazonby, Penrith CA10 1AT</p> <p>3. Planning Application No: 15/0838 - (Full Application) Proposed garden room, at Bridge House, Lazonby, Penrith CA10 1BL.</p> <p><u>Please Note:</u> At the time of this Agenda being issued there were no further New Planning Applications received. However, if any New Planning Applications reach the Clerk to the Parish Council between the Agenda being issued and the Meeting itself, then the Clerk and the Chair will consider if it is appropriate to introduce them to the meeting; or if it may be necessary to convene a meeting of the Planning Committee. These will be initially introduced under the 'Matters of Urgency' item on this agenda to then be further discussed in this item of the agenda.</p> <p>ALSO TO RECEIVE a Planning Committee report for approval regarding the following Planning Applications, which were considered by the Planning Committee by Email, with written notification to parishioners via the parish notice boards, in September 2015. The Parish Council gave a NO OBJECTIONS response to both the following planning applications:</p> <p>1. Planning Application No: 15/0768 - (Listed Building) Listed Building consent for the proposed development of the following: Reconfiguration of outdoor store area to create a new boiler house and associated works. Change of use of 'School House' from Class C3 to D1.</p> <p>2. Planning Application No: 15/0767 - (Full Application) Proposed reconfiguration of outdoor store area to create a new boiler house and associated works. Change of use of school house from C3</p>

(dwelling house) to D1 (non-residential institution).

Note: Please see Appendix 15a.

16.	Planning Applications – Decisions.	<p>TO RECEIVE any decisions on Planning Applications which have been issued by Eden District Council.</p> <p>1. Planning Application No: 15/0466 - (Full Application) Siting of playground equipment (part retrospective), at Cumbria County Council Lazonby C of E School, Lazonby, Penrith CA10 1BL - GRANTED.</p> <p><u>Please Note:</u> At the time of this Agenda being issued there were no further Planning Application Decisions received. However, if any Planning Application Decisions reach the Clerk to the Parish Council between the Agenda being issued and the Meeting itself, they will be presented at the Meeting.</p>
17.	Police up-date.	<p>TO RECEIVE a report from the local Community Police, including any Neighbourhood Alert bulletins.</p> <p>1. Penrith Rural Newsletter for the Police - August 2015.</p>
18.	Lazonby Fire/Rescue Service.	<p>TO RECEIVE a report from the Lazonby Fire/Rescue Service, including any neighbourhood Alert Bulletins.</p>
19.	Housing issues and Development in the Parish.	<p>TO RECEIVE an update regarding the Barton Dale signs.</p> <p>TO CONSIDER any other issues relating to housing issues in the parish.</p>
20.	Traffic and Parking Issues in the Village.	<p>TO RECEIVE an update on the removal of the parking restrictions and lines outside the lofts.</p> <p>ALSO TO RECEIVE an update about the issue of speeding traffic passing the school and possible traffic calming measures.</p>
21.	LPC Cumbria Highways Link Person Report.	<p>TO RECEIVE a report on any other issues that have arisen since the last Council meeting concerning Cumbria Highways.</p>
22.	Plastic Recycling Cage at Eden Bridge Car Park Recycling Centre.	<p>TO CONSIDER what to do with the plastic recycling cage at Eden Bridge car park recycling centre which was recently removed due to the ceasing of plastic recycling.</p> <p><u>Report of the Clerk to Council.</u> Matthew buckle from Cumbria Waste contacted the Clerk to say that the plastics recycling cage was being removed and who owned the cage and what did the Parish Council want to do with it? The Clerk also spoke to EDC about the recycling cage who said they did not ask for the plastic recycling cage to be removed. Apparently it was Cumbria Waste Management that made the decision because it was deemed as not being viable anymore. EDC did look into taking it over but also came to the conclusion that it was not viable because of the doorstep collection. The original contract for the plastic cage was made between the Parish Council and Eden Community Recycling, and then Cumbria Waste Management took over from Eden Community Recycling and hence the emptying of the plastic cage. Also the recycling centre agreement which ran from 2009 until 2014 still carries on as it is, until EDC get in touch again about renewing it once they have looked into everyone's agreements because some parishes need renewal at different times.</p>
23.	Fishing Permit Request	<p>TO CONSIDER a request for a free fishing permit for a resident of KO.</p> <p><u>Report of the Clerk to Council.</u></p>

		<p>The Kirkoswald parishioner wrote to the Clerk and Treasurer "I have been a resident in KO for 28 years and continue to served Lazonby as a First Responder for 6 years. We also attend Lazonby Nursery with our Grandson who is in our charge and support the village in many other ways".</p>
<p>24.</p>	<p>Invitations to Participate.</p>	<p>TO CONSIDER if Council Members would like to comment, take part in, attend, or send a representative to the following:</p> <ol style="list-style-type: none"> 1. The Nuclear Decommissioning Authority through the developer Radioactive Waste Management have published a consultation document "the draft National Geological Screening Guidance" The consultation is open until the 4th December 2015 and comments must be received by this date. 2. NALC consultation regarding a new national improvement strategy for town and parish councils. The deadline for responses is 6th November 2015. <p><u>Please Note: Some of this information may have already been given out on Email to Councillors.</u></p>
<p>25.</p>	<p>INFORMATION given for reference only.</p>	<p>TO RECEIVE and note any information that has been given out for reference only:</p> <ol style="list-style-type: none"> 1. ACTion with communities in Cumbria: Rural Briefing on Rural Patient Transport - August 2015. 2. CALC Circular - September 2015. 3. Latest NALC legal briefings and the updated Legal Topic Notes as follows: <p>Legal Topic Note (LTN) 35-Contracts has been amended LTN 35 now includes new guidance about breach of contractual obligations. Guidance about the Public Contracts Regulations 2006, now repealed, has been removed. The revised LTN can be found by following this link - http://www.nalc.gov.uk/library/members-library/legal-topic-notes/contract/1674-35-contracts-july-2015-1/file</p> <p>A new Legal Topic Note, LTN 87- Procurement has been published. LTN 87 includes new guidance about the Public Contracts Regulations 2015. The revised LTN can be found by following this link - http://www.nalc.gov.uk/library/members-library/legal-topic-notes/contract/1676-87-procurement-july-2015-1/file</p> <p>(NEW) Legal Briefing ref L05-15 explains the impact of the Public Contracts Regulations 2015 on the standing orders and financial regulations adopted by a council. The new briefing can be found by following this link - http://www.nalc.gov.uk/library/members-library/briefings/contract-1/1679-l05-15-public-contracts-regulations-2015-impact-on-standing-orders-adopted-by-councils-july-2015/file</p> <p>Revised Legal Topic Notes – LTN15, 23, 42 LTN 15- Legal Proceedings, LTN 23- Health and Safety and LTN 42-Occupiers' Liability have been updated to, where appropriate, cross reference either LTN 35 or the new LTN 87.</p>

		<u>Please Note: Some of this information may have already been given out on Email to Councillors.</u>
26.	Date of the Next Meeting.	RECOMMENDATION that the date of the next scheduled meeting be Wednesday 4th November 2015, at 7.30 pm, in Lazonby Village Hall.

INFORMATION EXCHANGE:

Please note that following the Council meeting there will be a 15 minute period where members can exchange information of a general nature. As items raised are NOT on the Agenda they will not be minuted.

Longstanding matters that will return to either the next month's Parish Council Meeting's Agenda or in due course:

- 15/126 - Lazonby Parish Projects: e. Footpath between Lazonby and Kirkoswald.

LAZONBY PARISH COUNCIL
October 2015 Meeting of the Parish Council
SUPPLEMENTARY APENDICES

ITEM NO: (Appendix)	ITEM
6a.	Minutes of the Council Meeting of the 2nd September 2015.
12d.	d. Street lighting in the Parish.
13a.	Financial Report by the Treasurer.
15a.	Planning Applications – New (or Appeal).