

LPC

LAZONBY PARISH COUNCIL – WORKING FOR THE COMMUNITY

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A NOTICE TO:

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

Date: Friday 1st April 2016.

Dear Sir/Madam,

There will be a Meeting of Lazonby Parish Council on **Wednesday 6th April 2016, 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.	TO CONSIDER nominations to fill the Council Member vacancies by Co-option, which were 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.

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.

A note from the Clerk to the Council.

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.

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.

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 March 2016.	<p>RECOMMENDATION that the Minutes of the Parish Council meeting on the 2nd March be approved and signed as a true record of those proceedings.</p> <p><u>Note: Please see Appendix 6a.</u></p>
7.	<p>Matters Arising from the Minutes of the Council Meeting of the 2nd March 2016.</p> <p>15/152 - Report from County Councillor Hilary Carrick.</p> <p>15/170 - Town and Country Planning Act 1990 Appeal under section 78 for Planning Applic. 14/0919.</p> <p>15/190 – Overgrown pavement, Seat and damaged Bus Stop Sign - Armathwaite Rd End.</p> <p>15/244 - Wall at Bank Foot.</p> <p>15/257 – Public</p>	<p>TO CONSIDER any matters arising from the Minutes of the Council Meeting of the 2nd March 2016.</p> <p>TO RECEIVE an update about the resurfacing of Scaur Lane.</p> <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> The Clerk wrote to the Planning Inspectorate to complain about not receiving notification about the Lilacs Appeal. Amanda Hawkings, Planning Casework Team Leader, replied to say that she had passed the letter to their complaints department who deal with post decision correspondence. Amanda also went onto to say that on a procedural point they only send copies of decisions to third parties that have requested a copy, it is not an automatic process and that that there does not appear to be any requests for copy of the decision in the representations we have received. Amanda also said that the complaints department will be in touch shortly. The Clerk replied to say that the Council did not know that they had to make a formal request. The Clerk is still waiting on a reply from the complaints department.</p> <p>TO RECEIVE an update about the damaged Bus Stop Sign at Armathwaite Road End of the A6.</p> <p>TO RECEIVE an update on the collapsed Wall at Bank Foot.</p> <p>TO RECEIVE an update about the Advertisement Banner at Lazonby Train</p>

Participation - Advertisement Banner at Lazonby Train Station.	Station.
16/21 - Fishing Sign Replacement.	TO RECEIVE an update about the Fishing Sign Replacement.
16/22 - Copper Beech Tree at Croglin Designs.	TO RECEIVE an update about the Copper Beech Tree at Croglin Designs.
16/23 - Low Plains Quarry Update.	TO RECEIVE an update about Low Plains Quarry.
16/38 – Financial Report by the Treasurer.	<p>TO RECEIVE an update about changing the purpose of the original Parish Council grant offer to Lazonby School from a climbing frame to an outdoor sand pit.</p> <p><u>Report of the Clerk to Council.</u> As agreed at the March 2016 meeting of the Parish Council the Finance & Budget Committee were asked to discuss via Email the issue of changing the purpose of the original Parish Council grant offer from a climbing frame to an outdoor sand pit; and then to bring their recommendations back to the April 2016 meeting of the Parish Council. The Committee decided that they had no objection to the request from the Acting Head of Lazonby School to use the grant money for a sandpit rather than the original request for a climbing frame.</p> <p>TO RECOMMEND that the Members of the Finance & Budget Committee be asked to confirm that an E Mail exchange took place to agree to the issue of changing the purpose of the original Parish Council grant offer from a climbing frame to an outdoor sand pit.</p> <p>ALSO TO RECOMMEND that the Council agree to the request from the Acting Head of Lazonby School to use the grant money for a sandpit rather than the original request for a climbing frame.</p>
16/47 - Closure of Railway between Carlisle and Appleby.	TO RECEIVE an update about the closure of the Railway between Carlisle and Appleby.
16/49 - Parish Field and Grazing to Let.	<p>TO RECEIVE an update about the Parish Field and grazing to let for 2016.</p> <p>ALSO TO RECOMMEND that the Members be asked to confirm that an E Mail exchange took place to agree to and confirm that they gave authority to the Chair Councillor Virginia Minihan and the Clerk to the Council to open the bids received for the grazing on the Parish playing field and make any decisions in relation to the letting from the 1st April 2015.</p> <p><u>Report of the Clerk to Council.</u> The Clerk has put posters up and also given one to the previous bidder. However, since the March 2016 meeting of the Parish Council the Chair Councillor Virginia Minihan and the Clerk to the Council have be given the authority by the Council to open the bids received for the grazing on the Parish playing field and make any decisions in relation to the letting from the 1st April 2015, and then bring back the decision on the winning bidder to the next meeting of the Parish Council in April 2016.</p>
16/50 - Dog fouling in the Village.	TO RECEIVE an update about the dog fouling in the village.

8.	Public Participation.	<p>TO RECEIVE any contributions from the parishioners relating to:</p> <p>a) Any item on the agenda; b) And any other parish-related matter which they may wish to raise.</p> <p><u>Report of the Clerk to Council.</u> The Chair has received an email from Sheila Fletcher asking whether the Parish Council would give her permission to clear up the debris left after the recent floods, on the Parish Council land leading up to the bridge. The Chair emailed the rest of the Council who agreed and then sent Mrs Fletcher an email thanking her and giving her permission to clear up the flood debris. It was also suggested that she might like to get some of the other villagers involved.</p>
9.	Fibre Optic Broadband.	<p>TO RECEIVE an update regarding Fibre Optic Broadband from Brian Smythe.</p>
10.	Report from the District Councillor Gordon Nicolson.	<p>TO RECEIVE a report from the District Councillor Gordon Nicolson about Eden District Council matters affecting the Parish.</p>
11.	Report from County Councillor Hilary Carrick.	<p>TO RECEIVE a report from County Councillor Hilary Carrick about County Council matters affecting the Parish.</p>
12.	<p>Lazonby Parish Projects:</p> <p>a. Registration of Parish Land.</p> <p>b. Neighbourhood Plan.</p> <p>c. Street lighting in the Parish.</p> <p>d. Scaur Close Green.</p> <p>e. Community Play Ground.</p>	<p>TO RECEIVE an update regarding the registration of Parish land.</p> <p>TO RECEIVE an update regarding the Neighbourhood Plan.</p> <p>TO RECEIVE an update regarding the Street lighting in the Parish.</p> <p>TO RECEIVE an update regarding the Scaur Close Green triangle project.</p> <p><u>Report of the Clerk to Council.</u> Parishioners and project volunteers Geoff Wilson and Rob Sim have installed a couple of notices telling parishioners what's going on at the Scaur Close Green, and where funding has come from. These were printed by the Clerk on waterproof paper supplied by Geoff Wilson.</p> <p>TO RECEIVE an update about the Community Playground.</p> <p><u>Report of the Clerk to Council.</u> Councillor Virginia Minihan sent Jill Eastman, Chair of the Lazonby & District Swimming Pool, a copy of the Plan that was sent to the Land Registry showing that the land used as the Swimming Pool car park and access to the campsite was not owned by the Parish Council but was land claimed from the river and as such was not 'owned' by anyone.</p> <p>ALSO TO CONSIDER the following correspondence from Jill Eastman, Chair of the Lazonby & District Swimming Pool:</p> <p><i>"In assessing the needs and costs for the Management and Insurance of the Community Play Park for Lazonby Pool's take back of responsibility for the Play Park from 1st April 2016, we have some concerns that we wish to raise with Lazonby Parish Council, please:</i></p> <p>1. <i>The costs for managing the Play Park have 'shocked' us and we are very</i></p>

		<p>concerned that the Pool will not be able to sustain meeting these ongoing costs without outside funding. I have attached a breakdown of costs for the period to 16 June 2016 which is when our Insurance Policy is due for renewal and also the estimate for Annual Running Costs. Our Insurance Company has not released details of the renewal premium yet- but we expect these and the insurance excess to rise in light of the recent flooding and damage this winter. So our annual costs are just an estimate at present. We are attending a Funding Fair in April and will get advice on what might be available to support our running costs of the Play Park. We are aware that the Parish Council has offered a £500 ex gratia payment this year but also that the Council had asked to be advised of projected running costs so we would be grateful if these could be taken into account in the future. <u>Note: Please see Appendix 12a.</u></p> <p>2. In securing Insurance to cover Public Liability Insurance from 1st April 2016, our Insurers have set a condition that any existing damage to Play equipment as listed in previous EDC inspections should be repaired to make the policy valid. We have made our own inspection of the faults listed by EDC and the 'frayed' areas on the 'Pick-up Sticks' are revealing bare wire. In consulting Wicksteed's for advice – please see their response below. Obviously as the Parish Council is handing over this piece of equipment with this fault, we would welcome the Parish Council meeting the costs of replacing the 'Spider Net' and any associated costs for removing/ re-installing and cordoning off the area whilst the item is replaced. <u>Note: Please see Appendix 12b.</u></p> <p>We would be grateful for the Parish Council's response as soon as possible as we are concerned about the impact of the above on the validity of our Insurance Policy, please."</p>
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> <ol style="list-style-type: none"> 1. Planning application No: 16/0174 - (Outline Application) Outline planning application for a detached dwelling and garage, at Ingle Neuk, Lazonby CA10 1AJ. 2. Planning application No: 16/0196 – (Listed Building) Listed building consent for reconfiguration of the outdoor store area to create a new boiler house and associated works, at Lazonby C of E School, Lazonby, Penrith CA10 1BL. <p>Please Note: At the time of this Agenda being issued there were no further 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>
16.	Planning Applications – Decisions.	<p>TO RECEIVE and be NOTED decisions on Planning Applications which have been issued by Eden District Council.</p> <p>Please Note: At the time of this Agenda being issued there were no further Planning Application Decisions received. However, if any Planning Application</p>

Decisions reach the Clerk to the Parish Council between the Agenda being issued and the Meeting itself, they will be presented at the Meeting.

17.

Police up-date.

TO RECEIVE a report from the local Community Police, including any Neighbourhood Alert bulletins.

1. PCC elections 2016 - England and Wales to elect new police and crime commissioners. On 5th May 2016, people in England and Wales (except in London and Greater Manchester where the Mayor has responsibility for policing) will take to the polls to elect a new police and crime commissioner (PCCs) for their local police force area. You can find information about the candidates standing for election in your police force area at [ChooseMyPCC website](http://ChooseMyPCC.org.uk). PCCs are elected to hold the police to account for delivering the kind of policing you want to see. Their aim is to cut crime and to ensure your police force is effective. They are there to ensure the policing needs of the public are met as effectively as possible and to oversee how crime is tackled by the police. They bring a public voice to policing and do this by:

- engaging with the public and victims of crime to help set police and crime plans;
- ensuring the police force budget is spent where it matters most; and
- appointing, and where necessary dismissing, the chief constable.

Represent the entire community:

PCCs are required to swear an oath of impartiality when they are elected to office. The oath is designed so that PCCs can set out publicly their commitment to tackling their new role with integrity. It reflects the commitment police officers make to serve every member of the public impartially and makes clear that they are there to serve the people, not a political party or any one section of their electorate.

Have your say and make your voice heard. **Vote for your police and crime commissioner on 5th May**. Go to choosemypcc.org.uk to find out who's standing in your area. Posters have gone up on the Parish Notice boards.

		<u>Please Note: This information has been given out on Email to Councillors.</u>
18.	Lazonby Fire/Rescue Service.	TO RECEIVE a report about the Lazonby Fire/Rescue Service, including any neighbourhood Alert Bulletins.
19.	Housing issues and Development in the Parish.	TO RECEIVE an update regarding the Barton Dale signs. TO CONSIDER any other issues relating to housing issues in the parish.
20.	Traffic and Parking Issues in the Village.	TO CONSIDER any traffic or parking issues in the village.
21.	LPC Cumbria Highways Link Person Report.	TO RECEIVE a report on any other issues that have arisen since the last Council meeting concerning Cumbria Highways.
22.	Future Delivery of Agendas and Paperwork.	TO RECEIVE an update about the future delivery of the agenda and paperwork. <u>Report of the Clerk to Council.</u> As discussed at previous meetings of the Parish Council, the clerk is aiming to send future agendas and associated paperwork by Email instead of hand delivering agendas. Hard copies of the agenda will be available at the meeting so no Councillors have to print them off and bring them. The notice boards will still have the agenda posted up, as will the Parish Council website as normal. The only dilemma the Clerk has at present is that several parishioners who request agendas may not have Email facilities so the Clerk has asked CALC for advice about this, and there is no obligation to continue to give them a hard copy as the Parish Council put it on the parish notice boards and their website.
23.	Application for Temporary Road Closure.	TO RECEIVE an application for a temporary road closure at C3002 Salkeld Road, Penrith reading the installation of new drains and sewers by Story Homes. <u>Description/location of the works:</u> C3002 Salkeld Road, Penrith from its junction with the U3491 Fairhill Close extending in a predominantly north easterly direction for approximately 300m up to its junction with the U3486 Green Lane. <u>Operational date and duration of order:</u> Operating From: 20 th May 2016 for 4 weeks. <u>The Alternative Route is:</u> <u>South West Bound Traffic</u> Diversion Via: Unrestricted Section of the C3002, C3018, B6413 To Plumpton, A6 To Penrith and Unrestricted Section of the C3002 Salkeld Road. <u>North East Bound Vehicular Traffic:</u> Travel in the reverse direction of above: A way for pedestrians and dismounted cyclists will be maintained at all times.
24.	Adoption of New NALC Model of the Financial Regulations.	TO CONSIDER the adoption of the update to the Model Financial regulations. <u>Report of the Clerk to Council.</u> Following feedback from NALC County Officers and Member Councils, and Legislative changes the Model Financial Regulations (MFRs) have been amended to take account of the following: 1. MFR 1.6 has been amended to provide for the possibility of disciplinary

		<p>action in the event of breach of the Regulations, rather than a definitive statement as to gross misconduct</p> <p>2. MFR 6.4 has been re-written to apply more generally than merely in respect of disclosable interests.</p> <p>3. Incorporation of the specific requirements of The Public Contracts Regulations 2015. <u>Note: Please see Appendix 24a.</u></p> <p>PLEASE NOTE: The Parish Council will need to ensure that they include any of their previous amendments to this updated version.</p>
25.	Printing of the Parish Council Newsletter.	<p>TO CONSIDER the continuation of the colour printing of the Parish Council Newsletter due to increased costs of printing.</p> <p><u>Report of the Clerk to Council.</u> The Clerk and Treasurer received the first bill from Midshire for the photocopiers and printing copies, which showed that the colour printing of the Parish Council Newsletter to work out quite expensive versus the black and white version. Therefore, the Clerk would like to ask the Council if they wish to continue the colour printing or return to back and white. The colour does improve the look of the Newsletter but does this justify the cost.</p>
26.	Parish Council Website.	<p>TO RECEIVE a report about the spam problems that the Parish Council Website has had in recent weeks.</p> <p><u>Report of the Clerk to Council.</u> Some Councillors and the Clerk have noticed that they have been getting an increased amount of spam which seems to be coming through the Parish Council Website. The Parish Council webmaster has been on the case and been working hard to correct this. He believes that he has now solved the problem but will monitor it for the next few weeks to make sure</p>
27.	Invitations to Participate.	<p>TO CONSIDER if Council Members would like to comment, take part in, attend, or send a representative to the following:</p> <p>1. A letter regarding the Queens 90th Birthday Beacons - Norman Thompson has written to Parish Council regarding the arrangements for the Queen's birthday celebrations on 21st April 2016:</p> <p><i>"As you are no doubt aware Her Majesty The Queen will celebrate her 90th birthday on the 21st April 2016 and events are being organised to celebrate her birthday. I have been requested by the Lord-Lieutenant to co-ordinate the Beacons for the county. With this in mind I am asking you to consider organising a beacon in your area or using your contacts with other organisations to encourage them to become involved and arrange beacons. Other organisations will be involved in the celebrations and I am sure that we as members of the Lieutenancy will support events. Full details can be found on the web site, www.brunopeek.co.uk. I feel sure that many of us will participate as we did for the Queen's Diamond Jubilee. The beacons will be lit between 7-15 and 8-30pm on 21 April. Registration dates for public events must be received by Bruno Peek by 10 April and for private events by 14 April."</i></p> <p>2. The County Council's environment flood recovery group is continuing their work to address the issue of flood sludge / gravel deposits on non-agricultural land. A number of requests for help from members of the public have been sent to a variety of places (including to the Environment Agency). Cumbria County Council is trying to find</p>

		<p>out exactly where the issues are and what sort of response / support is required. They are currently compiling a list of where these deposits are in order to co-ordinate their response and are keen to make sure they are aware of every problem across the county. To this end, they have asked if parish councils are aware of any flood deposits remaining within their area to let them know so that they can add it to their lists. If the Parish Council are aware of any such issue within the parish, please could they send information on the nature of the problem and the precise location of the problem directly to ian.stephenson@cumbria.gov.uk</p> <p><u>Please Note: Some of this information may have already been given out on Email to Councillors.</u></p>
28.	INFORMATION given for reference only.	<p>TO RECEIVE and note any information that has been given out for reference only:</p> <p>1. NALC Legal Briefing – March 2016 – Section 137 Expenditure: Limit for 2016/2017.</p> <p><u>Please Note: Some of this information may have already been given out on Email to Councillors.</u></p>
29.	Date of the Next Meeting.	<p>RECOMMENDATION that the date of the next scheduled meeting be Wednesday 4th May 2016, at 7.30 pm, in Lazonby Village Hall.</p>

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.