

# LPC

## LAZONBY PARISH COUNCIL – WORKING FOR THE COMMUNITY

**Clerk to the Council:** Rebecca Wyatt, 15 Dunfell View, Kirkby Thore, Penrith, Cumbria CA10 1UT  
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### A NOTICE TO:

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

Date: Friday 28<sup>th</sup> September 2018.

Dear Sir/Madam,

There will be a Meeting of Lazonby Parish Council on **Wednesday 3<sup>rd</sup> October 2018, in the Jubilee Room, 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.	<b>Apologies for absence.</b>	<b>TO RECEIVE</b> any apologies for absence.
2.	<b>The filling of Council Member Vacancies.</b>	<b>TO CONSIDER</b> nominations to fill the three Council Member vacancies by Co-option following recent Councillor resignations.
3.	<b>Requests for Dispensations.</b>	<b>TO RECEIVE</b> 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.	<b>Declaration of Interest.</b>	<b>TO RECEIVE</b> any Declarations by elected and co-opted Members of any Personal or Prejudicial Interests relating to any items on the agenda for this meeting.  <i>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</i>

		<p><i>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.</i></p> <p><b><u>A note from the Clerk to the Council.</u></b>  <i>A <b>personal interest</b> 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 <b>prejudicial interest</b> 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.	<b>Matters of Urgency.</b>	<p><b>TO CONSIDER</b> 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><b>Please Note:</b> 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.	<b>Public Participation.</b>	<p><b>TO RECEIVE</b> any contributions from the parishioners relating to:</p> <ul style="list-style-type: none"> <li>• Any item on the agenda;</li> <li>• And any other parish-related matter which they may wish to raise.</li> </ul>
7.	<b>Super Fast Broadband.</b>	<b>TO RECEIVE</b> an update regarding Super Fast Broadband.
8.	<b>Report from the local Community Police.</b>	<b>TO RECEIVE</b> a report from the local Community Police.
9.	<b>Minutes of the Council Meeting of the 5<sup>th</sup> September 2018.</b>	<p><b>RECOMMENDATION</b> that the Minutes of the Parish Council meeting on the 5<sup>th</sup> September 2018 be approved and signed as a true record of those proceedings.</p> <p style="text-align: right;"><b><u>Note: Please see Appendix 9a.</u></b></p>
10.	<b>Progress Reports on Recent Actions - progress reports regarding matters from the Minutes of the 5<sup>th</sup> September 2018</b> (the list below are the main issues but in addition other issues may also be discussed from the last Minutes that are not listed here).	
	<b>a. Lease with Croglin Designs Ltd (last minute no. 18/165).</b>	<p><b>TO RECEIVE</b> an update regarding the Lease with Croglin Designs Ltd.</p> <p><b><u>Report of the Clerk to Council.</u></b>  The Tenant's Surveyor has revised the Old School Lease document and the Parish Council has seen a copy, which is believed to now cover the accrued repairs. The Tenants are to sign it and then send hard copies to the Parish Council to also sign. It has also been agreed, as set out in para 5.19, that the tenants will reimburse the Parish Council the costs of your surveyor in providing the condition report.</p>

<p><b>b. Transfer of Assets and Service to the Parish (last minute no. 18/165).</b></p>	<p><b>TO RECEIVE</b> an update regarding the 'Transfer of Assets and Services' to the Parish'.</p>
<p><b>c. Train Timetable (last minute no. 18/165).</b></p>	<p><b>TO RECEIVE</b> an update regarding the train timetables for the Parish.</p> <p><b><u>Report of the Clerk to Council.</u></b></p> <p>The Clerk sent the following letter after the September 2018 meeting of the Parish Council, to say". <i>that the Parish Council has now received 21 letters from local parishioners who have asked if the Parish Council would look into the current state of affairs with regards to the Northern Rail train service to Lazonby. They would like to know why the late service, at 8.15 pm, is not going to stop at Lazonby but will stop at Langwathby. They have also expressed the fact that Lazonby is a commuter village for Carlisle and also has Bell's Bakery and other employers who draw their workforce from a wide area; and that there is also a gap of 3 to 4 hours in the train service, around midday, which is inconvenient for residents of Lazonby who wish to use the rail service and also puts more vehicles onto the road. The parishioners have said that they believe that a more frequent service from Lazonby would benefit the community as it grows".</i></p> <p>The following response was received from Northern Rail:</p> <p><i>"Thank you for your letter, I will do my best here to answer the points made, although I think that we are not much further on than when I wrote in July. We have met with the Settle and Carlisle Development Company (S&amp;C DevCo) and the Friends of the Settle and Carlisle Line (FoSCL), in an attempt to establish what they would like to see from the train service timetable going forward.</i></p> <p><i>The stops on the late service at the three northernmost stations on the line was high on their list of priorities, as clearly we know that it is with you. We agreed to take this away to see if it could be accommodated, but warned that there is a freight train path right behind our service, therefore if it cannot be changed this request may not be easy to accommodate.</i></p> <p><i>At the time talk was had regarding if we could stop at one station which would it be, if we look at footfall alone then a preferred call at Langwathby would seem to make sense. This would not be our preference however, because it introduces an unusual stopping pattern which is likely to be confusing for our customers and traincrew alike. Therefore, we feel a service stopping at all three stations would be preferable.</i></p> <p><i>The next possible timetable intervention seems to be May 2019, we did hope for an earlier change in December this year, but Network Rail have stressed that they only changes they will permit to the December timetable must introduce train service improvements (ie make the timetable perform better). No matter how we cut, it we can't sell any possible changes on the S&amp;C in this way, therefore as I say we will suggest any changes for the May change.</i></p> <p><i>Clearly due to this freight train path, I cannot guarantee that the changes will be possible, but we will try. We will feedback any changes early in the New Year when the May timetable should be formulated."</i></p>
<p><b>d. Standing Orders (last minute no. 18/176).</b></p>	<p><b>TO RECIEVE</b> an update about the revised Parish Council's Standing Orders.</p> <p><b><u>Please Note: This information has already been circulated by Email to Councillors and a copy will be available at the meeting to view.</u></b></p>

	<b>e. Fishing Permits (last minute no. 18/169).</b>	<p><b>TO RECIEVE</b> an update about the fishing permits.</p> <p><b>Report of the Clerk to Council.</b>          Having spoken to the Regional Business Manager of Scotmid it has been explained that the company have a policy of not holding money on behalf of third parties and this is the reason why they have ceased to sell fishing permits. Apparently, this is also the policy of Post Office Ltd. Previously, fishing permit money was held in a tin under the counter. There are no exceptions to the policy therefore there will be no further permit sales at the Co-op. The Parish Council will need to now seek alternative places to sell them.</p>
11.	<b>Report from the District Councillor Gordon Nicolson.</b>	<b>TO RECEIVE</b> a report from the District Councillor Gordon Nicolson about Eden District Council matters affecting the Parish.
12.	<b>Report from County Councillor Hilary Carrick.</b>	<b>TO RECEIVE</b> a report from County Councillor Hilary Carrick about County Council matters affecting the Parish.
13.	<b>Lazonby Parish Projects:</b>	
	<b>a. Neighbourhood Plan.</b>	<b>TO RECEIVE</b> an update regarding the Neighbourhood Plan.
	<b>b. Traffic Issues Consultation.</b>	<b>TO RECIEVE</b> an update about the Traffic Issues Consultation.
	<b>c. Footpath between Eden Bridge and Lazonby Swimming Pool.</b>	<b>TO RECIEVE</b> an update on the footpath project between Eden Bridge and Lazonby Swimming Pool.
14.	<b>Financial Report by the Treasurer.</b>	<p><b>TO RECEIVE</b> the Financial Report from the Treasurer.</p> <p><b><u>Note: Please see Appendix 14a.</u></b></p>
15.	<b>Authority for Payments.</b>	<b>TO CONSIDER</b> any requests for payment received by the Treasurer, Clerk or Council Members.
16.	<b>Planning Applications – New (or Appeal).</b>	<p><b>TO CONSIDER</b> any new applications which have been issued for consultation by Eden District Council.</p> <p><b>ALSO TO NOTE</b> that the response for <b>Planning Application No: 18/0669</b> – Change of use of land to holiday lodge park with conversion of shed to ancillary visitor/administration hub, at Nord Vue farm, Armathwaite, Carlisle CA4 9TN, introduced at the September 2018 meeting of the Parish Council (after an extension to the response time was sought after the meeting) has now been submitted with the following comments:</p> <p>Lazonby Parish Council does not wish to lodge an objection to the application. However the Parish Council notes that the following comments were made by residents at a meeting of residents, the applicant and his agent on 19 September 2018;</p> <ol style="list-style-type: none"> <li>1. The visual impact of the proposed planning application;</li> <li>2. Traffic and Highway issues - the impact of increased traffic on roads adjacent to the development;</li> <li>3. The possibility of noise from the development;</li> <li>4. Details of the planting scheme and screening proposals;</li> <li>5. The applicant's intentions regarding onsite facilities eg shop,</li> </ol>

		<p>bar, restaurant;</p> <ol style="list-style-type: none"> <li>6. Measures to mitigate light pollution;</li> <li>7. Protection and preservation of flora and fauna (including bats);</li> <li>8. The proposed timescale for the development;</li> <li>9. The sale and lettings policies;</li> <li>10. The prospect of creeping future expansion of the site.</li> </ol> <p>The Parish Council welcomes the offer of the applicant and his agent to discuss these matters with local residents. The Parish Council also notes and welcomes the intention of referring the application to the Planning Committee.</p> <p><b><u>Please Note:</u></b> At the time of this Agenda being issued there were no 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. This information has already been circulated by Email to Councillors and a copy will be available at the meeting to view.</p>
17.	<b>Planning Applications – Decisions.</b>	<p><b>TO RECEIVE</b> and be <b>NOTED</b> decisions on Planning Applications which have been issued by Eden District Council.</p> <p><b><u>Please Note:</u></b> At the time of this Agenda being issued there were no 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>
18.	<b>LPC Cumbria Highways Link Person Report.</b>	<b>TO RECEIVE</b> any reports on other issues that has arisen since the last Council meeting concerning Cumbria Highways.
19.	<b>Fallen Trees at Will Pool.</b>	<b>TO CONSIDER</b> the issue of the fallen trees and damaged boundary wall after recent strong winds at Will Pool, and to determine if any action needs to be taken.
20.	<b>Training Request for CPR and using a Defibrillator.</b>	<p><b>TO CONSIDER</b> a request to host a CPR and using a Defibrillator training by providing a room and advertising the event.</p> <p><b><u>Report of the Clerk to Council.</u></b>  Recently a parishioner in cardiac arrest was thankfully saved by using a defibrillator operated by a member of his family who had received training. There are defibrillators are found in most parishes now but few people know where they are or how to use them or what to do until one arrives. So it is felt that this training would be very useful and could mean the difference between life and death.</p>
20.	<b>General Data Protection Regulations (GDPR).</b>	<p><b>TO RECEIVE</b> and update about the General Data Protection Regulations (GDPR).</p> <p><b><u>Report of the Clerk to Council.</u></b>  The Clerk attended a recent Clerks forum to discuss GDPR to discuss general practice. There are several actions that the Clerk now feels needs to be taken to ensure the Parish Council continue to be compliant. However the Clerk still has to process some of the additional information so will aim for the November 2018</p>

		<p>meeting to present it to the Parish Council. This additional information will consist of the following:</p> <ol style="list-style-type: none"> <li>1. An 'awareness check list for Councillors and staff' to be given to all Councillors and staff.</li> <li>2. A 'Subject Access Request Policy'.</li> <li>3. A ' Subject Access Request' Form.</li> </ol> <p>Also the Clerk will in the meantime be putting the following statement on the Parish Council's website to make sure all users are aware of the Parish Council's GDPR practices:</p> <p><i>"Lazonby Parish Council would like to inform you that contacting the Parish Clerk by using the contact us page on their website, or emailing LazonbyPC@googlemail.com or carrying out work on behalf of Lazonby Parish Council may result in you leaving personal information. Your personal data will be kept in compliance with the new General Data Protection Regulation (GDPR). Lazonby Parish Council will not pass your personal data to any other individual or organisation. It should be noted under the Financial Regulations &amp; Governance which Lazonby Parish Council are bound by, that some personal information is required to be minuted and available in the public domain. If you are concerned with any interaction with the Lazonby Parish Council, with regard to your personal details, please contact the Clerk. Please see the Council's Data Protection Policy and Privacy Notice on the Parish Council website."</i></p>
21.	<p><b>Changes to the Production of the Parish Council Newsletter.</b></p>	<p><b>TO CONSIDER</b> a changes to the production of the Parish Council Newsletter.</p> <p><b><u>Report of the Clerk to Council.</u></b></p> <p>Lazonby School recently contacted the Clerk to inform her of the new changes to the way Lazonby Lines will be produced, which will have a knock on effect on the Parish Council newsletter. They have a new printer which will print it out straight away and fold it at the same time instead of the pupils at the school doing it. It will mean the Clerk will be going into the school in the near future to discuss how the Parish Council newsletter can be incorporated into the publication. It was explained that the Clerk may need to increase the size of the text and pictures and put it onto four A4 pages so it can be reduced to A5. Although the Clerk is not too sure how that works at the moment hence the visit to the school as they are also still trying to work out how it will be produced. However, it will also mean paying the school the cost of paper and printing etc instead of the Clerk producing it. The other option may be to have a place in Lazonby Lines directing parishioners to the Parish Council website to read the Parish Council Newsletter.</p>
22.	<p><b>Invitations to Participate.</b></p>	<p><b>TO CONSIDER</b> if Council Members would like to comment, take part in, attend, or send a representative to any invitations to participate.</p> <ol style="list-style-type: none"> <li>1. <b>Penrith Strategic Masterplan</b> - This is a bold plan for Eden's future. It sets out a vision for how Penrith can grow over the next three decades with provision for 5,560 homes, 7,000 new jobs and three new distinctive settlements. The ideas in the Masterplan will only happen with public support so it's vital we have your input. Please visit the Beacon Villages website to complete the questionnaire before Friday 2<sup>nd</sup> November 2018. The website has links to the background research documents that have informed the Penrith Strategic Masterplan. These will also be available at</li> </ol>

		<p>our consultation events, from Eden District Council offices and local libraries.</p> <p><b>2. Sustainable Communities EALC workshop with Eden District Council</b> - This workshop aims to help local communities understand more about the sustainability support that is available to them from Eden District Council. Learn how your parish could use a housing survey to identify local need and provide dwellings through a community-led housing scheme. Be clear about material considerations when responding to planning consultations and how they relate to the Local Plan 2014-2032 that will shortly be adopted. Protect the assets that your parish residents cherish and ensure they are available for future generations through a 'right to bid' registration.</p> <p>The workshop is an opportunity to discuss these policies and procedures with colleagues from Eden District Council and understand how you can use them to benefit your parish.</p> <p style="text-align: center;"><b>Date: Wednesday 17 October 2018</b>  <b>Time: 7pm for 7.30pm start</b> (30 mins to visit information stalls)  <b>Place: Cumbria Fire and Rescue Service HQ, Kemplay Bank, Penrith CA10 2FA.</b></p> <p>Information stands will be provided by a number of partners, including Cumbria County Council and ACTion with Communities in Cumbria.</p> <p><b><u>Please Note: This information has already been circulated by Email to Councillors and a copy will be available at the meeting to view.</u></b></p>
23.	<b>INFORMATION given for reference only.</b>	<p><b>TO RECEIVE</b> and be <b>NOTED</b> any information that has been given out for reference only:</p> <ol style="list-style-type: none"> <li><b>1. September 2018 CALC Newsletter.</b></li> <li><b>2. Cumbria County Council Working Together Project Lead Briefing Paper</b> – This briefing explains the refreshed approach that Highway Services are taking to working with parish and town councils in relation to highway maintenance activities. The briefing paper refers to a new external webpage which has now been launched and is live, which will provide you with updates on the Working Together programme. The link to this page is: -   <a href="https://cumbria.gov.uk/yourcommunitysupport/workingtogether.asp">https://cumbria.gov.uk/yourcommunitysupport/workingtogether.asp</a></li> </ol> <p><i>“Cumbria County Council cabinet recently agreed to implement a refreshed approach to working with third party organisations in relation to highway maintenance activities. This will mitigate existing liabilities to the Council and enable third parties to work safely in a well-managed and co-ordinated manner. Work is ongoing relative to this refreshed approach, which will in time, enable communities the opportunity to self-help and contribute towards improving their local environment. Working Together is focused on offering two avenues which will allow for parish and town councils to be involved with administering a volunteer package and/or a lengthsman agreement. Agreed authorised work will be able to take place under either of these avenues. Activities which we will be looking to offer</i></p>

		<p><i>which fall under the volunteer scheme and the lengthsman agreement will be determined dependant on the risk level and complexity of the activity. We are delighted to know this concept has also been successfully delivered by other authorities so we are passionate that in time we will be able to do the same. A webpage has been launched which will allow individuals the ability to access the most up to date information on the current status of the project. Cumbria Association of Local Councils (CALC) will be providing this web address to their parish/town contacts."</i></p> <p><b><u>Please Note: This information has already been circulated by Email to Councillors and a copy will be available at the meeting to view.</u></b></p>
24.	<b>Date of the Next Meeting.</b>	<p><b>RECOMMENDATION</b> that the date of the next scheduled meeting be Wednesday 3<sup>rd</sup> October 2018, in the Jubilee Room, Lazonby Village Hall at 7.30pm.</p>

25.	<b>Wall at Bankfoot.</b>	<p><b>TO RECOMMEND</b> that members of the public and press who are in attendance withdraw from the meeting at this point due to the confidentiality of the matter to be discussed.</p> <p><b>TO CONSIDER</b> the next course of action regarding the collapsed wall at Bank Foot, Lazonby.</p> <p style="text-align: right;"><b><u>Note: Please see Appendix 25a.</u></b></p>
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**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.

**LAZONBY PARISH COUNCIL**  
**October 2018 Meeting of the Parish Council**  
**SUPPLEMENTARY APENDICES**

<b>ITEM NO: (Appendix)</b>	<b>ITEM</b>
9a.	Minutes of the Council Meeting of the 5 <sup>th</sup> September 2018.
14a.	Financial Report by the Treasurer.
25a.	Wall at Bankfoot – CONFIDENTIAL MINUTE.