

# LPC

## LAZONBY PARISH COUNCIL

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### Minutes

**For the Council Meeting held on Wednesday 7th October 2015, starting at approximately 7.30 p.m, in the Jubilee Rooms, Lazonby Village Hall.**

**Present:** Chair Councillor Virginia Minihan.

Councillors Christine Chamberlain, Chris Hill, Gordon Nicolson, Chris West and Peter Minihan

Also in attendance: County Councillor Hilary Carrick, the Parish Council Treasurer Chris Hoy, and Clerk to the Council Rebecca Wyatt and 5 parishioners.

Apologies for absence were received from Councillor John Judson.

ITEM / MINUTE No.	ITEM	BUSINESS
15/198	<b>The filling of Council Member Vacancies by Co-option.</b>	The Council considered nominations to fill the Council Member vacancies left unfilled at the election by reason of insufficient nominations.
		<b>RESOLVED</b> that it be noted that the Parish Council will continue to look to co-opt a new Council Member to fill the remaining position, although some initial interest has been shown.
15/199	<b>Requests for Dispensations.</b>	<b>RESOLVED</b> that it be noted that no requests were 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.
15/200	<b>Declaration of Interest.</b>	The Chair asked if there were any declarations by Council Members of any Personal or Prejudicial Interests relating to any items on the agenda for this meeting.
		<b>RESOLVED</b> that it be noted that Councillor Gordon Nicolson declared a personal interest in matters concerning Eden District Council.
15/201	<b>Matters of Urgency.</b>	The Council received two matters on the grounds of urgency which arrived too late to be otherwise placed on the agenda, and/or was determined by certain deadlines.
		<p style="text-align: center;">1. <b>Planning Application No: 15/0887</b> - (Full Application) First Floor rear extension to dwelling, at Rectory Barn, Lazonby CA10 1BL.</p> <p><b>RESOLVED</b> that Planning Application No: 15/0887 - (Full Application) First Floor rear extension to dwelling, at Rectory Barn, Lazonby CA10 1BL be considered in agenda Item 15 - Planning Applications – New (or Appeal); Minute 15/211 of the October 2015 Minutes of the Parish Council.</p>
15/202	<b>Minutes of the Council Meeting of the 2nd September 2015.</b>	The Minutes of the Council Meeting of the 2nd September 2015 were considered.
		<b>RESOLVED</b> that the Minutes of the Council meeting of the 2nd September 2015 be approved and signed as a true record of those proceedings.

15/203	<b>Matters Arising from the Minutes of the Council Meeting of the 2nd September 2015.</b>	The Council considered any matters arising from the Minutes of the 2nd September 2015.
	15/108 - Grass Cutting in Scaur Lane.	<p>The Council received an update about grass cutting issues at Scaur Lane.</p> <p><b>RESOLVED</b> that Eden District Council have now taken over the cutting of the verge on Scaur Lane as part of their parish grass cutting schedule.</p>
	15/137 - Photocopier Lease Review.	<p>The Council received an update on the lease of a new photocopier. The Council have now been given a formal contract to sign which needs to be viewed before signing and returning.</p> <p><b>RESOLVED</b> that Councillor Chris Hill read the details of the new photocopier contract before it is signed.</p>
	15/138 - Request to hold a Training Event on the Planning Process.	<p>The Council received an update regarding the holding of a 'Training Event on the Planning Process'. Fifteen people turned up to the training, which was very informative regarding the planning process, and for the Neighbourhood Plan. Handouts were given and also sent by Email. It was learnt that there are no officials to ensure that planning conditions are adhered to apart from the Parish Council themselves. There will be no planning applications sent to Parish Councils for the development of empty farm buildings but the weekly planning list can be checked on line regarding this.</p> <p><b>RESOLVED</b> that the Clerk get a copy of the conditions attached to the Lafarge Tarmac Planning Permission and the Story Homes Planning Permission, so that the Parish Council can make sure that the Conditions are being adhered to in both cases.</p> <p><b>ALSO RESOLVED</b> that the Clerk continue to review the weekly Planning Application list from Eden District Council.</p>
	15/163 - Local and National races.	<p>The Council received an update about the Tour of Britain 2015 Cycle Race. The event was well attended with onlookers stretching from the swimming pool up to Meadow End. The collage of the bike in the school playground was brilliant. Eden District Council investigated the economic impact on the region and found an increase in people visiting and staying over for the event. There was also plenty of national coverage.</p> <p><b>RESOLVED</b> that the report regarding the success of the Tour of Britain 2015 Cycle Race be noted.</p>
	15/152 - Report from County Councillor Hilary Carrick.	<p>The Council received an update about the drainage system for the Story Homes housing development. Apparently, the surface water runs into the Harrow Beck culvert and the raw sewage is piped down Lamb Lea. The Parish Council were also reminded that they need to monitor the condition of the road surface in Scaur Lane to make sure that Story Homes reinstates it by the end of November 2015.</p> <p><b>RESOLVED</b> that the Clerk contact Councillor John Judson to ask if he has a copy of the Conditions attached to the Story Homes Planning permissions in order to check that the conditions are being adhered too.</p>
	15/169 - Footpath to Garth Folds Farm.	<p>The Council received an update about the unstrimmed footpath at Garth Folds Farm.</p> <p><b>RESOLVED</b> that the footpath at Garth Folds Farm has now been strimmed and maintained.</p>

<p><b>15/170 - Town and Country Planning Act 1990 Appeal under section 78 for Planning Application 14/0919.</b></p>	<p>The Council received an update about the Town and Country Planning Act 1990 Appeal under section 78 for Planning Application 14/0919 (behind the Lilacs). 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 had a reply.</p> <p><b>RESOLVED</b> that the Clerk write again to ask for a reply to the Parish Council's complaint regarding the handling of the Appeal for Planning Application 14/0919.</p>
<p><b>15/190 - Overgrown pavement, Seat and damaged Bus Stop Sign - Armathwaite Rd End.</b></p>	<p>The Council received an update about the overgrown pavement, damaged seat and missing bus stop sign at Armathwaite Road End on the A6. The bus stop has not been replaced as yet. The Council discussed the future of the damaged seat and the overgrown pavement.</p> <p><b>RESOLVED</b> that the Clerk ring around local scrap merchants to see if they wanted to buy the damaged metal seat near the bus stop on the A6, as well as the old seat from near Croglin Toys.</p> <p><b>ALSO RESOLVED</b> that the Council leave the overgrown pavement as it is on the A6 as it is thought that it is not used enough to maintain.</p>
<p><b>15/193 - Community Oil Buying Groups.</b></p>	<p>The Council received an update about the possibility of a Community Oil buying group being set up in Lazonby.</p> <p><b>RESOLVED</b> that it be noted that the Clerk has now put an article in the Parish Council's October 2015 Newsletter to ask for a volunteer to run the group and for parishioners to express an interest in joining the group.</p>
<p><b>15/204 Public Participation.</b></p>	<p>The Chair asked the parishioners present if they wished to make any contributions relating to any items on the agenda, or any other parish related matter which they may wish to raise.</p> <p>A parishioner said that they could not understand why there has been a total removal of the plastic recycling facility from the Eden Bridge car park recycling centre. The parishioner asked if the recycling centre could have smaller plastic recycling containers instead, like those at Plumpton and Great Salkeld with smaller spin lid skips. Councillor Gordon Nicolson explained why the plastic recycling had been removed. The issue of the plastic recycling is to be discussed later on in the meeting's agenda.</p> <p>A parishioner addressed the related issues of the community playground and a 'child-friendly' village. The parishioner talked about the history of the creation of the community playground, as a founder member of the Community Playground Management Committee, that raised the money for and organised the playground's creation, and its importance to the local community. The parishioner was concerned about the future of the community playground and recent talk of closure because of the financial implications, and urged the Parish Council to take the Park on as their own as a long term investment for the community. The parishioner also gave suggestions on how the community playground could continue. The issue of the community playground is to be discussed later on in the meeting's agenda.</p> <p>A parishioner complained again about the state of the village and the overgrown</p>

		<p>weeds, asking the Parish Council to spend some of their budget dealing with the weeds. The Council explained that they have asked volunteers to keep the village clean and tidy especially in the areas that they live, through an advert in the Parish Council Newsletter. They have also looked at the possibilities of employing a village handy man on a part time seasonal basis but the budget for this would have to be addressed. Also road side weeds are covered by County Council but only done once a year in June.</p> <p>A parishioner brought up the issue of speeding traffic through the village. The Council discussed the issue of looking at volunteers to monitor speeds and to also ask for the yellow speed camera van to visit the village. Councillor Hilary Carrick also mentioned about monitoring the junction at Great Salkeld near Salkeld Dykes.</p>
		<p><b>RESOLVED</b> that the Clerk put an advert in the Parish Council Newsletter asking for volunteers to come forward for training to do speed monitoring in the village.</p> <p><b>ALSO RESOLVED</b> that the Clerk enquire about the presence of the yellow speed camera van in the village.</p>
<b>15/205</b>	<b>Fibre Optic Broadband.</b>	<p>The Council received a report from Brian Smythe regarding Superfast Broad Band. The Connecting Cumbria Hub Coordinators have been lobbying to get phase 3 funding for rural areas, although phase 2 has not started as yet, they are not going to pursue the funding for this. There is a meeting on 22nd October 2015 in London with head of BBUK, which Brian will report back about at the November 2015 meeting.</p> <p>The Lazonby Bridge will be closed to allow BT to complete the installation of the Superfast BB in Kirkoswald. In Kirkoswald, the cabinet was supposed to go live in October 2015 but this deadline is now likely to be missed as work is still being done. Vodaphone is looking to install booster mobile phone signals in local pubs but this is unlikely to boost the signal beyond the pub but would be beneficial to pub customers.</p>
		<p><b>RESOLVED</b> that Brian Smythe be thanked for his report about broadband, the contents of which were noted.</p>
<b>15/206</b>	<b>Report from the District Councillor Gordon Nicolson.</b>	<p>The Council received a report from the District Councillor Gordon Nicolson about Eden District Council matters affecting the Parish.</p> <ol style="list-style-type: none"> <li>1. Eden Local Plan - Lazonby is a hub but there are no identified sites for Lazonby in the Eden Local Plan. The Neighbourhood Plan can address this and the Chair of the Neighbourhood Plan Steering Group is aware of this. The Eden Local Plan identifies an extension to the Bleak House travellers' site after the Maiden Hill site was withdrawn. The next stage is public consultation, after which it will go to the Planning Inspectorate and the Secretary of State. It is hoped that it will be adopted late spring/early summer 2016.</li> <li>2. There is a meeting of the EDC Executive in Lazonby Village Hall on Tuesday 3rd November 2015 at 6pm.</li> <li>3. There have been 6 expressions of interest regarding the Invitation to participate in a pilot scheme for the "Local Delivery of Services". EDC are working hard to take this forward.</li> <li>4. There are two new grant schemes for heating costs: <ol style="list-style-type: none"> <li>a) Energy company obligation - providing insulation and energy efficiency through loft insulation, cavity wall insulation and more efficient boilers.</li> <li>b) Central heating fund - to tackle fuel poverty after EDC bid to the department of Climate Change and were awarded £300,000 to help. This is means-tested.</li> </ol> </li> </ol>

		<p><b>RESOLVED</b> that it be noted that District Councillor Gordon Nicolson reserves the right to speak on other issues on the agenda.</p> <p><b>ALSO RESOLVED</b> that District Councillor Gordon Nicolson be thanked for his report, the contents of which were noted.</p>
15/207	<p><b>Report from County Councillor Hilary Carrick.</b></p>	<p>The Council received a written report from County Councillor Hilary Carrick about County Council matters affecting the Parish.</p> <ol style="list-style-type: none"> <li>1. The Cumbria County Council budget has to make a saving of 55 million (a quarter of the budget removed). This means front line services could change, although still upheld, because savings need to be made.</li> <li>2. The Highways Budget has also been reduced. This is a countrywide strategy. However, there is additional funding from the Government if needed. A strategy is in process with a professional being brought in to look at, and improve better practice etc. Also working towards getting funding.</li> </ol> <p><b>RESOLVED</b> that it be noted that County Councillor Hilary Carrick reserves the right to speak on other issues on the agenda.</p> <p><b>RESOLVED</b> that County Councillor Hilary Carrick be thanked for her report, the contents of which were noted.</p>
15/208	<p><b>Lazonby Parish Projects:</b></p>	
	<p><b>a. Registration of Parish Land.</b></p>	<p><b>RESOLVED</b> that the Clerk contact Bethan Griffiths the Solicitor at Cartmell Shepherd Solicitors to ask for a progress report on the Registration of parish land.</p>
	<p><b>b. Will Pool Project.</b></p>	<p>The Council received an update regarding the Will Pool project and the proposed path. No funding for the Will Pool path has been found and the cost of it would be too much for the Parish Council to fund on its own</p> <p><b>RESOLVED</b> that the Council keep an eye out for funding streams for the creation of a path to Will Pool.</p>
	<p><b>c. Neighbourhood Plan.</b></p>	<p>The Council received an update regarding the Neighbourhood Plan. The Neighbourhood Plan Steering Group will organise a meeting with other parishes to help pool ideas. They are deciding whether to base the plan on the Eden Core plan of 2012, or the new Eden Plan 2016, which will be out in the public domain in October 2015 when it will start to have weight. A meeting with EDC is to be held on 23rd October 2015 to see how EDC thinking fits with the Neighbourhood Plan. Councillor Gordon Nicolson has completed a grant application for expenses associated with venue hire and printing for the Neighbourhood Plan.</p> <p><b>RESOLVED</b> that the report about the Neighbourhood plan be noted.</p>
	<p><b>d. Street lighting in the Parish.</b></p>	<p>The Council received an update regarding the street lighting in the parish. The Council received a letter regarding the Village Hall Light from the Village Hall Management Committee who have kindly said that they agree in principle with the proposal to site a light on the village hall building as long as issues regarding the electricity supply and the positioning are agreed. 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.</p> <p><b>RESOLVED</b> that it be noted the issue of the lighting at the Village Hall is still on-going with the hope that it can be resolved soon, especially with the dark winter nights drawing in.</p>

<p><b>e. Scour Close Green.</b></p>	<p>The Council received an update on the revamp of the Scour Close Green project. Geoff Wilson gave the following report</p> <ol style="list-style-type: none"> <li>1. There has been no progress as yet regarding funding initiatives.</li> <li>2. Geoff and Rob hope to commence felling of the first two trees at the East end of the site in November 2015.</li> <li>3. New trees to replace felled ones will be planted during the winter (before the end of March 2016).</li> <li>4. They will look for somewhere to deposit the brash.</li> <li>5. They will try to delay the need for a stump grinder until a later stage when the hire of the equipment can be maximised.</li> </ol> <p><b>RESOLVED</b> that Geoff Wilson be thanked for his report about the Scour Close Green Project, the contents of which were noted.</p>
<p><b>At this point in the meeting the Chair addressed the Parish Council present to ask if they wished to carry on business beyond the time allocated to hold the meeting. It was agreed by all present that they wished to continue to complete all business on the agenda.</b></p>	
<p><b>f. Recycling Centre and Eden Bridge Car Park.</b></p>	<p>The Council received an update on the maintenance of the Eden Bridge Car Park's surface.</p> <p><b>RESOLVED</b> that Councillors John Judson and Peter Minihan still have to repair the remaining potholes at Eden Bridge car park.</p>
<p><b>g. Community Playground.</b></p>	<p>The Council received an update about the ownership and maintenance of the Community Playground. Jill Eastham, the Chairperson of Lazonby &amp; District Swimming Pool, has been in contact over the issue of whether they wish to transfer the land of the Community Playground to the Parish Council. The Swimming Pool 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.</p> <p>Councillor Virginia Minihan also gave a report on the Community Playground, which is as follows:</p> <p>A meeting was held with Eden District Council (EDC) on Tuesday 4th August 2015 when the following points were made:</p> <p>Eden District Council are not prepared to issue the Parish Council with a log of what has been done since the Parish Council took over the annual payments from the Lazonby Community Playground Committee due to the fact that they contract out the work and the amounts are commercially sensitive. They are prepared to discuss these amounts with the representative for the Community Playground. Councillor Virginia Minihan has put herself forward to be that representative if that is acceptable to the Parish Council.</p> <p>Breakdown of costs for 1 April 2015 – 31 March 2016:</p> <ol style="list-style-type: none"> <li>1. Weekly Inspection &amp; Maintenance; Engineers Annual Inspection; Public Liability Insurance = £185.00</li> <li>2. Emptying of Litter Bins x 2 = £52.00</li> <li>3. Maintenance and cutting of Grass = £854</li> </ol> <p>Only No.1 above is covered by the Management Agreement dated 28<sup>th</sup> January 2011. There seems to be no written agreement about the grass cutting – as the land actually belongs to Lazonby Swimming Pool Committee and they should have been paying for the grass cutting and maintenance and not the Community Playground Committee (now the Parish Council).</p>

Public Liability Insurance for Playground Equipment is known to be expensive but for EDC it is covered in their 'all encompassing' public liability insurance. The Parish Council have paid for all of the above up to 31st March 2016, so the 2011 Management Agreement can stand for this year with a written agreement (As stated in an Email on the 21.08.2014 from Neil Buck of EDC to Councillor Gordon Nicolson) reflecting the Parish Council's taking over of the payment of the Annual Payment from the Community Playground Committee.

Recommended by EDC that once the Parish Council take over the land from the Swimming Pool Committee then they put in place insurance cover for the liability on the land (add to our current list) and equipment cover to protect the Parish Council in case of negligence.

Points to note are as follows:

- Very few Parish Councils in the Eden District run their own Play Park/Recreation Area – most are run by a parish/village committee who fund raise and apply for grants to cover their costs.
- EDC have confirmed that they do not wish to take over the land but ask that point 5(a) of the Conveyance dated 1st August 1973 goes into the new conveyance, which gives EDC the right of first refusal if the Parish Council wishes to get rid of the land. Angela Millburn has sent through the original of the Conveyance as the Parish Council only have a draft copy, but it is exactly the same as the draft copy the Parish Council have. The Parish Council now need written confirmation that the Swimming Pool Committee wish to transfer the land to them but the Swimming Pool Committee wish to consult their solicitors before they transfer the land to the Parish Council – this is providing the Parish Council decide to take it over. The Parish Council also need to be sure that they do not expect them to pay for the land.
- New Management Agreement will contain clearer definitions of 'maintenance' and 'repair' so that it is clear who is responsible for what. Neil Buck will ask the EDC Legal Team to prepare an Agreement that is suitable for an Agreement between two Accountable bodies (EDC to the Parish Council) rather than their standard Agreement between EDC and Playground Committees. The Parish Council will probably need to run this past someone with some legal knowledge as present agreement is weighted in favour of EDC.
- EDC has weekly inspection reports from their contractor which they feel do not need to be sent to the Parish Council as EDC check them through and spot checks are done quarterly to make sure contractors are carrying out the instructions correctly. However, it was agreed that EDC would report back to the Parish Council annually when their invoice is submitted for the following year. Exception to this will be when 'extra' repairs need to be done whereby a report will then be sent to the Parish Council representative to confirm what has been done, and the cost to the Parish Council.
- Grass cutting and maintenance involves 13 cuts per year (March – September) at a cost of £854. The Parish Council may also want to include pruning of shrubs and bushes including the Willow Tunnel and maintenance of paths and fencing, which is currently not undertaken by EDC. Since October 2011 the Parish Council thought they had been in breach of their Financial Regulations as they had been employing a Maintenance Contractor (EDC who sub contract to Amey) at a cost of £1100.00 approx without putting the work out to tender. However, now that the Parish Council knows that the maintenance costs involves three separate parts - maintenance of the equipment etc, grass cutting and bin emptying,

then this should have been invoiced separately so that the Parish Council can record that they have not broken their Financial Regulations, and an investigation into EDC's audit trail will show this.

- Coronation Gardens grass cutting is now the responsibility of Cumbria County Council as the Parish Council now know that they own the land. Swings (and public liability for) are responsibility of EDC and are paid through Special Expenses. There is no Maintenance Agreement etc required due to historical precedence.
- EDC made clear that the annual payment only covers basic maintenance (oiling, tightening bolts etc) and that other repairs can be done by them but the costs must be covered by the Parish Council. Paul Emmerson or Vicky Percival will contact the Parish Council Representative for approval before going ahead. The Parish Council asked that EDC ensure that all equipment is free from damage, in safe working order and full serviceable condition before they take it over. Paul Emmerson said that he would look at the outstanding maintenance/repair work under the current annual payment. However, if replacement parts are needed that will be a repair and the costs will have to be met by the Parish Council. EDC recommend that the Parish Council should not do any of the repairs themselves as then they would be liable if an accident was to follow.

Subsequently, during August and September 2015, Councillor Virginia Minihan has been in contact with both Allison Gething (former Member of the Community Playground Committee) and Vicky Percival (EDC).

- Vicky has now sent a list of the equipment that needs to be repaired (see below) and Paul Emmerson is in contact with Wicksteed to get an estimate of costs. If an emergency repair is required then the Clerk can authorise this immediately provided it is under £1000.
- At the end of September 2015 the Parish Council were notified that the Hurricane Swing and the grass surround require attention. Also, that there were worn links, the anchor bolts had become exposed through ground wear and that a plastic bush was missing from one of the links.
- At the beginning of October 2015, Paul was in contact to say that an emergency repair is needed to the slide and that it has been fenced off by Amey until this repair can take place. The cost of the repair and the hire of the fencing will be billed to the Parish Council. Councillor Minihan has asked to be notified of the cost (which the Councillor believes will be added to the Parish Council's 'end of year' bill) when the repair has been done.
- In light of all these problems and the unknown costs that the Parish Council are going to be liable for in the future, Councillor Virginia Minihan asked Allison if she would be willing to form another Community Playground Committee that could take over the running of the playground if Parish Council agreed to allocate them an annual maintenance grant for the upkeep of the equipment. Allison kindly said that she would get together some volunteers to do litter picking, prune the willow tunnel and fundraise but that no one, including herself would be prepared to be part of a formal committee.
- The Treasurer has suggested that the Parish Council could put some insurance in place to cover the repairs that are going to be necessary in the future. This would be on top of the insurance needed to cover the Parish Council from any negligence over maintaining the equipment.

It was then recommended to the Parish Council that they contract EDC to

continue with Nos. 1 and 2 above but with a new Management Agreement drawn up and to be dated 1 April 2016, as the Parish Council are unlikely to get any other contractor to be able to provide the service at such a competitive cost.

It was also recommended that the Parish Council looks at costs of other contractors who may be able to provide services more cheaply for 1. Grass cutting or 2. Grass cutting and pruning of shrubs and bushes (to include Willow Tunnel) or 3. Grass cutting and pruning of shrubs and bushes (to include Willow Tunnel) and maintenance of paths and fencing.

**Equipment in need of Repair – September 2015:**

Equipment	Comments	Action required
E0007 Pick Up Sticks	Rope fraying - wire now visible	Monitor wire for sharp edges protruding
E0011 Scramble Net Log Climber	Chunk missing from bottom log	<b>Replace log OR smooth out sharp edges</b>
E0008 Hurricane Swing	Bottom and top links worn  Anchor bolts sticking up from safety surface	<b>Replace worn links</b>  <b>Refix bolts in the ground</b>
E0013 Birds Nest (basket) Swing	Plastic bush missing (1 of the 4 bottom swing connections)	<b>Replace missing bush</b>
E0014 Rockscape Tabletop Climbing Boulder	Outer skin flaking off	<b>Replace boulder or remove</b>
E0006 Special Hollywood Rodeo Tower	Loose panel over slide	<b>Tighten panel</b>

The removal of the boulder at the Community Playground was discussed as the outer skin is coming off.

Allison said she would give the equipment guarantees from Wickstead to the Clerk.

The issue of fundraising to pay for the maintenance of the playground was also discussed. There is to be a fundraiser in the very near future.

**RESOLVED** that the Council agreed to the Clerk being the representative and therefore the first point of contact for all issues to do with the Community Playground.

**ALSO RESOLVED** that the Clerk now email Eden District Council and inform them that the Clerk is the first point of contact and representative from now on and to ask for the quote on the repair work to the playground equipment that needs to be done.

**ALSO RESOLVED** that the Council now look at costs of other contractors who may be able to provide the grass cutting and general maintenance service more cheaply for the start of the next financial year (April 2016).

		<p><b>ALSO RESOLVED</b> that the Clerk put an advert in the Parish Council's Newsletter asking for volunteers to help maintain the Community Playground.</p> <p><b>ALSO RESOLVED</b> that Councillor Virginia Minihan draft a plan to deal with the maintenance issues at the Community Playground, and liaise with the Treasurer over costs, and Allison Gething over general details.</p> <p><b>ALSO RESOLVED</b> that the damaged boulder be totally removed.</p>
	<b>h. Creating a 'Child friendly' Village.</b>	<p>The Council considered the possible use of the parish sports playing field as a more child friendly space and the funding possibilities to achieve this. The Council discussed the issue of revamping the parish playing field in the future, for the use by local children. However, it was decided to wait for now until the issues of costs and maintenance of the community playground have been resolved.</p> <p><b>RESOLVED</b> that the Council agreed to wait until the issue of the maintenance of the community playground has been resolved.</p>
<b>15/209</b>	<b>Financial Report by the Treasurer.</b>	<p>The Council received a report from the Treasurer (please see attached Treasurer's Report).</p> <p><b>RESOLVED</b> that the Council agreed to the transfer of £ 3000 from the Parish Council's Deposit Account to their Current Account to maintain adequate capital for short term expenses.</p> <p><b>ALSO RESOLVED</b> that it be noted that BDO (Government appointed auditors) have completed the audit and are satisfied with the Accounts for 2014/15, with no problems found.</p> <p><b>ALSO RESOLVED</b> that the Treasurer be thanked for his work regarding the preparation and successful submission of the audited accounts.</p> <p><b>ALSO RESOLVED</b> that the Treasurer be thanked for his report, the contents of which were approved, accepted and noted.</p>
<b>15/210</b>	<b>Authority for Payments.</b>	<b>RESOLVED</b> that it be noted that there were no authority for payments sought.
<b>15/211</b>	<b>Planning Applications – New (or Appeal).</b>	<p>The Council considered the following Planning Applications, which were issued for consultation by Eden District Council or County Council.</p> <ol style="list-style-type: none"> <li>1. <b>Consultation on a Mineral County Matter Application for Planning Permission</b>  <b>Ref No: 3/15/9008</b>  <b>Location:</b> Scratchmill Scar Quarry, Lazonby Fell, Plumpton, Penrith, Cumbria, CA10 1BY  <b>Proposal:</b> Section 73 planning application to vary Conditions 1 &amp; 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.; and  <b>Ref No: 3/15/9009</b>  <b>Proposal:</b> Section 73 planning application to vary Conditions 1 &amp; 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.</li> <li>2. <b>Planning Application No: 15/0808</b> - (Full Application) Proposed side extension, at Braeside House, Lazonby, Penrith CA10 1AT</li> <li>3. <b>Planning Application No: 15/0838</b> - (Full Application) Proposed garden room, at Bridge House, Lazonby, Penrith CA10 1BL.</li> </ol>

		<p>4. <b>Planning Application No: 15/0887</b> - (Full Application) First Floor rear extension to dwelling, at Rectory Barn, Lazonby CA10 1BL.</p> <p>The Council also received 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 <b>NO OBJECTIONS</b> response to both the following planning applications:</p> <ol style="list-style-type: none"> <li>1. <b>Planning Application No: 15/0767</b> - (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 (dwelling house) to D1 (non-residential institution).</li> <li>2. <b>Planning Application No: 15/0768</b> - (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.</li> </ol> <p><b>RESOLVED</b> that the Council has <b>NO OBJECTIONS</b> to the Consultation on a Mineral County Matter Application for Planning Permission Ref No: 3/15/9008, at Scratchmill Scar Quarry, Lazonby Fell, Plumpton, Penrith, Cumbria, CA10 1BY - Section 73 planning application to vary Conditions 1 &amp; 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; And Ref No: 3/15/9009 - Proposal: Section 73 planning application to vary Conditions 1 &amp; 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><b>ALSO RESOLVED</b> that the Council has <b>NO OBJECTIONS</b> to Planning Application No: 15/0808 - (Full Application) Proposed side extension, at Braeside House, Lazonby, Penrith CA10 1AT.</p> <p><b>ALSO RESOLVED</b> that the Council has <b>NO OBJECTIONS</b> to Planning Application No: 15/0838 - (Full Application) Proposed garden room, at Bridge House, Lazonby, Penrith CA10 1BL.</p> <p><b>ALSO RESOLVED</b> that the Council has <b>NO OBJECTIONS</b> to Planning Application No: 15/0887 - (Full Application) First Floor rear extension to dwelling, at Rectory Barn, Lazonby CA10 1BL.</p> <p><b>ALSO RESOLVED</b> that the Council received and approved the report regarding the Planning Committees virtual meeting for <b>Planning applications 15/0767</b> and <b>15/0768</b> with <b>NO OBJECTIONS</b> given as a response to both planning applications to Eden District Council Planning Services.</p>
15/212	Planning Applications – Decisions.	<p><b>RESOLVED</b> that it be noted the following Planning Application Decisions were received.</p> <ol style="list-style-type: none"> <li>1. <b>Planning Application No: 15/0466</b> - (Full Application) Siting of playground equipment (part retrospective), at Cumbria County Council Lazonby C of E School, Lazonby, Penrith CA10 1BL - <b>GRANTED</b>.</li> </ol>
15/213	Police up-date.	<p><b>RESOLVED</b> that it be noted that the Council received the following from the Police:</p> <ol style="list-style-type: none"> <li>1. <b>Penrith Rural Newsletter for the Police - August 2015.</b></li> </ol>
15/214	Lazonby Fire/Rescue Service.	<p><b>RESOLVED</b> that it be noted that no written or verbal report was received from Lazonby Fire/Rescue Service.</p>

15/215	<b>Housing Development in the Parish.</b>	<b>RESOLVED</b> that there was nothing further to report regarding the Barton Dale signs or any other issues relating to housing in the parish at present.
15/216	<b>Traffic and Parking Issues in the Village.</b>	<p>The Council received an update on the removal of the parking restrictions and lines outside the Lofts. A complaint was received from a parishioner regarding the parking spaces near the Lofts and the Co-op, and their frustration when attempting to turn left but then being confronted by a parked car blocking their turn, and a lorry then turning right to head up the hill. The Parishioner believes that this situation sometimes means that, depending on where cars are parked, the person trying to turn left actually has to reverse up the hill to allow room for the lorry to travel forward. The parishioner believed that this was an absolutely ludicrous situation and frequently dangerous.</p> <p>The Council also further discussed the issue of speeding traffic through the village and the request for the yellow speed camera van's presence in the village, and advertise for local volunteers to undertake speed monitoring training.</p> <p><b>RESOLVED</b> that the Clerk reply to the parishioner to say that the parking restrictions and lines outside the Lofts were reversed after it was decided that the arrangement was not working as it should, with the fact that one of the reasons for the trial was to try and prevent damage to the barriers at the bottom of Station Road by large lorries turning but unfortunately damage has still been caused; and that the arrangement was only meant to be a 6 month trial which did go on for a year in the end but it has now been reversed after complaints by local residents.</p> <p><b>ALSO RESOLVED</b> that it be noted, as discussed earlier in the meeting, that the Clerk will advertise for local volunteers to undertake speed monitoring training, and request the presence of the yellow speed camera van in the village.</p>
15/217	<b>LPC Cumbria Highways Link Person Report.</b>	<b>RESOLVED</b> that it be noted that there was no further issues to report regarding Cumbria highways.
15/218	<b>Plastic Recycling Cage at Eden Bridge Car Park Recycling Centre.</b>	<p>The Council considered 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. Matthew Buckle from Cumbria Waste contacted the Clerk to say that the plastics recycling cage was being removed and to ask 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 and was told that 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> <p><b>RESOLVED</b> that the Clerk ask Porters, who originally made the metal plastic recycling cage, if they would like to buy it back.</p> <p><b>ALSO RESOLVED</b> that Councillor Gordon Nicolson would look into an alternative plastic recycling facility for the Eden Bridge car park recycling centre.</p>
15/219	<b>Fishing Permit Request</b>	The Council considered a request for a free fishing permit for a resident of KO. The Kirkoswald parishioner wrote to the Clerk and Treasurer saying, <i>"I have been a resident in KO for 28 years and served Lazonby as a First Responder for 6 years. We also attend Lazonby Nursery with our Grandson who is in our</i>

		<p><i>charge and support the village in many other ways".</i></p> <p><b>RESOLVED</b> that the Council agreed to refuse to give a free fishing permit to the Kirkoswald parishioner because this would set a precedent to other local parishes and their parishioners.</p> <p><b>ALSO RESOLVED</b> that the Treasurer inform the Kirkoswald parishioner of the decision that the Council have made.</p>
15/220	<b>Invitations to Participate.</b>	<p>The Council considered whether Members would like to take part in, attend, or send a representative to the following:</p> <ol style="list-style-type: none"> <li><b>1. The Nuclear Decommissioning Authority through the developer Radioactive Waste Management</b> 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.</li> <li><b>2. NALC consultation regarding a new national improvement strategy for town and parish councils.</b> The deadline for responses is 6th November 2015.</li> </ol> <p><b>RESOLVED</b> that the invitations to participate be noted without comment.</p>
15/221	<b>INFORMATION given for reference only.</b>	<p><b>RESOLVED</b> that it be noted that the following information was given to the Council for reference only.</p> <ol style="list-style-type: none"> <li><b>1. ACTION with communities in Cumbria: Rural Briefing on Rural Patient Transport - August 2015.</b></li> <li><b>2. CALC Circular - September 2015.</b></li> <li><b>3. Latest NALC legal briefings and the updated Legal Topic Notes as follows:</b>  <b>Legal Topic Note (LTN) 35-Contracts has been amended</b>            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 - <a href="http://www.nalc.gov.uk/library/members-library/legal-topic-notes/contract/1674-35-contracts-july-2015-1/file">http://www.nalc.gov.uk/library/members-library/legal-topic-notes/contract/1674-35-contracts-july-2015-1/file</a></li> </ol> <p><b>A new Legal Topic Note, LTN 87- Procurement has been published.</b>            LTN 87 includes new guidance about the Public Contracts Regulations 2015. The revised LTN can be found by following this link - <a href="http://www.nalc.gov.uk/library/members-library/legal-topic-notes/contract/1676-87-procurement-july-2015-1/file">http://www.nalc.gov.uk/library/members-library/legal-topic-notes/contract/1676-87-procurement-july-2015-1/file</a></p> <p><b>(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.</b> The new briefing can be found by following this link - <a href="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">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</a></p> <p><b>Revised Legal Topic Notes – LTN15, 23, 42</b>            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>
15/222	<b>Date of the Next Meeting.</b>	<p><b>RESOLVED</b> that it be noted that the date of the next scheduled Meeting be confirmed as Wednesday 4th November 2015, at 7.30pm in the Jubilee Rooms at Lazonby Village Hall.</p>

