

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 July 2016.

Dear Sir/Madam,

There will be a Meeting of Lazonby Parish Council on **Wednesday 6th July 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.	Appointment of Chairman of the Council for 2016 - 2017.	TO RECOMMEND that proposals are invited from the floor for a Chair to be appointed for the year 2016 – 2017 from the Council Members. <u>Report of the Clerk to Council.</u> Although Councillor Gordon Nicolson has agreed to be acting Chair the Parish Council will still need a permanent Chair for 2016/2017 so this will remain on the agenda until a Chair has been elected.
3.	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.
4.	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.
5.	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. <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</i>

		<p>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.</p> <p><u>A note from the Clerk to the Council.</u> 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.</p>
6.	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>
7.	Minutes of the Council Meeting of the 1st June 2016.	<p>RECOMMENDATION that the Minutes of the Parish Council meeting on the 1st June 2016 be approved and signed as a true record of those proceedings.</p> <p><u>Note: Please see Appendix 7a.</u></p>
8.	Matters Arising from the Minutes of the Council Meeting of the 1st June 2016.	TO CONSIDER any matters arising from the Minutes of the Council Meeting of the 1 st June 2016.
	15/152 - Report from County Councillor Hilary Carrick.	TO RECEIVE an update about the resurfacing of Scaur Lane.
	15/190 – Overgrown pavement, Seat and damaged Bus Stop Sign - Armathwaite Rd End.	TO RECEIVE an update about the damaged Bus Stop Sign at Armathwaite Road End of the A6.
	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.
	16/60 – Public participation - Maintenance of the War Memorial	TO RECEIVE an update about the re-pointing of the War Memorial as discussed at the April 2016 meeting of the Parish Council.
	16/112 - Steps to the Railway Station.	<p>TO RECEIVE an update about the steps to the Railway Station.</p> <p><u>Report of the Clerk to Council</u> Councillor Tim Wright has received a reply regarding the steps up to the station from Stephen Nowell the Network Rail Station & Depot Portfolio Surveyor:</p>

		<p><i>“We have investigated the land ownership issues further and there appears to be a discrepancy between the freehold and leasehold demises, with the latter (unusually) being larger than the former. There are 2 explanations as to how this may have happened:</i></p> <ol style="list-style-type: none"> <i>1. Either the freehold (owned by NR) was sold to Sunstar <u>but</u> the Land Registry omitted to extend the plan to encapsulate the full area. It seems that the lease was intended to be subsumed within the freehold because of the entry dated 19.04.01 (the same date as the 2001 transfer) at para 2 of the Charges Register, which suggests that the freehold title is subject to the lease. If this is the case, then Sunstar Limited will be responsible for the steps; OR</i> <i>2. There was (for an unknown and strange reason) no intention to transfer the leasehold interest held by Matthew Brown Plc as part of the freehold sale and therefore the lease dated 17th July 1986 remains in effect on its own to the extent it is not included in the freehold i.e. in relation to the steps only. If this is the case then the leasehold proprietor, Trust Inns Limited will be responsible for the steps.</i> <p><i>Either way, we do not consider the area of land to be “in the hands of” Network Rail. Our view is that we cannot be held responsible for the steps and we suggest that either or both of the above registered proprietors are approached in this regard.”</i></p>
	<p>16/125 - Public Participation - Complaint Regarding Footpath Steps at the Story Homes Development.</p>	<p>TO RECEIVE an update about the new footpath with steps from Scour Lane next to Harrow Beck Edge, which provides access through the new Story Homes development in Lazonby</p> <p><u>Report of the Clerk to Council.</u> After complaints from local parishioners, Kevin Hutchinson of Eden District Council has now confirmed that following his discussion with Story Homes, their current intention is to submit an application to revise this proposal. This is intended to be a stand-alone application to regularise the steps which have been recently installed and will be notified to adjoining owners, advertised on site and interested parties including the Parish Council will have the opportunity to make representations. Story Homes intend to submit the application sometime next week (week beginning 4th July 2016).</p>
<p>9.</p>	<p>Public Participation.</p>	<p>TO RECEIVE any contributions from the parishioners relating to:</p> <ol style="list-style-type: none"> a) Any item on the agenda; b) And any other parish-related matter which they may wish to raise.
<p>10.</p>	<p>Fibre Optic Broadband.</p>	<p>TO RECEIVE an update regarding Fibre Optic Broadband from Brian Smythe.</p> <p>ALSO TO RECEIVE the following correspondence from Phil Ruston - Connecting Cumbria - Digital Inclusion and to CONSIDER his requested for help from the Parish Council:</p> <p><i>“As you probably already know, Cumbria County Council is delivering superfast broadband across the county as part of Connecting Cumbria. As part of this we are running a Digital Inclusion programme to make people aware how a better broadband infrastructure can help deliver real economic, business and social benefits. Helping people understand the benefits of broadband, the internet and the new opportunities it creates is as important as delivering better speeds. Research into improving internet use shows that there is significant value for people and business. The benefits offered for health and social welfare, support to be more independent, learning new</i></p>

		<p><i>skills, reducing social isolation and getting better deals can help transform people's lives. Superfast broadband has already been delivered to your area, with over 800 premises being able to get upgraded services. This could be worth around £800,000 per year to households in Lazonby, which could be "reinvested" in the local economy, helping families and business. I am trying to arrange a Digital Inclusion event for Lazonby, so that people and business in your community are aware of what's happening with superfast availability, how to get the best deals and the real benefits of the internet. But I need help from someone local to arrange and publicise an event. The workshops held so far have been well received and we get really great feedback from attendees, so I don't want the area to miss out. Would you be willing to help? If the council is interested in supporting this, let me know when would be a good time for a call or meeting or call me if you have any questions."</i></p>
11.	Report from the District Councillor Gordon Nicolson.	TO RECEIVE a report from the District Councillor Gordon Nicolson about Eden District Council matters affecting the Parish.
12.	Report from County Councillor Hilary Carrick.	TO RECEIVE a report from County Councillor Hilary Carrick about County Council matters affecting the Parish.
13.	Review of Standing Orders, Financial Regulations and adopting other policies and procedures.	<p>RECOMMENDATION that a new revised and amended version of the Financial Regulations, as advised by the National Association of Local Councils (NALC), be adopted by the Parish Council.</p> <p style="text-align: right;"><u>Note: Please see Appendix 13a.</u></p>
14	Environment & Neighbourhood Committee Meeting.	<p>TO RECEIVE a report from the Environment & Neighbourhood Committee which will include the tidying up of the footpath along the River Eden.; and the employment of a Ground Worker for Summer 2016?</p> <p><u>Report of the Clerk to Council.</u> It has been reported that the dangerous wire has been removed from riverbank although it is not confirmed who by</p>
15.	Lazonby Parish Projects:	
	a. Registration of Parish Land.	<p>TO RECEIVE an update regarding the registration of Parish land.</p> <p><u>Report of the Clerk to Council.</u> Bethans Griffiths of Cartmell Shepherd Solicitors has said that the Trustees of the Methodist Church have lodged the objection because they feel their hand has been forced by the Land Registry. So if the Council agrees to transfer the land to the Methodist Church, the objection will clearly need to be removed and the application completed before Lazonby Parish Council can transfer the land to the Methodist Church. Bethan then asked if the Council would therefore be happy for her to go back to the Methodist Church's solicitor to confirm that the Council will proceed with the transfer on the understanding that the objection is removed as will be required to fully affect the Transfer. The Clerk has replied after consultation with the Council that they would be happy for Bethan to go back to the Methodist Church's solicitor to confirm that the Council will proceed with the transfer on the understanding that the objection is removed as will be required to fully affect the Transfer. Also the Council reiterated that they still require the Methodist Church to meet any legal and other fees incurred by Parish Council in making the transfer.</p>

<p>b. Neighbourhood Plan.</p>	<p>TO RECEIVE an update regarding the Neighbourhood Plan.</p> <p><u>Report of the Clerk to Council.</u> Councillor Gordon Nicolson has applied for a grant from Community Rights Programme, funded by the Department for Communities and Local Government. The funding application was successful and the Neighbourhood Plan Steering Group has been awarded £2,006.</p>
<p>c. Scaur Close Green.</p>	<p>TO RECEIVE an update regarding the Scaur Close Green triangle project.</p> <p><u>Note: Please see Appendix 15c.</u></p>
<p>d. Community Play Ground.</p>	<p>TO RECEIVE an update about the Community Playground.</p> <p><u>Report of the Clerk to Council.</u> Jill Eastham, the Chairperson of Lazonby Swimming Pool has written to apologise for the delay in responding to the Parish Council's offer of meeting with a couple of Members of the Parish Council to discuss how the parish Council grant funding can be taken forward for the financial year 2017-18. However, the Swimming Pool Committee were waiting for their Annual Renewal of their Insurance Policy which was due mid June, so that they would have an accurate figure for how much the insurance and other running costs of the Play area would be. They now have those figures so the Secretary and the Chair of the swimming pool would like to arrange to meet with Parish Council Members in the near future. A weekday daytime meeting before 3pm would suit best and so if the Council can offer a choice of a few dates, preferably not during school holidays. Also the offer of meeting Parish Councillor at the Swimming Pool Kiosk was made in case the Councillors wished to view the Play Area.</p>
<p>e. Eden Bridge Car Park & Recycling Centre.</p>	<p>TO RECEIVE the new Bring Site Adoption Agreement for Lazonby.</p> <p><u>Report of the Clerk to Council.</u> The new Bring Site Adoption Agreement for Lazonby needs to be signed, witnessed and sent back to Eden District Council by 15th July 2016.</p>
<p>f. Wall at Bank Foot.</p>	<p>TO RECEIVE an update on the collapsed wall at Bank Foot.</p> <p>ALSO TO RECEIVE a letter from Arnison Heelis Solicitors on behalf of Messrs Lace of Kirkoswald regarding their concerns about inaccurate comments about the old Egg Packing station at Lazonby in the June 2016 Newsletter.</p> <p><u>Please Note: This information has already been given out on Email to Councillors.</u></p>
<p>g. Emergency Procedures for Parish.</p>	<p>TO RECEIVE an update on the emergency procedures for parish.</p> <p><u>Report of the Clerk to Council.</u> The Clerk has sent out letters regarding invitations to local businesses, groups and organizations to get involved with the Lazonby Parish Emergency Response Plan. A date for a meeting will now need to be organised.</p>
<p>16. Financial Report by the Treasurer.</p>	<p>TO RECEIVE the Financial Report from the Treasurer.</p> <p><u>Note: Please see Appendix 16a.</u></p>
<p>17. Authority for Payments.</p>	<p>TO CONSIDER any requests for payment received by the Treasurer, Clerk or Council Members.</p>
<p>18. Planning Applications – New (or Appeal).</p>	<p>TO CONSIDER any new applications which have been issued for consultation by Eden District Council.</p> <p><u>Please Note: At the time of this Agenda being issued there were no Planning Applications received. However, if any New Planning Applications reach the</u></p>

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.

19. Planning Applications – Decisions.

TO RECEIVE and be **NOTED** decisions on Planning Applications which have been issued by Eden District Council.

1. **Ref No: 3/16/9007** - Location: West Brownrigg Quarry, Plumpton, Penrith, Cumbria, CA11 9PF - Proposal: Section 73 application to vary conditions 2, 4 and 11 of Planning Permission 3/11/9007 to amend the timescales for the progressive restoration and to utilise additional blasting methods – **GRANTED**.
2. **Planning Application 16/0349** - (Full Application) Proposed garden room, at Bridge House, Lazonby CA10 1BL – **GRANTED**.

Please Note: At the time of this Agenda being issued there were no further Planning Application Decisions received. However, if any Planning Application Decisions reach the Clerk to the Parish Council between the Agenda being issued and the Meeting itself, they will be presented at the Meeting.

20. Police up-date.

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

1. Cumbria's Police and Crime Commissioner, Peter McCall has launched a consultation to find out people's views on the future policing priorities for Cumbria. The Commissioner holds the Chief Constable to account for high quality operational policing which includes tackling crime and anti-social behaviour. The Police and Crime Plan sets out the objectives for the Constabulary to deliver policing in the County. Police and Crime Commissioner, Peter McCall said: "I really want to hear from you about your views on what the policing priorities should be for the future to make Cumbria an even safer place. Your priorities, your plan. This is your chance to have your say about what is important to you in your local area." Peter McCall will be out and about across the County in the next few weeks at surgeries, road shows and you can also take part by visiting www.cumbria-pcc.gov.uk or ringing 01768 217734 to complete a survey. He will also be speaking and listening to the Chief Constable, the Police and Crime Panel and their key partners about their views then he will be pulling all the views together to formulate the Police and Crime Plan. The consultation will be open until 12th August.
Peter McCall will be at the following places:

29 June (12 – 2)	Westmorland Shopping Centre, Kendal
5 July (10 -12)	Morrison's, Penrith
7 July (10 -12)	The Lanes, Carlisle
14 July (12 to 14.00)	Online consultation event
25 July (13.30 to 15.30)	Tesco's, Whitehaven
29 July (11 to 13.00)	Tesco's, Barrow

2. **Police And Crime Commissioner's Newsletter June 2016** – This is the first newsletter from Peter McCall since taking up office as Cumbria's new Police and Crime Commissioner on 12th May 2016.

21. Lazonby Fire/Rescue Service.

TO RECEIVE a report about the Lazonby Fire/Rescue Service, including any neighbourhood Alert Bulletins.

22.	Eden Brows and the Closure of Railway between Carlisle and Appleby.	<p>TO RECEIVE an update about the closure of the Railway between Carlisle and Appleby.</p> <p><u>Report of the Clerk to Council.</u> The Clerk has been sent information about Network Rail's visiting communities along the affected route to announce their extensive repair plan on Thursday 7th July 2016. They are also hosting a public information session on Armathwaite Village Hall between 3 pm and 7 pm.</p>
23.	Housing issues and Development in the Parish.	<p>TO RECEIVE an update regarding the Barton Dale signs.</p> <p>ALSO TO CONSIDER any other issues relating to housing issues in the parish.</p>
24.	Traffic and Parking Issues in the Village.	<p>TO CONSIDER any traffic or parking issues in the village.</p>
25.	LPC Cumbria Highways Link Person Report.	<p>TO RECEIVE a report on any other issues that have arisen since the last Council meeting concerning Cumbria Highways.</p>
26.	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. Living Memory - Parish council participation - Bryony May, the Area Manager for the North of England on the Living Memory project as emailed the following:</p> <p><i>"I would be delighted if the Parish Council decided to take part in the project and help us remember the 'forgotten front', the 300,000 war graves and commemorations across the UK, through the centenary of the Somme. There are 101 different ways to get involved in Living Memory and opportunities for a wide variety of groups from across your whole community to take part. Whilst we have a number of local authorities participating in the project, to the best of my knowledge we haven't had a Parish Council apply as yet, so it would be brilliant if Cumbria could be the first! I have attached the following information:</i></p> <ul style="list-style-type: none"> • <i>Project flyer (electronic version)</i> • <i>Funding application form</i> • <i>List of CWGC sites in Cumbria (separate sheets for Cumberland & Westmorland, this is just how CWGC's info is held)</i> <p><i>We also have a Resource Pack (available in both electronic & hard copy) and have received really excellent feedback on this. It is full of information and ideas as to how to get involved. I'm sure you'd find it interesting, useful and inspiring. In addition to this and the support of an Area Manager team, we also have a small grants programme for activities taking place from 1st July - 18th November. There is a rolling deadline for this. We encourage people to submit applications to us ASAP. It's a very straightforward application process with a relatively short form to complete and a quick decision promised (within a week!). Please don't hesitate to get in touch with me if you have any questions, queries or concerns, or if there's any information or other resources I can help with."</i></p>
27.	INFORMATION given for reference only.	<p>TO RECEIVE and be NOTED any information that has been given out for reference only:</p> <p>1. Cumbria Central Heating fund Information.</p> <p>2. Law changed regarding bankruptcy Information - This means that the law has changed so that now bankruptcy only disqualifies</p>

		<p>councillors if they are subject to a bankruptcy restriction order (BRO).</p> <p>3. NALC - 2016-2018 national salary award and pay scale.</p> <p>4. Legal Topic Note (LTN 60) – June 2016 – Copies of Planning Documents - The changes identify the interaction of Planning Law and Copyright by setting out the circumstances in which a local council can copy and make publicly available plans submitted as part of a planning application.</p> <p>5. Legal Topic Note (LTN41) – June 2016 - Responsibilities of Councils as Landowners – this has been simplified and has been updated to take account of audit changes.</p> <p><u>Please Note: Some of this information has already been given out on Email to Councillors.</u></p>
28.	Date of the Next Meeting.	RECOMMENDATION that the date of the next scheduled meeting be Wednesday 7 th September 2016, in Lazonby Village Hall, at 7.30 pm.

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

July 2016 Meeting of the Parish Council

SUPPLEMENTARY APENDICES

ITEM NO: (Appendix)	ITEM
7a.	Minutes of the Council Meeting (AGM) of the 1st June 2016.
13a.	Review of Standing Orders, Financial Regulations and adopting other policies and procedures.
15c.	Lazonby Parish Projects: c. Scaur Close Green.
16a.	Financial Report by the Treasurer.