

# 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 28<sup>th</sup> June 2019.

Dear Sir/Madam,

There will be a Meeting of Lazonby Parish Council on **Wednesday 3<sup>rd</sup> July 2019, 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> any nominations to fill the three Council Member vacancies left unfilled at the recent election by reason of insufficient nominations.
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 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</i>

		<p>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><b><u>A note from the Clerk to the Council.</u></b>  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.</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>Report from the local Community Police.</b>	<b>TO RECEIVE</b> a report from the local Community Police.
8.	<b>Minutes of the Council Meeting of the 5<sup>th</sup> June 2019.</b>	<p><b>RECOMMENDATION</b> that the Minutes of the Parish Council meeting on the 5<sup>th</sup> June 2019 be approved and signed as a true record of those proceedings.</p> <p><b><u>Note: Please see Appendix 8a.</u></b></p>
9.	<b>Progress Reports on Recent Actions - progress reports regarding matters from the Minutes of the 5<sup>th</sup> June 2019</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. Transfer of Assets and Service to the Parish (last minute no. 19/121).</b>	<b>TO RECEIVE</b> an update regarding the 'Transfer of Assets and Services' to the Parish'.
	<b>b. Footway Light replacement on the B6413 (last minute no. 19/118).</b>	<b>TO RECEIVE</b> an update regarding the Footway Light replacement on the B6413 near Thorn Tree.
	<b>c. Establishing Parish Council Assets (last minute no. 19/121).</b>	<b>TO RECEIVE</b> an update on the issue of establishing Parish Council's assets, including trees and the ownership of boundary walls etc.. on parish land.
	<b>d. Damaged Wall at Will Pool (last minute no. 19/134).</b>	<b>TO RECEIVE</b> an update regarding the damaged wall at Will Pool.

<p><b>e. The Scratchmill Scar, Lazonby Fell - Stakeholder Consultation (last minute no. 19/117).</b></p>	<p><b>TO RECEIVE</b> an update about the Scratchmill Scar, Lazonby Fell - Stakeholder Consultation.</p> <p><b>ALSO TO RECOMMENDED</b> that the Members be asked to confirm that an E Mail exchange took place to agree to and confirm that the response to the Scratchmill Scar, Lazonby Fell - Stakeholder Consultation was discussed.</p> <p><b><u>Report of the Clerk to the Council.</u></b>  The Parish Council agreed at their June 2019 meeting that they would discuss the Scratchmill Scar, Lazonby Fell - Stakeholder Consultation, with a deadline of 4th July 2019, virtually through Email once Councillors have looked at the information as it was only received the day of the last meeting; then the Clerk would send the Parish Council's response once it had been decided. The Parish Council gave a favourable supportive response to the consultation.</p>
<p><b>f. Temporary closure of footpath 339025 at The Lilacs (last minute no. 19/118).</b></p>	<p><b>TO RECEIVE</b> an update about the temporary closure of footpath 339025 at The Lilacs.</p> <p><b><u>Report of the Clerk to the Council.</u></b>  After an initial enquiry made by the Clerk, Andy Sims, the Countryside Access Officer in the Countryside Management Team at Cumbria County Council, replied to ask if the Parish Council could identify on attached plans the alternative routes the local people think would be suitable and the property owners affected and he would I will attempt to secure the landowners permission for a temporary diversion.</p> <p>The Clerk has responded with the following response agreed by the Parish Council:</p> <p><i>"..the Parish Council know that the footpath should be reopened by the 30th June 2019 when the closure order ends, and so would rather that be the case and so no alternative route would need to be made as it would not be necessary. However, if the closure order is to be extended the Parish Council have asked if it is possible to either find a route starting between the vehicle access between the semis and the terrace at Sunray Villas and Sunray Terrace. This would go round the site and join up with the original footpath. Or the alternative and the more sensible proposal would be to request that the original line of the footpath is retained with access from the new access road and the footpath is bounded by fencing along the original line."</i></p> <p>Andy Sims replied to say that his colleagues have visited the site to find an earth embankment obstructing the footpath. They have said that they could not reinstate the footpath without steps now so have marked an alternative temporary footpath on a photograph of the area, and are now seeking landowners contact details to ask permission to temporarily use their land. Furthermore, the developer has now been granted an extension to the temporary closure until 31<sup>st</sup> January 2020 by the Secretary of State for Transport and notices to that effect have been posted on site. Andy Sims has said that the earth embankment is an obstruction to the path that will have to be modified before the path is reopened and they will have to discuss with the developer how and when this is to be carried out.</p>

10.	<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.
11.	<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.
12.	<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 RECEIVE</b> an update about the Traffic Issues Consultation and the recent drop-in and evening meeting event.
	<b>c. Footpath between Eden Bridge and Lazonby Swimming Pool.</b>	<b>TO RECEIVE</b> an update on the footpath project between Eden Bridge and Lazonby Swimming Pool.
13.	<b>Financial Report by the Treasurer.</b>	<b>TO RECEIVE</b> the Financial Report from the Treasurer. <b><u>Note: Please see Appendix 13a.</u></b>
14.	<b>Authority for Payments.</b>	<b>TO CONSIDER</b> any requests for payment received by the Treasurer, Clerk or Council Members.
15.	<b>Banking Signatories</b>	<p><b>TO CONSIDER</b> the issue of banking signatories for the Parish Council.</p> <p><b><u>Report of the Treasurer to the Council.</u></b>  The Treasurer can now report that some advice has been sought from CALC regarding Bank Signatories. At present we have one signature, two would be necessary and a third would be sufficient cover. The Treasurer has asked CALC if the Responsible Financial Office (RFO) was allowed to sign cheques as a second signature in conjunction with a Councillor. Also, would the RFO be allowed to make payments electronically with Internet Banking?</p> <p>The reply from CALC was as follows:</p> <p><i>“I have just checked NALC’s template Financial Regulations and under ‘Instruction for the making of payments’ para 6.4 it does clearly state that the RFO can sign cheques with one councillor as long as the payment has been approved by the council. However, in NALC’s Good Councillor’s Guide to Finance and Transparency, it says RFOs should only sign in conjunction with two councillors. I think the latter is being promoted as best practice but as long as your council is satisfied that all the appropriate checks and balances are in place, then one signature does appear to be admissible. There is also, systems for delegating to the RFO certain payments eg regular, annual payments, as long as they have been signed off according to the Financial Regs. For internet banking, you will have to find a system that allows a second signatory but there are companies that offer that if LPC is happy to move banks.”</i></p>

16.	Village Hall Lights - Electricity use.	<p><b>TO CONSIDER</b> the electricity use of the outside lights on the village hall.</p> <p><b><u>Report of the Treasurer to the Council.</u></b>  The Treasurer would like to recommend that an increase should be made annually for use of the electricity supply at the Village Hall. The Council has used the supply for a couple of years and during this time costs as you know have risen dramatically. The Treasurer would like to suggest that although the Parish Council cannot keep pace with considerable market hikes they should keep in line with inflationary increases". The options are unless the Council feel higher rates should be implemented.</p> <ol style="list-style-type: none"> <li>1. To increase annually at the rate of CPI in January only and in the year of being invoiced.</li> <li>2. To increase annually at the monthly rate of CPI on an average basis over a calendar year from January to January.</li> </ol> <p>Option 1 to commence from January 2020, and option 2 backdated to commence from January 2019 and payable in 2020.</p>
17.	Planning Applications – New (or Appeal).	<p><b>TO CONSIDER</b> any new applications which have been issued for consultation by Eden District Council.</p> <ol style="list-style-type: none"> <li>1. <b>Planning Application No. 19/0399</b> – To install a packaged sewage treatment plant for the treatment and disposal of dog and human waste, at Brackenbank Boarding Kennels, Lazonby.</li> <li>2. <b>Planning Application No. 19/0401</b> - Non-Material Amendment comprising of placing solar panels on garage roof attached to approval 19/0126, at Barn Dyke, Lazonby CA10 1BA – <b>Please note that no hard copy of the planning application was received but the application was on the weekly planning list.</b></li> </ol> <p><b><u>Please Note:</u></b> At the time of this Agenda being issued there were no further Planning Applications received. However, if any New Planning Applications reach the Clerk to the Parish Council between the Agenda being issued and the Meeting itself, then the Clerk and the Chair will consider if it is appropriate to introduce them to the meeting; or if it may be necessary to convene a meeting of the Planning Committee. These will be initially introduced under the 'Matters of Urgency' item on this agenda to then be further discussed in this item of the agenda. This information has already been circulated by Email to Councillors and a copy will be available at the meeting to view.</p>
18.	Planning Applications – Decisions.	<p><b>TO RECEIVE</b> and be <b>NOTED</b> decisions on Planning Applications which have been issued by Eden District Council.</p> <ol style="list-style-type: none"> <li>1. Planning Application No: 19/0264 (Full Application) – Existing conservatory roof replacement, at 4 Scaur Close, Lazonby, Penrith CA101BT – <b>GRANTED.</b></li> <li>2. Planning Application No: 19/0308 (Outline Application) - Outline application for residential development with approval sought for access, at land Southwest of Bank Top House, Lazonby, Penrith CA101AQ - <b>GRANTED.</b></li> </ol> <p><b><u>Please Note:</u></b> At the time of this Agenda being issued there were no further Planning Application Decisions received. However, if any Planning</p>

		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.
19.	LPC Cumbria Highways Link Person Report.	<b>TO RECEIVE</b> any reports on other issues that have arisen since the last Council meeting concerning Cumbria Highways.
20.	Invitations to Participate.	<b>TO CONSIDER</b> if Council Members would like to comment, take part in, attend, or send a representative to any invitations to participate.  <b><u>Please Note: This information will be circulated by Email to Councillors and a copy will be available at the meeting to view.</u></b>
21.	INFORMATION given for reference only.	<b>TO RECEIVE</b> and be <b>NOTED</b> any information that has been given out for reference only:  <ol style="list-style-type: none"> <li>1. <b>CALC Newsletter – June 2019.</b></li> <li>2. <b>Eden District Council - Constitution Changes and Delegation of Council Functions to the Council's Officers</b> - regarding changes made relating to the Scheme of Delegation and Code of Planning Conduct – This is a Parish Council briefing note.</li> <li>3. <b>Information on ending business rates on Council public toilets.</b></li> </ol> <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>
22.	Date of the Next Meeting.	<b>RECOMMENDATION</b> that the date of the next scheduled meeting be Wednesday 4 <sup>th</sup> September 2019, in the Jubilee Room, Lazonby Village Hall at 7.30pm. There is no scheduled meeting for August 2019.

<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 matters to be discussed in the next agenda items.		
23.	Wall at Bankfoot.	<b>TO CONSIDER</b> the next course of action regarding the collapsed wall at Bank Foot, Lazonby.  <b><u>Note: Please see Appendix 23a.</u></b>

**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.

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# **LAZONBY PARISH COUNCIL**

## **July 2019 Meeting of the Parish Council**

### **SUPPLEMENTARY APPENDICES**

<b>ITEM NO: (Appendix)</b>	<b>ITEM</b>
<b>8a.</b>	<b>Minutes of the Council Meeting of the 5<sup>th</sup> June 2019.</b>
<b>13a.</b>	<b>Financial Report by the Treasurer.</b>
<b>23a.</b>	<b>Wall at Bankfoot – CONFIDENTIAL MINUTE</b>