

# 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 27<sup>th</sup> September 2019.

Dear Sir/Madam,

There will be a Meeting of Lazonby Parish Council on **Wednesday 2<sup>nd</sup> October 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.)</i>

		<p>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><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><u>Please Note:</u></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 4<sup>th</sup> September 2019.</b>	<p><b>RECOMMENDATION</b> that the Minutes of the Parish Council meeting on the 4<sup>th</sup> September 2019 be approved and signed as a true record of those proceedings.</p> <p style="text-align: right;"><b><u>Note: Please see Appendix 8a.</u></b></p>
9.	<p><b>Progress Reports on Recent Actions - progress reports regarding matters from the Minutes of the 4<sup>th</sup> September 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).</p>	
	<p><b>a. Transfer of Assets and Service to the Parish (last minute no. 19/142).</b></p>	<p><b>TO RECEIVE</b> an update regarding the 'Transfer of Assets and Services' to the Parish'.</p> <p><b><u>Report of the Clerk to the Council.</u></b>  The Clerk wrote to Neil Buck at Eden District Council regarding the swings on Coronation Gardens (Lazonby), to say that the Parish Council are interested in maintaining them but would like to know if there would there be a need for weekly inspections, as a low use area, and would a risk assessment for the swings be needed? and would it make a difference to the number of inspections needed? Neil Buck replied today that it would be for the Parish Council's potential Insurance Company to evaluate the risk and provide them with guidance on what they feel would be a reasonable frequency of play area inspections. They do not have to be weekly, however Eden District Council made the decision that the risk to reduce the</p>

	frequency was too great. Neil Buck, also suggested an Annual Risk Assessment would be needed, however again he would recommend you discuss this with your Insurance Company.
<b>b. Footway Light replacement on the B6413 (last minute no. 19/142).</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. 19/142).</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. Telephone Box near the Old School (last minute no. 19/197).</b>	<b>TO RECEIVE</b> an update about the Telephone Box near the Old School.
<b>e. Revised Financial Regulations (last minute no. 19/174).</b>	<b>TO RECEIVE</b> an update about the revised Financial Regulations.
<b>f. The Old School Lease Update (last minute no. 19/175).</b>	<b>TO RECEIVE</b> an update about the Old School Lease.  <b><u>Report of the Clerk to the Council.</u></b> The final Schedule of Condition report for the Old School, completed by Lofthouse Consulting at Commercial Property Management, has now been signed by Councillor Chris West and the owners of Croglin Limited.
<b>g. Hedgehog Warning Signs (last minute no. 19/180).</b>	<b>TO RECEIVE</b> an update about the Hedgehog warning signs.
<b>h. Parish Council representatives on Committees of local organisations (last minute no. 19/176).</b>	<b>TO RECEIVE</b> an update about the Parish Council representatives on Committees of local organisations.
<b>i. Replacing the existing Photocopier Printer Model (last minute no. 19/177).</b>	<b>TO RECEIVE</b> an update about replacing the existing Photocopier Printer Model. <b><u>Report of the Clerk to the Council.</u></b> The Clerk is now meeting the Midshires sales representative on 4 <sup>th</sup> October to discuss a new printing machine. The lease for the current Lexmark machine finishes in a couple of months, and Midshires does not deal with Lexmark anymore, but instead are in partnership with Sharp so would like to show the Parish Council a new model that would cost around the same as the current one with added features. They have said that if the Parish Council wished too they can buy the old machine for £150 but they would have to fund the servicing and toners etc which are expensive. The Clerk will know more after the meeting when the information will be brought back to the Parish Council for consideration.
<b>j. Boon day at Will Pool (last minute no. 19/161).</b>	<b>TO RECEIVE</b> an update about the recent Boon Day at Will Pool.

	<b>k. Great North Air Ambulance Invitation(last minute no. 19/183).</b>	<b>TO CONFIRM</b> the attendance and the arrangements for the Great North Air Ambulance visit, at Langwathby, on 3 <sup>rd</sup> October at 1 pm.  <b><u>Report of the Clerk to the Council.</u></b> The Clerk can only apologise but unfortunately, it was not made clear to the Clerk but the Great North Air Ambulance try where possible to keep visitors down to groups of 4 but will have 6 visitors at the most. This is due to it being an operational base and at any time the aircraft may be called out, as well as in the event of bad weather we are very limited on space. So far Councillors Peter Foley, Gordon Nicolson and Lynn Whitley, as well as the Clerk have kindly said they will drop put to lower the numbers. The Clerk, unfortunately, had to let County Councillor Carrick know that there wasn't space for her to attend either, and Councillor Andy Sharples cannot attend anyway. This leaves Councillors Chris West, Tim Wright, John Judson, Gill Sharples, Philip Whitehead and Treasurer Chris Hoy as the six people attending.
	<b>l. Dog Fouling and rubbish bags (last minute no. 19/162).</b>	<b>TO RECEIVE</b> an update about the dog fouling and broken into blue rubbish bags.
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 in the Parish.</b>	<b>TO RECEIVE</b> an update about the Traffic Issues in the parish.
	<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.
	<b>d. VE Day Celebrations.</b>	<b>TO RECEIVE</b> an update about the VE Celebrations.
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>Planning Applications – New (or Appeal).</b>	<b>TO CONSIDER</b> any new applications which have been issued for consultation by Eden District Council.  <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.
16.	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> <p><b>Please Note:</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>
17.	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.
18.	Memorial Plaque from the broken bench at Will Pool.	<b>TO CONSIDER</b> what to do with the memorial plaque from the broken bench at Will Pool.
19.	Lights on Fiddlers Lane.	<b>TO CONSIDER</b> the future of the lights on Fiddlers Lane.
20.	Memorial for Chris Hill.	<b>TO CONSIDER</b> putting a memorial to Chris Hill, who was a longstanding Parish Councillor and active member of the local community.
21.	Invitations to Participate.	<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>CALC AGM Invitation</b> – Saturday 9<sup>th</sup> November 2019, at the Market Hall, Church Street, Wigton, CA7 9AA. A light buffet lunch will be available after the AGM. <u>Guest Speakers:</u> Jo Lappin, Chief Executive, Cumbria Local Enterprise Partnership and Cllr Peter Thornton, Deputy Leader, Cumbria County Council. <u>To book:</u> Email your name and the name of your parish to <a href="mailto:office@calc.org.uk">office@calc.org.uk</a> by Friday 25<sup>th</sup> October. If booking on behalf of your parish please provide each delegate's name and email address. Papers will be emailed to you nearer the time.</li> <li>2. <b>Climate Change Event</b> - CALC is in discussions with CAFS to devise a day for town and parish councillors about the issues around climate change, including ways for your council to reduce its carbon footprint and how your council can support and influence your community in becoming greener. Alongside a lot of thought-provoking information on the facts of climate change, the day will include interactive exercises, parish and town council case studies and the information on the powers you have which will enable you to achieve your aims. There will be opportunities to ask questions and to discuss any plans you may have. Climate change is already having significant impacts on Cumbrian communities but this course will be designed to look at what locals can do to make a difference – even small changes help and are important. CAFS are Cumbria's experts on sustainability and have a lot of knowledge of this area to share. If you may be interested in attending, and have any questions, requests or comments, please feel free to get in touch and we will take your views into account. If you feel a course on climate change and green issues would be of interest to you, please let CALC know.</li> </ol>

**3. Policy Consultation E-Briefing 10-19 – 5G Mobile Coverage In Rural Areas** - The Ministry of Housing, Communities and Local Government (MHCLG) is leading a joint consultation with the Department for Culture, Media and Sport (DCMS) on extending 5G mobile provision in rural areas. This consultation seeks views on the principle of amending permitted development rights for operators with rights under the Electronic Communications Code (Code Operators) to support the deployment of 5G and extend mobile coverage, and the circumstances in which it would be appropriate to do so. The consultation also seeks views on whether it is appropriate to impose specific limitations, conditions and restrictions on any amendments to permitted development rights to mitigate the impact of any new development. NALC is minded to reiterate its standing positions on mobile masts in its response to this consultation, will be responding and is interested in the sector's views:

- A change in government policy on planning applications for mobile telephone masts to ensure that all heights of masts are subject to a full planning application and proper consultation with local councils (where possible);
- New build houses and business to be provided with in-built infrastructure to enable connection to fibre-optic broadband;
- We support the Rural Coalition's call for infrastructure which reaches rural areas, so the rural economy can grow and create quality jobs.

NALC will be responding to the below review questions and is interested in the sector's views:

- Question 1.1: If these in principle proposals (set out in Questions 2 to 5) were taken forward, what impact would they have on meeting the Government's ambitions in relation to mobile coverage including addressing 'total not-spots' and 'partial not-spots'?
- Question 3.1: Do you agree with the principle of amending permitted development rights to allow an increase in the width of existing ground-based masts by more than one third, to support 5G deployment and encourage greater utilisation of existing sites?
- Question 5.1: Do you agree in principle with amending permitted development rights to increase the height of new masts, subject to prior approval?

Please email responses to this review by 5 pm on 11th October 2019.

**4. Policy Consultation E-Briefing 09/19 - Independent Review Into Local Government Audit** - Sir Tony Redmond is undertaking an independent review into local government audit. The Ministry of Housing, Communities and Local Government (MHCLG) are providing the secretariat for this work. The review will make its initial recommendations to the Communities secretary in December 2019 and a full report will be published in March 2020. The remit of the

review is to assess the arrangements in place to support the transparency and quality of local authority financial reporting and external audit including those introduced by the Local Audit and Accountability Act 2014 (the Act). The Review will not look at broader issues of local authority finances and sustainability. NALC is minded to reiterate some of its main recent positions on audit in its response and submissions (there is likely to be a formal call for evidence this Autumn) – and will include feedback from the sector on its experiences on how well or otherwise the transparency and audit changes introduced by the Local Audit and Accountability Act 2014 – have bedded in:

- We want to support the continued principle of audit proportionality (i.e. a lighter-touch for smaller bodies) and of safeguards to contain excessive fees brought about by habitual (local resident) audit complainers;
- In the National Audit Office (NAO) Code of Practice, there should be the inclusion of a principle relating to proportionality in respect of smaller authorities, especially where the authority has an annual budget/turnover below £25k and is potentially exempt (i.e. smaller and subject to the Smaller Authorities' Transparency Code). The local councils with annual budgeted incomes of less than £25k per annum will need further support moving forward in terms of ensuring complete compliance with the transparency requirements of the Act;
- The Review needs to be aware that to a smaller local council the costs of an audit investigation could cost more than the council's annual precept;
- MHCLG and NAO should in our view work with NALC and the local council sector in the future to consider the need to revise upwards the financial turnover audit and accounts threshold of £6.5 million for the largest spending local councils in England; &
- The 2014 Act is still very new, is largely working and stability, for this reason, is needed to give the main changes from 2014 a chance to bed-in.

NALC is additionally interested in your views on the effectiveness and consistency of current internal audit arrangements. Wherever possible it would be very helpful to NALC if county associations of local councils and local councils could please provide case study examples to support their views. NALC will be responding to the below review questions and is interested in the sector's views:

- Have audit standards been maintained or improved, and not been compromised? In particular, we are interested to hear from local (parish and town) councils as to why / how they think audit standards have been maintained and not comprised (or otherwise).
- Is there an 'expectation gap' in what external audit provides? What is the nature of the gap and how can it be filled? In particular, we are interested to hear from Super Councils as

to whether they think they are likely to exceed the £6.5 million ceiling threshold for the limited audit regime in the next three years.

- Are auditors properly responding to questions or objections by local taxpayers? In particular, NALC is interested to hear examples of councils suffering repeat vexatious local objections to their accounts from their residents.
- Are audit recommendations effective in helping local authorities to improve their financial management? In particular, we are interested to hear from local councils as to whether they think current internal audit arrangements for their council are strong enough with examples.
- Does the financial information provided in local authority accounts facilitate scrutiny by local taxpayers and by the local press? In particular, NALC would be interested to hear examples from local councils which have had to pay excessive audit fees to cover the costs of an audit investigation and where these fees have been in excess of the council's annual precept.

Please email your responses to this review by 5 pm on 18th October 2019.

**5. Draft Housing Supplementary Planning Document – public consultation** - Eden District Council are undertaking a consultation on the draft Housing Supplementary Planning Document (SPD). The Housing SPD has been produced to provide detailed guidance on the interpretation of policies in the Eden Local Plan 2014-2032 that relate to housing. This will assist applicants and decision-makers in the practical application of local plan policy. The Housing SPD will be a material consideration in the determination of planning applications. The Housing SPD adds detail to policies in the Eden Local Plan; it does not create new policy nor allocate further sites for development. The draft Housing SPD and associated documents can be viewed on the Council's website. The documents will also be made available at the Council Offices as well as the Local Links and Libraries across the district. Comments on the draft Housing SPD are welcomed before 5 pm on 25th October 2019.

**6. CALC AGM 9<sup>th</sup> November 2019** - Please remind Council members that the deadline for motions and nominations for Honorary Officers must be received by the CALC office before Wednesday 9<sup>th</sup> October. Please also remind members that elections will be held at the AGM for the 5 directly elected members of the CALC Executive. I have attached nomination papers and guidance. The deadline for receipt of nomination papers is Friday 4<sup>th</sup> October.

**7. Invitation to Rural Strategy Road show - South Lakeland District Council**

**Please Note: This information has been circulated by Email to Councillors and a copy will be available at the meeting to view.**



22.	<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>1. <b>CALC Newsletter – September 2019.</b></li> <li>2. <b>Cumbria Action for Health Network Bulletin and Mental Health Provider Forum XTRA info 12.09.2019.</b></li> <li>3. <b>Cumbria Action for Health &amp; Mental Health Provider Forum Bulletin 09.09.2019.</b></li> <li>4. <b>Burnetts' Employment Law &amp; HR Newsletter - September 2019.</b></li> <li>5. <b>Information about the Non-native Invasive Species - Water Primrose</b> - This information has been passed on by the Environment Agency.</li> </ol> <p><b><u>Please Note: This information has been circulated by Email to Councillors and a copy will be available at the meeting to view.</u></b></p>
23.	<b>Date of the Next Meeting.</b>	<p><b>RECOMMENDATION</b> that the date of the next scheduled meeting be Wednesday 6<sup>th</sup> November 2019, in the Jubilee Room, Lazonby Village Hall at 7.30 pm.</p>

<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 matters to be discussed in the next agenda items.</p>		
24.	<b>Wall at Bankfoot.</b>	<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 24a.</u></b></p>

**INFORMATION EXCHANGE:**

Please note that following the Council meeting there will be a 15 minute period where members can exchange information of a general nature. As items raised are NOT on the Agenda they will not be minuted.

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# **LAZONBY PARISH COUNCIL**

## **October 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 4<sup>th</sup> September 2019.</b>
<b>13a.</b>	<b>Financial Report by the Treasurer.</b>
<b>24a.</b>	<b>Wall at Bankfoot – CONFIDENTIAL MINUTE</b>