

LPC

LAZONBY PARISH COUNCIL

Minutes

For the Council Meeting held on Wednesday 7th September 2016, starting at approximately 7.30 p.m, in the Jubilee Rooms, Lazonby Village Hall.

Present: Acting Chair Councillor Chris West.

Councillors John Judson, Virginia Minihan and Peter Minihan.

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

Apologies for absence were received from Councillors Tim Wright, Gordon Nicolson, Chris Hill, Christine Chamberlain and Brian Smythe Broadband Champion

ITEM / MINUTE No.	ITEM	BUSINESS
16/176	Appointment of Chair of the Council for 2016 - 2017.	<p>The Council considered nominations for the position of Chair of the Council to serve for the 2016 – 2017 municipal year, from the Council Members present.</p> <p>RESOLVED that due to no nominations being received for the appointment of a Chair, that this would be deferred to the next Council Meeting in October 2016.</p> <p>ALSO RESOLVED that the Councillors present agreed that Councillor Chris West be nominated to be the acting Chair for this meeting.</p>
16/177	The filling of Council Member Vacancies by Co-option.	<p>The Council considered nominations to fill the two Council Member vacancies left unfilled at the election by reason of insufficient nominations. The letter addressed to the residents of 'The Meadows' to raise awareness about the work of the Parish Council and to see if any of the residents would like to become a Parish Councillor, has now been delivered by Councillor Tim Wright but no one has come forward as yet.</p> <p>RESOLVED that it be noted that the Parish Council will continue to look to co-opt new Council Members to fill the remaining two positions.</p> <p>ALSO RESOLVED that Councillor Tim Wright be thanked for delivering the letters to the residents of 'The Meadows',</p>
16/178	Requests for Dispensations.	<p>RESOLVED 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.</p>
16/179	Declaration of Interest.	<p>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.</p> <p>RESOLVED that there were no declarations by Council Members of any Personal or Prejudicial Interests relating to any items on the agenda for this meeting.</p>
16/180	Matters of Urgency.	<p>The Council received the following matters which arrived too late to be otherwise placed on the agenda, or were omitted by mistake, so were introduced in this part of the agenda. These are as follows:</p> <ol style="list-style-type: none"> 1. Planning application No: 16/0775 - (Full Application) Demolition of existing structure and construction of a standing reserve power plant

		<p>comprising of 2 no. Diesel generators, separate fuel tank and other associated works, at Low Plains Farm, Calthwaite, Penrith CA11 9RQ.</p> <p>RESOLVED that the Council will consider planning application No: 16/0775 - (Full Application) Demolition of existing structure and construction of a standing reserve power plant comprising of 2 no. Diesel generators, separate fuel tank and other associated works, at Low Plains Farm, Calthwaite, Penrith CA11 9RQ, at agenda item 18 - Planning Applications – New (or Appeal), which is minute 16/192 of these Minutes.</p>
16/181	Minutes of the Council Meeting of the 6th July 2016.	The Minutes of the Council Meeting of the 6 th July 2016 were considered.
		RESOLVED that the Minutes of the Council meeting of the 6 th July 2016 be approved and signed as a true record of those proceedings.
16/182	Matters Arising from the Minutes of the Council Meeting of the 6th July 2016.	The Council considered any matters arising from the Minutes of the 6 th July 2016.
	15/190 - Overgrown pavement, Seat and damaged Bus Stop Sign - Armathwaite Rd End.	RESOLVED that it be noted as the Bus stop sign is now installed and the broken seat removed on the Armathwaite Road End of the A6 this item can be removed from the agenda as there is no more work to be done.
	16/22 - Copper Beech Tree at Croglin Designs.	The Council received an update about the Copper Beech Tree at Croglin Designs. Rob Sim is now looking into finding someone to do the work. The work needing to be done is a possible crown lift and cutting back around the BT wires.
		RESOLVED that the Councillor Chris West also ask for a quote from a local company regarding the work needed to be carried out on the Copper Beech tree.
	16/60 – Public participation - Maintenance of the War Memorial.	The Council received an update about the re-pointing of the retaining wall to the rear of the War Memorial. Councillor John Judson has only received one quote back from JMC Construction for the sum of £865 for the re-pointing; even though several companies were asked to give a quote.
		RESOLVED that the Council agreed that Councillor John Judson now ask JMC Construction to go ahead with the re-pointing of the retaining wall to the rear of the War Memorial.
16/112 - Steps to the Railway Station.	The Council received an update about the steps to the Railway Station. The Clerk wrote to the two companies who were potentially responsible for the steps to the railway station near the Midland hotel, to ask them to install a handrail on the steps after a parishioner's recent accident. In early August, Trust Inns Ltd confirmed their obligations contained in their leasehold interest, and they have said that they will reinstate the handrail in the near future. However, the work is still outstanding.	
	RESOLVED that the Clerk pursue the installation of a hand rail on the steps up to the railway station with Trust Inns Ltd.	
16/183	Public Participation.	<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>Several parishioners have raised concerns about Planning Application 16/0685 which is a retrospective planning application for the retention of steps leading up to the seating area adjacent to Scaur Lane footway and some privately</p>

		<p>owned driveways, on land off Scaur Lane as part of 'The Meadows' housing development. Concerns about access for wheelchairs and prams were made, as well as no hand rails. Keeping to the original planning consent of a ramp was also discussed. The written objections have also been made to Eden District Council Planning by several parishioners. This planning application is to be considered on the Planning Applications – New (or Appeal) agenda item as part of this meeting.</p> <p>Members of the Church have brought to the attention of the Parish Council the poor condition of the flag on the roof of the Church, as they believe it was given to them by the Parish Council and would like to replace it. However, the Parish Council do not have any recollection of giving them the flag.</p> <p>A local land owner parishioner has complained about gates being left open, people not keeping to footpaths, dogs not being under control and dog mess not being picked up on their land.</p> <p>RESOLVED that the Council will take into consideration any parishioners objections when considering planning application no. 16/0685.</p> <p>ALSO RESOLVED that Councillor Chris West would ask the Church more about the origins of the flag.</p> <p>ALSO RESOLVED that the Clerk would put an article in the Parish Council Newsletter to ask people to respect the countryside code when using footpaths etc. .</p>
16/184	Fibre Optic Broadband.	<p>The Council received a written report regarding Fibre Optic Superfast Broadband from Broadband Champion Brian Smythe. Brian was not able to attend as the Parish Council meeting coincides with the quarterly Hub Coordinators meeting. Brian reported that there is little news for Lazonby currently, as indicated at the previous meeting, because they are waiting for BDUK's report on Connecting Cumbria's plans for the Phase 2 roll-out, which is not expected until end of 2016. The Hub Coordinators meeting is addressing an attempt by Cumbria County Council (and possibly BT) to dilute or dissolve the role of the Hub Coordinators when most of the members see the need for direct community involvement in how we can address the remaining 5-10% of the properties that will not have access to SFBB at the end of Phase 2. Brian should be able to attend the October meeting of Lazonby Parish Council and will keep us posted on any news.</p> <p>RESOLVED that Brian Smythe be thanked for his written report about superfast broadband, the contents of which were noted.</p>
16/185	Report from the District Councillor Gordon Nicolson.	<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"> 1. There were no meetings of Eden District Council or the Executive in August. The next meetings are on 8th and 6th September respectively. 2. The September meeting of Council will be asked to agree a designation order for the Parish of Penrith as an area suitable for exercising neighbourhood planning powers. No dates have been specified for commencement of the development of a neighbourhood plan. 3. Members will be aware that a Government intention to remove the need for a financial contribution to provision of affordable housing for sites of less than 10 dwellings in urban areas and for sites of less than 5 dwellings in rural areas. This proposal was successfully challenged by councils but the Government has had their position maintained on appeal. The Department of Communities and Local Government have issued Planning Policy Guidance. As a result, Eden District Council will adopt new arrangements as follows:

Within the former Urban District of Penrith:

- Sites of between 1 to 10 dwellings with no more than 1000 square metres of floor space – no contribution to affordable housing.
- Sites of 11 dwellings and above – there will be a requirement for 30% of the houses to be affordable. This will be secured by a Section 106 agreement and will be subject to negotiation and an independent financial viability assessment if the developer argues for a lower percentage.

Outside of the former Urban District of Penrith [including the Parish of Lazonby.]

- Sites of 1 to 5 dwellings – no contribution to affordable housing.
- Sites of 6 to 10 dwellings – payment of a commuted sum of 12% of the gross value of the development paid equally and prior to occupation in respect of each dwelling. This will be secured by a Section 106 agreement and will be subject to negotiation and an independent financial viability assessment if the developer argues for a lower percentage.
- Sites of 11 dwellings and over - there will be a requirement for 30% of the houses to be affordable. This will be secured by a Section 106 agreement and will be subject to negotiation and an independent financial viability assessment if the developer argues for a lower percentage.

These changes have implications for the Neighbourhood Plan currently in development. The requirement that housing outwith the designated hubs and sites should be 100% affordable is retained.

Eden Council is applying to Government for a four year financial settlement. This facility is available to Councils that can demonstrate financial resilience and effective planning and resource allocation.

RESOLVED that District Councillor Gordon Nicolson be thanked for his report, the contents of which were noted.

16/186

Report from County Councillor Hilary Carrick.

The Council received a written report from County Councillor Hilary Carrick about County Council matters affecting the Parish.

1. County Councillor Hilary Carrick is meeting with Bells of Lazonby and a Cumbria Highways Engineer to discuss the issue of lorries turning left at the bottom of Station Road to see how the problems it causes can be resolved. This will also include the parking issues on the hill. Councillor John Judson said he could also attend this meeting.
2. There is a street light out at Inglenook at Townhead that needs to be repaired.
3. The salt bin at Townhead has also been crashed into and smashed. The culprit has not been caught but it is in the hands of the police. Therefore, the Parish Council may be asked to pay for a new one to be reinstated. If the culprit is found then the Parish Council will look to get a contribution to pay for the replacement from them.

RESOLVED that it be noted that County Councillor Hilary Carrick reserved the right to speak on other issues on the agenda.

ALSO RESOLVED that County Councillor Hilary Carrick be thanked for her report, the contents of which were noted.

16/187	Review of Standing Orders, Financial Regulations and adopting other policies and procedures.	<p>The Council received a recommendation that a new revised and recently amended version of the Financial Regulations, as advised by the National Association of Local Councils (NALC), be adopted by the Parish Council.</p> <p>RESOLVED that the Parish Council adopt the new revised and recently amended version of the Financial Regulations, as advised by the National Association of Local Councils (NALC).</p>
16/188	Environment & Neighbourhood Committee Meeting.	<p>The Council received an update from the Environment & Neighbourhood Committee regarding the employment of a Ground Worker for Summer 2016. The Treasurer Chris Hoy has been researching into the employment of a ground worker. Another local Parish Council employs someone known as a 'Lengths Man' who they employ for 21 hours a month at cost of £294 per month or £3528 annually. Historically the 'Lengths Man' name came about in the 1800's and referred to someone who kept a length of road neat and tidy. They were responsible for lengths of roads between parishes or even in villages, and employed by the Parish Council to manage weeds and grass cutting on verges and general maintenance. This person could be employed on a self-employed or contract basis. However, the 'Lengths Man Scheme' should involve an agreement with Highways and an agreement with the 'Lengths Man'.</p> <p>The Council also received a written report from Councillor Gordon Nicolson regarding the riverside footpath. He has spoken to Sheila Bennison and Victor Gubbins and both are generally supportive of proposals to reinstate the riverside path and improve the security of the fencing along the way. The Parish Council will need to draw up an outline plan for the works and then work out costs. This would be the basis of consultation with the landowners and other village groups and could be followed with a grant application to the Cumbria Waste Management Trust.</p> <p>RESOLVED that Treasurer Chris Hoy and Councillor Gordon Nicolson be thanked for their reports, the contents of which were noted.</p>
16/189	Lazonby Parish Projects:	
a. Registration of Parish Land.	RESOLVED that there is nothing further to report regarding the registration of parish land at present.	
b. Neighbourhood Plan.	<p>The Council received an update regarding the Neighbourhood Plan. The Neighbourhood Plan Steering Group has continued meeting rather than wait for the Eden Local Plan because the plan needs to be progressed. The process of finalising will be done by Gordon Malcom by the 22nd September 2016. Then it will be reviewed by an independent Planning Inspector paid for by the Neighbourhood Plan Steering Group funding. The Plan will then go to Eden District Council for a 6 week review and then put into the public domain.</p> <p>RESOLVED that the report on the Neighbourhood Plan be noted.</p>	
c. Scaur Close Green.	RESOLVED that it be noted that there was no report regarding the Scaur Close Green triangle project this month.	
d. Community Playground.	<p>The Council received an update about the Community Playground.</p> <p>RESOLVED that it be noted that the Councillors Gordon Nicolson and Christine Chamberlain have not yet been able to meet with the members of the Swimming Pool Committee. A date will be agreed once they are available again.</p>	
e. Eden Bridge Car Park & Recycling Centre.	<p>The Council received an update about the Eden Bridge Car Park & Recycling Centre. The Clerk received a letter in July 2016 about the recycling centre needing a clear up as requested under the terms of the recycling credit agreement. However, the volunteers that usually give their valuable time to</p>	

		<p>clean the recycling centre were away. Councillor Chris West kindly offered to go down and clear it over the summer period and has encountered quite a bit of fly-tipping and mess, which she has tidied and bagged and taken to the Council tip.</p> <p>RESOLVED that Councillor Chris West be thanked for her report, the contents of which were noted, and for volunteering to keep the Recycling Centre tidy over the summer.</p> <p>ALSO RESOLVED that the Clerk put an article in the Parish Council Newsletter about fly-tipping and keeping the recycling centre tidy.</p>
	f. Wall at Bank Foot.	<p>There was no update to give to the Council on the collapsed wall at Bank Foot. However, the Council are at a loss as to what to do next.</p> <p>RESOLVED that the Clerk send Allan Park of Eden District Council the Parish Council notes from the August 2012 meeting between representatives of the Parish Council, Eden District Council and the Solicitor acting for Laces, and ask where the Parish Council can go from here.</p>
	g. Emergency Procedures for Parish.	<p>The Council received an update on the emergency procedures for the parish. The Clerk having sent out letters inviting local businesses, groups and organizations to get involved with the Lazonby Parish Emergency Response Plan has received several replies saying they are interested in attending the meeting. A date for a meeting is still to be organised.</p> <p>RESOLVED that the Clerk ask Councillor Gordon Nicolson for a date for the Lazonby Parish Emergency Response Plan meeting.</p> <p>ALSO RESOLVED that the Clerk invite Eden Valley Mineral Water company to also attend the Lazonby Parish Emergency Response Plan meeting.</p>
16/190	Financial Report by the Treasurer.	<p>The Council received a report from the Treasurer (please see attached Treasurer's Report).</p> <p>The Treasurer has also received thank you letters addressed to the Parish Council from The North Air Ambulance and the Fell Runner for the grant awards given to them by the Parish Council for financial year 2016 - 2017.</p> <p>ALSO RESOLVED that the Treasurer be thanked for his report, the contents of which were approved, accepted and noted.</p>
16/191	Authority for Payments.	RESOLVED that it be noted that there were no authority for payments sought.
16/192	Planning Applications – New (or Appeal).	<p>The Council considered the following Planning Application:</p> <ol style="list-style-type: none"> 1. Planning Application 16/0685 - (Full Application) Retrospective permission for retention of steps leading up to the seating area adjacent to Scour Lane footway and some privately owned driveways, on land off Scour Lane, Lazonby, Penrith. <p>The Council also considered the following Planning Application which was issued for consultation by Eden District Council, and was introduced at the Matters of Urgency agenda item as it arrived too late to be otherwise placed on the agenda:</p> <ol style="list-style-type: none"> 2. Planning application No: 16/0775 - (Full Application) Demolition of existing structure and construction of a standing reserve power plant comprising of 2 no. Diesel generators, separate fuel tank and other associated works, at Low Plains Farm, Calthwaite, Penrith CA11 9RQ. <p>RESOLVED that the Council gave the following COMMENTS regarding Planning application No: 16/0685 - (Full Application) Retrospective permission for retention of steps leading up to the seating area adjacent to Scour Lane</p>

		<p>footway and some privately owned driveways, on land off Scaur Lane, Lazonby, Penrith.</p> <ol style="list-style-type: none"> 1. For Eden District Council Planning to refuse this as a retrospective planning application and enforce the original planning application to install a ramp. 2. To listen to the concerns of parishioners and the Parish Council concerning access for wheelchairs and pushchairs. 3. To ensure that hand rails be installed on the other steps in the area. <p>ALSO RESOLVED that the Council gave the following COMMENTS regarding Planning application No: 16/0775 - (Full Application) Demolition of existing structure and construction of a standing reserve power plant comprising of 2 no. Diesel generators, separate fuel tank and other associated works, at Low Plains Farm, Calthwaite, Penrith CA11 9RQ.</p> <ol style="list-style-type: none"> 1. For Eden District Council Planning to ensure that the previous planning consent regarding the Biomass plant be handed back or withdrawn before they issue the new consent for this planning application.
16/193	Planning Applications – Decisions.	<p>RESOLVED that it be noted that the following Planning Application Decisions were received.</p> <ol style="list-style-type: none"> 1. Planning Application 16/0148 - (Full Application) Loft conversion and three storey rear extension to dwelling, at South Cote, Lazonby, Penrith CA10 1AJ.– GRANTED. 2. Notification of Outcome of Application for Planning Permission Location: Low Plains Quarry, Armathwaite, Penrith, Cumbria, CA4 9TR Proposal: Section 73 application to vary Condition 19 of planning permissions 3/11/9009 and 3/11/9010 Ref No: 3/16/9002 - GRANTED
16/194	Police up-date.	<p>RESOLVED that it be noted that the Council received information about Cumbria Constabulary Public Consultation Survey which closes on 9th September 2016.</p>
16/195	LPC Cumbria Highways Link Person Report.	<p>The Council received a report from County Councillor Hilary Carrick who said that the resurfacing of the main road through the village is to start on 24th September 2016 and will last for 2 days.</p> <p>RESOLVED that the report about the resurfacing of the main road through the village be noted.</p>
16/196	Invitations to Participate.	<p>RESOLVED that it be noted that the following information was given to the Council and noted without comment.</p> <ol style="list-style-type: none"> 1. NALC Survey on Community Led Housing to all Member Councils – Deadline is now 30th September 2016. 2. Nominations for CALC Executive Committee – deadline for nomination forms is 14th October 2016.
16/197	INFORMATION given for reference only.	<p>RESOLVED that it be noted that the following information has been given out for reference only:</p> <ol style="list-style-type: none"> 1. Insurance Act information. 2. NALC’s revised publication of “Being a Good Employer”. 3. Compliance Information with the Transparency Code for Smaller Authorities.
16/198	Date of the Next Meeting.	<p>RESOLVED that it be noted that the date of the next scheduled Meeting be confirmed as Wednesday 5th October 2016, at 7.30pm in the Jubilee Rooms at Lazonby Village Hall.</p>

