LPC LAZONBY PARISH COUNCIL

Minutes

For the Council Meeting held on Wednesday 5th July 2017, starting at approximately 7.30 p.m, in the Jubilee Rooms, Lazonby Village Hall.

Present: Chair Councillor John Nicol.

Councillors Chris Hill, Carole Taylor, John Judson, Gordon Nicolson, Chris

West, Virginia Minihan and Peter Minihan,

Also in attendance: County Councillor Hilary Carrick, Broadband Champion Brian Smythe, the Parish Council Treasurer Chris Hoy and the Clerk to the

Parish Council Rebecca Wyatt.

Apologies for	DECOLVED that it has noted that application for absonue were received from
absence.	RESOLVED that it be noted that apologies for absence were received from Councillor Tim Wright.
Requests for Dispensations.	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.
Declaration of Interest.	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. RESOLVED that it be noted that Councillor Gordon Nicolson declared a
	personal and prejudicial interest in matters concerning Eden District Council.
Matters of Urgency.	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: 1. The Council received a letter of resignation from Councillor Christine Chamberlain due to her moving out of the parish in the near future.
	RESOLVED that Councillor Christine Chamberlain's resignation be accepted with regret and that Christine be thanked for her contribution to the work of the Council during her time as a Council Member. ALSO RESOLVED that Eden District Council be advised of this resignation and that the necessary steps be taken to fill the vacancy.
RC	Requests for Dispensations. Declaration of Interest.

17/120	Minutes of the Council Meeting of the 7 th June 2017.	The Minutes of the Council Meeting of the 7 th June 2017 were considered.
		RESOLVED that it be noted that the typing error of the word 'cartilage' be replaced with 'curtilage' on Minute 17/108 - Planning Applications – New (or Appeal) of the June 2017 Minutes of the Parish Council.
		ALSO RESOLVED that the resolutions of Minute 17/108 - Planning Applications – New (or Appeal) of the June 2017 Minutes of the Parish Council also be numbered one through to three.
		ALSO RESOLVED that subject to the above amendments the Minutes of the Council meeting of the 7 th June 2017 be approved and signed as a true record of those proceedings.
17/121	Progress Reports on Recent Actions.	The Council received progress reports regarding matters from the Minutes of the 7 th June 2017.
	a. Transparency Code (Last minute no. 17/64).	The Council received an update about the Transparency Code and making sure the Parish Council complies. This is to include the Parish Council assets.
		RESOLVED that it be noted that the Parish Council assets regarding the transparency code will be dealt with under the Finance and Budget Committee Report agenda item.
	b. The Wildflower Verge at Eden Bridge (Last minute no. 17/97).	The Council received an update about the wildflower verge at Eden Bridge. The Parish Council received the following report from Mr and Mrs Harbron, who have kindly volunteered to ensure the wildlife verge at Eden Bridge continues to thrive:
		"We spent an hour on site today, keeping the meandering path clear, and removing some nettle and dock. Although it may not look very colourful from the road, there is quite a lot going on by way of flowering plants, and the grasses are nearly all 'good' ones, from a hay-meadow perspective. Sadly, regular mowing has killed off what used to be a carpet of meadow cranesbill (the tallish blue flower), but a little bit has survived by the big stone at the entrance, and it will spread readily, if allowed. We share your concern about balsam. It is a pretty plant, and pollinating insects like it, but, as we are sure you know, it soon becomes dominant, shades out native species, then, when it dies back in Autumn, leaves bare earth which washes away as soon as the river floods. The good news is that it is an annual plant, so it is relatively easy to control where it can be pulled, and it does pull easily. We took out quite a lot today, but weren't dressed for wading into waist-high nettles, but are happy to do so shortly, and before the more robust plants set seed. If it's dry on Saturday PM, we'll happily head into the jungle, from about 2pm, and, if anyone is free to join in the 'fun', that would be appreciated. Weeding the area around the car-park won't solve the problem, but it will make a small difference."
		RESOLVED that Mr and Mrs Harbron be thanked for the work they have done on the wildflower verge at Eden Bridge, and that their report be noted.

c. Low Plains Quarry (Last minute no. 17/100). The Council received an update regarding the noise complaints about Low Plains Quarry. The Clerk wrote to David Hughes, Planning Officer at Cumbria County Council to inform him that the Parish Council had received complaints about excessive noise from residents of Low Plains Court thus Tarmac, and Low Plains Quarry, were still causing problems to these parishioners. The Clerk also informed him that Tarmac have still not reinstated the liaison meetings which they promised to do. The Clerk received the following response letter from David Hughes:

"The County Council continues to take the complaints of the residents of Low Plains Court seriously. It appears from my experience of the situation, having heard both loud and faint noise from the plant area and having heard noise from the motorway on different occasions, coupled with the results of noise monitoring carried out on behalf of Tarmac; that noise at Low Plains Court is to a greater extent dictated by wind direction. I am currently exploring ways for noise monitoring to be undertaken over a longer period so that a more complete picture of environmental noise in the area can be established. The County Council does not have in-house capacity to carry out such monitoring but I am hopeful that something can be arranged. I have spoken with the quarry management who would like to hear for themselves the problem at Low Plains Court so as to better understand it. For this to happen, complaints need to be made at the time that there is a problem and ideally directly to quarry staff (although I would still like to know for our records). I am corresponding with one of the residents of Low Plains Court, who has recently made complaints and who I understand speaks for a number of his neighbours. I have suggested that they complain directly to the quarry during noisy periods. With respect to liaison meetings, I can only encourage Tarmac to convene these and will update you when I have a response, I trust this is clear. If not, or if you would like to discuss anything further, please do not hesitate to contact me."

The issue of monitoring the noise levels at the quarry was discussed by the Parish Council.

RESOLVED that the report about the complaint about the noise levels at low Plains Quarry be noted, and that ways of monitoring the levels of noise would continue to be investigated (See also minute 17/124).

ALSO RESOLVED that it be noted that the Liaison meetings between Tarmac and Low Plain Parishioner and the Parish Council have not yet been reinstated.

d. Personnel Matters. (Last minute no. 17/111). The Council received an update regarding the contracts of employment of the Clerk and Treasurer.

RESOLVED that it be noted that the Parish Council agreed to deal with this at the end of the meeting and exclude members of the public due to the personal nature of the issues to be discussed.

e. Cumbrian Homes Planning Application (Last minute no. 17/108). The Council received an update about the Cumbrian Homes Planning Application. The Cumbrian Homes Planning Application went to the Eden District Council Planning Committee on Thursday 15th June 2017 and was approved subject to conditions set out in the approval notice. These conditions included a drainage and surface water scheme, with no construction until a surface water management plan is made; the construction method statement to include any pollution measures; minimising impact of construction; no work to be carried out between certain times. Also a Section 106 agreement will be dealt with when the detailed planning application is considered. They will have to comply with the Neighbourhood Plan if it comes into effect before the detailed planning application is considered.

		RESOLVED that the report regarding the Cumbrian Homes Planning Application be noted.
17/122	Public Participation.	Although there were no parishioners present at the meeting, the Council received several written communications from Parishioners.
		1. Another issue has arisen at Low Plains and been brought to the attention of the Parish Council by Low Plains Court residents because of the closure of the usual road to their homes due to repair work to a bridge. A decision was taken by Tarmac, operators of Low plains quarry, to close the diversion around the temporary bridge works which in turn closed normal access to Low Plains Court residents. Although this was done due to concerns about Health & safety with where the temporary road running alongside a conveyer belt, the consequence of the closure of this diversion could result in a potentially life threatening denial of access to emergency services. While it was understood that Tarmac's acted on the concern for Health & Safety, parishioners at Low Plains urged an urgent review of this situation and to reopen the temporary access immediately. Councillor Peter Minihan reported that he had spent time dealing with the situation regarding the temporary road and that a new road had now been created to give access to Low Plains Court.
		2. A parishioner contacted the Clerk to report fly-tipping at the Eden Bridge Recycling Centre, and gave suggestions on how this could be monitored, such as using solar powered CCTV system, or even cameras that work through a mobile phone signal, or put in place a large general rubbish bin similar in size to the ones used for paper and card, although this would need emptying and may still lead to fly- tipping.
		3. A parishioner reported that the pedestrian gate and post at the parish playing/sports field had fallen over during the recent Scout camp. Some of the posts had rotted away due to old age. The parishioner kindly replaced the failed posts and re-hung the gate to make it safe for the kids to use again. Relphs at Yanwath very kindly donated some posts from their older stock.
		RESOLVED that it be noted that the issue of the temporary access to Low Plains Court has now been resolved with the creation of a new access, and to thank Councillor Peter Minihan for the work he did to resolve this situation.
		ALSO RESOLVED that the parishioner who reported the fly-tipping be thanked and his report noted.
		ALSO RESOLVED that the parishioner who mended the posts at the parish playing/sport field be thanked for his work, and Relphs at Yanwath be thanked for donating the gate posts.
17/123	Super fast Broadband.	The Council received a written report regarding Fibre Optic Superfast Broadband from Broadband Champion Brian Smythe. The Connecting Cumbria Newsletter has been received. Lonsdale are not giving any feedback at the moment but Low Plains is on about 24 meg. There is a problem over access at three houses due to the positioning of a bush/tree. The houses that are receiving the full service have been very impressed with it. There is an ongoing program on up grading the backhaul which will put more capacity on the network. Brian will report back to the Clerk if he received any more update in the meantime.

		RESOLVED that Brian Smythe be thanked for his report about Superfast Broadband, the contents of which were noted.
17/124	Report from the District Councillor Gordon Nicolson.	 The Council received a report from the District Councillor Gordon Nicolson about Eden District Council matters affecting the Parish. Eden Local Plan is having more rounds of hearings with the Planning Inspector. This includes the 5 year land supply. The 3 years land supply is approved with 1000 new houses approved for Penrith. The annual target is 200 - 242 per year. New hubs have increased by one to thirteen. Councillor Gordon Nicolson will attend the Eden Local Plan Consultation Meeting on 24th July, at Skelton Village Hall, 7.00 pm to 9.00 pm. Councillors Virginia Minihan and John Nicol may also attend and will liaise with Councillor Nicolson. RESOLVED that it be noted that District Councillor Gordon Nicolson reserved the right to request to speak on other issues on the agenda.
		ALSO RESOLVED that District Councillor Gordon Nicolson be thanked for his report, the contents of which were noted.
17/125	Report from County Councillor Hilary Carrick.	 The Council received a report from County Councillor Hilary Carrick about County Council matters affecting the Parish. County Councillor Hilary Carrick informed those present that there has been a slow start after the recent County and General Election. There was a full Council meeting last week at Cumbria County Council so now County Councillors know which committees they are on. This will now mean training will be carried out for these Councillors. The Eden Local Meeting will be 31st July where they will be dealing with all issues to do with Eden, and elect a Chair. Low Plains – the County Council does not have any noise monitoring equipment. Professional monitoring will need to be carried out. The residents at Low Plains could ask Environmental Health at Eden District Council to carry out readings or commission someone privately. RESOLVED that it be noted that County Councillor Hilary Carrick reserved the right to request 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.
17/126	Review of Standing Orders, Financial Regulations and other policies and procedures.	RESOLVED that it be noted that the review of the Standing Orders, Financial Regulations and other policies and procedures have been dealt with by the Governance Committee and will be discussed at that part of the agenda.
17/127	Lazonby Parish Projects:	
	a. Registration of Parish Land.	The Council received an update regarding the registration of parish land. Councillor Virginia Minihan has looked at the documents for the Land Registry and has confirmed that they are correct but requested that their title numbers be recorded and minuted. The Clerk will now fill in the questionnaire and return to Cartmell Shepherd Solicitors. RESOLVED that it be noted that the Land Registry numbers of each piece of
		land are as follows:

Title Number CU290577 for Will Pool, Land around the Old School: Area of land by the Church; Bateman Lane; and Riverside. Title Number CU29000538 for the parish sports/playing field. Title Number CU97368 and CU275594 for land at Scaur Close. b. Neighbourhood The Council received an update regarding the Neighbourhood Plan. Eden Plan. District Council will now allow 35 dwellings (with 30% affordable) to be built at Hesket Park. This will also allow the site next to it to become an infill site as there is a planning application for the site of the old Masons Garage, which is further down the road. The landowner of Hesket Park was very pleased with this decision. These details will be added to the draft Plan so that it is complete and in pre-submission format, as is the Design Guide. Regarding the consultation, which will start Monday 17th July 2017, a letter will be Emailed to all statutory Consultees giving details of where to find the presubmission draft Plan and associated Design Guide, and information on the Consultation period and submitting of comments. The copy to Eden District Council will also ask them to display the information on their website. The copy to Historic England, Environment Agency and Natural England will explain that this is just a courtesy as they have already been consulted and replied. A copy of the letter and both pre-submission documents will be put on to the Parish Council website. Notices will be placed on the Notice boards in the Village and also in the Herald Newspaper. Paper copies of the Plan and Design Guide and cover sheet will be placed in Lazonby Co-op. Village Hall. St Nicholas Church. Stonebarn House, Low Plains and in Penrith at Mansion House, Town Hall and Library. Consultation events will be booked in the Village Hall for - Wednesday 26th July (7pm – 9pm) and Saturday 12th August (10am – noon). Lazonby Neighbourhood Plan email address will be monitored weekly for responses which will then be included in the Consultation Statement. **RESOLVED** that the report about the Neighbourhood Plan be noted. ALSO RESOLVED that the Clerk ensure that a copy of the letter and both presubmission documents will be put on to the Parish Council website. c. Scaur Close RESOLVED that it be noted that there was no progress report to give regarding Scaur Close Green Project. Green. d. Wall at Bank The Chairman reported that he had confidential material to report to the Foot. Council concerning the Wall at Bankfoot. **RESOLVED** that in view of the confidential nature of the business to be transacted it was in the public interest that the public be excluded and that at the appropriate time they be requested to withdraw from the Meeting. e. Will pool Path The Council received an update about the building of a path from the village to Project. Will Pool. Councillor Hilary Carrick reported that the Parish Council did not need the permission of Cumbria County Council as it was Parish Council land. Also that any permissions needed had already been granted a couple of years ago when this project had been discussed before but had not proceeded. The path will be constructed on the verge and must have appropriate signage. **RESOLVED** that the issue of building a path from the village to Will Pool be referred to the Environment and Neighbourhood Committee.

17/128	Financial Report by the Treasurer.	The Council received a report from the Treasurer (please see attached Treasurer's Report). Three thank you letters were received from the Fellrunner, the Great North Air Ambulance and Lazonby & District First Response for grant money given by the Parish Council. The amount of £7015.09 in the current account is expected to cover the projected expenditure. RESOLVED that the Treasurer be thanked for his report, the contents of which were approved, accepted and noted.
17/129	Authority for Payments.	The Council considered requests for payment received by the Treasurer, Clerk or Council Members. 1. Eden District Council's final maintenance payment for the community playground of £786.00 (includes VAT of £131.00). 2. Clerk's expenses of £159.23. RESOLVED that the amount of £786.00 (including VAT of £131.00) be paid to Eden District Council for the maintenance of the Community Playground. ALSO RESOLVED that the Council agreed to pay the Clerk the sum of £159.23 for expenses relating to the work of the Clerk.
17/130	Planning Applications – New (or Appeal).	The Council considered the following Planning Applications, which were issued for consultation by Eden District Council or Cumbria County Council. 1. Planning Application No: 17/0475 – Proposed rear conservatory, at Redesdale Cottage, Lazonby, Penrith CA10 1AJ. RESOLVED that the Council have NO COMMENTS to make regarding Planning Application No: 17/0475 – Proposed rear conservatory, at Redesdale Cottage, Lazonby, Penrith CA10 1AJ.
17/131	Planning Applications – Decisions.	RESOLVED that it be noted that there were no Planning Application Decisions received. ALSO RESOLVED that Councillor Gordon Nicolson ask Eden District Council's Planning Services why the Parish Council has not receive Planning Application decisions in recent months.
17/132	LPC Cumbria Highways Link Person Report.	The Council received the following reports on Highways issues in the parish. County Councillor Hilary Carrick gave the Parish Council an update about the cleaning of the gullies near the Co-op. The gullies had been cleaned out but problems were still there regarding being blocked. RESOLVED that it be noted that the gullies near the Co-op will be re-inspected and jet washed.
17/133	Finance and Budget Committee Report.	The Council received a report from the Finance & Budget Committee regarding the following issues that were discussed at their recent meeting but have not already been discussed on this agenda. 1. Review of Staffing Hours and Remuneration. 2. Current Budgetary Situation. 3. Comments on Financial Regulations for Governance Committee. The Chairman reported that he had confidential material to report to the Council concerning the review of Staffing Hours and Remuneration. Membership of the Committees was also discussed.

RESOLVED that in view of the confidential nature of the business to be transacted regarding the review of Staffing Hours and Remuneration, that it was in the public interest that the public be excluded and that at the appropriate time they be requested to with draw from the Meeting.

ALSO RESOLVED that the contents of the draft Minutes of the Finance and Budget Committee Meeting as follows be noted:

- The Register of Assets The list is as follows and not Recorded with Auditors:
 - Grass cutting equipment Already valued with insurers.
 - Old School Already valued with insurers.
 - Fishing limit sign Cost already known
 - Defibrillator Signs x 2 Cost already known
 - Bench at Scaur Green Cost already known
 - Parish Notice boards x3 £75 each
 - Benches at Recycling Centre believed 3 exist; Treasurer will check £250 each
 - Parish Seats Jubilee Seat on main road £500, on Carlisle road £100, top of Fiddlers lane £100
 - Scarrows by tree £100, at Croglin Designs £100 plus hand rail £100
 - Clerk's Laptop £500
 - Goalposts in Sports Field were considered for removal.
 - The War Memorial although further investigation into its ownership needs to be done.

The Will Pool Equipment, Street Lights at Village Hall and Commemorative Stone Plaque for Millennium capsule and Will Pool are already registered with auditors. A final list will be compiled for publication on the Parish website, land assets have already been reported to the external auditors.

2. **Current Budgetary Situation –** The budget is currently on track, however the committee is extremely concerned about the wall at Bank Foot and the implications on the finances of the Parish and whether some should be allocated to this.

ALSO RESOLVED that it be noted that the Treasurer and Clerk have now signed their Contracts of Employment.

ALSO RESOLVED that Councillor Carole Taylor would now be a fourth member of the Governance Committee and the Finance & Budget Committee.

17/134 Governance Committee Report.

The Council received a report from the Governance Committee regarding the following issues that were discussed at their recent meeting but have not already been discussed on this agenda.

- 1. Review of Standing Orders and Financial Regulations.
- 2. Review of practices at meetings and any other governance issues.

RESOLVED that the contents of the draft Minutes of the Governance Committee Meeting as follows be noted:

 To approve the amendment of Standing Order 3(I) to read 'Photographing, recording, broadcasting or transmitting the proceedings of a meeting shall only be in accordance with and to the extent permitted by the Council's Press and Media Policy and its Protocol on the Recording and Filming of Council Meetings

		 To note that, in accordance with Standing Order 3(s), the names of Councillors absent from a meeting should be noted, indicating whether or not the absent Councillor has given apologies for the absence To approve the amendment of Standing Order 19(d) to read 'Any informal or formal grievance by an employee of the Council shall proceed and be dealt with in accordance with the Council's Grievance Policy' To approve the deletion of Standing Order 19(e) and the renumbering of Standing Orders 19 (f), (g), (h) and (i) to 19(e), (f), (g) and (h) respectively To note and approve that it is recommended that amendments are not required to the Financial Regulations. Also that the a list of the main governance documents with, in each case, the date of the last occasion when the document was reviewed and the date when it is next due for review and it be titled Governance Framework.
17/135	Environment and Neighbourhood Committee.	The Council considered a date for a meeting of the Environment and Neighbourhood Committee. The meeting will include discussions on the use of the Parish Playing/Sports Field; issues regarding Eden Bridge Car Park area; Will Pool Footpath Project; and the footpath between Eden Bridge and Lazonby Swimming Pool.
		RESOLVED that it be noted that the meeting of the Environment and Neighbourhood Committee meet on Thursday 20 th July 2017, at 7.30 pm.
		ALSO RESOLVED that the Clerk book the Jubilee room for the Committee meeting.
17/136	Invitations to Participate.	The Council considered whether Members would like to take part in, attend, or send a representative to the following:
		 Recognising the work of a local member in your community – Nomination of a community member to recognise the contribution they have made to the local community. To submit a nomination in writing by 31st December 2017, to be announced at the Chairman of Eden District Council's Dinner in May 2018.
		 Rural Survey - Rural Services Network (RSN) and the University of Gloucestershire we are currently carrying out an important rural survey online to gather the views of those living in rural areas about the Rural Agenda moving forward. To be completed by 31st July 2017.
		RESOLVED that the invitations to participate be noted.
		ALSO RESOLVED that the Council wished to nominated parishioner Geoff Wilson for his hard work volunteering to keep the Eden Bridge Recycling Centre clean and tidy, and his work on the Scaur Close Green project among other voluntary work he has carried out in the parish.
		ALSO RESOLVED that the Clerk ask parishioner Geoff Wilson if he is happy to accept the nomination.
17/137	INFORMATION given for reference	RESOLVED that it be noted that the following information was given to the Council for reference only.
	only.	 CALC Newsletter – June 2017 including the CALC Satisfaction Survey which the Clerk will fill in. Police Parish Newsletter – July 2017.
	1	

		 Shake up of Britain's water market Information. Household Emergency Planning. The Longest Vintage Cycling Event in the World -This event will be passing through on Saturday July 15th. They will be riding 300km (187 miles) on retro steel bikes – you'll notice them by their waxed moustaches and woollen jerseys. This is a small event and you should expect no disruption.
17/138	Date of the Next Meeting.	RESOLVED that it be noted that the date of the next scheduled meeting will be confirmed as Wednesday 6 th September 2017, at 7.30 pm, in Lazonby Village Hall. There is no scheduled meeting of the Parish Council in August 2017.

17/139	Exclusion of the Public	At this point the Chair referred to the Council's resolution to discuss minute 17/120 - Progress Reports on Recent Actions - d. Personnel Matters; and minute 17/126 – Lazonby Parish Council Projects – d) Wall at Bankfoot, without the presence of members of the public and press.
17/140	Personnel Matters. (Last minute no. 17/111).	The Council received an update regarding the increase of the Clerk to Councils and Treasurer to the Councils grades due to the experience and long service of both staff members.
		RESOLVED that the Council agreed to an increase in the Clerk to Council's and the Treasurer to the Council's grade, and subsequently an increase in wages, from SCP 16 to 17 which will come into effect from 1 st August 2017.
17/141	Wall at Bank Foot.	The Council received an update from Councillor John Nicol and considered the next course of action regarding the collapsed wall at Bank foot, Lazonby.
		RESOLVED to continue to liaise with Arnison Heelis and Laces to move the issue of the collapsed wall forward.

The Meeting finished at 9.02 pm.

<u>Please Note:</u>
Amendments to these Minutes have been made in red following approval at the Parish Council Meeting on the 6th September 2017.