

LPC

LAZONBY PARISH COUNCIL

Minutes

For the Council Meeting held on Wednesday 4th October 2017, starting at approximately 7.30 p.m, in the Jubilee Rooms, Lazonby Village Hall.

Present: Chair Councillor John Nicol.

Councillors John Judson, Chris West, Gordon Nicolson, Virginia Minihan and Gill Sharples.

Also in attendance: 1 Parishioner, County Councillor Hilary Carrick, Broadband Champion Brian Smythe, and the Clerk to the Parish Council Rebecca Wyatt.

**The meeting started with a presentation from Sam Bagshaw of Cumbria Association of Local Councils regarding Devolution of Transfer of Assets
(A copy of the notes from the presentation will be kept with these Minutes).**

ITEM / MINUTE No.	ITEM	BUSINESS
17/170	Apologies for absence.	<p>RESOLVED that it be noted that apologies for absence were received from Councillors Chris Hill, Peter Minihan, Tim Wright and the Treasurer Chris Hoy.</p> <p>ALSO RESOLVED that Councillor Chris West be thanked for Chairing the September Meeting in Councillor John Nicol's absence.</p>
17/171	Resignation of Councillor Carole Taylor.	<p>The Council received notice of Councillor Carole Taylor's resignation from the Council.</p> <p>RESOLVED that Councillor Carole Taylor's resignation be accepted with regret and that Carole be thanked for her contribution to the work of the Council during her time as a Council Member.</p> <p>ALSO RESOLVED that Eden District Council be advised of this resignation and that the necessary steps be taken to fill the vacancy.</p>
17/172	The filling of Council Member Vacancies.	<p>The Council considered nominations to fill the Council Member vacancies by co-option following recent Councillor resignations from the Council, and in the absence of any response to the Eden District Council notice for the election of new Councillors. Parishioner Jill Sharples wished to observe the meeting with a view to becoming a Parish Councillor.</p> <p>RESOLVED that Jill Sharples be co-opted onto the Parish Council proposed by Councillor Chris West, and seconded by Councillor Virginia Minihan, with all Councillors present in agreement.</p> <p>ALSO RESOLVED that the Clerk ensure the correct forms are filled out for Councillor Gill Sharples and submitted to Eden District Council.</p>

17/173	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.
17/174	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.
17/175	Matters of Urgency.	The Council received the following matters which arrived too late to be otherwise placed on the agenda so were introduced in this part of the agenda. These are as follows: <ul style="list-style-type: none"> 1. Planning Application No: 17/0786 – Proposed alterations, rear extension and replacement garage, at Coombe Eden, Armathwaithe, Carlisle CA4 9PQ. 2. Planning Application No: 17/0817 – Proposed residential development for 5 no. dwellings, at a site behind the Lilacs, Lazonby, Penrith CA101AQ.
		RESOLVED that Planning Application No: 17/0786 – Proposed alterations, rear extension and replacement garage, at Coombe Eden, Armathwaithe, Carlisle CA4 9PQ; and Planning Application No: 17/0817 – Proposed residential development for 5 no. dwellings, at a site behind the Lilacs, Lazonby, Penrith CA101AQ, be considered at an Extra Ordinary Meeting of the Parish Council to be organised within the next few weeks. ALSO RESOLVED that the Clerk book the Village Hall for the Extra Ordinary meeting of the Parish Council and organise the agenda.
17/176	Minutes of the Council Meeting of the 6th September 2017.	The Minutes of the Council Meeting of the 6 th September 2017 were considered.
		RESOLVED that the Minutes of the Council meeting of the 6th September 2017 be approved and signed as a true record of those proceedings.
17/177	Progress Reports on Recent Actions.	The Council received progress reports regarding matters from the Minutes of the 6 th September 2017.
	a. Low Plains Quarry (Last minute no. 17/100).	RESOLVED that it be noted that there was nothing further to report at present regarding noise level monitoring at Low Plains Quarry and to discharge this from the Agenda.
	b. Lease with Croglin Designs Ltd (Last minute no. 17/153).	The Council received an update regarding the Lease with Croglin Designs Ltd. The Council discussed the issues around possible alterations to the current lease of the Old School. RESOLVED that the Clerk speak to the current tenant of the Old School and ask the following of them, to ensure that any changes that need to be made to the lease on the Old School can be made to make it more relevant to their current position: <ul style="list-style-type: none"> 1. In view of recent changes to your business which company name should the lease for the Old School now be in? 2. Who therefore will take responsibility for paying the rent? 3. And are both of your companies trading from the Old School premises?

	<p>c. Footpaths at 'The Meadows' Development.</p>	<p>The Council received an update about the Footpaths at 'The Meadows' development. A meeting with Cumbria County Council and a separate meeting with Story Homes have been held. The issues that are being discussed are the adoption of the path; Health and Safety issues from the steep drop into the Beck and open culvert, railings on the steps; and communication with residents.</p> <p>County Council will not adopt the path because it doesn't meet their standards. Some of the conditions of the planning application were discharged, so what is currently there has been approved and signed off.</p> <p>Story Homes have said that they will maintain the open space until all the assets are transferred to the Management Committee. They will landscape it to stop children being able to get near the culvert. They will redo the railings on the steps. There are a couple of seats to be installed and railings to be put up near Lamb Lea.</p> <p>Enquiries have been made to the landowners to remove the fencing to connect to existing footpath. Some residents have concerns about the future management, while others are not aware of it. The residents were give draft service contracts on purchase of their properties but these have not been finalised as yet. This could mean residents will be saddled with more costs than originally thought.</p> <p>Concerns that if the path is not adopted then this will become an issue for the Parish Council in years to come regarding maintenance.</p>
		<p>RESOLVED that the report about the footpaths at 'The Meadows' Development be noted, and kept on the agenda.</p>
<p>17/178</p>	<p>Public Participation.</p>	<p>Although there were no parishioners present at the meeting, the Council received several written communications from Parishioners.</p> <ol style="list-style-type: none"> 1. The parking issues down the main street of the village, especially just after the Village Hall on the way up the hill near the turning to Scour Lane, have been brought to the attention of the Parish Council again. There have been several near misses with pedestrians of late when vehicles have mounted the kerb to avoid oncoming traffic. 2. A parishioner has contacted the Parish Council to ask about several issues concerning School Lane. Firstly, that on the grass verge at the 'School Lane' entrance to the community playing area there is an unsightly dumpy bag of hard core untouched for the last few years and asked if it could be used for the path within the playing area; Secondly, the parishioner asked to what purpose did the street light past the entrance to the community play area in 'school lane' actually serve because the parishioner believes that it is a waste of money regarding electricity/maintenance and a source of irritating light pollution; and thirdly to report a number of pot holes and general very poor condition of the road. 3. A request was also asked if a memorial bench could be sited in the village preferably at Will Pool. However, although a memorial bench is welcome in the village Will Pool already has enough benches. However, an alternative site at Eden Bridge Picnic site was suggested. 4. Regarding moving the old bench from the road to Carlisle to Will pool, parishioners who replied to the request for comments asked that the bench remain where it is as Will Pool already has enough benches.

		<ol style="list-style-type: none"> 1. RESOLVED that the Clerk put an article in the Parish Council Newsletter asking people to be mindful of passing traffic and leave gaps as passing places on the main street especially near the turning to Scaur Lane. 2. ALSO RESOLVED that the Clerk reply to the parishioner, who was asking about several issues in School Lane, that the dumpy bag will now be moved to Eden Bridge Car Park to be used for repairs to the surface there; that the light in School Lane was identified to remain where it was in the recent issues over the lights in the parish and approved by Eden District Council; and that the pot holes are being reported to Cumbria Highways so should be filled in the near future. 3. ALSO RESOLVED that the Clerk inform the person requesting the siting of a memorial bench in the village, that they would they would be welcome to site a memorial bench on the picnic area at Eden Bridge instead; and to promote the purchase of a low maintenance recycled plastic bench to them. 4. ALSO RESOLVED that the Clerk inform the person requesting the moving of the old bench on the road to Carlisle to Will pool, that it was agreed to leave it where it was.
17/179	Super fast Broadband.	<p>The Council received a verbal report regarding Fibre Optic Superfast Broadband from Broadband Champion Brian Smythe. Brian has written a letter in response to the Broadband Universal Service Obligation: Consultation on design which was launched in July 2017 with comments to be made by 9th October 2017. This consultation sought views on the specification for a broadband Universal Service Obligation (USO) to be set in secondary legislation. The Digital Economy Act 2017 which received Royal Assent in April, enabled the creation of a new broadband Universal Service Obligation (USO), giving every household and business the right to request a broadband connection at a minimum speed of at least 10Mbps, up to a reasonable cost threshold - no matter where they live or work. Following this, the Government was consulting on the specific design of the USO which would be set in secondary legislation. The consultation covered a number of interrelated design issues - the minimum specification, the technologies and providers that can deliver this, affordability, how it is funded and minimising market distortion. It also considered the review of the USO to ensure that it remains relevant over time.</p> <p>There are several technologies in the document - 1) Fibre Optic Cabinet – however BT will exhaust these capabilities by 2019; 2) Fibre optic to premises – future proof solution; 3) fixed wireless (like Lonsdale) adequate up to 75 mg download speeds; and 4) Satellite – but there are problems with reliability, speed and expensive. The most desirable solutions are fibre to the premises or fixed wireless.</p> <p>The Parish Broadband Champion Bryan Smythe has also consulted with Kirkoswald Parish Council in order to give the same comments in response to the Consultation. The response will also be given to Rory Stewart MP. The Broadband Champions will also lobby key Ministers. Cumbria County Council is putting a submission in support the local message but it needs more funding. Eden District is currently below the National average for coverage.</p> <p>RESOLVED that the Parish Council are happy for Brian Smythe to submit his response to the Broadband Universal Service Obligation: Consultation on design.</p>

		ALSO RESOLVED that Brian Smythe be thanked for his report about Superfast Broadband, the contents of which were noted.
17/180	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. The transfer of assets and service to Parish Councils from Eden District Council. 2. Consultation on the Call for Sites: Strategic Housing Land Availability Assessment and Brownfield Land Register. <p>RESOLVED that it be noted that District Councillor Gordon Nicolson reserved the right to request to speak on other issues on the agenda.</p> <p>ALSO RESOLVED that District Councillor Gordon Nicolson be thanked for his report, the contents of which were noted.</p>
17/181	Report from County Councillor Hilary Carrick.	<p>The Council received a report from County Councillor Hilary Carrick about County Council matters affecting the Parish.</p> <ol style="list-style-type: none"> 1. The County Council budget cycle starts at the end of November 2017 – working to save 16.4 million which is on target. The aim is to save 51 million over the next 2 years. 2. Promotion of waste minimisation with discounts on household food digesters. <p>RESOLVED that it be noted that County Councillor Hilary Carrick reserved the right to request to speak on other issues on the agenda.</p> <p>ALSO RESOLVED that County Councillor Hilary Carrick be thanked for her report, the contents of which were noted.</p>
17/182	Lazonby Parish Projects:	
	a. Neighbourhood Plan.	<p>The Council received an update regarding the Neighbourhood Plan. Advice about the rights of way issue for Lazonby Fell is currently being sought from Cumbria County Council. The Neighbourhood Plan documents are to soon be submitted to Eden District Council after the final tweaks by the Neighbourhood Plan Steering Group have been made. The plan will then be publicised by Eden District Council for a further six week period (under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012) and arrangements made for the independent examination of the plan. If the plan is approved by the examiner, it will then be put to a local referendum. Once adopted, the Lazonby Neighbourhood Plan will become part of the statutory Local Development Plan for Eden and will constitute a material consideration in future planning matters in the parish of Lazonby.</p> <p>RESOLVED that the report about the Neighbourhood Plan be noted.</p>
	b. Will Pool Footpath Project.	<p>The Council received an update regarding the Will Pool footpath project from the Environment and Neighbourhood Committee. The Clerk has written to the R & S Plant Sales Ltd to say that the Parish Council wish to pursue their quote to carry out the work creating a footpath to Will Pool. However, funding may not be received until Spring 2018 so the contractors have been asked how long their quote stands. The Contractor is happy to proceed with the same quote in the Spring. The Parish Council will need to write a letter to Cumbria County Council to inform them of their project proposals before they proceed. Three way traffic lights will need to be used while the footpath is being constructed at</p>

		<p>a cost of £300 which can be factored into the funding application for the project. It is not considered that maintenance and insurance costs relating to the new path will be significant.</p> <p>RESOLVED that the report about the Will Pool Footpath project be noted with thanks.</p>
17/183	Financial Report by the Treasurer.	<p>The Council received a report from the Treasurer (please see attached Treasurer's Report).</p> <p>RESOLVED that the Treasurer be thanked for his report, the contents of which were approved, accepted and noted.</p>
17/184	Authority for Payments.	RESOLVED that it be noted that there were no authorities for payments sought.
17/185	Planning Applications – New (or Appeal).	RESOLVED that it be noted that there were no new planning applications to consider.
17/186	Planning Applications – Decisions.	RESOLVED that it be noted that there were no Planning Application Decisions received.
17/187	LPC Cumbria Highways Link Person Report.	<p>The Council received the following reports on Highways issues in the parish. .</p> <p>County Councillor Hilary Carrick will report the potholes in School Lane to Cumbria Highways.</p> <p>A parishioner has been in contact with concerns about the temporary barrier at the end of Station Road because it continually blows over and stops them getting by in the wheelchair. County Councillor Hilary Carrick, Mr. Michael Bell and Cumbria County Council have met and discussed further how to deal with the issues of the barrier and lorry traffic. The following solutions are being put in place:</p> <ul style="list-style-type: none"> • Mr. Bell is advising deliveries to come from Plumpton. • Improving signage at the bottom of Station Road. • The plastic barrier removed and holes filled in so that there will be no barrier. <p>It is hoped the signage will be effective but if not then they will look to redesign the junction.</p> <p>RESOLVED that the report about the temporary barrier at the end of Station Road and improving the lorry traffic accessing the area be noted.</p>
17/188	Environment and Neighbourhood Committee Report.	<p>The Council received an update report from the Environment & Neighbourhood Committee regarding the following issues:</p> <ul style="list-style-type: none"> • Review of the use of the Parish Playing/Sports Field – Mr Bennison will be removing the goal posts soon; and the insurance of the goal posts will be stopped. • Issues regarding Eden Bridge Car Park area – A boon day was held Councillors, along with 3 volunteers, cleared the steps down to the river and the area had a general clear up. • Footpath between Eden Bridge and Lazonby Swimming Pool – this is on hold at the moment due to funding so can be removed from the agenda. • Originally contractors having originally asked to use the car park area to store equipment while working on the bridge then used another piece of

		<p>land on the Kirkoswald side. However, another contractor has now asked about siting a cabin and plant in the car park at Lazonby Bridge because they want to replace masonry that has been washed away and reconstructing the base. They will also be repointing the bridge at night.</p> <p>RESOLVED that the Councillor Gordon Nicolson contact the new Contractors to explain what happened earlier in the year with the previous Contractors, and ask if they too could pay a consideration of £100 per week or part thereof to the Parish Council for the use of the car park with the condition that Lazonby Parish Council accepted no liability for loss or damage to the contractors' property and that any damage to the car park surface should be remedied.</p>
17/189	Electing a New Committee Member and Representative.	<p>The Council considered again a replacement Member for the Planning Committee, and a new Parish Council representative for the Lazonby & District Swimming Pool Committee, following the recent resignation of a Councillor.</p> <p>RESOLVED that due to less than half of the Parish Council Members being present that this should be returned to the November 2017 meeting agenda for consideration.</p>
17/190	Parish Council Website.	<p>The Council received an update regarding the Parish Council website. The Clerk recently received an enquiry about the Parish Council website because the link to the old website had broken and was showing work being carried out on the new website instead. However, this was a mistake and was soon rectified. There is currently a holding page while the new website is being worked on and a link to the old website so that information is still available on a daily basis. Sometimes the website will go down while it is being worked on but it is hoped that this will be limited and most of the time the old website will be available to see until the new one is launched. The new Webmaster is working alongside the old Webmaster to ensure the changeover is as smooth as possible but it will take a while as the new Webmaster is working full time and doing the design in his spare time. The website will be available to view by the Councillors and approved before its launch near its completion.</p> <p>RESOLVED that the report about the Parish Council website was noted with thanks to all involved.</p>
17/191	Invitations to Participate.	<p>The Council considered whether Members would like to take part in, attend, or send a representative to the following:</p> <ol style="list-style-type: none"> 1. Call for Sites: Strategic Housing Land Availability Assessment and Brownfield Land Register - Following the successful completion of the Main Modifications consultation, the Eden Local Plan 2014 - 2032 is going through the final stages towards formal adoption, which is anticipated before the end of the year. As part of a continual process to take the Local Plan forward to an early review, and in response to an additional government requirement to compile a Brownfield Land Register, we are writing to inform you that Eden District Council will shortly be undertaking a 'Call for Sites'. A call for sites is an opportunity for residents, landowners, agents and developers to promote sites for future housing and employment development. Information collected through the call for sites will help to inform the Council's preparation of its Strategic Housing and Economic Land Availability Assessment [SHELAA] and Brownfield Land Register. Undertaking a call for sites is a regular process the Council undertakes and has been used recently to inform the preparation of the Eden Local Plan.

- **SHELAA** - The Council is responsible for preparing and keeping up to date a SHELAA to help inform future plan making in the District. The SHELAA gathers information on potential sites for housing and economic development and assesses their suitability. As part of this, it is increasingly important for the Council to understand the deliverability of sites. The SHELAA is a technical assessment which is designed to establish whether land in the area might be available for development for a range of different uses. However, the SHELAA does not allocate land for development.
- **Brownfield Land Register** - The requirement for the Council to prepare and maintain a Brownfield Land Register came into force in April 2017 and we are required to publish, by 31 December 2017, a register of Brownfield land (i.e. previously developed land) within the District that is suitable for residential development. Sites submitted for inclusion in the Brownfield Land Register must also meet the definition of Brownfield (i.e. previously developed land). Brownfield sites are those which have already been built on and either currently contain buildings and/or structures or have done so in the recent past. Brownfield sites **do not** include those that contain agricultural buildings, certain mineral extraction or waste disposal sites or those where the previous development is so historic that its remains have blended into the landscape. The detailed definition can be found in Annex 2 of the National Planning Policy Framework (<https://www.gov.uk/government/publications/national-planning-policy-framework--2>) under the heading 'previously developed land'. The purpose of the register is to provide house builders with up-to-date information on all Brownfield sites available for housing locally. In helping house builders to identify suitable sites quickly, it is hoped this will speed up the construction of new homes.
- **How to get involved** - If you are aware of any land within the Council's Plan area (Eden District outside the Yorkshire Dales and Lake District National Parks) that could be considered for inclusion within the SHELAA and/or Brownfield Land Register, site submission forms will be available to view and download from the Council's website at: <http://www.eden.gov.uk/callforsites> from 9am on Monday 25th September 2017. A map identifying the extent of the Council's Plan area will also be available to view on this web page. You will need to use a separate form for each site submitted and attach a site plan (1:1250 or 1:2500 scale) with the boundaries of the site clearly marked in red. All completed forms should be sent with a location plan, and any other supporting documentation, either by email to: loc.plan@eden.gov.uk ; by post to: Planning Policy Team, Eden District Council, Mansion House, Penrith, Cumbria, CA11 7YG.

The deadline for the submission of sites is **Monday 27th November 2017**. If you have previously submitted details of a site(s) to Eden District Council, which you think would be suitable for development, we would kindly ask you to also respond to this current Call for Sites so we can understand whether the site still remains available for development

		<p>and any circumstances have changed.</p> <p>2. Invitation to the 43rd Annual General Meeting of the Cumbria Association of Local Councils - Saturday 18th November 2017 at the Carlisle Race Course at 10.30 a.m.</p>
		<p>RESOLVED that the Clerk liaise with Councillor Virginia Minihan, in order to send the suggestions made by the Neighbourhood Plan for building sites, to Eden District Council for the Local Plan by 27th November 2017.</p> <p>ALSO RESOLVED that Councillor Chris West will attend the CALC AGM in November 2017, which the Clerk will book.</p>
17/192	INFORMATION given for reference only.	<p>RESOLVED that it be noted that the following information was given to the Council for reference only.</p> <ol style="list-style-type: none"> 1. Police Newsletter – September 2017 2. 'Poverty in Cumbria' Survey – deadline 27th September 2017. 3. Cumbria Minerals & Waste Local Plan (2015-2030): Adoption Information. 4. Growing a Rural Community Survey for Cumbria. 5. Local Area Committee Agenda for Eden.
17/193	Date of the Next Meeting.	<p>RESOLVED that it be noted that the date of the next scheduled meeting will be confirmed as Wednesday 1st November 2017, in the Jubilee Room, Lazonby Village Hall at 7.30pm.</p>

At this point the Chair asked that any members of the public and press who were in attendance withdraw from the meeting at this point due to the confidentiality of the matter to be discussed.

17/194	Wall at Bank Foot.	<p>The Confidential Minute of the 6th September 2017 Meeting was considered.</p> <p>The Council received an update regarding the collapsed wall at Bankfoot and considered the next course of action regarding the collapsed wall at Bank foot, Lazonby.</p>
		<p>RESOLVED that the Confidential Minute of the 6th September 2017 Meeting be approved and signed as a true record of those proceedings.</p> <p>ALSO RESOLVED to continue to liaise with Eden District Council, Arnison Heelis and Laces to move the issue of the collapsed wall forward.</p>

The Meeting finished at 9.40 pm due to the meeting starting later because of the presentation beforehand. However, the meeting was still within its allocated two hours.

Please Note:

Amendments to these Minutes have been made in red following approval at the Parish Council Meeting on the 1st November 2017.

