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LAZONBY PARISH COUNCIL

Minutes

For the Council Meeting held on Wednesday 4th July 2018, starting at 7.30 p.m, in the Jubilee Rooms, Lazonby Village Hall.

Present: Chair Councillor Chris West.

Councillors John Judson, Chris Hill, Gill Sharples, Tim Wright and Jeff Bellas.

Also in attendance: the Clerk to the Council Rebecca Wyatt, Treasurer to the Council Chris Hoy, County Councillor Hilary Carrick, Brian Smythe - Broadband Hub Coordinator and two parishioners.

ITEM / MINUTE No.	ITEM	BUSINESS
18/134	Apologies for absence.	RESOLVED that it be noted that apologies for absence were received from Councillor Gordon Nicolson.
18/135	The filling of Council Member Vacancies.	RESOLVED the Council will continue to look to co-op new members onto the Parish Council to fill the three current vacancies.
18/136	Requests for Dispensations.	RESOLVED that it be noted that no requests for dispensations to speak and/or vote on any matter where a member has a disclosable pecuniary interest were received by the Clerk since the last meeting of the Parish Council.
18/137	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 no Members submitted any Declarations of Personal or Prejudicial Interests relating to any items on the agenda.
18/138	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: 18/0510 – Two-storey rear extension to replace existing conservatory, at 2 Seat Hill, Lazonby, Penrith. 2. Information about a notification of the Public Spaces Protection Laws regarding dog fouling, dogs on leads and dog exclusion. A £75 fixed penalty notice will be given to anyone who commits an offence under any of the three provisions stated above. For more information contact Eden District Council. 3. Planning Application No: 18/0420 was reissued as Planning Application No: 18/0528 – Reserved Matters application for appearance, landscaping, layout and scale attached to outline approval 17/0016 (re-submission of 18/0420), on Land off Scaur Lane, Lazonby, Penrith.

		<p>1. RESOLVED that Planning Application No: 18/0510 – Two-storey rear extension to replace existing conservatory, at 2 Seat Hill, Lazonby, Penrith be considered at agenda item 16 - Planning Applications – New (or Appeal) which is Minute No.18/149 of these Minutes.</p> <p>2. RESOLVED that the information about the notification of the Public Spaces Protection Laws regarding dog fouling, dogs on leads and dog exclusion be noted.</p> <p>3. RESOLVED that Planning Application No: 18/0420 was reissued as Planning Application No: 18/0528 – Reserved Matters application for appearance, landscaping, layout and scale attached to outline approval 17/0016 (re-submission of 18/0420), on Land off Scaur Lane, Lazonby, Penrith be noted; and for the planning application to be considered at agenda item 16 - Planning Applications – New (or Appeal) which is Minute No.18/149 of these Minutes.</p>
18/139	Public Participation.	RESOLVED that it be noted that no parishioner wished to make any contributions relating to any items on the agenda, or wished to comment on any other parish related matters.
18/140	Super fast Broadband.	RESOLVED that it be noted there was nothing further to report at present regarding Superfast Broadband.
18/141	Report from the local Community Police.	RESOLVED that it be noted there was nothing to report by the local community police.
18/142	Minutes of the Council Meeting of the 6th June 2018.	<p>The Minutes of the Council Meeting of the 6th June 2018 were considered.</p> <p>RESOLVED that it be noted that the words 'NO COMMENT' should replace the 'following COMMENTS to make' on Minute 18/126 - Planning Applications – New (or Appeal) of the June 2018 Minutes of the Parish Council.</p> <p>ALSO RESOLVED that subject to the above amendments the Minutes of the Council meeting of the 6th June 2018 be approved and signed as a true record of those proceedings.</p>
18/143	Progress Reports on Recent Actions.	The Council received progress reports regarding matters from the Minutes of the 6 th June 2018.
	a. Lease with Croglin Designs Ltd (Last minute no. 18/120).	<p>The Council received an update about the lease with Croglin Designs Ltd. The Parish Council's Surveyors report has now been received and has been sent to Croglins Design's Property Consultant, who has said that he believes his photographs are more representative of the Condition of the building than the Parish Council's Surveyor's although the chimney stack close ups perhaps could be incorporated in his Schedule if required. He said he will adapt the wording in the Licence to include the Surveyor's Schedule of Condition. He has asked if this can be progressed now and asked for the Parish Council's approval to the draft Landlord Licence to Assign including the Lease Variation which he sent back in March so that signatures can be obtained. The Council also discussed the issue of building repairs that needed to be done and whose responsibility it was.</p> <p>RESOLVED that the Clerk contact Croglins Design's Property Consultant to tell him that he can start progressing the signing of the Landlord Licence to Assign including the Lease Variation, however, a couple of issues still needed to be resolved before it finally signed it.</p>

<p>b. Transfer of Assets and Service to the Parish (Last minute no. 18/90).</p>	<p>The Council received an update on the 'Transfer of Assets and Services'. The meeting between Eden District Council and Parish Councillors did not take place as the issues have been addressed and information provided in discussions with Eden District Council officers.</p> <p>Councillor Gordon Nicolson has reported that Eden District Council has confirmed that separate agreement for approval footway lights, 'non-approved' footway lights and other assets will be issued. The Parish Council has expressed interest in acquiring the approved footway light and up to six 'non-approved' footway light and the Swings in Coronation Gardens.</p> <p>On agreement between parties, the ownership of assets will transfer from Eden District Council to the acquiring Parish Council who will assume responsibility for meeting running costs (including electricity, maintenance charges, and public liability insurance, and loss/damage insurance). In 2018/2019, Eden District Council will pay a grant of 100% of the costs for electricity supply and maintenance for approved footway lights. The will reduce by 25% per annum and payment of the grant will cease after 31st March 2022. Eden District Council will also maintain their current contracts for electricity and maintenance until 31st March 2022 and will administer the contracts on behalf of Parish Councils.</p> <p>Eden District Council has announced that it will cease to provide the above service after 31st March 2022.</p> <p>Lazonby Parish Councils expression of interest covers 27 approved footway lights. Approved footway lights will be fitted with LED lighting heads by Eden District Council. The estimated costs are as follows: Basic Maintenance - £22.96 per light per annum Electricity - £46.82 per light per annum (maybe less subject to current negotiations). The maximum charges are £69.78 per light which is a total of £1884.06 per annum. In addition, there will be insurance costs.</p> <p>'Non-approved' lights will be available to Parishes at no cost provided the columns are in serviceable condition. Parishes will be required to meet 100% of the running costs and will be required to meet the cost of fitting LED lighting heads estimated to be approximately £200 per light. The transfer of non-approved lights will be a separate agreement. Present estimates of likely cost are approximately £1200 capital costs and £418 for running costs.</p> <p>The Transfer of the swings on Coronation Gardens will be a separate agreement.</p> <p>Councillor Chris West has spoken with other local Parish Councils who are hoping to form a consortium in the future to deal with finding a new maintenance contract.</p> <p>RESOLVED that it be noted that the Parish Council will continue to work on progressing the 'Transfer of Assets' over the summer break ready for signing in September 2018 if everything is in place to do so.</p>
<p>c. Train Timetable (last minute no. 18/116).</p>	<p>The Council received an update regarding the train timetables for the Parish. The Clerk wrote to Northern to ask why the newly scheduled 2H99 20.18 train from Carlisle to Leeds did not stop at Armathwaite or Lazonby & Kirkoswald stations in Cumbria, especially as these stops would be of benefit to the local community who may finish work too late to catch the previous service (18.24) or wish to stay in Carlisle and socialise. It was also stated that the Leeds to Carlisle has a three hour gap between services. This includes 1M53 stopping at all stations except Langwathby, Lazonby & Kirkoswald and Armathwaite. The Carlisle to Leeds has a four hour gap between services. This includes 1E23 not stopping at Armathwaite, Lazonby & Kirkoswald, or Langwathby. It was also explained that the villages in the Eden Valley were currently undergoing expansion with designated building hubs sited by Eden County</p>

Council and that Northern was an important part of the infrastructure. Northern was asked for the stopping pattern along this important commuting line to be reassessed when revising the new timetable.

The Email with the attached letter was also copied into the District and Council Councillor, other local Parish Councils and the Former Chairman of the Friends of the Settle-Carlisle Line.

A reply has been received from Mr Peter Myers, the Stakeholder Manager at Northern, who has explained the massive changes to the timetable in the North and some of the delays due to electrification works in Bolton which effectively robbed Northern of 50 diesel powered vehicles their timetable so this resulted in some of the planned changes not happening. However, he explained this was not the case on the Settle to Carlisle line and that services have increased. He explained that the Settle to Carlisle line has always been about a delicate balance timetable-wise because of the long distance service linking West Yorkshire with Cumbria and South Western Scotland. However, it does also serve communities along the line but it is impossible to serve all of these markets, therefore some trains must skip stops. He also explained that the links with East and West Coast Mainlines at Carlisle and Leeds make the timings even tighter. Mr Myers has also said that the timetable introduced in May was widely consulted but it is not the final version and changes can still be made. He suggests that the Parish Council feed the needs of the local communities through Cumbria County Council who have a seat at 'Transport for the North' and therefore can help influence such changes. Timetables usually change twice yearly in May and December but as the December plan is now with Network Rail for approval the next time to influence the change will be May 2019.

RESOLVED that the Clerk will write a reply letter to thank My Myers of Northern, for his response and to tell him that the Parish Council will be contacting Cumbria County Councils representative on Transport for the North; also that they would like to make the following points:

1. The Parish Council were not aware until recently of the late arrival of the new units from Spain compounding in the delay to training of train crew on these units and the overrunning of engineering works in electrification of lines, which would free other units to be transferred to other areas of the network but feel this is not really relevant to the S&C lines timetable.
2. The increase in services is the addition of the 20.18 out of Carlisle but the Parish Council feel this is not an increase as it does not stop at Lazonby and Kirkoswald or Armathwaite.
3. The Parish Council also disagree with the issue of timings. The time given for the 2H81 Carlisle to Appleby is 42 minutes which is the same as the 1M53 express between Appleby and Carlisle being 42 minutes and at line, speed arrives early. The 1E23 express Carlisle to Appleby timing is 37 minutes but this has time en route to catch up by 1 minute at Appleby, 1 minute at Kirkby Stephen, 2 minutes at Settle, 1 minute at Hellifield and 2 minutes at Skipton. Also, it is often stood at Leeds West Junction awaiting arrival time.
4. The Parish Council do appreciate that timetabling can be difficult due to other train timings on connecting journeys, as is the case with train timings on the part of the journey between Skipton and Leeds. The Parish Council agree that the stopping at Shipley, Bingley and Keighley are important to commuters using the 2H81, 2H94 and 2H96 services but these stop at Langwathby, Lazonby & Kirkoswald and Armathwaite too. However, the Parish Council suggest that other S&C services could miss Shipley, Bingley and Keighley stations as an alternative reduced stopping pattern, especially as Shipley, Bingley

		<p>and Keighley are also serviced regularly by trains running on what is known as the 'Triangle'.</p> <p>5. The Parish Council believe the next consultation for timetable changes is sometime in August 2018, so request that it is widely consulted and therefore expanded outside Northern's and Network Rail's Offices.</p> <p>ALSO RESOLVED that the Clerk contact Councillor Keith Little of Cumbria County Council, and send him the correspondence so far between the Parish Council and Northern, and ask how the County Council can help with the issue of the train timetables.</p>
	d. Lazonby Litter Pick (The Great Cumbrian Litter Pick last minute no. 18/129).	<p>The Council received an update about the Litter Pick on Friday 6th July 2018, meeting at the Village School at 5.30pm. Posters have been put up on the parish notice boards.</p> <p>RESOLVED that Councillor Gill Sharples will be picking up the litter picking equipment from Eden District Council.</p>
18/144	Report from District Councillor Gordon Nicolson.	<p>The Council received a report from District Councillor Gordon Nicolson about Eden District Council matters affecting the Parish.</p> <ol style="list-style-type: none"> 1) Ms Rose Rouse, Eden DC new Chief Executive is due to start work on Monday 2 July. It is likely that she will undertake visits to wards as part of her induction. Further information is awaited about the induction programme. 2) The arrangements for the new Eden District Council's Signature have been ratified. At the June meeting of the Parish Council, it was suggested that an application may be pursued for the proposed footpath from Lazonby Swimming Pool to Eden Bridge Park. If this is to be pursued, members should note that the deadline for outline bids is 1st October and it will be necessary to obtain estimates of the cost of the work and determine how the Parish Council's 25% contribution to the costs would be funded. <p>RESOLVED that District Councillor Gordon Nicolson be thanked for his written report, the contents of which were noted.</p>
18/145	Report from County Councillor Hilary Carrick.	<p>The Council received a written report from County Councillor Hilary Carrick about County Council matters affecting the Parish.</p> <ol style="list-style-type: none"> 1. The Traffic and Road Safety Survey has now been launched with a deadline to respond as 7th July 2018. They have been delivered around the village with copies also in the Co-op. There is the ability to give an electronic response and a written response which can be dropped into a box in the co-op. 2. The Appleby Horse Fair has been more problematic this year with people arriving earlier than previous years and stopping places spreading further away in the area too. There is a consultation about this and more information can be found on the www.applebyfair.org website. 3. Regarding the children from the school helping on the Litter Pick day, they will be at the school disco that night. However, there will be an advert on the school website about it and they are happy for the rubbish bags to be left at the school afterwards for collection. 4. A solution to the creation of a footpath between Eden Bridge and the Swimming pool could be solved with funding from the Signature Project Fund. However this needs 25% match funding, so County Councillor Carrick will ask Cumbria County Council if they would provide the 25% match funding, while the Parish Council find the rest of the funding so the

		<p>footpath can go ahead.</p> <p>RESOLVED that Councillors Chris Hill, Chris West, Gordon Nicolson and Hilary Carrick with form a working party and organise a date to meet to progress the footpath between Eden Bridge and the swimming pool project..</p> <p>ALSO 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>
18/146	Lazonby Parish Projects:	
	a. Neighbourhood Plan.	<p>The Council received an update regarding the Neighbourhood Plan. An application has been made to the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). This information was sent to the Clerk as the contact for the Neighbourhood Plan to check it was right. The Clerk liaised with the Neighbourhood Steering Group who asked the Clerk to advise NPIERS who they did not want to be an examiner for the Lazonby Neighbourhood Plan because of past dealings with them. NPIERS confirmed that they do try and stick to their panel of examiners, who have all been through their training and interview process so they would not be using any other examiners, so therefore it will not be a problem.</p> <p>RESOLVED that the report about the Neighbourhood Plan be noted with thanks to the Neighbourhood Plan Steering Group.</p>
	b. Traffic Issues Consultation.	<p>RESOLVED that it be noted that the update about the Traffic Issues Consultation now known as the 'Traffic and Road Safety Survey' was covered earlier in the meeting under County Councillor Hilary Carrick report about County Council matters affecting the Parish.</p>
	c. Footpath between Eden Bridge and Lazonby Swimming Pool.	<p>RESOLVED that it be noted that footpath project between Eden Bridge and Lazonby Swimming Pool covered earlier in the meeting under County Councillor Hilary Carrick report about County Council matters affecting the Parish</p>
18/147	Financial Report by the Treasurer.	<p>The Council received a report from the Treasurer (please see attached Treasurer's Report). The VAT Reclaim has now been dealt with and received.</p> <p>The Treasurer also received a thank you letter from the Fellrunner for the grant that the Parish Council awarded them for 2018-2019.</p> <p>The relocation of the Post Office from a stand alone service to the shop floor has at present given Scot Mid some concern over the security of monies obtained from the fishing permits. Previously the monies were kept behind a secure counter and locked in a cupboard with the permits separate from the general postal transactions. Scot Mid is now investigating and will report back to myself with an answer. It is possible that they may withdraw the service although it is understood from the Store Manager that many of the Directors are keen to continue if they can agree how to deal with the cash without using the tills. An update on this is awaited.</p> <p>RESOLVED that the Clerk writes to the Scot Mid to reiterate the problems with the Post Office being moved to the main counter on the shop floor. ALSO RESOLVED that the Treasurer be thanked for his report, the contents of which were approved, accepted and noted.</p>

18/148	Authority for Payments.	<p>The Council considered requests for payment received by the Treasurer, Clerk or Council Members.</p> <ol style="list-style-type: none"> The Clerks expenses for May to July 2018 for £161.53. The Clerk has submitted an overtime schedule for extra hours to train, action, report and record the legal requirements to comply with the General Data Protection Regulations (GDPR) as of May 25th 2018. The compliance necessitated an extra 32 hours and 45 minutes of work for the Clerk. Two cheques have been drawn. Firstly, for hours worked in March and April 2018, and totalling 15 hours and 15 minutes with an amount of £145.18 to pay. Secondly, for hours worked in May totalling 17 hours and 30 minutes with an amount to pay of £169.84 and will be post-dated to 1st August. The amount totals £315.02 for the extra hours the Clerk has carried out for GDPR. <hr/> <ol style="list-style-type: none"> RESOLVED that the Council agreed to pay the sum of £161.53 to the Clerks for expenses incurred from May to July 2018. RESOLVED that the Council agree to pay the Clerk the extra 32 hours and 45 minsutes totalling in £315.02 in two separate cheques.
18/149	Planning Applications – New (or Appeal).	<p>The Council considered any new applications which have been issued for consultation by Eden District Council.</p> <ol style="list-style-type: none"> Planning Application No: 18/0434 - Advertisement consent for 1no landscape pole sign, on Land off Scaur Lane, Lazonby. Please note that the planning application no: 18/0434 was withdrawn for technical reasons. A new application was then submitted as follows Planning Application No: 18/0528 – Reserved Matters application for appearance, landscaping, layout and scale attached to outline approval 17/0016 (re-submission of 18/0420), on Land off Scaur Lane, Lazonby, Penrith. Planning Application No: 18/0510 – Two-storey rear extension to replace existing conservatory, at 2 Seat Hill, Lazonby, Penrith. <hr/> <ol style="list-style-type: none"> RESOLVED that the Council have NO COMMENTS to make regarding Planning Application No: 18/0434 - Advertisement consent for 1no landscape pole sign, on Land off Scaur Lane, Lazonby. RESOLVED that Planning Application No: 18/0420 was reissued as Planning Application No: 18/0528 – Reserved Matters application for appearance, landscaping, layout and scale attached to outline approval 17/0016 (re-submission of 18/0420), on Land off Scaur Lane, Lazonby, Penrith, to which the Council had the following COMMENTS to make: <ul style="list-style-type: none"> Lazonby Parish Council would like clarification on who will own the land referred to as ‘public open space’ on the landscaping layout information. Lazonby Parish Council would also like to know what is it meant by ‘public open space’ on the landscaping layout information. So please can you provide the Parish Council with a definition of what ‘public open space’ means. RESOLVED that the Council have NO COMMENTS to make regarding Planning Application No: 18/0510 – Two-storey rear extension to replace existing conservatory, at 2 Seat Hill, Lazonby, Penrith.

18/150	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 No: 17/0016 – (Outline Application) Outline application for residential development with access, on land off Scaur Lane, Lazonby, Penrith - GRANTED 2. Planning Application No: 17/0156 – (Full Application) Variation of conditions 2 (plans compliance) relating to site alterations, 6 (landscaping details) and condition 7 (finishes) attached to approval 12/0696, on land adjacent to Bank Top Yard, Bankside, Lazonby Penrith CA10 1AQ - GRANTED. 3. Planning Application No: 18/0235 - (Full Application) Proposed extensions to existing production unit and office welfare building. New site access and internal roadway, delivery yard with earth bunding and associated landscape works, without compliance with conditions on approval 14/1044. Retrospective application for development as built, at Eden Valley Mineral Water Company, at Armaithwaite, Carlisle CA4 9TU – GRANTED. 4. Planning Application No: 18/0313 – (Full Application) Proposed Battery Power Storage, at Low Plains Farm, Calthwaite, Penrith CA11 9RQ – GRANTED. 5. Planning Application No: 18/0327 - (Full Application) Proposed 2 storey dwelling with double garage, at Ingle Neuk, Lazonby, Penrith CA10 1AJ – GRANTED. 6. Planning Application No: 18/0336 – (Full Application) Alterations to existing dwelling, at Croft End, Scaur Lane, Lazonby, Penrith CA101BX – GRANTED.
18/151	Boundaries at The Meadows.	<p>The Council received an update about the boundaries at The Meadows and other related issues. The Clerk wrote to Cumbria County Council to ask them to clarify matters, and supply a plan and any other details showing which roads and paths on the development have been or are intended to be adopted by the County Council as maintainable at public expense. The Clerk also wrote to the Estate Management Company in Charge of the Meadows to ask them to clarify matters and supply a plan and any other details showing the ownership and access rights and public liability arrangements on the Meadows development.</p> <p>The reply letter from Cumbria County Council included a map where the proposed areas for adoption in the Section 38 Agreement between the developer and the County Council were shown. However, these areas are not yet adopted. The reply letter from the Estate Management Company confirmed that a management company is in place at The Meadows and will be responsible for the maintenance of the designated public areas. They also explained that the common areas are for use by the residents of the development and included a map to show them. Also that they understand that the Local Authority will be adopting the paths and roads in due course.</p> <p>RESOLVED that the content of the letters and the report about the Boundaries at the Meadows and other related matters be noted.</p>
18/152	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. Updated Request To Complete & Circulate Short CIL Survey [Pannal and Burn Bridge Parish Council SCA Proposal] - For many years as you know the National Association of Local Councils

		<p>(NALC) has had a policy position that it should be mandatory for planning authorities to adopt regimes using the Community Infrastructure Levy (CIL). Many planning authorities prefer to retain Section 106 as the system used to apply for community benefit under the planning system, ignoring the CIL system. This means that many local Councils which have made a Neighbourhood Plan and are entitled in theory to 25% of CIL receipts from their planning authority to plough back into their community – cannot access such funds if their planning authority does not use a CIL regime. NALC believes it should be mandatory for planning authorities for this reason to adopt CIL regimes. Pannal and Burn Bridge Parish Council in the Harrogate Borough Council area of North Yorkshire have had a particularly difficult experience and for this reason, wanted to submit a proposal direct to Government under the Sustainable Communities Act to ask Government to make the adoption of CIL regimes by local councils mandatory. In order to help us gather evidence to support this proposal, please complete a short survey (at https://www.surveymonkey.co.uk/r/TWD6239). Please return a reply by 17:00 on Friday 29th June 2018. The survey summary report generated will be used to support the proposal likely to be submitted by Pannal and Burn Bridge Parish Council to MHCLG by end July 2018.</p> <p>2. Cumbria Fire and Rescue Service Draft Integrated Risk Management Plan 2019 to 2023 - drop in at Penrith Library on Thursday 9th July between 3 pm and 7 pm, to find out about current services and give them your views on their vision for the future regarding ensuring resources are used to best meet the needs of residents and visitors.</p>
		RESOLVED that the Invitations to participate were noted.
18/153	INFORMATION gave for reference only.	<p>RESOLVED that it be noted that the following information was given to the Council for reference only.</p> <p>1. NALC Newsletters by electronic mail.</p>
18/154	Date of the Next Meeting.	RESOLVED that the date of the next scheduled meeting will be confirmed as Wednesday 5 th September 2018, in the Jubilee Room, Lazonby Village Hall at 7.30pm.

At this point in the meeting, 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.		
RESOLVED that the Council agreed that 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.		
18/155	Wall at Bank Foot.	<p>The Council received an update about the Wall at Bank Foot.</p> <p>RESOLVED to continue to liaise on a confidential basis with Eden District Council, Arnison Heelis and Laces to move the issue of the collapsed wall forward.</p>

The Meeting finished at 8.55 pm.