

# Levens Parish Council

## **MINUTES of the Ordinary Meeting of the Parish Council held on 14 January 2025 in Levens Methodist Church commencing at 7.30 p.m.**

**Present:** Cllrs. R. Atfield (Chairman), J. Battye, H. Burrow, D. Forshaw, K. Holmes, R. Mason, D. Rogerson, M. Willacy.

**In Attendance:** M. R. Curry (Clerk) and 6 members of the public.

At the commencement of this first meeting of 2025, the Chairman wished those present a Happy New Year. He also called for a one-minute silence in remembrance of David Knipe, a former Chair of the Parish Council who had died on December 06, 2024, following a tragic accident.

**92/24 Apologies for Absence:** All Councillors were present - no other apologies had been received.

### **93/24 Declarations of Interest:**

- a) Cllr. Mason advised Members that in any discussion on Item 11(a)(i) – Levens Lane footpath, they should note that he is tenant of the land on the east side of the Lane.
- b) Cllr. Rogerson advised that as he is working with the Applicant on another matter, he would not engage in consideration of planning item 2024/2299/FPA.

**94/24 Minutes:** It was **Resolved** that the Chairman be authorised to sign the Minutes of the Ordinary Meeting of the Council held on 12 November 2024 as a true record.

**95/24 Public Participation:** The following representations were made by members of the public:

- a) Mr G. Paton addressed the Council with concerns about the increasing problems caused by parking on Levens Lane. Several factors are exacerbating this including the popularity of the playing fields (which residents are pleased to note), organised events attracting additional traffic and drop-off and pick-up times associated with the school. This has led to indiscriminate parking, causing constriction of the road and congestion leading to frayed tempers and an associated impact on residents who have, on occasion, been unable to access the road due to cars parked across their driveways. On such occasions it is unlikely that emergency service vehicles would be able to pass through. Of greater concern however is the risk of an accident and serious injury and the number of young children associated with these activities is of particular concern. Councillors thanked Mr Paton for his presentation and noted that he would forward it to Highways. Traffic management within the village is on the Agenda at Item 11(a)(ii) and it was confirmed that his concerns would be reinforced in ongoing liaison with Highways officers.
- b) Mr. J. Morris of Applegarth, Underhill rose to register his concerns about planning application 2024/2299/FPA (Variation of conditions attached to a development on a Plot of land adjacent to the Langdales). He said that the application seeks to add a two-storey extension to the proposed development which will bring it even closer to his bungalow, giving rise to concerns about overshadowing and loss of privacy. He is also concerned that the application seeks to remove a beech hedge – the retention of which was a previous condition. Councillors thanked Mr Morris for his comments and noted that he has submitted his objection to the Planning Authority. Councillors confirmed that consideration of planning application 2024/2299/FPA would take place under Item 8(a) of the Agenda.
- c) Mr. D. Parry rose to explain the details behind planning application 2024/2299/FPA at the Langdales and supported his presentation with an information sheet and drawing of the proposed development. He explained that the application was for a minor material amendment to a previously approved application and asked the Council to consider the application favourably. Councillors thanked Mr Parry for the information provided which would assist their deliberations at Item 8(a) of the Agenda.

### **96/24 Reports:**

#### **a) Reports from Councillors attending meetings:**

- i. Bridges: Cllr. Rogerson (and the Clerk) had attended W&FC's Bridge Briefing Meeting for Parish Councils held on 18 December 2024 when it was confirmed that investigative work on bridge structures continues. There is to be a further update on 15 January when it is hoped that there may be indications as to whether the bridges might be re-opened with restrictions.
- ii. W&FC Lighting Policy: Cllrs. Atfield, Battye (and the Clerk) had attended an on-line briefing meeting on 10 January when W&FC outlined proposals for the harmonisation of street lighting throughout the area. The Policy remains work in progress but is likely to include an option for

Parish Councils to transfer their street-lights to W&FC with no negative consequence. This will be further discussed at Item 10.

- iii. Electric Vehicle Charging: Cllr Rogerson reported that he had attended an online session on 27 November and would report the detail at Item 9 of the Agenda.
- iv. Waste Collection: On 02 December the Chairman had attended an online event on a Waste Collection Consultation exercise. Further developments on this initiative will be circulated.
- v. Cllrs. Burrow and Holmes reported on an A590 Working Group meeting held on 22 November which had confirmed the installation of 15 average speed cameras from Brettagh Holt westwards. This is a monitoring exercise at present.

**b) Westmorland & Furness Council (W&FC):** Cllr Battye reported as follows:

- i. Westmorland and Furness and Cumberland Councils have agreed to join the Government's Devolution Priority Programme. This intends to give (English) regions more decision-making over matters such as economic development, transport, employment support, planning, and housing. This paves the way for a new strategic authority for Cumbria with a directly elected Mayor. A Mayoral Strategic Authority would not take responsibility from the two unitary authorities, rather it will have a mandate to drive economic growth as well as support the shaping of public services where strategic level co-ordination adds value. The next step will be a Government-led public consultation exercise with a final decision later in the year.
- ii. The Council has launched a consultation on its proposed budget for 2025-26.
- iii. A community-wide survey aimed at gathering feedback on its library services has been announced. This will run from 22 January until 31 January.
- iv. Cllr. Battye confirmed that the memorial bench is now in place on the Green. There was some discussion about the level of consultation that had taken place with local residents. Cllr. Battye confirmed that this is a W&FC initiative with no future responsibilities to the Parish Council.

**c) Police:** The most recent editions of the Focus Newsletter had been circulated. Otherwise there had been no other feedback to report.

## 97/24 Finance

**a) Receipts:** Councillors noted the following receipts the period 01 November – 31 December 2024:

- i. 11/12/2024: Allotment Rent £ 22.00
  - ii. 12/12/2024: Electricity North West Ltd – Wayleave payment £ 12.92
  - iii. 24/12/2024: Councillor Locality Grant (Allotment improvements – water supply) £ 500.00
- Councillors thanked Cllr. Battye for the grant towards the Allotments.

**b) Payments:**

**Payments to be Ratified:** The following payments made between meetings were **Ratified**:

- i. Armstrong Watson Accountants: VAT Return Q2 July-September 2024 £ 150.00
- ii. Direct365: Defibrillator supplies £ 140.68
- iii. M R Curry: Salary November 2024 – (PC: £341.98; Project: £176.37  
Charity: £71.10; Mileage: £10.80): £ 600.25

**The following Payments were Approved:**

- iv. M R Curry: Salary December 2024: (PC: £203.10; Project: £167.78;  
Charity: £67.72; Mileage: £5.40): £ 444.00
- v. HMRC: PAYE etc. – Months 7-9 (October-December) £ 441.76
- vi. Burrow Agricultural: Hedge Cutting £ 192.00

**c) Bank Reconciliation:** The Clerk submitted a bank reconciliation for the period 01 November 2024 – 31 December 2024. The bank balance of £16,864.29 as at 31 December 2024 was accepted and the statement signed by the Chairman. It was noted that refunds totalling £6,516.75 were due from the Project. Ring-fenced funds are £7,365.46 being £2,200.00 (woodland management), £2,085.43 (Christmas event); £518.00 (balance of CIL award 2017-18); £2,062.03 (CIL award 2023-24) and £500.00 (Councillor Locality Grant – Allotments). The payment of £50.00 from the Christmas Fund to Levens Playgroup had not been made (due to their lack of a bank account) and it was **Agreed** to pay the room hire costs at the Village Hall (formerly the Institute) up to a total of £50.00.

**d) Budgets:**

- i. **2024-25 Budget Review:** The Clerk presented a budget review for both income and expenditure which had been circulated. Outturns to 31 December 2024 and projections to 31 March 2025 had been made for all cost centres. The figures exhibited a number of variations to the original budget, mainly due to unbudgeted income and inter-account transfers with the Project, but there were no exceptions to report in respect of the core budget. Based on the figures the Clerk proposed that the budget will be returned broadly in line with the original forecast. Councillors noted and **Agreed** these projections.

- ii. **Draft Budget 2025-26:** The Clerk had prepared updated draft budgets for income and expenditure and Councillors confirmed receipt of the figures in advance of the meeting. There were no matters of exception to report other than the termination of the Council Tax Grant previously awarded by Westmorland and Furness Council. In response to a request from the Chairman, Members confirmed their approval of the figures and the budget for 2025-26 was **Approved**.  
Cllr. Burrow pointed out that the defibrillator will require replacement in approximately 2.5 years time at an estimated cost of £2,500. Also, it is likely that it will require relocating when the old Village Hall is redeveloped. It was agreed in principle to set up a funding campaign which might be kickstarted by an initial donation from the Christmas fund. The old telephone box on the Green was suggested as a possible site for the new unit.
- iii. **Precept Request 2025-26:** Based on the approved budget it was **Agreed** to submit a precept request of £15,741.00 from Westmorland and Furness Council for the 2025-26 financial year.
- iv. **Internal Auditor:** On the Clerk's recommendation, it was **Agreed** to appoint Jean Airey as Internal Auditor for the 2024-25 accounts.
- e) **Bank Mandate Update** – Work to update authorised signatories continues. The Clerk is to make arrangements for the submission of a Common Reporting Standards Form as required by the bank and will check whether a new mandate will compromise his ability to request management information from the local branch.

**98/24 Levens Community Project:** A meeting of the Project Advisory Group (PAG) had been held on 07 January and Cllr. Mason reported as follows:

**a) Project Updates:**

- i. Underhill – Water connection: PAG had recommended payment of the revised cost of £9,866.40 (inc VAT) for the installation of the water supply. This quote was accepted, and payment was **Approved**.  
Electricity: The EA has now been supplied with the method statement and issue of the Wayleave Agreement is awaited.
- ii. Addresses for the proposed houses at Underhill are required to secure the water connection. PAG recommended Numbers 1-4 Orchard Bank and it was **Agreed** that an application to the Street and Numbering Naming Service be submitted for these addresses.
- iii. New Village Hall – Sales of stone continue. Parish Council timber stored on-site has been sold for £1,500 (inc VAT) and the net amount of £1,250 will be refunded to the Parish Council.
- iv. Appointment of Contractors: The procurement process continues, and new quotes are awaited based on revised specifications from the structural engineer. In response to a question from Cllr. Battye about funds for the affordable houses, Cllr. Mason explained that there was ring-fenced grant funding allocated for this purpose and that a meeting with W&FC Housing Development Officer is being arranged to discuss this further. In the meantime, commencement of the construction phase of the new village hall remains the priority to meet the terms and conditions of the Funding Agreement with SLDC (now W&FC).
- v. Finance Report - including update on the Community Ownership Fund (COF): Councillors shared PAG's disappointment that applications to the COF fund have been terminated. Other funding routes are being explored. Funds in the 'operating' account were £35,715.70p at 31 December but Councillors noted that significant payments were due (though most would be recouped via grants). Funds in the Deposit Account were £1,493,115.70p at 30 November, but this will be increased by an interest payment in December.
- vi. Project Management: Councillors received an invoice from Mr T. Hills (Project Architect) for additional post-tender work which was approved. It was noted that discussions will be had with TH to confirm the terms and conditions of his engagement during the construction phase.
- vii. High Sheriff's Shield Award: Councillors were pleased to note the forthcoming presentation of a Commendation under the High Sheriffs Shield Award Scheme.

**b) Payments:** Payment of the following was **Approved**:

i. United Utilities – water connection Underhill:	£ 9,866.40
ii. T. Hills – Architect Fees	£ 2,880.00
iii. Levens Parish Council – Refunds (Wood; VAT; Salary; Audit)	£ 6,516.75
iv. HMRC – VAT payment due Q3 2024-25	£ 2,552.31

**99/24 Planning Applications:**

- a) **Schedule of Planning Applications:** Updates to the Planning Schedule on 09 January had been circulated and were noted. The following were of specific note:

PC Ref	Application No.	Location	Proposal	Status
29.	2024/0232/FPA	Lakesway Holiday Home & Lodge Park	Erection of leisure and spa facility building and associated infrastructure	The PC spoke to its Objection at Planning Committees on 03/12/24 & 09/01/25. The application was approved but an upgrade of the passing place is to be reviewed.
2024/0232/FPA: It was <b>Agreed</b> that the Minutes should record the thanks of the Parish Council to Cllrs. Holmes and Burrow for preparing and delivering the Council's representations to the Planning Committee.				
43.	2024/1328/FPA 2024/1465/FPA	Levens Village Shop LA8 8ND	First floor extension to provide additional holiday accommodation to support the shop business.	The appeal against refusal of the original application remains with the Planning Inspectorate.
48.	2024/2299/FPA	Land adjacent to the Langdales	Erection of a 2-storey extension as an amendment to previously approved plans.	The application is for a minor material amendment as a variation of a planning condition. <b>See below.</b>
2024/2299/FPA: Cllr. Rogerson declared an interest in this application and took no part in the item. The Chairman reminded Cllrs that there had been several previous applications relating to this property and land and that the Parish Council had lodged objections in the past concerning density, negative impact on adjacent property and loss of privacy. This application is for the variation of a planning condition on a consent previously approved to enable the erection of a 2-storey extension as a minor material amendment (MMA). He asked Cllrs. to take note of the representations made at the outset of the meeting. His view was that the proposal was more than an MMA and asked Cllrs for their opinions. There was considerable discussion about various aspects of this development and Cllrs restated their concerns about density on site and proximity to the neighbouring property. The key issue which emerged however was whether this could be described as an MMA. Given the scale of the development and proximity to an adjacent property (Applegarth) and based on planning guidance, it was the view of the Parish Council that the proposal goes beyond what could reasonably be described as an MMA. Cllrs felt that this point needed to be considered by the Planning Committee. The Chairman put this conclusion to a vote, as a result of which it was <b>Resolved</b> that the Parish Council should <b>Object</b> to the application as it not being a Minor Material Amendment. The Clerk was asked to draft a letter of objection for approval.				

**b) Other planning matters:** No other planning matters were raised.

**100/24 Electric Vehicle Charging:** Cllr. Rogerson had attended an online session on local electric vehicle infrastructure hosted by W&FC on 27 November. The Council has received £3.3million to enhance capability for electric charging within the area. The Clerk has already submitted an Expression of Interest for the new Village Hall, but it was agreed that more charging points need to be made available locally. Cllr. Rogerson has floated a list of possible sites around the village and there was discussion on this and other possibilities. The initiative is at an early stage, but it was **Agreed** that the Parish Council supports the scheme in principle and will follow up developments as they emerge. Councillor Battye requested to be copied into correspondence as she may be able to lobby for preferred options.

**101/24 W&FC Lighting Policy:** This had largely been dealt with under 96/24(a)(ii) above. The two front-running options are for Parish Councils to retain the streetlights that they own and take responsibility for costs and maintenance or to hand them over to W&FC. Subject to terms and conditions, there was general agreement that the Parish Council might wish to hand over its lighting to W&FC. Further details of the Policy and options will be rolled-out in the coming months with the final plan to be agreed by August.

#### **102/24 Open Actions Not Covered Elsewhere on the Agenda**

**a) Levens Traffic Management:** The following reports were noted:

- i) Levens Lane footpath: Cllr. Mason reported that he was in touch with Charlie Ebbrell of Pell Frischmann who were the consultants appointed by W&FC to conduct the feasibility study into the Levens Lane scheme. Arrangements had been made for a site visit on 16 January and Cllr Mason will try to attend. Cllr Mason had advised the consultant that the current planning application will be removed after the deadline date of 31 March 2025 for want of detailed plans.
- ii) Traffic Management within the village: Cllr. Burrow reported that Helen Karaaslan (HK) of W&FC had written to advise that cones had been placed on Levens Lane in the vicinity of the playing fields entrance to monitor the impact of parking restrictions. Cllrs Burrow and Atfield had moved the cones as they were in the wrong place and Cllr Rogerson supported this action based on recent parking incidents. Cllr Burrow had drawn up notes to explain the logic behind this and it was **Agreed** that the Clerk should forward all detail to HK. In addition, Mr Paton who had spoken at the outset of the meeting confirmed that he will send on his notes to HK. Cllr. Battye will follow-up.

**b) Woodland Management:** The detail in the Tree Health and Safety Report will be considered at the next meeting in February.

**c) Parish Assets and Land**

- i) Brigsteer Road Picnic site: The walling is due to be completed in March.
- ii) Coronation Orchard: The levelling of the site is expected to be completed in the next few weeks. The RPA Capital Grant Scheme (for boundary walling) is currently closed to new applications.

- d) **Parish Council Website:** The Clerk has sent a draft statement on the use of copyright images to the Webteam for consideration.
- e) **Parish Emergency Plan:** Cllr. Forshaw thanked the Clerk for forwarding on his draft Plan previously prepared and also for sight of plans from the near locality. Cllr. Battye offered to send on plans from other Parishes. Cllr. Forshaw's review remains work in progress.
- f) **Christmas Event 2024:** Cllr. Burrow reported that the 2024 event had been a great success – well attended and with a great atmosphere. It had generated in the region of £866.00 gross from which some outstanding expenses will be deducted. Recommendations will be made as to how funds might be allocated but provision will need to be made for the future of a tree and there is also the possibility of using some funds to kick-start an appeal for a new defibrillator.

**103/24 Correspondence Received:**

- a) Kendal Amateur Athletic Club advising of the annual Levens 10k run to be held on 22 May 2025
- b) Other than the above, items discussed on the Agenda and routine items circulated to Councillors from CALC, W&FC and other agencies there were no other items of correspondence to note.

**104/24 Future Agenda Items:**

- a) Tree Health and Safety Report
- b) Approval of Governance documents
- c) Otherwise, follow-up to the current Agenda items.

**105/24 Date of the Next Meeting:**

The next Ordinary Meeting of the Parish Council will be held on Tuesday 11 February 2025 in the Methodist Church, Levens.

The meeting closed at 9.56 p.m.

Signed ..... (Chairman)      Date.....