

# Levens Parish Council

## Minutes of the Ordinary Meeting of the Parish Council held remotely by the use of audio-visual technology on 14 July 2020.

**Present:** Cllrs. R. Atfield (Chairman), S. Bagot, H. Burrow, J. Fitch, K. Holmes, D. Rogerson, R. Mason, M. R. Curry (Clerk); County Cllr. J Bland; District Cllr. B. Rendell and 2 members of the public.

Before the commencement of the meeting, the Chairman welcomed and thanked all for attending this first 'remote' or 'virtual' meeting to be held by the Parish Council occasioned by continuing restrictions relating to the Coronavirus pandemic. It was also noted that this was the first meeting held since March and consequently there were a number of items requiring attention.

**01/20 Apologies for Absence:** Cllr R. Johnson

**02/20 Declarations of interest:** None

**03/20 Minutes:** It was **Resolved** that the Chairman be authorised to sign the Minutes of the Ordinary Meeting of the Council held on 10 March 2020 as a true record.

**04/20 Public Participation:** No matters were raised

### 05/20 Reports

#### a) **From Councillors attending meetings:**

- i. Cllr. Rogerson reported that he and the Clerk had attended several remote meetings hosted by SLDC during the period of lockdown which were designed to maintain communication links with Parish Councils and provide updates on how the District was responding to the Coronavirus emergency.
  - ii. Cllr Bagot reported that the Playing Fields were now open again and being well-used but with appropriate and efficient signage. She also reported that the Institute was working on procedures necessary to enable it to re-open.
- b) **Police:** The Clerk confirmed that there was no report available, but that Jayne Park had maintained contact with the village and responded to incidents as appropriate during lockdown.
- c) **District Councillor:** Cllr. Rendell reported that SLDC had held a remote/virtual Council meeting, but was hoping to have a physical meeting in an appropriate location soon. He reported that there were currently 11 cases of Covid-19 being treated in hospital in Cumbria, four of which were in SLDC's area. He mentioned the closure of public toilets as a particular issue, especially in Bowness. Cllr. Fitch commented that the lack of public conveniences in Kendal after lockdown had been eased had also been a significant problem.
- d) **County Councillor:** Cllr. Bland reported that planning and executing work was very difficult at present with so many staff working remotely, but that the road through the Lyth Valley had largely been resurfaced and that at Levens Bridge was due to be resurfaced on the 20 July. Initiatives relating to the cycle route at Levens Bridge and the roundabout at Gilpin Bridge remain work in progress. In response to Cllr Rendell, Cllr Bland undertook to check if Levens Bridge was to be closed to traffic travelling south during the period of road closure. He would also check on the current status of the bus service through Levens as well as whether road linings were to be re-instated at Levens Brow.

### 06/20 Finance

The Clerk reminded Members that as there had been no meeting since 10 March, there was a backlog of receipts and payments requiring formal approval. The following items were considered by the Council and where indicated details are listed in the Annexes to these Minutes.

- a) **Receipts:** Councillors noted receipts for the period 01 March to 30 June as listed at Annex 1.
- b) **Payments Made - Ratification of payment of invoices approved by email:** Payment of all invoices approved by email since the last meeting on 11 March as listed at Annex 2 was agreed and payments **Ratified**.
- c) **Payments required –** The following payments were authorised:
  - i. M R Curry - Sal & Exes June 2020 602.84
  - ii. HMRC – PAYE Mths 1-3 2020/21 459.90

|   |           |
|---|-----------|
| iii. Treble3 – Website hosting annual fee | 144.00    |
| iv. Levens Community Project - VAT Refund | 13,231.49 |

- d) **Bank Reconciliation and report on Ring-Fenced Funds – 30 June 2020:** The reconciled balance of £44,274.42 was noted. Councillors also noted the Clerk's report on ring-fenced funds, leaving the Parish Council with an underlying balance of £17,515.00. A further £3,744.70 is held as ring-fenced funds for specific Parish Council purposes.
- e) **Governance Matters**
- Risk Register:** Councillors **Approved** the updated Risk Register which had been presented to the March meeting.
  - Asset Register:** Councillors **Approved** the Asset Register which had been updated to include the new Parish Notice Board and the Brigsteer Road picnic bench.
  - Standing Orders:** Councillors **Approved** the Standing Orders which had been presented to the March meeting.
  - Financial Regulations:** Councillors **Approved** the Financial Regulations which had been presented to the March meeting.
- f) **Internal Audit:** Councillors noted the Internal Audit Report (previously circulated) which confirmed that Levens Parish Council is compliant with all Account and Audit Regulation requirements. The best wishes of the Auditor had been expressed to Council Members.
- g) **Annual Governance and Accountancy Return (AGAR)**
- Annual Governance Statement 2019/20** (AGAR Section 1): After due consideration Councillors **Approved** the Annual Governance Statement.
  - Accounting Statements 2019/20** (AGAR Section 2): After **Approving** the re-statement of Box 1 for the year ending 31 March 2020 and giving due consideration to the Section, Councillors **Approved** the Accounting Statements for 2019/20
  - Next Steps:** The Clerk confirmed that the period for the exercise of public rights requiring 30 consecutive working days would run from Monday 20 July to Tuesday 01 September 2020.

## 07/20 Levens Charity

The Clerk, in his capacity as Secretary to the Levens Charity, reported that the Charity Trustees had held a formal (remote) meeting on 13 July to discuss the final draft of the Joint Venture Agreement. As at their meeting on 10 March, they had considered the overall aim and objectives of the document and clauses relevant to the Charity. They had then specifically considered the status of the Parish Council as Trustee of the Charity. Based on legal advice from two solicitors engaged by the Parish Council it had been unanimously **Agreed** that the intention of the Scheme of Administration was that the Parish Council, and not its individual Members, is the Sole Trustee of the Charity. For the purposes of management, Parish Councillors were Trustees of the Charity during their time on the Parish Council, acting through a Committee of three appointed from its number. Based on the same legal advice, it was noted that, by virtue of its sole trusteeship, the incorporated status of the Parish Council flowed through to the Charity and that the Charity was also, therefore, an incorporated body with subsequent limitation on liability on its Trustees. The Parish Council in its capacity as Sole Trustee **Resolved** to accept this position. The Parish Council also noted that the Charity Trustees had accepted the final version of the Joint Venture Agreement and its **Recommendation** that it be signed by the Charity.

## 08/20 Levens Community Project

- a) **Levens Community Project Committee:** Councillor Mason reported that a (remote) meeting of the Committee had been held on 7 July. The Minutes of that meeting were not yet to hand but the Committee had noted that the Project continues to make positive progress. There were no significant matters of exception to report, though Parish Councillors noted the following:
- Reserved matters consents are still awaited for the Cotes and Church Hill, but Tony Hills is liaising with SLDC to secure these.
  - A meeting with Alan Wilson was to be held to discuss his invoice for the excavation of the new village hall site.

- b) Payments Made - Ratification of payment of invoices approved by email:** Payment of all invoices approved by email since the last meeting on 10 March as listed at Annex 3 was agreed and payments **Ratified**.
- c) Payments required – the following payments were authorised:**
- |      |  |        |
|------|--|--------|
| i.   | SID Designs: Display Board (floor plan – village hall) | 81.60  |
| ii.  | South Lakes Drain Jetting Ltd – sewer survey Underhill | 162.00 |
| iii. | T Hills: reimbursement of EA fee                       | 968.00 |
- d) Investment of Funds:** The Parish Council authorised the transfer of funds (sum to be determined by the Project Committee) from the HSBC current account into an appropriate interest bearing HSBC account (noting that the interest rate at present is minimal).
- e) Joint Venture Agreement:** The Clerk reported that a final draft had been agreed between respective solicitors and circulated for agreement. He reminded Councillors of the obligations on the Parish Council contained in the document and that, as noted earlier, the Parish Council (as sole trustee of the Levens Charity) had considered and approved the document on behalf of the Charity. Having considered the contents, the Chairman asked if Councillors were content to approve the document and it was **Resolved** to approve and sign. The Clerk undertook to arrange for Chairman and Vice-Chairman to sign the document.
- f) External Funding:** The Clerk reported that negotiations with SLDC regarding the content of the Funding Agreement relating to Scheme Grant and Infrastructure Grant were progressing well. Several matters of detail were still in discussion, but it was hoped that a final draft would soon be proposed for approval.
- g) Housing Allocation Policy:** Cllr Burrow reported that she had constructed a draft policy for ultimate use by the Charity. It was based on similar documents adopted by other authorities and mirrored key components of that currently being prepared by SLDC. It had been circulated for comment, including to Lorraine Smyth at ACT and questions about data protection and criminal records had been raised. Cllr Atfield thanked Cllr Burrow for her hard work in developing this initiative and undertook to enquire if CALC had advice to offer in this area. It was agreed that this initiative remained work in progress for further report.

## 09/20 Planning Applications:

### a) New Planning Applications:

| Application No.   | Address                | Proposal  | Applicant   | Type & Status           | Comments By |
|---|------------------------|---|-------------|-------------------------|-------------|
| SL/2020/0389  | 46 Greengate, LA8 8NF  | Loft conversion; front & rear extensions                | Mr Craghill | Full Planning           | No Decision |
| The plans for this application had been examined. Cllr Bagot undertook to make local enquiry of neighbours to determine whether the Parish Council should submit comment. |                        |   |             |                         |             |
| SL/2020/0442  | Lakesway Holiday Homes | Discharge of conditions (ext lighting & Landscape Plan) |             | Discharge of conditions | No Decision |
| It was acknowledged that this application was for the discharge of conditions relating to an earlier application. Cllr Holmes undertook to explore further and confirm.   |                        |   |             |                         |             |

### b) To note Planning Applications determined since last meeting: the following decisions were noted

| Application No.     | Address                       | Proposal                               | Type & Status              | Decision   |
|---------------------|-------------------------------|--|----------------------------|------------|
| SL/2020/0269        | Glen Robin, Church Rd LA8 8PS | Single & 2-storey front extension      | ACON                       | 17/06/2020 |
| SL/2020/0210        | Levens Village Shop           | Single storey extension & front canopy | ACON                       | 23/06/2020 |
| SL/2020/0176 & 0179 | Levens Hall, LA8 0PD          | Electric vehicle charging points       | Full Planning /Listed Bldg | 01/07/2020 |

### c) To note planning applications still to be determined

| Application No.  | Address | Proposal | Applicant | Type & Status | Comments By |
|--|---------|----------|-----------|---------------|-------------|
| It was noted that Parish Council applications at Church Hill and Cotes still awaited consent |         |          |           |               |             |

- 10/20 South Lakeland Local Plan:** Councillors noted progress with SLDCs new local plan and particularly the call for land with development potential. Concern was expressed about further development in the village and consequent pressure on village infrastructure including water supply, drainage and the local road network. Councillors felt that a contribution from Levens was important and Cllr Bagot **Agreed** to draft a position statement for consideration. It was also **Agreed** to ensure that future updates from SLDC were posted to the Levens website.
- 11/20 Coronavirus:** It was **Agreed** that decisions on how the Parish Council will maintain meetings will be made in the light of what is possible as the situation gradually returns to normal.
- 12/20 Open Actions Not Covered Elsewhere on the Agenda:**
- a) **Highways Defect Report:** Cllr Fitch's Report was noted and it was acknowledged that work has clearly been disrupted by the Coronavirus outbreak. Cllr Bland confirmed this, but undertook to check what could be done about outstanding work.
  - b) **Levens Traffic Management:** Cllr Fitch reported that there had been no progress on road safety schemes as discussed with Mo Dooz of the County Council – but again Coronavirus had been a disrupting factor. In respect of a possible footpath down Levens Lane it was **Agreed** that a more detailed plan was needed for both the respective land-owners and County Highways – from where funding was currently available for qualifying schemes. Cllrs Mason and Fitch **Agreed** to work on preparing this and Cllr Bland offered to assist.
  - c) **Maintenance Plan and Woodland Management:** Cllr Mason reported that Andy Banks should be reporting on his Tree Health and Safety survey in the near future.
  - d) **Parish Hedge, Hutton Lane:** It was agreed that following the easing of Coronavirus restrictions and the end of the bird nesting season, this work could now be re-scheduled. Cllr Mason will investigate the availability of personnel and propose dates. It was confirmed that Mr. Stainton must be given satisfactory notice of any proposed date – previously set as at least a fortnight.
  - e) **Brigsteer Road site and Other Parish Land including Registration of Land at Cotes:** Councillors noted that the picnic bench had been delivered. On the basis of three quotes received for improvements at the site, it was **Agreed** that the work should be offered to Stuart Lambert at a price of £1,900 plus some extras for a handrail and gate. There had been no progress with sorting out the registration of land at Cotes.
  - f) **B4RN:** Cllr Rogerson reported that there were now 13 live connections in the village and this number is increasing. There are 267 vouchers taken up, though this is below the agreed target and therefore B4RN is recalculating the funding model. Cllr Bland reported that Crosthwaite are anticipating a B4RN connection and it was agreed to check whether this was based on the Levens distribution hub.
  - g) **Waste bins:** Cllr. Burrow reported that Coronavirus has delayed installation.
  - h) **The Old Carpet Shop:** Cllr Burrow reported that there has been no recent progress.
  - i) **Clerk's Appraisal:** The Chairman reported that the appraisal had been held on 12 February and he would bring the outcome to the next meeting of the Parish Council.
- 13/20 Correspondence:** No comments were made on the Schedule of correspondence previously circulated. Two additional items considered were an offer from K. Stott to remove scrap from Underhill which was refused as already covered by T. Thacker's quote and an offer from Mr J Morris to cut back vegetation on the path from Lowgate to Underhill as he has done before. This was accepted and Cllr Burrow agreed to confirm this with him.
- 14/20 Future Agenda Items:**
- Clerk's Appraisal
  - Brigsteer Road Site.
- 15/20 Date of the Next Meeting:** The next Ordinary Meeting of the Parish Council is on Tuesday 08 September 2020 to be held as a physical meeting if circumstances allow, otherwise remotely.

The meeting closed at 10.13 p.m.

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

**ANNEX 1****PAYMENTS RECEIVED 01 MARCH – 30 JUNE 2020**

|       |   |           |
|-------|---|-----------|
| i.    | 09/03/20: Levens Charity (Clerk's salary & refund B4RN costs paid):   | 1,525.26  |
| ii.   | 31/03/20: Allotment Rent  | 17.50     |
| iii.  | 03/04/20: Land Rent Cotes   | 25.00     |
| iv.   | 06/04/20: Allotment Rents:  | 105.00    |
| v.    | 16/04/20: Parking (£120); Land (£25); Allotments (£87.50)             | 232.50    |
| vi.   | 16/04/20: Reimbursement of training fees:                             | 45.00     |
| vii.  | 29/04/20: SLDC: Precept & Grant (£13,165.86 + £363.14)                | 13,529.00 |
| viii. | 30/04/20: Parking: (£20); Allotment (£35.00)                          | 55.00     |
| ix.   | 18/05/20: Donation (subsequently refunded as paid in error)           | 120.00    |
| x.    | 18/05/20: Land (£5); Allotments (£70); woodland work refunded (£620): | 695.00    |
| xi.   | 02/06/20: VAT Refund 2019/20: (PC £358.81); (Project £13,231.49)      | 13,590.30 |

**ANNEX 2**

**PAYMENT OF THE FOLLOWING PARISH COUNCIL INVOICES WHICH WERE APPROVED BY EMAIL  
DURING THE PERIOD FROM 11 MARCH WAS FORMALLY RATIFIED**

|       |  |           |
|-------|--|-----------|
| i.    | 14/04/20: M R Curry - Sal & Exes March 2020                          | 776.97    |
| ii.   | 14/04/20: HMRC - PAYE Mths 10-12 2019/20                             | 652.11    |
| iii.  | 14/04/20: Mitchinsons Accountants – Payroll Services 2019-20         | 72.00     |
| iv.   | 14/04/20: Levens Estate – Allotment Rent 2020/21                     | 378.00    |
| v.    | 14/04/20: A Banks: woodland work (Brigsteer Road) and strimming      | 915.00    |
| vi.   | 11/06/20: Levens Parochial Church Co: refund donation r'cvd in error | 120.00    |
| vii.  | 11/06/20: M R Curry – Sal & exes April & May                         | 1,186.15  |
| viii. | 11/06/20: Treble3 – Domain name renewal etc                          | 104.40    |
| ix.   | 11/06/20: J Airey – Internal audit                                   | 75.00     |
| x.    | 11/06/20: SLDC – Street lighting maintenance                         | 1,384.21  |
| xi.   | 11/06/20: Glasdon UK Ltd – Picnic bench                              | 850.50    |
| xii.  | 11/06/20: Information commissioner – Annual Registration fee         | 40.00     |
| xiii. | 11/06/20: Mitchinsons Accountants – Pensions Regulator Reg. fee      | CANCELLED |
| xiv.  | 17/06/20: CALC – Annual Subscription                                 | 242.35    |
| xv.   | 02/07/20: Mitchinsons – replacement of Chq 101167                    | 60.00     |
| xvi.  | 21/07/19: A. Banks – maintenance work; approved but not minuted      | 209.30    |

**ANNEX 3**

**PAYMENT OF THE FOLLOWING COMMUNITY PROJECT INVOICES WHICH WERE APPROVED BY  
EMAIL DURING THE PERIOD FROM 11 MARCH WAS FORMALLY RATIFIED**

|      |  |           |
|------|--|-----------|
| i.   | 11/06/20: Milne Moser (Solicitors) – Legal fees JVA & general advice | 1,980.00  |
| ii.  | 11/06/20: Environment Agency – Permit Fee for works at Underhill     | CANCELLED |
| iii. | 11/06/20: Dodd & Co – Financial Advice 2019-20                       | 2,010.00  |
| iv.  | 02/07/20: Wrigleys (Solicitors) – Legal fees Funding Agreement       | 3,600.00  |