

## Levens Parish Council

### Minutes of the Ordinary Meeting of the Parish Council held on 10 September 2019 in the Methodist Church Meeting Room, Levens at 7.30pm

**Present:** Cllrs. R Atfield (Chairman), S. Bagot, H. Burrow, J. Fitch, K. Holmes, D. Rogerson, R. Johnston, R. Mason, M. R. Curry (Clerk) and 4 members of the public.

**32/19 Apologies for Absence:** County Cllr. J Bland.

**33/19 Declarations of interest:** None tendered.

**34/19 Minutes: Resolved** that the Chairman be authorised to sign the minutes of the Ordinary Meeting of the Council held on 09 July 2019 as a true record.

**35/19 Public Participation:** District Cllr. Brian Rendell (representing Bowness and Levens and also Chair of Heversham Parish Council) introduced himself.

#### 36/19 Reports

**a) From Councillors attending meetings:** Cllr. Burrow reported on a meeting of the A590 Group on 27 August. Highways England (HE) was pleased with the drop-in meeting at the Gilpin Bridge Inn on 27 June. Over 200 people attended, comments were noted and HE will provide an update in October. Improvement plans will be subject to feasibility study from 2020-22; acquisition of land in 2022 and construction of improvements in 2023-24. The future management of bus shelters is under review - attention should be paid to any implications for the Parish Council. The increase in cycling time-trials on the A590 was raised, but it appears that, other than notifying the police, such events are not subject to any other obligations. The next A590 meeting is on 14 January.

**b) Police:** Cllr Holmes advised that PCSO Park is currently on sick leave. Three items were noted:

- Burglaries in Greengate – no further information had been received on these incidents;
- The discovery of drug related items on the playing fields – information and photographs had been passed on to the Police and Cllr. Holmes reported that he had also informed PCSO Blacow direct.
- Incident at Field Place – Cllr Holmes reported that he had been awoken by intruders at his property at 3.15 a.m. on 21 August. When challenged, they left and Cllr. Holmes had reported the incident on 101. No further information has come to light.

**c) District Councillor:** Cllr. Holmes thanked Cllr. Fitch for his efforts resulting in the repair of the road by the village shop which had been well received. He and Cllr. Rendell will be attending Flood Expo 2019 – a flood conference and exhibition in Birmingham on 11 September.

#### 37/19 Finance

**a) Receipts:** The following receipts for the period 01 July – 31 July were noted:

- 24/07/19: SLDC £ 20,000.00  
This was the first payment of LIPs Grant to the Community Project for enabling works at the new Village Hall site paid into the Parish Council account. A proposal to transfer this to the correct account would be discussed at a later item.  
There were no receipts for the period 01 August to 31 August.

#### b) Payments

The following payments were **authorised**:

- |   |   |        |
|---|---|--------|
| i. M R Curry: Salary & expenses (July £586.96 / August £412.85)             | £ | 999.81 |
| ii. Treble3: Website correction and update                                  |   | 51.60  |
| iii. GeoXphere: Annual subs for Parish Online (from B4RN ring-fenced funds) |   | 45.00  |
| iv. Mr S Read: Land Registry expenses (search of Commons Register)          |   | 30.30  |
| v. H.M. Land Registry: Land Registration fee, Cotes                         |   | 30.00  |

#### c) Financial Report

- Bank Reconciliation 31 August 2019: The reconciled balance of £45,524.63 was noted.
- General Report on Funds: The Clerk stated that the current balance is distorted by £20,000 due to the Project and £11,234 held on behalf of Cumbria County Council for capital projects.

After these and other minor adjustments relating to ring-fenced funds the underlying figure of PC funds is estimated at around £19,000. A full review to the end of Quarter 2, including performance against budget, will be presented to the October meeting.

- iii. Audit: Requirements for the Exercise of Public Rights have been met. The external auditor has raised a minor query to which a response has been provided. Formal approval of the accounts is awaited.

**38/19 Levens Community Project:** Cllr. Mason gave the following report:

- a) **Levens Community Project Committee:** The Minutes of the meeting held on 3 September were received and noted. The following recommendations were approved:
  - i. That work to progress finalisation of the Joint Venture Agreement be shelved for the time being pending a review of what the document needs to achieve;
  - ii. That Mark Willacy is invited to join the Committee to provide expertise on practical building issues.

The following updates were also noted:

- b) **Sizergh Fell Quarry:** Based on approval given at the May meeting, a revised S106 Agreement prepared by the Lake District National Park Authority was signed by all parties except SLDC. To fulfil their planning requirements, LDNPA subsequently issued a Unilateral Undertaking containing equivalent clauses, which with advice from our solicitor, was signed on 21 August. As a result of the subsequent issue of written planning consent, PARTI exercised its Option to Purchase and a binding contract for the sale of the property, with a deposit payment of £75,000, now exists. Completion is fixed for on or before 8 November.
- c) **Cotes, Church Hill and Underhill:** The Planning Officer has indicated that he will recommend approval of the plans submitted for Cotes and Underhill, but that those for Church Hill may require amendment. Tony Hills is liaising on this.
- d) **Land Registration at Cotes:** Mr Read updated Councillors on the registration of land at Cotes in the name of the Parish Council. He has encountered several difficulties, including a number of requisitions raised by the Land Registry and the existence of a Caution placed on the land in 1999. Mr Read has referred some questions to the Clerk and is managing the process required to withdraw the Caution. The Chairman expressed the Parish Council's appreciation to Mr Read for his continuing work to resolve the outstanding issues.
- e) **Financial Position:**
  - i. The bank reconciliation presented to the Project Management Committee on 3 September showing funds in-hand of £7,867.33 was noted. The Clerk reported that he had constructed a running balance of income / expenditure since the commencement of the Project in 2013 which showed a balance of £7,220.12, that is £647.21 less than funds in the bank. This equates to the deficit position of the Project when the bank account was opened and should be paid back to the Parish Council (PC) account. A further two payments are due back to the PC being refunds of salary paid by the latter but reclaimed by the Project as Capacity Grant.
  - ii. The Clerk reported that £20,000 LIPs grant had been paid into the PC account and that £240 needed to be paid to the Project in respect of VAT refund received from HMRC on Project expenditure for 2017/18.
  - iii. The above, and two further payments were **authorised as follows:**

• From the PC to the Project:	£20,240.00
• From the Project to the PC account:	2,008.71
(Refund MRC salary Sept '18/May June 19: [£1,361.50] & repay loan to open bank account: [£647.21])	
• Milne Moser (Solicitors):	576.00
• R.G. Parkins (Structural Engineering); subject to additional information:	6,343.44
  - iv. SLDC are preparing a Funding Agreement for their offer of £350,000 Scheme Grant; the Project is collecting financial estimates as the basis of a bid for Infrastructure Grant.
- f) **Project Working Group:** Members of the of the Working Group will be visiting Witherslack Village Hall and Levens Hall to look at kitchens on Tuesday 17 September. Cllr. Mason confirmed that membership of the Working Group by Project Committee members was under consideration.

### 39/19 Planning Applications:

a) New Planning Applications: None

b) Planning Applications determined since last meeting: The following determinations were noted:

Application No.	Address	Proposal	Applicant	Type & Status	Decision
SL/2019/0570	Greymists, Levens	Single storey rear extension to form annexed accommodation	Mr & Mrs A Miller	Full Planning	ACON 22 August 2019 (delegated)
TR/2019/0083	20 Nethercroft Levens	Crown raise sycamore		TPO	ACON 14 August 2019
SL/2019/0524	Land north of St John's Church	Discharge of Conditions – New Village Hall	Mr T Hills for Levens PC	Full Planning	Approved 03/07/2019
SL/2019/0280	Birks, Levens	Single storey rear extension		Full Planning	ACON 04 July 2019
7/2019/5386	Lord's Plain Farm, Levens	Ext to Agricultural livestock building	Mr D Martin	Full planning	Granted 09 August 2019
7/2018/5610	Sizergh Fell	15 dwellings, Sizergh Fell Quarry	PARTI	Full planning	Granted 28 August 2019

c) To note planning applications still to be determined: it was noted that the Parish Council's applications for Underhill, Church Hill and Cotes had yet to be formally listed.

### 40/19 Open Items Not Covered Elsewhere on the Agenda:

#### a) Highways Matters

- i. **Defects Report:** Cllr. Fitch reported that most items on his Defects database had been attended to and that following recent work, flooding on the Brigsteer Road appeared to have been resolved. He also reported an update to the 'Working Together' statement from Cumbria County Council about the training and safety of personnel engaged in work on highway verges. It was **Agreed** to discuss this in more detail with Cllr. Bland at the next meeting.
- ii. **Levens Traffic Management:** Cllr Burrow reported disappointment that the Levens Traffic Management Group still awaited a response from Highways on the data provided to it from SIDs installations. As this was a police-led initiative, it was **Resolved** that the Parish Council should write to the police requesting them to secure the required information from Highways to enable this initiative to move forward.
- iii. **Siting of SID posts:** Cllr. Rogerson reported that he and Cllrs. Burrow and Fitch had recently reviewed and made proposals for the location of SIDs at Beathwaite Close and Whitegate. Cllr. Rendell mentioned that recent revisions by Cumbria County Council to the guidance relating to the location and positioning of SIDs should be taken into account. Whilst it was noted that the siting of temporary installations carried less regulation, it was **Agreed** to review the guidance in relation to current proposals.
- iv. **Road markings (Greengate) and road signs:** The Clerk reported that in response to a letter drafted by Cllr Fitch, County Highways has referred the need for road-markings in the Greengate area to its in-house lining team. It was **Agreed** however to reply emphasising the need for a pre-planning site meeting with a member of the PC present to ensure a suitable solution to the concerns of local residents and to reply to the concerns expressed by a local resident. It was also **Agreed** to revisit the obligations and expectations on Story Homes in respect of road and traffic management associated with their Meadow Wood development. Cllr Atfield reported that he had raised the issue of road signs, particularly at the Green, with Tim Farron who had recommended that this ought to be discussed directly with the County Council and it was **Agreed** to raise this with Cllr. Bland at the next meeting.
- v. **Request for car parking on Hutton Lane:** Cllr. Mason reported that this request had been withdrawn.
- vi. **A590 bus shelters:** Under review as part of the A590 improvement plans.

b) **Water Supply Plan:** The Clerk reported that the letter drafted by Cllr Fitch had been sent to United Utilities but no response had yet been received. It was **Agreed** to request a response in time for the next meeting.

- c) **Cold-Calling:** Councillors were pleased to note Cllr. Burrow's report on the offer of 'Do Not Knock' stickers from Able Community Care. 250 had been received with a further 250 to be delivered. These will be available via the Village Shop.
- d) **Property Matters:** It was noted that Mr Stainton has taken his own advice on reduction of the Leylandii hedge and **Agreed** that Andy Banks should be asked for an opinion prior to a further meeting with Mr Stainton. On Shepherd's Mill, Cllr Burrow reported that there were three possible options for redevelopment but that pre-planning advice from SLDC did not currently favour the preferred route of demolition and new build. There is to be a structural survey later in the week which will inform local opinion and representation which the planners are obliged to take into account when considering an application.
- e) **Christmas Decorations:** Cllr. Rogerson confirmed that plans for an event and associated decorations as previously discussed are in hand.
- f) **Maintenance Plan:** Local strimming and weed clearance continues via Andy Banks.
- g) **Woodland Management:** A meeting has been held with Richard Jones to agree management work at the Crossings; Andy Banks will be asked to provide a price for consideration by the neighbours concerned. The Clerk will discuss tree health and safety inspections with Andy. An issue of tree management dealt with by Cllr. Burrow at the Hare and Hounds has been resolved.
- h) **B4RN:** Cllr. Rogerson gave a positive report on current progress. It was **Resolved** to sign the LIPs Funding Agreement subject to confirmation that the grant and associated liability related solely to the purchase and installation of the cabinet and that the money would only be paid over to B4RN at that point.
- i) **Dog bins in the Village:** The question of responsibility for emptying dedicated bins remains an issue and it was **Agreed** to review this when the new Village Hall is completed. In the meantime Cllr Burrow will display posters received from SLDC – the issue of some locations being inside the National Park was confirmed as not relevant.
- j) **Parish Noticeboard:** The Clerk provided updated information of costs. It was **Resolved** to order Board PL10A4U from Greenbarnes Ltd without a header at a total cost of £610.85 (inc VAT).
- k) **Next Newsletter:** It was agreed to include an update on progress with the Project, particularly Sizergh Fell Quarry; to promote the availability of 'Do Not Knock' signs; an update on B4RN and the cabinet; the Christmas event; self-reporting of road defects and dog related matters.

#### 41/19 Correspondence

The Schedule of Correspondence circulated by the Clerk was noted. Other than items dealt with in the meeting, Members noted:

- An email from Stephen Read updating on his efforts to resolve the S106 Agreement with SLDC;
- An enquiry from Anne Clarke asking for opinion on the value of the Local Area Partnerships: it was **Agreed** to respond to say that they no longer fulfilled a useful purpose;
- A note from Carolyn Kevan advising of a 10k run through the village on 27 May 2020
- Advice from the Scheduled Bus Services Officer at Cumbria County Council that Stagecoach will be withdrawing all journeys on their service 530 from Cartmel to Kendal via Levens from 27<sup>th</sup> October this year. Councillors received this information with concern and it was **Resolved** to register its disquiet at the proposal and stress the need to source an alternative service.

#### 42/19 Future Agenda Items

- Quarter 2 financial review; 'Working Together' statement and road signs for consideration by Cllr. Bland; the content of the next Newsletter

#### 43/19 Date of the Next Meeting:

**The next Ordinary Meeting of the Parish Council is on Tuesday 08 October, 2019.**

**The meeting closed at 10.22 p.m.**

Signed ..... (Chairman)    Date:.....