

# Levens Parish Council

## Minutes of the Ordinary Meeting of the Parish Council held on 12 November 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); County Cllr. J Bland; District Cllr. B. Rendell; and 2 members of the public.

**61/19 Apologies for Absence:** None.

**62/19 Declarations of interest:** None tendered. The Clerk advised Members of guidance received from the Local Government Association regarding protocols in the run-up to the general election on 12 December 2019 (the period known as 'purdah'). Councils are reminded not to publish any material which, in whole or in part, appears to be designed to affect support for a political party.

**63/19 Minutes:** It was **Resolved** that the Chairman be authorised to sign the minutes of the Ordinary Meeting of the Council held on 08 October 2019 as a true record.

**64/19 Public Participation:** In the absence of other representations, the Chairman expressed thanks to Cllrs Mason and Burrow and to the Clerk and all others involved in securing the sale of Sizergh Fell Quarry on 8 November.

### 65/19 Reports

- a) From Councillors attending meetings:** Cllr. Atfield attended an informative meeting organised by CALC to review the role of Parish Council Chairs. He had also attended the CALC AGM at Wigton on 9 November. Speakers had included Peter Thornton, Deputy-Leader of Cumbria County Council. There had been discussion about the CC budget and amongst other things, its commitment to repair 'genuine' pot-holes within 4 days of a defect report received. Cllr. Bagot also reported her attendance at a recent meeting of the Playing Fields Association Committee.
- b) Police:** PCSO Jayne Park was not present, but Cllr. Burrow reported that plans for a 'security' drop-in event on 22 November between 10.30a.m. and 12 noon in the Institute were in hand.
- c) District Councillor:** The Parish Council confirmed that it had not yet determined how to apply the Members grant of £500 offered by Cllr. Rendell, but would do so at the next meeting.
- d) County Councillor:** Cllr. Bland confirmed that a replacement operator for the 530 bus service had been found and discussion was left to the upcoming agenda item (Minuted at 72/19.b).

### 66/19 Finance

**a) Receipts:** The Clerk confirmed receipt of LIPs Grant for B4RN of £15,000

#### **b) Payments**

The following payments were **authorised**:

- i. M R Curry - October 2019 (PC £302.19 / LCP ££490.82 + Charity & expenses: £ 877.44
- ii. Printing Plus (October / November newsletter): 206.35
- iii. PKF External Auditors (Audit Fee): 480.00
- iv. Andy Banks (maintenance work): 473.00
- v. Levens Methodist Church (room hire): 72.00
- vi. Greenbarnes Ltd (Cotes noticeboard): 610.85
- vii. Tech4 (printer cartridge): 72.00
- viii. Cllr R. Atfield (reimbursement Remembrance Wreath): 30.00

#### **c) Financial Report**

- i. Bank Reconciliation** - 31 October 2019: The reconciled balance of £38,019.46p was noted.
- ii. Half-yearly Finance Review:** The Clerk referred to two sets of financial data to support this item and reported as follows:

**Annual Budget 2019/20: Income:** Figures against budget are seriously skewed as a result of LIPs grants received (£20K for the Project and £15K for the B4RN cabinet). When these exceptional items are stripped out it is clear that the underlying performance is almost exactly in line with budget. We will have £200 more than projected from SLDC Members' budget by way of grant, but appear to be £40 down on budgeted income for land and parking which will

be traced. Further figures provided a projection to 31 March 2020 which also indicate performance in line with budget. Otherwise, there are no matters of exception on income. **Expenditure** against budget is also skewed by grant monies repaid to the Project as having been paid into the wrong account. It was noted that the Clerk's salary projections had been adjusted to show expenditure attributable to the Project (refunded from the Project and shown in income). Clerk's baseline salary for the Parish Council is projected as coming in under budget. Other variances noted were:

- Stationery etc is likely to be above budget partly due to the recent security insert
- Village website and room hire costs slightly up
- Grants will only meet budget if grants are made
- Defibrillator costs up due to purchase of additional spares

Expenditure is projected to come in some £1,500 less than budget, otherwise there are no matters of exception to report on expenditure.

**The Account Balance:** Discounting ring-fenced funds the current balance is £19,655. From this should be deducted expenditure projections to the end of the year of £6,000 with potential further expenditure of £3,000 from ring-fenced funds, leaving a reserve of approximately £10,000.

- iii. **Audit:** The Clerk reported that the Auditors had issued a Public Interest Report for the following reason: In 2017/18, exemption from a Limited Assurance Review was claimed on the basis that neither income nor expenditure exceeded £25,000. In fact, income was in excess when a £4,000 repayment of a 'loan' to Levens Charity is taken into account. A full statement on the circumstances of the loan and repayment was prepared for internal audit. The advice was that this may be treated as a *contra* receipt to the initial payment of the loan for which no goods or services were given or received and was therefore not a figure of substantive income. External auditors have ruled that we should have elected for a limited assurance review. The Public Interest Report attached to the 2018-19 accounts requires the matter to be considered at a public meeting within one month of the issue of the Report on 18 October. In every other respect the audits for 2017-18 and 2018-19 have been concluded satisfactorily and the Auditor's Certificate issued. Notice of the conclusion of audit, subject to the Public Interest Report, has been posted to the website and Parish Council noticeboard. No significant penalising sanction has been imposed on the Parish Council other than:
1. A requirement to make disclosure of and consider the Public Interest Report
  2. Bear the standard additional cost of the issue of a letter (£200) – covered by budget
  3. Submit to a limited assurance review for the 2019-20 financial year – which we would have done anyway given the level of receipts during the year in question.

It was **Agreed** that the decision to declare exemption was made in good faith and as a result of consultation. The fact that it was erroneous is treated as a lesson learnt on audit process. Also this item fulfils the requirement for discussion at a public meeting.

**67/19 Levens Community Project:** Cllr. Mason gave the following report:

- a) **Levens Community Project Committee:** The draft Minutes of the meeting held on 04 November had been circulated. The following key points were noted:
- b) **Sizergh Fell Quarry:** The sale was completed on 8 November and £742,247.00 has been received into the Project Account. The Clerk is making enquiries as to the best way to invest the proceeds of sale. Cllr Mason referred to the intense discussions with SLDC regarding their concerns about the enforceability of obligations under the Unilateral Undertaking. Flaws in their proposed 'side agreement' had been finally and satisfactorily resolved by our solicitor, but not before Cllr Mason had had to engage directly with a senior officer at SLDC.
- c) **Progress with other properties:** Confirmation of planning approval on Cotes and Underhill is awaited. County Highways have required a Traffic Speed Survey at Cotes which will delay planning consent. Tony Hills continues to negotiate with SLDC planners on an agreed revision of the plans for Church Hill. Following completion of Party Wall obligations under the Party Wall Act, Wilsons are to be instructed to re-commence the groundworks on the new village hall site.
- d) **Joint Venture Agreement:** Following review by a working group of the Project Management Committee, we have submitted a new draft incorporating the relevant clauses from two versions and requested that, subject to comment by our Solicitor, this is put to the Institute's solicitor for agreement.

**e) Financial Position:**

- i. Receipts: A bank reconciliation to 23 October was noted. This was updated with known transactions to 4 November which indicated a balance at that date of £14,675.
- ii. The following payments were **authorised**:
  - Anna Williams Associates: Party Wall Act, New Village Hall site £ 3,949.80
  - Levens Methodist Church: Room Hire, Project Meetings 36.00
  - Milne Moser (Solicitors) Land Transfer costs on completion (SFQ) 753.00
  - Damson Consultancy: Detailed designs for planning approvals 7,200.00
  - Modal Highway Consultants Ltd: Speed Survey, Cotes 522.00
  - Damson Consultancy: Tender pack details: 3,600.00
- iii. External Funding: Cllr Mason reported that progress to secure Community Led Housing Scheme Grant, Infrastructure Grant and funding from Homes England continues.

**f) Project Working Group:** The Working Group continues to consider options for the new village hall kitchen.

**g) Other Matters:** Other matters noted included the proposed meeting with professional advisers on next steps and the recommendation to amend the Committee Terms of Reference with regard to email correspondence which was **Approved**.

**68/19 Planning Applications:**

a) New Planning Applications: No new planning applications had been reported through the weekly lists.

b) Planning Applications determined since the last meeting:

Application No.	Address	Proposal	Recommendation and comment
TR/2019/0116	Sunnybank, 5 Whitbarrow Grove, Levens	To replace a horse chestnut with a monkey puzzle	<b>Approved.</b> The PC had not objected submitted a preference that the replacement should be with a native species. Cllr Holmes undertook to investigate the reason for the decision to allow a Chilean Pine
SL/2019/0753	Lowgate, Levens	Installation of broadband cabinet	<b>Approved.</b>

c) Planning Applications still to be determined:

Application No.	Address	Proposal	Recommendation and comment
SL/2019/0735	Land adjacent to The Langdales	Erection of dwelling – revised scheme	Application called-in by District Cllrs and PC had submitted a written objection. The application is to go before Planning Committee on 28 November. Cllr K Holmes will discuss with Cllr J Holmes on their approach at Committee.
On significant planning issues, Cllr Burrow suggested that the Parish Council should consider its own local consultation with parishioners most likely to be affected.			
It was noted that the Parish Council still awaits confirmation of planning consents for its applications at Cotes, Underhill and Church Hill as reported in 67/19(c) above.			

**69/19 Levens Charity:**

- a) **Report for Year Ending 2018/19:** The Clerk's Report for the 2018/19 financial year had been considered by the 'Appointed Trustees' immediately prior to the Parish Council meeting. The total asset value of the Charity at 31 March 2019 was £125,810, including (after deduction of administrative costs) approximately £12,000 of accrued interest available for distribution. The Savin Brow Quarry Charity was valued at £2,776 for the same period.
- b) **Half-yearly Report to 30 September 2019:** Due to a significant increase in the COIF Investment Fund the total value at 30 September was £135,949. The Clerk cautioned against welcoming this increase however, as experience shows that fund values can slip back in the 2<sup>nd</sup> half of the year.
- c) **Application for Grant from Levens Playing Fields:** The Appointed Trustees had considered an application for support for the re-development of the playing fields. After consideration, their recommendation to award a grant of £5,000 towards play equipment was **Approved**.
- d) **Other matters:** The Clerk has submitted returns to Charity Commission and received information on the possible amalgamation of Savin Brow Quarry within the Levens Charity.

**70/19 Request for First Responders:** As there was only one response to setting-up a group in Levens, it was **Agreed** to refer the enquirer to existing units and also to Cllr John Holmes.

**71/19 Training for Clerk:** It was **Agreed** to support the Clerk's attendance at the RICS Rural Conference on 21 November, Managing Trees on 12 December and Excel training if available.

**72/19 Open Actions Not Covered Elsewhere on the Agenda:**

- a) **B4RN:** The Clerk confirmed receipt of the Wayleave Agreement signed by B4RN. In respect of the cabinet, it was **Agreed** to pay over the £15,000 LIPs award as a grant on receipt of a written request with confirmation that it had been purchased and installed.
- b) **530 bus service:** Members noted that a replacement for the service had been agreed, initially on a three-day per week basis, calling at Levens and via the Westmorland General Hospital. The exact operator was to be confirmed. The Parish Council thanked Cllr. Bland for his efforts in securing this solution.
- c) **BT Consultation on the removal of payphones:** Submission of Levens response not agreeing to the removal of the facility was noted.
- d) **Water Supply Plan:** Mike Welch's feedback confirming that water pressures appeared satisfactory was noted as was his invitation for those experiencing ongoing problems to contact him direct.
- e) **Highways Defect Report:** Cllr Fitch's Report for October was noted
- f) **Levens Traffic Management:** A disappointing response from the CRASH Team implying that there was nothing further it could do without a funding commitment was reported by Cllr Burrow. It was **Agreed** to request a 'white-lining' car exclusion zone south of the playing fields entrance as part of the agreed lining work on Greengate. Details would be supplied to the Clerk for onward communication to the lining Team.
- g) **October Newsletter:** Received and distributed including the 'Security Advice' insert.
- h) **Christmas Decorations:** All was progressing well for the planned switch-on event with entertainments and refreshments at 5.00pm on 1 December.
- i) **Maintenance Plan and Woodland Management:** Cllr Mason reported that Andy Banks has been continuing with agreed maintenance tasks. On woodland management it was **Agreed** to instruct him to conduct a tree health and safety survey and report up to a maximum cost of £1,500 to include the cost of an indemnity policy. It was noted that two adjoining neighbours of Parish land at the Crossings had agreed to pay up to £600 for physical management of the plot in line with Management Plan recommendations.
- j) **Website:** It was agreed that the Clerk will check that Allan Steward had been advised of the decision on commissioning website repairs agreed at the October meeting.
- k) **Noticeboard at Cotes:** Possibilities for securing the new board to the wall at Cotes were discussed. Cllr. Mason undertook to consider and recommend an appropriate option.
- l) **Waste bins:** Cllr Burrow confirmed that two locations had been proposed to SLDC for a trial period. The locations were being considered for suitability and initial signals appeared positive.
- m) **Parish Hedge:** It was **Agreed** to make arrangements for the replacement of the hedge and Cllr Mason would coordinate this work. Mr Stainton will be given two weeks advance notice of the date when work would be done.

**73/19 Correspondence:** The Schedule of correspondence was considered. It was **Agreed** to book a place on the planning event to be held at Brigsteer Village Hall on 25 November.

**74/19 Future Agenda Items:** To include confirmation of the Precept bid, Clerk's appraisal and SLDC Member Budget – application of funds.

**75/19 Date of the Next Meeting:**

**The next Ordinary Meeting of the Parish Council is on Tuesday 14 January 2020.**

**The meeting closed at 9.47 p.m.**

Signed ..... (Chairman)    Date:.....