

Levens Parish Council

Minutes of the Ordinary Meeting of the Parish Council held on 13 February 2024 in Levens Methodist Church commencing at 7.30 p.m.

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

In Attendance: M. R. Curry (Clerk) and 3 members of the public.

93/23 Apologies for Absence: All Councillors were in attendance and no other apologies had been received.

94/23 Declarations of Interest: No matters were declared.

95/23 Minutes: It was **Resolved** that the Chairman be authorised to sign the Minutes of the Ordinary Meeting of the Council held on 09 January 2024 as a true record.

96/23 Public Participation: Representations were made from objectors to the planning application 2024/0046/FPA at 1, Low Pastures, Levens. Councillors noted the comments which would be taken into account when the matter was discussed under Planning.

97/23 Reports:

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

- i. Cllr. Battye reported on a recent meeting of the Playing Fields Committee which is finalising plans for the proposed upgrade of the facilities. Events are planned to include a pancake and coffee morning on 02 March; the AGM on the 16 May and the 'Big Weekend' over 5th – 6th July.
- ii. Cllr. Rogerson reported that on 07 February he had attended a Teams meeting hosted by W&FC on the 20-mph initiative. Levens seems to be a strong candidate for a successful application, but the importance of consultation was mentioned. Further discussion would be left for the Agenda item to follow.
- iii. Cllr. Atfield reported that he had recently had some success with the HIAMS reporting system in relation to grit bins and blocked drains. Pothole repair is still required for follow-up however.

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

- i. The 2024-25 budget is to be set in the following week and a 4.99% increase in Council Tax is likely. The increase in Council Tax on 2nd homes has been temporarily deferred to align with legal requirements.
- ii. The road repair programme includes the re-surfacing of Lowgate – but not Main Street. Cllr. Battye agreed to lobby for its inclusion in the programme.
- iii. The A590 Working Group continues to lobby for the improvements on the Gilpin Bridge stretch of the road.
- iv. W&FC is planning to produce a new Local Plan for 2027 embracing work previously done by its predecessors. Cllr. Battye noted a proposal from Cllr. Holmes (and supported by other Members) that consideration should be given to a dispensation from Council Tax on empty homes for a period after the death of the owner, particularly in the agricultural sector.

c) **Police:** Recent editions of Focus had been circulated, but there had been no items of specific relevance to Levens.

98/23 Finance

a) **Receipts** - Cllrs. noted the following receipts in the period 01 January – 31 January 2024:

- i) 04/01/2024: Electricity NorthWest Ltd - Wayleaves £ 119.61
- ii) 08/01/2024: J. Thacker & Sons Ltd – Car park rent 2023-24 £ 80.00

b) **Payments** – Councillors **Approved** the following payment:

- i. M. R. Curry: Salary January 2024 – (PC: £449.89; Project: £472.59; Mileage: £16.20)
Total: £ 938.68

c) **Bank Reconciliation** and report on Ring-Fenced Funds at 31 January 2024: Councillors noted the reconciled bank balance of £13,134.36 (£13,034.36 after unrepresented cheques) held by the Parish Council on 31 January 2024 and the Chairman was authorised to sign the bank statement. They also noted a statement of ring-fenced funds showing sums in favour of woodland management (£1,600.00) and for the Christmas event (£1,381.26).

d) **Precept Demand 2024-25:**

- i) Budget and Precept: Following amendments made to the draft budget previously presented to Councillors, including the redistribution of funds previously allocated to street lighting, a balanced budget of £17,640 previously agreed by email was **Ratified**.
Within the budget a precept demand of £14,700 was **Approved**.
- ii) Internal Auditor - 2023-24 Accounts: The Clerk confirmed the appointment of Jean Airey to conduct the internal audit.

99/23 Levens Community Project

- a) **Levens Community Project Advisory Group (PAG):** Cllr Mason presented a report from a meeting held on 31/01/2024. Main items of report were:
 - i. **Sale of Plots:**
 - Plot 1, Cotes: Heads of Terms for the sale of the Plot to Mr & Mrs Rabone at £165,000 had been sent to the Project solicitors. Paperwork in respect of Plot 2 has been completed.
 - Plot 3, Church Road: There is no movement on the sale of this plot. The Project will look for renewed focus on marketing in the near future.
 - ii. **Underhill:** There was no update on works to report.
 - iii. **New Village Hall:** The sale of stone / hardcore continues.
 - iv. **Tender Packs:** Councillors were pleased to note that invitations to tender had been sent out to 5 contractors on the previous day, with a return date of 25 March.
 - v. **Project Management and Review of Finance:** The Project has undertaken a detailed financial review. It has a realistic expectation of available funding in the region of £2,190,938 (including receipts from Plot 1 Cotes and Plot 3 Church Hill). This was sufficient in terms of costings in the original Business Plan, but prices have increased in the interim. Opportunities for further fund-raising to a potential of £800,000 had been identified, though this includes borrowing and a successful bid to the Community Ownership Fund (COF). The latter application is well underway but requires detailed financial data which the Project does not currently have until costs are revealed in the tenders. An application for COF must be submitted before the return of tenders however. To secure a cost estimate, PAG has recommended the engagement of an independent cost management company to provide this at a cost of £1,900.00 + VAT and this was **Approved**.
 - vi. **Community Ownership Fund:** This was dealt with in the previous item.
 - vii. **Investment of Cash Reserves:** Other than a transfer of £5K from the deposit A/c to support the current account, there is no other matter of significance to report. In the interests of fraud prevention, HSBC have introduced an additional requirement in relation to the transfer of funds involving telephone verification with a mandate holder.
- b) **Payments Required:** There were no payments requiring approval.

100/23 Planning Applications:

- a) **Schedule of Planning Applications:** Updates to the Planning Schedule on 12 February had been circulated and the following were noted:

PC Ref	Application No.	Location	Proposal	Status
43	SL/2022/0074	Levens Lane	New footpath	The deadline for the submission of a detailed scheme has been extended to 30/09/2024.
4.		Shepherd's Mill		See Minute 100/23(b)(i) below.
17.	SL/2023/0690	Moorcroft Cott	Variation of plans	No Objection submitted. ACON 18/01/2024.
22.	TR/23/0170	4 Greengate, Levens	Crown-lift walnut tree	No Objection submitted. ACON 06/12/2023
23	2023/1029/FPA	Arleybank LA8 8PD	Porch ext & associated works	No Objection submitted. ACON 24/01/2024
26.	2023/1169/FPA	Whinthwaite Hse LA8 8NU	Single storey detached ancillary building	No Objection submitted. ACON 09/02/2024
27.	7/2023/5799	Lord's Plain Farm	Extension to agricultural bldg	No Objection submitted. ACON 09/02/2024
28.	2024/0046/FPA	1 Low Pastures, Levens	Various extensions	Resolved to Object – see note below
<p>1, Low Pastures, Levens: The plans were carefully reviewed against material planning considerations. It resolved to object based on (abridged): 1. Layout and density: The proposal is a significant increase in the size of the property which appears to be an over-development of the site relative to its size. 2. Overlooking and loss of privacy: The extension on the western elevation will have a major impact on adjoining properties and result in a significant loss of privacy. 3. Overshadowing and loss of light: The development will lead to overshadowing of neighbouring properties and loss of light. 4. Design and appearance: The design is incongruous with adjacent properties and alters the character of the immediate built environment. Generally, the plans do not adequately represent the levels of the</p>				

development relative to adjoining properties. Objections submitted by neighbours were acknowledged and the PC recognised its responsibility to take account of these. The Parish Council strongly urges representatives of the Planning Committee to undertake a site visit to appraise themselves of the points raised in this objection.

b) **Other Planning Matters:**

- i. **Shepherd's Mill:** Cllr. Battye reported that a meeting with Officers from W&FC had been held on 06 February which both she and Cllr. Burrow had attended. Unfortunately representatives from Valuation and Legal Services had not been present. The Planning Officer was very clear that the building was in the mixed-use category i.e. business and housing, but W&FC hasn't yet created an Empty Homes Policy. It is, however, soon to appoint an Empty Homes Officer and this should help to bring clarity to the situation. Cllr. Battye concluded that further conversations with the Valuation Service should be had, and she will press for this.

101/23 20-mph Speed Limit: The draft application prepared by the Clerk had been circulated and the Chairman asked for comments with a view to final agreement and submission by the due date of 16 February. Several minor amendments were agreed, and there was discussion about the level of public consultation. The application acknowledges that full public consultation has not yet taken place, but that there are strong indicators of support from informal survey and anecdotal feedback. It was noted that if Levens is to be considered then W&FC will initiate further public consultation as part of the next stage. On the basis of the above, the application was **Approved** for submission.

102/23 Parish Council Elections - May 2024: The Clerk reported that W&FC have not yet provided further information on the process, but it is understood that this will be forthcoming.

103/23 The Annual Parish Meeting (APM): It was **Agreed** that the APM will be held on the 19 March commencing at 7.30 in the Institute. It was suggested that Victoria Upton from W&FC Highways might be invited to speak to the meeting and the Clerk will explore.

104/23 Local Education Authority Admissions Policy: Concerns have been raised that Parishioners (who might have been resident in the Parish for generations) could be denied admission to the local school if admission criteria include distance from the school. This could enable the children of new residents in new housing developments in closer proximity to the school to take priority over others. There was general agreement that distance from the school within the Parish should not be an overriding admission criterion and that long-standing residents should not be denied access on this basis. Cllr. Battye was asked if the LEA would address the concern and confirmed that the LEA has to consult on admission criteria but that the period for consultation for 2025-26 closed in December 2023. It is important therefore for the Parish Council or any other stakeholder to make representations during the next round of consultation for 2026-27. She confirmed that there is a new Assistant Director of Education and that she will raise this question with him. Also, schools can submit cases to a Register of Exceptions and this too might be investigated.

105/23 Parish Council Newsletter: The Chairman reported that the Newsletter needed to be ready for distribution by the end of week commencing 19 February. A variety of items was proposed for inclusion and the Clerk was asked to coordinate publication.

106/23 Open Actions Not Covered Elsewhere on the Agenda

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

- i) Levens Lane footpath: The Locality Board has approved a feasibility study as a part of which Cllrs Battye and Mason are to meet with Highways.
- ii) Traffic Management within the village: Proposals from W&FC for road safety around the school had been circulated. The expectation from previous discussions with Highways was that Officers were to prepare options for what safety measures might be possible. The single plan proposing minimal additions to road lining did not reflect what had been discussed and were not adequate as drawn. It was **Agreed** that the Parish Council would respond accordingly.
- iii) Cllr. Holmes raised the issue of heavy traffic using the weak bridge (7.5T weight limit) on the Causeway when diverted off the A590 in the aftermath of an accident. It was **Agreed** that the Police should be made aware of this issue.

b) Woodland management: The following reports were noted:

- i) Work done by ENWL: Following extensive thinning on Parish land at Cotes, ENWL had not returned to clear the site and residents had complained that debris and chippings were blocking the drains resulting in flooding. Cllr. Holmes had made a site inspection and reported that the drains were clear and that any flooding was likely to come from a long-standing issue with a damaged drain under the verge. This had been reported some years ago and it was **Agreed** to re-report it under HIAMS. Cllr.

Mason has made arrangements for the clearance of felled timber from the site and potential sale. ENWL might be asked to contribute to the costs of this work.

- ii) Cllr. Mason reported that the work at Checkmate and lower down Lowgate had been completed.
- iii) Tree Health and Safety - Update Survey: The responses from three contractors were noted and it was **Agreed** to proceed with Treescapes Consultancy at a price of £1,150 + VAT.
- c) Parish Assets and Land:
 - i) Brigsteer Road Site: It was **Agreed** to progress with the renovation of the wall to the north of the site with funds from Levens Charity, including the £2,500 (NISA grant) already earmarked for this work.
 - ii) Jubilee Orchard: Following the submission of a submission of interest, The Coronation Community Orchard Fund has now invited Levens Charity to make a full application. Eligible work includes ground preparation, tree costs / planting, tree guards and irrigation to a maximum of £15,000. An application will also be made to DEFRA's Water Capital Grant scheme to cover the costs of boundary walling and fencing. This will require the registration of the site via the Rural Payments Agency.
- d) Handyman: Cllrs. Holmes and Mason reported on a recent meeting with Andy Brayshaw who has the required qualifications and equipment for the work required. Cllrs. Holmes and Mason had circulated a note to Councillors recommending he be engaged as a freelance contractor as and when required and this was **Agreed**.
- e) Parish Website: Cllr. Atfield is liaising with Tom Hecht on this matter.
- f) Levens Greening Campaign: Councillors expressed their sadness at the recent passing of Pam Martin who had done much to promote environmental initiatives within the Parish. Cllr. Battye reported that an events programme had been prepared for the first part of 2024 including plans for the Great Big Green Week in June.
- g) Parish Emergency Plan: Cllr. Rogerson reported that a request for a volunteer leader has been posted on Facebook and work continues to put an item on the website.

107/23 Correspondence: A Schedule of Correspondence had been circulated and the following items not otherwise dealt with on the Agenda were noted:

15/01/2024: On behalf of the Parish Council, Councillors expressed their sadness at the passing of former CALC Board Member Leith Hallatsch.

18/01/2024: A resident's enquiry about re-supply of grit to bins. This had been dealt with via HIAMS. It was noted that any resident can make a highways request via HIAMS.

01/02/2024: An observation by an allotment holder about the proximity of pheasant shoots to the allotments: Cllr Mason has liaised with the shoot organiser and dates will be provided for shoots in the next season.

02/02/2024: An enquiry from a resident about the timescale for the posting of Minutes to the noticeboard. The Clerk had responded with an explanation.

10/02/2024: A request for grant funding for the manufacture of display screens for the Levens Art Trail. Councillors suggested that the Art Trail Team consider borrowing screens from the Levens History Society for this once-a-year event.

108/23 Future Agenda Items:

- a) Matters that might be advised prior to the next meeting; otherwise follow-up to the current Agenda items.

109/23 Date of the Next Meeting: The next Ordinary Meeting of the Parish Council will be held on Tuesday, 12 March 2024 in the Levens Methodist Church.

The meeting closed at 9.52 p.m.

Signed (Chairman) Date.....