

Levens Parish Council

Minutes of the Ordinary Meeting of the Parish Council held in the Levens Methodist Church on the 14 September 2021.

Present: Cllrs D. Rogerson (Vice-Chairman), S. Bagot, J. Battye, H. Burrow, K. Holmes (and as District Cllr.), R. Mason, M. Willacy, County Cllr. J Bland, M. R. Curry (Clerk) and 1 member of the public.

43/21 Apologies for Absence: Cllr. R. Atfield.

44/21 Declarations of interest: None

45/21 Minutes: It was **Resolved** that the Vice-Chairman be authorised to sign the Minutes of the Ordinary Meeting of the Council held on 20 July 2021 as a true record.

46/21 Public Participation: No matters were raised for consideration.

47/21 Reports:

- a) **Reports from Councillors attending meetings:** There had been no meetings attended by Councillors other than to be reported as part of the Agenda. Cllr. Burrow observed that the detail from some external meetings of relevance to the Parish Council was not always fed-back as effectively as it might be. Councillors **Agreed** to raise awareness of meetings where appropriate.
- b) **Police:** No new update had been received for consideration at this meeting. The Clerk undertook to explore the status of the local Police Newsletter and report back.
- c) **District Councillor:** Cllr. Holmes reported that as District Councillor he had attended an SLDC meeting on the launch of a new Code of Conduct for Councillors. It made particular reference to Registerable Interests and the Clerk undertook to circulate the new Code when received.
Cllr. Holmes also reported that planning issues at 46, Greengate and 5, Whitbarrow Grove had been referred to SLDC's Enforcement Team.
- d) **County Councillor:** Cllr. Bland reported on serious accidents recently on the A590. He confirmed that plans for traffic initiatives on the A590, including a roundabout at Gilpin Bridge, were progressing. A meeting of the A590 Group (including Levens representatives) would be held on 27 September. He also reported that repairs were taking place on the A5074 following an accident on that road.
Cumbria County Council is contesting the proposals for Unitary Authorities for Cumbria, but moves towards implementation of the agreed outcome remain underway.

48/21 Finance

- a) **Receipts:** The following receipts were noted for the period 01 July to 31 August 2021:

i) 01/07/21: Allotment Rent	35.00
ii) 18/07/21: Allotment Rent	35.00
iii) 11/08/21: SLDC – Refund part of street light invoice:	55.70
- b) **Payments:** The following payments were **Approved**:

i) M R Curry – Salary: July '21: (PC: £168.65; Project: £216.65 = £385.30)	
Aug '21: (PC £131.80; Project £136.18; Charity £11.24; Miles £6.50 = £285.72)	
Combined total for payment:	671.02
ii) Parish Online – annual subs for B4RN (to be reviewed for 2022 and beyond)	45.00
iii) Andy Banks - Hutton Lane hedge and general strimming	160.00
iv) PKF Accountants – annual audit fee	480.00
v) The payment of £1,000 to Winster PC from Cllr. Bland's CCC Project fund was Ratified .	
- c) **Bank Reconciliation and report on Ring-Fenced Funds:** The reconciled net bank balance of £23,602.41p at 31/08/21 was noted. Councillors also noted that after deduction of ring-fenced funds the underlying balance available to the Parish Council is £16,094.64.
- d) **Insurance Policy Renewal:** The insurance premium with Zurich Municipal is due for renewal on 01 October. The 3-year 'long-term arrangement' option is £415.17. However the Clerk recommended that a one-year term at £425.50 be taken up to allow an opportunity to review

insurance requirements, providers and comparative premium charges. It was **Resolved** to take-up the one year option on this basis.

- e) **2020/21 Audit Arrangements:** The Clerk reported that the external audit had been completed without issues raised. He will now arrange for publication of the Notice of Conclusion.
- f) **Banking Arrangements:** Revision of banking arrangements, particularly a move to on-line banking and the adoption of new accounting software remains work in progress.

49/21 Levens Community Project

- a) **Levens Community Project Advisory Working Group:** Cllr. Mason reported on the meeting of the Group held on 07 September as follows:
- b) **Sale of Plots at Cotes and Church Hill; progress at Underhill and the Village Hall**
 - i) **Cotes:** Acceptance of an offer of £165,000 for Plot 2, previously agreed by email, was **Ratified**. Progress with the sale of Plot 3 continues and will be put to our solicitors soon.
 - ii) **Church Hill:** The sale of Plot 2 is due for completion in the week commencing 20 September. The sale of Plot 1 is delayed whilst the purchaser's mortgage arrangements are finalised. Andy Banks has been asked to clear Plot 3 for marketing purposes.
 - iii) **Underhill:** Tim Thacker is due to continue ground and infrastructure works in October. He will submit invoices on a periodic basis for work completed
 - iv) **Village Hall:** Drawings for the back wall have now been received from Paul Snape. Alan Wilson will be asked to return to complete the excavation work in the north-east corner after which construction work on the perimeter walls will commence.
 - v) **Sizergh Fell Quarry:** Tom Leahy has been in touch and work at looks due to start soon.
- c) **VAT Status and the New Village Hall:** Simone Hurst (the independent VAT consultant engaged by the Project) has now given further advice. There are several areas of consensus between herself and previous advice received from Dodd & Co. Areas where there is divergence of opinion are:
 - i) Dodd & Co wish to get an HMRC ruling on the issue of a Zero Rate Certificate. SH does not think it necessary to get a ruling and advises that if the right agreement is in place that states that payment is being made on behalf of the CIO then it is clear what is happening.
 - ii) Dodd & Co have expressed concerns about the CIO passing on invoices received in its name to the PC for payment. SH gives the same advice as above i.e. with the right agreement in place the relationship will be clear.
 - iii) On whether the land on which the village hall is to be built needs to be transferred to the CIO before the commencement of the building phase, SH thinks it highly unlikely that an HMRC Officer would say the construction cannot be Zero rated because written agreements and the JVA make the Project structure clear. The possibility of transferring the land in advance of construction was noted for further consideration.

The recommendation from the Project Advisory Group that the Project should accept SH's advice and that the Project Coordinator should now put the intended course to Dodd & Co for their comment was **Approved**.

- d) **Sale of Walling Stone:** The recommendation to sell 20 tons of walling stone to a private individual at a price of £80 per ton + delivery + VAT was **Approved**.
- e) **To Approve Payments:** The following payments were **Approved in principle** subject to confirmation of final amounts:
 - i) Milne Moser – legal fees sale of Plot 2, Church Hill in the region of £1,400 + VAT
 - ii) Armitstead Barnett agents fees for the same plot i.t.r.o. £1,600 + VAT
 - iii) To Levens Parish Council VAT refund from Project i.t.r.o. £119.00
 - iv) To Levens Parish Council refund of Project Coordinator's salary i.t.r.o. £1,600

50/21 Levens Charity:

- a) **Levens Methodist Church:** On the basis of updated information, Councillors unanimously **Resolved** to award a grant of £889 from Levens Charity to the Methodist Church.
- b) **Next Meeting:** It was **Agreed** that the next meeting of the Nominated Trustees would be on 12 October at 7.00p.m. to take place immediately before the next Parish Council meeting.

51/21 Planning Applications:

Councillors noted updates on the Schedule of Planning Applications updated to 14 September (annexed to these Minutes).

The following new applications were considered:

PC Ref	Application No.	Location	Proposal	PC View
25	SL/20210733	Moorcroft Cottages, LA8 8EP	Demolish and rebuild 3 cottages	No Objection
26	SL/2021/0742	Farnaby Dyke, Underhill LA8 8LT	Erection of front porch and gable roof	No Objection
27	SL/2021/0782	8 The Green LA8 8NH	Double story extension to side	No Objection

Cllr. Rogerson mentioned an upcoming TPO application for the tree work at Beathwaite Gardens, but Cllr. Holmes and the Clerk confirmed that this had not yet been formally notified.

52/21 South Lakeland Local Plan Review: Cllrs. Burrow, Holmes, Mason and Willacy had attended an Issues and Options phase of the on-going consultation via a (remote) meeting with representatives of SLDC on 9th September. SLDC gave a presentation (which is available on SLDC's website) following which there was a question and answer session. Councillors were reminded that the PC has submitted a note on its views in 2020 which is also on the website. An area of concern is the likelihood and location of any further allocation of development land in the village. Councillors reiterated their concerns about infrastructure including water supply, foul sewerage, educational capacity at the school and increased traffic problems. For these reasons, the initial representation had recommended that there should be no further housing allocation in the village. It was noted that the presentation included responses to a 'call for sites' and that 5 locations had been submitted. SLDC had stressed that this did not imply that development would take place. There was discussion about whether there might be advantages to enable additional and appropriate development, but the PC held to its original position. It was **Resolved** to draft an update of the original submission and re-submit this after agreement of the contents.

Councillors then discussed publicity for the process for the benefit of the local community. It was **Agreed** to publicise the Review, the consultation period and proposed public 'drop-in' events in the next edition of the Newsletter as well as on Facebook, Website and Noticeboard. Consideration of whether to produce a Neighbourhood Plan would be given at a future date.

53/21 Hedge on Parish Land, Hutton Lane: Councillors were advised that Mr Stainton had approached the Chairman with a request that the Leylandii hedge be removed from the plot. Councillors **Resolved** that it should be removed and it was **Agreed** to confirm the detail at the next meeting. As part of woodland management on Hutton Lane, Cllr. Holmes referred to correspondence received regarding overhanging vegetation from Parish land along the roadside. It was **Agreed** in principle that this should be trimmed back by up to 2 metres and that a meeting should be set up between Cllr. Holmes, Andy Banks and the Clerk to confirm the detail.

54/21 Future Meeting Venue: Councillors expressed satisfaction with the large meeting room in the Methodist Church, but were concerned by the session rate proposed. It was **Resolved** that the Clerk ask officers of the Church for a concessionary rate to be applied to Parish Council meetings.

55/21 Parish Council Newsletter: It was **Agreed** that a PC Newsletter should be prepared to coincide with the next distribution of the Parish Magazine. The Clerk will get details of timings from Jill Butterworth. Items for inclusion will include the Local Plan, the Greening Initiative, the Project, traffic management (including the results of the Greengate speed monitoring) and other matters.

56/21 Open Actions Not Covered Elsewhere on the Agenda

a) Traffic Management: Analysis on Greengate indicated that 85% of traffic was travelling at 22 m.p.h. or less. Concern was expressed about the 15% travelling faster. Cllr. Bagot has requested data on this 15% group and is awaiting a reply. Cllrs Rogerson and Willacy will put up the SID posts at the Brigsteer Road/Whitegates junction (Cllr. Holmes' suggestion about using the PC picnic site was noted) and at Beathwaite Close.

b) Levens Lane Footpath: Cllr. Bland reported that CCC is now preparing a plan based on a site meeting in August and this is expected to be finalised soon. Cllr. Bagot observed that the land is designated under an agreement with HMRC whose consent will be required and they are very slow in agreeing to the release of land from such arrangements. It was however agreed to continue the process as quickly as possible. Cllr. Bland confirmed that plans are still being developed for the Kendal to Levens Bridge cycle route.

- c) **Woodland Management:** Cllrs. Holmes, Andy Banks and the Clerk will meet to agree management requirements. Cllr. Holmes referred to a letter from P. Capstick enquiring about progress with woodland management adjacent to their property. The Clerk was instructed to advise them that management is at planning and costing stage and that priority will be given to health and safety matters. It was **Agreed** however that Andy Banks should visit the site with a view to recommending reasonable work.
- d) **Parish and Other Land**
 - i. **Brigsteer Road site:** The Clerk confirmed that the NISA grant of £2,500 had been received into the Charity account on 28 July. A note of thanks for their support had been sent to Vanessa and Dave at the Village Shop. The Clerk will now apply for a £1,000 Landscape Grant from Friends of the Lake District. On the basis of grants further improvement works will be undertaken.
 - ii. **Registration of Land at Cotes:** A site meeting attended by Cllrs Battye and Mason and the Clerk had been held on 16 August which had clarified the various land holdings. The Clerk had now commenced a new First Registration document for submission to HMLR.
 - iii. **Land, Parking and Allotments** – All rents are now in.
 - iv. **Land on the left going into Greengate:** This is now on SLDC's Schedule for grass cutting.
- e) **Parish Council Website:** Following correspondence with Tom Hecht, a meeting will be held in late September / early October. The local Web Team has expressed an interest in assisting with these discussions.
- f) **Playing Fields Pump Track:** Cllr. Battye thanked the Councillors who attended a meeting with representatives of the Playing Fields Committee (PFC) the previous evening. The offer of Parish land for a pump track had not found favour with the PFC, but Parish Council concerns had been noted as part of the ongoing consultation - particularly in relation to the use of the MUGA. Cllr. Battye reported that a closer relationship with the School has developed and that the School is currently surveying use of the MUGA. Cllr. Bland commented that the MUGA and other facilities had been part funded by CCC and he would appreciate updates on proposals. As a result of recent conversations, the PFC is reviewing its Constitution, including the links between itself and its Trustees. Cllr. Holmes has requested a meeting of the Trustees. Cllr. Rogerson hoped that general communication would be improved, particularly where events are being proposed, such as Christmas activities. Cllr. Battye will continue to relay PC views to the PFC and keep the PC informed of developments.
- g) **Platinum Jubilee:** Consideration of the event scheduled for 03 June 2022 remains in hand.
- h) **SLDC Greening Campaign:** Cllr. Battye reported on progress including a public drop-in event to be held on 29 September and a local "Small Actions Challenge" initiative to coincide with the COP21 event. The Parish Council **Resolved** to make a grant of £175 available to facilitate the printing of a leaflet / action card for distribution.
- i) **B4RN:** Cllr. Rogerson reported that 184 properties were now connected and roll-out continued. The Just Giving scheme is also live.
- j) **Post-box:** Planning permission for the new location on Nelson Square has been approved.

57/21 Correspondence: A schedule of correspondence had been circulated. Councillors noted an agreement between the Parish Council and the National Trust for the erection of a deer fence on PC land opposite Heaves Farm. The terms and conditions had been agreed in an exchange of emails which form the basis of the agreement and which had been approved by Councillors.

58/21 Future Agenda Items: Items confirmed for the next Agenda were:

- i. Electric Car Charging for the Village
- ii. Parish Website

59/21 Date of the Next Meeting: The next Ordinary Meeting of the Parish Council is scheduled for Tuesday 12 October 2021 with the venue to be confirmed.

The meeting closed at 10.13 p.m.

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