

Levens Parish Council

Minutes of the Ordinary Meeting of the Parish Council held in the Levens Methodist Church on the 12 October 2021.

Present: Cllrs R. Atfield, J. Battye, H. Burrow, R. Mason, D. Rogerson, M. Willacy, M. R. Curry (Clerk) and 3 members of the public.

60/21 Apologies for Absence: Cllrs. S. Bagot, K. Holmes, County Cllr. J Bland,

61/21 Declarations of interest: Cllr. Mason declared an interest in planning application SL/2021/0923 and agreed to leave the room if required.

62/21 Minutes: Councillors noted that the grant agreed from Levens Charity to Levens Methodist Church was £889 (not £829 as recorded in the draft Minutes), following which it was **Resolved** that the Vice-Chairman be authorised to sign the Minutes of the Ordinary Meeting of the Council held on 14 September as a true record.

63/21 Public Participation: Mr. Bavin raised concern that apparent improvement proposals for the A590 on the Levens stretch could be disadvantageous to road safety locally. Cllr Burrow reported that a recent meeting of the A590 Working Group had not yet considered any detailed proposals, though she did pass on concerns that the overall cost of proposals, such as a roundabout at Gilpin Bridge, had increased significantly.

The Parish Council was congratulated for securing the new letter box now in place on Nelson Square.

64/21 Reports:

a) Reports from Councillors attending meetings:

- i. Cllr. Battye reported that she had attended a meeting that afternoon hosted by the Rural Service Network via Zoom on Uniting Rural Communities to Tackle Climate Change. She undertook to forward notes from the meeting.
- ii. Cllr. Burrow added detail to the meeting of the A590 Working Group held on 27 September also attended by Cllr. Holmes. There is a consultation from the Joint Parish Councils and National Highways Working Party on the A590 entitled The Response to Route Strategy Review which expires at the end of November 2021. This is at: <https://routestrategies.highwaysengland.co.uk> and Parish Councils are urged to respond.

b) Police: No new update had been received for consideration at this meeting. The Clerk confirmed that the Parish Council was now in receipt of the South Lakes (Kendal and Kendal Rural) Newsletter with information on local incidents.

c) District Councillor: The Clerk submitted Cllr. Holmes' report as follows:

- i. A grant of £500 had been confirmed from his Member budget to help tackle ash die-back;
- ii. He had attended the meeting of the A590 Working Group on 27 September, but expected that Cllr. Burrow would report on this in his absence;
- iii. Progress with the creation of unitary councils for Cumbria continues – the County Council is maintaining its case for a judicial review;
- iv. He had forwarded the Rural Funding Digest (grant opportunities) for information;
- v. He confirmed that the Government review of the planning process has been paused.

d) County Councillor: No report - Cllr. Bland had tendered his apologies.

65/21 Finance

a) Receipts: There had been no receipts during the period 01 – 30 September.

b) Payments: The following payments were **Approved:**

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| i) M R Curry - Salary: Sept. '21: (PC: £339.00; Project: £240.87
Charity £103.44; Miles £13.00; Expenses £9.21) | 705.52 |
| ii) HMRC: PAYE/NI Mths 4-6 | 359.95 |
| iii) HMLR: Fee for first registration, land at Cotes | 30.00 |

The following payments previously agreed in principle were **Ratified:**

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| iv) Printing Plus: October Newsletter | 144.88 |
| v) Ashley House Printing Co: PC grant for printing a Greening Leaflet | 164.00 |

- vi) It was Resolved to pay Levens Estate the annual Allotment fee once agreement on the final amount due has been agreed
- c) **Bank Reconciliation and report on Ring-Fenced Funds:** The reconciled net bank balance of £21,821.89 at 30 September was noted. Councillors also noted that after deduction of ring-fenced funds the underlying balance available to the Parish Council is £14,314.12.
- d) **Budget Review:** The Clerk had forwarded electronic cash-book records on income and expenditure from 01 April to 30 September set against the agreed budget for the year. Councillors noted that, with the exception of a few minor variances, income at the half-year was in-line with the budget. There were no significant over-spends on expenditure, but several budget heads (including training, PC grants, maintenance and woodland management) are showing underspends. It was noted that PC grants and expenditure on woodland management would increase in the second half of the year.
- e) **Management of PC Finances:** Following further work by the Clerk, it was **Agreed** to apply for internet and telephone banking facilities. It was also noted that Jan Mason had offered to give a presentation on the benefits of subscribing to a finance software package which would help streamline PC book-keeping.
- f) **SLDC Code of Conduct:** It was **Agreed** that the recent Code of Conduct circulated by CALC was not presented in a way that was fit for adoption by the Parish Council and that it should continue to use its existing document.

66/21 Levens Community Project

- a) **Levens Community Project Advisory Working Group:** Cllr. Mason reported on the meeting of the Group held on 05 October as follows:
- b) **Sale of Plots:**
 - i) **Cotes:** The sales of Plots 2 and 3 appear to be progressing satisfactorily. New photographs of Plot 1 are to be added to Facebook.
 - ii) **Church Hill:** Despite delays in reaching the point at which contracts can be exchanged, the sale of Plots 1 and 2 are both progressing. Plot 3 has been cleared and a visual of how the house fits on the site is to be added to the Particulars of Sale.
- c) **Underhill:** Tim Thacker will return to the site to continue ground and infrastructure works later in October. The question of whether Levens Charity or the Parish Council is employing him had been discussed by the Nominated Trustees of the Charity immediately prior to this meeting. They had agreed that the PC should be asked to become Managing Agent to the Charity to deal with all matters relating to the Project at Underhill, including tenders, award of contracts, payments and invoicing on its behalf. Councillors considered the proposal and **Resolved** that subject to a written Agreement clearly stating the relationship between the Parish Council and the Levens Charity, that Levens Parish Council should accept the role of Managing Agent for the Charity. It was **Agreed** to seek comment on this from Lorraine Smyth of ACT.
- d) **New Village Hall:**
 - i. **Zero Rate VAT:** Dodd & Co had been advised that a second opinion from a VAT specialist had not supported their recommendation to seek a ruling from HMRC on whether the Village Hall qualifies for a Zero Rate certificate. In a written response, Dodd & Co acknowledged that their recommendation that the Levens Village Hall CIO should pay invoices made out to them from funds held by them was a desirable element of risk management, but acknowledged that “that there is a balance to be struck between the Project Group having done everything it can to secure the zero rating, but to also keep the project practically manageable on a day to day basis.” They had gone on to say that: “...if the land is transferred to the CIO before construction commences, the inherent VAT risk is significantly reduced and consequently seeking a ruling from HMRC is probably unnecessary.” However, they felt bound to their original advice and advised that they would understand if the Project wished to follow the additional advice obtained. In that circumstance, they said that they would be unable to represent the Project on VAT matters but would be willing to continue providing accountancy services for other financial aspects. The Project Advisory Group had recommended that the Project should accept the advice of the VAT specialist to proceed on the basis that a Zero Rate Certificate could be issued without the need for an HMRC ruling. The Parish Council accepted this advice in principle, but did not feel that having two accountants dealing with different aspects of the Project would be satisfactory. The Clerk was asked to seek quotes

from at least three other accountants for taking on the role of sole accountant, but clearly that they understood and could support the VAT route that the Project wished to pursue.

- ii. The design drawings for the boundary walls had been finalised by Paul Snape. A meeting will be held with Alan Wilson (date to be confirmed) to set up the remaining excavation work before issuing tenders to contractors for the build of walls. Following an email from Mr. Bramwell (neighbour), Cllr Mason undertook to visit him after the meeting with Alan Wilson. Cllr Atfield will reply to Mr Bramwell in the first instance. Cllr Willacy will check the Party Wall Agreement with Anna Williams.

e) To Approve Payments: The following payment was **Approved**:

- i) Paul Snape – Boundary wall design consultancy £360.00
The Clerk confirmed that previous amounts previously approved on an “in the region of” basis were as follows:
- ii) To Levens Parish Council VAT refund from Project (i.t.r.o. £119.00) £119.66
- iii) To Levens Parish Council refund of Coordinator’s salary (i.t.r.o. £1,600) £1,678.75

67/21 Levens Charity – Report on Trustee Meeting held on 12 October at 7.00 p.m:

- a) **Annual Report 2020-2021:** The Secretary had presented the Annual Report which showed a cumulative fund value for the Levens Charity of £140,681 including interest available for disposal of £11,658. Caveats to these figures were Fund Manager warnings that the current economic situation is volatile and fund values could be subject to significant reduction; also that the current figures remain unaudited and are being prepared for that process. Savin Brow value stands at £2,874.26 at the year end.
- b) **Grants:** Trustees confirmed the recent grant of £889.00 made by the Parish Council as Sole Trustee to Levens Methodist Church.
- c) **Appointment of Levens Parish Council as Managing Agent:** Trustees had considered matters relating to the Levens Community Project, particularly on Charity land at Underhill. Consent to develop this property had been given by the Charity in the Joint Venture Agreement, but it was recognised that the Charity was not in a position to manage the Project. It **Resolved** to ask the Parish Council to act as its Managing Agent in respect of this initiative.
- d) **Potential use of the Charity Capital Fund:** In view of possible risk to the overall fund value and the benefits of increasing asset value and revenue income to the Charity from the completed Project, Cllr Mason had proposed that consideration should be given to the use of the capital fund to support the delivery of affordable housing. It was confirmed that funds for distribution would still be available from rental income. It was **Agreed** to give consideration to this suggestion against a fully worked-up and costed proposition and that the Clerk should write to the Charity Commission for a view in principle on the proposal.

68/21 Planning Applications: Councillors noted updates on the Schedule of Planning Applications updated to 12 October (annexed to these Minutes).

The following new applications were considered:

PC Ref	Location	Proposal	Application No.	PC View
29	Heaves Farm LA8 8DU	Demolish redundant stone barn. Extend livestock building	SL/2021/0923. Cllr Mason absented himself from the room for this item.	No Objection
30	2 Meadow Wood	New front porch	SL/2021/0944 Lawful Development Cert.	No Objection – noted that application was listed as Invalid
31	Lakesway Holiday Homes	Discharge of Condition 5 (Environmental Method Plan)	SL/2021/0946 attached to pp SL/20180619	Concern remains over the handling of this application. Agreed to write to planning.

69/21 South Lakeland Local Plan Review: The Clerk confirmed that a supplementary submission on the Review had been approved by Councillors by email and sent to SLDC as part of the current consultation. It was **Agreed** that this should be published on the website, noticeboards and Facebook. Information on the Review was already on these locations and an article had featured in the Autumn Newsletter.

- 70/21 Levens Christmas Event:** Cllr. Burrow confirmed that it was proposed to go ahead with a Christmas event including a decorated tree. Vanessa at the shop had once again offered to supply power for the lights free for the event. Precise dates are yet to be advertised but it was confirmed that there would only be limited social activity due to the ongoing Covid situation.
- 71/21 Electric Car Charging Points in the Village:** It was Agreed that a suitable centrally located charging point could be on SLDC land on the Green and that Cllr. Holmes might enquire as to the possibility. Cllr. Battye undertook to talk to the Greening Campaign to enquire about the availability of grant funding for installation.
- 72/21 Open Actions Not Covered Elsewhere on the Agenda**
- a) **Traffic Management:** Cllr. Burrow felt that information on 20 mph zones received recently from Cumbria County Council was not consistent with national guidance and that further investigation was required. It was suggested that village consultation was appropriate and that the issue should be a main item at the Annual Meeting. Following discussion, it was **Agreed** that Councillors should read the information currently available in advance of a Working Group meeting via Zoom to confirm next steps.
 - b) **Levens Lane Footpath:** Cllr. Mason reported that the initiative is being led by Cumbria County Council and that a Feasibility Study has commenced. Once finalised, the plan will go to Levens Hall and HMRC. The target date is 01 April 2022, though HMRC approval could be difficult to achieve in the timeframe.
 - c) **Woodland Management:** A meeting between Cllr. Holmes, Andy Banks and the Clerk is still to be arranged (it is likely that the invitation to Mr Banks went to his old email address). Councillors thanked Cllr. Holmes for the grant of £500 towards tackling ash die-back.
 - d) **Parish and Other Land**
 - i. **Brigsteer Road site:** The Clerk confirmed that an application for Landscape Grant had been submitted to Friends of the Lake District in the name of Levens Charity.
 - ii. **Registration of Land at Cotes:** The Clerk had completed a new First Registration document for submission to HMLR subject to a final check on detail with Cllr. Mason.
 - iii. **Parish Hedge, Hutton Lane:** The Clerk confirmed that he had written to Mr. Stainton following the latter's request for the rest of the hedge to be removed to confirm that the work will be done. Cllr. Mason will organise the work. A tenancy agreement is required for the Parish land remaining under occupation by Mr Stainton.
 - iv. **Damage to Parish wall:** The wall near the new Village Hall site had been damaged by a vehicle but had now been repaired by voluntary effort.
 - e) **Parish Council Website:** At a meeting with Tom Hecht on 07 October attended by Cllrs. Atfield and Rogerson, it had been proposed that the best way forward was to prepare a re-designed Parish Council presence within a re-developed Village website. It was **Agreed** to hold a further meeting, involving members of the existing Webteam to develop further thoughts and a costed approach. In the meantime a message would be placed on the PC page that it was being redeveloped.
 - f) **Playing Fields Pump Track:** Cllr. Battye reported that the Playing Fields Committee was looking at whether the tennis court might be developed to offer greater multi-use facility thereby freeing up the MUGA and that they were intending to meet up with young people shortly to discuss options. The PFC has also started work on proposals to modernise the Constitution. The Parish Council expressed interest in this latter piece of work as there was a formal framework with approved procedures in place which needed to be taken into account before any changes could be implemented.
 - g) **Platinum Jubilee:** Consideration of whether to have a Beacon on 02 June 2022 remains to be discussed. It was however **Agreed** that there should be a commemorative event involving trees and the idea of an orchard on PC land to the south of the Underhill development was discussed. This could start small and be developed when the extent of available land became clear. It was **Agreed** to make this a full agenda item at the next meeting.
 - h) **SLDC Greening Campaign:** Cllr. Battye reported that a workshop was to be held on the following weekend to make scarecrows to promote the local 'Small Actions Challenge' initiative which would be formally launched at a coffee morning with displays in the Methodist Church on 30 October.

- i) **B4RN:** Cllr. Rogerson reported that 197 properties were now connected and roll-out continued – there were a further 37 properties left with vouchers. He confirmed that over £2,000 had been donated to Levens Charity as a result of the call for donations.
- j) **Parish Newsletter:** The Chairman reported that the Autumn Newsletter had been received but that there appeared to have been some confusion over its insertion into the Parish Church Newsletter resulting in a number of residents not receiving the Parish Council edition. He was checking out what had happened and would report back.
- k) **Meeting Arrangements:** The Clerk reported that the Methodist Church had offered the main meeting room at the non-commercial rate of £15 per session. Parish Councillors were pleased to accept this for the facilities provided. Councillors also **Resolved** to renew the Zoom subscription for a further year at an estimated cost of £143.00 (to be reclaimed via Capacity Grant in respect of the monthly Project meetings)
- l) **Post-box:** The new box is now in situ in Nelson Square.

73/21 Correspondence: A schedule of correspondence had been circulated. No specific matters from the list were raised. Cllr. Burrow mentioned sightings of rats locally. It was **Agreed** that Cllrs. Atfield and Burrow would discuss whether and if so how this might be publicised and what steps might be taken including contact with the Environmental Health Officer.

74/21 Future Agenda Items: Items confirmed for the next Agenda were:

- i. Platinum Jubilee Tree Planting
- ii. Draft Budget 2022-23

75/21 Date of the Next Meeting: The next Ordinary Meeting of the Parish Council is scheduled for Tuesday 09 November 2021 in the Methodist Church.

The meeting closed at 10.10 p.m.

Signed (Chairman) Date:.....