

Levens Parish Council

Minutes of the Ordinary Meeting of the Parish Council held remotely by the use of audio-visual technology on 09 February 2021.

Present: Cllrs. R. Atfield (Chairman), S. Bagot, J. Battye (co-opted at Item 3), H. Burrow, K. Holmes (and as District Cllr.), D. Rogerson, R. Mason, M. R. Curry (Clerk); County Cllr. J Bland and 4 members of the public.

Members agreed the inclusion of an urgent Charity related matter at Item 8. The Chairman advised of his understanding that the meeting was being recorded.

72/20 Apologies for Absence: District Cllr. B. Rendell.

73/20 Minutes: It was **Resolved** that the Chairman be authorised to sign the Minutes of the Ordinary Meeting of the Council held on 12 January 2021 as a true record.

74/20 Parish Vacancies

- a) 1st vacancy - co-option: The Chairman confirmed that Parish Councillors had seen and considered the one expression of interest submitted by Janet Battye. He proposed co-option of Janet Battye which was seconded by Cllr. Mason and agreed unanimously. It was **Resolved** to co-opt Janet Battye as a Parish Councillor. Following her signature of the Acceptance of Office, she was welcomed to her seat.
- b) 2nd vacancy: The Clerk reported that SLDC had confirmed that the Parish Council was eligible to co-opt to the remaining vacancy and that relevant notices under the procedure had been posted inviting expressions of interest to be received by 05 March.

75/20 Declarations of interest: None.

76/20 Public Participation:

- a) Mr S. Bavin referred to a recent post on the village Facebook page that had wrongly inferred that he had initiated a petition in respect of a footpath down Levens Lane. He acknowledged efforts being made on this matter and apologised if the erroneous note had caused concern. The Chairman thanked Mr Bavin for his comment.
- b) Dawn Osliff observed that works at Cotes had created an open water feature that represented a hazard, particularly to young children and asked the Parish Council to cover this over.
- c) Mr D Wilson expressed concerns about access from the village down Levens Lane and the dangers, particularly to children, in accessing the bus at Levens Bridge. The Chairman acknowledged these concerns and stressed that the Parish Council is doing its best to address the issue. An update on progress is on the Agenda at Item 11, Minute 82/20(b).

77/20 Reports:

a) Reports from Councillors attending meetings:

- i. The Chairman reported that he and Cllr. Mason had met with Mr Frank Stainton on 04 February to discuss the leylandii hedge on Parish land in front of his property. It was agreed to write to Mr Stainton confirming the intention to remove 15 metres of the hedge at its south end by the end of February to improve road safety. Mr Stainton would be offered a tenancy of the strip of PC land with certain conditions regarding planting, with the ultimate intention of removing the leylandii over time.
 - ii. Cllr. Rogerson reported on recent meetings of the local B4RN group which is coordinating current work to lay connections along Church Road where there is up to 90% uptake. Disruption to verges is to be made good and it is expected that the network will go live in early March.
- b) **Police:** PCSO Park was not in attendance. The Westmorland Gazette had reported three minor incidents in the village and it was agreed to ask her for details. Cllr. Mason reported that the Police had been present recently to check on camping in local woods, which could be linked to a recent case of deer poaching in Sedgewick.
 - c) **District Councillor:** Cllr Homes confirmed that SLDC was planning to hold local elections on May 6 and that full guidance would be issued shortly. Following discussion it was **Resolved** to

request a grant of £250 from Cllr. Holmes Member Budget towards the cost of new outdoor lights for the village Christmas tree.

- d) **County Councillor:** Cllr. Bland reported that plans for a cycle-way from Kendal to Levens Bridge and from Levens Bridge to the bottom of Levens Lane were still being considered. A meeting to develop next steps for a roundabout at Gilpin Bridge was to be held on 23 February. The resurfacing of Church Road would start on completion of the B4RN installations.

78/20 Finance

- a) **Receipts:** The following receipts were noted for the period 01 January – 31 January:
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| 12/01/21: NW Electricity: Annual Wayleave | £119.61 |
| 27/01/21: SLDC Creditors: Member Grant – Levens Good Neighbours: | 150.00 |
- b) **Payments:** The following payments were **Approved**:
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| i) M R Curry Salary Jan 2021: (PC £443.99; Project £259.93; Charity £50.59; Mileage £6.50; Stamps £18.12; HMLR expenses £20.00) | 799.13 |
| ii) K. Holmes: re-placement cheque previously issued at £236.70: | 226.20 |
| iii) Dean Barwick Trust: for Witherslack B4RN from Cllr Bland capital fund: | 1,000.00 |
| iv) Resolved to ratify grant to Levens Good Neighbours from SLDC Member Budget (previously agreed at 62/20c) | 150.00 |
- c) **Bank Reconciliation and report on Ring-Fenced Funds:** The reconciled net balance of £19,904.14 at 31/01/21 was noted. Councillors also noted the Clerk's report that after deduction of ring-fenced funds held for others (Cumbria CC & B4RN) the underlying balance available to the Parish Council is £9,615.14p. This includes £2,177.83 ring-fenced for specific Parish Council purposes (£2,000 for woodland management and £177.83 for the Christmas event).
- d) **Annual Grants from PC Funds:** Following the receipt of applications, it was **Resolved** to make the following grants from Parish Council funds:
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| i) Levens Playing Fields: | £1,600.00 |
| ii) Levens Methodist Church (for hosting the Post Office): | 600.00 |
- e) **Banking Arrangements:** The Clerk reported that in order to progress a move towards new arrangements such as on-line banking, HSBC had requested a Safeguarding Review requiring details of mandate holders. The Clerk will make arrangements to complete this requirement.
- f) **Annual Precept 2021-22 and VAT:** SLDC have confirmed receipt of the Precept bid (£13,650.90 + £345.12 Co Tax grant). A VAT refund of £6,865.00 for the period 01/04/20-30/09/20, previously subject to a Compliance Review, had been received into the Project account on 11/01/21.

79/20 Governance Matters

- a) **Update and Review of Standing Orders:** Following observations made by a member of the public at the January meeting, the Clerk confirmed that the current Standing Orders had been superseded by an updated version. The revised Standing Orders had been produced and recommended by NALC and updated certain mandatory requirements. The Clerk reported that he had circulated the latest version for consideration and approval. It was **Resolved** that a Working Group (Chairman, Cllr. Bagot and the Clerk) should review the revised Standing Orders and report back to the March meeting with a view to gaining Parish Council approval for proposed revisions.
- b) **Status of the Annual Meeting:** The Clerk confirmed that Coronavirus Regulations exempted the requirement to hold an Annual Meeting in 2020-21, though Parish Councils could hold remote cut-down versions if desired. Much would depend on proposals for the return to face-to-face meetings which was not clear at present. The Clerk undertook to secure further advice on this from CALC and report back to the March meeting.
- c) **Levens Charity:** The Clerk reported as follows:
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| i) Charity Annual Returns for the year ending 31 March 2020, including annual accounts, had been circulated to Trustees and lodged with the Charity Commission. The next meeting of the appointed Trustees was to be held on 9 March. |
| ii) Solicitors had erroneously given the required Legal Charge in favour of SLDC for CLHF grants as from the Parish Council as opposed to the Levens Charity. As a result, the Legal Charge now needs to be signed by the Parish Council as <i>Trustee for the Charity</i> with due regard to S. 124 of the Charities Act 2011. This requires Charity Trustees to have obtained |

and considered proper advice, given to them in writing on relevant matters. Acting as the sole Trustee for the Charity, the Parish Council confirmed that it had received proper advice in writing regarding the relevant matters (S.124 s-s.3) and **Resolved** that the Legal Charge be signed by the Parish Council as Trustee for Levens Charity.

80/20 Levens Community Project

- a) **Levens Community Project Committee:** Cllr Mason gave the following report:
- i) Cotes – Groundworks are completed. Armitstead Barnett are finalising particulars of sale to get the three plots onto the market. In response to the point raised by D. Osliff, it was confirmed that the open water feature would be made safe. Parking on the roadside plot frontages was not felt to be a problem. It was noted that a complaint had been received about water run-off from the site, but whilst this would be monitored it was felt to be a blocked drain issue and not directly caused by site run-off.
 - ii) Church Hill - Groundworks are completed. Armitstead Barnett are finalising particulars of sale to get two plots onto the market. Provisions for B4RN connections have been made.
 - iii) Underhill - Re-registration of the property in the name of the Parish Council as sole Trustee of Levens Charity has been dealt with. Resolution of this will enable completion of the Sewer Diversion Agreement with UU.
 - iv) New Village Hall: The Working Group has done considerable work on defining specifications for AV facilities and liaison with providers for the electricity supply continues. The Levens Institute is in the process of becoming the Levens Village Hall CIO and discussions continue on how this Charity might commission the build-phase through the Parish Council in order to secure Zero Rate VAT.
- b) **To approve payments:** Following recommendation from the Project Management Committee, invoices **Approved** for payment were:
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| i) Spatial Data: Confirm plot layouts at Cotes: | £150.00 |
| ii) Levens Parish Council – share of VAT refund: | 263.65 |
| iii) J Thacker & Sons: pre-sale groundworks at Cotes | 29,864.00 |
| iv) Armitstead Barnett: Valuation of land at Underhill for S185 Agreement | 540.00 |
| v) J Thacker & Sons: Groundworks at new Village Hall site & Church Hill | 979.20 |
| vi) G Schofield: design of boundary walls at new village hall. Resolved to pay the submitted invoice on receipt of associated documents including method statement. | |
- c) **Consideration of Publication of Data:** Following observations made by a member of the public at the January meeting, Members considered the publication and presentation of Parish Council activity and particularly in relation to the Project. It was agreed that more information on the Project could usefully be given, particularly as normal communication routes had been disrupted by the pandemic. Consideration was given to how a Newsletter could be used for this purpose. It was agreed that greater financial data could be put on the website as well as elements of the Business Plan. It was also agreed however that the PC webpage needed an update in order that Project and other PC matters were presented effectively. It was **Resolved** to establish a Working Group (Chairman, Cllrs. Burrow. Rogerson and the Clerk) to review and report back to the March meeting

81/20 Planning Applications:

- a) New Planning Applications: The following new applications notified via SLDC were considered:

Application No.	Address	Proposal	Applicant	Type & Status	Comments
SL/21/0026	Lyth View, LA8 8NP	Demolish garage construct 2-storey side extension	Mr & Mrs Parsons	Full Planning	No objection but see comments
Members noted observations from residents on the proposed new roof-line and the likely increase in on-street parking as a result of the plans. It was Resolved to submit a note to Development Management that these observations be taken into account					
SL/21/0053	Pinfold, LA8 8PA	Demolish dwelling. Replace with new 2-storey dwelling	Dan Weston	Invalid	It was noted that this was Invalid

- b) To note Planning Applications determined since last meeting: None notified
- c) To note applications still to be determined: None reported. See d) below:
- d) To add clarity to reporting, it was **Resolved** to adopt (for a trial period) a new format for reporting planning applications in the form of a Planning Schedule. This would maintain a rolling list of all

applications received and comments made. The Schedule would be a formal part of the Minutes and publicised accordingly.

82/20 Open Actions Not Covered Elsewhere on the Agenda:

- a) **Levens Traffic Management:** Cllr. Bland has still not had any response from Mo Dooz but now intends to tie this in with plans to progress the Levens Lane footpath (next item). It was agreed to re-locate SIDs to maintain their impact around the village.
- b) **Levens Lane Footpath:** Cllr Bland reported that the meeting with a newly appointed member of CCC staff was due to take place in February and it was agreed that Cllr. Mason would join this meeting. Wider discussion ensued during which the lack of public transport in the village and the increase in local housing and therefore traffic were noted. Cllr Mason confirmed that, although the PC has no direct power to provide a path, it has made considerable effort over many years to resolve the issue on behalf of the village. It was clear that the adjacent landowners needed to be on-board and discussions with Levens Hall have been positive, but they have legal constraints on the use of their land and need a clear plan to consider. This in turn requires CCC Highways input to confirm specifications, likely costs and how funding will be secured. It was agreed that this issue needed to remain at the forefront of PC activity to help local people get safe access along Levens Lane.
- c) **Woodland Management:** It was agreed to request an electronic copy of the Woodland Report for circulation to all Councillors to enable detailed discussion.
- d) **Parish Land:**
 - i. Brigsteer Road site: The Clerk confirmed that a draft risk assessment will be circulated for consideration.
 - ii. Registration of land at Cotes: A summary of progress with HMLR requisitions has been prepared and forwarded to Cllr. Mason and Cllr Battye for comment.
 - iii. Parish Hedge, Hutton Lane: Previously discussed at Minute 77/20(a)(i)
 - iv. Other Parish land: The Clerk reported that arrangements to let a vacant allotment were in hand and that invoices for other land and parking sites will be prepared for the start of the new financial year.
- e) **Christmas Event 2020:** Cllr. Rogerson reported that after fees (£29.95) the Just Giving initiative had raised £616, which together with locally raised funds had resulted in an overall figure of £864.05 raised from the event (though some expenses may yet have to be paid). Net receipts will be ring-fenced for the 2021 event and the organisers were congratulated on a second successful event.
- f) **The Old Carpet Shop:** Cllr. Burrow reported that Mr Bowker had phoned her to advise that the property was now being marketed via Milne Moser on the basis of offers over £300,000.
- g) **Village Post Box:** Cllr. Rogerson agreed to enquire as to when the repaired box will be reinstated.

83/20 Correspondence: Councillors noted the Clerk's report on correspondence received. No follow-up actions were required. Cllr Battye offered to follow-up on the SLDCs Greening Initiative.

84/20 Future Agenda Items:

- Local Elections
- Standing Orders, Annual Meeting
- Website
- Next Newsletter
- Levens Charity

85/20 Date of the Next Meeting: The next Ordinary Meeting of the Parish Council is on **Tuesday 09 March 2021** to be held as a remote meeting unless otherwise publicised.

The meeting closed at 9.29 p.m.

Signed (Chairman) Date:.....