

Levens Parish Council

Minutes of the Ordinary Meeting of the Parish Council held on 10 March 2020 in the Methodist Church Meeting Room, Levens at 7.30pm

Present: Cllrs. R. Atfield (Chairman), S. Bagot, J. Fitch, K. Holmes, D. Rogerson, R. Johnston, R. Mason, M. R. Curry (Clerk); County Cllr. J Bland; and 1 member of the public.

103/19 Apologies for Absence: Cllr H. Burrow, District Cllr. B. Rendell, PCSO J Park;

104/19 Declarations of interest: None

105/19 Minutes: It was **Resolved** that the Chairman be authorised to sign the minutes of the Ordinary Meeting of the Council held on 11 February 2020 as a true record.

106/19 Public Participation:

Mr Frank Stainton addressed Members with his deep concerns about the proposed removal of the leylandii hedge on Parish land fronting his property. He pointed out that it had been maintained by him over many years at his cost, was in a tidy condition and requested an explanation as to why it was necessary to remove it. Cllr Mason explained that concerns had been expressed to the Parish Council about its impact on visibility and therefore road safety, including from Mr D Parsons who has to pass the hedge when exiting his land onto Hutton Lane. Cllr Holmes confirmed that he had had a near-miss when trying to join the public road. Proposed work to install B4RN ducting across Mr Parson's field will result in increased access requirements in the near future. Cllr Mason confirmed that Parish Council proposals were not purely down to Mr Parsons' representations - professional opinion has indicated that the hedge is failing and is of an age where it will only deteriorate further, requiring replacement. In response to Mr Stainton it was confirmed that the Parish Council had taken the cost of the work into account and was aware that the existing hedge was rooted in the stone embankment. Cllr. Mason confirmed that the hedge would be cut at its base and not up-rooted to minimise damage to the wall, which would be repaired if necessary. Given the time of year, Cllr. Holmes said that the work needed to be done very soon and it was confirmed that replacement with a new thorn hedge would take place as part of the task. This will be paid for and maintained by the Parish Council. Mr Stainton asked the Council to note his concerns and disappointment at the decision. He asked it to liaise with him so he could be present when the work is done and the Chairman confirmed that a plan would be prepared and full details of the work advised to him.

107/19 Reports

- a) **From Councillors attending meetings:** Cllr. Rogerson reported on the CALC District Association meeting on 5 March where a representative from Highways England was a guest speaking on the A590. Non-compliance with the Transparency Code was raised as an issue for many Parish Councils – the Clerk confirmed that he was to check the Levens website for compliance.
Cllr. Atfield reported on his attendance at the Playing Fields AGM – work on the installation of new play equipment has been hampered by bad weather. The renovation of the rocking horse via a BBC initiative had not progressed, but it was hoped to secure Lottery funding for this work. It was planned to hold the marquee dance in July. Cllr Atfield had also attended the Institute AGM which had reported an increase in revenue of £2,000 on the previous year.
- b) **Police:** The Clerk conveyed PCSO Park's apologies for not being available. There was no report, but she was intending to come to the Annual Parish Meeting on 17 March.
- c) **District Councillor:** On behalf of Cllr. Rendell, Cllr Holmes reported that SLDC was keeping the provision of private water supplies under review and that discussions were underway for improvements to the A590 beyond Rusland Pool. He confirmed that he had secured 'No Through Road' signs for either end of the Green and was maintaining his stance on the need for flood relief measures to address the potential for flooding downstream from Kendal.
- d) **County Councillor:** Cllr. Bland reported that the Police Commissioner had confirmed a welcome increase in Police numbers in the County and that the replacement bus service was now running five days per week to various destinations including Kirkby Lonsdale, Morecambe, Kendal Sainsbury's / Morrison's and the Westmorland General Hospital.

108/19 Finance

- a) **Receipts:** Councillors noted the following receipts for the period 01 February – 29 February:
- i. 07/02/20 – SLDC Member Budget Grant via Cllr. Rendell: £ 500.00

b) **Payments**

The following payments were **authorised**:

- i. M R Curry: Salary February 2020 (PC: £313.04/LCP: £448.00/
Charity £19.67 + mileage & expenses - postage stamps): £ 719.99
- ii. Request from South Westmorland Village Maintenance Association
for funds to top-up working capital: Cllr Holmes satisfactorily explained
the rationale behind this request and payment was **Approved**: 509.23
- iii. Printing Plus: Spring Newsletter – charge for 600 print-run 149.86
It was noted that the order had been for the required number of 650.
- iv. S. Doddrell: reimbursement of expenses on behalf of B4RN (part payment by
the Parish Council from ring-fenced funds): 330.00
- v. Windermere & Bowness Winter Lights Group: Grant from Cllr Bland's
CCC ring-fenced funds: 1000.00

c) **Financial Report**

- **Bank Reconciliation – 29 February 2020:** The reconciled balance of £23,376.40 was noted. Councillors noted the Clerk's report on ring-fenced funds, leaving the Parish Council with an underlying balance of £11,092.96. A further £3,744.70 is held as ring-fenced funds for specific Parish Council purposes.

d) **Governance Matters**

- **Risk Register:** Councillors received the updated Risk Register and it was **Agreed** to review in advance of consideration at the April meeting.
- **Asset Register:** Councillors received the updated Asset Register and it was **Agreed** to review in advance of consideration at the April meeting.
- **Standing Orders:** Councillors noted that no changes were proposed to the Standing Orders and it was **Agreed** to confirm content at the April meeting.
- **Financial Regulations:** Councillors noted that no changes were proposed to the Financial Regulations and it was **Agreed** to confirm content at the April meeting.

109/19 Levens Community Project:

- a) **Levens Community Project Committee:** Cllr. Mason summarised key points from the meeting of the Project Management Committee held on 3 March and the following updates were noted:
- i. Cotes: Tony Hills is progressing discharge of conditions. It was Agreed to withhold payment to R G Parkins for work at Cotes pending further information;
 - ii. Church Hill: design amendments made by TH were noted;
 - iii. Underhill: design for infrastructure work are nearing completion
 - iv. New village hall: initial ground-works are nearing completion and a considerable quantity of usable stone has been extracted. Calculations have estimated the amount required for re-use by the Project and **Approval** was given to accept an offer of £50 per ton for 1,000 tons identified as surplus to requirements. It was also noted that Wilson's quote for work might be increased from £43,000 to £48,000 to take account of agreed extra work.
 - v. The bank reconciliation of £739,336.48p was noted. Payments were **Approved** as follows:
 - Tony Hills: 2 x monthly instalments for planning and design work for tenders: £7,200.00
 - Catchment Designs for Infiltration Testing at Underhill: 660.00
 - R G Parkins: Engineering design at Underhill: 6,526.51
 - R G Parkins: Engineering design at Levens Institute: 3,360.00
 - vi. The Funding Agreement (FA) now needed some specialist legal advice. After a tender evaluation exercise, an approach to Wrigleys (Solicitors) to explore their terms and conditions as special solicitors to the Project was **Approved**. If satisfactory, the FA would be referred to them. Costs for infrastructure work at Underhill and the Institute had been put out to tender to enable an application for Infrastructure Grant to be submitted. A bid for Development Grant from the Lottery is to be submitted shortly.

- vii. A meeting of Levens Charity Trustees had been held earlier in the evening when they had received an update on implications for the Charity arising from the Project. A meeting for the Trustees of both Levens Charity and the Institute is to be held on 12 March when Lorraine Smyth of ACT is to advise on the pros and cons of securing Charitably Incorporated Organisation (CIO) status
- viii. Joint Venture Agreement – this is still with the solicitor acting for the Institute.
- ix. Project Working Group – there has been no recent meeting of the Working Group.

110/19 Planning Applications:

a) The following new Planning Applications were noted:

Application No.	Address	Proposal	Applicant	Type & Status	LPC response
SL/2020/0121	Land at Birks	Access land & Agric Barn	Mr D Black	Full permission	No Objection
SL/2020/0176 & 0179	Levens Hall	Electric vehicle points for private use	R. Bagot	Full (inc listed building)	No Objection

b) The following Planning Applications determined since last meeting were noted

Application No.	Address	Proposal	Type & Status	Decision
SL/2019/0342	Land at Cotes	Erection of 3 dwellings	Reserved Matters	ACON
SL/2019/0965	Rakefoot, Levens	Erection of single storey detached garage	Full	ACON

c) To note planning applications still to be determined

Application No.	Address	Proposal	Applicant	Status
	Land at Church Hill	Erection of three detached homes	Levens Parish Council	Decision awaited – negotiations between Tony Hills and planners

111/19 Levens Charity: Report on March Meeting of the Trustees

- a) **Secretary's Report:** Councillors noted that the Charity Secretary had presented a Report to Trustees for the period 1 April to 31 December 2019. He reported that the Cumulative Fund Total was £138,216 following good performance by the COIF Investment Fund. He did however caution that Coronavirus could have a negative impact on investment performance. He also reported his estimate that, after known and projected commitments were taken into account, interest accrual (i.e. disposable income) stood at approximately £10,000. The Savin Brow Quarry value stood at £3,015.
- b) **Payments:** Trustees gave approval for the following payments:
 - i) Reimbursement of funds paid by the Parish Council for B4RN expenses: £525.26
 - ii) Balance of expenses claim from S Doddrell for B4RN expenses incurred 426.05
- c) **Application for Grant - B4RN:** Councillors **Approved** the Charity Trustees recommendation that, having particular regard to the very recent donation of £1,500 received by B4RN, the award of a grant of up to £2,000 to B4RN should be deferred until such time as the B4RN Project might re-submit the application if funds continued to be required. This time would also be used to confirm that the proposed quid pro quo between grant paid out by the Charity and donations received from the Project was a legally acceptable financial arrangement.
- d) **Consideration of the Levens Community Project:** Councillors noted that as Trustees of Levens Charity they had all received an update report specifically to the Charity on progress with the Project. The Trustees had revisited the advice given by the Charity Commission in 2015 which confirmed that planned transactions were legitimate and noted the proposed obligations on the Charity contained in the draft Joint Venture Agreement and also the Community Led Housing Funding Agreement. They also noted the meeting to be held on 12 March to hear Lorraine Smyth outline the pros and cons of the Charity becoming a CIO. It was noted that a formal record of this discussion had been made on the Minutes of the Trustees meeting.

112/19 Annual Parish Meeting - 17 March 2020: The Clerk reported that all arrangements for the upcoming meeting were in hand and circulated a draft Agenda for the meeting which was **Agreed**. Cllr Bagot confirmed that refreshments were also in hand, though in view of the developing situation with coronavirus it was **Agreed** that finger snacks (nuts / crisps etc) would not be

desirable. It was agreed to monitor the developing situation and take appropriate steps if necessary.

113/19 Parish Hedge, Hutton Lane: This matter had largely been dealt with under Public Participation (106/19) but that it had been right to postpone the task from 5 March as originally intended. A new date would be arranged and Mr Stainton advised in good time of the revised arrangements. The Chairman confirmed that a plan for removal and replacement must be prepared and full details of the work advised to him.

114/19 Open Actions Not Covered Elsewhere on the Agenda:

- a) **Highways Defect Report:** Cllr Fitch's Report was noted. There were three new items and work remains outstanding – though recent poor weather may be responsible.
- b) **Levens Traffic Management:** Cllr Fitch reported that he and Cllrs Burrow and Atfield had had a constructive meeting with Mo Dooz, CCC Traffic Management Officer South Area on 5 March. He had viewed areas of concern in the village and seemed to have been convinced that proposals were required for parking, pedestrian issues around the Playing Fields entrance as well as the School entrance on Church Road. He will come back to Councillors with ideas.
- c) **Maintenance Plan and Woodland Management:** Cllr Mason reported that Andy Banks had completed most work on the strip of land at the Crossings and will undertake the previously agreed tree health and safety survey as soon as he is able.
- d) **Allotments and Other Parish Land including Registration of Land at Cotes:** The Clerk reported that there was one vacant allotment and it was agreed to offer this to those on the waiting list in order of expression of interest. Invoices for allotments, land and parking would be sent out at the end of March. There had been no progress with sorting out the registration of land at Cotes.
- e) **B4RN:** Cllr Rogerson reported that efforts to secure sign-up to the government voucher funding scheme were progressing well with 263 out of the required 380 secured. Work to secure the shortfall will continue.
- f) **Waste bins:** In a written note, Cllr. Burrow reported that installation is still awaited.
- g) **The Old Carpet Shop:** In a written note, Cllr Burrow reported that she is waiting for Mr. Bowker's instructions, as to whether he wants to go for Planning Permission or put the site back on the open market, or both.
- h) **Clerk's Appraisal:** The Chairman reported that the appraisal had been held on 12 February and a full report would be brought to the April meeting.
- i) **Outside furniture, land on Brigsteer Road:** Following options presented by Cllr Rogerson and his recommendation, it was **Agreed** to procure an 8-seater, square bench from Glasden Ltd at £787.50. Cllr Rendell's SLDC Member grant of £500 would be applied to this purchase.

115/19 Correspondence: The Schedule of correspondence was considered. Items of note not otherwise dealt with in the meeting included:

- A request from Action Challenge for advice on where in Levens to organise a rest stop on its planned 100km walk on 13-14 June. Although they didn't feel able to stop the event, Councillors were not supportive of it due to size and disruption on local roads.
- Levens Good Neighbours, the School and Playing Fields had all written to thank the Parish Council for the donations from funds raised by the Christmas event.

116/19 Future Agenda Items:

- Risk and Asset Registers. Review of Standing Orders and Financial Regulations.

117/19 Date of the Next Meeting:

**The next Ordinary Meeting of the Parish Council is on Tuesday 14 April 2020.
The Annual Parish Meeting is on Tuesday 17 March 2020.**

The meeting closed at 9.38 p.m.

Signed (Chairman) Date:.....