

Levens Parish Council

Minutes of the Ordinary Meeting of the Parish Council held remotely by the use of audio-visual technology on 08 September 2020.

Present: Cllrs. R. Atfield (Chairman), S. Bagot, H. Burrow, K. Holmes, R. Johnson, D. Rogerson, R. Mason, M. R. Curry (Clerk); County Cllr. J Bland; and 3 members of the public.

The Chairman welcomed all to this second 'remote' or 'virtual' meeting to be held by the Parish Council occasioned by continuing restrictions relating to the Coronavirus pandemic.

16/20 Apologies for Absence: PCSO Jayne Park. The Chairman referred to the recent resignation of John Fitch and Councillors expressed their regret, but also gratitude for his contribution to his work on behalf of the Parishioners of Levens.

17/20 Declarations of interest: None

18/20 Minutes: It was **Resolved** that the Chairman be authorised to sign the Minutes of the Ordinary Meeting of the Council held on 14 July 2020 as a true record.

19/20 Public Participation:

- a) Mr D Parry spoke in relation to planning application SL/2019/0735. He explained that the current application takes account of comments made on his previous application submitted in January. He referred to amendments that had been made to reduce building mass in relation to the neighbouring property 'Applegarth' and in particular to incorporate revisions to meet the 45⁰ line of sight rule. Attention had been given to several other matters of design detail. The revised application ensured that appropriate privacy would be maintained between the two properties and that there would be no overshadowing. Councillors thanked Mr Parry for his presentation and undertook to take his comments into account when considering the application.
- b) Mrs J Battye commented on her surprise that notices which she had placed on village noticeboards, particularly at Cotes, had been removed before the expiry of the publicised event. She asked Councillors if there were any rules or protocols for the use of village noticeboards. Individual Councillors acknowledged that they had removed notices that were clearly out of date and would continue to do so, on an occasional basis. They confirmed, however, that there were no established rules and no reason why 'appropriate' notices should be removed before a relevant date. It was **Agreed** that a small notice would be attached to the main board near the shop and notice-boards at Cotes and the Hare & Hounds asking people not to remove notices unless they were clearly out of date. Cllr. Holmes advised that recently posted dog fouling messages in other locations had also been removed.

20/20 Reports:

- a) **Reports from Councillors attending meetings:** Cllr. Rogerson reported that he had attended a remote monthly update hosted by SLDC on 25 August. SLDC had highlighted their Climate Change Action Plan which aimed to see the District become carbon neutral by 2030 and highlighted their Climate Change Community Fund which was inviting bids for up to £5,000 to support qualifying projects. There had also been an update on the Customer and Locality Services initiative which included discussion about moves towards establishing a unitary authority for Cumbria.
- b) **Police:** In the absence of a formal report, Cllr. Mason reported on a casual meeting with PCSO Park who confirmed that there were no significant incidents to report and that she was maintaining contact with the village.
- c) **District Councillor:** Cllr. Holmes reported that in the wider District, high visitor numbers and inappropriate behaviour by some had continued to create problems, notably around parking, waste and social distancing. Otherwise he had little to add to the feedback reported by Cllr. Rogerson.
- d) **County Councillor:** Cllr. Bland reported that work to raise the road surface at Levens Bridge had been successfully completed. Planning work to agree a cycle route between Kendal and Levens Bridge which may benefit from current Government funding initiatives continues, whilst

the possibility of a footpath down Levens Lane remains under investigation. Concern was expressed about the disruption to traffic caused by United Utilities again filling water tankers at the foot of Levens Brow. The Clerk confirmed that he had sent a letter of complaint to Mike Welch., UU Customer Services Manager, but had not yet received a reply.

21/20 Finance

- a) **Receipts:** Councillors noted that there were no receipts in the period 14 July – 31 August.
- b) **Payments required –** The following payments were authorised:
- i. M R Curry - Sal & Exes July and August 2020 (PC £406.51 / Project £540.80 / Charity £70.80 + mileage & expenses) £1,050.14
 - ii. Parish Online: Annual subscription (support for B4RN) 45.00
 - iii. Zurich Insurance: Annual policy premium (final year of the 3-year payment plan) 400.96
 - iv. S. Lambert: Payment for work at Brigsteer Road site: 1,900.00
- Councillors noted the following: The Brigsteer Road site is managed by Levens Charity as a village amenity and certain maintenance works have already been funded by it. The Parish Council paid £708.75, (ex VAT) for the picnic bench, of which £500 was grant funded, leaving a net balance of £208.75 actually funded by the PC. The combined sums (S. Lambert and the unfunded balance for the picnic bench) total **£2,108.75p**. It was **Agreed** to allocate funds for this payment as follows:
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| Balance of CIL (ring-fenced fund held by the Parish Council): | £518.00 |
| Balance of bench restoration fund: (ring-fenced fund held by the Parish Council) | 23.70 |
| Balance of funds to be paid by the Charity: | 1,567.05 |
- c) **Bank Reconciliation and report on Ring-Fenced Funds – 31 August 2020:** The reconciled balance of £42,498.45p was noted. Councillors also noted the Clerk's report on ring-fenced funds, leaving the Parish Council with an underlying balance of £16,248.56. A further £3,744.70 is held as ring-fenced funds for specific Parish Council purposes.
- d) **Annual Governance and Accountancy Return (AGAR):** The AGAR was submitted to the external auditors and confirmation of receipt received on 17 August. The dates for the Exercise of Public Rights (20 July – 1 September) were duly advertised on the Parish noticeboard and website where all AGAR documents remain on view.
- e) **VAT:** On the basis of advice received from the accountants to the Levens Community Project, it was **Resolved** that the Parish Council should apply for voluntary registration for VAT. This is to accommodate the sale of stone from the new village hall site which has the potential to exceed the £85,000 per rolling 12-month exemption threshold.
- f) **Clerk's Appraisal:** The Chairman reported that final paperwork remained to be completed, but Cllrs were asked to note his recommendation and that of Cllr. Burrow that Clerk's pay be increased to Point 22 of the NJC scale for 2020-21 with effect from 1 April 2020. It was also proposed to increase payments to Point 31 in respect of wages paid for work on Levens Community Project (recouped via Capacity Building Grant). It was **Agreed** to formally Minute approval at the next meeting. Training courses for the Clerk via RICS (Rural Conference) and CALC (Planning and End of Year Accounts) were **Agreed**.

22/20 Levens Community Project

- a) **Levens Community Project Committee:** Councillors noted the Minutes of the Project Management Committee held on 01 September and in particular:
- i. Proposed work at Cotes: it was Agreed to give Mr. Edmondson adequate notice of tree work to start on 21 September;
 - ii. Ongoing attempts to secure agreement from United Utilities for the sewer diversion at Underhill;
 - iii. Financial arrangements with L&W Wilson previously agreed by email regarding the costs of excavation work at the new village hall site (£66,477.90 inc VAT) and agreement for the sale of 1000 tonnes of stone at £47.50 per tonne + VAT (total £47,500 + VAT). These arrangements were **Ratified**.
 - iv. Completion of the Joint Venture Agreement signed on 28 July.
- b) **Payments made:** The following payments made during the period 15 July to date were noted:
- i. 31/07/20: S Lakes Drain Jetting – Sewer Inspection, Underhill: £162.00
 - ii. 20/08/20: Damson Design: Environment Agency – Permit Fee: £968.00
- c) **Payments required – the following payments were authorised:**

- i. 05/03/20: R G Parkins – Engineering Design, Cotes **£ 6,540.00**
- ii. 28/07/20: Milne Moser – Legal advice JVA **£ 1,107.20**
- iii. 17/07/20: Wrigleys Solicitors – Fees, Funding Agreement **£ 3,330.00**
- iv. 26/08/20: R G Parkins – Engineering Design, New Village Hall **£11,340.00**

d) Investment of Funds: Investment of funds in a higher interest bearing account remains work in progress.

e) External Funding: The Clerk reported that a final draft of the Funding Agreement with SLDC had been negotiated and submitted for approval. Councillors supported the recommendation of the Project Management Committee that a discussion with our solicitors was required to fully understand the terms and conditions of the Agreement before signature.

23/20 Planning Applications:

a) New Planning Applications:

Application No.	Address	Proposal	Applicant	Type & Status	Comments
SL/20200556	Glen Robin LA8 8PS	Application for the discharge of conditions (biodiversity)	Mr & Mrs Lambert	Discharge of Conditions	No Objection
SL/2020/0595	Lakesway Holiday Homes LA8 8EQ	Application for the discharge of conditions attached to SL/2018/0592 (including 7 – passing place)		Discharge of Conditions	No Objection
SL/2020/0601	Lakesway Holiday Homes LA8 8EQ	Application for the discharge of conditions (surface water)		Discharge of Conditions	No Objection
SL/2019/0735	Land adjacent to the Langdales	Erection of dwelling (revised scheme SL/2018/0938)		Revised application	See Minute below

Having heard from the applicant, the Parish Council considered the revised application. Some improvements to the previous scheme were acknowledged, but concerns remained about proximity and scale in relation to the adjoining property "Applegarth". It was understood that a letter of objection from a neighbour had been lodged with Development Management, but at the time of the meeting this had not been posted to the planning register and was not therefore considered. Whilst the Parish Council did not formally object to the revised application, it was agreed that the concerns of neighbours were of considerable importance to this case. Cllr Holmes was asked to confirm the position regarding any neighbour objections with Development Management and it was **Agreed** that an objection(s), if any, should be taken into account in the Parish Council response to this application.

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

Application No.	Address	Proposal	Type & Status	Decision
SL/2020/0121	Land at Birks LA8 8EJ	Access track & Agric storage barn	ACON	10/07/2020
SL/2020/0288	Spout House, LA8 8PA	House extensions	ACON	16/07/2020
SL/2020/0265	Land to S of Wayside Cottage	Discharge of Conditions	Discharge of Conditions	31/07/2020
SL/2020/0389	46, Greengate, LA8 8NF	Loft conversion & extensions.	ACON	19/08/2020

c) To note planning applications still to be determined

Application No.	Address	Proposal	Applicant	Type & Status	Comments By
It was noted that Parish Council application at Church Hill still awaited consent					

24/20 Post Box Removal and Re-location: Following enquiry, Cllr Rogerson confirmed that the post box on Church Road had been removed for repair as the base was rusted through. There were options to re-site it and Councillors **Agreed** a proposal that it should be re-located on Nelson Square. Cllr Rogerson would follow this up with the relevant authorities.

25/20 Open Actions Not Covered Elsewhere on the Agenda:

a) Highways Defect Report: Cllr Fitch's Report was noted.

b) Levens Traffic Management: The Clerk confirmed that he had contacted Mo Dooz to advise of Cllr Fitch's resignation. Mr Dooz had responded and will provide an update on plans for Levens.

c) Levens Lane Footpath: Cllr. Mason reported that he had spoken with the Agent at Levens Hall and with Cllr Bland and that further work on a more detailed plan was ongoing.

d) Maintenance Plan and Woodland Management: Cllr. Bland is looking into the management of roadside trees at the junction of the A590 dual carriageway at Causeway End. Cllr Atfield reported that he had received comment about the height of trees on the west side of the Hare & Hounds car park, but it was agreed that these were not on Parish Council land. The Tree Health

and Safety Survey Report for Parish owned trees is still awaited. The Clerk confirmed that he had referred a complaint from Mr Capstick of Checkmate, Lowgate about trees on Parish Council land adjoining his property (height and overhanging his property) to Mr Banks. Mr Banks had taken an initial look with a view to recommending some thinning work which would take Mr Capstick's concerns into account. As part of his visit, Mr Banks had noted that three trees had been ring-barked in Underhill Wood. It was **Agreed** to draft a notice advising the general public that issues with trees on PC land should be referred to the PC and not subject to direct action.

e) Parish Land:

- i. Brigsteer Road site: In addition to the question of payment for work (see 21/20b(iv) above, Cllr Mason reported on the successful work to landscape the site and improve access in readiness for the siting of the new picnic table and amenity planting. All agreed that the work done so far was a great enhancement of the site.
 - ii. Allotments: It was **Agreed** that repair to deer fencing was required as a matter of urgency. Costs were likely to be in the region of £400 and that Mr B Nelson be instructed to attend to the matter. A decision would be made at the next meeting where payment would come from (i.e. the PC or the Charity).
 - iii. Registration of land at Cotes: The Clerk has begun to look at the requisitions made by the Land Registry in the previous application which require research into archived material. He will continue this work. Cllr Rogerson asked that the requirements of B4RN for a conduit be taken into account in any transactions relating to this property.
 - iv. Parish Hedge, Hutton Lane: It was **Agreed** to confirm a date for this work (giving Mr & Mrs Stainton adequate prior notice) at the next meeting.
- f) B4RN:** B4RN: Cllr Rogerson reported that there was now a take-up of 273 vouchers i.e. 45% of the 60% target required with an application for funding via a Government Borderlands Scheme to help cover the gap in funding. 16 properties now have live connections in Levens.
- g) Waste bins:** Cllr Burrow reported that the new waste bins are now in place and this initiative is complete. Cllrs thanked Cllr Burrow for pursuing this work.
- h) The Old Carpet Shop:** No progress has been possible in the current circumstances and it was agreed to remove this from the Agenda until a realistic update can be made.
- i) South Lakeland Local Plan:** The Clerk confirmed that he had forwarded the agreed text to SLDC and received an acknowledgment of receipt on 28 August.
- j) Coronavirus and Business Continuity:** It was acknowledged that Parish Council business would need to be conducted remotely for the foreseeable future.

26/20 Correspondence: Councillors noted items of correspondence received. The Clerk confirmed that he had been in touch with the Parish Council website managers regarding Website Accessibility Regulations and advised that the PC should publish a generic Accessibility Statement, otherwise full compliance could be regarded as a 'disproportionate burden' under the full provisions of the Regulations

27/20 Future Agenda Items:

- Clerk's Appraisal
- Allotments – deer fencing
- Parish Hedge, Hutton Lane
- Process for the co-option of a new Councillor
- Parish Council Newsletter

28/20 Date of the Next Meeting: The next Ordinary Meeting of the Parish Council is on Tuesday 13 October 2020 to be held as a remote meeting unless otherwise publicised.

The meeting closed at 9.48 p.m.

Signed (Chairman) Date:.....