

# BERKSWELL PARISH COUNCIL – ORDINARY MEETING 23 JANUARY 2020

Clerk to Berkswell Parish Council  
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## TO ALL PARISH COUNCILLORS

**Sir/Madam**

**You are hereby summoned to attend the Ordinary Meeting of the Parish Council of Berkswell to be held in the Jordan Room, St John Baptist Church, Berkswell on Thursday 23 January 2020 at 7.15pm for the purpose of transacting the following business.**

Mr R Wilson  
Clerk to Berkswell Parish Council

17 January 2020

### Housekeeping

**Evacuation Procedure** – the Chairman will instruct those in attendance of the evacuation procedure

**Recording of Parish Council Meetings** – the chairman will instruct those in attendance that, in the interests of openness and transparency, councillors and members of the public are reminded that the law permits any person to film, record, photograph or use social media in order to report on the proceedings of a meeting of the Council or its committees when they are open to the public.

### Agenda

1. **Attendance**
2. **Apologies for absence**
3. **Acceptance of apologies for absence**
4. **Declarations of Interest**
  - a. To receive declarations of interest from Councillors on items on the agenda
  - b. To receive written requests for disclosing pecuniary interests
  - c. To consider any requests for dispensations as appropriate
  - d. Councillors are reminded to update their Notice of Registrable Interests'. It is a requirement that councillors update the Register within 28 days of a change to any Disclosable Pecuniary Interest.
5. **To approve Minutes of the following meeting:**
  - Ordinary Meeting of the Council held on 21 November 2019
  - Extraordinary Meeting of the Council held on 16 January 2020
6. **Matters arising from the previous meeting requiring attention**
7. **Open Forum**

Parishioners of Berkswell are invited to address the Council on any relevant matter for a maximum of three minutes
8. **Borough Councillor's Report.**

## BERKSWELL PARISH COUNCIL – ORDINARY MEETING 23 JANUARY 2020

**9. Policies and Procedures** – The revision of Standing Orders is still work in progress

### 10. Planning Applications

- a. Council to consider reports on potential significant planning violations and agree appropriate reporting action.
- b. Planning enforcement – Council to note that there are outstanding responses by Solihull MBC in respect of:
  - i. non-demolition of the superseded buildings and hard-standing at Truggist Hill Farm and
  - ii. the erection in the Green Belt of the swimming pool building and new fencing at Beechwood off Hodgetts lane.
  - iii. Hawkhurst Moor Farm - alleged wood processing and chipping operation. A resident has advised the Council that it has been some time now since the matter was raised with SMBC and the operation is still carrying on as before and has asked SMBC for an update of the latest status
- c. a list of planning applications is detailed below for Council to discuss possible responses.

Ref	Location	Proposal	Response Date
2019/03147	Garage Oakfield Farm Bradnocks Marsh Lane Bradnocks Marsh	Vary condition Nos. 1 - approved plans on planning approval PL/2016/02807/PPFL -Garage conversion to form 1 No. new dwelling including changes - extend the first floor to allow a more usable space; Amend first floor to include balcony. Amendments to fenestration.	<del>10.01.20</del> 23.01.20
2019/03198	Alexanders Stables Spencer's Lane Berkswell Solihull	Change of use of land and existing buildings from agricultural use to Children's farm together with erection of additional animal enclosures and resurfacing of access track.	27.01.20
2019/03155	89 Kelsey Lane Balsall Common Solihull CV7 7GS	Two storey side extension to provide enlarged garage to ground floor with lounge and bedroom to first floor and front full width porch.	31.01.20

### 11. Financial Matters

- a. The following invoice payments presented for approval have been examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the Council.

Invoices for Payment	Approval	Cheque No	Gross Amount £	VAT £
R Wilson - Clerk's Salary January 2020	Admin		Redacted	0
R Wilson – reimbursement of admin costs	Admin		14.64	0
F Weetman & Son – correction of original invoice	S.137		84.99	14.16
Berkswell PCC – room hire	Admin		50.00	0
A Burrow – reimbursement of costs concerning Xmas trees	S.137		53.56	3.75
<b>Total (excluding Clerk's salary)</b>			<b>203.19</b>	<b>17.91</b>

In addition to the above, the Clerk used his delegated powers under Financial Regulation 5.5 and agreement under Item 12 21/11/19, to authorise the following payments;

**BERKSWELL PARISH COUNCIL – ORDINARY MEETING 23 JANUARY 2020**

<b>Invoices Paid in December 2019</b>	<b>Approval</b>	<b>Cheque No</b>	<b>Gross Amount £</b>	<b>VAT £</b>
R Wilson - Clerk's Salary December 2019	Admin	002247	Redacted	0
R Wilson – reimbursement of admin expenses	Admin	002248	123.25	18.10
Councillor allowances Oct to Dec 2019	Cllr Allowances	002249 to 002255	1,056.36	0
HMRC – PAYE Oct to Dec 2019	Pay	002256	763.57	0
SMBC – grant to Balsall Common Library	Item 12f 21/11/19	002257	300.00	0
WALC – training courses for RD & DE	Training	002258	76.00	0
F Weetman & Son – Christmas trees	S.137	002259	338.03	56.34
J Hickin – maintenance work (including new Spinney fence)	Contracts	002260	1,013.39	0
<b>Total (excluding Clerk's salary)</b>			<b>3,670.60</b>	<b>74.44</b>

- b. Council to agree the three councillors to sign cheques at the end of the meeting
- c. Payments received – none

**12. Q3 2019/20 Management Accounts** – Council to note the management accounts for quarter 3 of 2019/20 (copy available on the website)

**13. Risk Management**

- a. Council to discuss any new finance and risk events
- b. Risk Framework – update
- c. Risk Register – update

**14. Actions Arising from Previous Meetings**

- a. Council to note the status of agreed actions from previous meetings as circulated (a copy is available on the Council website)

**15. Correspondence**

**16. Ongoing References**

- a. Review of inventory of land and assets
  - i. Kelsey Lane Bus Shelter – the application has been refused due to a technicality. The Clerk is in the process of responding to HMLR
  - ii. The Well area – the application to register this land as a village green has been submitted to SMBC by the Clerk but confirmation of the outcome has not as yet been received
- b. Solihull Local Plan – Councillors to note there is no new information
- c. HS2
  - i. HS2 Implementation Advisory Group meeting 16 January 2020
    - 1. Further to attendance of 3 Members of this Council at the meeting of the Solihull MBC HS2 Implementation Advisory Group on 16 January 2020, Council to request Solihull MBC to:
      - implement the recommendation of their officers about the proposed mitigation ponds near 16-Acre Wood (ref PL/2019/03144/HS2DIS - net loss of area, loss of connectivity, lack of information, unnecessary fencing, unnecessary footpath diversion)
      - ensure HS2 Ltd complies with the terms of the Schedule 4 approvals for temporary closure of footpaths (footpath M216 blocked in 2 places since last autumn)

## BERKSWELL PARISH COUNCIL – ORDINARY MEETING 23 JANUARY 2020

- enforce the planning condition on HS2 Ltd to clear the redundant buildings and hard-standing at Truggist Hill Farm (to reduce flooding of the Greenway, ref PL/2016/01233/PPFL Condition 4)
  - ensure the adequacy of information and signage during the temporary simultaneous restriction of traffic on Truggist and Lavender Hall Lanes and to limit the time the restrictions are applied (in breach of assurances given to Commons Select Committee 1 Dec 2014)
  - to make public details held by Solihull MBC about the proposed Temporary Greenway (since Solihull MBC has acquiesced to the deferral of a planning application until after construction and non-compliance with relevant assurances given by HS2 Ltd to Parliament), and
  - improve the accessibility of information on the Solihull MBC website on HS2 (and other topics)
2. Council to request HS2 Ltd to comply with assurances given to Parliament about:
- adhering to designated routes for all construction traffic (ref complaint made by Council and others about traffic in Berkswell village and Old Waste Lane.)
  - keeping Kenilworth Greenway open until a temporary alternative route is available (route closed by HS2 Ltd since last autumn at Beanit accommodation bridge), and
  - constructing Temporary Greenway to width and standard declared to Parliament.
- ii. Council to consider the following motion: “This Council recognises that the planning applications from HS2 Ltd and its contractors will be significant in number but Council also recognises that the Act provides outline planning permission for the project. Council recognises that it has almost no power to influence the action by HS2 Ltd and has very limited resources available in councillor and Clerk time. In order to focus its resources most effectively Council agrees to the following actions to maximise its impact
1. The Clerk is authorised to give notice to SMBC that it wishes to raise issues with respect to any particular HS2 Ltd or contractors planning application, if a majority of the council indicate informally that they so wish for such a notice be given and for the PC to discuss a particular planning application regarding HS2
  2. Where such a notice is given, the Clerk will convene an EM of the parish council to consider the matter and define the Council’s position (if any) with respect to that planning application.
  3. With respect to any planning application, the Clerk is authorised to inform the planning officers of any factual evidence that appears to have been missed relating to the current position on the ground e.g. footpaths not shown on the planning application which are to remain open according to the Act.
  4. Standing orders will be amended with immediate effect to reflect this motion. Section 6 of standing orders is amended accordingly with respect to calling EMs on HS2 matters
- iii. Council to consider the following motion: “This Council agrees that its response to the consultation by HS2 Ltd with respect to Common Design Elements will be as the proposals developed by the cross community group comprising Richard Lloyd, Ken Shaw, Malcolm Hickin and Andrew Burrow.”

## BERKSWELL PARISH COUNCIL – ORDINARY MEETING 23 JANUARY 2020

- d. TPOs – To receive any update from Cllr Dicicco who agreed to discuss the matter with Perry Wardle
- e. Local infrastructure working group – Council to note:
  - i. Residents’ and community group survey – report by Councillor Burrow
  - ii. The working group will meet to assess results and develop recommendations on 7th February, which is a meeting in public, and which therefore all councillors can attend and give their response to the survey results.
  - iii. That a recommendation will be made to Council for approval on 13th February 2020 with regards to future infrastructure needs for Balsall Common arising from the SMBC draft housing plan. Council to note that this date is dictated by purdah caused by the SMBC elections in May.
  - iv. That an expression of interest has been made for a grant from the LEP to fund a Balsall Common centre master plan study in conjunction with Balsall PC. This will cover 50% of the cost
  - v. The Council confirms its approval for the meeting room costs of the working group

### **17. Removal and additions to Ongoing References**

Removals: NDP

Hodgetts Lane  
ATM for Berkswell Village  
Primary schooling  
Climate Change

Additions: None

### **18. Training and Meetings**

- a. To receive reports from attendance at events and meetings

### **19. Heritage and Community**

- a. Strengthening police powers – Council to note that the government is currently running a public consultation on unauthorised encampments and police powers. Parishes are being encouraged to either respond directly to Government or respond via NALC. Parish Councils have until the middle of February 2020 to respond.
- b. Proposed Housing Allocation: Barratt's Farm – Council to consider the following motion: "Council confirm that Councillors Drake and Burrow can arrange to visit The Pegasus Group to discuss issues associated with the concept plan for Barratts Farm and the Berkswell NDP. Councillors Drake and Burrow, as the Secretary and Chairman of the Berkswell NDP Committee, being best informed to engage with Pegasus. Council specifically gives Councillor Burrow dispensation to take part. Any discussions to be reported back to Council at the earliest opportunity."
- c. The Well - Council to consider the following motion: "Council to note that the Berkswell Well has been overflowing during/following the recent heavy rainfall. Council to note that the Well is not owned by the parish council nor anyone else and that a partially/fully blocked outfall pipe across private land might well be the cause as indeed might be the volume of water entering the well. Council to note that Severn Trent state to residents that they are not responsible presumably because they are responsible for clean water supply and sewage disposal. Council to note that there is no evidence of a broken clean water supply pipe nor sewage issue. Council to consider seeking legal advice as to whom could be responsible"
- d. Christmas trees – Council to note and approve:

## BERKSWELL PARISH COUNCIL – ORDINARY MEETING 23 JANUARY 2020

- i. The Council to thank Jim Ellis, Mike Cooper, John Cairns, Neil Birtley, Joy Fine and Andrew Burrow for organising the 9 Christmas trees in Balsall Common. Letters of thanks to be sent by the Clerk
- ii. Council to note repeated vandalism to Christmas trees near the station and to thank Graham Gardner for his support. Council to approve a move to tinsel rather than baubles for 2020 and authorises the Clerk to buy appropriate tinsel as appropriate.
- iii. Council agrees to authorise the reimbursement of Councillor Burrow who spent £28 to replace baubles in the absence of the Clerk over the Christmas period.
- iv. Council to note that in the absence of a replacement facility to distribute and recover Christmas trees in 2020, the “festival” of trees cannot be repeated
- e. New Meriden MP - Council to note that the new MP has asked to meet parish councillors and consider the following motion: “Council to agree to invite the new Meriden MP, Saqib Bhatti, to visit Berkswell Parish to view Barratts Farm and discuss the Solihull Local Plan with residents. The visit to be timed when the weather has improved and to be in conjunction with the Barratts Farm Action Group. NB it is envisaged this will be a similar agenda to the Andy Street visit. The Clerk is authorised to meet reasonable costs to facilitate any meeting with the new MP”.
- f. VE Day event - Council to receive an update on progress from Councillor Burrow
- g. BBQ 2020 - Council to be advised of a conflict of dates on the day following the proposed date of the Berkswell village fete, 20th June and the Velo and the impossibility of a BBQ on that evening. Council to note that the open gardens event will be held on 28th June. In view of this council to agree the date for the 2020 BBQ as Saturday 27<sup>th</sup> June.
- h. Bus service from Berkswell Gate to Berkswell School – Council to note a letter from a resident concerning the parking at Berkswell School along with the travel to and from. She states that it has been a concern for many persons over the years and has caused issues along the way, which she feels is only going to increase with the presence of HS2. The resident has been liaising with the HS2 representative team over the last few months to establish what, if any assistance they can provide. On each occasion they have been extremely encouraging in their words and assistance. The resident is now asking the Parish Council that consideration be given to supporting and applying vigorously for funding to support FREE places for all school children on the school bus so we may help the environment, help reduce road traffic collisions and the risk of, foster the usage of public transport and improve the quality of life for many. Consequently, Council to consider the following motion: "council to decide whether it has the resources, in terms of people hours given its current vital community projects, to progress this concept and whether residents or individual councillors are willing to devote their time to making it happen".
- i. Flooded footpath by Carstins – Council to discuss the matter and determine if action is appropriate

### **20. Parish Councillors Opinion**

### **21. Next Meeting**

Ordinary Meeting of the Council, 13 February 2020 at 7.15pm, to be held in the Balsall & Berkswell Hornets Clubhouse, Lavender Hall Lane, Berkswell.

Signed: Mr Richard Wilson



Clerk

**Public and Press are welcome to attend**