

BERKSWELL PARISH COUNCIL – ORDINARY MEETING 18 MARCH 2021

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 virtually using the Zoom video conferencing facility on Thursday 18 March 2021 at 7:00pm for the purpose of transacting the following business. Instructions to Councillors and members of the public wishing to attend this meeting are available on the Berkswell Parish Council website.

Mr R Wilson
Clerk to Berkswell Parish Council

12 March 2021

Guidance on How to Join this meeting

On-line Access

To Join the Meeting from any suitable device (e.g. laptop, smartphone, tablet etc) click on the following link and follow the instructions. **Please allow sufficient time to register as the meeting will start promptly at 7:00pm**

Join Zoom Meeting

<https://us02web.zoom.us/j/83850790189?pwd=TUhmeHRIREtoZzl0aHBCWlo1b0w3UT09>

Meeting ID: 838 5079 0189

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Guidance and tips for participation:

We ask all participants to keep their microphones on Mute unless they are speaking. Our microphones pick up a lot of background noise and when everyone has the microphones unmuted, it can get really noisy.

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. Councillors to note that the current register is available via the following link <http://eservices.solihull.gov.uk/mgInternet/mgParishCouncilDetails.aspx?ID=235&LS=3>
- 5. To approve Minutes of the following meeting:**

Ordinary Meeting of the Council held on 21 January 2021
 Extraordinary Meeting of the Council held on 5 February 2021
- 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.**
 - a. Cllr Howell to provide any updates on:
 - i. Litter in Balsall Common
 - ii. Clerk's S. 56 notice to SMBC
 - iii. Spinney car park - action to address antisocial behaviour.
 - iv. Concerns about HS2's proposal to send Lorries to a compound on Truggist Lane, via Hodgetts Lane and Waste Lane. This relates to items 9c and 16c below.
- 9. Planning Applications**
 - a. Planning violations
 - i. Council to note a residential caravan set out for occupation, including driveway and solar panels, has been parked in the Beechwood area close to the permissive path.
 - ii. Council to note that the next SAC meeting will be held on 20 April where one of the speakers will be Stephen Wilkinson - Senior Development Officer, Enforcement, Monitoring & Compliance
 - b. Council to note the status of correspondence the Clerk has had with SMBC on behalf of the Council during lockdown (as circulated). There have been no updates to this item.
 - c. Planning applications relating to Berkswell are routinely forwarded on to Parish Council Members by the Clerk for their consideration and their individual response if required. Any councillor may request an application should be included on an Ordinary Meeting agenda or apply to the Chairman for an Extraordinary Meeting to consider an application requiring discussion and possible Parish Council comment. The following planning applications are to be considered.

Ref	Location	Proposal	Response Date
2021/00471/HS2DIS	Waste Lane, Hodgetts Lane And Truggist Lane Berkswell Solihull	Development authorised by the High Speed Rail Midlands) Act 2017 relating to submissions under Schedule 17 (6) (London-West for approvals of Lorry Routes (LR): Waste Lane Overbridge Satellite Compound/Waste Lane East and West Road Head	19/03/21

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2021/00473/HS2DIS	Hallmeadow Road Balsall Common Solihull	Development authorised by the High Speed Rail (London-West Midlands) Act 2017 relating to submissions under Schedule 17 (6) for approvals of Lorry Routes (LR): Carol Green Rail Underbridge South Satellite Compound/Waste Lane Overbridge Satellite Compound/Waste Lane East and West Lane Overbridge Satellite Compound/Waste Lane East and West Road Head/Cromwell Lane Satellite Compound/Beechwood Farm Accommodation Underpass	19/03/21
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- d. Council to note that the two above planning applications have been made for HS2 “delivery routes” for the hauling of material and personnel through Balsall Common, the former including using Hallmeadow Road and the latter through central Balsall Common, Waste and Truggist Lanes. Council to agree that its response will be as follows:
1. *The planning application process must consider planning application 00473 first because if granted it will modify the application 00471 in that BBV have stated that Truggist Lane will not be used as a delivery route if Hallmeadow Road is used as a delivery route*
 2. *If application 00473 is approved then Truggist Lane should be removed from any approval for application number 00471*
 3. *The Council is disappointed that the applicant has not properly considered using the trace of the line and accommodation bridge at Truggist Hill farm rather than Hallmeadow Road. No mention of consideration of this alternative route is mentioned in the planning application 00473*
 4. *The Council considers that Hallmeadow Road is a housing access road and not a main road. It has speed bumps to prevent speeding and is a quiet leisure walk/cycle ride for many families. It also provides significant overflow parking for Berkswell Station. The pre covid numbers established for the Berkswell NDP demonstrate that circa 50 cars park here mid week.*
 5. *It is the Council’s view that the use of Hallmeadow Road as proposed by the applicant as a delivery route for use by HGVs. LGVs and cars is not acceptable unless conditions are set in a legally binding manner and not provided for in the application and lodged on the SMBC planning web site on 26th February 2021. Those conditions are*
 - a. *Alternative parking of road parking is provided for the cars that park on Hallmeadow Road which is generally associated with the station.*
 - b. *Effective action is taken to prevent all day parking on Station Road from the roundabout to house number 262 on Station Road, on Riddings Hill from the junction on Hallmeadow Road to number 11 Riddings Hill and similarly on Grovefield road to number 10 on that Road. One method of doing that is yellow lines that prevent parking during the period 1 until 2 pm on one side of the road and 2pm until 3 pm on the other side for the period Monday to Friday. In that was parking for the station would be prevented by legitimate parking at residents homes by for example tradespeople would be facilitated.*
 - c. *Bushes are planted in the western verges of Hallmeadow Road to contain dust and particles associated with the enhanced HGV traffic. It is expected that HS2 Ltd contractors will ensure regular road cleaning but bushes will be a supplementary green method of containing summer dust and any vehicle fumes.*
 - d. *Suitable and sufficient action is taken to ensure that pedestrian walking down Station Road from Balsall Common centre are able to cross to Berkswell Station without let or hindrance through the provision of suitable crossing points that give priority to pedestrians. Safe pedestrian access must also be still available to the Medical Centre.*
 6. *If application 00473 is approved then the applicant should provide alternative usage numbers for the route through Balsall Common which is the subject of application number 00471*
 7. *It should be noted that Berkswell Councillors have suggested to both Highways Department and BBV/HS2 Ltd that alternative parking could be provided by applying grasscrete on the eastern side of Hallmeadow Road to provide alternative parking. Hence, convenient alternative parking could be provided very rapidly on Hallmeadow Road which would free the carriageway from parking without causing any significant environmental harm.*
 8. *Council to note that Berkswell Councillors have requested that as part of the access to be provided from Station Road to the construction site a safe and all weather pedestrian route should be provided to access the Temporary Greenway. In addition we request that HS2/BBV work with SMBC to extend and improve the existing footpaths (and/or permissive paths) that parallel Hallmeadow Road in Lavender Hall Park and beside The Railway Inn to provide alternative walking routes.*

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- e. Planning Applications 2021/00276, 2021/00471 and 2021/00473 - Council to object to planning applications 2021/00276, 2021/00471 and 2021/00473 on the grounds given in Schedule 17 para 6(5) to include:
- alternative routes had not been properly considered (as shown in section 2.2 of both Schedule 17 Construction Lorry Route Statements)
 - the applicant had failed to explain why the Council's proposal for a continuous haul route, made in July 2017, was not reasonably capable of implementation and had not entered into any discussions as to how any difficulties could be overcome
 - the concerns of Members of the Solihull HS2 Implementation Advisory Group expressed on 13 December 2018 had not been addressed by the applicant, and the applicant had failed to closely engage with the local community as requested by the IAG
 - the lack of the assessments mandated by the EIA screening opinion PL/2020/00987
 - impact on the local environment
 - impact on local amenity
 - prejudicial effects on road safety
 - prejudicial effects on the free flow of traffic (including provision of a bus stop)
 - the Council's proposal for a temporary bridge over the Birmingham and Rugby line would require the construction of less roadway and allow larger vehicles to be used
- f. Planning Application 2020/02821 - Council to object to planning application 2020/02821 (Putting into Use of the Temporary Greenway) because of the need for:
- expansion of the route corridor to the 10 m described to Parliament
 - rectification of the surface and drainage to allow long-term durability
 - compliance with current standards for access by those with mobility difficulties
 - review and reduction of fencing to minimise the adverse affect on wildlife
 - provision of landscape planting
 - removal of intrusive signage
 - relocation of the bench seats to safe positions
 - agreement of a maintenance plan.
- g. Hallmeadow Road - Council to ask Solihull MBC to take into consideration in any planning matters their commitment in 1999 that the access road to UDP Housing Site 10A, now known as Hallmeadow Road, should be subject to the current traffic calming measures in order to restrict vehicle speeds and discourage unnecessary through traffic, and to consult fully with the residents of the Berkswell Gate development if any change were considered.

10. Financial Matters

- a. The following is a list of payments made using NatWest Bankline since the last Ordinary Meeting of the Council on 21 January 2021 for Council to note:

Payment made	Date	Approval	Payment Method	Gross Amount £	VAT £
GR Dawson – Burial ground maintenance Oct - Dec 2020	15/01/21	Annual Contract	Bank Transfer	774.00	129.00
J Hickin – Xmas tree distribution, collection & disposal	15/01/21	19/11/20 Item 18j	Bank Transfer	120.00	0.00
RD Wilson – Clerk's pay Jan 2021	15/01/21	Statutory	Bank Transfer	Redacted	0.00
DM Payroll Services Ltd – 2 nd half year fees 2020/21	22/01/21	Contract	Bank Transfer	75.00	0.00
J Hickin – Litter picking in the spinney	05/02/21	Contract	Bank Transfer	35.00	0.00
R Wilson – February salary	15/02/21	Contract	Bank Transfer	Redacted	0.00
J Hickin – Litter picking Feb 2021	08/03/21	Contract	Bank Transfer	35.00	0.00
RD Wilson – Clerk's pay Mar 2021	18/03/21	Statutory	Bank Transfer	Redacted	0.00

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Payment made	Date	Approval	Payment Method	Gross Amount £	VAT £
Councillor Allowances – Jan to Mar 2021	18/03/21	Statutory	Bank Transfer	833.27	0.00
HMRC – PAYE & NI Jan to Mar 2021	18/03/21	Statutory	Bank Transfer	1,033.39	0.00
RD Wilson – Printer ink cartridges	09/03/21	Admin	Bank Transfer	28.98	4.84
Lee Miller Roofing – War Memorial Roof Repair	09/03/21	Maintenance	Bank Transfer	280.00	0.00
Total (Ex Clerk's salary)				3,214.64	133.84

- b. There are no invoice payments for approval. The interim process for authorising and making payments agreed in June 2020, to reflect the impact of the COVID pandemic, is still in operation.
- c. Payments received – Council to note the sum of £279 will be received on 1 April as a grant from SMBC to compensate us for the additional cost of Local Council Tax Support (LCTS). This sum has been shared amongst those parish councils which have experienced an increase in the number of dwellings in receipt of LCTS.
- d. Bank Account balance – Council to note that the council's bank balance as at 12 March 2021 was £46,666.15.
- e. New Bank Account – the application to the Co-Operative Bank to open a Business Direct Plus Account is progressing. Councillors to note that we plan to open just one bank account for our future banking initially to replace the three we currently have. One of the accounts we currently hold is obsolete and is not being used leaving a current account and a savings account. The savings account is currently attracting monthly interest of £0.36p which will reduce as our reserves continue to fall, as is planned.
- f. Forecast of CIL monies to be received over future years – Council has agreed to write to SMBC requesting assistance in forecasting anticipated CIL monies over the next few years.

11. Council Insurance - Council to note that the current 3 year agreement with Zurich Municipal Insurance expires on 31 May 2021. The Clerk is actively liaising with insurance companies and an insurance broker, to obtain quotes for insurance to commence on 1 June 2021.

12. Asset Register

- a. Council to note that a number of issues regarding our current Asset Register have come to light whilst obtaining insurance renewal quotes which has led the Clerk to re-categorise some assets previously assumed to be owned by the Parish Council.
- b. Council to agree the following motion: *“this Council agrees to devolve the authority to make required changes to the Asset Register to the Clerk working together with the Chairman. The new Asset Register to be published on the Council website in due course”*.

13. Casual Vacancies

- a. Since March 2020 the Council has carried two Casual Vacancies for Parish Councillors. The Vacancies were advertised in March 2020 giving residents the opportunity to call for an election. The required number of resident requests were not received. The SMBC Elections Office has, therefore, advised the Clerk that the only option for the Council to fill vacancies is to co-opt new councillors until the next scheduled elections in May 2023.
- b. In light of this advice, Council to agree to write to SMBC to establish if there is any leeway in this decision as the first lockdown due to the Covid pandemic came around the time of the ‘Notice of Vacancies’. This may have influenced residents not to request an election as the 2020 Elections had been postponed by the government on 13 March 2020.
- c. Since our last Ordinary Meeting on 21 January 2021, 4 individuals have contacted the Clerk expressing interest in joining the Parish Council. Council to consider how it wishes to take the matter further.

14. Policies and Procedures

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- a. Grant Awarding Policy – Further to discussion of Cllr Lloyd’s paper “Grant awarding policy - discussion paper for Berkswell PC” at the 21 January 2021 meeting of the Council, it was agreed to change some of the wording of the proposed policy to be represented for approval and adoption. Cllr Lloyd has been asked to prepare some recommendations for Council to consider.

15. Risk Management

- a. Council to discuss any new finance and risk events
 - i. Council to note the incident on 17 February when a tree on Meriden Road fell on a passing cyclist. The Clerk has confirmed that the tree was not on land owned by the Parish Council but this is the kind of risk we face and the reason why we maintain our trees on an on-going basis.
 - ii. Given this 2nd recent and tragic tree falling incident in Berkswell village, neither of which involved PC land, council to agree to review whether its tree inspection/maintenance regime is suitable and sufficient, particularly where the trees abut the highway/public routes/school and our liability for the trees on the village green which is not owned by the council. Council to ask the Clerk to consult with our Arboriculturalists to confirm our 3 year cycle is the optimum for our tree surveys.
 - iii. Village Green Power Socket – Council to note that, as a result of the Clerk negotiating our insurance renewal, the electrical socket on the village green was identified as a serious risk. The power is supplied from the Alms Houses owned by Berkswell Charities but is located on the Village Green, which BPC maintain. The Clerk is liaising with the Charities to establish who is responsible for the socket.
- b. Health and Safety and our contractors – Nothing new to report
- c. Council to note that a review of the new guidance from NALC and BHIB Councils Insurance, has been carried out by Cllr Drake.

16. 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)

17. Correspondence

- a. An email has been received from a resident requesting detailed responses as to why representatives of the Parish Council have been meeting representatives of HS2 Limited which, it has been alleged, have not been held on the public platform. Council to consider its response with reference to the current Policy on site visits and other meetings with 3rd parties (also see Item 20 a i below).
- b. An email has been received from a resident of Riddings Hill complaining about the parking of caravans and commercial vehicles being parked on driveways and other areas of the estate, in apparent contravention of a covenant preventing such activity.
- c. An email from a resident to Cllr Howell (SMBC), has been copied to the Clerk, expressing concerns about HS2’s proposal to send Lorries to a compound on Truggist Lane, via Hodgetts Lane and Waste Lane (see Item 8 a iv).
- d. A resident of Berkswell Village has emailed to complain about some of the design features of the Traffic Calming Project. This item to be covered under Item 18 d below.

18. Ongoing References

- a. Review of inventory of land and assets
 - i. Kelsey Lane Bus Shelter – the Clerk is still awaiting a response from HMLR.
 - ii. Council to note that a physical inspection of Council assets is required before the end of March 2021
- b. Balsall Common Village Centre Master Plan – Council to note progress report No 2 issued by the Chairman of the working group
- c. Tree Planters in Balsall Common Village Centre – nothing to report
- d. The Berkswell Project – Council to note the report submitted by Councillors Burrow and Edwards on the status of the project, historical consultation undertaken with residents and

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the late changes to the project with respect to the pavement/parking on Meriden Road and the build out location on Spencer's Lane.

- e. Riddings Hill Fruit Trees – The Clerk has given Cllr Burrow approval to physically buy 2 replacement apple trees for Riddings Hill to the value of £100 inc vat in line with the recorded motion 20j of the September 2020 meeting of the PC.
- f. War Memorial – Council to note that:
 - i. The Clerk has commissioned a condition survey at a cost of £1,470. Cllr has suggested that it might be helpful if the surveyors had sight of previous investigation
 - ii. The Clerk sought advice from the Conservation Officer who advised that to use 'bitumenised' felt roofing to make the roof watertight would not require planning permission but might require Listed Building Permission
 - iii. Consequently, a quote to repaint the roof with 'bitumenised' paint as before was obtained from Lee Miller Roofing and the work carried out. The roofer has advised that it is recommended that the bitumen is a reflective coating and should be inspected every two years and repainted as necessary to ensure the water seal is retained. Council are asked to approve this approach and agree that it becomes part of the Council preventative maintenance system.
- g. Night time activity in the Spinney Car Park – See Borough Councillor's Report (Item 8 a iii)

19. Training and Meetings – Nothing to report other than that covered elsewhere in the agenda.

20. Heritage and Community

- a. HS2
 - i. Council to note the report by Cllr Drake of an informal meeting of Berkswell and Balsall councillors with BBV (available on the Council website).
 - ii. Council to consider the optimum consultation arrangement with BBV, particularly for the area from Waste Lane south which HS2 Ltd have traditionally allocated to a Burton Green centred consultation body.
 - iii. Council to note the update on the Solihull HS2 Implementation Advisory Group meeting held on 1 March
- b. Airport Consultative Committee
 - i. Council to note the Airport Update March 2021 as compiled by Cllr Lloyd
 - ii. Council to note that the Night Flying Policy is being kept unchanged, with an annual review, because it is seen as generally effective, and that data are to be gathered on a possible night limit of 81 dB for consideration in the 2024 review.
- c. Covid Vaccine programme – Council to agree the following motion: "This Council agrees to write to local doctor's surgeries congratulating them on a successful Covid vaccine programme to date"
- d. Residential Backland Developments – Council to consider supporting the SMBC proposals.

21. Next Meetings

- a. The date of the next meeting of the Council has still to be determined, subject to the decision on Item 21b below.
- b. Annual Meeting - Council to consider advice circulated by NALC/WALC that Parish Council's should consider a full, face to face Annual Meeting of the Parish Council in late May 2021. In light of this advice, Council to agree to hold the annual meeting on 6 May 2021 (the last day the current regulations will allow virtual meetings to take place). Council to reconsider this decision in the event that the government issues new regulations to extend the period allowing virtual meetings.
- c. Parish Assembly – Council to note that the Parish Assembly must take place between 1 March and 1 June (inclusive). Council to consider holding a virtual Parish Assembly before 6 May to ensure we comply with the legal requirement, with the intention of holding a face to face meeting with residents when regulations allow. Council to agree to form a working group to work on the detail.

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22. Clerks's Salary Review 2021/22

- a. Clerk's Salary Review - *"Council to consider a recommendation for the Clerk's Salary Review effective 1st April 2021. A confidential paper will be circulated by Cllr Drake before the meeting. It is the intention to call for this item to be discussed in private"*.

Signed: Mr Richard Wilson



Clerk

Public and Press are welcome to attend