

BERKSWELL PARISH COUNCIL – ANNUAL MEETING 17 MAY 2018

Clerk to Berkswell Parish Council
Mr R Wilson
PO Box 6379
Coventry
CV6 9LP

Tel: 07801 042623

Email: clerk@berkswellparishcouncil.org.uk

TO ALL PARISH COUNCILLORS

Sir/Madam

You are hereby summoned to attend the Annual Meeting of the Parish Council of Berkswell to be held in the Balsall & Berkswell Hornets Clubhouse, Lavender Hall Lane, Berkswell, on Thursday 17 May 2018 at 7.15pm for the purpose of transacting the following business.

Mr R Wilson
Clerk to Berkswell Parish Council

11 May 2018

Agenda

- 1. Evacuation Procedure** – the Chairman will instruct those in attendance of the evacuation procedure
- 2. 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.
- 3. Election of Chairman**
- 4. To receive the Chairman's Declaration of Acceptance of Office**
- 5. Election of Vice-Chairman**
- 6. Record of Members Present**
- 7. To receive apologies and reasons for absence**
- 8. To receive written requests for Disclosable Pecuniary Interests where that is not already in the register of Members' interests**
- 9. To approve Minutes of the following meetings:**
Ordinary Meeting of the Council held on 12 April 2018
- 10. Matters arising from the previous meeting requiring attention**
- 11. Public Participation** - To receive any questions from the public. This session is limited to 10 minutes in total.
- 12. To agree dates and venues for Council Meetings for the year 2018/19** – Council to approve the Berkswell Parish Council Calendar for 2018/19.
- 13. To appoint Committee Members and review Remit of Delegation of Functions to Committees and/or appoint Working Party** - Council to review the current "Committees and Representation with External Bodies" schedule and confirm the appropriate details for 2018/19.
- 14. To appoint Representatives to sit on Outside Bodies** Council to review the current "Committees and Representation with External Bodies" schedule and confirm the appropriate details for 2018/19.
- 15. To agree Cheque Signatories and sign appropriate Bank Mandate** – Council to confirm that no change is required to the current bank mandate.
- 16. To agree to review Council's Policies and Procedures** – Council to note the following

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Policy/Procedure	Last Approved	Update Required?	Action
Standing Orders	Oct 2017	Yes	Update to reflect changes to NALC Model S/Os
Financial Regulations	Oct 2017	No	None required
IT Policy	April 2016	Yes	Update as required
Press & Media	Feb 2018	No	None required
Reserves Policy	Feb 2017	Yes	Recommended update for 2018/19 has been circulated to Councillors
Grant Awarding Policy	Mar 2018	No	None Required
Privacy Policy	See Item 27	No	To be newly implemented
Freedom of Information	Oct 2017	No	Incorporated in S/Os
Complaints Procedure	Sep 2017	Yes	Review need for any amendments
Risk Assessments	Nov 2017	No	On-going
Asset Register	Oct 2017	No	On-going
Green Belt	May 2015	Possibly	Review required

17. To receive a report on the capital assets and liabilities vested in the Council – Council to note that the Council’s new asset register was updated in October 2017. The asset register still has items where ownership is not clear and that are under investigation. The Council is in the process of requesting the Registration of two pockets of land. This is an on-going process but the current asset register has proved to be sufficient to inform insurance quotes for 2018/19 onwards.

18. Council Insurance - Council is reminded that the current insurance broker AON is no longer providing insurance for Parish Councils and their cover expires on 31 May 2018. The Clerk has obtained quotes for 2018/19 onwards from Came & Company and Zurich. In summary, Zurich are offering better protection at a significantly cheaper premium (particularly if Council sign a 3 year deal) at £567.51 compared to £757.92 (the current premium is £799). Council to consider the following motion; “Council agrees to accept the Clerk’s recommendation to accept the Zurich three year quote of £567.51 p.a. based on value for money and the Council’s record of not having made a claim for quite some time. Cover to commence on 1 June 2018. Council also agrees to raise a cheque to Zurich under emergency powers in due course”.

19. Annual Payments – Council to approve the following schedule of annual payments for 2018/19:

Payee	Purpose	Amount £ (ex VAT)
Zurich	Annual Insurance Premium	568
GR Dawson	Churchyard maintenance	2,508
Greenline	Grass cutting/maintenance of public areas	1,500
WALC	Annual subscription	747
DM Payroll Services	Payroll services	135
Open Spaces Society	Annual subscription	45
Norton	Anti-virus software	60
Marsh Lane Nature Reserve	Annual Subscription	37

20. Internal Audit Report – a copy of the Internal Report for the year 2017/18 has been circulated and will be available on the Council’s website.

21. Annual Governance and Accountability Return – A copy of the draft Annual Return for 2017/18 has been circulated to councillors and will be made available on the Council’s website. Council to note that the Annual Return must be submitted to the external Auditors by 11 June 2018

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- 22. Annual Governance Statement** – Council to agree in the affirmative (or by stating NA) the 9 listed statements, in Section 1 of the Annual Return and consequently agree the following motion; “we confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2018, the annual governance statement”.
- 23. Accounting Statements 2017/18** – Council to note that the Accounts and Audit Regulations 2015, Regulation 12(1) stipulates that the Responsible Financial Officer must sign and date the Accounting Statements to certify that it “properly presents receipts and payments”. Council is required to confirm that this has been done and then the Council must, in the following order:
- Consider the statement of accounts by the members meeting as a whole;
 - Approve the statement of accounts by resolution. Consequently, Council to approve the following motion – “The accounting statements for 2017/18 are approved by this Council”; and
 - Ensure the statement of accounts is signed and dated by the person presiding at the meeting at which that approval is given.
- 24. Period for the exercise of public rights** – Regulation 14(1) stipulates that any rights of objection, inspection and questioning of the external auditor conferred by Sections 26 and 27 of the Local Audit and Accountability Act 2014 may only be **exercised within a single period of 30 working days**. Regulation 14(3) stipulates that during the period for the exercise of public rights a relevant authority must make the documents referred to in section 26(1) of the Act available for inspection on reasonable notice at all reasonable times. As the Clerk works part-time another person in the Authority should provide contact details to cover the times/days during the period when the clerk is not available. This is the responsibility of the Authority, not just the Clerk/Responsible Officer. The single period of 30 working days **must include the first 10 working days of July 2018** but the period cannot start earlier than 4 June 2018 (to finish on 13 July 2018) and must not start later than 2 July 2018 (to finish on 10 August 2018). Council to agree the following motion: “The period for the exercise of public rights will commence on 4 June 2018 and finish on 13 July 2018”.
- 25. Internal Review of cashbook/bank reconciliation** – Council to note that Cllr Cambage undertook a review of the cashbook and bank reconciliation for Q4 2017/18 and found all to be in order.
- 26. 2017/18 Annual Accounts** – Council to note the year end accounts for the financial year 2017/18 (available on the website).
- 27. GDPR**
- Council to consider the Clerk’s proposals for the approach to complying with the new Data Protection laws, including new Privacy Policy statements, as circulated (available on the website as drafts) and to agree that they are adopted with immediate effect
 - Council to consider the advice from WALC that, in light of all the attention on GDPR at the moment they recommend that those who currently use a personal email address for Parish Council correspondence consider changing that arrangement. If an investigation was opened under Freedom of Information the investigators would have the right to go through all personal emails unless work emails were clearly separated. WALC recommend this for both Council Officers and Councillors to protect everyone from personal intrusion.
 - Council to note that some sensitive personal data is discussed in meetings and minuted. However, the Press and Public can be excluded in accordance with Standing Order 3d and these minutes are classified as Confidential. Confidential minutes are never made available to the public. Copies may be supplied to councillors who are under a duty (Code of Conduct section 3i) to safeguard confidential information. The reason for excluding the Press and Public is recorded in the Open minutes, together with the page numbers of the Confidential pages.
 - Council to note that the Government has tabled an amendment to its own Data Protection Bill to **exempt** all parish and town councils and parish meetings in England and

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community and town councils in Wales from the requirement to appoint a Data Protection Officer (DPO) under the General Data Protection Regulation.

Ordinary Business

28. Borough Councillor’s Report and Parish Councillor’s Opinion

29. Planning Applications

a. a list of planning applications is detailed below for Council to discuss possible responses.

Ref	Location	Proposal	Response Date
2018/00947	134 Meeting House Lane Balsall Common Solihull CV7 7GE	Fell 4 No. evergreen trees and replace with smaller trees that will not grow to significant height and block out light.	16/05/18
2018/01094	102 Meeting House Lane Balsall Common Solihull CV7 7GE	Conversion and extension of roof space and single storey rear extension to provide reconfiguration of ground floor layout consisting of extended lounge, enlarged kitchen/dining area, enlarged garage, repositioned utility, study, cloakroom, en suite provision and alterations to front entrance to provide new stairs to first floor. New first floor to comprise 4 bedrooms with family bathroom and en-suite and changing area to master bedroom.	16/05/18
2018/01177	12 Barretts Lane Balsall Common Solihull CV7 7GB	Two storey side extension and part two, part single storey rear extension.	22/05/18
2018/01186	76 Kelsey Lane Balsall Common Solihull CV7 7GL	Demolish existing conservatory and erect new ground floor rear extension	23/05/18
2018/01200	Pheasant Oak Farm, Hob Lane Burton Green Solihull	Change of use of building from agricultural to Class B storage	25/05/18
2018/01300	Nailcote Farm Nailcote Lane Berkswell Solihull	Erect an agricultural building	30/05/18
2018/01291	Land North Of Oakfield Barn Bradnocks Marsh Lane Bradnocks Marsh Solihull	Change of use of land to station mobile home for essential farm worker required to manage nearby isolation unit.	31/05/18
2018/01315	Castlemorton Waste Lane Balsall Common Solihull	Alterations and improvements to the existing home to accommodate 2 No. new bedrooms at first floor level and reconfiguring the ground floor spaces	31/05/18

- b. Council to consider how to effectively register its concerns and request enforcement action in relation to apparent planning infractions at Truggist Hill Farm
- c. Council to consider the following motion; “Council to agree to discuss the situation regarding Planning Enforcement Investigations with Cllr D Bell”.

30. 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

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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 May 2018	Admin		656.37	0
R.Wilson – reimbursement of stationery costs	Admin		21.24	3.54
S Bentley-Green – grass mowing contract May instalment	Contract		187.50	0
A Burrow – reimbursement of NDP Printing	NDP		33.60	5.60
Balsall Common Village Hall – room hire	NDP		14.00	0
Burton Green PC – contribution to HS2 report (Item 34 e i)	HS2		1,000.00	0
A Burrow – NDP meeting materials & rail fare to London re Green Belt Review	Admin		38.35	0
Open Spaces Society – Annual subscription (see Item 38a)	Admin		45.00	0
R Lloyd – Rail fare re Green belt study	Specialist Advice		28.00	0
W Wilson – Rail fare re Green belt study	Specialist Advice		28.00	0
R Drake	Specialist Advice		37.60	0
WJ Robinson	Admin		137.60	0
Balsall & Berkswell Jubilee Project – room hire	NDP		70.00	0
Total			2,297.26	9.14

b. Payments received – The first instalment of the Parish Precept of £13,244.50 was received on 9 April 2018

c. Grant Applications – No new grant applications have been received

31. Risk Management

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

32. 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)

33. Correspondence

- a. An invitation has been received from The Association for the Prosecution of Felons to their Annual Diner on 23 May 2018 – Council to agree who will be attending.
- b. NDP 1st draft plan consultation returns.

34. Ongoing References

- a. Review of inventory of land and assets – Council to note the report on the recent Asset Inspection conducted by Councillors Edwards and Drake.
- b. Neighbourhood Development Plan
 - i. Council to note that the Clerk has submitted a neighbourhood grant application to Locality for the sum of £3,350 to support the completion of the NDP which has been successful.
 - ii. Council to note the consultation report and actions by NDP Steering Committee to progress to Regulation 14 consultation. Council to agree to hold an EM to consider for approval the updated draft Plan once it has been SEA screened.
- c. Solihull Draft Local Plan
 - i. Council to note that representatives of the Green Belt Working Party attended a meeting with LUC on 1 May
 - ii. Council to note that the brownfield register has been compiled and approved by SMBC and notes that all major sites proposed to SMBC in numerous meetings/communications have now been included on the register (Lavender Hall Farm, Land behind the George in the tree and land at Pheasant Oak farm.). Council to consider the following motion; “the clerk is asked to write to SMBC emphasising that under the emerging new NPPF these sites should be prioritised before any greenfield development around Balsall Common whether the brownfield/pdl or greenfield is in Berkswell or Balsall Parish”.

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- iii. Council to consider the following motion; “Council authorises the Clerk to obtain a public facing report (ideally at below the quoted cost) with the specific TORs to be based on the two submitted interim statements. Councillors Burrow, Drake and Lloyd to assist the clerk on the fine points as required”
- d. Governance Review – Council to consider any updates
- e. HS2
 - i. Council to note that Burton Green Parish Council have requested payment of the promised £1,000 contribution to the Expert Report on HS2 compiled by MBPC (Michael Byng).
 - ii. Council to note the report on the Greenway Liaison meeting held on 8 May
- f. Handyperson - update
- g. Review of the Airport Night Flying
 - i. Council to consider the following motion; “The Clerk is asked to write to all non-councillor representatives thanking them for their work on the night flying policy update”
- h. The Well - Council to note that Severn Trent have overcome the Well flooding problem by jet cutting roots within the outflow pipe from the well. The pipe is about 45-50 metres long and the blockage was about 10-15 metres from the well. Severn Trent verbally advised that the pipe is the legal responsibility of the owner of the well but there is no owner of the well. Severn Trent have advised that someone needs either to line the pipe with plastic piping or regularly cut out the roots in the pipe which can become very substantial. Severn Trent also have a temporary fix in place for the pollution of the well. The long-term solution is for the school to correct a cross over tie in a foul water outlet to a rain water system. The Head of the school is committed to (and legally required to) correct the cross over. Council to note that if the PC undertakes any work on the pipe on any kind on a regular or permanent basis it is likely, according to Severn Trent’s verbal advice, to assume legal responsibility for the pipe and any future flooding.

35. Removal and additions to Ongoing References

Removals:

Additions: The Well

36. Training and Meetings

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

37. Heritage and Community

- a. Damaged caused to grass verges by the parking of cars – council to discuss the problem
- b. Village fete – council to discuss whether or not to have a stall at the village fete.
- c. Village BBQ – Council to consider the following motion; “The clerk is authorised to purchase charcoal for the parish BBQ up to the value of £150 and to use the emergency cheque procedure to purchase it from Pettifor & Son Ltd”
- d. Spinney Car Park Ice Concerns - Councillors Edwards and Burrow have discussed the issues caused by snow/ice in the car park with the school. The school are unwilling to sand/salt the car park lest it gives them liability in this litigious society. For an unsalted car park the responsibility lies with the driver but that can transfer if salting is regularly carried out and then either not done or not done “fully”. The school are willing to close the car park if, in their opinion, that is the best action for particular day if the Council supply bollards etc to allow them to do that. That would not be every time there is snow/ice. Council to consider this option.
- e. Spinney Car Park - The clerk is asked to obtain quotes from Greenline to level the island in the car park with additional soil and seed it for grass and install sufficient 3x3 or 4x4 inch posts to deter motorists from going on it, subject to the Scouts confirming that the underground drainage system they have installed is now sufficiently stable to allow finishing of the surface.
- f. Spinney Car Park waste bin – Council to note that the overflowing bin problem is being addressed by SMBC. The Officer for Streetcare has confirmed that this bin is one of 2 that

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she wants to replace with the Council's standard type bin. She has been requested to replace this one as soon as possible.

38. Council Administration

- a. Open Spaces Society Subscription - Council to agree to renew its annual subscription to the Open Spaces Society at a cost of £45
- b. Council website – Council to note that the Clerk is actively engaged with the developer of the new council website to complete the development and agree terms for on-going maintenance and support. Council to agree to review the new website and feedback comments on its design and content to the clerk so that final amendments can be made prior to it going live.
- c. Registration for the GB Consortium's aerial photography Great Britain agreement – Council to note that, unless we specifically object, we will be automatically enrolled to this service.

39. Next Meeting

Parish Assembly, 24 May 2018, following the Berkswell Society AGM commencing at 7:15 in the Jordan Room, St John Baptist Church, Berkswell. The Parish Assembly will commence at 8:00pm.

Ordinary Meeting of the Council, 14 June 2018 at 7.15pm, the Jordan Room, St John Baptist Church, Berkswell.

Signed: Mr Richard Wilson



Clerk

Public and Press are welcome to attend