

## Berkswell Parish Council – Annual Meeting 16 May 2019

Minutes of the Annual Meeting of the Parish Council of Berkswell held in the Jordan Room, St John Baptist Church, Berkswell on 16th May 2019 at 7:15 pm.

	Action by
<p><b>1. Election of Chairman</b> – The previous Chairman presided for this item. Nominations for chairman were requested and the only proposal was for Richard Drake made by Andrew Burrow, this was seconded by Dinah Edwards. Richard Drake was elected unanimously.</p> <p><b>2. To receive the Chairman’s Declaration of Acceptance of Office</b> – Richard Drake duly completed and signed the Chairman’s Declaration of Acceptance of Office which was witnessed by the Clerk.</p> <p><b>3. Election of Vice-Chairman</b> - Nominations for Vice-Chairman were requested and the only proposal was for Dinah Edwards made by Kay Howles, this was seconded by Andrew Burrow. Dinah Edwards was elected unanimously.</p> <p><b>4. To receive the Vice-Chairman’s Declaration of Acceptance of Office</b> - Dinah Edwards duly completed and signed the Vice-Chairman’s Declaration of Acceptance of Office which was witnessed by the Clerk.</p> <p><b>5. To receive the other Councillors Declarations of Acceptance of Office</b> - The remaining 5 elected members then submitted their Declarations of Acceptance of Office to the Clerk who witnessed each declaration. Cllr Drake then welcomed Sheila Cooper to the Parish Council and thanked Alison Cambage, the only outgoing Member, for her hard work and dedication.</p> <p><b>6. Attendance</b> Cllrs R Drake, A Burrow, D Edwards, R Lloyd, S Cooper, D Hitchcock &amp; K Howles the clerk, Cllr D Howell (SMBC), Cllr T Diccico (SMBC) and 15 members of the public</p> <p><b>7. Apologies</b> Cllr Allsopp (SMBC)</p> <p><b>8. Declarations of Interest</b></p> <p>a. To receive declarations of interest from Councillors on items on the agenda</p> <p>i. Cllr Lloyd declared an interest in HS2 matters (Item 34d) as he is a member of HHAG and the Open Spaces matters (Item 38b) as he is the local correspondent for the Open Spaces Society. Cllr Lloyd stated he would not vote on Item 37e.</p> <p>ii. Cllr Burrow declared an interest in Item 37e as he had recently employed the Council’s Contractor for grounds maintenance and hedge trimming (JMH Home and Garden Services) on a private basis. Cllr Burrow stated that he would leave the meeting for this item.</p> <p>b. There were no written requests to disclose pecuniary interests</p> <p>c. There were no requests for dispensations</p> <p>d. Councillors were reminded to update their ‘Notice of Registrable Interests’. Councillor noticed that it is a requirement that councillors update the Register within 28 days of a change to any Disclosable Pecuniary Interest.</p> <p><b>9. To approve Minutes of the following meetings:</b> The minutes of the Ordinary Meeting of the Council held on 18 April 2019 were approved and duly signed by the Chairman</p> <p><b>10. Matters arising from the previous meeting requiring attention</b> - There were no matters arising.</p>	

**11. Open Forum**

Parishioners of Berkswell were invited to address the Council on any relevant matter for a maximum of three minutes. No-one wanted to address the Council at this point.

**12. To agree dates and venues for Council Meetings for the year 2019/20**

- a. Council considered if there was a need to set up a small working group to agree 2019/20 meeting dates. It was decided this would not be necessary.
- b. Council approved the proposed Berkswell Parish Council Calendar for 2019/20 as presented by the Clerk with a minor amendment to change the start date of the July meeting to 7:30pm.

**13. To appoint Committee Members and review Remit of Delegation of Functions to Committees and/or appoint Working Party -**

Council reviewed the current “Committees and Representation with External Bodies” schedule and agreed the following changes for 2019/20.

- a. Change the Solihull Tree Wardens Group from ‘Representation’ to ‘liaison’
- b. Add Marsh Lane Nature Reserve under ‘liaison’ with Cllr Hitchcock’s name
- c. Delete Alison Cambage from all categories except for ‘Nominee’ for the Lant Charity & Reading Room
- d. Delete Andrew Burrow from ‘representation’ on the Solihull Area Committee of WALC
- e. Delete Richard Drake from ‘nominee’ for the Lant Charity & Reading Room
- f. Add Dinah Edwards to ‘representation’ on the Solihull Area Committee of WALC
- g. Delete the ‘liaison’ with Balsall PC re Planning

**14. To appoint Representatives to sit on Outside Bodies -** This item was dealt with as part of Item 13 above.

**15. To agree Cheque Signatories and sign appropriate Bank Mandate –** Council agreed to make the following changes to the bank mandate

- a. Remove Alison Cambage from the bank mandate with immediate effect
- b. Add Sheila Cooper to the bank mandate with immediate effect

It was noted that this will take time to achieve and will be completed as soon as practicable.

**16. To agree to review Council’s Policies and Procedures –** Council noted the following list of Council’s Policies & Procedures and the Clerk’s recommended actions. Council agreed to set up a working group to identify the necessary revisions and make recommendations to the June meeting. It was agreed that Cllr Burrow will prepare a draft Employment Policy Councillors to assist when requested and priority to be given to policies over 12 months old.

Clerk

Policy/Procedure	Last Approved
Standing Orders	June 2018
Financial Regulations	Oct 2017
IT Policy	Oct 2018
Press & Media	Feb 2018
Reserves Policy	Sep 2018
Grant Awarding Policy	Mar 2018
Privacy Policy	Oct 2018

Freedom of Information	Mar 2017
Complaints Procedure	Nov 2018
Risk Assessments	On-going
Asset Register	Oct 2018
Green Belt*	Sep 2018
Employment Policy	No policy
Councillor's expenses policy	Oct 2018

\* In respect of the Green Belt policy council agreed that Cllr Lloyd would draft an amendment to enable the Council to empower the clerk to respond to planning applications on Green Belt issues. This would be brought before the Council for further consideration.

**17. Councillors' Allowances** – Council considered and agreed the following motion: “Council to adopt the SMBC schedule of recommended Parish Basic Allowances and Chairman’s Allowance which is published annually. This will take effect from 1 April 2020 based on the 2020/21 schedule and updated annually thereafter”. Council confirmed that the current basis of PBA and Chairman’s Allowance will be used until that date.

**18. To receive a report on the capital assets and liabilities vested in the Council** – Council noted that the Council’s asset register was updated in May 2019 to reflect the Registration of the Spinney and The Pound with HMLR. The Clerk explained that the historic value of Fixed Assets of £9,640 (for which there is no supporting documentation) which has been reported on the Annual Returns in previous years, will be revised in the 2018/19 AGAR to reflect up to date valuations recently obtained,

**19. Council Insurance** - Council noted that the Council entered into a 3 year agreement with Zurich in 2018/19 and the renewal is due on 1 June 2019. The annual premium is £576.43.

**20. Annual Payments** – Council approved the following schedule of annual payments for 2019/20:

Payee	Purpose	2018/19 Amount £ (ex VAT)
Zurich	Annual Insurance Premium	576
GR Dawson	Graveyard maintenance	2,508
JMH Home and Garden Services	Grass cutting/maintenance of public areas	1,500
WALC	Annual subscription	751
DM Payroll Services	Payroll services	135
Open Spaces Society	Annual subscription	45
Norton	Anti-virus software	60
Marsh Lane Nature Reserve	Annual Subscription	37

Council agreed that the Clerk has delegated power to negotiate these services but will need approval for payment in accordance with Financial Regulations.

- 21. Internal Audit Report** – Council noted that the annual internal audit is in progress and that a copy of the Internal Audit Report for the year 2018/19 will be presented to the next meeting of the Council on 13 June.
- 22. Annual Governance and Accountability Return** – Council noted that the Annual Return (AGAR) must be submitted to the external Auditors by 1 July 2019. The Annual Governance Statements and Accounting Statements for 2018/19 will be presented to the Council on 13 June for approval.
- 23. Internal Review of cashbook/bank reconciliation** – Council noted that Cllr Edwards undertook a review of the cashbook and bank reconciliation for Q4 2018/19 and found all to be in order. Cllr Burrow agreed to undertake the review at the end of Q1 2019/20.
- 24. 2018/19 Annual Accounts** – Council agreed to adopt the year end accounts for the financial year 2018/19 (available on the website) which will form the basis of the Annual Accountability Return.
- 25. Analysis of S.137 expenditure** – Council noted that, under this legislation a local authority may, subject to the provisions of this section, incur expenditure for which there is no specific power, which in their opinion is in the interests of, and will bring direct benefit to, their area or any part of it or all or some of its inhabitants. Council noted that, at the end of 2018/19, £2,919 was spent on Section 137 items out of a total allowable of £19,477.

**Ordinary Business**

**26. Borough Councillor’s Report and Parish Councillor’s Opinion.** Cllr Howell stated she had nothing to report and Cllr Diccico announced that he will be chairing the SMBC HS2 Committee this year. Cllr Hitchcock suggested the council consider a scheme to fund the planting of new trees in the parish and the Council agreed that he should report back with a proposal in due course. Cllr Lloyd mentioned a meeting with SMBC about various issues regarding the village centre. It had been agreed to put a new bench in front of the Masala Club and agreement in principle had been reached to a bike stand with the location to be determined.

**27. Planning Applications**

- a. The Chairman asked if there were any reports on potential significant planning violations. There were none at this time.
- b. The following list of planning applications were then considered by the Council:

Ref	Location	Proposal	Response Date
2019/01108	271 Station Road Balsall Common Solihull CV7 7EG	Two storey side extension.	20.05.19
No comment			
2019/01117	12 Lant Close Berkswell Solihull CV4 9TG	Two storey rear extension and single storey side extension.	17.05.19

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No comment				Clerk  Clerk/AB/SC /RL          KH/Clerk
2019/01276/HS 2DIS	Park Lane/Waste Lane Berkswell 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): A452 Park Lane compound (Leave A45 roundabout, A452 southbound, exit A452 at Park Lane to site access) and B4101 Waste Lane Compounds (Leave A45 roundabout, A452 southbound, exit A452 onto B4101 Waste Lane to site access) for the enabling works submissions ref: 1EW04-LMJ-TP-SCH-NS01_NL05-051001.	17.05.19 to advise if comment to be made 28.05.19 any comments to be submitted	
<p>During discussion the following key points were made. Cllr Cooper stated that she wished to object based on vehicle pollution. It was generally agreed that BPC want all vehicles passing through Balsall Common to be Euro 6 standard low emission vehicles from day one along with air quality monitoring. Cllr Drake expressed concern about traffic issues on Waste Lane (long queues of idling vehicles). This will cost HS2 time and money. Cllr Burrow suggested that Council should ask for the monitoring of traffic flows and to adjust traffic controls to address any issues. Cllr Lloyd was concerned about rattle and noise of vehicles (particularly empty ones), this is usually a result of poor road surfaces. Council also wanted contact numbers for complaint to be prominent on all vehicles. Based on all these points it was agreed that the Clerk should advise SMBC that the Parish Council plan to comment by 28 May 2019. It was agreed that the Clerk would draft a comment for circulation with the help of Cllrs Burrow, Cooper &amp; Lloyd.</p>				
2019/01145	The Stables Canterbury House Spencers Lane Berkswell	Erect a single storey structure to house 10 No. kennels.	31.05.19	
<p>2 residents came to make representations against this application. They were concerned about 10 kennels being built in a paddock 400m away from neighbouring buildings. They were also concerned that if these were boarding kennels the animals may be left for long periods overnight and that the dogs may howl through the night. They are pony paddocks but the land owner is wanting to change the use to keeping dogs, this application is from a dog grooming company based in Coventry. The waste (including cleaning materials) from the kennels will go into a ditch which feeds into a neighbouring property which they believe is unacceptable. After discussion, Council agreed to object on the basis that what is being proposed is an unsuitable building in the green belt and the likely noise nuisance (cite SMBC policies). The residents were advised that a Borough Councillor could be asked to represent them and if 6 objections were submitted to SMBC this would get the item on the Solihull Planning committee agenda. It was agreed that Cllr Howles would to draft a planning response for the clerk to send.</p>				
<p><b>28. Financial Matters</b></p> <p>a. The following invoice payments were presented for approval having 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.</p>				

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Invoices for Payment	Approval	Cheque No	Gross Amount £	VAT £
R Wilson - Clerk's Salary May 2019	Admin	002179	658.41	0
R.Wilson – reimbursement of stationery costs	Admin	002180	64.70	10.78
J Hickin – grass mowing contract May instalment	Contract	002181	187.50	0
Open Spaces - Annual subscription 2019/20	See Item 38b	002182	45.00	0
Boothroyd & Co Ltd – valuation of Kelsey Lane bus stop	18/04/19 Item 18a	002183	48.00	8.00
Zurich Insurance 2019/20 Annual premium	Annual	002184	576.43	0
A Pettifor & Son Ltd – BBQ charcoal	See Item 37 a ii	002185	132.00	22.00
<b>Total</b>			<b>1,712.04</b>	<b>40.78</b>

Clerk

b. Payments received – Council noted that the first instalment of the Parish Precept of £13,089.50 was received on 8 April 2019

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

**29. Risk Management**

- a. There were no new finance and risk events for Council to discuss
- b. Risk Framework – Council noted that the latest version is available on the website. Cllr Cooper agreed to review this with Cllr Drake
- c. Risk Register – Council noted that the risk register has been recently reviewed, but an asset inspection was due and that volunteers were required to carry this out. Cllrs Lloyd and Drake agreed to carry out the inspection.

SC/RD

RL/RD

**30. Actions Arising from Previous Meetings**

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

**31. Correspondence**

**32. Balsall Parish NDP**

- a. **Complaint to Balsall Parish Council** – Council considered and agreed the following motion: “This Council instructs the Clerk to write to Balsall PC to register a complaint regarding the claim in the Balsall Parish Council minutes of March 20th 2019 item 9 that states “**In addition the work of the Village Centre Working Group, including Berkswell Councillors, BCVRC and business people in undertaking surveys and observations has resulted in a Community Aspiration (CA 2) being included in the NDP and recognition by SMBC in the 2019 consultation on the Solihull Local Plan**”. This claim is repeated in documents submitted for external examination of the Balsall NDP on page 38 of the document titled “Regulation 14 responses” where it states “**The Village Centre working group which informed this NDP element had membership from Berkswell Parish Council.**” Council notes that this statement is used to justify proposals within the Balsall NDP which include land within Berkswell Parish”. In support of this motion, Keith Tindall stated that this should be a matter of public record.
- b. **Response to Regulation 16** – Council agreed that the Clerk will respond, with the assistance of Cllr Drake (Secretary to the NDP), to the Balsall Parish NDP Regulation 16 consultation clarifying the lack of any formal consultation with Berkswell Parish Council.

Clerk

Clerk/RD

<p><b>33. Vexatious Complaints</b> – Council considered implementing a Vexatious Complaints procedure but agreed it was not necessary at this time.</p>	
<p><b>34. Ongoing References</b></p>	
<p>a. Review of inventory of land and assets – there was no progress to report</p> <p>b. Neighbourhood Development Plan - Council noted that the Consultant has written an updated “referendum version” of the NDP to incorporate the Examiner’s proposals/decisions and is working with SMBC to finalise this. A resident asked if the major changes could be published for the public to be informed. The Chairman agreed that this would be done when the time is right. Council agreed to put something in the communicator after 29 May. It was also agreed that the Clerk should write to the catholic church after 29 May about the outcome of the playing field issue.</p>	<p>AB/RD &amp; Clerk</p> <p>Clerk</p>
<p>c. Solihull Local Plan – Council considered and agreed the following motion: “The Council notes the draft heritage assessment and recommendations published by SMBC on their web site. It notes that no wind survey has been conducted to assess the impact of development on this working Grade II* listed mill, which is of national importance. The Council approves the commissioning of an independent wind survey for the mill to provide recommendations to propose appropriate restrictions on development on a 360 degree basis around the mill to protect its working status to form part of the heritage assessment. The recommendations to cover both east and west of Windmill Lane given the proposal to remove both areas from the greenbelt within the draft SMBC plan. The cost to not exceed £2,000 plus VAT. The terms of reference to be set by the Clerk in consultation with Councillors Drake, Burrow and Lloyd.” Jeanette McGarry (guardian of the windmill) reported that Historic England had paid for much of the renovation and now it mills flour. Council agreed to allocate funding from the Specialist Advice budget (£1000) and contingency (£1000) but expect a contribution from residents (£500).</p>	<p>Clerk/AB/RD/RL</p>
<p>a. HS2 – Cllr Lloyd reported that he had submitted an FOI to Network Rail re haul routes and the bridge at Truggist Hill Farm. They responded that the bridge is safe but HS2 never asked if it was suitable for construction traffic. The second request to HS2 Ltd was in respect of control over land between Waste Land and Lavender Hall Lane within 100m of the line, but they refused to divulge this information. Cllr Lloyd intends to go to the information commissioner about this.</p> <p>b. TPOs – Council discussed a proposal to ask Ward councillors to arrange a meeting with SMBC officers to discuss SMBC’s refusal to put TPOs on trees in the Allocation 1 area. Council agreed that the Clerk should write (see draft letter) to the 3 ward councillors and send a copy to Anne Brereton and the Leader of SMBC (Ian Courts).</p>	<p>Clerk</p>
<p>c. Airport – Council received the following verbal report on the meeting of the Airport Consultative Committee held on 16 May which was attended by Cllr Lloyd. Business is down this year, an aircraft hanger is up for sale (ex Monarch), the Airport has a £250k fund (106 agreement) for local projects, RL had asked if a study into street parking in Balsall Common could be funded but the answer was no. However, there appears to be plenty of money available for transport related projects and the Airport might support the BC problem with on street parking. The final version of the Masterplan aims to keep any development in the current footprint and is due in early summer. Finally,</p>	

<p>Aviation 2050 will look into the future of aviation in terms of pollution and climate change.</p> <p><b>35. Removal and additions to Ongoing References</b>  Removals:  Additions:</p> <p><b>36. Training and Meetings</b>  a. There were no reports arising from attendance at events and meetings.</p> <p><b>37. Heritage and Community</b>  a. Parish BBQ  i. Council discussed whether the complainant from last year’s BBQ should be contacted and given notice that this event will be going ahead once again and an assurance that all music will finish at 10.30. Council agreed it would be worth while dropping leaflets advising of the event through the doors of the apartments and asked the Clerk to write to the complainant. Cllr Edwards agreed to draft this.  ii. Council agreed the purchase of charcoal from A Pettifor &amp; Son at a cost of £132 (inc. VAT)  iii. Council agreed to hiring the band (Goozbumps) at the same cost as last year of £400  iv. Council agreed that the Clerk should arrange for two portaloos to be installed for the BBQ with Thistle Loo Hire Ltd at a cost of £168 (inc VAT).  b. West Midlands Mayor possible visit to Berkswell – The Clerk reported that he Mayor’s Office have been in touch accepting the invitation to the Mayor to visit the area and offering 23 July or 22 October as dates Mr Street could attend. Council considered holding an informal consultation event on 23 July. It was agreed to ask the Clerk to arrange a venue (Cllr Edwards to help) at either the Legion or Jubilee Centre and liaise with Mr Street’s PA.  c. The Well area proposal to seek the designation of the Well area as a “village green” - Council noted that forms have been issued to interested residents seeking their input and support with a view to finalising a proposal for the June meeting of the Parish Council. Cllr Edwards reported that a number of the completed forms had already been returned.  d. Spinney Roundabout - Council considered and approved the following motion: “This Council authorises the expenditure of up to £100 to replace plants lost to drought in the spinney roundabout”.  e. Spinney hedge - Council considered and approved the following motion: “Council delegates to the Clerk the authority to incur cost to cut the spinney hedge on Lavender Hall Lane and the hedge on the car park on Meriden Road within Berkswell village”.  f. Freedom of the Parish – Council noted that all the arrangements have been made for making the award (see Item 38c ii below)  g. Balsall Common Planting Programme – Council considered and agreed the following motion: “Council delegates authority to the Clerk to spend up to £350 for the planting of the Station Roundabout and the station planters with summer flowers and the subsequent autumn planting”  h. Mowing contract  i. Council considered the suggestion that the Clerk should contact SMBC to discuss the quality of work in Berkswell Village as contractors are leaving the area of the green around Pound Close “a mess” and complaints have been</p>	<p>DE/Clerk</p> <p>Clerk</p> <p>Clerk</p> <p>Clerk</p> <p>DE/Clerk</p> <p>Clerk</p> <p>Clerk</p> <p>Clerk</p>
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<p>received. It was agreed that Cllr Burrow and Edwards would discuss the matter with SMBC officers</p> <p>ii. Council did not consider reinstating the mowing of the green by Pound Close by the Parish Council’s contractor at this stage.</p>	<p>AB/DE</p>
<p><b>38. Council Administration</b></p> <p>a. Parish Election – Council agreed the following motion: "The council agrees to write to Ms Merry &amp; Mr Rossi of SMBC Electoral Services to thank them and the polling and count staff, for organising a well conducted parish election (and count) which again was held in the Jordan Room not disrupting local children's education"</p> <p>b. Open Spaces Society Subscription - Council agreed to renew its annual subscription to the Open Spaces Society at a cost of £45</p> <p>c. Parish Assembly - Council noted the arrangements for the parish Assembly and award of Freedom of The Parish to Norman Thompson on Thursday 30th May in the Jordan Room, St John Baptist Church:</p> <p>i. Start of Berkswell Society AGM – 7 pm</p> <p>ii. Award of Freedom of the Parish to Norman Thompson 7.30 pm approximately</p> <p>iii. Refreshments – Until 8 pm</p> <p>iv. Start of Parish Assembly 8 pm.</p> <p>d. Parish Clerk’s Annual Review – The Chairman proposed holding this item in camera. Council agreed unanimously to hold this item in camera to receive a report on the Clerk’s Annual Review (already circulated to councillors) and consider any actions arising. Following the discussion, the chairman summarised the outcome as follows; “The council noted the report prepared by Councillor Drake following an annual review meeting between himself, Councillor Edwards and our clerk, Richard Wilson. The council confirmed their great appreciation of the clerk's commitment to our council and our residents. The councillors also agreed to continue to assist the clerk where possible in the work of the council."</p>	<p>Clerk</p> <p>Clerk</p>
<p><b>39. Next Meeting</b></p> <p>Parish Assembly, 30 May 2019, following the Berkswell Society AGM commencing at 7:00 in the Jordan Room, St John Baptist Church, Berkswell. The Parish Assembly will commence at 8:00pm.</p> <p>Ordinary Meeting of the Council, 13 June 2019 at 7.15pm, to be held in the Balsall &amp; Berkswell Hornets Clubhouse, Lavender Hall Lane, Berkswell.</p>	