

Berkswell Parish Council – Ordinary Meeting 18 April 2019

Minutes of the Ordinary Meeting of the Parish Council of Berkswell held in the Balsall & Berkswell Hornets Clubhouse, Lavender Hall Lane Berkswell on 18th April 2019 at 7:15 pm.

	Action by
<p>1. Evacuation Procedure – the Chairman instructed those in attendance of the evacuation procedure</p> <p>2. Recording of Parish Council Meetings – the chairman instructed 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.</p> <p>3. Attendance Cllrs Drake, Cambage, Burrow, Howles, Hitchcock, Lloyd, Edwards, the Clerk, Cllr D Bell (SMBC), and 10 members of the public.</p> <p>4. Apologies for Absence David Felthouse & Keith Tindall</p> <p>5. Acceptance of Apologies Accepted</p> <p>6. Declarations of Interest</p> <p style="margin-left: 20px;">a. Council received the following declarations of interest from Councillors on items on the agenda</p> <ul style="list-style-type: none"> • Cllr Cambage - requested to be excused from voting or debating on anything related to the potential development of land at Barrett’s Lane due to her potential conflict of interest • Cllr Lloyd – declared a non-pecuniary interest in items relating to HS2 by virtue of charring HHAG • Cllr Burrow - declared an interest on the Solihull Plan given that he has a field that will come out of greenbelt in the current draft local plan but it is not proposed for development by SMBC in that draft plan. <p style="margin-left: 20px;">b. There were no written requests for disclosing pecuniary interests</p> <p style="margin-left: 20px;">c. There were no requests for dispensations</p> <p>Cllr Burrow announced that a resident had complained to the Head of Legal and Democratic Services and Monitoring Officer (SMBC) against each of the Parish Councillors by name. The complaint relates to the payment of Councillors allowance to co-opted councillors that was discussed at the November and December 2018 Parish Council meetings.</p> <p>7. Open Forum</p> <p>Parishioners of Berkswell were invited to address the Council on any relevant matter for a maximum of three minutes. A resident asked what Purdah meant in the context of the meeting and particularly in respect of signing off the NDP. Cllrs explained that the general principle of the purdah restrictions on publicity is that Council resources should not be used during the restricted period in a way that could be deemed likely to influence the outcome of the election.</p> <p>8. Confirmation of Minutes The following minutes were approved and duly signed by the chairman: Ordinary Meeting of the Council held on 14 March 2019</p> <p>9. Matters arising from the previous meeting for attention None</p>	

10. Borough Councillor’s Report and Parish Councillor’s Opinion Cllr Bell (SMBC)

reported that he had spoken to the Enforcement Officer about Spencer’s Retreat in response to a resident’s concern expressed at the March meeting of the Council. The Enforcement Officer had confirmed that he was well aware of the situation and is dealing with the matter. Cllr Bell also reported a similar discussion regarding the apparent infringement at 132 & 134 Meeting House Lane where a wall had been built despite planning permission having been refused.

Cllr Drake reported that he had attended the West Midlands Trains Stakeholder Conference and asked the Clerk to make the slides available on the council website.

Cllr Hitchcock commented on the Marsh Lane Reserve and that every year he arranges a visit for Councillors (every person pay £1 admittance) and suggested Saturday 27 April at 2pm to see the ‘new arrivals’. Council agreed to put a notice on the website.

Clerk

Clerk

11. Committee Appointments Cllr Drake reported that he had previously joined the Lant trust but has decided to stand down. The Lant Trust has asked for the Parish Council to appoint 2 representatives (not necessarily councillors)

12. Planning Application

- a. Council considered the letter from the Tree Officer re planning application 2019/00561 to fell a tree and replace it with a rhododendron considered at the March 2019 meeting. Cllr Drake introduced the item. The Parish Council had objected to the proposed cutting down of an old pine tree and objected that a Rhododendron was planned to replaced it. The tree Office had concluded that he did not think that he could recommend that a Tree Preservation Order (TPO) is applied to this tree. Cllr Lloyd commented that perhaps the objection should have been to the Conservation Officer and not to the tree officer. Cllr Burrow stated that moral is only to object if absolutely necessary. It was agreed to do nothing more but to learn the lesson.

- b. The following list of planning applications received since the last meeting were considered:

Ref	Location	Proposal	Response Date
2019/00648	Blooms of Bressingham Kenilworth Road Balsall Common Solihull	Demolition of 1,181m squared garden centre structures, erection of 1,232m squared of new buildings, change of use of part of existing sales area to service yard and part to car park.	03.04.19 Consultation on this application has expired
The consultation period had expired. No comment.			
2019/00680	Lower Farm Spencers Lane Berkswell Solihull	Change of use of the pole barn into a single storey dwelling. The shallow pyramid form of the roof with slightly raised central portion will remain unaltered with a mixture of brick walls, cladding and glazing. Sited some 300m north east of the original farm house, it is	03.04.19 19.04.19 extension agreed with SMBC

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		adjacent to and served by the former South drive form South Lodge to the Moat House.		Clerk
Council agreed to object to this application having noted that this has been built under Class Q planning regulations but Council believe it needs a full planning application and that it is not eligible for PD rights.				
2019/00761	Four Gables 69 Meeting House Lane Balsall Common Solihull	Ground floor rear kitchen extension, provision of rear window to first floor bedroom.	12.04.19	
No comment				
2019/00827	The Fordrough Truggist Lane Berkswell Solihull	Rebuilding of existing single storey garage. Construction of two storey rear extension. Erection of glass balustrade to existing roof terrace. Alterations to fenestration.	17.04.19	
No comment				
2019/00350	The Pines Hodgetts Lane Berkswell Solihull	Single storey roof extension to provide additional bedroom and bathroom. Replacement of existing front dormers to a more aesthetically pleasing style, and adjustment to frontage to provide better natural internal lighting. Installation of gate to site entrance.	24.04.19	
RL raised a point of order re the proposed gating of the drive, as there is potential legal action about obstruction of the right of way over the property. It was proposed and agreed not to discuss or comment on the installation of gates at the site entrance. Council made no comment on other aspects of the application				
2019/00829	Back Lane Farm Back Lane Meriden Solihull	Form a new gated access off Back Lane, Meriden for vehicular access to existing Back Lane Farm.	24.04.19	
No comment.				
2019/00683	Beechwood Farm Hodgetts Lane Berkswell Solihull	Conversion and extension of ancillary accommodation to single dwelling.	26.04.19	
Berkswell Parish Council object to this application on the grounds that the applicant is wanting to add on to a shed to convert it to a private house under PDL. My Council believe that PDL does not apply				
				Clerk

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as it is not an agricultural building. Furthermore, the Parish Council believe the extension is inappropriate development in the Green Belt.																																			
2019/00674	The Well House Church Lane Berkswell Solihull	Crown lift beech tree up to 5 metres to clear low branches which cut into other hedging and trees. Remove deadwood to bring tree to healthier state and crown thinning by 5%.	29.04.19																																
No comment																																			
<p>c. Potential Planning Violations</p> <p style="margin-left: 20px;">i. Council considered and approved the following motion: “This Council considers that it has an important role to play in notifying SMBC of potential planning violations and maintaining a register of notifications and the final decision by SMBC. Consequently, the Council asks that the Clerk makes the following topic a standing agenda item “Reports on potential significant planning violations and agree appropriate reporting action””.</p> <p style="margin-left: 20px;">ii. Reports on potential significant planning violations and agree appropriate reporting action. Nothing to report</p> <p>d. Council noted that a meeting has been arranged for 29 April 2019 with SMBC planning officials to improve our mutual understanding of the planning process. It was noted that Cllrs Drake, Burrow & Edwards will attend. Cllr Lloyd commented on the way SMBC notify the Parish Council of planning applications for consultation, which is by email and asked why don’t they notify the clerk electronically directly from the planning portal? It was agreed to discuss this at the 29 April meeting. It was also agreed to raise Cllr Howles’ suggestion that the percentage increase in square footage from the original building footprint should be included on every Planning Application.</p> <p>e. Council agreed the following motion: “Council agrees to put a link to the SMBC website for reporting planning and building control infringements on the Parish Council website”</p> <p>13. Financial Matters</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 had been received, carried out, examined and represents expenditure previously approved by the Council:</p>					Clerk																														
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Invoices for Payment</th> <th style="text-align: left;">Approval</th> <th style="text-align: left;">Cheque No</th> <th style="text-align: left;">Gross Amount £</th> <th style="text-align: left;">VAT £</th> </tr> </thead> <tbody> <tr> <td>R Wilson - Clerk’s Salary April 2019</td> <td>Admin</td> <td>002172</td> <td style="text-align: right;">658.61</td> <td style="text-align: right;">0</td> </tr> <tr> <td>A Burrow – reimbursement of cost of ‘Berkswell Gate’ signs as preauthorised by the Clerk</td> <td>14/03/19 Item 15 a iii</td> <td>002173</td> <td style="text-align: right;">297.60</td> <td style="text-align: right;">49.60</td> </tr> <tr> <td>St John Baptist Church PCC Berkswell – Berkswell Fete Grant</td> <td>BBQ</td> <td>002174</td> <td style="text-align: right;">50.00</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Caroline Joyner – Remodelling the Spinney car park island</td> <td>13/12/18 Item 23 b ii</td> <td>002175</td> <td style="text-align: right;">599.72</td> <td style="text-align: right;">43.37</td> </tr> <tr> <td>J Hickin – Grass mowing contract 1st Instalment</td> <td>Contract</td> <td>002176</td> <td style="text-align: right;">187.50</td> <td style="text-align: right;">0</td> </tr> </tbody> </table>					Invoices for Payment	Approval	Cheque No	Gross Amount £	VAT £	R Wilson - Clerk’s Salary April 2019	Admin	002172	658.61	0	A Burrow – reimbursement of cost of ‘Berkswell Gate’ signs as preauthorised by the Clerk	14/03/19 Item 15 a iii	002173	297.60	49.60	St John Baptist Church PCC Berkswell – Berkswell Fete Grant	BBQ	002174	50.00	0	Caroline Joyner – Remodelling the Spinney car park island	13/12/18 Item 23 b ii	002175	599.72	43.37	J Hickin – Grass mowing contract 1 st Instalment	Contract	002176	187.50	0	Clerk
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WALC – 2019/20 membership fee	Admin	002177	751.00	0
Jubilee centre – room hire	Admin	002178	45.00	0
Total			2,589.43	92.97

Council noted that, in addition to the above, the Clerk used his delegated powers under Financial Regulation 5.5 to authorise the following payment; Payee – GR Dawson; Details – Contribution to burial grounds maintenance (Jan to March 2019); Cheque No 002171: Amount - £752.40.

- b. Payments received – none
- c. Grant Awarding Policy - Council approved the extension of last year’s timing policy to form a standing part of council policy whereby grants are to be considered only in June and November each year except for nominal amounts or in exceptional circumstances, to ensure fairness to all applicants irrespective of the timing of grant applications. The Clerk was asked to revise the Grant Awarding Policy and put a Notice on the Council website to inform potential grant applicants.
- d. Grant Applications – Council considered the following grant applications:
 - Heart of England School requesting a contribution to the purchase of a new minibus.
 - Balsall Common Festival requesting £1,000 to help cover the costs of the portaloos and insurance for Picnic in the Park

With reference to the decision taken in Item 13 c above Council agreed to defer its consideration of these applications to the June meeting.

Clerk

Clerk

14. External Audit 2018/19

- a. Council noted the following key dates:

Key dates for the 2018/19 reporting season	
Deadline by which completed & approved AGAR and all applicable supporting documents or Exemption Certificate must be submitted to us	Monday 1 July 2019
Statutory common period to be included in the smaller authority’s period for the exercise of public rights. The external auditors have suggested the dates for the inspection period should be 17 June to 26 July 2019.	Monday 17 June – Friday 26 July 2019
Statutory deadline by which AGAR & signed external auditor report must be published by the smaller authority (this includes publishing on the smaller authority’s website). The Notice of Conclusion of Audit must be published at the same time.	Monday 30 Sept 2019

15. Risk Management

- a. There were no new finance and risk events to discuss.

16. Actions from Previous Meetings

<p>a. Council discussed the status of agreed actions from previous meetings as circulated (a copy is available on the Council website) and commented that the outstanding actions were being well managed.</p> <p>17. Correspondence</p> <p>a. The Balsall Parish Council Clerk had copied our Clerk in on an email sent to SMBC regarding the Balsall Common Village Centre. Council discussed if any response was necessary and agreed to wait until the new Councils are formed.</p> <p>18. Ongoing References</p> <p>a. Review of inventory of land and assets – The Clerk reported that he had agreed a price of £48 (inc VAT) with Boothroyd & Company to provide a ‘spot’ valuation of the Kelsey Lane Bus stop which has now been received. The Clerk reported that he had received a valuation figure of £5,000. This will enable the Clerk to make the application to HM Land Registry to transfer the Title from SMBC to ourselves.</p> <p>b. Neighbourhood Development Plan</p> <p>i. Council noted that the submission NDP has passed external examination with some modifications and:</p> <ul style="list-style-type: none"> • noted the next steps in the NDP process following the Examination • agreed to the SMBC proposal that paragraph 10.12 of the NDP be altered at the request of the PC for context to accompany the Examiner’s recommendations regarding car parking on new developments such that the following words would be added ‘This is potentially discriminatory on the basis of age and disability and contrary to the duty on public authorities to prevent such discrimination under the Equality Act, 2010.’ • agreed that SMBC could extend the period that SMBC is allowed to provide a “decision statement” on the examiner’s report’s conformance with the basic conditions to 31st May 2019, to allow for the modification to para 10.12. • asked the Clerk to write to SMBC in response to Maurice Barlow’s email of 17th April addressed to Councillor Burrow confirming the above. <p>ii. Council noted that the Clerk is currently preparing an ‘end of grant’ report which is required in order to demonstrate that the NDP grant has been spent in accordance with the required criteria.</p> <p>c. Solihull Local Plan – Council noted the statement from the West Midlands Mayor’s office (available on the Parish Council website) that they turned down a grant request from SMBC for a grant for a growth in housing in Balsall Common and no funds have been allocated for an access road. The Council also noted that a resident has submitted an FOI request to SMBC on a similar topic asking for a copy of the grant application.</p> <p>d. HS2 – Council noted the latest update of the proposal by HS2/Balfour Beatty Vinci for a distribution/haul route using Hallmeadow Road and a private road from the station road roundabout to the greenway and for a haul route crossing Truggist Lane on the other side of the line of HS2. Details of the update are shown on the Council’s web site under “Current projects – HS2 Working Group”. Council heard that the latest news is that HS2 has put back the ‘intention to proceed’ for a further 6 months.</p> <p>e. TPOs – Council considered the latest response from SMBC in response to the Parish Council’s letter to Anne Brereton. Anne Brereton had confirmed the</p>	<p>Clerk</p>
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<p>original decision but promised to act quickly if needed. Cllr Lloyd stated that there have been TPOs granted elsewhere in Solihull on trees with less expedience than Barratt’s Farm and suggested the Parish Council should go back to SMBC on this point. Cllr Lloyd was asked to provide the evidence to the Clerk who will write a further letter.</p> <p>f. Airport – There was nothing new to report</p> <p>g. Proposed Residential Park Home – Cllr Drake drew attention to a Consultation event to be held on 25th April and stated that details are available on the Parish Council website.</p>	<p>Clerk</p>
<p>19. Removal and Additions to Ongoing References</p>	
<p>Removals: Station Road Parking</p>	
<p>Additions:</p>	
<p>20. Training and Meetings Nothing to report</p>	
<p>21. Heritage and Community</p>	
<p>a. West Midlands Mayor possible visit to Berkswell - Council considered a possible invitation to the West Midlands Mayor to visit Berkswell PC and discuss his article in the Solihull Champion. Council agreed the proposed draft letter circulated with this agenda and asked the clerk to write to Mr Street. Cllr Drake also encouraged residents to let Andy Street know their feelings through social media and ‘Ask Andy Street’ events.</p>	<p>Clerk</p>
<p>b. Berkswell Gate signs - Council noted that the Berkswell Gate signs have been installed on the Berkswell Society planters at the entrances to the Berkswell Gate community on Hallmeadow Road.</p>	
<p>c. Spinney Car Park - Council approved the Clerk spending up to £100 plus VAT on bark to suppress weeds on the newly planted island in the spinney car park. So as not to inconvenience the local gardener who will apply the bark, the Clerk to use his delegated powers to make an urgent payment rather than wait until the next meeting of the Council. Cllr Burrow mentioned that the plants need to be watered and asked for volunteers. Cllrs Hitchcock & Edwards volunteered to carry this out every other day for 2 weeks.</p>	<p>Clerk</p>
<p>d. Freedom of the Parish - Council approved the following in relation to the freedom of the parish award:</p>	<p>DH/DE</p>
<p>i. The Parish Assembly will move to Thursday 30th May in the Jordan Room (also see Item 22 b)</p>	<p>Clerk</p>
<p>ii. The Clerk is authorised to order a commemorative medal from Thomas Fattorini Ltd at a cost of £539.12 plus VAT and carriage. The power used will be Section 137.</p>	<p>Clerk</p>
<p>iii. The Clerk is authorised to spend up to £100 on celebratory refreshments for the event</p>	<p>Clerk</p>
<p>iv. The Order of Event will be organised between the Clerk, PC Chairman and the Berkswell Society</p>	<p>Clerk/RD</p>
<p>e. Volunteers Day – Council considered and agreed the following motion: “Council note that this event is coming up in early June, and that the Parish Council are not proposing anything special. However, the Council formally thank all of those who do so much for our community”.</p>	

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<p>22. Council Administration</p> <p>a. Clerk’s salary 2019/20 – Council considered and agreed the following motion: “Council agrees to increase the Clerk’s salary and allowances by 1.9% with effect from 1 April 2019”.</p> <p>b. Council agreed the revised date and venue for the Parish Assembly which will now be held on Thursday 30 May 2019 in the Jordan Room, St John Baptist Church, Berkswell. Council also agreed that when the Calendar of meetings for 2019/20 is prepared that it is circulated to SAC asking them to avoid having meetings that clash with our dates.</p> <p>c. National Awards - Council agreed to write to the Lord Lieutenant expressing its disappointment that its nomination for an award was not progressed with no reason or response given. This is particularly disappointing given that the Lord Lieutenant had expressly written to Parish Councils requesting such nominations. Agreed to send a polite letter asking for feedback. Cllr Burrow agreed to draft a letter, agree it with Cllr Drake and ask the Clerk to send.</p> <p>d. Well area nomination for village green status</p> <p>i. Council noted that a standard format has been created to allow residents to provide evidence to back an application for the Well area including the track, to be designated as a “village green” under the Commons Act. Two versions are available for those that can assert evidence for 20 plus years and those for under 20 years.</p> <p>ii. After discussion Council agreed that its application will not include the track as well as the grassed area.</p> <p>iii. Councillors agreed to personally seek signatures/declarations using the format. Cllr Edwards volunteered to go around to get signatures</p> <p>e. Visiting 3rd Parties Policy – Council approved the policy for immediate implementation.</p> <p>23. Next Meeting</p> <p>a. The Annual Meeting of the Council will be held on 16 May 2019 at 7:15 in the Jordan Room, St John Baptist Church, Berkswell.</p>	<p>Clerk</p> <p>AB/RD/ Clerk</p> <p>DE</p> <p>Clerk</p>
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