

Draft response by Berkswell Parish Council to the Regulation 16 consultation on the Balsall Parish NDP

Berkswell Parish council welcomes the NDP from our sister parish Balsall covering the west of Balsall Common and the hamlets and villages of western Balsall Parish. Berkswell Parish supports the Balsall NDP in general but strongly objects to two areas.

1. Paragraph 1.5 on page 4

1.1. This paragraph states

“During 2015 and 2016 prior to the current Balsall Parish Neighbourhood Development Plan work was done by a group of residents on a joint Neighbourhood Development Plan supported by an agreement between Balsall and Berkswell Parish Councils. A joint area for Balsall and Berkswell Parishes was designated by Solihull Metropolitan Borough Council (SMBC) in September 2016.”

1.2. This statement is factually incorrect and it is likely that Balsall PC knew that it was incorrect when submitting the plan for examination. In 2015, Balsall PC entered into a joint agreement with Berkswell Parish Council to undertake a joint NDP. The Terms of Reference were agreed by Balsall PC at their meeting on 16th September 2015 and those TORs are attached to the minutes of that meeting (appendix A to this submission). The opening paragraph on the TORs on page 414 of the minutes states

“The parish councils of Balsall and Berkswell are the qualifying bodies for the preparation of a joint Neighbourhood Development Plan (NDP) for the parishes of Balsall and Berkswell. The Parish Councils have agreed to establish separate project management arrangements to facilitate the delivery of the NDP function by establishing a Steering Group which will be an advisory Council Committee for both Councils.”

1.3. Furthermore, the TORs go on to say as shown on page 416 of the Balsall PC minutes

“All meetings shall be open to the public and be subject to Balsall Parish Council Standing Orders subject to the matters set out below; ”

1.4. Hence it is not correct to say that the joint NDP was a “group of residents”. The steering committee was an advisory committee of both councils and operated to the standing orders of Balsall PC. Berkswell PC have no idea to this day why Balsall PC pulled out of the joint arrangements as no reasons for the decision was minuted by Balsall PC, but paragraph 1.5 is false and should be deleted from the Balsall NDP because it simply not true and causes upset in the community.

2. Community Aspiration CA.2 – Village centre road safety and parking improvements

2.1. Part of Balsall Common centre falls within Berkswell Parish. The proposals contained within the Balsall NDP therefore cover land within Berkswell Parish. The photo impression of the new centre is taken from the Berkswell Parish end. The proposals as written are likely to

- cause damage to the businesses within Berkswell Parish and difficulties with road layouts within Berkswell Parish at the junctions of Green and Meeting House Lanes with Station Road.
- 2.2. At no point were Berkswell Parish Council consulted on these proposals whilst they were developed. Berkswell PC wrote on 3 separate occasions requesting joint working with Balsall PC on common issues such as Balsall Common centre. On each occasion Balsall PC failed to engage.
 - 2.3. My Council notes that on page 33 of the summary of consultation responses received by Balsall PC (shown as page 553 of the Balsall Consultation statement) it states *“The village centre working group which informed this NDP element, had membership of Berkswell Parish Council.”* This statement is false. There was a councillor who sat on both parish councils and he was appointed to the working Group by Balsall Parish Council. However, at no stage was he appointed/nominated by Berkswell PC and he gave no feedback on the working group’s activities to Berkswell PC. This statement by Balsall PC is not true and misleading.
 - 2.4. Berkswell PC ask that CA2 is deleted from the Balsall Parish NDP because it covers areas outside of Balsall Parish.

Appendix 2

Development Plan - Consultation Statement					553 / 649		
					inefficient use of land causing more pressure for the building on greenbelt land.		
SC5	Berkswell Parish Council	37	H 5	Policy	This is supported.	Support	Noted
SC5	Berkswell Parish Council	43	H 9	Policy	We believe this should also include Mobility Scooters to reflect the increasing numbers already in use in both parishes. There are elements of the Berkswell Parish NDP that could be adopted. In particular, relating to Green Space between old and new properties and minimum distances where this is not possible. This would aid development where it crosses parish boundaries.	Comment	Policy H9 amended to include "mobility scooters". It is not advisable to take policy drawn from another plan that has not gone through an examination process, no change will be made.
SC5	Berkswell Parish Council	57	BE 6	Policy	We strongly support this and request that the wording is amended to include other Heritage Assets whose "setting" might be affected by developments in Balsall Parish	Support	Policy amended.
SC5	Berkswell Parish Council	64	CA 02	Aspiration	We fully support a professional review of the Balsall Common Village centre which should be led by SMBC as proposed in the January 2019 SMBC local plan update (paragraph 84). Figure 9 includes 6 retail outlets that are within Berkswell Parish. Your NDP makes proposals for areas outside of Balsall Parish and the designated area for your NDP. That is not lawful. This is particularly inappropriate because there has been no consultation with Berkswell Parish. We have major reservations about a shared space concept for Balsall Common Village Centre as shown in the photo montage covering the Berkswell Parish end of the centre. My council does not oppose the concept of shared space in principle but rejects the inclusion of proposals within the Balsall NDP which have major defects at the Berkswell end. This is exacerbated by your Council's refusal to work with	Comment	Aspiration amended: "the review of this and viable alternatives should be led by SMBC through consultation with Balsall and Berkswell Parish Councils". The Village Centre working group which informed this NDP element had membership from Berkswell Parish Council.

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