

## Berkswell Parish Council – Ordinary Meeting 18 October 2018

Minutes of the Ordinary Meeting of the Parish Council of Berkswell held in the Balsall & Berkswell Hornets Clubhouse, Lavender Hall Lane, Berkswell on 18 October 2018 at 7.15pm.

Topic	Action by
<p><b>1. Evacuation Procedure</b> – the Chairman instructed those in attendance of the evacuation procedure</p> <p><b>2. Recording of Parish Council Meetings</b> – 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><b>3. Open Forum</b> Parishioners of Berkswell were invited to address the Council on any relevant matter for a maximum of three minutes. A resident stated that they were aware that Pegasus had shared an indicative concept plan with the Parish Council and asked if the council had received anything from the prospective developer of the Windmill Lane site. Council agreed to write to them asking what their planned approach is to be. The resident agreed to supply their contact details.</p> <p><b>4. Attendance:</b> Cllrs Drake, Burrow, Howles, Hitchcock, Lloyd, Cambage &amp; Edwards; the Parish Clerk and 20 members of the public.</p> <p><b>5. Apologies for Absence:</b> Cllr Bell (SMBC), D Felthouse, Sheila Cooper</p> <p><b>6. Acceptance of Apologies</b> Accepted</p> <p><b>7. Declarations of Interest</b></p> <p>a. Council received the following declarations of interest from Councillors on items on the agenda:</p> <ul style="list-style-type: none"> <li>• Cllr Cambage requested to be excused from voting or debating on anything land related re the land at Barretts Lane due to the potential conflict of interest</li> <li>• Cllr Burrow declared an interest in the proposed development at Barratts Lane (Allocation 1)</li> <li>• Cllr Drake declared an interest in item 23 b and agreed to step aside for this item and nominated Cllr Burrow to take the chair at that point.</li> </ul> <p>b. There were no written requests for disclosing pecuniary interests</p> <p>c. The following dispensations were requested:</p> <ul style="list-style-type: none"> <li>• Cllr Burrow asked to be able to speak but not vote on items 19 b and 19 c. This was agreed unanimously</li> </ul> <p><b>8. Confirmation of Minutes</b> – The following minutes were approved: Ordinary Meeting of the Council (Public) held on 13 September 2018 Ordinary Meeting of the Council (Private) held on 13 September 2018 Extraordinary Meeting of the Council held on 23 August 2018</p> <p><b>9. Matters arising from the previous meeting for attention.</b> Cllr Lloyd reported on the Extraordinary meeting of the Airport Committee to share the Airport Master Plan. Cllr Lloyd volunteered to attend on behalf of the Parish Council. Cllr Hitchcock reported that the airport are developing a plan for passenger services which will be extensive but will not not encroach on green belt land. Cllr Hitchcock has a copy of the plans if anyone wants to see them.</p>	Clerk

**10. Borough Councillor’s Report and Parish Councillor’s Opinion** Cllr Lloyd commented on the consultation on public transport (now closed). Cllr Lloyd stated that he had responded on a private basis, and that the impacts are quite significant. One aspect affecting the Parish was the possibility of reinstating a bus down to the station and medical centre. Also, the 87 bus is likely to take a more circuitous route to Solihull. Cllr Lloyd reminded the meeting that it was not too late for people to write in to Kieran Bridges (West Midlands Combined Authority) with their comments. Cllr Hitchcock informed the meeting that there was growing interest from people wishing to join the Tree Wardens. Also, Cllr Hitchcock has spoken to the Tree Officer about thinning trees in the Parish where more work is needed.

**11. Committee Appointments** None

**12. Complaints**

a. Councillor Allowances

i. Council noted a letter received from a resident regarding the Council’s decision under Item 24 bii of the Ordinary Meeting held on 14 June 2018 where Council agreed not to require repayment from two co-opted councillors for ultra vires Parish Basic Allowance payments and confirmed that no allowances would be paid to co-optees from 2018-19. This decision was further ratified under item 15 b of the Ordinary Meeting held on 13 September 2018. The resident has stated “...Whether or not PFK accepts the points in my letter to them, the current letter to you is aimed at reversing a council decision which in my view was just plain wrong from every angle when it was made”.

ii. Council considered and agreed the following motion: “The Council resolves to hold a full hearing into this complaint. The Complainant will be invited to address a panel of at least 3 from Councillors Lloyd, Burrow, Howles, Hitchcock and Cambage. It is expected that such a panel will convene immediately prior to the November meeting of the PC 15th November 2018. Councillors Drake and Edwards will also be asked to address the panel. The precise date will depend upon receipt or otherwise of a copy of the response to questions raised by the complainant with the PC’s external auditors, PKF Littlejohn”. Council agreed to nominate all 5 Cllrs not impacted to form the panel.

All

**13. Planning Applications**

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

Ref	Location	Proposal	Response Date
2018/02477	Berkswell Quarry Cornets End Lane Meriden Solihull	Recycled aggregate facility in existing Berkswell Quarry.	<del>16-10-18</del> extension agreed with SMBC

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2018/02587	Truggist Hill Farm Truggist Lane Berkswell Solihull	New stable block.	<del>17.10.18</del> extension agreed with SMBC	
2018/02739	Moat House Farm Truggist Lane Berkswell Solihull	Prior notification for an agricultural building.	26.10.18	
2018/02728	14 Benton Green Lane Berkswell Solihull CV7 7DB	Demolition of conservatory and erection of single storey rear extension.	25.10.18	
<p>2018/02477 - Cllr Lloyd commented that the area should be surveyed properly for archaeological reasons before any new work is carried out. Council heard that new equipment is going into an existing hole but there could be substantial dust generated by the work. The question was asked, is there a dust monitoring plan to monitor and control dust levels. Cllr Howles read out the comments made by Meriden Parish Council which Council agreed with. It was agreed to write to the planning officer agreeing with Meriden PCs objections.</p>				Clerk
<p>2018/02587 – Council agreed to object stating the following reason. This Council believes that, in order to build a new stable the applicants must demonstrate very special circumstances which have not been demonstrated.</p>				Clerk
<p>2018/02739 – no comment</p>				
<p>2018/02728 – no comment</p>				
<p>b. Roundabout advertisements – Council considered and agreed the following motion: “Council resolves that the Clerk should enquire of SMBC the circumstances in which application PL 2018/00153/ADV was given consent without the Parish Council being consulted. The Clerk should make SMBC aware that the Parish Council is opposed to the placing of advertisements on the two subject roundabouts, and should request SMBC to remove the signs permitted by the application (the 2 roundabouts are the Hall Meadow roundabouts on Station Rd and Lavender Hall Lane.)”.</p>				Clerk
<p>c. Building on Greenbelt – Council considered and agreed the following motion: “Council resolves that the Clerk should write to SMBC asking for clarification of the planning status of the building erected in a field adjacent to Beechwood Farm and requesting enforcement action if appropriate”. Cllr Lloyd reported that he had written to Steven Wilkinson who stated it was a swimming pool which is permitted development. Council did not accept this view.</p>				Clerk
<p><b>14. Financial Matters</b></p>				
<p>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 relates has been received, carried out, examined and represents expenditure previously approved by the Council</p>				

Invoices for Payment	Approval	Cheque No	Gross Amount £	VAT £
R Wilson - Clerk's Salary October 2018	Admin	002124	656.57	0
R Wilson – reimbursement of admin costs	Admin	002129	101.49	10.83
Councillor Allowances – July to September 2018	Admin	002125 to 002127	403.92	0
Balsall Village Hall – room hire	Admin	002130	30.00	0
WALC – ‘Planning for the Elections’ course fees	Admin	002131	60.00	0
JMH Home and Garden Services – grass cutting	Contract	002132	240.00	0
JMH Home and Garden Services – hedge cutting	Contract	002133	320.00	0
<b>Total</b>			<b>1,811.98</b>	<b>10.83</b>

In addition to the above, council approved the following payments, both of which Council had delegated to the Clerk for action:

- J Hubbard & Son Ltd – planter (part of planting scheme) £85.60 (cheque No 002134)
- JMH Home & Garden services – dead tree removal £260.00 (cheque No 002135)
- HMRC PAYE July to September 2018 £641.77 (cheque No 002128)
- Dawson’s Garden Services Churchyard maintenance £752.40 (cheque no 002136)

b. Payments received – none

**15. Q2 2018/19 Management Accounts**

a. Council noted the management accounts for quarter 2 of 2018/19 which are available on the web site.

**16. Risk Management**

a. Council noted that a physical asset inspection was due. Cllrs Burrow and Edwards volunteered to carry this out.

**17. Actions from Previous Meetings**

a. Council discussed the status of agreed actions from previous meetings as circulated (a copy is available on the Council website). It was agreed to get the TPO applications for Parish trees to SMBC as soon as possible and asked Cllr Lloyd to expedite this.

**18. Correspondence**

a. Letter from Richard Brown Planning Ltd (RBPL) – Council considered a Letter dated 9 October 2018 which had been received by email in response to the Clerk’s letter of 24 August concerning comments made by RBPL on the Berkswell NDP. Council considered and agreed the following motion: "Council to agree a response to the letter from Richard Brown Planning Limited". After discussion it was agreed not to formally respond to the letter at this time and that any feedback should be informal.

**19. Ongoing References**

a. Review of inventory of land and assets – No further progress to report

AB/DE

RL

<p>b. Neighbourhood Development Plan – Council considered the following:</p> <p>i. Council to consider submission of the NDP, as approved by the NDP Steering Committee, to SMBC for external examination (available on the website - dated August 2018). Council considered possible minor amendments arising from:</p> <ol style="list-style-type: none"> <li>1. Input from the SMBC planning contact (if any) on changes made to the Regulation 14 draft plan. This was agreed.</li> <li>2. An update to appendix 4 on parking and traffic calming in Berkswell village to reflect the changes agreed from the consultation with SMBC Highways. This update was accepted with minor amendments relating to gap to be left between new and old buildings and the parking and traffic calming in Berkswell Village.</li> </ol> <p>ii. Councillors noted that changes from the Regulation 14 version to the submission version are shown in blue type.</p> <p>iii. In view of the Clerk’s holiday the Chairman is authorised to make the NDP submission to SMBC. This was agreed unanimously. The Chairman thanked the hard work of AB and volunteers.</p>	<p>AB</p> <p>RD</p>
<p>c. Local Plan</p> <p>i. Council noted that the clerk has commissioned a report from Kirkwell’s seeking advice on the law governing the development of Brownfield sites for a fee of £630 plus VAT.</p> <p>ii. Council noted that the schedule for the production of the revised Solihull Plan has been amended as a result of a decision by the SMBC Cabinet Member on 25th September 2018 (see extract from the minutes on council website). There is going to be about a year’s delay in issuing the plan, which includes two further consultations.</p> <p>iii. Council noted and agreed the advice from Geoff Wheeler of the NDP Committee who has reviewed the LUC report. Mr Wheeler had advised that the PC should defer sending the report to SMBC until a new draft of the local plan is published by SMBC for comment in the winter 2018.</p>	<p>All</p>
<p>d. Governance Review – Council considered and agreed the following motion: “this Council welcomes the decision of the SMBC Governance Committee to follow the wishes of the Berkswell Parish residents, particularly those to the west of the HS2 line, by deciding to make no change to the parish boundary between Balsall and Berkswell Parishes. Berkswell PC notes and agrees with the requests made by residents addressing the SMBC Committee and the members of the Governance Committee, that Balsall and Berkswell PCs should work together on issues of common interest to the community. The Council resolves to write to Balsall PC to suggest that a standing committee of both Councils is established to work on issues of mutual interest particularly the NDPs and the detailed plans for Balsall Common, the Solihull Housing plan for Balsall Common including brownfield sites, the shopping centre within Balsall Common, future local infrastructure and other issues of common interest.”</p>	<p>Clerk</p>
<p>e. HS2</p>	

<p>i. Council noted that the working group of Councillors has a meeting scheduled with HS2 Ltd and Balfour Beatty Vinci for 2nd November to discuss haul route, viaduct/bridge design and the vegetation cutting plans for the greenway and the line of HS2. Cllr Lloyd reported that, on the 4 October, the HS2 Advisory Group it was reported that the Group now has an issues tracker which formally puts issues on the local agenda. Cllr Lloyd also reported that proposals have been released regarding the design of ‘UK Central’ and the proposed ‘People mover’.</p> <p>Cllr Burrow asked for Council to confirm they were happy to provide SMBC with data collected on parking numbers for Hall Meadow Road. This was agreed.</p>	<p>AB</p>
<p>ii. Council considered and agreed the following motion: “Council to resolve that the HS2 Working Group should cooperate with neighbouring parish councils on HS2 matters of joint interest, and should participate jointly in meetings with HS2 Ltd, its contractors, and SMBC, on such matters as the design of structures, haul routes, and the diversion of public rights of way. (i.e. Burton Green, Balsall, Hampton, and Meriden PCs as relevant.)</p>	<p>HS2WG</p>
<p>f. Recognition Scheme - Council discussed the Draft Recognition scheme as circulated (available on the web site). Council agreed to adopt the scheme with immediate effect.</p>	<p>Clerk</p>
<p>g. A46 Link Road</p>	
<p>i. Council noted correspondence from Cllr Ken Allsop (SMBC) quoting Councillor Courts’ reply to an email and has said "As far as he is concerned phase 3 is dead in the water and therefore nothing to discuss."</p>	
<p>ii. Council received and noted the minutes of the meeting with the SMBC Infrastructure and Commissioning Manager (available on the website). It was also reported that Council representatives had a meeting with Walter Bailey (SMBC) the minutes from which SMBC have not responded to as yet. Council noted this and requested the Clerk to write to Mr Bailey asking for a response including details of the 14 options.</p>	<p>Clerk</p>
<p>iii. Council further noted that Councillor Courts, the SMBC Cabinet Member responsible, has issued a statement to the SMBC HS2 select committee concerning the possible A45/46 link. That statement contains the words “<i>I have made clear on more than one occasion, over the last year or so, that the suggestion of a 60mph dual carriageway road near to such a large community would not have my support. Secondly, I could not see the justification for the proposal anyway at this point, as the main traffic problem that I could see was near the university in Coventry and a different solution there would seem more appropriate. I also said that any proposal of this sort would cause great concern in the communities and the sooner there was clarity the better</i>”. Council agreed to await further developments but asked the Clerk to request SMBC for an answer to the previous requests for information on the options.</p>	<p>Clerk</p>
<p>iv. Council considered if this is a satisfactory assurance and agreed that it was.</p>	

<p>v. Council noted the agreement at the last meeting to issue a leaflet to residents. The following motion was approved; “It is agreed to produce and distribute through volunteers a two-sided colour leaflet covering the A45/46 link, NDP, revised Solihull plan timetable, PC boundary review result and other issues of interest at a quoted cost of £208 for 1,300 copies. In the absence of the Clerk on holiday the Chairman is authorised to incur this expenditure and finalise the copy”. It was also agreed to add the following to the motion; “The leaflet to be circulated through social media as well”. Council agreed to proceed with the leaflet.</p>	<p>RD</p>
<p><b>20. Removal and Additions to Ongoing References</b></p>	
<p>Removals: Handyperson</p>	
<p>Additions:</p>	
<p><b>21. Training and Meetings</b> – nothing to report</p>	
<p><b>22. Heritage and Community</b></p>	
<p>a. Grass Mowing Contract</p>	
<p>i. Council noted that the Clerk has terminated the current Grass and Hedge Cutting contract and has made temporary, emergency arrangements with JMH Home &amp; Garden Services to provide the service until the end of the growing season at an initial cost of £240 to get areas back up to standard followed by £200 per month to maintain areas until the end of the growing season. A price to cut hedging along Lavender Hall Lane and Meriden Road has been agreed at a cost of £320. Council noted that the Clerk will soon be issuing Invitations to Tender for a new Grass and Hedge Cutting contract for the three years 2019 to 2022 to come into effect on 1 March 2019. Cllr Edwards reported that the grass and hedges are now looking so much better.</p>	<p>Clerk</p>
<p>ii. Council discussed the scope of the Grass &amp; Hedge Cutting contract due to be retendered this Autumn/Winter and landscaping the spinney roundabout. Cllr Burrow went through the current contract which is thought to be over complicated and asked why are we cutting the verges in Berkswell Village, which should be cut by Solihull MBC. The Clerk was asked to seek clarification from SMBC regarding the cutting of verges and hedges. Cllr Burrow agreed to speak to Bruce Brant/Kath Hemmings to understand what they do/should do and based on that information Council to decide what we want to cut.</p>	<p>Clerk</p>
<p>A resident asked why the verges in Benton Green Lane were only cut once this year. The resident was encouraged to complain to SMBC.</p> <p>The Clerk reported that he had received a quote to tidy the roundabout in the Spinney Car Park at a cost of £1,458 for which there is no budget. Council delegated to the Clerk the authority to agree a final scope and price and get on with it.</p>	<p>All</p>
<p>b. SMBC, Parish &amp; Town Council Charter – Council considered the draft of a revised Charter issued by SMBC who have invited comments by 31 October 2018 (Copy of current and proposed</p>	<p>Clerk</p>

<p>revisions is available on the council website). Cllr Lloyd commented that Solihull MBC has previously agreed to consult with Parish Councils on ‘matters of local interest’ in the Local Charter. The new draft Charter has taken this wording out which could marginalise the Parish Councils and the communities. Council agreed to report back to the SAC that we don’t support any change from the current Charter. It was agreed to delegate this action to the Chairman in the absence of the Clerk.</p>	<p>RD</p>
<p><b>23. Council Administration</b></p>	
<p>a. Council website – Council noted that the new council website has now gone live. The Clerk reported that there was still some fine tuning required as well as final checks to ensure all relevant documents were still available. Residents were asked to inform the clerk if anything they were wanting access to was not available on the new website.</p>	<p>Clerk</p>
<p>b. Chairman’s Allowance – Cllr Drake left the room and Cllr Burrow took the chair. Council then considered the circulated paper. Cllr Burrow commented that very little he did when he was Chairman was over and above what he would have done as a normal councillor. Consequently, he said it was very hard to estimate the cost of being a “Chairman”. Cllr Burrow reported that he thought there were 2 Options to consider; a) to agree an allowance; or b) change the expenses policy for Councillors to allow the Chairman to claim for legitimate chairman’s activity. Council agreed to allow a co-opted chairman to claim expenses in accordance with the agreed policy. The Clerk was asked to change our Expenses Policy accordingly.</p>	<p>Clerk</p>
<p>c. IT Policy – Council noted that the Clerk has revised the IT policy to reflect changes made necessary by GDPR and has made some other minor updates (available on the website). Council agreed to adopt the revised policy with immediate effect.</p>	<p>Clerk</p>
<p>d. Reserves Policy - Council noted that the Clerk has revised the Reserves policy to reflect the 2018/19 budget (available on the website). Council agreed to adopt the revised policy with immediate effect.</p>	<p>Clerk</p>
<p>e. Council Meetings – Council considered the following motion: “Council to agree to move the dates of its Ordinary Meetings for the remainder of 2018/19 to avoid ongoing clashes with important SMBC meetings on HS2 and SAC”. After discussion, Council agreed to write to Cllr Rosie Wheeler with the dates of our meetings asking if SAC meetings can avoid our dates and again with the 2019/20 dates. Council agreed to set up a small working party to discuss dates for 2019/20 council meetings.</p>	<p>All</p>
<p><b>24. Next Meeting</b>          Ordinary Meeting of the Council, 15 November 2018 at 7:15 in the Jordan Room, St John Baptist Church, Berkswell.</p>	