

Berkswell Parish Council – Ordinary Meeting 13 December 2018

Minutes of the Ordinary Meeting of the Parish Council of Berkswell held in the Balsall & Berkswell Hornets Clubhouse, Lavender Hall Lane, Berkswell on 13 December 2018 at 7:30pm.

Topic	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, Edwards, Burrow, Kay, Edwards, Hitchcock, Lloyd (arrived 7:45pm), the parish clerk and 11 members of the public</p> <p>4. Apologies for Absence: Cllr D Bell, Keith Tindall</p> <p>5. Acceptance of Apologies Accepted</p> <p>6. Declarations of Interest</p> <p style="margin-left: 20px;">a. The following declarations of interest were received from Councillors on items on the agenda:</p> <ul style="list-style-type: none"> - Cllr Drake declared that, as he was a subject of Item 16, he would leave the room for this item. He asked Cllr Howles to chair the item. - Cllr Edwards declared that, as she was a subject of Item 16, she would leave the room. - Cllr Burrow declared that he had submitted one of the planning applications listed in Item 12 and that he would leave the room when this was being considered. Cllr Burrow also declared that, as he was a subject of part of Item 16, he would leave the room for this part of the item. The clerk advised that Cllr Burrow need not declare an interest and leave the meeting during the consideration of payment of his expenses (under Item 15) which were purchases made under the instruction of the Clerk, who had delegated authority to incur the costs. <p style="margin-left: 20px;">b. There were no written requests to disclose pecuniary interests</p> <p style="margin-left: 20px;">c. There were no requests for dispensations</p> <p>7. Open Forum - Parishioners of Berkswell were invited to address the Council on any relevant matter for a maximum of three minutes.</p> <ul style="list-style-type: none"> - A resident commented on a sign ‘industrial premises to let’ at the entrance to Truggist Hill Farm and asked if this activity was lawful. The Chairman advised the resident that the Parish Council had already referred this to SMBC. - Louise Daintith introduced herself as the new Clerk to Berkswell Charities. Louise is a retired solicitor and believes she is eminently qualified for the role. - A resident asked if the 2 big trees on Sunnyside Lane are subject to TPO, and if they are not should they need a TPO? The resident was advised to contact the Planning Department at SMBC for clarification and guidance. <p>8. Confirmation of Minutes The minutes of the Ordinary Meeting of the Council held on 15 November 2018 were agreed and duly signed by the Chairman</p> <p>9. Matters arising from the previous meeting for attention - Cllr Drake reported that he & Cllr Howles had recently met with Pegasus but there was little to report. A concern was raised with Pegasus that they did not appear from their concept plans to be liaising with other potential developers on Barratt’s Lane. Pegasus confirmed that the other</p>	

developers had not been forthcoming. Cllr Drake also reported that Parish Council representatives had had an informal meeting with District Councillors about the NDP. They seemed to be supportive.

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

- Cllr Hitchcock commented on the following:
 - land adjacent with the River Blythe - the river is being blocked by reeds and weeds, which is not the PCs responsibility but it affects our land, including flooding. It is the land owners’ responsibility. Cllr Hitchcock was asked to find out to whom the Council should write regarding this issue
 - Marsh Lane – parking is still causing problems (up to 15 to 20 lorries parking). The chairman advised that, if this is causing an obstruction, then the police should be involved.
 - Cllr Hitchcock asked, on behalf of a resident, if the Council have any influence over the rating and valuation of properties? It was agreed the Council do not. The Chairman advised that the district councillors should be approached.
- Cllr Drake suggested that the NDP Committee should consider the Balsall Parish NDP (see item 19) and report back to the January meeting of the Council.

NDP Cttee

11. Committee Appointments None to report

12. Planning Applications

- a. a list of planning applications received since the last meeting as detailed below were considered:

Ref	Location	Proposal	Response Date
2018-02923	48 Meeting House Lane Balsall Common Solihull CV7 7FX	Lift lower branches by approximately 5 metres to let light into the garden and reduce taller vehicles catching lower branches that overhang the road, reduction of canopy by approximately 3 metres to reduce height, 15% crown thin to allow light through the tree on 1 No. Oak tree in front garden	03.12.18.
2018-03126	Land Opposite Victoria Farm Benton Green Lane Berkswell Solihull	Erection of a 445.93 metre squared (4,800 square feet) steel portal framed agricultural building to be used for housing cattle.	05.12.18 A response has been made by the Clerk on behalf of the Council in line with the Parish Council’s Green Belt Policy
2018/03048	Land Off Spencers Lane Berkswell Solihull	Change of use of land from agricultural to the keeping horses and ponies, and erection of 2 stables and 1 shed for private use.	18.12.18

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2018/03305	Field Cottage Old Waste Lane Balsall Common Solihull	Demolish existing conservatory and erect new oak framed orangery to side.	19.12.18
2018/03404	Meriden Quarry Land North Of Cornets End Lane Meriden Solihull	Regularisation and construction of a Biomass Combined Heat and Power (CHP) Plant, Waste Water Treatment Plant (WWTP) and In-Vessel Composting (IVC) Facility and associated infrastructure including buildings, plant and machinery.	26.12.18
OUT/2018/3225	Eastern Green South of the A45 Coventry CV5 7LG	Outline application for residential development of up to 2625 dwellings, including extra care accommodation; new vehicular access from the A45 and via Pickford Green Lane, with other non-vehicular access points; 10.25ha of employment land (B1, B2, B8). A district centre of approx 10000 sq m retail; a local centre of 1000 sq m of local convenience, retail plus other community facilities; provision of a 2 form entry primary school; open spaces, substantial landscaping, green infrastructure and sports provision; earthworks including the provision of new drainage features and associated demolition and groundworks (All matters reserved except for access).	14.12.18
2018/03302	Land at Hob Lane Adjoining Burrow Hill House Red Lane Burton Green, Kenilworth	Approval of access arrangements onto Hob Lane to serve land for 90 dwellings approved under (W/17/2086) by Warwick District Council.	27.12.18
2018-02923 Date has passed. No comment.			
2018-03126 An objection had already been made by the Clerk on behalf of the Council in line with the Parish Council's Green Belt Policy. Cllr Lloyd commented that this application has been approved but there was no reference to BPC's objection.			
2018/03048 No objection.			
2018/03305 No objection			
2018/03404 BPC representative went on a visit to see the site and noted that the original scope had been reduced. No objection			

OUT/2018/3225 The Clerk submitted the following comments to Coventry City Council: “These comments are being made on behalf of Berkswell Parish Council. The Parish Council notes that this large development will generate significantly increased traffic around the location and they are concerned that this will affect the rural roads in the Parish of Berkswell. The Parish Council request that consideration is given to making provision in any planning consent to minimise the impact on roads running from the development location into the rural areas in Berkswell Parish”.

Clerk

2018/03302 The Council agreed that they do not wish there to be any permanent access from Hob lane because of proximity to the school. Temporary access during construction and for emergency on-going is acceptable.

Clerk

13. Council Budget 2019/20

- a. Council noted that the 2019/20 budget must be approved prior to submitting the parish precept notice to SMBC before the end of January 2019 (precise date still to be confirmed)
- b. A provisional date of 17 January 2019 (subject to Item 25) has been set by Council for an Extraordinary Meeting to discuss and agree the 2019/20 budget. It was subsequently agreed to revise the date of this Extraordinary Meeting to 10 January 2019 (see item 25)
- c. Council noted the provisional 2019/20 budget previously circulated by the Clerk and submitted to SMBC as part of this year’s Governance Review and were asked to suggest any additional items for the Clerk to cost and include in a revised version to be considered on 10 January 2019. Input was requested by 20 December.
- d. Council to note that SMBC have provided the Clerk with estimated costs of an election in Berkswell Parish in May 2019 which should be included in the 2019/20 budget

Clerk

14. Council Elections May 2019 – Council noted that the next Parish Council election is to take place in May 2019. Council agreed to support WALC initiatives to encourage residents to stand for election. Council noted that there is a SMBC session in January for prospective candidates to learn more about being a councillor. WALC will also be providing sessions. David Felthouse advised council that the deadline for the Spring edition of the Bugle is 9th February 2019 should Council wish to submit an article on the forthcoming elections.

15. Financial Matters

- a. The following invoice payments were approved 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:

Invoices for Payment	Approval	Cheque No	Gross Amount £	VAT £
R Wilson - Clerk’s Salary December 2018	Admin	002145	656.57	0
R Wilson – reimbursement of admin expenses	Admin	002146	103.08	14.75
Councillor Allowances – Oct to Dec 2018	Admin	002147 to 002149	403.92	0
HMRC – PAYE Oct to Dec 2018	Admin	002150	641.57	0
DM Malley – Payroll services – 1 st half yearly instalment	Admin	002151	67.50	0
B&B Hornets – Room Hire	Admin	002152	175.00	0
James Hickin – November grounds maintenance	Admin	002153	200.00	0
Andrew Burrow – reimbursement of costs in respect of planting materials (see Item 23 g ii) and Christmas tree lights/decorations (13/09/18 Item 23 f iii)	Admin	002154	201.36	33.56

Clerk

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Andrew Burrow – reimbursement of costs in respect of ancillary items to facilitate the installation of Christmas trees and lights	Admin	002155	39.98	6.65
Total			2,488.98	54.96

In addition to the above the following payment was made using the Clerk’s delegated powers:

- James Hickin – Spinney roundabout improvement; Cheque No. 002144; amount £1,000.00 (approval: 15/11/18 Item 24 b)

b. Payments received – 10/09/18 - 2nd Precept instalment £12,977.50

16. Complaint - Councillors Drake and Edwards left the room and Cllr Howles took the chair.

a. Council considered the note (Complaint Decision Document) compiled by the Clerk which documented the reasons for the Council’s decision that, it would not be fair, nor equitable, nor conscionable, to request the two councillors to repay the allowances received, as recorded in the minutes of the Ordinary Meeting held on 15 November 2018. Council then agreed the following motion: *“The Council confirms the documented reasons for its decision having considered a resident’s complaint, at the Ordinary Meeting held on 15 November 2018”*. At this point Cllr Burrow also left the room.

b. Council then considered the following statement; *“the Council accepts that Councillor Burrow has specifically waived his entitlement to his outstanding Chairman’s allowance and councillor allowance for 2018/19 solely on the basis of this mitigating the impact of allowances paid ultra vires to Councillors Edwards and Drake. Council accepts that in the event that the council receives reimbursement for the ultra vires payments in any other manner then Councillor Burrow will claim these allowances which have been waived on this conditional basis”*. Cllr Howles asked the public in attendance what their view was on the matter. The public were happy for Council to do what they thought was right. After some discussion, Cllr Howles acknowledged Cllr Burrow’s generous actions in waiving his entitlement to his outstanding Chairman’s allowance and councillor allowance for 2018/19 but proposed that the Council should politely decline Cllr Burrow’s offer to make this waiver. This was unanimously agreed. Consequently, Councillor Burrow to be advised that he is free to claim waived allowances (subject to any limitations in law) if he so wishes. As a consequence of this decision the Clerk will indicate in paragraph 4.2 of the Complaint Decision Document, referred to in item 16 a. above, to indicate that, although a Councillor had forgone allowances due including for 2018/19 specifically to offset the loss of money to the council by the ultra vires payments to Councillors Drake and Edwards, this offer was politely declined by Council unanimously.

At this point Cllrs Drake, Edwards & Burrow returned to the meeting and Cllr Drake took the chair.

c. Council agreed to request the Clerk to inform the complainant of the Council’s final decision on the complaint on the basis of this minute.

17. Risk Management

- a. Council noted there were no new finance and risk events.
- b. Council noted the Risk Framework has been updated by Cllr Drake and agreed that Cllr Cambage would review before seeking approval from Council

Clerk

AC

<p>18. Actions from Previous Meetings</p> <p>a. Council discussed the status of agreed actions from previous meetings and agreed to make a copy of the latest status available on the Council website.</p>	Clerk
<p>19. Correspondence – Council noted that the Clerk had received a letter from the Clerk of Balsall Parish Council. The Balsall Parish Council Budget Working Group is enquiring whether Berkswell Parish Council would consider making a 25% contribution to the Balsall Common Christmas lights in 2019/20. It has been requested that the proposal be considered at our December meeting so that a response can be taken account of in Balsall Parish Council's budget setting process. As a guideline, the 2017/18 cost for the lights to be fitted, switched on, taken down and stored was £5,391 (excluding VAT). Cllr Burrow proposed to discuss this request on 10 January (Budget setting meeting) and this was agreed. A resident commented that BPC should make some kind of contribution.</p>	
<p>20. Ongoing References</p> <p>a. Review of inventory of land and assets – The Council noted that the actions from the November councillors' asset inspection have been completed and thanked the clerk for his rapid action on this issue which has received positive feedback.</p> <p>b. Neighbourhood Development Plan</p> <p>i. The Council noted that references have been taken by the Chairman of the NDP Committee on the two examiners who expressed interest in conducting the examination of the Berkswell NDP. The Council also noted that it is SMBC's role to appoint the examiner and pay the costs incurred and that the Clerk has indicated to SMBC that Berkswell takes no exception to the appointment of Andrew Matheson to the role.</p> <p>ii. The Council noted that the steering group on parking and traffic calming in Berkswell village (The Berkswell Project) have commenced work on a bid application for funds for the project and have held a meeting with the SMBC Cabinet member for Highways to ensure that the project has political support. The Council authorises the Clerk to take all necessary action to secure funding with the support of the steering group. Cllr Drake reported that Berkswell Charities have offered 10% of up to £250k of project costs (RD to provide Clerk with the offer letter).</p> <p>c. Local Plan – The Council noted that the SMBC cabinet meeting for December has been cancelled and that it is now expected that the Cabinet will consider approving a consultation on updated housing proposals at its January 2019 meeting.</p> <p>d. HS2</p>	RD
<p>i. Council received a report from Cllr Lloyd on the SMBC Implementation Advisory Group meeting held earlier in the evening (copy of the agenda available on the Council's website). A copy of the HS2 Presentation is also available on the Council's website. Notes of the meeting will be available on the Council website (Cllr Lloyd to prepare).</p> <p>ii. Cllr Lloyd proposed that Council should write a letter reminding HS2 that there is an obligation to put out environmental information for public consultation and Cllr Lloyd agreed to draft a letter for the Clerk to send.</p> <p>iii. Council discussed making a representation to Solihull MBC requesting that information held by Solihull MBC regarding HS2 is published promptly in line with the Local Council Charter, the Open Government UK National Action Plans, the 1998 Aarhus convention, and the Environmental Information Regulations 2004. Cllr Lloyd agreed to draft a letter for the Clerk to send.</p>	
<p>e. A46 Link Road – Nothing new to report.</p>	RL/Clerk
	RL

<p>f. TPOs – Council noted that the application for TPOs on Barratt’s Farm has been submitted to SMBC.</p> <p>g. Airport – Council noted that the consultation on the new Master Plan is open until Jan 31 and to consider how to formulate a response. Council asked Cllr Lloyd to propose a motion for the January Council meeting.</p> <p>h. Open Spaces Society Consultation on the Strategic Plan 2019-2024 - Council considered the following motion; “Council was pleased to receive the draft Plan, and feels that the eight proposed strategic goals are very appropriate for furthering the charitable objectives of the Society to protect and enhance public access rights. Consequently, the Clerk was asked to respond to the consultation accordingly”.</p>	<p>RL/Clerk</p> <p>Clerk</p>
<p>21. Removal and Additions to Ongoing References</p>	
<p>Removals: None</p>	
<p>Additions: None</p>	
<p>22. Training and Meetings - nothing</p>	
<p>23. Heritage and Community</p>	
<p>a. Grass Mowing Contract</p>	
<p>i. Council noted that the Clerk has issued an Invitation to Quote (ITQ) for grass & hedge cutting and general maintenance for the period March 2019 to March 2022 with a response deadline of 7 January 2019.</p>	
<p>ii. Council noted that SMBC have confirmed which grass areas in Berkswell village they are responsible for maintaining.</p>	
<p>iii. Council considered the following question: Do Councillors wish;</p>	
<p>1. to investigate further the SMBC responsibility for grass cutting at the entrance to Pound Close given the SMBC response to the Council’s enquiries re responsibilities for verges within Berkswell village. i.e. with SMBC Housing</p>	
<p>2. to change the scope of our grass cutting contract given the information received from SMBC re their grass cutting activities</p>	
<p>Council agreed to allow SMBC to mow the grass they are responsible for and to descope the grounds maintenance contract accordingly.</p>	
<p>b. Spinney Car Park</p>	
<p>i. Council noted that the restoration work on the roundabout in the Spinney Car Park has been completed.</p>	
<p>ii. Council considered the following 2 options for the future of the island in the spinney:</p>	
<p>1. A low-cost option of simply sprinkling grass seed on it in the spring by volunteers at a cost of about £30 with the clerk delegated to incur the cost</p>	
<p>2. A more wildlife sound option based on the principles advanced by Chris Hitchcock including planting snow drops at one end and a mixture of wild garlic and bluebells at the other together with grass seed, plus approximately 4 trees/shrubs of a wildlife enhancing variety. Exact details to be agreed by the Clerk on the advice of a professional gardener. Cost of up to £600. The clerk is delegated to incur the cost.</p>	
<p>Council agreed option 2 to be financed from the 2018/19 budget.</p>	
<p>c. The Well - Council noted the excellent state of the Well area and passed a motion of thanks to the Well warden Denis Stokes. Clerk to write a letter of thanks.</p>	
<p>d. Station Road Parking – Council received a verbal update on a meeting of the Station Road Parking Working Group. Cllr Drake reported that he and Cllrs</p>	

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<p>Burrow & Lloyd met with three local residents to discuss the issues. This was very constructive. A formal proposal will be presented to the January Council meeting. The group are looking for measures to discourage all day parking without compromising the comings and goings of local residents.</p>	RD/AB/RL
<p>e. Newsletter - The Council expressed its thanks to the community volunteers who delivered the Council’s newsletter to homes across the parish.</p>	
<p>f. Hedgehog Preservation – Council considered and approved the following motion; “The Council approves the purchase of 4 hedgehog warning signs for Grovesfield Crescent at a cost of around £40 plus delivery from the Hedgehog Preservation Society. Erection to be undertaken by volunteers in a none damaging manner”. It was agreed that Cllr Burrow would buy the signs from an online supplier.</p>	AB
<p>g. Planting Scheme</p> <p>i. Council noted that the two authorised planters for Hallmeadow Road have been built and installed by Councillor Burrow and Jim Ellis from the Berkswell Society. Two residents will look after them. The Council also noted that two additional sets of Christmas lights and baubles have been purchased in line with the approved Christmas tree plan. The total cost, including the compost for the Waste Lane planter, came to £201.36 including VAT.</p> <p>ii. Given the nature and location of the vendors the Clerk authorised Councillor Burrow to incur the expenditure in item i above and the Council authorised reimbursement.</p> <p>iii. Council noted and thanked Peter Kastoff for providing other materials free of charge for the planters</p> <p>iv. Council noted that at this stage there is no prospect of fruit trees being planted due to a lack of resident interest in the appropriate areas but crocus bulb planting is planned to proceed with bulbs supplied by SMBC.</p>	
<p>24. Council Administration Nothing to report</p>	
<p>25. Next Meeting</p>	
<p>a. Council agreed the following changes to Council meetings in January 2019:</p> <p>i. that the next Ordinary Meeting of the Council will be held on 17 January 2019 at 7:15 in the Balsall & Berkswell Hornets Clubhouse, Lavender Hall Lane, Berkswell, and</p> <p>ii. that the Extraordinary Meeting (Budget Setting), will be held on 10 January 2019 at 7:15 in the Jordan Room, St John Baptist Church, Berkswell</p>	Clerk