

## Berkswell Parish Council – Ordinary Meeting 14 February 2019

Minutes of the Ordinary Meeting of the Parish Council of Berkswell held in the Hornets Clubhouse, Lavender Hall Lane, Berkswell on 14<sup>th</sup> February 2019 at 7:15 pm.

	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. Attendance:</b> Cllrs Drake, Edwards, Howles, Burrow, Cambage, Hitchcock, Lloyd, the Parish Clerk, Cllr Bell (SMBC) and 20 members of the public.</p> <p><b>4. Apologies for Absence</b> None</p> <p><b>5. Acceptance of Apologies</b> Not applicable</p> <p><b>6. Declarations of Interest</b></p> <p>a. The following declarations of interest were received from Councillors in relation to items on the agenda:</p> <p>i. 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 the potential conflict of interest</p> <p>ii. Cllr Lloyd – declared a non-pecuniary interest in items relating to HS2 by virtue of chairing HHAG</p> <p>iii. Cllr Hitchcock – declared an interest in tree matters in his capacity of being a Solihull tree warden</p> <p>iv. 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> <p>v. Cllr Drake and Edwards declared an interest in Item 17 but as the item was just about process they did not request any dispensations</p> <p>b. There were no written requests to disclose pecuniary interests</p> <p>c. The following requests for dispensations were made and approved by Council:</p> <p>i. Cllr Burrow - asked that, in considering this request, Council discusses and votes on it in his absence and that the Council seeks resident’s views from those attending as to whether they believe that he can help impartially with the creation of the Council’s response. The following dispensations were requested.</p> <ul style="list-style-type: none"> <li>• Permission to help organise and run the drop-in session on 2 March 2019</li> <li>• Permission to help analyse the responses of residents arising from that drop-in session</li> <li>• Permission to participate in the discussion of the PCs response to the Solihull draft plan at its meetings on 7th and 14th March, where practical absenting myself from elements that directly impact on my conflict, and not voting on the final response to the draft plan because it might not be</li> </ul>	

practical to eliminate the personal interest from the totality of the Council’s final response submission

- Permission to help draft documents relating to the Council’s response to the draft plan if required. (for approval by others)

**7. Open Forum**

Parishioners of Berkswell were invited to address the Council on any relevant matter for a maximum of three minutes. A resident announced that Richard Lawton had died on 12 February, he had been a long-standing member of Balsall Parish Council.

**8. Confirmation of Minutes**

The Ordinary Meeting of the Council held on 17 January 2019 were approved and duly signed by the Chairman.

**9. Matters arising from the previous meeting for attention** None

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

- Cllr Bell commented on the Spencer’s Lane recreational field – an SMBC enforcement officer was to go out next week to meet the owner and discuss the matter.
- Cllr Burrow – commented on the hedge blocking the pavement on Grovefield Crescent and that SMBC had agreed to arrange for it to be cut back. Cllr Burrow also reported that Bruce Brant (SMBC) has acknowledge that the Carol Green Finger post will be repaired and that the motorist responsible for the damage to it will be charge the cost
- Cllr Hitchcock – commented that the signs on the roundabout at the junction of Hallmeadow Road and Lavender Hall Lane should be put back. Council agreed this was not a Parish Council matter but that it was appropriate for SMBC to put them back. Cllr Hitchcock also commented that the Council should insist that, where trees are replaced. the trees planted should be appropriate to preserve bio diversity.

**11. Committee Appointments** None to report

**12. Planning Applications**

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

Ref	Location	Proposal	Response Date
2018/03560	Keepers Cottage Cornets End Lane Meriden Solihull	Demolition of part of the existing cottage and erecting a two storey extension at the rear of the cottage, together with creating a new access.	25/02/19
2018/03560	The Council had no comment to make		
2019/00263	Park Farm Stables Mercote Hall Lane Meriden Solihull	Change of use of traditional farm buildings to workshops and storage.	27/02/19
2019/00263	Council commented as follows; Mercote Hall Lane is a public road which peters out. The applicant is requesting B2 use and storage under B8 (storage /distribution centre). This could be the thin end of the wedge. Cllr Burrow stated that he would not support B8 approval which would encourage HGVs driving down unsuitable roads. Cllr Lloyd commented that people have been allowed to occupy those		

	<p>premises with storage activities (without planning permission). The quarry area will be restored at some stage. It was agreed that the proposal was inappropriate. Council agreed that the chairman will send a letter and Cllrs Lloyd and Burrow will draft the response based on the above concerns. The grounds for objection were:</p> <ul style="list-style-type: none"> <li>• This is a highly rural location in a prominent position on a lane which is also a public bridleway. Whilst the quarry is not far away it cannot be seen and this is a popular area for walkers. It has a deep rural feel.</li> <li>• There are a small number of homes in very close proximity</li> <li>• The access road is a “cul-de-sac” (Mercote Hall Lane) and very narrow and used by pedestrians and horses which becomes solely a bridleway and footpath just beyond Park Farm. It is effectively a single carriageway not suitable for vehicles of any size</li> <li>• In particular Mercote Hall Lane is not suitable for HGVs</li> <li>• In addition, Mercote Hall Lane comes off Cornet End Lane which is itself relatively narrow and subject to a vehicle width restriction to prevent HGVs using it at its eastern end, which includes the section incorporating Mercote Hall Lane. I attach the width restriction notice that applies to this section of Cornets End Road and hence also applies to Mercote Hall Lane.</li> <li>• The planning application seeks permission for storage. That is a Class B8 planning classification. Whilst the application mentions storage of certain items the granting of planning approval could well result in other objects being stored increasing the traffic pressure on totally unsuitable roads.</li> <li>• There is also a risk that storage would not be restricted to within the buildings and thereby impacting on the openness of the greenbelt by incorporating inappropriate activity contrary to the NPPF.</li> <li>• Consequently the parish council consider that in no circumstances should planning permission be granted for a B8 use.</li> <li>• With respect to B2 use we are also concerned that the pressure of industrial activity on the local roads. It is hard to imagine any industrial use that will not give rise to HGV requirements for delivery of raw materials or products. Again, there is a chance that materials/products/waste etc will be stored outside contrary to the openness and character of the local greenbelt. It is possible that with certain restrictions that B2 use could be made acceptable such as             <ul style="list-style-type: none"> <li>○ No HGVs</li> <li>○ No external storage</li> <li>○ No noise to impact the rural quiet</li> <li>○ Time restrictions on activity to ensure that the amenity of the nearby homes is not impacted.</li> </ul> </li> </ul> <p>In general terms the parish council believe that conversion to homes would be a far less damaging future use for these buildings particularly given the intense need for housing in the Solihull Borough.</p>	<p>RD/RL &amp; AB</p>
<p><b>13. Financial Matters</b></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 represented expenditure previously approved by the Council:

Invoices for Payment	Approval	Cheque No	Gross Amount £	VAT £
R Wilson - Clerk's Salary February 2019	Admin	002158	656.57	0
R Wilson – reimbursement of expenses – white board, magnets and spare keys for Notice Board	Admin	002159	104.40	12.40
A Burrow – reimbursement of expenses relating to hedgehog signs as authorised by the Clerk	17/01/19 Item 24 c	002160	44.75	0
A Burrow – reimbursement of costs relating to the repair of the Berkswell Village telephone box door restraining strap.	17/01/19 Item 18 b	002161	26.46	4.41
F Weetman & Son – Christmas trees	S.137	002162	303.02	50.50
DM Payroll Services Ltd – Payroll services 2 <sup>nd</sup> half year	Admin	002163	67.50	
<b>Total</b>			<b>1,202.70</b>	<b>67.31</b>

b. Payments received – none  
c. Grant Application – None

**14. Risk Management**

a. There were no new finance and risk events to report. Cllr Hitchcock advised residents to be mindful of trees possibly falling during high winds and gales.

**15. 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 that good progress had been made to reduce the backlog.

**16. Correspondence** – Council noted the email from Balsall PC in response to this Council's letter concerning the establishment of a joint committee for consultation on items of mutual interest. Council approved the circulated response.

**17. Vexatious Complaints and possible bullying of the Clerk by a member of the public**

a. Council considered what action, if any, was required as a result of the tone of letters received from a resident. Cllr Burrow stated that the Clerk should have every right to be concerned about the nature of correspondence. It was agreed that the Chairman will write to the resident on the matter

b. Council considered if there was a need for a Vexatious Complaints/Communications Policy following the example of Balsall Parish. Council agreed to refer the matter to the Annual Meeting of the Council in May.

**18. Ongoing References**

a. Review of inventory of land and assets – Council noted that SMBC have confirmed that they do not have a record of how the Kelsey Lane bus shelter came to be registered in their ownership. SMBC have advised that BPC should

Clerk

RD

Clerk

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<p>apply to HM Land Registry for a transfer of ownership based on the original registration being made in error.</p>	
<p>b. Neighbourhood Development Plan – Council received a report on the progress of the external examination. Maurice Barlow (SMBC) had confirmed the external examiner has been appointed and that the examination will be completed mid to end of March 2019.</p>	
<p>c. Local Plan – Council noted that the closing date for the consultation on the 2nd draft of the Local Plan update is 15th March 2019</p>	<p>All</p>
<p>i. Council agreed that it will conduct a public consultation on the draft local plan on the afternoon of 2nd March 2019 in the Jubilee Centre</p>	
<p>ii. Council agreed that the Clerk can spend such monies as are necessary for leaflet printing, hall hire, printing and other such costs support the 2nd March consultation</p>	<p>Clerk</p>
<p>iii. Council agreed that its response will be prepared in public at an Extraordinary PC meeting on 7th March 2019 taking account of feedback from the 2nd March consultation. Council noted that final approval of the written document could be agreed at its regular meeting on 14th March 2019 based on that which is agreed on 7th March 2019.</p>	<p>All</p>
<p>iv. Cllr Bell commented that SMBC have included in the latest plan all the brown field sites recently identified, as well as other sites that had previously been proposed, in the Balsall Common area. All of this will put pressure on the existing infrastructure. Cllr Bell explained that Local authorities are under pressure from central government to build more houses. Cllr Bell also commented that SMBC have acknowledge that HS2 coming through the area will cause a problem for the timing and logistics of the proposed development. Also, SMBC are now said to be taking the Hearn Report into account. A resident echoed Cllr Bell’s concern about the pressure on the local infrastructure. The Chairman confirmed that BPC will have a consultation which will be separate from the SMBC consultation. The Chairman urged residents to take action and respond individually to the SMBC consultation. Cllr Burrow stated that now is the time to state what is missing from infrastructure requirement. Cllr Burrow stated that the plan needs careful reading to understand its full impact and that the village centre needs professional consultation and proposals. Cllr Hitchcock stated that he very concerned with what’s going on in the area with trains, housing etc and that people are not recognising this is a rural area. He is also concerned that the area will lose a lot of its recreational nature and would benefit from more areas such as Marsh Lane Nature Reserve.</p>	
<p>d. HS2</p>	
<p>i. Council noted that 5 Councillors met with HS2 Ltd and Balfour Beatty Vinci representatives on 31st January 2019. Minutes of that meeting are available on the Council’s web site (although these contain a typo on the number of HGVs that will use the Kenilworth Road if Hallmeadow is used as a haul route. A corrected copy has been requested from Balfour Beatty Vinci.). Council noted in summary that HS2 Ltd/Balfour Beatty Vinci plan to apply for planning permission for a haul route along Hallmeadow Road with a short spur to the greenway haul route from the Station Road Roundabout. That haul route will supplement a haul route next to the trace of the line from the construction compound on Park Lane running across Truggist Lane</p>	

<p>to the north east side of the west coast mainline. The Hallmeadow route will reduce lorry movements by 350 to 400 per day each way on Kelsey/Waste Lanes (and Kenilworth Road) and reduce movements on Hodggett’s Lane and Truggist Lane. An extension to the station car park of around 50 vehicles will be provided and parking restrictions introduced on Hallmeadow Road and the slope section of Riddings Hill. Cllr Burrow recommended to the public to read the HS2 minutes on the haul route (available on the Council web site). 80 large vehicles will continue to use the A452 with 350 to 400 using Hallmeadow Rd at its peak. A resident of Riddings Hill asked when the haul route will commence down Hallmeadow Road. Cllr Burrow responded that HS2 have stated 2020 to 2021 during which the volumes would be the 350-400 per day each way dropping to around 40 -80 per day thereafter until the end of the construction project, Cllr Burrow also reported that BPC have expressed concern to HS2 about parking on all three vehicular accesses off Hallmeadow Road (receiving reassurances on Riddings Hill to date) and the noise/dirt that will be generated and the need for wheel washing. A resident commented that Waste Lane is already getting muddy. Cllr Lloyd reported that he has sent an FOI request to HS2 to establish what land they control on either side of the route to see if there is the possibility to build a different haul route.</p> <p>ii. Council noted that SMBC have arranged a session where they can explain the Schedule 17 process and the limited grounds that can be considered for refusal or conditional approval, on Monday 25th February at 6pm in the Council’s Civic Suite and would expect it to last about 1 hour. Council agreed that Cllrs Burrow, Drake, Hitchcock &amp; Lloyd will attend. It was also agreed that Cllr Lloyd would confirm this with SMBC. Cllr Lloyd reported that he has requested of HS2 and SMBC copies of all applications made by HS2. SMBC have refused to supply the information and he is awaiting a response from HS2. The law requires them to assist applicants seeking information.</p> <p>iii. Council noted that Cllr Lloyd has filed a complaint with SMBC on 4 February 2019 about the apparent miscommunication between SMBC and HS2 Ltd over the Council's scheme of 17 July 2017 to remove all construction traffic from public roads.</p> <p>iv. Council noted the apparent inability of HS2 Ltd to respond to a request made on 5 November, under the Environmental Information Regulations, for copies of all information about the evaluation of the Council's proposal to shift all construction traffic onto a dedicated haul route. After 3 month’s they are not ready to respond to the FOI request.</p> <p>v. Council noted Cllr Lloyd's update on a likely increase in HS2 construction traffic due to underestimation of quantities, unsuitability of the arisings for re-use, the need to use piling along the whole route, and the proposed provision of extra car parking.</p> <p>vi. Council received a report on the meeting about the Temporary Greenway on 28 January at Burton Green. This meeting had been rearranged for 25<sup>th</sup> February at 7:15 at Burton Green Hall when HS2 will release their proposals.</p> <p>vii. Council noted Cllr Lloyd's concern over the publication and validation of requests made by HS2 Ltd for traffic regulation and planning consent. This is</p>	<p>RL</p>
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<p>Removals:</p>	
<p>Additions: Proposed residential park home estate</p>	
<p><b>20. Training and Meetings</b> Nothing to report</p>	
<p><b>21. Heritage and Community</b></p>	
<p>a. Grass Mowing, Hedge Cutting &amp; General Maintenance Contract – Council noted that the Clerk has evaluated the lowest three quotes received following the ‘Invitation to Quote’ exercise. Based on this evaluation Council considered and agreed the following motion: “This Council approves a contract with JMH Home and Garden Services for the 3 years from 2 March 2019 to 1 March 2022 at a total contract price of £4,731 for the grass cutting element and a Day Work Rate of £120 for hedge cutting and ad hoc maintenance work”.</p>	<p>Clerk</p>
<p>b. Spinney Car Park – Council noted that the Clerk has requested a quote from a local gardener who has expressed interest in the planting of the island and is awaiting a reply. It was agreed that Cllrs Hitchcock &amp; Burrow will consider the proposal received and advise the Clerk accordingly.</p>	<p>DH &amp; AB</p>
<p>c. Hedgehog Preservation – Council to note that the hedgehog signs have now been installed.</p>	
<p>d. Listed Monument Phone box repairs – Council noted that Councillor Burrow has succeeded in removing the anchor strap fittings in the Listed phone box on Spencer’s Lane and has obtained spare parts as previously agreed. Cllr Burrow reported that he has now installed the new strap. Informal consultation has identified that villagers would like to use the phone box as a library but it needs cleaning first.</p>	
<p>e. Freedom of the Parish - Council considered granting “Freedom of the Parish” to a Berkswell resident for services to young people and the community over 40 years. Council noted that this is the highest award the Council can grant under its community recognition policy. Papers of justification and references have been circulated to Councillors but contain personal information not for publication. The granting “Freedom of the Parish” was agreed unanimously. Cllr Howles agreed to talk to the resident concerned and ask if they will accept the award.</p>	<p>KH</p>
<p>f. Village Farm – Council noted the response of Berkswell Estates to the proposal that an Extraordinary Meeting be held to consider the latest thoughts on Village Farm improvement by the Estate. The Clerk reported that he was awaiting confirmation of timing for the meeting.</p>	
<p>g. Traffic Calming - Council received a report on funding investigations for the traffic calming and parking project in Berkswell village (The Berkswell Project). Cllr Burrow reported that residents (Wendy Gaunt and Jane Edwards) have been trying hard to obtain grant funding. Three tiers of funding are potentially available from HS2. A Strategic Fund (not eligible), Road Safety Fund (in conjunction with SMBC) but it is not clear if the project will be included or not. If the project is turned down for tier 2 funding the Council can apply for Community Grant (£75k per time). SMBC can only apply for one grant at a time. The project requires £170k (table top/zebra crossing), £23k for car park and gateways (£27k), and a footpath from the sewage station to the</p>	

<p>village green (£45k). This is a total of £265k. There may be monies available from HS2, Berkswell Charities and other local sources.</p> <p><b>22. Council Administration</b></p> <p>a. Managing in the absence of the Clerk – Council considered the ‘Managing in the absence of the Clerk’ document which had been circulated for information. Council then considered and agreed the following motion: “Council agrees to adopt the process set out in the ‘Managing in the absence of the Clerk’ document in the event that the clerk becomes incapacitated and unable to perform his/her duties and/or have to leave the parish with little/no notice”.</p> <p>b. Cover for Clerk on his upcoming holiday - Council agreed the following actions to allow the council to function in his absence:</p> <p>i. Preparations for 2 March (13:30 to 17:00) meeting (including the provision of display materials). It was agreed to delegate £750 to Cllr Drake and Burrow to arrange the necessary resources.</p> <p>ii. The Clerk could nominate his wife to help in an emergency.</p> <p><b>23. Next Meeting</b></p> <p>a. The next Ordinary Meeting of the Council will be held on 14 March 2019 at 7:15 in the Jordan Room, St John Baptist Church, Berkswell.</p>	<p>Clerk</p> <p>RD/AB</p> <p>Clerk</p>
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