

Berkswell Parish Council – Ordinary Meeting 14 March 2019

Minutes of the Ordinary Meeting of the Parish Council of Berkswell held in the Jordan Room, St John Baptist Church, Berkswell on 14th March 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, Edwards, Howles, Burrow, Cambage, Hitchcock & Lloyd, the Parish Clerk, Cllr Bell (SMBC) and 13 members of the public.</p> <p>4. Apologies for Absence Cllr Allsopp (SMBC)</p> <p>5. Acceptance of Apologies Accepted</p> <p>6. Declarations of Interest</p> <p>a. Council received the following declarations of interest from Councillors on 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 her 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 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>iv. Cllr Drake declared an interest in Item 17 and stated that he would withdraw from the meeting for this item.</p> <p>v. Cllr Edwards declared an interest in Item 17 and stated that she would withdraw from the meeting for this item.</p> <p>b. There were no written requests for the disclosure pecuniary interests</p> <p>c. There were no new requests for dispensations. However, Cllr Burrow reminded Council that he had been operating under a previously agreed dispensation (Item 6 c) i) on 14/02/19) on the Solihull Plan but that he would not vote and would leave the meeting for the discussion on Item 18 c).</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 raised concerns about the state of land off Spencer’s Lane in Carol Green. (by ‘Spencer’s Retreat’). A lot of buildings have been built, as well as a concrete path and the area represents a building site. The resident requested that someone official should pay a visit to inspect the situation. Cllr Bell agreed to make enquiries and see if a Planning Officer would take a look. The resident raised a further concern regarding what appeared to be a water leak on Truggist’s Lane which is dangerous when it freezes. They were also concerned about a stretch of Hodgetts Lane where there is no edge to the road due to HGVs crossing</p>	

over the verge. Cllr Burrow agreed to help the Clerk to write a letter of complaint to SMBC on the last 2 points. Cllr Hitchcock mentioned that there are dangerous trees in the area at the moment due to recent high winds and urged residents to be aware of the possible danger. He also made Council aware of flooding on the NE side of the road almost at the junction with Spencer’s Lane.

8. Confirmation of Minutes - The following minutes were approved by Council and duly signed by the Chairman:

- Ordinary Meeting of the Council held on 14 February 2019
- Extraordinary Meeting of the Council held on 7 March 2019

9. Matters arising from the previous meeting for attention – there was nothing to report.

10. Borough Councillor’s Report and Parish Councillor’s Opinion. Cllr Edwards reported that she had attended the Berkswell Fete Committee meeting recently and requested the Clerk to arrange the closure of Church Lane for Saturday 15 June 2019. This was agreed but Council rejected the request for the Clerk to obtain ‘Road Closure’ barriers and signs stating this is should be the responsibility of the Fete Committee. Cllr Lloyd mentioned water leaks on Station Road and on Hawkhurst Moor. There had been no response from Severn Trent on the latter but Cllr Lloyd has an incident number. Cllr Burrow raised the issue of garden walls being built on the front of 132 & 134 Meeting House Lane. The Parish Council had objected to the Planning Applications for these walls and SMBC had subsequently refused permission. A resident had complained to SMBC, when the walls started to be built, who had sent a Planning Enforcement Officer to investigate. Following the visit, the resident had been informed by SMBC that the householders were at liberty to build a wall providing it did not exceed 1m in height under Permitted Development Rights. It was reported that the wall in front of 134 Meeting House Lane currently measures 1.1m (not including the engineering bricks) with the pillars being even higher. Cllr Bell agreed to look into the matter.

11. Committee Appointments

12. Planning Applications

- a. The following list of planning applications received since the last meeting were discussed by Council:

Ref	Location	Proposal	Response Date
2019/00478	Oak House 108 Meeting House Lane Balsall Common Solihull	5m crown lift, removal of dead wood and feather thinning plus cut back branches encroaching on house, neighbour’s property and road by 2 metres to 1 No. Oak tree.	19.03.19
Council agreed the following comment; “Berkswell Parish Council is happy to leave the decision to the Tree Officer. However, it is not clear from the application what the intention is, particularly the height of the lift and the Parish Council requests clarification on this matter”.			
2019/00413	97 Kelsey Lane Balsall Common Solihull CV7 7GS	Ground floor rear granny flat extension.	20.03.19

AB/Clerk

Clerk

Clerk

No objection				Clerk																														
2019/00561	The Stables 8 Berkswell Hall Meriden Road Berkswell	Fell x1 Evergreen tree located in rear garden and replace with Rhododendron.	22.03.19																															
Council agreed to leave the decision to the Tree Officer but objected on the basis that the replacement is not considered appropriate for this location. The Council asks the Tree Officer to comment if the rhododendron is an appropriate replacement for the evergreen tree.																																		
13. Financial Matters																																		
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 related had been received, carried out, examined and represents expenditure previously approved by the Council:																																		
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b. Payments received – none																																		
c. Grant Application – Council considered an extra-ordinary grant application from the Berkswell Parish Fete Committee to assist with the costs of the Berkswell parish fete in June 2019. The committee requested that this was considered now because waiting until the June 2019 regular grant application meeting, would be too late for the fete which is currently being organised. Council noted that the fete committee does not have a bank account of its own and St John Baptist Church acts as “banker” for the fete and has representation on the committee. The amount requested was £50. This was approved providing that the fete is advertised as a Berkswell Parish event.																																		
14. Risk Management																																		
a. There were no new finance and risk events to discuss.																																		
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). The following items were discussed																																		
i. Item 168 - Cllr Edwards reported that she had spoken to the Head of Berkswell School and agreed to implement a procedure in the event of ice on the Spinney car park. The Clerk was asked to procure some cones to enable the car park to be closed off if required																																		
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<ul style="list-style-type: none"> ii. Item 217 - Cllr Drake agreed to chase SMBC for an A3 meeting iii. Item 225 – Council agreed to go ahead and order 4 Berkswell Gate signs at about £55 each based on a quote from October 2018, up to £300 in total. iv. Item 252 – Council agreed the text for a response to Gary Palmer’s letter re the Parish Council’s application for TPOs on Barratts farm. The Clerk was asked to write to Anne Brereton (copied to Cllr Bell) reminding SMBC that the Parish Council offered to contribute to the cost. 	RD
<ul style="list-style-type: none"> b. Items 219 and 258 re yellow lines on Station Road - Council noted that the cost is estimated at £6k per Ashley Prior’s email of 21st January 2019. The issue has been raised by Cllr Burrow with the Head of Highways and HS2 in January 2019 with a view to yellow lines on Station Road being included in a prospective consultation on yellow lines on Hallmeadow Road in the event that HS2 request planning permission to use Hallmeadow Road as a delivery/haul route and build a haul route from the Station Road roundabout to the greenway. Council agreed Item 219 & 258 had been completed. 	Clerk
<p>16. Correspondence</p>	
<ul style="list-style-type: none"> a. Council considered the email from The Langdale Trust regarding ‘Spencer’s Retreat’ inviting all the Berkswell Parish Councillors and officials to “come and have a look at the site, meet the Chairman and have a chat, talk over ideas & meet the animals”. A resident commented that this is the same site which had been discussed at Item 7 above. Cllr Burrow stated he didn’t want to visit whilst there are planning issues unresolved and Cllr Drake agreed. Cllr Lloyd pointed out that the Parish Council’s Policy on “Meeting with 3rd Parties” discouraged such visits. Council agreed not to accept the invitation. The Clerk was asked to write back to convey this decision. 	Clerk
<ul style="list-style-type: none"> b. Council discussed its response to the Berkswell Estates letter re Park Farm. It was agreed that the Chairman and clerk would finalise the response for the Clerk to send. 	RD/Clerk
<p>17. Vexatious Complaints and possible bullying of the Clerk by a member of the public</p>	
<ul style="list-style-type: none"> a. Cllrs Drake and Edwards left the meeting and Cllr Burrow took the chair. Council noted that the Chairman has recused himself from this issue following consideration since the last meeting. Given that the Clerk cannot send the letter nor the vice Chair, it was proposed that the letter is signed jointly by the two past Chairs (Cllrs Howles & Burrow). Council approved this process and the draft letter. The Clerk was asked to print out the letter on headed paper for Cllrs Burrow & Howles to sign. 	AB/KH & Clerk
<p>18. Ongoing References</p>	
<ul style="list-style-type: none"> a. Review of inventory of land and assets – Nothing new to report b. Neighbourhood Development Plan – Council noted that the response to the Examiner’s questions and issues had been approved at the Extraordinary [Meeting held on 7 March 2019. Cllr Burrow reported that the Examiner had acknowledged receipt of the response and that he plans to walk around the area soon before drafting his report which he hopes to have available in a week or two. c. Local Plan – Cllr Burrow left the room due to his disclosed pecuniary interest whilst the Council discussed the overall approach, content and balance of the draft Berkswell PC consultation submission. The Chairman thanked Cllr Burrow for his hours of hard work on scribing the Parish Council’s response to 	

<p>the SMBC Draft Local Plan consultation. Council agreed the content in principle and asked the Clerk to put a copy on the web site if that had not already done. The Chair encouraged every resident to respond to the consultation in person and not rely solely on the Parish Council’s submission. At this point Cllr Burrow returned to the meeting, He identified 4 outstanding issues which needed to be addressed in the final submission, which had to be delivered to SMBC by close of business on 15 March 2019;</p> <ol style="list-style-type: none"> i. Council agreed to add in “brown field sites should be developed first where practicable”; ii. There is no executive summary but Council agreed to include the following headlines <ul style="list-style-type: none"> • major problems with site selection, • need to take notice of need for infrastructure & brown field sites first; iii. in Question 6 it was agreed to delete reference to ‘the view from footpath of the windmill’; iv. in section 3.5 it was agreed to say the 2013 traffic data was not representative as it was taken over a bank holiday weekend. 	<p>Clerk</p>
<p>Council agreed that Cllrs Burrow, Drake & Lloyd should agree the final wording and liaise with the Clerk to send in the final response. Wendy Gault expressed concern that SMBC haven’t used the correct assessment criteria for sites and asked what is the process for registering this? Cllr Burrow explained that the draft plan goes to independent examination and at that stage, the Parish Council can apply to the examiner with a small number of key issues.</p> <ol style="list-style-type: none"> d. HS2 – Cllr Lloyd reported on the following: <ol style="list-style-type: none"> i. Planning Applications – there is a process for interested parties to request notification of Planning Applications but it is expected that the Parish Council will be advised of all applications. However, there are 2 Planning Applications that have gone through which the Parish Council were not advised of and an FOI request on applications impacting Park Lane resulted in no information which has resulted in Cllr Lloyd raising a complaint to the information commissioner. ii. Haul Route – In September 2017 BPC put forward a suggested Haul Route which would mean vehicles would not go on public roads. Cllr Lloyd has discovered that this suggestion was not evaluated by HS2. Councillor Burrow pointed out that the Council had already been advised of this at its meeting with HS2 on 31st January. SMBC have confirmed that HS2 were aware of this suggestion. HS2 will submit a Planning Application to use Hallmeadow Road later this year. It is not clear if SMBC will turn this down as alternatives have not been assessed. 	<p>AB/RD/RL & Clerk</p>
<ol style="list-style-type: none"> e. TPOs – As minutes under Item 15 a) iv) above Council agreed the text for a response to Gary Palmer’s letter re the Parish Council’s application for TPOs on Barratts farm. The Clerk was asked to write to Anne Brereton (copied to Cllr Bell) reminding SMBC that the Parish Council offered to contribute to the cost. 	<p>Clerk</p>
<ol style="list-style-type: none"> f. Airport – Cllr Lloyd reported that the Northern Turn has now been approved and that most residents should start to notice an improvement in aircraft noise as a result. 	
<ol style="list-style-type: none"> g. Station Road Parking – it was agreed to take this item off the agenda See item 15b 	<p>Clerk</p>

<p>19. Proposed residential park home estate – it was agreed to take this item off the agenda</p>	<p>Clerk</p>
<p>20. Removal and Additions to Ongoing References Removals:</p> <p> </p> <p>Additions:</p>	
<p>21. Training and Meetings - Nothing to report</p>	
<p>22. Heritage and Community</p>	
<p>a. Grass Mowing, Hedge Cutting & General Maintenance Contract – Council noted that the Clerk has signed a three-year contract with James Hickin of JMH Home and Garden Services. Scope of works in the final contract has changed. A copy of the specification will be included on the website.</p>	<p>Clerk</p>
<p>b. Spinney Car Park – Council approved Councillor Hitchcock’s recommendation to proceed with the planting plan for the “roundabout” and authorise the clerk to place the order.</p>	<p>Clerk</p>
<p>c. Oak tree on the village green – Council received a progress report on the application form to be submitted to SMBC, to obtain permission to prune the oak on Berkswell village green. Cllr Hitchcock reported that the lowest branch is 5 feet from the ground and looks good in both winter and summer. Cllr Hitchcock had consulted with the tree officer, and recommended that no pruning is necessary. Council accepted this recommendation. A resident commented that passing lorries hit the tree and debris falls down. Cllr Burrow stated that lorries should not be going down Lavender Hall Lane and that residents should report such occurrences to SMBC.</p>	
<p>d. Freedom of the Parish - The individual to be given the Freedom of the Parish is Norman Thompson, who has been an assistant scout leader for around 50 years and he helps with the Parish BBQ amongst other things. The award will be presented to Mr Thompson at the Parish Assembly in May.</p>	
<p>e. Council considered and approved the following motion: “This Council approves the Berkswell Society to wash (including jet wash) the telephone box in Berkswell village, this being a listed monument and owned by the Parish Council”. It was noted that Cllr Burrow and another resident will do the work.</p>	<p>AB</p>
<p>23. Council Administration - Council considered moving the date of the parish assembly to meet the needs of the Berkswell Society and other issues. It was agreed to leave the Chairman and the Clerk to agree a suitable date with the Berkswell Society.</p>	<p>RD/Clerk</p>
<p>24. Next Meeting</p>	
<p>a. The next Ordinary Meeting of the Council will be held on 18 April 2019 at 7:15 in the Balsall & Berkswell Hornets Clubhouse, Lavender Hall Lane, Berkswell.</p>	