

## Berkswell Parish Council – Ordinary Meeting 13 September 2018

Minutes of the Ordinary Meeting of the Parish Council of Berkswell held in the Jordan Room, St John Baptist Church, Berkswell on 13 September 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.</p> <ul style="list-style-type: none"> <li>• A resident reported that there had been a number of incidents on Truggist Lane with heavy goods vehicles. They had often seen articulated lorries over the white line (2ft). Another couldn't turn into Truggist Hill farm as 2 other lorries were exiting. Also, the farm has a sign advertising storage. The resident was concerned about the degree of commercial activity evident at the site. Cllr Drake commented that SMBC have been contacted recently by BPC about this site but there had been no evidence of any action taken. Cllr Burrow stated that HGVs have the right of access and requested photographic evidence so we can nag SMBC. Another resident commented that the site was originally an agricultural property which then became a commercial property. The chairman agreed to check again with SMBC and ask if they would inspect the site. Cllr Burrow agreed to take photos and investigate the storage issue.</li> <li>• David Felthouse announced the good news that the Bugle will continue to be published for the foreseeable future thanks to the support of local residents.</li> </ul> <p><b>4. Attendance:</b> Cllrs Drake, Burrow, Cambage, Howles, Lloyd, Edwards &amp; Hitchcock, the clerk and 23 members of the public</p> <p><b>5. Apologies for Absence:</b> Cllr Bell, M Hickin</p> <p><b>6. Acceptance of Apologies:</b> Accepted</p> <p><b>7. Declarations of Interest</b></p> <ol style="list-style-type: none"> <li>a. Council received the following declarations of interest from Councillors on items on the agenda: <ol style="list-style-type: none"> <li>i. Cllr Burrow has a declared pecuniary interest in the proposed development on Barratt's farm but had requested in writing to be able to speak on Allocation 1. Members agreed unanimously that Cllr Burrow could speak but not vote.</li> <li>ii. Councillor Cambage made the same declaration and received the same dispensation</li> <li>iii. Cllrs Drake &amp; Edwards declared that they would leave the room for item 15 b as they were both directly impacted by this issue.</li> </ol> </li> <li>b. There were no written requests for disclosing pecuniary interests</li> <li>c. Cllr Burrow sought a dispensation (see item 7ai above)</li> </ol> <p><b>8. Confirmation of Minutes</b></p>	<p>Clerk/ AB</p>

<p>The minutes of the Ordinary Meeting of the Council held on 19 July 2018 were approved. Cllr Lloyd asked the Clerk to ensure all finalised draft minutes are circulated with the following meeting agenda.</p>	<p>Clerk</p>																
<p><b>9. Matters arising from the previous meeting for attention</b></p> <p>a. Cllr Drake responded to the question raised by a member of the public at the July meeting regarding a possible joint statement by the chairs of Balsall and Berkswell Parish Councils on future arrangement for working together. Cllr Drake reported that he had spoken to Cllr Mark Tattum and confirmed that a joint statement will not be made.</p>	<p>Clerk</p>																
<p><b>10. Borough Councillor’s Report and Parish Councillor’s Opinion</b></p> <p>a. Cllr Lloyd commented on the Planning Application for an extension at Moat Farm, which was considered at the Extraordinary Meeting held on 23 August 2018. It appears that the SMBC version of the Historic Environment Record is not up to date and that the Council should ask SMBC for an explanation. It was agreed that the Clerk should write to the planning officer concerned asking if their HER is now updated and how this impacts on the assessment of the application.</p> <p>b. Cllr Lloyd raised an issue that two Planning Applications made by SMBC relating to advertising on local roundabouts did not appear to go out for public consultation. Cllr Lloyd asked for volunteers to attend the SMBC Planning Committee on 3 October to make representations. It was agreed to arrange representations.</p>	<p>Clerk</p>																
<p><b>11. Committee Appointments:</b> None to report</p>																	
<p><b>12. Complaints</b></p> <p>a. Parking on Marsh Lane – Council discussed a complaint received by Cllr Hitchcock regarding the parking of refrigerated lorries outside premises overnight. Also, a hedge was demolished by a vehicle which was witnessed by a resident. This is an ongoing issue. Council asked for photographic evidence with a view to taking action. It was agreed that residents should be advised to complain directly to SMBC about these incidents.</p>	<p>DH</p>																
<p><b>13. Planning Applications</b></p> <p>a. The following list of planning applications received since the last meeting were discussed:</p>																	
<table border="1"> <thead> <tr> <th>Ref</th> <th>Location</th> <th>Proposal</th> <th>Response Date</th> </tr> </thead> <tbody> <tr> <td>2018/02205</td> <td>Shiloh Hob Lane Burton Green Solihull</td> <td>Resubmission of PL/2017/03254/MINFDW to re-site approved dwelling</td> <td>12.09.18</td> </tr> <tr> <td>2018/02393</td> <td>Barretts Lane Farm, Barretts Lane, Balsall Common Solihull</td> <td>Erect new garage to front of existing dwelling and change of use of the land from agricultural to residential.</td> <td>18.09.18</td> </tr> <tr> <td>2018/01783</td> <td>134 Meeting House Lane Balsall Common Solihull CV7 7G</td> <td>Erect wall with 2 pillars at either end on frontage of property facing highway and pavement replacing the hedge that is there currently.</td> <td>25.09.18</td> </tr> </tbody> </table>	Ref	Location	Proposal	Response Date	2018/02205	Shiloh Hob Lane Burton Green Solihull	Resubmission of PL/2017/03254/MINFDW to re-site approved dwelling	12.09.18	2018/02393	Barretts Lane Farm, Barretts Lane, Balsall Common Solihull	Erect new garage to front of existing dwelling and change of use of the land from agricultural to residential.	18.09.18	2018/01783	134 Meeting House Lane Balsall Common Solihull CV7 7G	Erect wall with 2 pillars at either end on frontage of property facing highway and pavement replacing the hedge that is there currently.	25.09.18	
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2018/02524	Land South West Of Meriden Quarry Cornets End Lane Meriden	The phased extraction of some 400,000 tonnes of sand and gravel as a south western extension to Meriden Quarry; the use of the existing Meriden Quarry processing plant and related infrastructure for the duration of the extension development; the use of the existing Meriden Quarry access to Cornets End Lane; the temporary diversion of Cornets End Brook; the construction of temporary soil screen mounds and an acoustic fence along the southern, western and eastern sides of the extension area; the phased restoration of the extraction area to recreate approximate original ground levels via the importation and placement of inert fill; the reestablishment of Cornets End Brook on its approximate original alignment within an enhanced landscape and ecological corridor; and the reestablishment of an arable agricultural after use on the remainder of the restored extraction area.	28.09.18	
2018/02518	443 Station Road Balsall Common Solihull CV7 7EF	Ground floor side and rear extensions	28.09.18	
2018/02470	Shirley Farm Shirley Lane Meriden Solihull	Repairs and modifications to existing outbuilding	28.09.18	
2018/02205 No objection				
2018/02393 Council agreed this is a fundamental breach of the National Planning Policy Framework. Council noted that a previous application was refused and it was unclear why it should be acceptable this time. Council agreed to object as it was contrary to current draft Berkswell NDP				Clerk
2018/01783 – the Council agreed to object as this would fundamentally impact the street scene. Meeting House Lane is an ancient country lane and its hedges and grass verges are an important part of its character and appeal.				Clerk
2018/02524 – Council commented that it was not acceptable to put out an application with 84 documents with such a short consultation period. An application of this size should have warranted a pre-application consultation. The report on archaeological aspects indicates there is potential for significant archaeological remains. The Parish				

Council proposed a geophysical survey and a metal detection before disturbance of the site and the recommendations in Section 13 in the Environmental Statement should be written into the planning approval.	Clerk
2018/02518 No comment	
2018/02470 No Comment	

**14. 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 relates has 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 September 2018	Admin	002117	656.37	0
R Wilson – reimbursement of postage costs	Admin	002118	16.03	0
Berkswell Pre School – re-issue of lost cheque No 002101 – cheque stopped at the bank	Grant	002119	1,250.00	0
PKF Littlejohn – external audit fee re 2017/18	Admin	002120	360.00	60.00
LUC – Greenbelt review	15/06/18 16i7 & 13/11/17 17c	002121	2,070.00	345.00
Kirkwells – NDP Stage 3 final payment	18/05/17 30b	002122	1,200.00	200.00
Balsall & Berkswell Jubilee Project – room hire	NDP	002123	67.50	0
<b>Total</b>			<b>5,620.10</b>	<b>605.00</b>

In addition to the above, council noted the following cheques have been authorised since the last Ordinary Meeting under the Council's emergency payment policy:

<u>Date</u>	<u>Cheque</u>	<u>Amount</u>	<u>Payee</u>	<u>Details</u>
23 July 2018	002111	91.00	ICS Print	Leaflet printing Local Plan
13 Aug 2018	002112	225.00	ICS Print	NDP meeting documents
13 Aug 2018	002113	656.57	RD Wilson	Clerk's August salary
23 Aug 2018	002114	1,680.00	Kirkwell's	NDP support
23 Aug 2018	002115	63.96	RD Wilson	Reimbursement of admin costs
31 Aug 2018	002116	65.00	ICS Print	NDP printing

- b. Payments received – none

<p><b>15. External Audit Report</b></p> <p>a. Council noted the following comments made by the external auditor, PKF Littlejohn, in respect of the financial year 2017/18: <i>“On the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.”</i></p> <p>b. Cllrs Drake and Edwards left the room and Cllr Burrow took the chair. Council noted that, further to minute 24b (Councillor Allowances) of the 14 June Ordinary Meeting of the Council, the Clerk sought advice from both NALC and the external auditors (PKF Littlejohn) over the decision not to seek a reimbursement of allowances paid in error. NALC confirmed that the Council had acted “ultra vires” in making the payments and advised that the external auditors be informed. The auditors have advised the Clerk that they had been made aware of the issue and had reviewed the June minutes prior to issuing their report (see item 15a above). The auditors noted that the Parish Council had taken appropriate steps to ensuring that this is not an issue in future years and stated that they had no further comments on the matter. In response to this Council agreed that the decision taken at the 14 June meeting, item 24 bii, stands.</p> <p><b>16. Risk Management</b></p> <p>a. Council discussed the following risk events:</p> <p>i. Cllr Hitchcock reported that there was a dead hawthorn tree on the village green which does not pose an immediate risk but needs to be removed. This was discussed at item 23 d and the following was agreed:</p> <ol style="list-style-type: none"> <li>1. The Clerk to email the tree officer informing of the plan to remove the dead Hawthorn on the village green and to check we did not need planning permission to remove a dead tree.</li> <li>2. Cllr Hitchcock agreed to arrange the removal</li> </ol> <p>ii. Council agreed the need to look at communications, to ensure residents are kept fully informed about key issues.</p> <p><b>17. Actions from Previous Meetings</b></p> <p>a. Council discussed the status of agreed actions from previous meetings as circulated (a copy is available on the Council website). Cllr Drake commented that much of the back log had been dealt with. The Clerk reminded Council that action 170 was still outstanding. This was to complete a survey of trees in the Allocation 1 area to identify those that could be given a TPO. It was agreed that the tree survey be completed as soon as possible.</p> <p><b>18. Correspondence</b></p> <p>a. Council noted that an email had been received from John Foudy who is a resident of Berkswell village. John is cycling from John O'Groats to Land's End (16th September 70 miles a day for 14 days) to raise funds to contribute toward Christmas lights for the village. Council discussed</p>	<p>Clerk</p> <p>DH</p> <p>AB/RL /DH</p>
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<p>this offer and asked residents for their views. Cllr Burrow pointed out that someone would need to be paid to put up and take down the new lights every year for the foreseeable future. There are 11 suitable lamp standards for decoration and the cost would be £100 per lamp to put the decorations up and down. Residents present appreciated the offer by Mr Foudy but thought a simple tree with lights on the village green was more in keeping with the rural nature of the village. A resident commented that they had not identified a groundswell of opinion that more lights are needed. The Clerk was asked to write to Mr Foudy thanking him for his very generous offer but explaining that the Council and residents (present at the meeting) were not in favour of this proposal.</p>	<p>Clerk</p>
<p><b>19. Governance Review</b> – Council reviewed lessons learned from the boundary review with a view to agreeing future action. Cllr Burrow handed out copies of a ‘lessons learned’ paper, available on the council website, to members of the public and went through some key points. Whilst the response of residents had been overwhelmingly positive, the Council agreed that the following learning points should be remembered for the future.</p> <ul style="list-style-type: none"> <li>a. The Council was open to input from residents at its meetings which helped them inform decisions and ensure that, as far as is practical, residents shape council decisions maintaining the legitimacy of the Council</li> <li>b. Some residents on the doorstep expressed concern about some of the planning applications the Council have objected to in the past. SMBC took the planning decisions and it was their duty to ensure that SMBC policy was implemented. Councillors should be aware that residents making planning applications were electors and as an advisory body in the planning system to be mindful of this whilst maintaining the greenbelt policy of the council.</li> <li>c. The PC was there to serve the whole of the parish. Its activities in Balsall Common were appreciated and need to be proactively continued. The PC needs to think about how it can visibly serve all of the country areas east and west of the HS2 line as well as continuing to serve Berkswell village.</li> <li>d. Berkswell PC needs to once again reach out to Balsall PC to improve relations and work on issues of common interest together</li> <li>e. Council also agreed it was important to continue to work with the two residents’ association. Cllr s suggested that Berkswell Society should be renamed as residents were not clear what they do. Cllr Burrow agreed to raise this with the Berkswell Society. Cllr Drake concluded by stating the need to carry on listening to people and concentrate on things they value.</li> </ul>	<p>AB</p>
<p><b>20. Ongoing References</b></p> <ul style="list-style-type: none"> <li>a. Review of inventory of land and assets – No further progress to report</li> <li>b. Neighbourhood Development Plan – The Council noted the progress on the revision of the draft NDP following the regulation 14 consultation. There had been a number of changes to the draft plan, following helpful feedback from SMBC and others. An updated plan has been submitted informally to our contact at SMBC and following any comments it will then come to Parish Council for formal</li> </ul>	

<p>agreement to submit. Regulation 16 consultation will then take place. Cllr Burrow commented that the NDP would not be in this position without the support from members of the community particularly Vince Ritters (Balsall Parish), Keith Tindal (Balsall Parish), Jane Edwards (Berkswell Parish) and Geoff Wheeler (Berkswell Parish). Keith Tindall commented that Andrew Burrow had been the driving force and thanked him for his hard work. Cllr Burrow reminded the Council of a meeting with SMBC Highways on 19 Sept to discuss parking and traffic calming in Berkswell Village. Cllr Burrow, Jane Edwards &amp; Graham Lock will attend. Jane Edwards stated that we will be looking for a bid writer for grants to help deliver the Traffic Improvement Plan.</p>	
<p>c. Local Plan – Council noted the final LUC report and agreed to delegate to the Clerk the task of writing to SMBC detailing the Parish Council's concerns about building on Barretts Farm based on the conclusions of the LUC report. The Chairman, Councillors Lloyd and Howles and the NDP committee will assist the Clerk as required to focus on the key issues. Those Councillors to consult with the NDP Steering Committee members if they consider that helpful. This proposal was agreed.</p>	Clerk
<p>d. Cllr Burrow reported that he had heard the Cabinet member responsible for the SMBC Plan again make comments on the planning rules with respect to the development of brownfield land removed from the greenbelt that seemed incorrect. Consequently, Cllr Burrow proposed that council should ask LUC and Kirkwells to provide formal advice on this to be issued to SMBC. Council agreed to give the Clerk authority to approach LUC and Kirkwells to request their advice and delegated the Clerk to negotiate a reasonable fee for this.</p>	Clerk
<p>d. HS2</p> <p>i. Council approved the proposed Terms of Reference for a re-established Berkswell HS2 Working Party, as circulated and available on the council website. Cllr Lloyd commented that SMBC have the power to refuse planning applications from HS2 which provides important protection for the area. A resident asked if HS2 were to be invited to meet with BPC. Cllr Drake commented that the Council want a public meeting rather than a meeting just with the Parish Council. Cllr Drake proposed that the HS2 Working Party should decide how to communicate with HS2 and bring a proposal back, This was agreed.</p> <p>ii. Council noted that a copy of the HS2 Expert Report by Michael Byng, commissioned by Burton Green PC, has still not been received. The Clerk had chased this up and has been informed that the report has been delayed as Mr Byng is involved with other pressing HS2 matters.</p>	HS2 WP
<p>e. Recognition Scheme - Council noted its previous decision to defer preparation of a recognition scheme for services to the community until the Governance Review is completed. Council agreed to defer this to a future meeting.</p>	Clerk
<p>f. Handy person – see grass mowing item 23 d below.</p>	
<p>g. A46 Link Road</p>	

<p>i. Council considered the implications of the recently released 2016 proposals for the full A46 Link Road by Solihull Borough Council which provides full information on the proposed route of this road, which was drawn up in 2016 and discussed confidentially between the local authorities. The full proposal, now made available (docs FER0636600/ 1 and 2), shows that the A46 Link Road would run either from the A46 Stoneleigh Junction west and then north to the A45 east of Meriden, along the Solihull-Coventry boundary; or continue west to Berkswell, connecting to the partial bypass of Balsall Common just south of Berkswell railway station and by using that road connecting to the A45 along the A452 past Hampton-in-Arden. Objections have been invited and can be made to both Orders in one letter or e-mail, naming both. The objections can be made to the Department for Transport by e-mail to <a href="mailto:nationalcasework@dft.gov.uk">nationalcasework@dft.gov.uk</a> or by post to Department for Transport, National Transport Casework Team, Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne, NE4 7AR. The Clerk informed Council that he had received a letter from Walter Bailey (SMBC) offering a meeting to discuss the above. Council considered asking the Clerk to write to SMBC, asking why the PC hadn't been consulted through the provisions of the Local Council Charter, and whether there are other options and developments yet to be published, However, Walter Bailey had written to the clerk, following the intervention by Cllr Bell, setting out SMBCs position. Charlie Hubbard reported that he had had a meeting with HS2 at which the lead engineer for the area claimed to know nothing of the A46 link road. There comment was that if a local authority wants to build such a road they will have to acquire the land and pay for any bridges over HS2. Cllr Lloyd commented that the effect of this link road on the rural area would be devastating. Council noted that there is a planning application for Phase 1 of the link road described as improving the junction on the A46 in preparation for future phases of the link road. It was agreed this was not a matter for the Parish Council at this stage.</p>	
<p>ii. Council agreed the following motions:</p> <ul style="list-style-type: none"> <li>• The Clerk to write to Dr Thornton, thanking him for his persistence in getting this information into the public domain.</li> <li>• To ask for a meeting with SMBC. The clerk to ask for dates and Cllr Burrow will help with organising the meeting. Cllr Ken Allsop asked to be involved.</li> <li>• To ask for copies of all relevant documents (full disclosure of information) and strongly express residents' concerns. Cllr Burrow to assist</li> <li>• To agree to defer any formal position on options for routes for an A45/46 link until after the meeting with Walter Bailey the Highways Officer responsible</li> <li>• Agree to communicate to residents a full history of the "bypass" options, either through a dedicated leaflet or through an article in</li> </ul>	<p>Clerk</p> <p>Clerk/ AB</p> <p>Clerk/ AB</p> <p>All</p>

<p>the Bugle. See above. After the meeting with Walter Bailey BPC need to communicate with residents (leaflet and The Bugle). To be discussed further</p>	<p>All</p>
<p><b>21. Removal and Additions to Ongoing References</b> Removals: Green Belt Review</p>	
<p>Additions: A46 Link Road</p>	
<p><b>22. Training and Meetings</b> – Council noted that Cllr Hitchcock had attended the ACC Meeting on 16 August 2018 (see item 23a below)</p>	
<p><b>23. Heritage and Community</b></p>	
<p>a. ACC Meeting feedback – Council noted the report circulated by Cllr Hitchcock based on the ACC meeting held on 16 August. Cllr Hitchcock summarised some key points raised at the meeting including concern about the current status of Birmingham Airport. The fear is that Birmingham is falling behind other airports and that Manchester is the preferred location despite significant investment in Birmingham. The market for West Coast of USA flights has fallen which has impacted demand. It has been suggested that Birmingham Airport needs a more aggressive approach to attract more routes and passengers. Cllr Drake commented that this was not an issue for the Parish Council although acknowledged it could impact the jobs of local residents.</p> <p>b. Airport draft Noise Action Plan – Council noted comments submitted by Cllr Lloyd with regard to the Draft Noise Action Plan 2019-2023</p>	
<p>c. Planting scheme – Council agreed the following motion: "The Council approves the expenditure of £500 to provide 2 planters at the junction of Grovefield Crescent and Hallmeadow Road, one planter on the green at the Hodgetts/Waste Lane junction and fruit trees for Grovefield Crescent on Berkswell Gate".</p>	<p>Clerk</p>
<p>d. Grass Mowing Contract– Cllr Drake proposed that this item be discuss in camera. Council agreed unanimously to discuss in camera at the end of the meeting. Residents were asked for feedback on the current state of grass areas in Berkswell. A resident commented that they would like to see grass verges to be left to grow. Another thought that the cycle of cutting was irrational and appears to be ad hoc.</p> <p><b>Private Session:</b> This is recorded as a Private Minute</p>	
<p>e. Parking on Hallmeadow Road – Further to Council agreeing at the July meeting to write to SMBC and truck owners about overnight parking on Hallmeadow Road by HGVs and complaints of litter left (McDonalds cartons), Council noted that a resident has already written and had a positive response from SMBC (copied to the Clerk). Council agree that, as there have been no recorded instances recently, no further action be taken at present.</p>	
<p>f. Christmas decorations</p> <p>iii. Council considered Graham Lock’s generous offer of a Christmas tree to be used on the village green this year. This was agreed if village residents wish to do this.</p>	

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<p>iv. Council agreed the following motion: "The Clerk is authorised to purchase/order decorations and Christmas trees in line with the budget of £450 and incur the necessary expenditure."</p>	<p>Clerk</p>
<p><b>24. Council Administration</b></p>	
<p>a. Council website – No further developments to report. The Clerk was asked to circulate the address of the new website again asking for specific comments/recommendations.</p>	<p>Clerk</p>
<p><b>25. Next Meeting</b></p>	
<p>Ordinary Meeting of the Council, 18 October 2018 at 7:15 in the Hornets Clubhouse, Lavender Hall Lane, Berkswell.</p>	