

Berkswell Parish Council – Ordinary Meeting 8 February 2018

Minutes of the Ordinary Meeting of the Parish Council of Berkswell held in the Jordan Room, St John Baptist Church, Berkswell, on 8 February 2018 at 7.15 PM.

| Topic | Action by |
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| <p>1. Evacuation Procedure – the Chairman instructed those in attendance of the evacuation procedure.</p> <p>2. Open Forum Before inviting parishioners of Berkswell to address the Council on any relevant matter, the Chairman made the following announcements:</p> <ul style="list-style-type: none"> • Lance Hare-Scott has died and his funeral will be on Wednesday 14 February at St John Baptist Church, Berkswell. • Lyn Beasley, Mike Beasley’s wife, has died and her funeral will be at noon on Tuesday 27 February at St John Baptist Church, Berkswell. <p>There were no requests from residents to speak at this point</p> <p>3. Attendance: Councillors Burrow (Chairman), Drake, Cambage, Howles, Hitchcock, Edwards, and Lloyd; the Clerk and 15 members of the public.</p> <p>4. Apologies for Absence: Cllr Bell (SMBC), Keith Tindall, and David Felthouse</p> <p>5. Acceptance of Apologies: Accepted</p> <p>6. Declarations of Interest</p> <p>a. The following declarations of interest were received from Councillors on items on the agenda.</p> <ul style="list-style-type: none"> • Cllr Burrow declared that he owned a field that would be taken out of green belt under the SMBC draft plan and Cllr Cambage declared that she owned a house that backed on to Barrett's Farm/Allocation 1. They stated that Council would not be discussing its policy with respect to the draft plan but would under item 19c be discussing the process of its opposition. Both declared that they had no pecuniary interest in the matters under discussion but neither would vote on the issues involved but would, if appropriate, participate in the discussion <p>b. There were no written requests for disclosing pecuniary interests</p> <p>c. There were no requests for dispensations</p> <p>7. Confirmation of Minutes: The following minutes were approved and duly signed by the chairman. Ordinary Meeting of the Council held on 11 January 2018 Extraordinary Meeting of the Council held on 18 January 2018</p> <p>8. Matters arising from the previous meeting for attention: None</p> <p>9. Borough Councillor’s Report and Parish Councillor’s Opinion Cllr Hitchcock reported that residents at 36 Hodgett’s Lane had applied for a TPO on a Damson Tree. Cllr Edwards reported that she had consulted residents of Berkswell village on possible uses for the telephone box in the village. The consensus was to make it into a library in the same way as the telephone box on Old Waste Lane. Cllr Lloyd reported that consultation on the improvement of Junction 6 of the M42 has been extended and that he has made representations to local Parish Councils and the Open Spaces Society regarding the impact on footpaths. Cllr Burrow reminded the</p> | |

Berkswell Parish Council – Ordinary Meeting 8 February 2018

Council of the litter pick on Saturday 3 March and a resident reported that there will be leaflets advertising the event. It was also noted that The Bear is offering refreshments. Cllr Hitchcock reported that there is a lot of litter in and around the Hornets Football Club on Lavender Hall Lane and also on Hallmeadow Road, and asked if this could be included in the litter pick.

10. Committee Appointments – nothing to report

11. Planning Applications

a. Council discussed the following planning applications:

| Ref | Location | Proposal | Response Date |
|------------|--|--|---------------|
| 2017/03385 | The Nursery Windmill Lane Balsall Common Solihull | Conversion of existing timber flat roof, to duo pitched roof to existing single storey building. | 05.02.18 |
| 2018/00012 | Berkswell Museum Lavender Hall Lane Berkswell Solihull | Change of use from a museum to domestic residence | 09.02.18 |
| 2017/03254 | Shiloh Hob Lane Burton Green Solihull | Erect a replacement dwelling. | 08.02.18 |
| 2017/03395 | Truggist Hill Farm Truggist Lane Berkswell Solihull | Remove condition No. 1 on planning approval PL/2017/00673/COU | 14.02.18 |
| 2018/00262 | Barretts Lane Farm Barretts Lane Balsall Common Solihull | Erect new garage to front of property. | 19.02.18 |
| 2018/00247 | 231 Station Road Balsall Common Solihull CV7 7EG | Fit a bi-folding window and front door to shop front, with sash to open in. | 21.02.18 |
| 2018/00092 | Truggist Hill Farm Truggist Lane Berkswell Solihull | Extension to existing commercial building. | 21.02.18 |
| 2018/00252 | 231 Station Road Balsall Common Solihull CV7 7EG | Amend condition to extend cafe opening hours from the existing 8am - 4pm to 7am - 6pm, plus open on Sunday 10am - 2pm, and open in evenings once a month on planning approval PL/2016/02514/COU. | 22.02.18 |

Berkswell Parish Council – Ordinary Meeting 8 February 2018

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| 2018/00310 | Emscot Barn 85A Meeting House Lane Balsall Common Solihull | Amendments to existing windows, replacement of existing extension roof with thatch, addition of dormer, addition of glass extension. | 23.02.18 | Clerk |
| Council's responses were as follows: | | | | |
| 2017/03385 This has already approved | | | | |
| 2018/00012 Council were reminded that a resident had raised a concern about being overlooked from the rear of the former museum building. Council agreed to ask SMBC to look at this to see if anything can be done to minimise this problem (e.g use of obscure glass). Otherwise, Council supported the conversion and was happy to leave to the Conservation Officer and SMBC Planning to assess the application. It is expected that, as the building has no designated garden, the Charities will continue to manage the surrounding land. | | | | |
| 2017/03254 No comment | | | | |
| 2017/03395 Council noted that this was the Latest in a long string of retrospective planning applications for this site. The stable had become redundant and it was decided that it should be converted to a house using the same dimensions, but was actually built bigger. This development is intruding on the green belt. Council agreed to object to this planning application on the basis that the building was not built according to the planning approval and could be made redundant by the noise from HS2. | | | | |
| 2018/00262 Council agreed to object on the grounds that the original development should have included the conversion of an existing building into a garage rather than add to the footprint of the site, which is in green belt. Harm will be done to the openness of green belt by building a new garage. | | | | |
| 2018/00247 No comment | | | | |
| 2018/00092 Council understands that planning permission was granted on the basis that, within three months of completion of the new building, the old buildings would be taken down. This appears not to be the case. Council agreed to make a formal request to SMBC to inspect the premises to check if the new building is in use and if so to enforce the removal of the old building. Council agreed to object on the basis that if the building is not being used the application is premature, and would cause further erosion of the green belt. Council suggested that residents write to SMBC making their views known. | | | | |
| 2018/00252 No Comment | | | | |
| 2018/00310 No comment | | | | |
| 12. 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, Council approved all the payments.
- b. Council noted that, by agreeing the payment of the invoice to LUC regarding the Green Belt Review the ‘Specialist Advice’ budget will be over spent. Furthermore, there is an additional piece of work in the pipeline with LUC which has been contracted at £1,725. Consequently, Council agreed the following motion: “Council approves the reallocation of £6,060 from General Reserves into the Specialist Advice Budget for 2017/18”

| Invoices for Payment | Approval | Cheque No | Gross Amount £ | VAT £ |
|--|-------------|-----------|------------------|-----------------|
| R Wilson - Clerk’s Salary February 2018 | Admin | 002034 | 562.00 | 0 |
| R Wilson – Reimbursement of stationery costs | Admin | 002035 | 84.96 | 14.16 |
| Balsall & Berkswell Hornets Football Club – room hire | Admin | 002036 | 125.00 | 0 |
| S Ebbans – reimbursement of cost of plug for Xmas lights | Xmas Lights | 002037 | 8.35 | 0.83 |
| DM Payroll Services Ltd – Payroll fee | Admin | 002038 | 67.50 | 0 |
| WALC – Cllr training | Admin | 002039 | 46.00 | 0 |
| LUC – Green Belt Review | Contract | 002040 | 10,728.00 | 1,788.00 |
| Warwickshire Wildlife Trust – ecological report | Contract | 002041 | 600.00 | 100.00 |
| Total | | | 12,221.81 | 1,902.99 |

Clerk

- c. Payments received - none
- d. Grant Applications – none

13. Q3 2017/18 Management Accounts – Council noted the management accounts for Quarter 3 of 2017/18 are available for inspection on the Council’s website.

14. Internal Review of 2017/18 cashbook – Council noted that Cllr Cambage undertook a review of the Council’s Q3 cashbook and bank reconciliation on 12 January 2018. The review confirmed that the bank reconciliation was in order and no issues were identified. Council also agreed that Cllr Cambage will perform the review again for quarter 4.

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15. Budget and Precept Setting 2018/19 - Council noted that an Extraordinary Meeting of the Council held on 18 January agreed the budget and precept for 2018/19

16. Risk Management

- a. Council discussed any new finance and risk events and agreed to add ice in the car park as a risk event
- b. Risk Framework – Cllr Drake reported that he as outstanding items to complete
- c. It was noted that the last quarter’s inspection of assets not yet been done.

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| <p>17. Actions from Previous Meetings</p> <p>a. Cllr Burrow went through some of the key outstanding actions to confirm their status and the action list will be updated accordingly.</p> <p>b. Council noted there has still been no response from Balsall PC to Berkswell PC’s request for representation on the Balsall Common Centre working party.</p> | <p>Clerk</p> |
| <p>18. Correspondence</p> <p>a. Council noted an email from David Felthouse regarding Phlebotomy Services at the Balsall Common Health Centre which gave assurance from the Centre that service difficulties had been resolved. David had kindly investigated an issue raised during the January Ordinary Meeting of the Council. Council thanked DF for his efforts.</p> | |
| <p>19. Ongoing References</p> <p>a. Review of inventory of land and assets – It was reported that the Registration of the Pound was progressing and that the next step was for the Clerk to submit forms to HM Land Registry.</p> <p>b. Neighbourhood Development Plan</p> <ul style="list-style-type: none"> • Cllr Burrow offered thanks to the following for supporting various surveys; John & Wendy Cairns; Sue & Mark Hodson; Andrew & Emily Livingstone; and the head of Heart of England School sixth form, Grace Theay. • Council noted the details of the next two meetings of the NDP Steering Committee on 15th and 21st February both at 13:30 and both in the Jubilee Centre. • Council noted that the NDP Consultant is working to deliver a first version of a draft NDP by early February 2018. Following amendment/adoption by the NDP Committee it is expected that the Council will be asked to approve a consultation process commencing in March 2018. • Council approved an increase in the cost of the Natural Environment Report from the £250 agreed at the January 2018 meeting to £500 in line with the schedule of costs issued by Warwickshire Wildlife Trust. • Council noted that a first draft of the ecological report had recently been received and circulated to Councillors, and it is also available on the website. Cllr Lloyd asked that the evidence base for the NDP be preserve electronically in perpetuity. • Council approved the following motion: “The Chairman is authorised to write on Berkswell PC headed note paper to express the Council's thanks to the staff and students of the Heart of England School for the valuable input into the Berkswell NDP. Precise wording to be approved by the clerk and the letter to be sent via the Clerk”. • Council noted that traffic calming is now part of the NDP. Council reaffirmed its commitment that the traffic calming proposals would be consulted upon and agreed that this would form part of the overall NDP Consultation with a special emphasis on this item within Berkswell village and that the NDP Committee needed to organise this. • Cllr Burrow reported that the committee now had a clear idea on the process going forward and what SMBC is likely to agree to. This will be included in the NDP. | <p>Clerk</p> |
| | <p>Clerk</p> <p>AB & Clerk</p> |

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| <ul style="list-style-type: none"> • Cllr Burrow reported that Paul Tovey (SMBC) has asked if Berkswell Village would like to take part in a scheme which would include the periodic use of mobile cameras. It was agreed that the Clerk would write to SMBC accepting this offer. | <p>AB & Clerk</p> |
| <p>c. Solihull Draft Local Plan</p> <ul style="list-style-type: none"> • Council noted that SMBC have formally agreed that the next version of the draft Solihull Plan will be published in Summer/Autumn 2018. • Council noted that LUC have completed the contracted investigations on the Green Belt Review. Copies of their report are available on request. Cllr Lloyd asked for a dedicated discussion on these documents. Cllr Burrow suggested that people should spend time reading the reports and set up a group to distil key points. Council agreed that Cllrs Lloyd (Chair), Edwards and Hitchcock, together with Geoff Wheeler and Wendy Wilson will form an ad hoc working group to report back to Council by the middle of May 2018. This will help BPC prepare its representations to SMBC at the appropriate time. • Council considered whether it would be appropriate to commission the Green Belt "public facing report" now or await the next version of the Solihull draft plan. Council agreed to wait. | <p>RL/DE/DH</p> |
| <ul style="list-style-type: none"> • Council agreed to write in response to the SMBC consultation on the brown field site register with the following input. It was agreed that Cllrs Burrow and Howles will draft a response and that Cllr Edwards will review. The response is to be submitted by 14 February. <ul style="list-style-type: none"> ▪ The Council supports the inclusion of Lavender Hall Farm in the register ▪ The Council support the inclusion of land at Pheasant Oak Farm. Hob Lane within the register subject to the exclusion of the agricultural buildings ▪ The Council disagrees with the exclusion of the land at Springhill Hill (behind the Railway Inn) from the register whilst at the same time including the land at Windmill Lane. The two cases are identical in terms of the nature of the land which is domestic housing within a garden. Therefore, Springhill should be included on the brownfield register. The Parish Council's view is that the land at Springhill is deliverable and not so sound impacted as to render its development undeliverable. Buildings built to British Standard 8233 Guidance on Sound insulation and noise reduction in buildings will be perfectly capable of providing habitable and pleasant accommodation. We would refer SMBC to the flats at Tile Hill Station and those at Hampton in Arden next to the station and the very pleasant development at Eagle Close in Berkswell all of which are next to the west coast mainline and have been given recent planning permission. The Council is also able to refer SMBC to expert consultants with experience of noise external attenuation on both domestic and non-domestic buildings. In particular these consultants (Max Fordham) designed the ventilation system for the upgraded Royal Liverpool Philharmonic hall where external noise could not intrude on the very quiet sections of concert music whilst maintaining a huge volume of fresh air entering the concert hall. | <p>AB/KH/DE</p> |

- The Council objects to the inclusion of the land at the land at Windmill Lane because it fails to meet the delivery test. The land is very close to the Berkswell Windmill, a grade II listed asset. As such its development would impact the setting of windmill which is unique in Solihull and probably the only working mill with original machinery, within the SMBC/Warwickshire area. This site is therefore not deliverable in the view of the Council and should not therefore be included within the Brownfield register.
- The Council supports the inclusion of the land behind the George in the Tree in Balsall Common (also called off Wootton Green lane) within the brownfield register because it is clearly PDL.

d. Governance Review

- Council voted not to support the following motion: “Council agrees with the terms of reference for the Parish Boundary/Governance review and does not wish to see these extended or materially altered because they accurately reflect the petition signed by the petitioners. In support of this Council believes that it is an important principle that any Governance review should focus on the petitioners’ petition and that others with a different view should raise their own petition and not seek to subvert a legally valid petition and all of the work that went into securing signatures”.
- Council agreed unanimously not to respond to SMBC as it is believed that it is for all residents to make their views clear.

e. Traffic Calming – Council agreed that this item has now been absorbed into the NDP.

f. HS2

- Cllrs Burrow and Lloyd reported on the first meeting of the Kenilworth Greenway Group, held on 22 January in Burton Green, and on meeting with Burton Green PC on 25 Jan about a costing study. Regarding the temporary greenway construction, HS2 have gone away for 3 months to work out their proposals. Cllr Lloyd had reminded them of the agreement to conduct a structural survey of the Greenway to see if it could be used as a haul route. The temporary greenway will go past an HS2 worksite and concerns were raised about the impact of passing users, particularly horse riders. Also, concern was expressed about part of the route being on Waste Lane. It was suggested that dog waste bins could be installed on Waste Lane. The diversion will be in place for 10 years.
- Council noted that Burton Green PC are pressing ahead with the commissioning of an expert report on construction alternatives but are looking for more support. This review could help identify alternatives (most of which were in the original petition) which would save Balfour Beatty money, and therefore, be attractive to them.
- Council considered whether to formalise its agreement in principle and therefore to agree to formally contribute £1,000 towards the cost of a study taking account of the potential benefits and the track record of the consultant. Council agreed

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| <p>it was a risk but agreed to go ahead. Cllr Lloyd agreed to write up the scope of the review for circulation to Councillors. Council agreed to give the Clerk delegated authority to liaise with the Clerk of Burton Green to include BPC in the review.</p> <p>g. Public Rights of Way – Cllrs Burrow and Lloyd reported on a meeting with SMBC on 1 Feb to discuss options for making land-occupiers aware of access difficulties. The proposal is that the PC should write to land-occupiers when difficulties are found, enclosing a copy of an SMBC leaflet which is being updated. Cllr Lloyd agreed to rewrite the leaflet to make it more understandable to farmers if necessary. Mr Hubbard agreed to help. It was suggested that one other farmer (possibly Stephen Fletcher) should be asked to comment also. Finally, Council noted that the public should be advised not to allow dogs to soil the fields as this can be hazardous to livestock.</p> <p>h. Handyperson – Council noted that the closing date for applications has been extended to 8 February 2018 as agreed at last month’s Ordinary Meeting of the Council. To date the Clerk has received 6 expressions of interest.</p> <p>j. Review of the Airport Night Flying – Council noted that the proposed Night Flying Policy will be discussed at the Airport Consultative Committee on 14 February.</p> | <p>RL</p> <p>Clerk</p> <p>RL</p> |
| <p>20. Removal and additions to Ongoing References</p> | |
| <p>Removals: Ward Action Plans</p> | |
| <p>Traffic Calming</p> | |
| <p>Additions: None</p> | |
| <p>21. Training and Meetings – Cllr Drake reported that he had attended the “How to be a Bad Councillor” course. He had found it a good refresher and passed on advice that BPC should make the most of our Parish Assembly and should start planning it now. Council agreed that Cllrs Drake, Edwards and Burrow will form a working group to plan the Parish Assembly. Cllr Lloyd reported that he had attended an event on resuscitation in the Jubilee Centre and had found it useful.</p> | |
| <p>22. Heritage and Community</p> | |
| <p>a. Berkswell Well – Council noted that a previously undiscovered sewer has been identified as a likely source of the pollution and that Severn Trent are actively engaged with investigations.</p> | |
| <p>b. Parking on Hall Meadow Road - Council noted that the level of car parking recorded on Hallmeadow Road had increased between two recent surveys and that inconsiderate parking on verges, pavements and on the roundabout junction, is now a frequent occurrence. Council agreed to support a SMBC Neighbourhood Services proposal that yellow lines and double height kerbs are introduced close to the junction of Hallmeadow Road/Station Road to control the most serious element of the problem. Furthermore, the Council noted that the NDP and SMBC Strategic Planning are looking at options for increasing station parking for a longer term solution to the root cause of the issue. Council agreed to double height kerbs and yellow lines close to the roundabout. It was also agreed that the Clerk will write to SMBC accordingly.</p> | |
| <p>c. Parish BBQ – Council agreed the following:</p> | |
| | <p>Clerk</p> |

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| <p>i. that the Parish Barbecue will take place on 16 June 2018, the evening of the Village Fete</p> <p>ii. a budget for the hire of a band for the event of up to £450 and that Cllr Edwards will make the necessary arrangements</p> <p>iii. a budget for other requirements, particularly those arising from the Risk Assessment. Council noted that they have approved a total budget for the BBQ of £800 in 2018/19 and that all BBQ expenditure (including the cost of the band) should be accommodated in this figure.</p> <p>iv. to authorise the Clerk to make the arrangements within the agreed budget limits.</p> | <p>DE</p> |
| <p>d. Stocks – Council discussed a request from a resident to open up the stocks for members of the public to use and take photographs. In agreeing to decline this request Council considered the following:</p> <p>i. The Stocks are a grade II listed monument</p> <p>ii. They are not owned by the PC</p> <p>e. Royal Wedding Street Party – Council considered hiring road closure barriers for the Street Party and bear the cost. Council agreed to request the road closure but not to pay for barriers. The Clerk was asked to check the likely cost of the road closure and, if there is a charge, the Council would appreciate a contribution from the street party organisers.</p> | <p>Clerk</p> |
| <p>23. Council Administration</p> <p>a. Press and media Policy - Council agreed to add the following wording to the Press and Media Policy to aid Councillors acting on behalf of the Council to better understand their responsibilities:</p> | <p>Clerk</p> |
| <p><i>“In performing the communications and PR functions, councillors must comply with the legislation as set out in section 4 of Local Government Act 1986 and the Code of Recommended Practice. In particular:</i></p> <ul style="list-style-type: none"> • <i>Any publicity describing the council’s policies and aims should be as objective as possible, concentrating on the facts or explanation or both. Local authorities should not use public funds to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy.</i> • <i>Legal precedent indicates that the leader of a council may be taken as speaking on behalf of the council (whether or not specific powers have been delegated to the leader) if, in the circumstances, the leader could be taken by the public to be authorised to speak for the council. For Berkswell PC that implies the Chairman or vice Chairman or any other councillor deputed to write on behalf of the council.</i> • <i>Where any councillor writes or speaks in a personal capacity he/she will ensure that this is made clear as far as is practical.”</i> | <p>Clerk</p> |
| <p>24. Next Meeting – Ordinary Meeting of the Council, 15 March 2018 at 7:30pm in the Balsall & Berkswell Hornets Clubhouse, Lavender Hall Lane, Berkswell.</p> | |