

## Berkswell Parish Council – Ordinary Meeting 12 October 2017

Minutes of the Ordinary Meeting of the Parish Council of Berkswell held in the Jordan Room, St John Baptist Church, Berkswell on 12 October 2017 at 7.15 PM.

Topic	Action by												
<p><b>1. Evacuation Procedure</b> – the Chairman instructed those in attendance of the evacuation procedure</p> <p><b>2. Open Forum</b> Parishioners of Berkswell were invited to address the Council on any relevant matter for a maximum of three minutes. Neil Birtley reported there had been another accident at the Nailcote blackspot. Cllr Burrow agreed to contact SMBC reiterating local concern. A resident reported that a meeting earlier this week decided the police shop will cease as of the end of the year. Council agreed to write to the group who had manned the shop, thanking for their work.</p> <p><b>3. Attendance.</b> Cllrs Burrow, Edwards, Howles, Drake, Lloyd (arrived at 7:25pm), Hitchcock (arrived at 8:15pm) ; Cllr Bell (arrived at 7:35pm), the Clerk &amp; 13 members of the public.</p> <p><b>4. Apologies for Absence:</b> Cllr A Cambage due to a business commitment</p> <p><b>5. Acceptance of Apologies</b> – accepted</p> <p><b>6. Declarations of Interest</b></p> <ul style="list-style-type: none"> <li>• A declaration of interest was received from Cllr Burrow in respect of item 12a</li> <li>• There were no written requests for disclosing pecuniary interests</li> <li>• The following requests for dispensations were considered by Council: Cllr Burrow requested a dispensation to take part in discussing Items 17c &amp; 17h. Cllr Drake took over the chair and proposed that the dispensations should be granted. This was seconded by Cllr Edwards and approved unanimously.</li> </ul> <p><b>7. Confirmation of Minutes</b> The minutes of the Ordinary Meeting of the Council held on 14 September 2017 were approved.</p> <p><b>8. Matters arising from the previous meeting for attention.</b> None</p> <p><b>9. Borough Councillor’s Report and Parish Councillor’s Opinion-</b> there was nothing to report</p> <p><b>10. Committee Appointments</b> – there was nothing to report</p> <p><b>11. Planning Applications</b></p> <ul style="list-style-type: none"> <li>• The following list of planning applications were considered by Council</li> </ul>	<p>AB</p> <p>Clerk</p>												
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Ref</th> <th style="width: 25%;">Location</th> <th style="width: 45%;">Proposal</th> <th style="width: 15%;">Response Date</th> </tr> </thead> <tbody> <tr> <td>2017/02473</td> <td>Nailcote Farm Nailcote Lane Berkswell Solihull</td> <td>Erection of agricultural workers dwelling with garage, out offices and welfare space for Nailcote Farm.</td> <td>16.10.17</td> </tr> <tr> <td>2017/02512</td> <td>247 Station Road Balsall Common Solihull CV7 7EG</td> <td>Remove condition No. 2 on planning approval PL/2017/01471/MINFHO (Changing approved plan number 1388-02A for 1388-02B).</td> <td>16.10.17</td> </tr> </tbody> </table>		Ref	Location	Proposal	Response Date	2017/02473	Nailcote Farm Nailcote Lane Berkswell Solihull	Erection of agricultural workers dwelling with garage, out offices and welfare space for Nailcote Farm.	16.10.17	2017/02512	247 Station Road Balsall Common Solihull CV7 7EG	Remove condition No. 2 on planning approval PL/2017/01471/MINFHO (Changing approved plan number 1388-02A for 1388-02B).	16.10.17
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2017/02545	Meadow House Benton Green Lane Berkswell Solihull	Listed building consent for a single storey side extension	17.10.17	Clerk
2016/02925	Appeal - Land Adjacent To Sunnyside Farm Barretts Lane Balsall Common	Outline application for removal of existing building(s) and erection of new dwellinghouse to include approval for access, layout and scale. Appearance and landscaping reserved for later determination	24.10.17	
2017/02316	The Penthouse Truggist Hill Farm Truggist Lane Berkswell	Lawful development certificate for the existing use as a Class 3 dwelling house from an agricultural/equestrian worker's dwelling.	20.10.17	
2017/02580	9 Floyd Grove Balsall Common Solihull CV7 7RP	Crown reduce by 20% 1 No. oak tree in rear garden.	23.10.17	
<p>2017/02473 The applicant (Mr Rob Cooper) made a presentation about why he wants a new house. Following this and subsequent discussion, Cllr Burrow proposed that the Council should support the application in principle. This was seconded by Cllr Drake and accepted unanimously. In summary the Council noted the following:</p> <ol style="list-style-type: none"> <li>1. That this is a large family farm employing three partners plus 4 part-time workers and occasional contractors</li> <li>2. It is a mixed arable and livestock business with its main focus being on dairy and beef cattle. It has grown considerably over the years requiring more full-time labour. The applicant has brought his sons into the business to meet this need.</li> <li>3. Currently, two of the partners (father and one son) live on the farm in the farmhouse. The other partner/son lives elsewhere. The live-in son is to be married and the current living arrangements are not tenable.</li> <li>4. The Council is persuaded that the dairy and livestock breeding arrangements require a significant on-site presence at all hours and that this justifies two residential properties. One of the Berkswell Councillors was raised and for a period worked on his parents' family's dairy farm and supported the applicants' contention on this - given the herd size.</li> <li>5. The Council agrees with the applicant that the appropriate place for the second agricultural worker's dwelling, which is the subject of the planning application, is in the proximity to the main farming hub on Nailcote Lane.</li> <li>6. The Council is aware that when permission is granted for agricultural workers dwellings in green belt, then the placement should be such as to minimise the impact on the green belt. The Council felt that this was a technical planning decision best left to the SMBC planning officers.</li> <li>7. The Council is keen to support agriculture given that its' success is critical to the meaningful preservation of the greenbelt.</li> <li>8. About 20 residents attended the PC meeting, a typical number. One resident spoke strongly in favour of the application and no issues or objections were raised by residents.</li> </ol>				
2017/02512 No comment				

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<p>2017/02545 Council noted that this is not a Planning Application and the Council decided that it doesn't have a view.</p>	
<p>2016/02925 Noted</p>	
<p>2017/02316 Council agreed to object to the application for a lawful development certificate for residential use of a penthouse in the storage building at Truggist Hill Farm on the basis of the following:</p> <ul style="list-style-type: none"> <li>• The information presented in the application is believed to be inadequate as there are no plans and elevations to identify where the claimed dwelling is situated within the building.</li> <li>• It's noted that the applicant claims to have converted the Penthouse in Spring 1994 but it appears that no occupant was identified until June 2011. In addition, the applicant's petition (No 224) to the House of Commons in 2014 about HS2 stated that the former agricultural buildings were being used for commercial purposes.</li> <li>• There was no mention that part of the building was being used as a dwelling in view of the necessary demolition of the building for HS2.</li> <li>• This application involves further erosion of the Green Belt, contributes to the over-intensive use of the site, and causes further traffic problems on the narrow Truggist Lane.</li> </ul>	<p>Clerk</p>
<p>2017/02580 Council felt that there was not enough detail in the application. However, Council decided not to object and would leave the decision to the tree officer.</p>	
<ul style="list-style-type: none"> <li>• Home Farm – Council agreed the following motion: “The Council notes the complaint made by a resident to SMBC concerning alleged breaches of planning consents at Home Farm particularly relating to the parking of HGVs at the site. The Council notes the concern of many Berkswell village residents about HGV traffic on Meriden Road associated with Home Farm. It is agreed to write to SMBC planning department to understand the planning issues and the position of SMBC in relation to this matter". Cllr Lloyd proposed an amendment to include a request that SMBC give a clear indication if planning conditions have been breached. The amendment was seconded by Cllr Burrow and accepted unanimously.</li> </ul>	<p>Clerk</p>
<p><b>12. Financial Matters</b></p>	
<p>a. Cllr Drake took the chair for this item given Cllr Burrow's declared interest. Council approved the following motion: "The Council approves the expenditure of £899.32 (£839.01 ex VAT) on NDP printing and associated items for the NDP in line with minute 20b 4 of meeting of 14th September 2017. It is further approved that the printing was undertaken without competitive tender given the nature and speed of printing required. The Council notes and thanks Councillor Burrow for picking up and paying for the printing given that the two Printer Companies concerned confirmed in writing that payment had to be made on collection and the minor items were</p>	

bought from shops. The Council authorises the reimbursement of Councillor Burrow based on the receipts and expense claim received".

- b. Council noted that the following invoice payments for approval had 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. Accordingly, Council approved the following payments:

Invoices for Payment	Approval	Cheque No	Gross Amount £	VAT £
R Wilson - Clerk's Salary September 2017	Admin	001993	562.00	0
R Wilson – Admin expenses	Admin	001994	159.45	23.72
S Bentley-Green – Grass mowing contract 8 <sup>th</sup> instalment	Contract	001995	187.50	0
Jubilee Project Grant	Grant (14/09/17 Item 12c)	001996	3,500.00	0
Bullivant Media – public notice in Solihull Observer re NDP consultation	14/09/17 (Item 20b 4)	001997	182.00	30.33
A Burrow – reimbursement of NDP printing & associated items	14/09/17 (Item 20b 4)	001998	899.32	65.31
Jubilee Centre – room hire		001999	80.00	0
<b>Total</b>			<b>5,570.27</b>	<b>119.36</b>

- c. Payments received:
- HM Land Revenue – £10 refund of overpaid Registration fee re The Spinney

- d. Grant Applications - none

### 13. Review of Council's Policies and Procedures

Council approved the following motions;

- a. "Council agrees to accept the Clerk's recommended changes to its Standing Orders and Financial Regulations following a review and comparison with the latest NALC models, and to adopt the revised versions with immediate effect": Cllr Lloyd stated that he thought that paragraph 24a of the new Standing Orders requires further clarification with respect to planning applications. It was agreed to put this on next agenda.
- b. "Council notes the 'Ad Hoc Purchases procedure' which supplements the Financial Regulations and specifically allows both Councillors and resident helpers, authorised by the Clerk, to collect and pay for items authorised for purchase by the Council and ordered by the Clerk. It is the view of the Clerk that this offers more control than issuing the Clerk with a credit card or large cash float because it maintains a separation between ordering goods, acknowledging goods received and paying for them",
- c. "Council approves the Asset List which has been created to clarify the following:

Clerk

Clerk

Clerk

Clerk

<ul style="list-style-type: none"> <li>▪ A definitive list of the Council’s assets</li> <li>▪ A balance sheet valuation of the Council’s assets</li> <li>▪ The valuation of Council’s assets for insurance purposes”</li> </ul>	
<p>Council agreed the asset list subject to the bench on Coventry road and the round bench on the village green be assigned as Council assets. All the above documents will be available on the Council website.</p>	Clerk
<p><b>14. Risk Management</b></p>	
<ul style="list-style-type: none"> <li>• Council noted the outstanding actions on the Risk Register. It was reported that two quotes have been received from Greenline in respect of</li> </ul>	
<ul style="list-style-type: none"> <li>• Risk 1.2.2 - Council agreed to raise an order for this work with Greenline at a cost of £280 but have instructed the Clerk to raise the issue of the possible risk of damaging the spinney by fire and to watch for the hedgehogs (i.e. don’t burn in situ) in accordance with SMBC guidelines on bonfires.</li> </ul>	Clerk
<ul style="list-style-type: none"> <li>• Risks 2.2.3, 2.4.2, 2.6.1 &amp; 2.7.5 - Council agreed to raise an order for this work with Greenline at a cost of £280</li> </ul>	Clerk
<p><b>15. Correspondence:</b></p>	
<ul style="list-style-type: none"> <li>• Council noted the letter from 53<sup>rd</sup> Coventry (Berkswell) Scouts to thank the Council for the £4,000 grant towards the new Scout House.</li> </ul>	
<p><b>16. Actions from Previous Meetings</b></p>	
<ul style="list-style-type: none"> <li>• Council noted the status of agreed actions as circulated (a copy is available on the Council website).</li> </ul>	
<p><b>17. Ongoing References</b></p>	
<p>a. Review of inventory of land and assets – Council noted that The Spinney has now been Registered. Cllr Burrow thanked Cllr Edwards and the Clerk for their efforts. Council agreed to start the Registration process for the Pound.</p>	DE Clerk
<p>b. Neighbourhood Development Plan.</p>	
<ul style="list-style-type: none"> <li>• Council noted that the appointment of Kirkwells, approved at Item 30b at the Annual Meeting of the Council on 18 June 2017, was made without obtaining 3 quotations as would normally be required by the Council’s Financial Regulations. Council received 2 quotes, one from Kirkwells and another from Robert Keith, both for a similar value. Council agreed to waive the Financial Regulations on this occasion due to the highly specialise nature of the work required but this was not recorded in the minutes of 18 May 2017.</li> </ul>	
<ul style="list-style-type: none"> <li>• Council noted the progress of the consultation on Issues and Options and also noted that there is a planned meeting between members of the NDP Steering Committee and SMBC planning department regarding coordination on the development of the NDP and arrangements for CIL. This meeting has been arranged for 31 October 2017.</li> </ul>	NDP
<p>c. Local Plan - Council noted that the Clerk has not received a reply from SMBC regarding the approach to be adopted on concept plans. Also, there has been no approach made from the proposed developers of Barrett's Farm. Council consequently approved the following motion: “Council authorises the NDP Committee to raise the lack of</p>	

<p>d.</p>	<p>an approach on concept plans with Gary Palmer when they meet him concerning the NDP”.</p> <p>Traffic Calming</p> <ul style="list-style-type: none"> <li>• Council noted that an informal briefing on the report produced by ARUP for Councillors and the public, has been arranged for Thursday 26 October commencing at 7:00 in the Jordan Room. This is not a formal meeting of the Council and there will be no decisions taken at this event.</li> <li>• Council agreed the following motion: "Council will formally consider the ARUP/steering committee recommendations at its meeting on 9th November 2017 with a view to a meeting between SMBC Highways, the Chairman and "Chairman" of the Steering Committee (G Lock) on 13 November 2017."</li> </ul>	<p>NDP</p>
<p>e.</p>	<p>HS2 – Cllr Lloyd reported that HS2 had made a presentation on their engagement strategy (Parish Council level). In summary HS2 will consult on anything which changes to that approved. The majority of the preparatory work will commence in mid 2018. In Q2 2018 work on Jct 4 of M6 will commence. The Council agreed that they wish to be involved in the Greenway Diversion. The Clerk was asked to write to HS2 (Jonathan Lord) to flag this request.</p>	<p>Clerk</p>
<p>f.</p>	<p>Public Rights of Way – Cllr Lloyd reported that David Keaney is no longer the Rights of Way Officer and that he has not been replaced. This explains the lack of engagement on the matter. A date has been agreed to discuss M229. Regarding Unrecorded Rights of Way, it was agreed to write again to SMBC, in the form of an FOI request, giving examples of rights of way not on the definitive map.</p>	<p>RL Clerk</p>
<p>g.</p>	<p>Ward Action Plan – Council received a briefing on the meeting with SMBC which took place on 27th September when Cllrs Burrow, Edwards &amp; Howles spoke to Neighbourhood Services. The following is a summary of issues discussed:</p> <ul style="list-style-type: none"> <li>• There is still no sign of A3 plan.</li> <li>• SMBC said they would look at a proactive system to inform farmers to keep footpaths clear.</li> <li>• Councillors requested the litter picking and grass cutting schedules for Berkswell Parish and are waiting to see what they come up with.</li> <li>• Looking for clarity on the system for residents to complain.</li> <li>• Asked for clarity on why planners make the decisions they do. SMBC agreed to set up a training session.</li> </ul> <p>Council agreed to put something on our website regarding the appropriate way for residents to make complaints concerning SMBC services etc.</p>	<p>Clerk</p>
<p>h.</p>	<p>Green Belt Review</p> <ul style="list-style-type: none"> <li>• Council noted that it's greenbelt consultant, LUC, has commenced the review.</li> <li>• Council considered the report received from LUC on the greenbelt review. The following are the key findings: <ul style="list-style-type: none"> <li>▪ Windmill Lane - They could find no problem with the approach</li> <li>▪ Barratts farm – they have identified problems with the approach</li> </ul> </li> </ul>	

<ul style="list-style-type: none"> <li>▪ Greenbelt review isn't the only consideration when challenging the validity of the Plan</li> <li>▪ A harm review to assess the likely impact of site allocation on the rest of the greenbelt has not been conducted. LUC have advised that SMBC should have carried out a harm review. Council agreed to ask LUC to do further work on this. There will be a need to find suitable sites which have been excluded from the draft Plan to act as comparators for the harm caused by developing allocation 1. It was felt that Lavender Hall Farm is unlikely to be suitable due to noise from HS2 although site 1017 would be suitable. Cllr Burrow proposed that the Clerk should commission a limited harm review covering allocation 1 and suitable comparators, within the scope of the remaining budget set aside for the Green Belt Review. The exact comparators will be decided by the Clerk guided by the previously established greenbelt assessment working group of Councillors (i.e. Howles, Lloyd, Drake and Burrow). This proposal was approved.</li> <li>▪ Wendy Wilson stated that, in her opinion, the whole green belt SHELAA report is riddled with errors. Cllr Burrow proposed that Council should think about whether to appoint a planning consultant to work on the concerns Wendy has raised. It was agreed to consider this at the next meeting</li> </ul>	Clerk
<ul style="list-style-type: none"> <li>• Council noted that the appointment of LUC, approved at Item 16i at the Ordinary Meeting of the Council on 15 June 2017, was made without obtaining 3 quotations as would normally be required by the Council's Financial Regulations. Council agreed to waive the Financial Regulations on this occasion due to the highly specialise nature of the work required but this was not recorded in the minutes of 15 June 2017.</li> </ul>	Clerk
<ul style="list-style-type: none"> <li>i. Handyperson - Council approved the following motion: "Council approves the contract specification for litter picking/handyman work and the draft advert for the same". Cllr Burrow proposed the car park &amp; spinney should be litter picked every 2 weeks (with rubbish put in a Council litter bin. Any leaves could be deposited in the Spinney, but that sharps etc would require specialist disposal. As this did not find universal favour amongst councillors a vote was held resulting in 4 in favour and 2 against. It was agreed that Kelsey Lane Bus shelter would be cleared once a month but that the Pound would be excluded from litter picking.</li> <li>j. Trees overhanging the school playground – Council noted that planning permission has now been granted by SMBC and that tree works will be undertaken on 24 October.</li> <li>k. Christmas tree lights - Council approved the following motion: "Council approves expenditure of up to £750 excluding VAT for Christmas trees in Balsall Common, including LED lights/decoration at the following locations - Riddings Hill, Sunnyside, Dockers Close, Station roundabout, Meeting House Lane, Old Waste lane and Barrett's Lane. Installation by residents. The Clerk is authorised to coordinate tree purchase with the PCC's supplier and obtain lights/decorations from</li> </ul>	Clerk

<p>shops/internet as most appropriate. The Council welcomes offers from residents/councillors/PCC to do the physical/purchasing work associated with this project". Council also agreed an amendment to the motion to include a tree at the Station but did not change the level of approved expenditure.</p> <p>1. Review of the Airport Night Flying – Council noted that there is a meeting next week to discuss issues with the airport.</p>	<p>Clerk</p>
<p><b>18. Removal and additions to Ongoing References</b>  Removals: The Well  Parish Boundary Review  Additions: Christmas tree lights  Review of the Airport Night Flying</p>	
<p><b>19. Training and Meetings</b></p> <ul style="list-style-type: none"> <li>• Cllr Drake reported that he attended the Chairmanship Skills Course and had found it very useful.</li> </ul>	
<p><b>20. Heritage and Community</b></p> <p>a. Berkswell Village Shop – Council discussed the future use of the Tea Rooms and considered the basis of payment for any future services procured. It was noted that although the Clerk’s surgery no longer takes place on a regular basis, Council still use the tea rooms on an ad hoc basis for meetings. Cllr Drake suggested that Councillor surgeries might be held in the future. Council agreed to pay the Village Shop for services received from April 2016 to March 2017 the sum of £700 (plus VAT). Council also asked the Clerk to agree a suitable basis for charging going forward with the owners of the village shop and to report back.</p> <p>b. Jubilee Project – Council considered the placing of a plaque on the outside wall of the Jubilee Centre stating Berkswell Parish Council’s involvement in its refurbishment. Council agreed in principle to this.</p> <p>c. Winter Planting Scheme - The Council noted that Caroline Joyner has volunteered to undertake the winter flower replanting of the locations covered by the Balsall Common planting plan (14 September 2017 minute 23d). Council agreed the following motion: “The Clerk is authorised to agree a budget with Caroline Joyner who will purchase and pick up suitable plants and with Councillor Burrow for the replacement fruit tree and crocus bulbs from Craddocks”. Caroline Joyner and Councillor Burrow will be reimbursed in accordance with the Council’s Financial Regulations”.</p>	<p>Clerk</p> <p>AB</p> <p>Clerk</p>
<p><b>21. Council Administration</b></p> <ul style="list-style-type: none"> <li>• Council noted that, with effect from 1 October 2017, Cllr Burrow will exercise his right to receive the Chairman’s Allowance</li> <li>• Council noted there will be an ad hoc meeting to discuss the specification of a new Parish Council website on 2 November 2017 at a venue to be agreed (possibly the Bear Inn).</li> </ul>	
<p><b>22. Ordinary Meeting of the Council, 9 November 2017 at 7.15pm, in the Balsall &amp; Berkswell Hornets Clubhouse, Lavender Hall Lane, Berkswell.</b></p>	