

BIRLINGHAM PARISH COUNCIL

Minutes of meeting held on Wednesday 18 July 2012
Birlingham Village Hall

Welcome

- 1) Present: Councillors Hall, Morris, Aston, Butler, Comins, and Hill
In attendance: County Councillor Hardman, District Councillor Davis, Footpath Warden and Marion New
- 2) Apologies: Chris Reynard
- 3) Declarations
 - a) Personal – Councillor Morris declared on interest in the planning report as the Hall Farm application was adjacent to his business address.
 - b) Prejudicial - none
 - c) Register of Interests – none
- 4) Minutes of previous meeting. The Minutes of the meeting held on 16 May 2012, a copy of which had been circulated to all councillors, were agreed as a true record and signed by the Chairman. It was requested that in future the Clerk's Report be put as an appendix as it was so detailed.
- 5) Democratic Opening – see below.
- 6) Vacancy and Co-option of seventh Councillor
(May 2011 election un-contested leaving a vacancy for a new member) The vacancy had been advertised via E-mail news, the January Newsletter and The Bystander. An application form for co-option had been given to Marion New. Marion would complete the form for Councillors to see before a co-option at the next meeting. The Declaration of Acceptance of Office (changed from 9 July due to the Localism Bill) needs to be signed at the meeting following Marion's election.

Marion was thanked for offering to take up the position of Parish Councillor.

- 7) Progress Reports
 - a) Footpath –
 - i) Footpath 501 (by Orchard Hill) access to path cleared.
 - ii) Footpath 502 (Eckington Road to Bakers Hill) strimmed and stile cleared.
 - iii) Footpath 506 (Grants) strimmed.
 - iv) Footpath 520 (other side of Nafford lock) strimmed.
 - v) Clearing and strimming generally.
 - vi) Asham track would not be cleared by Community Services in future. Chairman was willing to flail. However, the track had been cleared by Revills following a complaint from a resident that it was very overgrown.

Note to Warden: Dairy Cottage (Footpath 501) was overgrown on the Eckington Road end but coincidentally Harry Porters gardener appears to have cleared along the track.

The stile on Footpath 502 (Eckington Road) was broken. The footpath sign on the top of Gravelly Hill had been knocked down.

b) District Councillor

- vii) The Councillor was pleased with the result of the New Homes Bonus grant allocation.
- viii) Swdp – amended format went through Council on 3 July approved by all three Councils. The Major Changes consultation commences on 6 August and goes through until 4 September.
- ix) The Reserves at Wychavon stand at £32 million.
- x) 2011 Census is released. Shows 3.5% growth of population in Wychavon. 1 in 5 are 65 and over.
- xi) Hospital review.

d) County Councillor

- i) Understands there is still an issue with the flooding at Upper End. The gully had been emptied. The recent flood had come over the kerbstones. The call to the Hub had been dealt with quickly on the day. However, upstream and downstream issue is not resolved. The drainage was discussed further and the damage to nearby properties. Clerk to contact Engineers and get their opinion. Ask Dave Lavender.
- ii) Results of the census. Worcestershire appears to have twice the national rate of over 65's. This could consume the entire adult social care budget in future years.
- iii) Road sign. Kieren at Highways is being difficult. Will pursue.
- iv) Road re-surfacing is months behind.
- v) Eckington bridge. Last year's works were intermediate. Now need to lift the surface and re-point from inside and then re-lay. Also working on the outside from a barge. It is a listed monument.

e) Clerk

i) **News e-mail - Birlingham News 5 (17 May 2012)**

It's a busy week ahead with no reason to be bored over the next seven days . . . In this issue:

1. Parish Council, 16th May
2. Swan Inn Spring Beer Festival, 18th-20th May
3. Asparagus Lunch, 20th May
4. Diamond Jubilee Meeting, 21st May
5. Bikers Night at the Swan Inn, 23rd May
6. Queen's Diamond Jubilee Celebrations, 3rd June
7. Planning Applications

Birlingham News 6 (5 June 2012) Thank you to everyone who put in so much hard work to make the Jubilee weekend such a great success. In this issue:

1. Queen's Diamond Jubilee Celebrations
2. Cricket Match: Birlingham Villagers vs. Smiths Angling Club, 8th June

3. Forthcoming Events

1. Queen's Diamond Jubilee Celebrations -

Despite the weather, a wonderful weekend of events was enjoyed by over 200 people. The Duck Race on Berwick Brook and Coronation Quiz at the Swan Inn on Saturday were followed by a day of events on Sunday. The All Faiths Service in St James's Church preceded the Trolley Race and the Big Lunch (including village photo and tug o' war), and finally a sold-out Music Evening in the Village Hall. On Monday, the Swan Inn were again hosts for the live showing of the concert at Buckingham Palace. Full reports and photographs of all these events will be available on the website soon.

Birlingham News 7 (23 June 2012)

There are plenty of activities coming up in the next two weeks and it's time to get your entries in for the annual Hanging Basket Competition. In this issue:

1. Cheese & Wine Party and Open Garden, 23rd June
2. Cricket 20/20 v NH Jockeys & Trainers, 28th June
3. Village Day Out to Barry Island, 8th July
4. President's XI v Cricket Club, 8th July
5. Hanging Basket, Pot or Front Garden Competition
6. Cricket Match: Birlingham Villagers vs. Smiths Angling Club

ii) **Standards Training Event.** Wychavon District Council letter regarding the event following the enactment of the Localism Act 2011. A new standards regime is due to come into force with effect 1 July 2012. Circulated to all councillors.

iii) **Birlingham Lengthsman** report - road surface at Lower End. Quotes "We have a badly damaged road surface at the junction of Broadway and Grange Road in the village. The grass cutting machine disturbed a pothole repair and this has been churned up by a HGV turning. I have coned off the mound as it is quite big and is quite a hazard".

iv) **Village Hall Roof** - support for application from BVH Chairman. Quotes, "I recently submitted an outline application for grant aid towards the roof and associated works; the outline was successful and now we need to submit a full application. To help with this task I met with the grant appraiser this morning who shed some light on what needs to be emphasised and how we need to demonstrate the outputs and also the risks of not proceeding with the works. Daunting but not impossible. One aspect that she said would be most useful would be letters of support from the Parish Council and other regular users. I have asked several of the regular hirers who have said they will. Can you email me something from the PC that confirms the PC's support to the project and makes some form of reference to the potential difficulty for the PC were the hall not available?"

Clerk responded, quote "I refer to your email dated 30 May regarding the village hall roof and your application for grant aid towards the associated works. Birlingham Parish Council wish to support your application for the roof project. The hall is a vital asset to the village and the Council find it convenient and useful that the building remains as an integral part of the community. The Parish Council wish the Village

Hall Committee success in its project and hard work and very much hope that this application is successful”.

v) **PC meetings change of times.** Clerk responded to BVH Secretary following a request to start meetings later than 7.30pm, quote “I don't believe there would be much disruption to the Parish Council meetings if we were are to start just 5/10 minutes later and I appreciate that the BVH needs all the bookings it is able to secure. As long as the Zumba class is finished by 7.30pm and we can get into the hall to arrange tables and chairs we would be able to start our meetings by no later than 7.45pm. (always with the exception of the May Annual meeting). I trust that this compromise will suit everyone involved. We will give it a try and I will inform Councillors, Wardens and other attendees this is what will commence with the July meeting”.

vi) **New 381 bus** Sunday and bank holiday bus service starting 27 May. Letter from Worcestershire County Council regarding the new bus service running until 16 September. Quotes, “This service has come about as a result of several communities along the route working together and is administered by Pershore Town Council with funding from parish councils and councillors, the Town Council, the Cotswold Line Promotion Group and the Govt.'s local and Community Transport Development Fund”. Posters put on noticeboard and given to The Swan, some residents and Summerfield House.

vii) **Lengthsman business insurance** schedule put on file.

viii) **Audit** to Clement Keys returned on 8 June 2012.

ix) Report to Council Meeting on **South Worcestershire Development Plan Preferred Options Responses and Further Targeted Consultation** - Briefing Meeting. Letter quotes, “You will recall towards the end of last year the three South Worcestershire Development Plan (SWDP) councils consulted on the Preferred Options document. On the 3 July 2012 the three Councils will be considering Officers' proposed changes (to the Preferred Options) based on revised technical evidence, consultation feedback and the National Planning Policy Framework. Ultimately this will inform the “pre-submission (to the Secretary of State) draft” of the SWDP that will be going to a further Council meeting in the early autumn.

Officers will be seeking approval from the Councils in July to undertake additional targeted consultation on the major changes proposed. I must be clear in that the consultation will not be an opportunity to comment on matters already considered as part of last September's consultation. The targeted consultation will run from 13 July 2012 – 24 August 2012. Therefore I am inviting your councillors to a briefing session on either the 26 or 28 June 2012 at 5.30pm until approximately 7.00pm in the Council Chamber. The briefing will summarise the main changes we are proposing for consultation and set out the next steps towards adoption of the SWDP in late 2013. A similar briefing was available to District Councillors on 31 May 2012. This is an important additional opportunity to feedback on the SWDP prior to the public examination in early 2013”.

Councillor Comins attending.

x) **Member Conduct Committee.** Notification from WDC of a meeting on 18 June with an update from the Monitoring Officer regarding the Implementation of the Localism Act 2011 Chapter 7 and Publication of Regulations / to consider Procedures for the New Standards Regime.

xi) **Communicate** Thursday, 14 June - latest edition of Communicate, the news bulletin for and from Wychavon's Strategic Partnership and the LSPs. Circulated to all Councillors.

xii) **Birlingham Parish Council nags re trees.** The Tree Warden had reported that he had no problem with the pollarding of willows at Withy Walk but there was concern in the field to the west of Withy Walk the other side of the ditch on the edge of the asparagus field. During the clearance of the brambles one four year old horse chestnut 5 ft. high was mowed down and two other smaller trees were cut off.

Clerk reports to have spoken to Michael Porter again. He reassured the Clerk that he will speak with the drivers of the tractors regarding the cutting of the hedges. Trees that are clearly tagged should not be cut or damaged by the hedge cutter. Michael said he was unaware of the chestnut tree and the clearance near Withy Walk as he believed this was work carried out by contractors for Wimpy.

Clerk to Wimpy Derbyshire following her conversation with Michael Porter, quotes, "Thank you for taking the time and trouble to speak with Michael. As we have both now spoken to him and made our point of view, I think we can say that we can leave the matter for the time being. Having asked both you and Michael the question concerning the "trees", I don't wish to put the "blame" on anyone. Michael has said he will do what he can to make his chaps more aware. I think the point has been made. The Tree Warden does a good job volunteering and trying to look after the village trees. I think its fair to say that he does try to maintain any that are put in by villagers which is why he gets a bit cross when saplings and young trees are cut. The Jubilee planting will be overseen by Steve Morris as he was the Jubilee event's organiser. I think the idea is to get a group of volunteers together in the Autumn when the trees arrive from the Woodland Trust. We don't know an exact time at the moment. I will update you when I hear any more on the Autumn event and thank you again for your assistance".

Wimpy responds quote "..... Michael did ask that when the Jubilee planting goes ahead to keep the planting away from the wooden fence due to shade and overhanging over the veg crops."

xiii) **Marion New** Information given to Marion about Parish Councillors and co-option. Also form for application.

xiv) **Footpath 501.** Reported footpath (Diary Cottage, Eckington Road – track to Brockham) to Footpath Warden as inaccessible. Footpath Warden responded, quote "I had a look at the footpath I think you mean but I can't see any problem with it – only one low branch. I did walk the length of FP501, up to the road by Maryworth Barn/Orchard Hill, and the top bit by the road needed some clearing, but not the bottom.

xv) **Enforcement.** Reported the **access/drive to Court Lodge** and the change to the gable end.

xvi) **Kiosk.** Denise Winters emailed with Councillors names for the legal document. Councillors Hall, Hill, Aston and Morris. Following this the Document was received and awaiting signatures.

xvii) **Disclaimer for email news and website** (www.birlingham.org). Advice sought from Legal Department at WDC protecting Parish Council from religious, political groups etc for editorial decisions and as a safeguard. Response quotes, "I think it would make sense to differentiate the official Parish business from other info included on behalf of local village groups. For the latter, I think it would be a good idea to have a disclaimer making it clear that information on that part of the website did not necessarily reflect the position of the Parish Council or have their support".

xviii) **Asham track.** Footpath warden has spoken to Community Services and they confirmed they will no longer be able to do maintenance on the track.

xix) **Lengthsman** reported a broken gully grid cover in Whitehall Lane opposite Box Farm House and pot holes at the top of Shorthill in Broadway Road (4994578 & 499461)

xx) **BVH** acknowledgement letter received from Hon. Treasurer thanking the PC for the **annual contribution** of £500.

xxi) **Land drainage.** Copied in on letter dated 29 June to Mr Jones at Pentwyn Nurseries re the Land Drainage Act 1991 for maintenance of watercourse at Pentwyn Nurseries. A site visit had been made on 29 June identifying remedial works to a culvert and drain on the entrance track to the property and giving 28 days notice. Note: this may be the cause of the blocked drain on the main road which the gully sucker was trying to clear?

xxii) **National travel pass renewal scheme.** In 2008 new Concessionary Travel Passes were introduced under the English National Concessionary Travel Scheme and they offer eligible elderly and disabled people free travel on off peak local bus services anywhere in England. Passes are issued on a 5 year basis, meaning that those passes issued in 2008 will be coming up for renewal in the next 12 months. There are approximately 70,000 travel passes to renew by May 2013 so to prevent a rush on council services in April May 2013 and any potential delays in processing they will be phased over the next 10 months. Customers will be written to and passes renewed free of charge for a further 5 years. Any queries should be emailed to info@worcestershirehub.gov.uk

xxiii) **Annual canvass for register of electors.** Wychavon District Council request with the publicity for the annual canvass. A leaflet was put on the noticeboard. This year the form is sent earlier than normal as it will be used to run the Police and Crime Commissioner Elections on 15 November.

xxiv) **Audit fees to tumble.** Extract from Clerks Councils Direct May 2012 Issue 81 Quotes “More councils are set to avoid audit fees after the Audit Commission cut charges as part of its outsourcing of audit practice. The reductions apply to the country’s 9,800 smaller local public bodies – mostly parish and town councils and internal drainage boards – and mean that from 2012/13 some 4,500 of them will pay no audit fees at all. Small bodies with annual income/expenditure of up to £10,000 will now fall into the “nil fee” band, which currently applies to just 1,000 bodies with income/expenditure of up to £1,000. The savings also mean that fees for other small bodies will be cut by 30%. The Commission plans to introduce two new suppliers into the audit market for small bodies, Littlejohn LLP and Grant Thornton (UK) LLP”.

xxv) **New Homes Bonus.** Clerk contacted BVH for further assistance with the application submission and its justification. (This year’s financial allocation of £460 is being given to BVH). An acknowledgement has been received from WDC and the outcome is awaited.

xxvi) **Rural Opportunities Bulletin** circulated to all councillors. Then sent to Footpath Warden, James Revill, Michael Porter and Wimpy for information on the following item: **Paths for Communities (P4C) – Natural England**
Paths for Communities is a funding scheme set up to develop and enhance the network of Public Rights of Way (PROW) in England in order to deliver benefits to rural areas. Local community partnerships are eligible to bid to Natural England for funds. The aim of P4C is to encourage and support local communities to work with land owners to make improvements to the network of Public Rights of Way. In all cases P4C projects must include some element of new Public Right of Way creation. In most cases projects will include an element of new Bridleway creation but projects that include Footpath creation alone will also be considered where community and economic benefit can be demonstrated. P4C will operate over the 2 year period from May 2012 to March 2014, with a total fund of £2m.
<http://www.naturalengland.org.uk/ourwork/access/rightsofway/p4c.aspx>

xxvii) **Water at Upper End.** Councillor Aston advised of the water at the Upper End and a picture. 2 cars had broken down in the middle of it and it was running like a river.

Clerk emailed Councillor Hardman, quote “As you can clearly see the issue of the water at Upper End has not been resolved. The Lengthsman has put out flooding notice boards. This has resided somewhat this morning but there is debris, sand, stones etc all over the road. The water is coming off the field (below Orchard Hill house and above the barn conversions) and not clearing down the drain outside Barncroft. There is also the problem will the other flooded area below this patch where the water drains onto Harry Porters land. The same 'ol same 'ol story which has been going on for several years now with no solutions. Please can we see some action?”

xxviii) **New Homes Bonus** reply from WDC, quotes “Thank you for submitting a New Homes Bonus proposal for the re-roofing/refurbishment of Birlingham Village Hall. Our Executive Board considered your proposal at its meeting on 10 July 2012. The Board has approved £460 of your New Homes Bonus allocation as a contribution towards the re-roofing/refurbishment. We suggest in the future it would be a good

idea to draw up a business plan for the village hall. I will contact you next year to find out how your project is progressing”. Copy of letter sent to Chairman and Secretary of BVH.

xxix) **Pershore Town Council – diversion of bus.** Letter dated 11 July to Councillor John Smith at Worcestershire County Council from Pershore Town Clerk, quotes “Further to our recent letter and concerns expressed by local residents, members would be very grateful if consideration could be given for the bus that runs from Pershore to Eckington to be diverted into Birlingham village rather than picking up and continuing along the main road. This would make minimal difference to the timetable but would save a great deal of inconvenience to the residents. Your sympathetic consideration to this request would be much appreciated”.

xxx) **Severn Waste funding.** Chairman of BVH thanked PC Chairman as he has been able to make an application following the information that Severn Waste give money to worthwhile projects around the area. The money is to do with the land fill tax where Severn Waste keeps about 10% to give away.

xxxi) **BVH minutes** received and circulated to all Councillors. The increase for this year was discussed and noted again.

xxxii) Councillor Morris’s letter had been received regarding the **ownership of the Parish Council website.**

8) Planning

- a) Report on current outstanding planning applications
 - i) W/12/01111 The Paddocks, Broadway Road - Residential conversion of domestic stables and barn
- b) Applications approved/refused
 - i) W/12/00966/PN – Bakers Hill Farm, Defford Road - Extension to agricultural building
Approved - 22 June
Parish Council comments: No objections
 - ii) W/12/00729/PP - Holly House, Church Street, Birlingham WR10 3AQ
Two storey rear extension and dormer window to front
Approved - 17 May
Parish Council comments: No objections

Note: Court Lodge does not seem to have a request for the new access road. Is this a Highways / planning issue. Clerk to get an update.

9) Financial Matters

- a) Bank balance - £2,716.52 as at 27 June 2012.
- b) The Accounts for 2011/12 were resolved. The projected bank balance after payments will only be £69.50. The precept (£2,250.00) is still awaited as there has been no copy of the BACS receipt.
- c) Receipts:
 - £230.00 – Worcestershire County Council – Lengthsman

Payments:

- £225.00 – Zurich Insurance (estimated £230 resolved March 2012).
(Cheque number 245 dated 16 May)
- £500.00 – Village Hall contribution (resolved Nov 2011 and BVH notified by email). (Clerk needs to advise BVH that paperwork is required asking for the “contribution” before this can be resolved). Awaiting precept receipt.
(Cheque number 246 dated 10 June)
- £30.00 – Mrs Baker Internal Auditor (agreed in May)
(Cheque number 247)
- £462.10 - Clerks pay April / May / June 2012 (budgeted in November 2011 agreed March 2012)
(Cheque number 248)
- £115.40 - PAYE HM Revenues and Customs – April / May / June
(Cheque number 249)
- £25.00 Clerks expenses for April, May and June (£100.00 pa)
(Cheque number 250)
- £50.00 – Wychavon Citizens Advice Bureau (CAB) – charity budget agreed May 2012. (A letter has been received from the Bureau requesting urgent support and a donation of £500 to enable the office in Evesham to remain open. The Councillors agreed that the budget for charities had been retained and that £50 could be donated).
(Cheque number 251)

d) Future payments and budget forecast:

- £230.00 – Carl Brassington Lengthsman for May (23 hours)
- £120.00 – Carl Brassington Lengthsman for June (12 hours)

Note: Could the Lengthsman be asked to dig out some gullies on New Barn Road? Is there anything he can do on the Eckington Road where there is a blind spot coming from New Barn Road? Lengthsman does not do works on the main road.

e) Audit Annual Return 2011/2012 agreed.

10) Code of Conduct

The final version of the Model of the Code of Conduct (drafted by Worcestershire Monitoring Officers) and Register of Interests form had been received from CALC. The Code needs to be adopted as soon as possible and the Register of Interests should be signed by 27 July. There has been a Standards Training event at Wychavon and the Clerk has asked for information following that which had then been circulated to all Councillors.

The Code of Conduct was adopted by the Councillors.

11) Parish Plan

Councillor Comins has nothing further to advise at this time.

12) Website and E-mail News

Both the website and the E-mail news are on-going. It is hoped that there could be a meeting organised before the next Parish Council meeting to discuss the advertising on the website. The Legal Department at Wychavon had advised that the Parish Council

should differentiate the official Parish business from other information included on behalf of local village groups. They have suggested a disclaimer making it clear that information on that part of the website did not necessarily reflect the position of the Parish Council or have their support. The Parish E-mail News has a disclaimer saying “This e-mail is distributed by Birlingham Parish Council and is available to residents of Birlingham, their families and friends. If you know anyone who would like to receive these e-mails, or have any comments or items for inclusion in future e-mails, or wish to be removed from the mailing list, please write to news@birlingham.org. The e-mail is open to any organisations or business within the parish to promote events. Inclusion of an event does not imply that the Parish Council supports either the event or the views of the organisation promoting it.” Clerk to check with Legal that this reads correctly.

13) Councillors’ reports and items for future agenda

The Swan sale details advertise a holiday cottage. Is that correct?

The Legal documents for the kiosk were discussed. The Parish Councillors act on behalf of the Parish Council and therefore should a member change it would make no difference to the legal agreement.

12) Closure – with nothing further to discuss the meeting closed at 9.10pm. **The next Parish Council Meeting is on Wednesday 19 September 2012.**

Signed:Councillor Anthony J Hall, Chairman

Date:

Democratic Opening: Jubilee - There was over 200 people at the Jubilee celebrations despite the weather. The bunting remains up. Photographs will be available shortly. The website will have ordering details.

Village Hall roof repairs – There is a difference of opinion on the funding for the roof repairs. The Village Hall committee feel that the Parish Council should lead the fund raising. The Parish Council believe it is not their role to act as fundraisers. The Parish Council are disappointed at the comments made regarding their level of support. It has been stated several times that the Parish Council do not have any funds and therefore believe their contribution to be a fair one at this time. It is early days and fundraising is not exhausted by means of private or public contributions. The New Homes Bonus had been prioritised to the Village Hall although there were other communities in the village for example The Row and St James. A “canvas” will be placed on the Email News for residents views.

Burglary – a garage has been broken into and garden machinery had been stolen. Villagers should be vigilant.