

BIRLINGHAM PARISH COUNCIL

Minutes of meeting held on Wednesday 17 July 2013
Birlingham Village Hall

Welcome

- 1) Present: Councillors Hall, Butler, Comins, Hill and New
- 2) Apologies: Councillor Aston and Morris (both out of the area) and Footpath Warden
- 3) Declarations of Interest
 - a) Register of Interests: Councillors are reminded of the need to update their register of interests * agenda item
 - b) To declare any Disclosable Pecuniary Interests in items on the agenda and their nature.
 - c) To declare any Other Disclosable Interests in items on the agenda and their nature.

(Councillors who have declared a Disclosable Pecuniary Interest, or Other Disclosable Interest which falls within the terms of paragraph 12(4) of the code of conduct, must leave the room for the relevant items)

- 4) Minutes of previous meeting. The Minutes of the meeting held 15 May 2013, a copy of which had been circulated to all Councillors, were agreed as a true record and signed by the Chairman.
- 5) Democratic Opening – none
- 6) Progress Reports
 - a) Footpath
 - i) Footpath 500 (path to Rough Hill) cleared.
 - ii) Footpath 506 (Grants) strimmed.
 - iii) Footpath 511 (Withy Walk) sprayed.
 - iv) Footpath 516 (Swans Neck) trees pruned. The Chairman had also finished by topping the area.
 - v) Footpath 520 (other side of Nafford Lock) strimmed.Half-yearly FP report for WCC completed and sent.

Note: The Vice-chairman wanted to know if we had thanked Bruce for his work on the footpaths at the Annual Meeting. Having spent two weeks in Great Comberton, where the paths are mostly overgrown and in places impassable, he said it is a delight to cross the border at Nafford and find footpaths that are superbly maintained and a joy to walk.

Thanks had been passed in May but would be passed again to Bruce and Mark for the brilliant job they do every year. Their work is appreciated
 - b) District Councillor – not in attendance
 - c) County Councillor – not in attendance

7) Planning

a) Report on current outstanding planning applications

i) W/13/01226/CU – The Paddocks, Broadway Road, Birlingham WR10 3AF

Conversion of domestic stable and barn to live/work unit

Decision due: 20 August

There was concern regarding this proposal because a previous application had been dismissed at appeal. It lies outside the development plan where there are restrictions against isolated residential developments. No justification or narrative has been provided with the submission.

ii) W/13/01360/HET – The Paddocks, Broadway Road, Birlingham WR10 3AF

Application to extend time limit for the implementation of planning permission

W/10/01718/PP for proposed ground and first floor extensions and double garage

Decision due: 21 August

b) Applications approved/refused

i) W/13/00373/ W/13/01096/PP – The Old Coach House, The Avenue, Birlingham WR10 3AB

Proposed new driveway access to highway and on site surface car parking

Approved 11 July

Parish Council comments:

1. The Design and Access statement states in para 1.05 that this application is being made irrespective of any subsequent application relating to the site. The case needs therefore to be made that the site in its present form and use requires additional parking and access to the road

It is our opinion that this case has not been made. The existing road access and parking spaces are amply sufficient for the property in its present form and further intrusion in the Conservation Area is considered unnecessary and superfluous

2. The proposed siting of the new access is less favourable than the present access being closer to the road junctions and allowing less visibility to traffic from the two roads to the north.

3. Reference is made in the Tree Survey to the condition of the Oak Tree overlooking the site. The tree is a critically important feature of the village landscape looking from the village towards the West. The Oak is an extremely long lived species and capable of retaining its limbs even after they have been affected by decay.

We consider that there is no justification for felling the tree and remedial surgery is all that is required to ensure its continued growth and safety in the environment.

4. Reference is also made in the Design and Access Statement para 3.08 to the number of village properties that do not have garages.

We believe that the details are inaccurate in regard to the number of garages attached to adjacent properties

5. Recent applications to develop, for housing, the land (also within the Conservation Area) immediately to the North of the Old Coach House have been rejected by Wychavon Council. (W/09/01021). Strong arguments were then advanced, supported by the present applicant, that the land should be preserved as an open space to protect the views out of the village at this point.

The Council considers that these judgements apply equally to any development on the site of the Old Coach House including the creation of additional access to the road and parking space.

There is strong feeling over the reasons for this application. And the oak tree is a topic of local concern. Did the tree officer go to site? How does she agree that the oak is diseased? Contact to be made with the District Councillor about the concerns.

c) Enforcement – none

Note: Several Parish Councils in Wychavon have concerns regarding the change of hard copy notifications of planning applications and no paper plan to electronic notice only.

South Worcestershire Development Plan- Notice of Submission Circulated to all Councillors - Notification letter and Statement of Availability submitted to the Secretary of State for independent examination on Tuesday 28 May 2013

8) Financial Matters

a) Bank balance - £4,193.91 at 20 June 2013

b) The Accounts for 2013-2014 were resolved.

c) Receipts: none

Payments:

£243.80 – Zurich insurance cover (renewal date 1 June 2013)

- cheque number 275

£125.83 (£145.83 *less credit note 454 dated 13 March £10.00* – non-attendance at Clerks Gathering Grant Thornton and *credit note 456 dated 1 April £10.00* - non-attendance at Special Training Event NALC)

- cheque number 276

£1000.00 – village hall contribution £1,000.00

- cheque number 278

£57.20 – Tree Forum (estimate must be obtained prior to attendance)

- cheque number 279

£483.15 – Clerks pay (April, May, June)

- cheque number 280

£120.60 – PAYE HM Revenues and Customs

- cheque number 281 (dated 30/6 as per RTI)

£25.00 – Clerks expenses

- cheque number 282

£50.00 – Internal Auditor

- cheque number 283

d) Future payments

£120.00 – Lengthsman (June)

e) Audit returned to Grant Thornton

- f) The Accounts for 2012/2013 were completed and sent to the External Auditor for the deadline of 30 June. There would be no charge for the examination.

9) Jubilee Wood

A Tree Preservation Order for the protection of the whole area; the Clerk has contacted the Tree Officer at Wychavon District Council and this was acceptable in principle.

Plaque – still to discuss with the Jubilee Committee and bring to next meeting. Upkeep of area/responsibility/maintenance. Some form of agreement? This needs further debate.

There had been some “mess” from the pickers. Approximately 30’-40’ had been flattened by vehicles and tractors; almost a row of saplings.

In desperate need of watering. Try to speak with Michael Porter to see if help could be got through irrigation from adjacent field. Could a bowser also be obtained.

The area is overgrown; ask Carl to strim. This would seem to be a reasonable cost for the Jubilee Fund to find.

Defer item again until the September meeting for further discussion, agreement and finalisation.

10) Register of Interest Forms

The Register of Interest Forms were on the Wychavon website and would be placed on the Parish Council website shortly in liaison with the local authority. There is a legal requirement for the forms to be accessible from a Parish Council website if they have one.

11) Training on the Code of Conduct and the Standards Regime

Wychavon training by the Monitoring Officer for Clerks and Councillors in October. It was decided that Councillors Hill, Hall and New and the Clerk would attend on 7 October.

12) Councillors’ reports and items for future agenda

Why had a laptop been mentioned? It was believed this was an adhoc statement regarding “storage” of material.

Could the waste bins by the plane tree and phone box, be updated? Is it time they were replaced or tidied up? It was felt that there was not a need for the bins to be replaced but maybe they could be refurbished adequately. The original bins work well. Suggestion for Cuprinol to refurbish. Daphne Hill was volunteered and the materials would be donated.

Website donations. As an indication of a donation £20 had been suggested for an advertising contribution. There needs to be a separate budget for this.

Further discussion regarding the request from BVH for an industrial microwave oven. This was something that could be requested through the New Homes Bonus. The BVH chairman would have to justify the need in order for the NHB application to be submitted. An industrial style was an idea for longevity and therefore a sensible investment. Would be £800 plus. This was agreed in principle and Clerk to contact Chairman of BVH; resolution to be put on agenda for next meeting.

Plane tree – resurrect. What about someone having authority? The village would want the tree rather than what/who’s responsibility it was. A tree surgeon would not be cheap. Need to build up the precept. What about adding to the “tree fund” again for this? What figure? Suggested £500. Check insurance. Responsible for “remedial” care but what is that definition? And when would the Parish Council step in? Need to stop the tree getting into a disastrous state. Maybe a budget item? Need discussion and resolution for next agenda.

- 13) Closure – with nothing further to discuss the meeting closed at 8.45pm.
The next Parish Council Meeting is on Wednesday 18 September 2013 at 7.45pm.

Signed: Councillor Anthony J Hall, Chairman

Date:

Clerks report

i) **News e-mail**

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The fete is nearly upon us, and for once it looks like we might have some reasonable weather, so we hope to see you all on Friday evening.

In this issue:

1. Birlingham Evening Fete, 7th June
2. Birlingham Flower & Produce Show – Information Centre
3. Birlingham Cricket Club Centenary

1. Birlingham Evening Fete, 7th June

The Birlingham Evening Fete takes place this Friday, 7th June, at the cricket ground, starting at 6.30pm.

2. Birlingham Flower & Produce Show – Information Centre

The phone box is now being prepared as the information centre for this year’s Birlingham Flower & Produce Show. From this Friday (7th June), the phone box will contain show schedules and other information.

3. Birlingham Cricket Club Centenary

2013 is Birlingham Cricket Club’s Centenary Year and the Club are holding a series of events during the season to commemorate the occasion. Apart from a Cricket Week starting on Monday 15th July, there are plans for a car rally and music night later in the year.

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This Sunday sees the second Family Sports Day at the Cricket Ground, so time to get into training

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In this issue:

1. Fete – Thank You
2. Family Sports Day, 23rd June
3. Breeze & Wilson, 14th July

4. Planning Applications

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A busy day on Sunday, with the family service at St James's Church in the morning and the annual Presidents' Day cricket match at the Cricket Ground in the afternoon.

In this issue:

1. Family Services
 2. Presidents XI v Cricket Club, 8th July
 3. Family Sports Day – Photos
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Birlingham Cricket Club are celebrating their centenary year with a week of cricket matches next week. Full details of the fixtures below.

In this issue:

1. Breeze & Wilson, 14th July
2. Birlingham Cricket Club Cricket Week, 16th-19th July
3. Parish Council Meeting, 17th July
4. Planning Applications

ii) **Lengthsman service – enquiry from Defford Parish Council**

Q - Defford and Besford Clerk, quote "Defford & Besford PC is reviewing its Lengthsman service, so I was wondering if you would you be able to answer the following questions regarding your own Lengthsman? Would be most grateful.

Who is your Lengthsman?

Are you happy with his services?

To your knowledge, is there anything on the Lengthsman remit that your Lengthsman doesn't do (for example the company we use don't do any drainage work)

Does your Lengthsman follow a programme of work or is he contacted by you on an ad hoc basis?

How much per hour do you pay?

A – quote, "Over the years we deliberated as to whether we should take part in the Lengthsman Scheme. I certainly didn't want extra work from a Clerks point of view employing someone. We signed up a couple of years ago on a contractual basis and currently it is working well. However, we have had our difficulties with what, when and how often the lengthsman should work. Our lengthsman is a villager and at present we are happy with his service. He does deal with drains. He and the Councillors feel sometimes that more could be done but the WCC remit restricts a lengthsman's work. Last year we agreed that the Lengthsman should do one morning a week and other work on ad hoc basis. However, seasons can dictate and I have to leave the lengthsman to his own work and reasoning. Sometimes I don't feel as if I am "managing" him but on the whole it's working. He charges £10 per hour.

It's difficult getting the right person for the job and the weather decides what sometimes needs to be done. For example we struggle with flooding issues so the winter is busier than the summer.

It's difficult to have a "budget" that is maximised/utilised but if we have period of snow or rain I worry that the budget will run out before the financial year end.

As I said to start this isn't an easy subject and it's interesting to hear that you are reviewing your service. Best of luck and it would be good to hear your update and suggestions".

iii) **Communicate June 2013** Latest edition of Communicate, the news bulletin for and from Wychavon's Strategic Partnership and the LSPs. Tracy Perkins, Partnership Support Officer, Strategy and Communications. Circulated to all Councillors

iv) **Flooding Measures/ Preparedness Questionnaire**
Wychavon's Executive Board survey on the flooding measures that are currently in place within each Parish. Questionnaire returned begin June.

v) **Worcestershire CALC survey**
Wanting to help PC's understand recent mandatory changes, good practice and current information. Survey to give an insight into understanding individual councils. Survey returned together with annual membership invoice. Offer that if survey is completed £10 can be used to offset for a future course.

vi) **Parish Matters May 2013** News from Wychavon District Council for Town and Parish Council. Circulated to all Councillors in hard copy.

vii) **BVH request for contribution**
Clerk request quotes "In order that Birlingham Parish Council can give the contribution to BVH we need some "paperwork" from the Hall Committee. Please could you send a request for the £1,000 payment so that this amount, that was agreed in May, can be actioned. The finalisation will then take place at the July meeting"
Response - Letter received from BVH regarding the contribution (and giving their bank details) Dated 24 June.

viii) **NALC - The Good Councillor's Guide** - forwarded by CALC and circulated to all Councillors.

ix) **Plane Tree**
Q - Do you know if the Parish Council are responsible for the Plane Tree on the village green, I ask because there have been several comments that it is not looking healthy and appears to have some signs of die back? If we are responsible then maybe we need to get expert advice.
A from Clerk -The PC are not responsible for the plane tree. The PC do not own the green and therefore do not want any responsibility/liability for it. This was a much discussed issue a few years back and consequently Harry Porter (on his own accord) got a tree specialist in. The Parish Council as a matter of goodwill reimbursed Harry for the works that he had done at a cost of £317.27 (2008/09 accounts).
The tree has a TPO on it (TPO 10/07/001) as the Parish Council felt it needed protecting with its importance within the village centre. It is abit of a concern though if there is die back. I will speak with the Tree Officer at Wychavon.
Councillor comment - Someone pointed out the problem on the plane tree to me last Wednesday and I have sent Stuart an email. It is certainly looking a bit sorry for itself at the moment. It is an important feature of the village centre and I think we should do what we can to ensure its survival.

The village green may not be ours (though I think it should be) and we tend to take responsibility for the grass mowing, so one day we should really try and sort this out . . .

Tree Warden - I have not had a look at the tree yet but I agree that the parish council did agree not to take responsibility for the plane tree and in the absence of anyone being responsible then it will I believe fall upon Wychavon.

A from Clerk -

Fungus

I have spoken to the Tree Officer at Wychavon and the attached is the information about the fungus that is affecting the plane tree. The tree will recover apparently even if it sheds more leaves. I hope that is reassurance.

Responsibility

As was agreed and is reiterated by Stuart the PC does not take ownership of the tree or the village green. Why would they want responsibility particularly if it involves the tree which potentially over time will need work to it especially as it gets more mature? Future agenda item?

Wychavon do not have any responsibility either. There may be a TPO on it which was made by the authority but that is all. If anything (assumption) should the tree loose a branch or whatever and it affected the highway then County Council would have to remove it.

x) **Blue brick feature** following Coach House application

Q from a Councillor - With reference to the planning application, what is happening with the blue brick feature at the front where I assume the new drive will remove it? If this is a feature within the village should it not be kept insitu and maintained as a part of village history? I assume that it used to be complete with a stone trough for watering livestock.

Comment from a Councillor - I totally agree. We should oppose as much as we can.

A from Clerk - The blue brick feature was used historically, I believe, as a "pound" for livestock many years ago so you are correct and it would be quite old.

xii) **Overhanging willow tree at Gravelly Hill – report number 5704366**

Q - Clerk at Eckington Parish Council - The matter was brought to the attention of Eckington Parish Council yesterday, where it was flagged up that this is not in Eckington Parish but in Birlingham. I would therefore be grateful if you could report the matter to Highways. I believe the tree is overhanging very low over the road and could therefore prove hazardous for motorists.
Louise Gerber

A from Clerk - I have reported the willow tree. As you say it is overhanging the highway (although I don't believe this has happened recently) and could prove to be dangerous. Perhaps Highways will cut it back or resolve the issue with the landowner?

xiii) **BVH minutes** - draft minutes from the May meeting were circulated to all Councillors.