

# Birlingham Parish Council

Minutes of meeting held on Wednesday 15 January 2014  
at Birlingham Village Hall

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## **Councillors:**

Councillor Morris  
Councillor Aston  
Councillor Butler  
Councillor Comins  
Councillor Hill  
Councillor New

## **Other Representatives:**

Councillor Davis  
Footpath Warden Bruce Hayward  
Tree Warden Stuart Crowther

## **Welcome**

## **Apologies for absence:**

None

## **1. Resignation of Chairman**

Vice-Chair Steve Morris on behalf of the members said they were sorry that Tony felt the need to resign and asked the Clerk to write and thank him for his work and time as Chair. Clerk to notify Wychavon District Council of the vacancy.

## **2. Election of Chair**

It was proposed and unanimously accepted that Steve Morris should be elected as Chair. He signed the Declaration of Acceptance of Office. Clerk to notify Wychavon District Council of the changes in office.

## **3. Declarations of Interest**

- a) Register of Interests: Councillors are reminded of the need to update their register of interests.
- 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.

(Note: 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 20 November 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**

Appendix <sup>1</sup>

## **6. Progress Reports**

- a) Footpaths:
  - i. 520 (other side of Nafford Lock) fallen tree cleared from the path and the right of way was now useable.

- b) District Councillor
  - i. Happy New Year.
  - ii. Congratulations to Steve on his new position.
  - iii. Sorry that Tony had decided to resign over a minor matter. Action has been taken before on signs being displayed. Councillor Davis wished his thanks to Tony to be put on record.
  - iv. Cuts have been identified up to 2016 of £4.38m with more cuts due in 2017/18. At the moment the services are being maintained. The councillors questioned how this would continue with a bigger demand with increased housing?
  - v. Better NHS leaflet.
  - vi. No longer using the grey bin.
  - vii. Police Commissioner has cancer and question on whether he continues in post.
  - viii. A WPC will replace the community safety officer.
  - ix. Evesham bridge still not complete.

The Chair thanked Councillor Davis for his time.

c) County Councillor- absent

d) Clerk- see Appendix <sup>2</sup>

## 7. Planning

a) Current applications pending

- i. W/13/02469/PN – erection of a dwelling, Land within and adjacent to The Old Coach House, The Avenue, Birlingham  
Decision due 4 March

Reminder that the meeting for all Councillors to discuss is 27 January.

b) Applications granted / refused - none

c) Enforcement – email from Enforcement Manager

Letter reference IN/13/00641 dated 19 December 2013 addressed to Clerk and copied to Ron Davis

There can be no favouritism.

At appendix

## 8. Financial Matters

a) Bank Balance: £4494.21 as at 11 December 2013.

b) Accounts for 2013/2014 were resolved.

c) Receipts:

- i. £170.00 – Worcestershire County Council

Payments:

- i. £50.00 – Poppy wreaths - receipt received from British Legion (cheque 291)
- ii. £324.00 – John Comins contribution for tree report/survey (cheque 292)
- iii. £120 – HM Revenues & Customs PAYE due end of December (cheque 293)
- iv. £170.00 – Carl Brassington (£60.00 /September and £110.00 /October) (cheque 294)
- v. £482 – Clerks pay October/November/December (cheque 295)
- vi. £25.00 – Clerks expenses (cheque 296)

d) Precept agreement – Council Tax Base 2014/15  
Financial advisor noted: Based upon budget of £5,000 for next year this calculation would give a Band D Council Tax figure of £29.59 equivalent to a reduction of £0.04 or 0.13%. In other words stable.  
Budget for 2014-2015 was resolved at £5,000.00

e) Future Payments:

- i. £26.98 approx - website domain renewal 23/1/13 – 23/1/14 but also now have to pay for domain name. Invoice to be provided.

**9. Website**

Nothing further to report at the moment. As at today's date 4,000 visitors with 15,000 loads. Put on agenda for next meeting.

**10. Litter Pick**

Confirmed for Saturday 15 March at 10.00am with Saturday 22 March as a back up. Clerk to organise.

**11. Neighbourhood Planning**

John Comins and Steve to take to next meeting. John Comins to draft a letter to be sent to residents. Clerk to send a letter to previous volunteers in advance.

**12. Councillors' reports and items for next agenda**

Charlotte notified of her intention to resign shortly due to her move from the village. She would remain on for the time being to assist as she was the only remaining cheque signatory, together with the Chair.

The Chairman and members thanked Charlotte for her work.

New signatories to be actioned – Paula Aston and John Comins.

**13. Closure** with nothing further to discuss the meeting closed at 8.45pm.

The next Parish Council Meeting is on Wednesday 19 March 2014 at 7.45pm.

**Signed:** ..... **Councillor Steve Morris, Chairman**

**Date:** .....

**Appendix 1 Democratic Opening**

The Bystander would like an article about the news email.

The Tree Warden informed of several trees that had been cut off. It was frustrating as trees and hedges are watered, pruned and generally cared for by residents. Saplings were tagged. The sweet chestnuts had been there for eight years and then destroyed.

The Tree Warden has taken the decision to resign as he was upset and his patience has been tried now due to the actions of the hedge cutting. He was persuaded to stay until May.

The Clerk would write to Revills regarding their actions.

There was a dead sheep at Asham.

## Appendix 2 Clerks Report

### i) News e-mail

#### [Birlingham News 36 update - 7 December](#)

After a quiet month, there's plenty going on in November and December. In particular, the closing date for the church questionnaire is this Sunday, so make sure you get your comments in.

#### [Birlingham News 37 - 17 December](#)

Following a hugely successful Christmas Show on Saturday, there's plenty more coming up over the Christmas period.

In this issue:

1. Carols in the Courtyard
2. Christmas Services at St James's Church
3. Christmas and New Year at the Swan
4. Christmas Bin Collections
5. Christmas Tree Recycling
6. Bus Service 382
7. Flower & Produce Show Seed Exchange
8. Oil Tank Thefts

#### [4. Christmas Bin Collections](#)

Dates for bin collections in Birlingham over the Christmas period are as follows:

Friday 27th December: black bins (plus up to two extra refuse sacks)

Friday 3rd January: green bins (plus extra clear recycling sacks) & brown bins

Thursday 9th January: black bins (plus up to two extra refuse sacks)

Clear recycling sacks are available from the phone box.

Full details of collections are available at

[www.birlingham.org/docs/wychavon\\_christmas\\_2013.pdf](http://www.birlingham.org/docs/wychavon_christmas_2013.pdf).

#### [5. Christmas Tree Recycling](#)

This year Wychavon District Council is **not** providing Christmas tree recycling at Three Springs Garden Centre.

However, you can still take trees to the Hill & Moor Household Recycling Centre, which is open Monday-Saturday 8.00am-6.00pm, Sunday 9.00am-1.30pm (closed Christmas Day, Boxing Day and New Year's Day). Alternatively, if you have a brown bin, the Council recommends that you chop up your Christmas tree and put it in the brown bin.

#### [6. Bus Service 382](#)

Worcestershire County Council is proposing to save £3 million that is currently invested in providing subsidised bus services across the County. Birlingham is affected by the proposal to end the 382 service on Friday and Saturday evenings. Details of the review are available at [www.worcestershire.gov.uk/cms/transport-and-highways/transport-review.aspx](http://www.worcestershire.gov.uk/cms/transport-and-highways/transport-review.aspx) and the full list of buses at risk can be viewed at [www.birlingham.org/docs/buses\\_at\\_risk\\_2013.pdf](http://www.birlingham.org/docs/buses_at_risk_2013.pdf).

These proposals are being consulted upon until Friday 17th January 2014. To respond to the proposals, print the questionnaire at [www.birlingham.org/docs/bus\\_questionnaire\\_2013.pdf](http://www.birlingham.org/docs/bus_questionnaire_2013.pdf) and send it to FREEPOST RSGG-GSZK-GSGL, County Hall, Spetchley Road, Worcester WR5 2NP. Alternatively, there is an electronic questionnaire that is quick and easy to complete at [www.worcestershire.gov.uk/researchweb/transport/subsidisedbusservices.htm](http://www.worcestershire.gov.uk/researchweb/transport/subsidisedbusservices.htm), or you can email [busservicereview@worcestershire.gov.uk](mailto:busservicereview@worcestershire.gov.uk).

#### [Birlingham News 38 - 11 January](#)

Happy New Year to you all! The first Parish Council meeting of 2014 takes place next Wednesday – all welcome.

In this issue:

1. Parish Council, 15th January
2. Planning Applications

### 1. Parish Council, 15th January

The next meeting of Birlingham Parish Council is on Wednesday 15th January at 7.45pm in Birlingham Village Hall. The parish precept for the coming year will be finalised at this meeting. Among other items, the Council will be discussing the possibility of creating a Neighbourhood Plan for Birlingham. There is an opportunity during the meeting for residents to ask questions or make their views known.

The Agenda for the meeting is available at [www.birlingham.org/pc\\_info/pc\\_agenda\\_2014-01-15.pdf](http://www.birlingham.org/pc_info/pc_agenda_2014-01-15.pdf) and the minutes of the last meeting on 20th November will shortly be available at [www.birlingham.org/pc\\_info/pc\\_minutes\\_2013-11-20.pdf](http://www.birlingham.org/pc_info/pc_minutes_2013-11-20.pdf).

### 2. Planning Applications

The following planning application has been received by the Parish Council:

**The Old Coach House:** Erection of a dwelling (Case No. 13/02469). Awaiting decision by Wychavon District Council. (Consultation period ends on 7th February.) Full details can be viewed on the Wychavon DC website at [www.e-wychavon.org.uk/pl/pl.exe?cs=13/02469](http://www.e-wychavon.org.uk/pl/pl.exe?cs=13/02469).

### ii) **Safety at Street Works – New Guidance - 1st October 2013**

**David Hunter to Clerk:** Thank you for the email. I will add Carl onto the waiting list. When I have sufficient numbers I'll book the trainer and send you the details (this will probably be next year now).

**Clerk to David Hunter** 1 December cc Carl Brassington: Birlingham Parish Lengthsman is happy to attend a refresher course when one becomes available so could you add Carl Brassington onto the waiting list for the next training session.

David Hunter ([DHunter@worcestershire.gov.uk](mailto:DHunter@worcestershire.gov.uk)) 20 November

**Subject:** Safety at Street Works - New Guidance - 1st October 2013

Dear Parish or Town Clerk,

A new code of practice has been issued relating to Safety at Street works, this is very relevant to Parish and Town Councils that employ a Lengthsman. I have attached a copy of the new Code of Practice, please make sure your Lengthsman aware of this document.

This new guidance comes at an opportune moment as there is a recent case of a Wolverhampton motorcyclist who was severely injured when he collided with highways works barriers. It was found that the warning signage and cones were not deployed correctly and the firm has been fined £180k for H&S failings.

I would add that all Lengthsman should have undergone our LANTRA approved training course before working on this highway. If any Lengthsman would like to take the course again to refresh their memory I can add them to the waiting list for the next training session.

Kind regards,

Dave Hunter Bsc (Hons), MCIHT

Senior Highways Liaison Engineer

Lengthsman Scheme Manager

County Hall, Spetchley Road, Worcester, WR5 2NP

T: 01905 768356 M: 07901 511614 F: 01905 766899

### iii) **Private Hire Licencing Policies – Consultation**

January 2014

A Private Hire Licensing Policies consultation which is being carried out by Worcestershire Regulatory Services. If any of your councillors wish to make any comments, please could they do so direct to Worcestershire Regulatory Services using the contact details contained in the attached documents. The closing date for responses is Friday 31 January 2014. If you have any queries on the consultation, please do not hesitate to contact Worcestershire Regulatory Services or myself.

Kind regards Mel Harris Senior Member Support Officer

**iv) Cotswolds Conservation Board:** Agenda Papers for Meeting of the Board and AGM - 10am, Thursday 5th December 2013

For your information, please find attached the Agenda for the meeting of the Cotswolds Conservation Board to be held on Thursday 5<sup>th</sup> December 2013. Also attached are the Agenda for the AGM (which will follow the Board meeting) and the Minutes of the meeting of the Board held on 3<sup>rd</sup> October 2013.

The associated reports are currently being uploaded to the Board's website, and should be available to view tomorrow or Monday:

<http://www.cotswoldsaonb.org.uk/?page=meeting&itemid=243>

Hard copies of the full Agenda papers will be sent only to members of the Board. However, a few spare copies will be available at the meeting for use by any Observers from the parishes.

Reminder – the Board comprises 37 members, which include eight Parish Representatives elected on a periodic basis. These eight Parish Members are full, voting, members of the Board and between them they represent all 293 parishes in the AONB. While any of the parishes would be welcome to send an Observer to Board meetings, there is no expectation or requirement for them to do so.

Regards Stephen Holley

Committee Administrator to the Cotswolds Conservation Board  
c/o Cotswold District Council, Trinity Road, Cirencester. Glos GL7 1PX

**v) Poppy wreath contribution**

**Chris Reynard to Clerk:** At last night's AGM of the Eckington British Legion it requested that I pass on the Branches thanks for the £50.00 poppy appeal donation from Birlingham Parish Council. Could you pass this thanks on to the Council for me please. Regards Chris.  
PAO Eckington

**vi) Jetting in Birlingham**

**Councillor Morris (acting as Chairman) to Councillor Hardman** 27 November 2013 08:22  
Thank you for taking the time to come to Birlingham Parish Council last week; it was much appreciated.

Just to clarify, the areas that need jetting are the usual one at Upper End and the length between The Old Coach House and Field Cottage, as you go down from the war memorial towards Lower End. Large puddles have been sitting on both sides of the roads for weeks.  
Many thanks  
Steve

**Councillor Hardman to Highways (Dave Lavender)** 27 November 2013 08:31

Can we get our jetter to visit and do the lower end drains as well. Seems a bit odd that lower end has an issue.

Adrian Hardman  
Leader of Worcestershire County Council  
Bredon Division.

**Highways to Councillor Hardman** 27 November 2013 13:40

Birlingham:  
The gullies are recorded as visited 4/05/2013.

January 2014

The section from the Old coach house is the section of pipe that runs through Major Porter's Land. This section of pipe can only be jetted in dry conditions as one of the manholes is within the field. The section of carrier pipe that runs from the Old School passing the "Moors" to river outfall belongs to STWA.

The latter section of Lower end passes through Grange Lane to outfall in the wetlands area. The ponding may be shape of carriageway and verge/edge damage by vehicles.  
Regards Dave

[Councillor Hardman to Clerk](#): Did they make it into the village?

[Clerk replies](#): Not as far as I am aware

[Clerk replies again](#): I have walked down the part of the village where the jetter would have gone and I can now see where the manhole covers have been lifted.

I have also spoken to a resident who has confirmed that the jetter was in the village last week.

Thank you very much for your assistance in this matter.

Let's hope the drains below the green stay clear of debris and stop that part of the highway flooding for awhile.

#### **vii) [Communicate - December issue](#)**

The latest edition of Communicate, the news bulletin for and from Wychavon's Strategic Partnership and the LSPs. Circulated.

#### **viii) [Growing Worcestershire – presentations from the consultation meeting in November](#) - were circulated to all Councillors**

The power-point presentations from the consultation event on "Growing Worcestershire – linking people, food and community" held on 8<sup>th</sup> November have been uploaded to the website <http://www.growingworcestershire.org.uk/> . Whether you were able to attend the event or not they do make interesting reading. For those of you who were unable to attend I attach a summary of the discussions. Do keep your eye on the website. It will continue to grow and be populated with useful information to help people to network, share expertise and equipment and access training workshops.

John Rhymer  
Head of Centre  
Adviser Education for Sustainable Development  
Bishops Wood Centre -"educating for a sustainable future"

#### **ix) [Pothole](#) (incident number 5944547)**

[Clerk to Lengthsman](#) 19 Dec 2013 17:47

The saga of the pot hole continues so I thought I needed to update you.

I reported all of the potholes along Broadway Road and as you know some were done, some weren't and other 'odd' ones in the village were filled.

The one (outside Broadway House) was filled on Monday when it was full of water and you may have noticed that most of the filling has spewed out again. The number above is yesterdays reporting number.

I have asked for it to be filled straight away or otherwise a warning notice be placed by it. (and thank you if you were the person who placed the cone in the hole before so that we could at least see where it is in the dark or water filled days)

[Lengthsman to Clerk](#)

and they took my cone !

I tried to photo it yesterday but my phone gave out, I came again this morning and it was full of water so you couldn't see it.

January 2014

Pathetic job and a total waste of ratepayer's money

Positive is I spoke to the jetting team when they were in the village a couple of weeks ago and they jetted some of the culverts

**x) Wychavon Community Grants Scheme** circulated to all councillors

Councillor Davis to Clerk 24 Dec 2013 10:00

A VERY MERRY CHRISTMAS AND HAPPY NEW YEAR TO YOU ALL TOGETHER WITH YOUR RESPECTIVE FAMILIES.

Thank you all for your help in 2013.

Please find attached the 2014 leaflet for the Wychavon Community Grants Scheme. Applications will be accepted from the 6 January 2014 and the deadline is noon, Friday 28 March 2014. For more information and an application form contact Tracy Grubb, T: 01386 565168 or E: [tracy.grubb@wychavon.gov.uk](mailto:tracy.grubb@wychavon.gov.uk).

Fern Canning. Assistant Community Development Officer, Community Development

A copy has been placed on the noticeboard.

**xi) Village Hall Minutes** circulated to all Councillors

**xii) Budget Consultation** – invite for Parish and Town Councils  
Circulated to all Councillors.

**xiii) Enforcement / Resignation of Chairman**

Email received from Graeme Duerden, Enforcement Manager

Sent: 19 December 2013 12:36

To: Hiden, June

Cc: Davis (Internet), Ron; Barber, William

Subject: Tony Hall Birlingham letter 191213

Dear June and Ron,

Please find attached an electronic version of a letter I will be passing to June today regarding Mr Hall. Hopefully the letter is self-explanatory however if you have any questions please give me a call.

Yours sincerely

Graeme Duerden, Development Control Manager (Enforcement), Wychavon District Council

Letter quotes as follows:

Our Ref: IN/13/00641

19 December 2013

Dear Mrs Hiden

January 2014

## Unauthorised advertisements on land adjacent Bakers Hill - Mr Tony Hall

I felt it necessary to write to you in your capacity of Clerk to the Parish to advise you of a situation that we are currently investigating regarding unauthorised advertisements within your area and following a telephone conversation that has just taken place between one of my officers and your Parish Council Chairman, a Mr Tony Hall who is the person responsible for displaying the unauthorised advertisements.

A complaint was received that an unauthorised advertisement was being placed along the road side on Bakers Hill which was advertising 'The meat Company', a company believed to owned and run by your chairman. As part of his investigations into this breach of planning legislation my officer contacted Mr Hall to advise him that advertisement consent was required and that the offending sign should not be displayed in future without the necessary consent. Unfortunately I have to advise you as the Clerk to the Parish Council that the response my officer received from Mr Hall was not satisfactory nor that which I would expect to receive from the Chairman of the Parish Council.

As you will appreciate it is imperative that the relationship between Parish Councils and the local authority are maintained to ensure that where breaches of planning control occur, we can work together to try and secure early resolution to such problems and in doing so prevent the deterioration of the environment in and around Birlingham and the District as a whole.

Mr Hall blatantly stated that he would continue to display the unauthorised advertisement, which is in it' self a criminal offence and that he would not comply with the advice that he was being given. This blatant disregard for planning legislation and his apparent uncooperative and somewhat disrespectful attitude towards one of my officers does not reflect well on either Mr hall personally or potentially on the reputation of the Parish council in his position as Chairman.

Although we will pursue any necessary action with Mr hall directly, I would be grateful if you could bring this to the attention of the Parish Council and reinforce the message that the planning legislation is there for a reason and is not to be flouted for personal gain or when it suits.

I sincerely hope that the actions of one individual do not come to reflect that of the Parish Council in the future.

Yours sincerely

Graeme Duerden

Development Control Manager (Enforcement)

Copy to: Councillor Ron Davis, William Barber, Planning Enforcement officer

19 Dec 2013 at 17:38 Enforcement letter attached

[Clerk to Chairman cc all Councillors](#)

I believe Enforcement weren't very pleased with what you said but I notice that the advertising has been removed. They are making a point to Ron and myself because of your position.

19 Dec 2013 at 19:24

[Chairman to Clerk and all Councillors](#)

Thank you for your email.

I would be grateful for you to pass this message onto Graeme Duerden that I have no problem adhering to the regs as long as it applies TO EVERYONE.

I have had the board out there for a total of six days, basically for the Christmas period.

When you see the amount of advertising around which has been there for MONTHS, I don't take kindly with the councils attitude.

January 2014

If they wish to enforce their policy to other offenders I am more than happy to comply. You can see why I feel victimised when it comes to my sign for six hours, twice a week. I am quite prepared to stand down from the council should the members want me too to avoid any further embarrassment.

Fri, 20 Dec 2013 at 10:32

[Councillor Davis to Clerk and Chairman cc all Councillors](#)

Good morning Everyone, Who was it that said rank had its privileges!!!?? – and someone also said calm down ----it is Christmas so-- A VERY MERRY CHRISTMAS AND A HAPPY NEW YEAR TO ALL

Fri, 20 Dec 2013 at 17:44

[Clerk to Enforcement Manager](#)

The signage has been removed. I think the Chairman has a point though. I drove out of the village this morning and there are other offenders, who have been 'advertising' for some time. I believe the point has been made and the Chairman has complied.

Wed, 1 Jan 2014 at 22:28

[Chairman to Clerk](#)

Attachment of resignation letter

Fri, 3 Jan 2014 at 19:03

[Clerk to all Councillors cc Ron Davis](#)

Resignation letter circulated as attachment

Jan 6 at 3:54pm

[Enforcement Manager to Clerk](#)

I am not aware of any of the other sites having been raised as a formal complaint. As you are aware the sheer volume of unauthorised signs is an issue and one that I do not have the resources to Police as I might like. There was clearly a difference between the sign he displayed (size and location) compared to many smaller signs that do not present potential highway safety issues. Is he requesting that we investigate those locations and companies he has mentioned? If so I will have them registered as formal complaints with Mr Hall or the PC down as the complainant. Would you care to let me know whether he would like us to do so?

Jan 6 at 6:51pm

[Councillors comment](#)

I really don't feel we should lodge complaints over the other signs to penalise the local businesses. Whoever complained about Tonys sign was within their rights to however it was not the parish council my thoughts are the same

If tony wishes to resign it is his choice to do so however perhaps now things have settled down he may reconsider??

Jan 7 at 8:06 PM

[Clerk to Enforcement Manager](#)

I have contacted Mr Hall and he is not requesting that you investigate the other companies he has mentioned. I believe a couple that are listed were given advertising consent as part of planning applications e.g. Revills Farm shop and Birlingham Nurseries.

As an authority (WDC) I don't believe it would be expedient to pursue the other signs as they are on a much smaller scale and no one is officially complaining about them. I will leave that as your 'policing' decision. As a Parish Council we want to support our local businesses not give them extra issues to deal with.

I trust this resolves the matter.

January 2014