Birlingham Parish Council

Minutes of meeting held on Wednesday 17 July 2024

In Birlingham Village Hall

Councillors:

Councillors Paula Aston, Steven Byrne, David Glover, Michael Porter and Ian Yates.

In attendance:

Clerk June Hiden, Rupert Day and 2 residents

Welcome – The Chairman thanked everyone for attending.

1. Apologies for absence

Apologies were tendered by Councillor Katie Parsons due to illness. The apologies were accepted. Apologies given by County Councillor Adrian Hardman and District Councillor Paul Middlebrough who were both attending the Wychavon District Council Full Meeting.
Footpath Warden Bruce Hayward and Lengthsman Carl Brassington both with prior engagements.

2. Co-option of Seventh Councillor

A Notice of Co-option had been advertised in the Birlingham News since the last elections. An application for consideration had been received from Rupert Day. The application for co-option had been viewed by all Councillors.

It was agreed unanimously to Co-opt Rupert Day. Rupert was thanked for his interest and the support for the Parish Council.

3. Minutes of the previous meeting

The Minutes of the meeting held on 20 May 2024, a copy of which has been circulated to all Councillors was agreed, after an amendment to the time, as a true record and duly signed by the Chairman.

4. Declaration 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.
d) Written requests for the Council to grant a dispensation (S33 of the Localism Act 2011) are to be with the Clerk at least four clear days prior to a meeting.

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. Failure to register or declare a Disclosable Pecuniary Interest may be a criminal offence.

Democratic Opening

The meeting was adjourned for public question time.

Identifying the benefits of a 20mph limit in Residential Areas
Following on from discussions at the May meeting regarding traffic concerns from residents in Upper End, a proposal was put forward to carry out a survey of residents to establish their views and support for the possible introduction of a 20mph speed limit in parts of the village. This reflects the '20 is plenty' project previously discussed by the Parish Council. The residents have looked at governments guidelines and continue to ask for support with the proposed survey.

Residents in Upper End will be contacted initially and depending on the feedback, the survey will then be expanded to other parts of the village. Councillor Katie Parsons will be approached regarding Whitehall Lane. The Parish Council agreed to give its support for the survey to be carried out which should take place in August. A draft and rationale for door-to-door drops will be actioned by the residents. Rupert Day will update at a future meeting.

There was also a suggestion of a solar powered speed sign. This will be investigated by the resident group and the costs involved. The Clerk will chase up County Councillor Hardman with reference to the measuring speed strips (True Flow tubes).

5. Progress Reports

a) Footpath Warden:

i. Footpath 506 (west from village green) – strimmed and fallen branch cleared.
ii. Footpath 511 (Withy Walk) hedges cut back (by landowner and warden).
iii. Footpath 519 (stile by The Row) – cleared.
iv. Footpath 520 (from Nafford Lock up to Nafford Road) – strimmed.
v. Footpath 521 (kissing-gate at entrance to Asham Meadow) – cleared.
vi. Footpath 508 (path to Defford from Gravelly Hill): boardwalk is still scheduled for repair, no update available regarding timescales.
vii. Footpath 518 (Asham Lane – to the north of Asham Meadow): still awaiting clearance under the proactive strimming programme run by the County Council.

Clerk to chase the Footpath Warden regarding the replacement of the fingerpost near Maryworth Barn, Upper End.

b) Tree Warden:

The Warden will try again to get a response to the dead lime tree and trees in the coppice in Upper End from the landowners.

c) Lengthsman – none.

d) District Councillor. The following report has been received:-

"Key issues from Wychavon District Council -

Air Quality an Air Quality Supplementary Planning Document (SPD) is to go out to public consultation for a six-week period. Although only Worcester City is designated as an Air Quality Management Area within the South Worcestershire area, the SPD will also be considered and adopted for use by Malvern Hills and Wychavon District Councils to highlight the importance of air quality and help to keep Nitrogen Dioxide within acceptable levels to avoid further Management Areas being identified.

Wychavon Finances at 31 March 2024 the key message is that the Council is in a strong financial position and was able to contribute £0.503m to general reserves at the end of 2023/24 General balances at the end of 2023/24 will therefore increase from £14.616m to £15.119m. Overall, the Council's cash investments earned £4.923m of interest income in 2023/24 (£2.061m in 2022/23).

UK Shared Prosperity Fund (UKSPF) and Rural England Prosperity Fund (REPF) A total spend of £985,518 UKSPF was reported for 2023/24 against a target for the year of £1,274,776. The underspend will be carried forward into 2024/25. A total spend of £66,209 REPF was reported for 2023/24 against a target for the year of £204,821. The underspend will be

carried forward into 2024/25. Strensham Lock £25,000 Solar roof Panels - Strensham Village Hall Solar Panel projects £8,120 received grants.

Round five Community Legacy Grant 14 parish councils made expressions of interest. invited Ten of the applicants to proceeded to the next stage and prepared a full application. The other four projects were not of sufficient scope or ambition to be suitable for a Community Legacy Grant. Eight applications were received requesting amounts totally £1,257,795. A total of £976,795 was awarded to the six projects including £169, 940 for the Eckington Community Remembrance, Health and Wellbeing application.

Weekly Household Food Waste Collection and Waste Services Contract consideration was given to the contractual arrangements necessary to provide the statutory weekly kerbside food waste collection from 1 April 2026 as required by the Environment Act 2021".

The District Councillor can be contacted on paul.middlebrough@wychavon.net

The Chairman thanked the Councillor for his time with providing a report.

e) County Councillor: –

Worcestershire County Council -

A relatively short report from me today since the general election has tended to cause a stop to the activities of local government for the past six weeks but there are a few issues I would just like to raise with you.

1) We have launched 2 consultations that could be of interest to the parish council one is on electric vehicle charging points and this is a more complex subject than one could imagine. But if anyone has time it's worth a read.
The second is on an idea that parish councils will take over the mowing and control of vergers on the C roads and unclassified roads so that they could then manage them in a more environmental way. I think it's true to say I am extremely sceptical of this, and I have a feeling that someone in highways is using the environment as a method to cost shunt to parish councils, but it could be of interested if you had someone who knew what they were doing, but the key is removing the grass from the verges. Having been to Pembrokeshire during the election, I got an idea of what could be done.

2) The saga of the reinforced RAAC (*reinforced autoclave aerated concrete*) at county hall continues and we are now moving out of the building in entirely and moving staff into Wychavon and the rest into Wildwood which is a building we own on the same campus. We will also be spending £350,000 on another structural survey, and plan to spend £2M on restoration works, which will solve little. I have strong views on this, which is one of the reasons I am on the back benches!!

3) We ended the financial year only some £4.6 million over-spent by using a considerable amount of reserves and a bit of use of something called minimum revenue provision; in effect is a way of extending the mortgage!) The amount the Council owes went through £700 M this year and is costing £30 m to service. I have little to say.

4) Barry Barnes is away on holiday next week for a fortnight, but I've asked him before he goes to give me some dates so that we can fix up a meeting in regard to the issues that remain in Lower end. Thanks to the resident from the area who keeps the pressure up.

5) We are due to be doing some work which is putting in a new gulley tomorrow. I take it this is the one in upper end.

6) I have asked the grass to be cut around the junctions on the main road, since we are moving the schedule up because of all the rain to do a late July cut of the system.

7) The traffic counting that was asked at the last parish meeting I hope will take place in September because I didn't think there was much point in doing it in August as there is no school traffic and it might give us a false result but I'll contact June when I know which week they plan to do".

Councillor Adrian Hardman was thanked for providing his report.

f) Clerk - See ***Appendix 1***

6. Planning

a) Planning applications and details of the Broadgrove site

- The planning application for seven industrial units on the site was approved despite opposition from neighbours. This was not supported by the Parish Council who objected to the commercial application. The case was taken to the planning committee.

  W/23/00042/FUL - Broadgrove Nursery Farm Shop, Eckington Road WR10 3DA
  Commercial redevelopment of nursery site with 7no. units

- Subsequently a second and alternative Planning in Principle (PIP) application was made for 4 residential houses on the site. This application was supported both by neighbours, the Parish Council and District Councillor as preferable to the industrial units. However, this application was refused on 4 April 2024.

  W/23/02328/PIP - **Broadgrove** Nursery Farm Shop, Eckington Road WR10 3DA

  (30 November 2023)
  Permission in Principle for the construction of up to 4 no. dwellings

- The applicant has now appealed the decision of the PIP and the Parish Council will be supporting the appeal which closes on 1 August 2024.

i. PLANNING INSPECTORATE REF:- APP/H1840/W/24/3344335

Appeal Start Date 27 June 2024

Appellant(s)

"*We write to advise you that a planning appeal has been lodged with The Planning Inspectorate against the Council's decision for the proposed development described above. All correspondence and relevant documentation can be viewed on the Wychavon District Council website at www.wychavon.gov.uk under planning reference W/23/02328/PIP. The appeal will be determined on the basis of written representations. The procedure to be followed is set out in Part 2 of The Town and Country Planning (Appeals) (Written Representations Procedure)(England) Regulations 2009, as amended. Copies of any representations made by you in response to the original planning application will be sent to The Planning Inspectorate and will be considered by the appointed Inspector when determining the appeal. If you wish to make further comments, or modify/withdraw your previous representation, you can do so at https://acp.Planning inspectorate. gov.uk by 1 August 2024. They will not acknowledge your letter unless you specifically ask them to do so. Representations received after the end date may not be taken into account. Please quote The Planning Inspectorate's reference number and the Local Planning Authority's reference number on all information.*

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and to the Council and will be considered by the Inspector when determining the appeal. To view the appeal on the Council's website at: www.wychavon.gov.uk and follow the links to "Search Planning Applications" on the homepage, where after entering the reference number you can see the following:-
1. The appellant's Grounds of Appeal
2. The plans, supporting information and comments related to the original application
3. The Council's Statement of Case (available 6 weeks after the start of the appeal)
4. Whether a decision has been made and if so, what the decision is When made, the decision will be published through GOV.UK and you can also view a copy of the decision notice on our website link: www.wychavon.gov.uk – "search for applications" under the planning reference no: W/23/02328/PIP"

The Parish Council have made the following comments:

"*Birlingham Parish Council support in principle the use of this site for 2 or 3 houses or indeed preferably bungalows, although 4 dwellings may be too many, considering the continued concerns about the site's access/egress proximity to the bend. We trust at the future detailed stage of application the allocated planning officer will ensure compliance in terms of design and materials with the Birlingham Village Plan."*

ii. W/24/00948/FUL - **Peacock Barn**, Lower End WR10 3AD
(29 May 2024)

Change of use from agricultural to domestic garden - including permission for garden room (Stuga). Retrospective

Applicant: Peter and Julia Luff

Parish Council comments –

"*Birlingham Parish Council support the application, provided that permitted development rights are removed to ensure there is no additional domestication of the extended garden land without being subject to a planning application to allow consideration of the impacts of any further proposals.*"

b) Applications granted: -

i. W/23/02421/FUL – **Birlingham Nurseries**, Upper End, Birlingham, Pershore, WR10 3AA
(28 November 2023)

Construction of one secure storage unit and one covered storage unit ancillary to the use of the nursery

Applicant – Mr Smith Parish

Council comments: "*Birlingham Parish Council would not like to see a retrospective planning application becoming the normal, however, in this instance we see no objection to the new secure storage shelter. With regard to the "open fronted" building also proposed, it refers to this building replacing one that was storm damaged on the site. We would rely on the appointed planning officer to confirm this is the case and identify the previous storm damaged building and ensure this has been removed from the site as implied.*"

APPROVED - 12 July 2024

c) Enforcement: - none

7. Financial Matters

a) The Accounts for 2024/2025

i) Bank balances - current is £13,134.66 as at 18 June 2024 and Business saving balance is £8,412.69 as at 9 May 2024.

ii) Receipts

i. £280.00 – Worcestershire

iii) Payments agreed: –

i. £35.00 – Correction to Lengthsman payment for January 2024 and £8.75 – Corrections to Lengthsman payment for February 2024 £43.75 in total
ii. £122.50 – Lengthsman March 2024
iii. £227.50 – Lengthsman April 2024
iv. £351.01 – Zurich insurance renewal dated 1 June 2024
v. £262.83 – Worcestershire CALC
vi. £20.00 – Birlingham Village Hall – May meetings
vii. £60.00 – Internal Audit

b) Future payments for consideration

i. £280.00 – Lengthsman May 2024
ii. £140.00 – Lengthsman June 2024
iii. £20.00 – Birlingham Village Hall – July meeting
iv. £167.50 – Clerk's PAYE – July, August, September
v. £670.00 – Clerk's pay – April, May, June
vi. £104.28 – Clerk's expenses

Clerk has been asked to amend the spreadsheet to reflect the end of the month balances.

The transfer of £5,000.00 to the savings account has been actioned.

c) CIL monitoring – this is on the spreadsheet and will be revised if contributions are made.

8. Complaints Procedure

The Complaints Procedure policy needs to be reviewed and agreed. The templates will be checked.

9. Handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998

Councillor Paula Aston collated the GDPR Freedom of Information and Data Protection draft policy a couple of years ago and this was agreed. The policy needs to be reviewed and updated where necessary. Councillor Aston will look at this again and bring to the next meeting.

10. Review of the Council's policy for dealing with the press / media

The policy is overdue a review. The template has been circulated and will be reviewed for the next meeting.

11. Full Fibre Broadband (Fibre to the Premises – FTTP)

Since May the work in Lower End has been completed and several properties connected. Most of Upper End has also been completed with a few exceptions that are on-going. There have been reports on the village WhatsApp group from some recently connected properties of an intermittent service. This was discussed and there is circumstantial evidence both from Birlingham users and users in other local villages that the Nokia router supplied by Airband may be the cause of these problems. Those that have requested Airband swap out their Nokia router for the Linksys alternative as a solution have enjoyed an uninterrupted service. It would be helpful to receive feedback from any other users who have had this experience.

Councillor Katie Parsons will enquire about the take up in Whitehall Lane.

12. Flooding at Lower End

The ongoing work to try and solve the problem of the leak on the slope by the Manor House continues. The leak has stopped due to the dry(ish) weather but will no doubt return causing a significant hazard when it freezes in the winter. Peter Luff and Councillor Byrne have been working tirelessly on this. The records show that three drains run to the Lower End fields. Severn Trent Water has attempted to pass the responsibility for their drains to private owners but this would have required consultation. Worcestershire County Council have been made aware of this 'mistake' by Severn Trent Water who are reverting their plotting maps back. The revised plan is available for viewing.

Councillor Steven Byrne will draft an article for an edition of Birlingham News regarding Severn Trent Water's attempt to pass over responsibility for the drains to landowners.

13. Millennium Bench

The Clerk saw the carpenter who restored the bench for the village. He was working on the bench to carry out annual maintenance. The bench has been completed, rubbed down and retreated with oil.

14. Councillors' reports and items for next agenda

- Survey on speeding in the Upper End. Rationale for 20mph. Rupert Day will lead and bring an update.

15. Closure and date of next ordinary meeting - with nothing further to discuss the meeting closed at 8.15pm and the Chairman thanked everyone for their attendance.

The next Parish Council Meeting is scheduled for Wednesday 18 September 2024 at 7.00pm.

The meeting will be held in Birlingham Village Hall. Clerk has booked the hall.

Signed: ..... Councillor Ian Yates, Chairman

Date: ……..……..……..……

Appendix 1 – Clerk's Report

i. Highways / Public Rights of Way

- Road Closure between the Avenue and Church Street

ii. Portrait of the King

The portrait of his Majesty King Charles III Portrait (free of charge with government backing) has been received. Paul Burton has been contacted and has asked the committee if the Village Hall would like the picture.

Clerk has delivered to Paul for it to be hung in the hall.

iii. Withy Walk

Correspondence from Whitehall House

"I just wanted to ask if you know if there is any arrangement in place through the parish for keeping the Withy Walk clear and open to pedestrian traffic? I try to keep the path mown and the side vegetation under some form of control, however I recall the previous owner saying when we were buying Whitehall House that the footpath warden looked after the sides. Just wondered if you know if that is the case? Everything grows so quickly at this time of year; any help would be welcome!"

Footpath Warden has responded.

"Peter may have been a little economical with the truth when he said we (the footpath wardens) look after the hedges. What I explained to Peter was that:
- where the path has the drain running alongside, the grass and the hedge by the fence are your responsibility.
- where the path has hedge on both sides, the responsibility is 'shared' in that we look after the hedge on the field side while you have responsibility for the hedge on your side."

iv. Airband Pole

The pole in Berwick Lane has been relocated.

Circulations to Councillors

June 2024

Worcestershire County Council's Revised Planning Validation Document – Adoption

Our ref: DC3075 (consultation database reference: 530)

Extracts of interest All News can be found online at birlingham.org

Birlingham **News 330 – 22 May 2024**

Birlingham News Online

The online edition contains:

- A petition to get Darren the postman back
- Cuppa & Chat, Wednesday 5th June
- St James' Church News: Songs of Praise, Sunday 9th June
- Summer Fete, Saturday 22nd June
- An old photograph of a scarecrow competition
- Stunning photos of the Northern Lights over Birlingham
- Other recent photographs of the village and dates for your diary between now and mid-July

Birlingham **News 331 – 12 June 2024**

The online edition contains:

- Update on Darren the postman petition
- Birlingham IW, Thursday 20th June
- Update from Revd Claire Lording
- Birlingham Village Fete, Saturday 22nd June
- Village Fete Drop-offs
- Village Fete Raffle
- St James' Church News
- General Election, Thursday 4th July
- Annual Parish Meeting and Annual Parish Council Meeting Report from 21st May
- Summer Garden Party at Stoulton, Sunday 21st July
- Birlingham Bystander (Autumn 2011)
- Planning Applications – Peacock Barn
- Recent photographs of the village and dates for your diary between now and the end of July

Birlingham **News 332 – 26 June 2024**

The online edition contains:

- Cuppa & Chat, Wednesday 3rd July
- St James' Church News: Hymns and Pimms Service, Sunday 14th July
- Songs of Praise (9th June)
- Update from Revd Claire Lording
- General Election, Thursday 4th July: Candidates and 2019 result
- Road Closure, the Avenue: Wednesday 17th to Friday 19th July
- Birlingham Village Fete (22nd June)
- Recent photographs of the village and dates for your diary between now and mid-August