

# TIDBURY GREEN PARISH COUNCIL

## Minutes of the Ordinary Meeting of the Council held On Wednesday 19th June 2019, 7.00pm, Tidbury Green Village Hall

Clerk: Mrs C L Kirby  
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Due to the resignation of the presiding Chairman, Graham Thomas on the 17<sup>th</sup> June 2019, Vice Chair Cllr. A. Hussain opened the meeting.

### 1. Election of Chairman

- 1.1 It was proposed by Cllr.A.Hussain and seconded by Cllr.L.Waites that Cllr.C.Farr be elected as Chairman. This was **agreed unanimously**.
- 1.2 The Clerk had liaised with the SMBC Monitoring Officer regarding the situation that arose at the May 2019 meeting, whereby Cllr.C.Farr was elected as Chair, however he did not sign the Declaration of Acceptance of office Form. As detailed in the May 2019 minutes Cllr.C.Farr had advised that whilst he was willing to take on the role of Chairman he did not feel comfortable doing so without having a hand over period from the existing Chairman. Consequently based on available information (Arnold Baker on Local Council Administration book & Local Government Act 1972 ss15(4) and 34(4)) and the willingness of the then existing Chairman, Graham Thomas, the meeting continued on the basis that the existing Chairman continues in post, whilst a handover period is provided for, following which Cllr.C.Farr would sign the acceptance form and then become entitled to act as chairman. SMBC Monitoring Officer's response email included the following "As you have pointed out, sections ss15(4) and 34(4) state that The Chairman shall, unless he resigns or becomes disqualified, continue in office until his successor becomes entitled to act as chairman. In the circumstances I agree that Graham Thomas continues in post until the vacancy in the office of Chairman is filled". However since receiving the advice from Solihull MBC Graham Thomas later resigned from the position of Chairman on the 17<sup>th</sup> June 2019.

### 2. To receive the Chairman's Declaration of Acceptance of Office

- 2.1 Given that Graham Thomas had resigned from the position of Chairman, there was no further opportunity to receive any additional handover. Despite some concerns about this, the Declaration of Acceptance of Office was duly signed by the Chairman.

### 3. Record of members present

- 3.1 **Tidbury Green Parish Councillors:** Cllr.C.Farr(Chairman), Cllr.A.Hussain and Cllr. L.Waites  
**Clerk:** Mrs C. L. Kirby  
**Parishioners:** Two

### 4. Apologies and reasons for Absence

- 4.1 Apologies were received and accepted from Cllr M.Reohorn, who was away on business.

### 5. Resignation of Councillor L Gardner

- 5.1 A letter of resignation was received from Lyn Gardner, by the previous Parish Council's Chair, Graham Thomas on the 12<sup>th</sup> June 2019. This letter was then forwarded to the Clerk.

### 6. Appointment of Additional Councillor / Casual Vacancy

- 6.1 Due to resignation of Lyn Gardner the Parish council formally declared a vacancy for one Parish Councillor.
- 6.2 The Clerk advised that she had prepared the Notice of Vacancy, which is a statutory document, which informs parishioners of the vacancy and provides them with an opportunity to request that a Bye Election is held to fill the vacancy. After a period of 14 working days if ten electors request an election in writing, to the Returning Officer, an election will be held by Solihull MBC. If this does not happen the vacancy will be advertised by the Parish Council, to be filled by co-option.
- 6.3 The notice dated 20<sup>th</sup> June 2019 will be added to all noticeboards and the Parish Council website and the outcome will be known on or after the 11<sup>th</sup> July 2019.
- 6.4 The Clerk advised that if the vacancy goes to co-option that WALC suggest that a "Parish council should assess if a proposed candidate has the skills expected and or has any additional expertise or areas of interest which will assist the council to exercise their various functions. As is analogous with the recruitment processes for a prospective employee of the council, the council may therefore want to devise a person specification for issue to all the candidates who wish to be co-opted". WALC also provide a suggested Person Specification template. **It was agreed unanimously** that should the vacancy go to the co-option stage that the Parish Council will adopt this process.
- 6.5 One Parishioner in attendance confirmed that they wished to apply for the vacant post.
- 6.6 As discussed and agreed at the May 2019 meeting given the clear difficulties in fulfilling all the roles required to be undertaken by the Councillors, particularly given the growth in the community due to recent and ongoing development, along with the availability of Councillors due to other commitments, it was agreed that the Clerk should contact Solihull MBC to discuss the possibility and process of having its number of Councillors increased. **Action:** Clerk to contact Solihull MBC Monitoring Officer.

## 7. Declarations of Interest & Dispensations

- 7.1 The Chair stated that any Declarations of Interest would be addressed at the appropriate agenda item.
- 7.2 There were no written requests for Dispensations for Disclosable Pecuniary Interests.

## 8. Councillors' Declaration of Interests and Code of Conduct Forms

- 8.1 Cllr.L.Waites Declaration of Interests form has been submitted to Solihull MBC. Whilst other Councillors completed updated Declaration of Interests forms at the May 2019 meeting, after the Clerk discussed the matter with the Solihull MBC Monitoring Officer, it transpired that an updated form was not required, providing that there were no changes that needed updating. The Clerk advised that she had reviewed Cllr.M.Reohorn's, Cllr.A.Hussain's and Cllr.C.Farr's newly signed form and compared them to their original historic forms and that she had noted no differences. Cllr.A.Hussain and Cllr.C.Farr confirmed that there were no changes. Consequently the Clerk will dispose of their newly signed forms, as they are not required. **Action:** Clerk to check with Cllr.M.Reohorn to establish if there are any revisions on his latest form, compared to the original.
- 8.2 All Councillors present signed and submitted to the Clerk a TGPC Code of Conduct Form. **Action:** Clerk to arrange for Cllr.M.Reohorn to complete his code of Conduct Form at the July 2019 meeting.

## 9. Open Forum

- 9.1 As per minute 6.5 One Parishioner in attendance confirmed that they wished to apply for the vacant Parish Councillor post. The Parish Council provided details of the relevant statutory requirements and timescales that had to be followed.
- 9.2 Daniel Edwards, Tidbury Green's Lead on the Litter Picking Initiative provided an update. It was noted that the litter situation in the area has massively improved. There are now 8 volunteers who undertake regular litter picks. Daniel advised that he recently attended a "Keep Britain Tidy" Conference, to celebrate success. The Chair, Chris Farr advised that if Daniel incurs any costs in undertaking the role, including travelling to relevant events that the Parish Council would be happy to reimburse him.
- 9.3 Daniel was thanked for all his excellent work and all agreed that he is a great ambassador for the area.

Both Parishioners left the meeting at 19:50

## 10. To approve the Minutes of the meeting held on 22nd May 2019

- 10.1 The minutes of the meeting of 22nd May 2019 having previously been distributed, it was confirmed that Parish Councillors had reviewed the minutes and were content that they were a true reflection of the meeting. It was proposed by Cllr.A.Hussain, seconded by Cllr.L.Waites and **agreed unanimously** that they be signed as a true record of that meeting.

11. **To review and consider progress against actions as detailed on the Action Tracker (Previously Distributed) and if necessary consider any matters arising from minutes.**
- 11.1 **The Action Tracker** document was reviewed and focus was applied to outstanding Actions identified with a red status and items where the Clerk believed updates required sharing. It was noted that the vast majority of actions had a green (completed) or yellow (being progressed) status.
- 11.2 **December 18 (Minute 6.3) – Electric Sockets for future Village Christmas Trees (New Estate - Lowbrook Farm)** As per the May 2019 minutes, the Clerk had emailed Miller Homes to ask if whilst their workers were on site installing street lights, if a socket could be installed to enable the village to light a Christmas tree. No response was received to the request and the electrical works to the street lighting has been completed. Cllr.M.Reohorn has also made contact with Miller's, but has received no response. Given that electrical works have been completed the Parish Council believe that it is unlikely that Millers will install the electric socket. Consequently it was **agreed unanimously** that the action be closed.
- 11.3 **May 19 (Minute 21.4) 27 Lowbrook Farm Appeal.** Correspondence had been received from Jean Walters, in which she suggested that an appeal had been lodged. The Parish Council do not believe that this was the case. They are of the view that it is a misunderstanding due to the SMBC planning website referring to an appeal, which was in fact the appeal brought against the developer, which was successful. Consequently it was **agreed unanimously** that the action be closed.
- 11.4 **May 19 (Minute 23.1) Woodland at corner of Dickens Heath Road and Birchy Leasowes Lane** - The Parish Council considered Jean Walter's (CPRE) suggestion of contacting Natural England to request the registration of the woodland on the corner of Dickens Heath Road and Birchy Leasowes Lane as Ancient Woodland. However given that the Parish Council had previously requested that TPO's be added to the area and SMBC had refused this request, stating that the site is wet land, and this in combination with clay subsoil causes tree failures and therefore it would not be appropriate to add TPO's, the Parish Council did not see any benefit in pursuing this matter. It was **agreed unanimously** that the action be closed.
- 11.5 **May 19 (Minute 29.1) Tidbury Green School Correspondence regarding Village Hall** -The letter approved by the Parish Council at the May 2019 meeting, which was in response to the letter received from Mrs McHale, the Head Teacher of Tidbury Green School, raising several points of concern relating to the Village Hall in terms of security and other matters was sent on 23<sup>rd</sup> May 2019. No response has yet been received.

**12. To consider the following planning matters**

**New Planning Applications**

- 12.1 PL/2019/01471/MINFHO – 103 Wood Lane **No Representation agreed, Via Delegated Authority.**
- 12.2 PL/2019/01338/MINFHO – 420 Tilehouse Lane - **No Representation agreed, Via Delegated Authority.**
- 12.3 PL/2019/01112/MINFHO – 97 Lowbrook Lane – **No Response submitted, due to failing to reach a majority decision.**

### Planning Decisions by Solihull Borough Council

- 12.4 PL/2019/00554/MINFHO – 103 Wood Lane – **No Representation Submitted, Via Delegated Authority - Withdrawn**
- 12.5 PL/2018/03030/PPFL – Holly Cottage – Braggs Farm – **No response submitted to SMBC, due to Parish Councillors failing to reach an a majority decision - Withdrawn**
- 12.6 SMBC – email 29/01 - Planning Application Notification – PL/2018/00235/PPFL – Tidbury Green Farm, Pub and Restaurant – **Objection Submitted – Withdrawn**

### Ongoing matters

- 12.7 PL/2019/01101/MINFHO – Fulford Hall, Fulford Hall Road - **No Representation agreed, Via Delegated Authority.**
- 12.8 PL/2015/52197/MINFHO – 374 Tilehouse Lane – Appeal-APP/Q4625/C/18/3215188 – **PC Objected to Original Planning Application**
- 12.9 PL/2019/00830/MINFHO – Building & land opposite 26 Houndsfield Lane - **No Representation.**
- 12.10 PL/2019/00039/PPFL – Tidbury Green Farm Pub & Restaurant, Fulford Hall Road – resubmission of withdrawn application PL/2018/00235/PPFL - **Objection Submitted, Via Delegated Authority.** It was noted that some neighbours have received correspondence from Brunning and Price, stating that “they have received some comments from the Council’s planners on heritage matters. In response, they have revised the plans and new versions have been submitted to Solihull MBC. The new plans propose an amendment to the materials to be used for the extension and a reduction in the proposed alteration to the historic fabric of the existing buildings.” They also suggest that they are working towards presenting the application to the Council’s Planning Committee on 10 July. They continue, by stating that they hope for a positive recommendation, but recognise that this may be unlikely due to concerns over the impact of the proposals on the Green Belt and the listed buildings. They also requested the support of the community in relation to the proposal. Cllr.A.Hussain advised that if she is available she will attend the Planning Committee meeting and speak on behalf of the Parish Council. **Action:** Clerk to liaise with SMBC, to establish the date when the application will be considered by planning committee.

### 13 Lowbrook Farm Development

- 13.1 The Parish Council have received a few complaints regarding traffic movements to and from the Regency Fields development, which Parishioner believe do not comply with what they thought was previously agreed, in terms of traffic movements. Consequently to consider the reported movements, it was agreed that the Parish Council required a copy of the "Approved Construction Method Statement" from Millers, as they had never been provided with this. **Action:** Cllr.C.Farr to contact SMBC Planning and request a copy of the "Approved Construction Method Statement". Cllr.C.Farr also to respond to Parishioners who had raised concerns regarding this matter.

- 13.2 Cllr.C.Farr advised that local residents are concerned about the current drainage on Lowbrook Lane which is associated with the Millers work on Regency Fields new estate. When Pastures Drive was built an old existing gutter drain was removed from the entrance to the old farm drive. In heavy rain fall the Pastures Drive drains work fine, however the Lowbrook Lane water does not flow into these drains, it flows across the entrance to Pastures Drive, past where the old drain was and then on down Lowbrook Lane. This has caused damage to the old road gutters and results in deep water flowing across Pastures Drive entrance and consequently getting deeper the further it flows down Lowbrook Lane. It is thought that this is a direct result of the old drain being removed and the Parish Council therefore believe that a new drain should be added to minimise damage further down Lowbrook Lane and the flow across Pastures Drive. **Action:** Cllr.C.Farr to share details and photographs with the Clerk. Clerk to raise the issue with SMBC.

#### 14. Solihull Local Plan Review

- 14.1 The previous chairman G.Thomas had an action to liaise with Jean Walters of CPRE, regarding the Parish Council's concerns about the reference to "remove Tidbury Green from the washed over greenbelt", which was included in the recent SMBC supplementary consultation for the emerging Local Plan. Given G.Thomas's recent resignation from the position of chairman, it was agreed that the Clerk should contact Jean Walters to ascertain if there is anything that the Parish Council need to be aware of in relation to this matter. **Action:** Clerk to discuss this matter with Jean Walters of CPRE.

#### 15. Financial Matters

##### Invoices Received

- 15.1 Payments of the items listed in the June 2019 Agenda Appendix 1 were discussed. It was proposed by Cllr.A.Hussain, seconded by Cllr.L.Waites and **agreed unanimously** that payment of these items should be made.

##### Payments Received

- 15.2 None

##### Income and Expenditure Budget to Year to 31 May 2019.

- 15.3 The Responsible Financial Officer talked through the Income and Expenditure report 31 May 2019.

#### 16. External Audit 2018/19 Annual Return

- 16.1 The 2018/19 Annual Governance & Accountability Return (AGAR) and required supporting documentation have been submitted to the External Auditor and The Notice of Public Rights and other required documentation were added to the Parish Council Website and notice boards on the 15<sup>th</sup> of June 2019. The public inspection period will run from the 17<sup>th</sup> June – 26<sup>th</sup> July 2019.

**17. Calendar of Actions****Review and adopt Financial Regulations**

- 17.1 The Clerk advised that the Financial Regulations were updated and approved by the Parish Council in September 2018. **Action:** Clerk to reschedule this calendar action item to September 2019.

**Appoint Internal Auditor**

- 17.2 It was proposed by Cllr.A.Hussain, Seconded by Cllr. Waites and **agreed unanimously** that the Parish Council would like to appoint Eleanor Choudry (WALC recommended Internal audit) who completed TGPC's 2018/19 Internal Audit, to carry out the Parish Councils 2019/20 Internal Audit.

**Review work undertaken by Internal Auditor**

- 17.3 The work undertaken by the Internal Auditor had been reviewed in detail in advance and at previous meetings.

**18. Annual Parish Meeting**

- 18.1 A number of Parish Councillors attended the Annual Parish meeting which took place on the 24<sup>th</sup> May 2019, however they were disappointed to report that very few Parishioners attended the meeting.
- 18.2 There were no points raised by those that attended, which need to be considered by the Parish Council.
- 18.3 The minutes of the meeting have been produced and agreed by the Councillors who attended the meeting.

**19. Over 60's Christmas Lunch 2019**

- 19.1 Chris Mills, who with the support of Cllr. M. Reohorn is organising the over 60's 2019 Christmas lunch, obtained a quote from the Limes Restaurant, where the event has taken place for the last 2 years. The quote was £25.00 per person. Last year's lunch cost £15.00 per person. Therefore the increase was considered significant and unfortunately the Parish Councils budget is unlikely to cover the amount of subsidy that would be required to make this a reasonable price for local residents. Chris Mills is currently looking at alternative venues.

**20. Litter Picking in Tidbury Green**

- 20.1 Daniel Edwards, the lead on Tidbury Green Litter Pick Initiative attended the meeting and provided an update during the Open Forum – Please refer to Minutes 9.2 and 9.3.

**21. Newsletter**

- 21.1 It was agreed that the next Parish Council Newsletter will be discussed at the July 2019 meeting.

**22. Update from Parish Clerk**

- 22.1 The Clerk discussed availability for the July 2019 meeting. It was agreed that due to limited availability, that the July meeting should be deferred until the fourth week of July 2019. **Action:** Clerk to explore village hall availability.
- 22.2 All other relevant updates were included during the meeting.



# TIDBURY GREEN PARISH COUNCIL

## June 2019 Agenda Appendix 1

### Invoices Received

### Invoice & Cheque No.

- 1. Clerk’s costs (C Kirby) May/June 2019  
£252.66 (Mileage, Paper, Ink, printing & phone)  
& Separate cheques for additional  
Hours worked/pay £646.72 – May
- 2. R L Business Solutions Limited £187.20  
Website and email hosting 1 yr.  
WordPress and email Support 1 yr.  
Internet Domain Name 1 yr.

Invoice No: 2019/72  
Cheque No: 100472  
  
Cheque No: 100471  
  
Invoice No: 189  
Cheque No: 100473

### Payments received

### Cheque & Bank Credit No.

- 1. Nil

Payment Ref:  
Cheque No:

**June 2019 Appendix 1 invoices and payments approved as correct:-**

Signed..... Date.....

**Chairman**