

## MUCH BIRCH PARISH COUNCIL

### Minutes of the Parish Council Meeting of Much Birch Parish Council held at Much Birch Community Hall on Thursday 2<sup>nd</sup> October 2014

#### **Present:**

Cllr. Alison Cook (Chair)  
Cllr. Andrew Crum  
Cllr. Keith James  
Cllr. Jon Norris  
Cllr. Steve Turner

#### **In attendance:**

Parish Clerk, Alison Wright, and 7 members of the public including the Lengthsman, Mr Mike Dyer and Mr Dick Brimacombe from the Much Birch Old Charities

#### **Open Session:-**

The Chair welcomed everyone to the meeting and introduced Mr Dick Brimacombe from the Much Birch Old Charities. Mr Brimacombe gave an overview of the history of the Old Charities. They were currently administered by himself and the Rev. Mark Johnson. Some of the history included how a Joseph Cook bequeathed a legacy to the Much Birch Parish Officers and this was added to by further bequests from other benefactors. The land known as the Poor Acre was also donated. The aim of the Charities had been to provide general charitable purpose and to prevent and relieve poverty in Much Birch. The charities had made donations to various organisations and kept a watching brief via the surgery etc. to try to identify prospective need.

The next part of the address concerned proposals to possibly consider the sale of the Poor Acre. Various figures and previous tenders were presented. The opinion of the Herefordshire Council had previously been that building on the Poor Acre was not an option. A recent opinion had differed from this viewpoint. There was an indication that a requirement for input on any potential fate of the land would be required from the Parish Council as historically there were allegedly overseer responsibilities. The Parish Council requested confirmation of any constitutional involvement and responsibility for potential decision making status.

Some of the options to be considered by the Trustees were broadly:

- 1) To keep the Poor Acre and continue letting it as at present
- 2) To consider an offer to purchase from the current tenant of the land
- 3) To consider access for Bigglestone Farm
- 4) To consider the plots value as a building development site
- 5) To consider current low value of investments and government stocks
- 6) To consider selling part or a strip of land for access to Bigglestone Farm

It was agreed that the matter be placed on the Agenda for the next meeting. A copy of the relevant documents plus a letter of recommendation, following consideration by the trustees, would be made available to the Parish Council before the next meeting, if possible. It was confirmed that the Poor Acre had been registered with the Land Registry. The Councillors were presented with a paper containing information and some considerations for them regarding potential future options for the land.

There was a discussion between a member of the public, and the Ward Councillor, concerning a planning application that had allegedly been passed by the Planning Committee seemingly against their own rules regarding light, access, hedges and drainage. The member of the public expressed some concern that it did not appear that the Parish Council's views had been taken

into account when assessing the application and that it had, consequently, been passed by 18 votes to 1.

The Open Session then closed.

### **1.0 Apologies for Absence**

Apologies for absence were received from Cllr Tim Jones

### **2.0 Declarations of Interest**

There were no declarations of interest.

### **3.0 Minutes of previous meetings and matters arising**

3.1 The Minutes of 4<sup>th</sup> September 2014 were signed as a true and correct record of the meeting.

The Telephone Kiosk There was a further discussion on the proposals concerning the telephone kiosk. There were mixed feelings in the Council about the merits and demerits of pursuing an idea for purchasing it. Concerns were aired about the condition of the kiosk, whether it would survive intact by being moved, whether it could be restored, re-sited and indeed used as a useful community asset. The information was made known that if purchased for a nominal £1.00 the kiosk could not then be sold on to a third party as it is considered as a "conditional sale". There was some discussion over a possible opportunity for a local building contractor to move the kiosk. There was also information about why the kiosk needed to be moved in terms of visibility splays etc. BT had canvassed opinion as to whether it should remain in place. It had not been used for a number of years, was in poor condition and the metal frame itself weighs in the region of 770kg making it a substantial item to move. Following discussion of all of the points, and hearing views, the following proposal was made: "Proposal that the Parish Council says "no" to the Kiosk" proposed by Cllr Norris and seconded by Cllr Cook. The proposal was voted on as follows: 2 "yes" votes, 1 "no" vote, 2 abstentions. The proposal was therefore carried. It was agreed that the Clerk should inform Little Birch Parish Council of this decision in case they wished to pursue an option on the Kiosk themselves.

### **4.0 Reports**

#### **P.C.S.O. from West Mercia Police**

PCSO Kevin Powell was not present.

**Ward Councillor** Cllr Norris gave his report and explained about the Council being in "loco parentis" for looked after children and he circulated a leaflet describing this in more detail and entitled as a "Pledge to those children and young people looked after by Herefordshire Council". The leaflet describes ways in which the Council will work to give the best opportunities possible to those in its care.

There was also information regarding how any road with no white lines upon it should be reclassified as a 40mph limit. There was a proposal for more local control over roads.

### **5.0 Clerk's Update on Action Items**

The updates were noted including an update from the Locality Steward, Dave Atkinson concerning the road surveys in Tump Lane plus other items. Cllr Norris left the meeting at this point 8.20pm.

Broadly the findings had reported thus: There were three surveys carried out during a week in February 2014. Mr Hornsby has said that he believes that some of the data readings obtained may have been "corrupted". This can occur in bad weather when leaves blowing etc. can trigger results that are not correct. In light of this Mr Hornsby has carried out an analysis of the data obtained by taking the average speed of all vehicles and then taking an 85% reading of the mean data overall. The surveys were carried out at three points 1) Just off the A49 in Tump Lane, 2) Midway down Tump Lane and 3) At a point equidistant between point 2 and the A466. The road

is a 40 mph speed limit currently. The following averages were obtained: Point 1) 34.5 mph, point 2) 40.3 mph and 3) 36.3 mph. This equates to a 93% compliance with the prescribed speed limit for the road and would be classed as "exceptional" in compliance terms. Mr Hornsby is of the opinion that the speed limit could be reduced to 30 mph but believes that the impact would be "negligible". The HGV issue is unlikely to result in a weight restriction being implemented because the route is needed by lorries from the mills etc. and the lack of alternative routes. As regards the provision of a footpath, Dave is in discussion with Bruce Evans at Herefordshire Council regarding potential use of any section 106 monies, obtained from likely developments in the road, to fund such provision. There was also an update on the yellow lines close to the school: The current restrictions do not permit delivery lorries such as fuel oil or groceries. The entire regulations in force outside the property have been requested by Dave so that they can be evaluated and the outcome may require a fresh request for amended restrictions from the Parish Council, to be applied for, to release some of the current enforceable traffic order elements right outside the property. In regard to the quantity of yellow paint, this is in conformation to the specific requirements of the Traffic Regulations Act in regard to what has been implemented at present.

Following on from the update there would be a checking of the original yellow lining Traffic Regulation order requested by the previous Ward Councillor and the Clerk was asked to check regarding the involvement of the Locality Steward in the updates regarding the 106 monies and the footpath provision.

## **6.0 Financial Report**

### **6.1 The following bank balances were noted:**

@ 13 <sup>th</sup> Sept 2014 Community Account	£11270.58
@ 13 <sup>th</sup> Sept 2014 HSBC Community Projects Account	£14,408.00

### **6.2 The following payments were approved:**

Clerk's salary	£304.40
Expenses (mileage £15.30 home office £50.00)	£65.30
Tax due on salary	£76.20
Lengthsman	£231.00
Lengthsman	£200.00

A Donation of £150.00 was approved for Dore Community Transport following documentary evidence of take-up of the service by residents of the Parish

Resolved: that the payments were passed for payment

### **6.3 Update on Parish Land at Barrack Hill tenancy agreement**

The issue of the Parish Land and the existing tenancy agreement had been referred to Humfrys and Symonds Solicitors to seek legal opinion on the existing tenancy agreements. The outcome report from the Solicitor identified that the tenancy agreement was for the lifetime occupancy of the property. It was agreed that there would not be any pursuance of proposal to sell the land at this time. The Clerk would write to the tenant to advise of this and to reiterate the requirement for the terms of the lease to be observed.

### **6.4 Parish Precept for 2015/2016**

The Finance Sub Committee would arrange to meet to discuss the precept requirement for the forthcoming year and would report back their recommendations at the next meeting.

## **7.0 School Parking and related issues update**

Cllr Turner reported that a parent had written to the school about ongoing parking issues but the school had not responded to date. There was felt to be a requirement for the

recommendation of a 30mph speed limit for the whole of the road from the school to the existing 30mph speed limit through Kingsthorpe Village. This was proposed by Cllr Turner and seconded by Cllr James that this be proposed as a Ward Councillor led proposal. This proposal was resolved.

## **8.0 Planning Matters**

There were no new planning applications to consider.

The three copies of required documents had been sent to the Planning Inspectorate regarding the Sanctuary Planning Application.

## **9.0 Parish Roads and Footpaths**

9.1) Balfour Beatty: - Note for Highways Agency, fire hydrant upstand at Hollybush Lane had been damaged by a "flail" mower. Flail damage to signs is an ongoing issue.

9.2) The Lengthsman: - A considerable amount of clearing and strimming had been completed plus requests for clearance of drains and removal of sand debris, from a house frontage, in Tump Lane. Grips had been cut out and notice boards, bins etc. cleared.

9.3) Footpaths: - No issues to report other than to find out information on Footpath MB4A from Hollybush Lane to where it joins the Footpath LB21, in the direction of Church Farm, is this a track or a "footpath"?

9.4) To consider the use of Tump Lane past the pinch point and at the top including possible chicane. This item was not discussed as the Ward Cllr had left the meeting and he had requested this item. To be moved to next agenda as required. Mention was made of the possibility of exploring the use of community speed wardens.

## **10.0 Parish Plan- to consider review of 2004 Parish Plan**

No update this time.

## **11.0 Correspondence**

These were noted as per sheet and included information from the bank, from Balfour Beatty regarding drainage and ditches (leaflet circulated explaining land owner responsibilities and alongside this those of the highway authorities). There was feedback from the Herefordshire Council Enforcement Office about an alleged breach of planning conditions at a site within the Parish and there had been no case to answer identified following his investigation. There had been a referral regarding some overgrown hedges but, following examination of the case, it was agreed that the situation should be referred back to the Herefordshire Council Environmental Team as the timescale for any potential mediation, by the Parish Council, appeared to have passed.

## **12.0 Parishes' Newsletter and Much Birch Website**

12.1 Clerk to supply précis for the next edition of the newsletter. It was agreed that mention should be made of the requirement to clear hedge trimmings in order to try to keep ditches and gullies clear and to, hopefully, minimise blockages and flooding issues.

## **13.0 Self Help Winter Gritting Scheme**

It was agreed that Cllr Turner would contact Mike Morley, of Little Birch, to discuss this years arrangements.

## **14.0 Matters to be raised on the Agenda for the next meeting**

Finance sub committee report on budget and precept. Update on Much Birch Old Charities (if applicable)

## **15.0 Confirmation of the date of the next Ordinary Meeting**

Next meeting – Thursday 6<sup>th</sup> November 2014 at 7.30pm in The Much Birch Community Hall

***The meeting closed at 8.59pm***

Signed:

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Chairman

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Date