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**Unapproved Minutes of Parish Council Meeting held in the Jubilee Centre, Station Road, Balsall Common on Wednesday 14 December 2016 at 7.30 pm.**

**Present:** Councillor Mark Tattum (Chairman), Councillors Will Heard, Marie-Louise Marsden, Sheila Cooper, Christina O'Sullivan, Lionel King, Lee Quinney, Richard Lloyd, Ward Councillor David Bell and 47 Members of the Public.

**1. Apologies:** Received from Councillor Judy Lea.

**2. Declaration of Interests:**

Councillor Richard Lloyd declared a conflict of Interest as representative for Berkswell Parish Council on the NDP Steering Committee.

Councillor Cooper - Proper Officer Meetings advised that a letter dated 07 December 2016 before the Extraordinary Meeting of the Council on 08 December 2018, followed by another letter of advice ahead of this meeting dated 13 December 2016 has been served on Councillor Lloyd advising of his Conflict of Interests and the need for dispensation should he wish to take part in the debate. Standing Order 13.2 'Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest'. **Councillor Lloyd refused to request a dispensation on both occasions.**

Councillor Marsden pointed out that Councillor Lloyd had held up meetings before on many occasions regarding the issue of required dispensations.

**3. Approve Minutes of Parish Council Meeting held on 16 November 2016.**

**Resolved:** to approve and sign.

## **Approve Minutes of Extraordinary Parish Council Meeting held on 8 December 2016.**

**Councillor Richard Lloyd made a Point of Order that the Meeting was 'unlawful' because the Notice had been signed by an individual Councillor who was not the Chairman.**

The Chairman did not accept that the meeting was 'unlawful' as appropriate statutory three days Notice had been given of the Meeting as specified in Standing Order 3.3 and advised that the Meeting would continue. It is in Balsall Parish Council Standing Orders for the Proper Officer to sign Notices 15.2a. Councillor Will Heard confirmed that the Chairman had called this Extraordinary Meeting at the Staffing Meeting held on 30 November 2016. Standing Order 6.1 the Chairman of the Council may convene an Extraordinary Meeting of the Council at any time.

Under Declarations of Interest: *Councillor Richard Lloyd declared a Non-Pecuniary Interest in item 4, to comply with the Nolan Principles of Openness, because he is a Berkswell Parish Council Representative on the NDP Steering Committee.*

The Chairman asked whether Councillor Lloyd wished to request a dispensation.

Councillor Sheila Cooper advised that a letter, dated 07 December 2016 had been served to Councillor Lloyd advising of his Interest and the need for a dispensation should he wish to take part in the debate. Standing Order 13.2 'Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meetings when it is considering a matter in which he has another interest. **Councillor Lloyd refused to request a dispensation.**

**Councillor Heard requested that Cllr Lloyd confirmed who was his legal source and Cllr Lloyd informed the meeting that he had advice from Bill Robinson.**

**Resolved:** to approve and sign.

#### **4. Matters Arising:**

No further Matters Arising.

#### **5. Correspondence:** Letters of objection from residents on accessibility, lack of infrastructure, the possible loss of the playing fields and the methodology of scoring used by SMBC when proposing the development of the Frog Lane site.

Email from Andrew Burrow re HS2 - deal with at Item 14.5

## **6. Public Forum:**

There were many eloquent objections, from the public gallery, to the SMBC proposal to develop the Frog Lane site. The main objections were:

- The flawed methodology applied by SMBC to scoring the site.
- Lack of infrastructure, transport, accessibility with the numeric scoring figure applied on an entirely subjective basis.
- Lack of acceptable defensible boundaries - emphasis wrongly applied.
- Opens up the possibility of future widening of Frog Lane
- Unsuitable access to site onto already busy Balsall Street East.
- Proposed access in close proximity to Balsall Common Primary School.
- Proposed access route causes Health and Safety issues for children attending BCPS.
- SMBC Local Plan Criteria of high frequency bus and train services ignored.
- Holly Lane and Frog Lane will become a rat run through to JLR with a rumoured 3,000 employees using local roads.
- Timescale of development projected to run in parallel with construction of HS2 with the unacceptable increase in HGV traffic through the area.
- The National Policy for brown-field sites to be developed first has been ignored.
- Residents already coping with increased noise from aircraft on flight paths from Birmingham International Airport.
- Lack of accessibility to doctor surgery, shops, recreation areas and public transport.
- Narrow pavements and unacceptable day to day traffic congestion.
- Historic problems with flawed application of planning approval on existing development sites.
- Development should take place to the North of Balsall Common.
- Balsall Common appears to be bearing the brunt of SMBC's requirement to provide its statutory housing needs.

## **7. Schedule of 2017 Parish Council Meetings.**

**Schedule accepted.**

**Resolved:** to begin Parish Council Meetings at 7pm from and including that on Wednesday 18 January 2017.

## **8. Parish Council Vacancy - Update.**

**(8.1)** Councillor Tattum advised that an advertisement for the Parish Councillor vacancy, caused by the resignation of a Councillor, was posted on 06 December 2016, using rules as laid down by the Returning Officer, Electoral Services, Council House, Manor Square, Solihull B91 3QB

**(8.2)** Councillor Tattum advised that a Vacancy for an Administrative Assistant was posted on 06 December 2016.

## 9. Solihull Draft Local Plan - Update from Briefing by SMBC

Councillors Mark Tattum, Will Heard and Sheila Cooper - the Balsall Parish Council Local Plan Working Group attended a Briefing by SMBC held on Monday 12 December 2016 at 2 pm in Chelmsley Wood. Nothing new was learnt from SMBC Officials or SMBC Councillor Ian Courts.

**Resolved:** to engage a planning consultant to assist in our response to the Draft Local Plan.

**Resolved:** to defer to the Local Plan Working Party to decide on the Consultant's Brief.

## 10. Neighbourhood Development Plan (NDP).

**(10.5) Resolved:** by seven votes to one against (Councillor Richard Lloyd) to terminate the agreement to complete a joint Neighbourhood Plan dated September 2015 between Balsall Parish Council and Berkswell Parish Council with two months notice from the date of this meeting.

**(10.3) Resolved:** by seven votes to one abstention (Councillor Richard Lloyd) to appoint Councillors Mark Tattum, Lee Quinney, Will Heard and Christina O'Sullivan to the Balsall Parish Council's NDP Sub-Committee.

**(10.1) Resolved:** unanimously to engage Neil Pearce as Balsall Parish Council's NDP planning consultant.

**(10.2) Resolved:** unanimously to engage Simon Purfield as Balsall Parish Council's NDP Questionnaire Consultant.

**(10.4) Resolved:** to defer co-option of Professor Derek Cassidy.

**Resolved:** to delegate powers to co-opt non-council members to the Balsall Parish Council NDP Sub-Committee.

## 11. Cemetery:

**Resolved:** to allow pre-death reservation/purchase of burial plots on a case by case basis with a 75 year limit with option to extend by 5 years.

## 12. Willow Park update from Working Party.

Councillor Quinney to visit Willow Park with a local resident to assess the situation before making recommendations to the Council.

The Finance Committee advise that urgent repairs to vandalism damage has been completed by Hubbard Fencing Contractors.

**The Finance Committee Resolved:** to recommend referring the upgrade of Willow Park to the Willow Park Working Group.

**13. Bank.**

**(13.1) Santander Bank Account No. 090150 03894517**

**Resolved:** to accept recommendation from the Balsall Parish Council Finance Committee that Councillors Mark Tattum and Will Heard should become authorised signatories of Account No 090150 03894517 and that the Council should authorise Councillors Mark Tattum and Will Heard to complete the Bank's "Change of Details" form accordingly to include a declaration that the Council has authorised such an amendment to the existing operating instructions.

**(13.2) Cooperative Bank Account No. 089299 65306244**

**Resolved:** to accept the recommendation of Balsall Parish Council Finance Committee that Councillors Mark Tattum and Will Heard become authorised signatories of Cooperative Bank Account 089299 65306244 and that the following resolutions extracted from the Cooperative Bank form headed

*Change of account signatories  
Voluntary Organisations, Charities, Societies,  
Credit Unions, Trusts, Schools, Clubs and any other Unincorporated  
Association*

should be agreed by the Council:-

The Co-operative Bank p.l.c. ("the Bank") shall continue as our bankers in accordance with our original application

- the Bank shall be authorised to accept instructions (including written instructions sent by facsimile and electronic instructions through the use of digital signatures and/or identification numbers or passwords) from us in connection with the account(s) and the service, provided that the instructions are given and/or signed in accordance with the signing authority listed in the account signatories Section 4b. Instructions shall mean: cheques, bills of exchange, promissory notes or other orders for payment drawn, made or accepted on our behalf (even if the payments cause the account(s) to be overdrawn) and requests or instructions in writing concerning the account(s), our affairs or property (including the opening of the new account(s), the arranging of facilities and creation of security)

- the Bank shall be authorised to honour all cheques and all other documents made or accepted on our behalf even if such payment causes any accounts to be overdrawn or increase any existing overdraft, provided that such documents are signed in accordance with the specimen signatures shown in the account signatories Section 4b
- the Bank shall act on all specimen signatures in accordance with instruction, notice, request or other document in writing concerning our account (including the opening of new accounts), affairs or property, as shown in the account signatories Section 4b
- the Bank shall be sent a copy of any future resolutions which affect the terms of these resolutions
- the Bank shall be sent a copy of any changes in our Memorandum and Articles of Association/Regulations, constitution, rule book or byelaws
- the Bank shall be notified in writing of any change of Directors, Trustees, Members or Officials, where applicable some charities are also registered as Ltd, so will need to include full list
- the Bank shall be notified in writing of any change of official authorised to sign on our behalf
- the Bank shall otherwise continue to operate our account(s) in accordance with the business account mandate
- the Bank shall be notified in writing of any overall change of control in the organisation
- all signatories to the account are aged 18 or over
- in the case of joint account holders, we agree that on application by one of us for an overdraft on the account the Bank may provide oral pre-contractual information to one of us only prior to the overdraft being agreed. In this case any overdraft terms will be sent to multiple account holders after the overdraft is agreed and available to use.

**Balsall Parish Council authorise and request** that until you receive written notice from us to the contrary to treat and consider additional signatories listed in Section 3b as fully empowered by us and on our behalf:

- to draw, sign and endorse cheques and other orders for payment on our account(s) with you
- to draw, sign, accept and endorse bills of exchange and promissory notices on our account(s) with you
- to receive cheques, statements and other vouchers relating to our account(s) with you
- to withdraw all or any of our securities, documents, or other property or anything else held by you by way of security or for safe custody collection or any other purpose whatsoever on our account(s)
- to arrange terms with you for the negotiation or discount of any documents
- to negotiate with you for and take advances whether by way of loan, overdraft discount or otherwise with or without security
- to charge, pledge and deposit with you any of our property upon such terms as you may require to secure the payment or discharge to you on demand of all monies and liabilities which shall for the time being (and whether on or at time after such demand) be due owing or incurred to you by us whether actually or contingently and whether solely or jointly with any other person and whether as principal

or surety including interest discount commission and other banking charges

- generally to act on our behalf in all transactions and matters of business with you and to comply fully with any account terms and conditions and security requirements you may operate in connection with our account(s) with you now or in the future
- to act on the above instructions and in particular to pay and honour all such cheques, orders, bills, notes or requests as above mentioned notwithstanding that any such payment may cause our said account(s) to be overdrawn or may increase any existing overdraft.

**(13.3) Accounts Payable and Paid.**

**Resolved:** To accept recommendation of Balsall Parish Council Finance Committee.

**(13.4) Bank Reconciliation.**

**Resolved:** To accept recommendation of Balsall Parish Council Finance Committee.

**14. Reports from Representatives and Committee members.**

**(14.1) Airport.**

Further trials are proposed for aircraft flying the Northern turn. Early results are showing an improved flight path that is more North from Balsall Common. The airport are opposing a trial of turboprops on Option 5 and are awaiting a decision by the Civil Aviation Authority. Total Noise complaints have decreased in the third quarter of 2016 compared to the third quarter in 2015.

**(14.2) Residents Association.**

Report deferred due to absence of Councillor Lea.

**(14.3) Lant Trust.**

Councillor Marsden reported on the Meeting of 13 December 2016.

- The Trust awarded a grant to the Heart of England School towards premium children.
- The Trust have awarded a grant to the Reading Room Berkswell for remedial work.
- The Trust are to discuss a memorial for Dr. Peter Lea.

**(14.4) Balsall Common Village Hall.**

Report deferred due to absence of Councillor Lea.

**(14.5) HS2 Working Party.**

Councillor Cooper updated the Council. The HS2 Working Party continue to robustly lobby SMBC, Caroline Spelman MP and HS2 Ltd to secure a continuous haul route as the only acceptable mitigation against HS2 Construction Traffic driving through Balsall Common. The paper recently produced by Berkswell PC directly mirrors issues already presented during petitioning before the House of Commons in 2014 and the House of Lords in 2016. The Working Party asked Berkswell PC to work alongside them to secure the only acceptable outcome of a Continuous Haul Route for the community.

**15. Planning Matters:**

**(15.1) PL/2016/02855/MINFHO**

39 Alder Lane, Balsall Common CV7 7DZ

Two storey front and side extension, first floor extension over garage and loft conversion

**Resolved:** to make No Comment.

**(15.2) PL/2016/02474/PPFL**

54 Station Road, Balsall Common CV7 7FL

Erection of 1 No. Dwelling, including access

**Resolved:** to make No Comment.

**(15.3) PL/2016/02965/MINFHO**

11 Alder Lane, Balsall Common CV7 7DZ

Alterations and extensions to single domestic dwelling house. Removal of existing extension and replacement with single two story rear extension, removal, enlargement and renewal of front porch.

**Resolved:** to make No Comment.

**(15.4) Planning applications received after the issue of the agenda**

**None.**



**16. Date for next meeting:**

**The next meeting of the Parish Council to be held on Wednesday 18 January 2017 at 7 pm in the Westlake Room, Village Hall, Station Road, Balsall Common.**

**Signed:**

**Dated:**

**Councillor Mark Tattum  
Chairman**

**18 January 2017.**