

**BROADWAS AND COTHERIDGE PARISH COUNCIL**  
**MINUTES of the ORDINARY MEETING OF THE PARISH COUNCIL.**

Held on Monday 9<sup>th</sup> November 2020, via ZOOM 7.30pm

Present: Cllrs. Dale – (Chair), Cllr. Guest, Cllr. Brooks, Cllr. Burrows, Cllr. Worrall, and Cllr. Cullen.

**In Attendance:** Cllr. Walton MHDC District Councillor. 5 Members of the public.

**1. Apologies:** Apologies received from Cllr. Pearce, MHDC District Cllr. Chambers (Zoom connection problems) and WCC Cllr. Grove

**2. Declarations of personal or prejudicial interest and update Register of Interest Forms.** Cllr. Dale declared a disclosable other interest in Planning item 20/01508/GPAA Red Gables Cotheridge as a neighbour to this property with his property being adjacent and a Disclosable Other Interest in Item 15g as his Spouse is a member of the Management Committee of Broadwas Village Hall.

**3. To Consider Written Requests from Councillors for the Council to Grant a Dispensation (S33 of the Localism Act 2011) – written requests to be with the Clerk at least 4 days in advance.** Cllr. Dale requested dispensation regarding Planning item 20/01508/GPAA Red Gables Cotheridge, WR6 5LZ. Cllr. Dale declared a disclosable interest as a neighbour to this property with his property being adjacent. Cllrs agreed the dispensation.

**Public Participation: Please see Appendix 1**

**4. County and District Councillors reports:**

**Cllr. Walton- District Council Report.**

Full report available at <https://www.broadwas-cotheridge.com/parish-council>. There were no points raised.

Cllr. Burrows raised a question regarding MHDC financial shortfall. Cllr. Walton commented that it was nothing critical and the shortfall during COVID had come from car parking fees and a shortage of planning applications coming through.

**Cllr. Grove Report WCC.**

Full report available at <https://www.broadwas-cotheridge.com/parish-council>. There were no points raised.

**Noted.**

**5. Minutes of the Parish Council meeting held on October 14<sup>th</sup>, 2020.**

These were considered and Cllr. Worrall Proposed that they be accepted as a true record. Seconded by Cllr. Guest They were duly signed and dated as a true record by the Chairman Cllr. Dale and will be forwarded to the Clerk.

**6. To confirm that Broadwas and Cotheridge Parish Council AGM and Parish Meeting will not take place in 2020 and will now take place in May 2021 as permitted under the Coronavirus Bill legislation.** Noted.

**7. Matters Arising:**

**A44 Flooding:** Update from Hannah Davies WCC Highways.

The jetting team have jetted from Church Lane to Lightwood Lane. The whole of the drainage system is clear and running well. It was noted the ditches are not well maintained and a cause of the water on the A44.

Hannah Davies from WCC Highways has forwarded the information onto Jack Adams at Wychavon Land Drainage to peruse those responsible for the ditches. Jack Adams replied stating that several sections of the watercourse have been silted up and blocked by vegetation and he has sent out letters to the relevant landowners. They now have 28 days to comply with the letter before further action will be taken.

**8. Correspondence**

- a) **26/10/20- South Worcestershire Development Plan** - Update to the SWDP Review Timetable, New SWDP Website and Neighbourhood Planning. **Noted.**
- b) **9/11/20- MHDC- Malvern Electoral Review** - Boundary Commission briefing for P&TCs on 19th Nov at 6pm. **Noted.** Cllr. Dale suggested that Cllr. Pearce may attend.

**9. Outcome of meeting with representatives of MHDC on 15.10.2020 – Link to website for this report**

[https://b17872d1-2239-40eb-8225-1aef556523af.filesusr.com/ugd/a2d19a\\_ebe96ad76d524a579160315c78dd6365.pdf](https://b17872d1-2239-40eb-8225-1aef556523af.filesusr.com/ugd/a2d19a_ebe96ad76d524a579160315c78dd6365.pdf)

Councillor Burrows referred the meeting to the report and noted the reasons why the meeting had been convened. In response to a member of the public he understood that there were concerns that a local resident was not permitted to attend, but that the meeting was not clandestine, and drew attention to the minutes and the report.

Following discussion, the Parish Council noted and resolved the following:

- It was noted that the initial meeting with MHDC was positive and productive and a number of areas for improvement had been agreed by both the PC and MHDC.
- These would raise awareness and understanding of how the system works, improve communication, and ensure collaboration that reflected the needs of the Parish.
- It was resolved that further meetings should take place which would provide the opportunity for all parties to review progress.

Councillor Burrows also hoped that this would provide the opportunity to identify further learning from recent experiences, and that it would be helpful to include a local resident who was in a position to comment on details in respect of the Zourka development in order to establish whether there are further lessons that could be identified for the benefit of all concerned.

It was agreed to defer this item to the January meeting.

Cllr. Pearce commented via a written report that it would be helpful to know whether there was any enthusiasm to set up a sub-committee to look at possible sites for future Affordable Housing. It was agreed to defer this to this item January meeting.

#### **10. Planning Report – Cllr. Pearce.**

A Planning Report prepared by Cllr. Pearce had been circulated prior to the meeting.

[https://b17872d1-2239-40eb-8225-1aef556523af.filesusr.com/ugd/a2d19a\\_98106b05d14643c38af236f3a2e81a0c.pdf](https://b17872d1-2239-40eb-8225-1aef556523af.filesusr.com/ugd/a2d19a_98106b05d14643c38af236f3a2e81a0c.pdf)

The Parish Council noted the written report submitted by Cllr. Pearce.

With regard to the new planning applications:-

20/01190 Little Lightwood Farm Cotheridge – Caravan Storage. The Parish Council agreed to object to this application due to the loss of agricultural land in an area designated as Open Countryside.

20/01200 Little Lightwood Farm Cotheridge – Erection of Single Storey Workshop. The Parish Council noted that there were limited grounds to oppose this application but would nevertheless make representations to MHDC.

20/01234 & 01508. Red Gable Cotheridge – Proposed extensions. Cllr Dale having declared an interest, Cllr Brooks chaired the meeting for this item. The Parish Council agreed to arrange a site visit – the Clerk to make the appropriate arrangements.

#### **11. Gigabyte/Fibre connection for Broadwas and Cotheridge project:**

Report from Cllrs. Burrows. [https://b17872d1-2239-40eb-8225-1aef556523af.filesusr.com/ugd/a2d19a\\_fa11f64cf2194baa8af23aafc25732cf.pdf](https://b17872d1-2239-40eb-8225-1aef556523af.filesusr.com/ugd/a2d19a_fa11f64cf2194baa8af23aafc25732cf.pdf)

The Parish Council welcomed the positive news re progress on the 3 schemes and resolved in respect of the 4th Scheme (Broadwas village) to contact all households and businesses that have not signed up and to organise direct approaches.

It was clarified that the sum reserved in the budget could not for technical reasons be used to address the shortfall. It was noted that vouchers to the value of £20k or more were needed which with the top up from WCC would get the scheme over the line.

Cllr. Burrows agreed to come back with ideas to boost the Broadwas numbers.

#### **12. Hilltop Bend A44 usage of private track.**

Aaron Black emailed on the 23<sup>rd</sup> October to say that he had received no response to his second letter within the 7 days stated. As such MHDC have served a section 330 notice requiring information regarding the owners and use of the land to be returned to MHDC.

#### **13. Damage to the carpark gate system at Berryfields, Broadwas.**

On 28<sup>th</sup> October Cllr. Dale reported the damage to Tim Lewis of MHDC to organise for the repairs to be affected. Two of the staff at the school secured the overhead height limit framework and put out cones as a temporary measure. Tim Lewis reported that he had been advised that due to the cost of the reparation works, (approx. £1500), this has had to be processed through WCC insurance company Zurich. Cllr. Dale to monitor.

#### 14. Dementia Friendly Communities.

Nalc document circulated for information. Cllr. Burrows asked whether there is any enthusiasm to take this further. Cllr. Dale asked if we knew how many local people suffered with dementia. Cllr. Cullen commented that the problem can only get worse. Cllr. Walton agreed to investigate this at a district level. Suggestions of sessions that could be set up for sufferers and carers of dementia. Cllr. Dale asked that everyone study the Nalc document for a future meeting and send ideas to Cllr. Burrows.

#### 15. Progress Reports:

a) **To Stand Down Financial Regulations under Financial Regulations Section 11.1 (ii) for the provision of "Specialist Services- (Planning Consultants and Legal Services)"** in order to request services of Quadrant Town Planning Ltd for any planning services and Quality Solicitors Parkinson Wright for Legal Services. **Cllr. Dale Proposed and Cllr. Brooks Seconded that the Financial Regulations stand down in respect of the request for services supplied by Quadrant Town Planning Ltd for planning services and Quality Solicitors Parkinson Wright for legal services under Section 11.1 (ii) of the Financial Regulations covering "Specialist Services". All in favour.**

#### b) Treasurers Report (Payments and Receipts up to 9<sup>th</sup> Nov 2020

##### November 9<sup>th</sup>, 2020 Payments List

Payee	Description	TOTAL
C Hirst	Clerk Salary Oct 20	£338.33
HMRC	Tax Deductions Oct 20	£84.60
C Hirst	Clerk expenses to November 1st 2020	£20.40
RBL Knightwick -	Poppy Wreath	£18.00
RJC Landscaping	Berryfields Oct	£243.90
RJC Landscaping	COVID-19 Report	£48.00
Eric Dale	Expenses for brush cutting equip	£74.85
<b>TOTALS</b>		<b>828.08</b>

<b>Total Cash at Bank on 24th October 20</b>		
<b>Treasurers Account</b>		<b>£57,392.98</b>
<b>Treasurer's Account Berryfields</b>		<b>£10,267.42</b>
<b>Less payments not yet left the bank</b>		
	<b>TOTAL</b>	<b>£67,660.40</b>
<b>Receipts:</b>		
WCC	Lengthsman July	£150.00
	<b>Total Receipts not previously reported</b>	<b>£150.00</b>

**Cllr. Guest Proposed and Cllr. Brooks Seconded that all payments be approved. All in favour.**

c) Budget Review for 2020/21 and Budget and Precept setting for 2021/22. The Clerk prepared a budget review to year end 2020/21 and supporting papers for the 2021/22 Budget and Precept setting which was circulated firstly to Cllrs. Dale and Guest and subsequently following their input to all Councillors to consider prior to the meeting. Councillors considered the options. As suggestions from Cllr. Guest came forward on the evening of the meeting without circulation or time to develop the suggestions it was decided to defer the 2021/22 budget and Precept setting to January 2021 meeting. Cllr. Guest Proposed and Cllr. Brooks Seconded that the 2020/21 Budget Review paper be approved.

d) **Bank Reconciliation as of 1<sup>st</sup> November 2020.** The bank reconciliation was reviewed by Cllr. Guest as reconciled. **Noted.**

e) **RJC Landscaping have now been asked to combine visits to check play equipment on Broadwas with the COVID checks. Anything requiring attention will be emailed to the Clerk.**

f) Parish Council's position regarding being Custodian Trustee of Broadwas Village Hall – The following advice was received from Worcestershire CALC and should be recorded in the Minutes of this meeting.

"The Broadwas and Cotheridge PC website has a page on the village hall which includes its history, stating there was a deed of transfer from Worcester Diocese to the parish council which created 2 trustee bodies – the parish council as 'custodian trustee' and a management committee as 'managing trustee'. The village hall is a registered charity, and its committee members are registered trustees; the parish council's role is as custodian trustee. From the Charity Commission: The term "**custodian trustee**" has a precise legal meaning. ... In round terms, the **custodian trustee** holds the title to all the property of the **trust** but is not involved in the day to day management of the **trust**. The powers and duties of a **custodian trustee** are set out in section 4 of the Public **Trustee** Act 1906. The Parish Council should not be paying towards any of the day-to-day running expenses of the village hall, including the annual insurance cover. Whether the parish council chooses to pay the village hall's insurance cover by way of an annual grant will depend on the parish council's terms for granting funds. Regarding the council's asset register, the JPAG Practitioners' Guide (March 2020) pages 50-51 refers to Trust Funds. Section 5.121 states "The value of trust property must not be shown in the authority's books of authority property. Trust assets held by the authority as custodian or managing trustee should, however, be recorded in the authority's asset register and identified there as 'charity assets held by the authority as trustee' with their value excluded from the total." The parish council is not the sole trustee and can therefore answer n/a to assertion 9 and line 11 of the AGAR."

**g) Village Hall Extension Project – Update** (Statement by Cllr. Dale available on Parish Council website). [https://b17872d1-2239-40eb-8225-1aef556523af.filesusr.com/ugd/a2d19a\\_e5304014c49b4e31bc46a4ff8f90acb0.pdf](https://b17872d1-2239-40eb-8225-1aef556523af.filesusr.com/ugd/a2d19a_e5304014c49b4e31bc46a4ff8f90acb0.pdf)

Cllr. Dale reported that he had met with Mr Winkworth (Chair of the Village Hall Management Committee) to discuss the terms of the Village Hall extension grant since Mr Winkworth was reluctant to deal with everyone. Cllr. Worrall commented that Mr. Winkworth must deal with the Parish Council and not be selective about who he deals with when the Parish Council is giving a grant. Cllr. Cullen strongly agreed.

Cllr. Guest voiced his concerns over the agreement made with Cllr. Dale and Mr Winkworth in respect that this was moving away from the agreement made at the October Parish Council meeting. Cllr. Guest asked that a vote be taken on this and Cllr. Worrall agreed to take the Chair for this section of the meeting. Cllr. Guest Proposed that the Parish Council revert to the position agreed at the October Parish Council meeting and set aside Cllr. Dale's agreement with Mr. Winkworth. Cllr. Cullen Seconded that proposal. 3 voted for this proposal and 3 against. As Chair Cllr. Worrall had the casting vote and used this vote to vote against this proposal and the position agreed with Cllr. Dale and Mr. Winkworth detailed in the link above was agreed.

**Cllr. Brooks Update**

Cllr. Brooks reported that work has now commenced on the extension project to the Village Hall. Excavations for the foundations begin w/c 9/11/20.

**16. Date of next meetings:**  
**Ordinary Parish Council Meeting on Monday 11<sup>th</sup> January 2021 at 7.30pm via zoom.**

**The Open Meeting closed at 9.46 pm**

**17. Resignation of the Chairman.**

Prior to closing the meeting the Chairman declared his intention to resign as Chairman at the meeting to be held on 11th January 2021 *Action: The Clerk will place election of Chairman onto the next Ordinary Parish Council meeting agenda on January 11<sup>th</sup> 2020.*

Signed Chairman..... Date 11<sup>th</sup> January 2020

**APPENDIX 1- Public Participation.**

A Parishioner raised the issue of the meeting that the Parish Council had with MHDC regarding planning. He further commented on the disgraceful state of the verges and parking on Church Lane Broadwas and felt that MHDC should be putting pressure on the Developer to sort this. Verges were being destroyed. Cllr. Walton commented that he had visited the site and noted these problems and reported back to Planning Enforcement and commented that these matters were being dealt with.

Another Parishioner reported that the Speed Enforcement van had been in situ a couple of times over the past few weeks which was encouraging.

She further suggested that maybe the Footpaths Officer may be interested in planning some local walks. Cllr. Dale agreed to discuss this.

The Parishioner also reported the manhole on the A44 which remain loose and very noisy when driven over by traffic. This has been chased many times by the Clerk with WCC Highways. The Clerk agreed to chase this up again.