

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

**Held on Monday 14<sup>th</sup> January 2019, at Broadwas Village Hall at 7.30pm**

**Present:** Cllrs. Dale, Burrows, Winkworth, Downes, Plevy.

**In Attendance:** Councillor Godwin (MHDC), Duncan Rudge (MHDC) Peter Yates and 3 members of the public.

**1.Apologies:** Cllrs. Pearce and Guest, Cllr. Chambers (Malvern Hills DC.) Cllr. Grove. (WCC)

**2.Declarations of personal or prejudicial interest and update Register of Interest Forms**

None

**3.Dispensation requests:** None requested

**Public Participation:** See Appendix 1.

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

Copy of County Councillor Grove's reports attached appended to these minutes.

Cllr Burrows raised concerns that the County Councillor was not in attendance to answer queries and questions.

Councillor Godwin reiterated the report of Cllr Grove that Worcestershire is expected to receive around an additional £4million to help to reduce demand in social care across the county. The bid was submitted jointly by the County Council and the six district councils in Worcestershire. The pilot means that more money from business rates gathered in Worcestershire will remain in the county. Working together with district councils, the County Council will invest the extra funds from the pilot into services that prevent or reduce the cost of social care. Cllr. Godwin emphasised the importance of the contribution from the District Councils in supporting this.

**5. Minutes of the ordinary parish Council meeting held on November 12<sup>th</sup> 2019:** These were considered and unanimously voted that they be approved. They were duly signed and dated as a true record by the Chairman.

**6.Matters Arising:** -

Weeds were reported on the footpaths around Broadwas despite the fact that they have been weed-sprayed by the Lengthsman. The Clerk checked with the Lengthsman that the work had been undertaken who reported that this had been completed.

Email- 29/10/18- Resident Little Green- Regarding difficulty in safely accessing the A44 towards Leominster when turning right from the Broadwas end of Butts Bank. The hedge on the Teme side of the A44 had grown so tall that it obscured all but high sided vehicles travelling from the direction of Worcester making it dangerous to turn right from Weston Hill. Cllr. Downes reported that the work on the hedges has now been completed.

Email 6<sup>th</sup> November – Resident requested Dog Fouling Bin to be placed at a convenient position on the public footpath that runs behind Orchard Cottage, Broadgreen. Cllr. Winkworth investigated and reported that the path was on private land and therefore not suitable for a dog foul bin.

**Planning Application No 18/00184 (plus 16/00335 & 16/00353):** Little Lightwood Farm Cotheridge. Councillor Pearce prepared a response which was circulated and submitted to MHDC planning by the Parish Clerk.

## **7. Correspondence:**

**Email 23/11/18- Parishioner - Grit Bin for Berryfield Close.** Worcestershire Highways have said that due to the close proximity to the A44 Berryfields Close do not qualify for a yellow WCC grit bin. The Parish Council asked the Clerk to write to the Parishioner informing them of this and that the Parish Council could not provide a grit bin as this was not the policy of the Parish Council. The Clerk would further advise that Berryfields could, if they wish, group together to purchase their own and that assistance could be given as to where this could be purchased from.

**26/11/18- Notice of closure of Footpath CO-531, Cotheridge,** Worcestershire as an Emergency Measure as a result of a collapsed bridge with immediate effect.

**Email- 12 Dec -Notice of the Closure of Stoney Ley,** Broadwas, Worcestershire ("the highway") as an Emergency Measure- in order to repair a burst water main. This has been completed.

**Email 03/1/19 WCC** – Proposed Traffic Order prohibiting waiting at any time on A44 Worcester to Leominster Rd (South Side) from a point 9m west its junction, a distance 41 m in an easterly direction. The Order will vary the existing consolidation order and will contain exemptions.

## **8. Planning. – Report from Cllr. Pearce**

There are no outstanding applications which require consideration by the Parish Council but below is a summary of activity since the November 2018 meeting:-

**18/01108:** Round Hill Cottage Little Green Broadwas – Proposed demolition of existing single storey extension and erection of new two storey extension and detached double garage. Refused by MHDC principally due to the scale of the proposed extension and garage.

**18/01282:** Upper Howsen Farm Cotheridge – Proposed demolition of existing farm buildings and use of site for 8 caravans/log cabins. Response submitted on behalf of the Parish Council raising no objections subject to appropriate conditions regarding road access, landscaping, drainage etc and on assumption that the application is for log cabins and not caravans.

**18/00184 (plus 16/00335 & 16/00353):** Little Lightwood Farm Cotheridge – Three outstanding planning applications. Informal opinion received from Stuart Castle (MHDC Planning officer) regarding merits of the applications. The Parish Council's views have subsequently been reiterated to our District Councillors for them to consider when deciding whether the applications can be delegated to officers for decision or brought to the Planning Committee.

**Appeal against Enforcement Action:** Elgar Coaches site, Lower Lightwood Farm Cotheridge – Various breaches including extension to building and use of former landscaped area for vehicle parking. Councillors Dale and Pearce attended the Planning Inquiry at The Council Offices in Malvern on 05.12.2018. Inspector's decision awaited.

**18/00223:** Ivy Barn, Broadwas – Proposed installation of Velux Roof Light in Listed Building. Appeal submitted against refusal by MHDC.

**18/01772:** Dingle End Cotheridge – Proposed First Floor home office above existing double garage. “No comments” response submitted on behalf of the Parish Council.

**Planning Inspectorate APP/J1860/C/17/3187661: Elgar Coaches, Lower Lightwood Farm, WR6 5LT:** In summary, Cllr. Pearce interpretation of the Inspector's decision is that:-

1. Retrospective planning permission has been refused for the hardstanding between the Dutch Barn and the highway (i.e. to the east of the Dutch Barn) and also on the land immediately to the south of the Dutch Barn. These areas of land are to be restored to their original condition within the next 6 months.

2. Retrospective planning consent has been allowed for the retention of the steel frame erected to the west of the Dutch Barn but no planning consent currently exists for completion of that structure!

3. The appeal against enforcement action for use of part of the yard area to the west of the Dutch Barn for coach parking etc has been allowed.

**9. New Website:** Cllr. Dale reported that to date the website was going well. Over 1000 hits with 450+ new visitors to the site.

**10. Village Hall Extension update:** Cllr. Winkworth updated the Parish Council that he had now received two quotes. One being a lot more detailed than the other and the less detailed being more of an estimate. A third quote was still being sought.

**11. NDP Update: NDP Update:** Peter Yates, a Consultant leading on the NHDP for Broadwas and Cotheridge Parish Council, gave an overview of the draft ND Plan distributed to Councillors for approval. Peter Yates took on board any comments and said that a final plan would be completed on the 15<sup>th</sup> January 2019. It is proposed by Cllr. Dale to agree to put forward the NDP to MHDC for Regulation 16 consultation. Seconded by Cllr. Downes. All in favour.

**12. S106 update: Funding for new track and equipment for Berryfields Playing Field:** Cllr. Plevy reported that she had spoken to Three Counties Landscaping who were responsible for the “All Weather Track” and they have agreed to ring Cllr. Plevy when weather permits to commence the work on the Track development. The Mini Trail has been pencilled in for 25<sup>th</sup> February 2019 commencement depending on the progress on the Track. Once the Track has been completed there needs to be a meeting to discuss the Outside Gym equipment for Adults.

Notification of the Annual Inspection of the Berryfields Play Area had been sent by ROSPA Play Safety. The forthcoming changes were notified to ROSPA requesting a delay in the Annual Inspection. ROSPA advised that following a new installation a Post Inspection of the equipment would be recommended. Councillors agreed. *Action: Clerk to contact ROSPA to update and arrange accordingly.*

Cllr. Plevy asked whether the Playing Field had access to water on site and it was mentioned that there was access. *Action: Cllr. Dale to investigate.*

Lower Teme and Martley FC requested that whilst the football pitch was out of commission that the pitch be rolled. *Action: The Clerk to contact RJC Landscaping after the works have been completed to roll the pitch. RJC to also provide a quote for the on-going maintenance of Berryfields Playing Field.*

**13. Safeguarding in the Community:** Cllr. Burrows circulated a draft Safeguarding in the Community Policy prior to the meeting for Councillors to read through. Councillors were very pleased with the draft and thought it was very user friendly and uncomplicated. Cllr. Burrows was thanked for the hard work in

preparing the draft policy. Discussions took place as to the Village Hall Management Committee and the best way of incorporation re either a shared or parallel policy. It was agreed that Cllrs Wentworth and Burrows would liaise to discuss and agree this. Cllr Burrows will then produce a second draft with incorporating the outcome, for the final approval and formal adoption by the Parish Council. Further comments and suggestions in the interim would be welcomed by Cllr Burrows.

**14. Land Registry for Broad Green Common Land, Berryfields land and Sports Field and Broadwas Village Hall:**

Cllr. Godwin spoke of the procedure to follow to get land registered with the Land Registry. Cllr. Godwin felt it would be of benefit for the Parish Council to pursue this avenue. Cllr. Winkworth and Cllr. Burrows offered to work as a sub-group to look into this with support in a professional capacity from Cllr. Godwin.

**15. Update Reports:**

a) **Treasurer’s Report:** copy circulated to Councillors.

A Bank Reconciliation to the 14/1/19 was circulated and approved at the meeting.

A draft Out-Turn for year end 2018/19, and a Budget for 2019/20 was circulated with proposed precept for 2019/20 set at £20,000 which would represent no increase on the Precept which was set for 2018/19. This was discussed and Cllr. Dale Proposed that this be approved. Cllr. Downes Seconded. All in Favour. Action: The Clerk to notify MHDC that the 2019/20 Precept be set at £20,000.

b) **Clerk’s report:** copy circulated and attached to these minutes.

c) **PLO report** copy circulated and attached to these minutes.

**16. Councillors’ Reports and Items for Future Agenda:**

Cllr. Plevy reported that Broadwas and Cotheridge Parish Council had been nominated for an award with Natural England for its work on Broad Green Common Land. Cllr. Winkworth to attend the awards evening and report to the next appropriate meeting.

**17. Date of next meeting: February 11<sup>th</sup> 2019 at Broadwas Village Hall at 7.30pm**

Signed Chairman..... date.....

**Appendix 1 – Public Participation.**

Duncan Rudge, Planning Services Manager with Malvern Hills District Council gave an overview of Permission in Principle and changes to MHDC Planning Enforcement:

Permission in Principle became available by application for minor development (up to 9 units) from 1<sup>st</sup> June 2018. This provision was introduced by Order 2017 no 1309 ‘The Town and Country Planning (Permission in Principle) (Amendment) Order 2017 laid before Parliament 19th December 2017.

**What is Permission in Principle (PIP)?**

This is an alternative way of gaining planning permission for **housing-led development.**

It can apply to mixed use schemes as long as housing occupies the majority of the site / development

Local Planning Authorities can grant planning permission by either:

Entering the site in part 2 of the brownfield land register (This includes major development) and there is a requirement for LPA's to regularly review this

Or through considering a PiP application.

***A valid application has two stages:***

**1. Permission in Principle (PIP)**

- *PIP: Scope of Decision is limited to:*
  - Location
  - Land use
  - Amount of Development

An application for PIP **cannot be refused on issues of detail** which would be considered at the Technical Details Consent (TDC) stage. However, a decision to grant PIP must be made in accordance with the relevant policies in the Development Plan (i.e. SWDP) unless material considerations indicate otherwise.

**2. Technical Details Consent.**

Following grant of Permission in Principle on the site other matters must receive TDC before the development can proceed. The granting of this Technical Details Consent is effectively the granting of the Planning Permission.

**What are the Exemptions?**

A LPA **may not** grant permission in principle where it is:

- a) Major development
- b) Habitats development
- c) Householder development
- d) Schedule 1 EIA Development
- e) Schedule 2 EIA developments **unless not deemed EIA Development** or exempt by direction of the Secretary of State.

**What are the Procedures?**

***Making an application***

The requirements for a valid permission in principle application set out in Article 5D of the Town and Country Planning (Permission in Principle) Order 2017 (as amended).

The submission of a valid application for permission in principle requires:

- (a) a completed application form
- (b) a plan which identifies the land to which the application relates, drawn to an identified scale and showing the direction of North
- (c) the correct application fee

The requirements for a valid technical details consent application are the same as those for an application for full planning permission.

## **Consultation**

As a minimum they must be publicised with a Site Notice and details must be available on the Council's website.

Carry out Statutory Consultation in accordance with Schedule 4 of Development Management Procedure Order as required on any other application for planning permission.

For **PIPs a public consultation period of 14 days applies** (Both statutory and non statutory consultees).

For **TDC a minimum public consultation period of 21 Days applies.**

## **Fees**

- The fee for a PIP application will be £402 per 0.1 hectare. This was included in the recent changes to the fee regulations.
- The fee for the TDC application is £462 per dwelling.

## **Timeframes**

- **Statutory Time limit for Determining PIP is 5 weeks.**
- **Statutory Time limit for Determining TDC is 10 weeks**
- Where a PIP application is granted the default duration of the **permission is 3 years.** Where permission is granted through the sites inclusion on Part 2 of the Brownfield register the default duration of the permission is 5 years
- Local planning authorities should indicate on the face of the decision notice or the entry on the brownfield land register whether the duration period is different from the default duration. Applications for technical details consent must be determined within the duration of the permission granted.

## **Determination of Applications**

- Technical details consent for different phases of development cannot be made.
- No Planning Conditions can be attached to the Grant of PIP.
- Planning conditions can be attached to TDC.
- Planning obligations (s106) are agreed at the TDC stage
- The PIP if granted will specify the maximum and minimum number of dwelling considered acceptable by the LPA, but the maximum cannot exceed 9.
- Any subsequent Technical Details Consent application must be within the maximum and minimum numbers set by the PIP. Although any applicant can still apply for full planning permission for a greater or lesser number.
- Whilst EIA Development cannot be granted planning permission by PIP, if the local planning authority identifies at the TDC stage that the development proposal should be subject to Environmental Impact Assessment (EIA), the grant of permission in principle remains valid.
- Extension of times to these applications can be agreed.
- A PIP Decision Notice must include the following:

the location of the site,

the type of development and provide an indication of the amount of development the site has permission in principle for.

The amount of residential development must be expressed as a range.

Where non-residential development is granted permission in principle, local planning authorities are required to provide a description of the type of development (eg by indicating the use classes of the buildings or land) and the scale of development permitted.

### ***Appeals***

- Decision on PIP and Technical details Consent can be appealed.

A local resident did raise concerns that the PiP system may become abused by applying for say 9 properties and then re-applying.

Duncan Rudge felt that the PiP system would be rarely used.

## **4. Cllr. Grove – WCC Report.**

**OPEN FOR BUSINESS:** As part of the Council's Town and City Centre improvements programme, The Shambles and Church Street in Worcester are set for a makeover. The scheme is being delivered in partnership with Worcester City Council who are jointly funding the project. Included in the scheme are plans to widen footpaths, introduce segregated loading bays, remove obstructions, plant street trees and carry out other updates to improve the overall look and feel of the two streets. You can find out more at [www.worcestershire.gov.uk/shambles](http://www.worcestershire.gov.uk/shambles)

Improvement works to increase footfall in Kidderminster and boost economic development in the town are also progressing well. The scheme, which is jointly funded by the County Council and Wyre Forest District Council with further funding being sought from GBSLEP, includes opening the currently pedestrianised route up to vehicles. Early in January, works to improve the road and footpaths from Marlborough Street up to High Street will begin.

**CHILDREN AND FAMILIES:** The Council's Director of Children's Services, Catherine Driscoll is to become the Chief Executive of Worcestershire Children First whilst continuing in her current role. Since the decision to move the operational delivery of Children's Social Care Services to an Alternative Delivery Model, the Council has been involved in ongoing discussions with the county's Children's Commissioner and the Department for Education regarding the role of the Director of Children's Services in the new company. The Department for Education has been impressed by the continuing improvement of children's social care in Worcestershire, evidenced by Ofsted's recent monitoring visits. The Parliamentary Under-Secretary of State for Children and Families, Nadhim Zahawi MP, has confirmed the appointment.

The deadline to apply for a place at a Worcestershire Primary, First, Infant, Junior and Middle school is January 15th 2019. Parents of all children starting school this year (September 2019) need to apply for their school place before applications close at midnight on January 15. Parents can either apply online at [www.worcestershire.gov.uk/schooladmissions](http://www.worcestershire.gov.uk/schooladmissions), go to a library or call School Admissions on 01905 822700.

**ADULT SOCIAL CARE:** Lobbying continued last month for a long-term national funding solution for adult social care. Councillor Adrian Hardman and Richard Keble, the Council's Assistant Director of Adult Services, handed a special birthday card to Matt Hancock MP, the Secretary of State for Health and Social Care. The card, to mark 70 years of adult social care had been signed by elected members from all parties and by Grace Jones from Broadway who, at 112-years-old, is the country's oldest resident.

Extra Care is a housing option available here in Worcestershire. It enables people to have their own front door and live independently whilst always having someone on hand. This video has been produced to explain more about Extra Care in Worcestershire: [https://www.youtube.com/watch?v=e\\_7GhGq2ZyU](https://www.youtube.com/watch?v=e_7GhGq2ZyU)

**ENVIRONMENT:** A consultation on the Council's Minerals Local Plan has been launched. The Minerals Local Plan will be used to guide where and how mineral extraction will take place in the county for the next 15 years. The Council puts together a plan for mineral extraction to ensure that the essential raw materials for building homes, schools, and hospitals are available. There is more information at [www.worcestershire.gov.uk/minerals](http://www.worcestershire.gov.uk/minerals) and can also be viewed at local libraries. The consultation runs until February 8<sup>th</sup>.

Although the weather has been mild so far this winter, the Council's Highways Teams are on standby in case temperatures plummet. We have 14,701 tonnes of salt in our depots and Council teams are ready to clear drains and gullies, grit the roads and clear any snow. For the latest information follow the dedicated Travel Twitter page for updates at [www.twitter.com/worcstravel](http://www.twitter.com/worcstravel), and check gritting routes in your area by going to <http://bit.ly/GritRoute>.

**COUNCIL NEWS:** Worcestershire is expected to receive around an additional £4million to help to reduce demand in social care across the county. In an announcement made by James Brokenshire MP, the Secretary of State for Housing Communities and Local Government, Worcestershire's bid for a one year 75% Business Rates pilot has been given the go ahead. The bid was submitted jointly by the County Council and the six district councils in Worcestershire. The pilot means that more money from business rates gathered in Worcestershire will remain in the county. Working together with district councils, the County Council will invest the extra funds from the pilot into services that prevent or reduce the cost of social care.

The first Council Redesign Workshops for Council staff have taken place. More than 100 staff attended two events held last month. The ambition is to reshape and redesign the Council to make it fit for the future.

## 15A. Treasurer's Report.

### **Jan 14th 2019 Payments List**

<b>Payee</b>	<b>Description</b>	<b>TOTAL</b>	<b>Payment</b>
A Bullock	Lengthsman 1st Nov 18	54.00	<b>cheque 1191</b>
HMRC	Tax Deductions Nov	76.00	<b>Cheque 1190</b>
Carole Hirst	Clerk Salary Nov	303.71	<b>cheque 1191</b>
Peter Yates	NHDP	931.30	<b>Cheque 1192</b>
Westcotec	repair to VAS	164.40	<b>Cheque 1193</b>
Carole Hirst	Clerk Salary Dec	303.91	<b>cheque 1195</b>
HMRC	Tax Deductions Dec	75.80	<b>cheque 1194</b>
Carole Hirst	Expenses from nov and Decmber to Jan 14th	97.07	<b>cheque 1195</b>
<b>TOTALS</b>		<b>2,006.19</b>	

### **Receipts**

LowerTeme and Martley FC	Annual Pitch Hire	£ 250.00
WCC	Lengthsman	£ 195.00
<b>TOTAL Receipts</b>		<b>£ 445.00</b>

<b>Total Cash at Bank</b>		<b>£ 96,273.54</b>
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## **15B. Clerk's report January 2019**

- Ongoing issues with Lloyds Bank. The Clerk is now receiving correspondence and from Lloyds Bank. The access to on-line banking is in progress.
- Prepared a draft budget for the January Parish Council meeting in readiness for agreeing the 2019/20 precept.
- The Clerk has been corresponding with Natural England with support from Geoff Winkworth re extending the HLS agreement at Broad Green for another 4 years, answering queries re common land status and change over of contacts from Previous Clerk to Current Clerk.

## **15C. Public Land Officer's Report.**

### **December 2018**

#### **BERRYFIELDS**

Nothing new to report other than a small amount of litter which was collected and removed.

**Berryfields inspected on 08<sup>th</sup> December 2018 by Peter Parkes**

#### **Broad Green**

Nothing new to report since November 2018 report submitted.

**Broad Green inspected on 08<sup>th</sup> December 2018 by Peter Parkes**

#### **BERRYFIELDS**

On emptying the bin sited on Berryfields there was found to be two full dog excrement bags deposited within it. Following a walk around the track dog excrement was found at the bottom of the track almost adjacent to the large fixed goal post – this has been removed.

There has also been a small bag/wheelbarrow amount of garden rubbish (leaves and soil) left on the bonfire site. The remains of the debris from the bonfire were cleared and removed from site within a week of the event ending and nothing has appeared since then. I have no explanation to offer as to why someone has felt it acceptable to deposit such waste!

**Berryfields inspected on 13<sup>th</sup> January 2019 by Peter Parkes**

#### **Broad Green**

Nothing new to report. A dog was seen running on Broad Green (not on a lead) with an adult and young child as I was passed by on the 12.1.19.

**Broad Green inspected on 13<sup>th</sup> January 2019 by Peter Parkes**