

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

Held on Monday 9th March 2020, at Broadwas Village Hall at 7.30pm
Present: Cllrs. Burrows (Acting Chair), Pearce, Guest, Brooks, Burrows, Cllr. Worrall.

In Attendance: Cllr. Chambers, Cllr. Walton (Malvern Hills DC)
2 Members of the public.

1. Apologies: Cllr. Cullen, Cllr. Dale and WCC County Councillor Grove.

2. Declarations of personal or prejudicial interest and update Register of Interest Forms. Cllr. Pearce declared a Disclosable Non-Pecuniary Interest in Item 6 regarding Cotheridge Church land as Church Warden. Cllr. Guest declared a Disclosable Non-Pecuniary Interest in Item 7 SWDP.

3. Dispensation requests: None requested

Public Participation:

Two members of the public wished to discuss their concerns regarding the Zourka Development. The first point was the drainage aspect – The drainage did not have an adequate run off into Church Lane created by the historic spring/pond on site. This also affects the A44.

Extra development of the bat barn. On the plans when presented to the neighbours it was a freestanding building with 6 legs and a roof. The bat building but this now has plastered walls, doors, windows, satellite dish, water etc. It has power, water and is plastered. This has been reported to Natural England. This is a breach of planning which he feels is not being taken up. It is believed that the developers intend to use the Bat House as a sales office.

When original site plan showed along the private drive to the south of the site a fence and additional trees and bushes etc to block that off and the closure of the entrance from the private driveway. In October a revised plan was put forward as part of the discharge of conditions which shows none of that. It has been completely changed from the original plan and the fencing, trees, shrubs etc have all disappeared from the original plan. The entrance is being used by the contractors working on the bat barn for parking. The driveway on the south side is a private drive. Parking by the contractors on the driveway and the lane is causing a lot of issues including problems in keeping the lane swept due to contractor parking issues. Contractors are not using the parking as stipulated within the planning permission.

The second resident confirmed that they have contacted the Bat Preservation people.

The Bat Barn is now much higher than originally envisaged as the land has been raised up by between 12 to 18 inches. The whole site is pooling and not disappearing. The water is not draining, and the Developer is trying to get away without using transfer tanks at all. It was noted that the Enforcement Officer had visited the site recently, and been in contact with residents and Cllr Brooks, and this was felt to be helpful, and he has undertaken to act on some issues and follow up on others.

The other concern raised related to the height of the houses, which had been measured by the Enforcement Officer and found to be within tolerance. However it was not clear whether this was taking into account the raised floor levels. Concerns were also expressed by the developer's intentions regarding the large amount of excavated topsoil and also the need to establish whether the amount of trees etc was compliant with the permission.

In Summarising- the chair thanked the local residents for attending and raising the matters, which were of concern to all. He noted that it was a good thing that all were cooperating and working together to address what were principally enforcement matters. He also thanked Cllr Brooks for taking a lead role in coordinating responses.

District Cllr Chambers noted that he had seen a considerable improvement within MHDC regarding enforcement, but it remained a difficult issue for all concerned.

The chair noted that the main issues were Drainage of the site and consequent measures instigated by the developer which may have impacted on the height of the houses, which brings into question a number of key aspects of the permission. The issues around the private Driveway/Gateway; Landscaping (Pathway to A44 and loss of trees etc; Bat Barn (intended use and changes to the original permission and Parking, were also identified as being in need of further monitoring and resolution through the offices of MHDC.

Cllr. Guest expressed his concerns that a building built for one purpose was being used for another.

Cllr. Walton advised the residents to report issues to Aaron Black at Planning Enforcement MHDC and commented that he would also on what has already been reported by Aaron and to ensure that the PC was aware.

Cllr. Chambers agreed to chase up issues on parking. It was agreed to keep a close eye on developments and follow up through enforcement the issues raised.

See also Item 9 for record of involvement of the Parish Council MHDC

4. County and District Councillors reports:

Cllr. Walton- District Council Report.

Full report available at <https://www.broadwas-cotheridge.com/parish-council>.

Cllr. Chambers added to the report linked that the flooding problems which took place in Tenbury Wells that MHDC did a first-class job with the flood clear up. Two days after water disappeared Tenbury was cleaned. MHDC and WDC through a joint management team worked well together to get Tenbury cleared

Cllr. Grove Report WCC.

Full report available at <https://www.broadwas-cotheridge.com/parish-council>.

Action: Cllr. Guest to email Cllr. Grove re flooding at Carrington Bridge (Temeside Way).

5. Minutes of the Annual Parish Council meeting held on February 10th, 2020.

These were considered and Cllr. Pearce Proposed that they be accepted as a true record. Seconded by Cllr. Guest. All in favour They were duly signed and dated as a true record by the Chairman, Cllr. Burrows.

6. Matters Arising:

- A member of the public reported the poor state of the footpaths in Broadwas Village. The footway, adjacent to the Old Police House along towards Scatterbrook is particularly covered in rubbish and rotting vegetation, leaves etc which is very slippery. The footpath from Berryfields car park to Church Lane is overgrown to half its original width, where it is almost impossible to walk two abreast, adult and child. The Clerk reported this to the Lengthsman and updated the meeting that this work was now complete. The hedge is hanging over and excessively wider than it has been for years. Needs cutting back hard and the cuttings will need clearing not left to vegetate on the verge. The Clerk reported this to the Farmer but has had no reply to correspondence. The marker posts need putting back up firmly and some need the red marker reflector plates replaced. Clerk reported to WCC Highways who replied stating nothing was found on inspection. The Clerk contacted WCC Highways again asking them to revisit this and they agreed to do so.
- Cllr. Pearce to report to the Church Council to look to put hardcore down on the triangular piece of land outside St Leonards Church, Cotheridge and report back to the Parish Council. Cllr. Pearce reported that the PCC concur with the principle of putting hardcore down but would like the Parish Council to investigate this to ascertain ownership and permissions etc. It was decided to ask Cllr. Dale to deal with this matter as he is familiar with the area and residents.
- Cllr. Walton and Cllr. Chambers provided details of emergency arrangements collated by the MHDC or WCC regarding fallen trees and other types of emergencies. The following links were supplied.

<https://www.malvern hills.gov.uk/environmental-health/emergency-planning>

<https://www.malvern hills.gov.uk/contact-us>

Fallen trees should be reported to Worcestershire County Council Highways Department during office hours and for out of hours emergencies reports should go to West Mercia Police on 101 where they will report this on to the WCC Out of Hours team. *Action: Cllr. Dale to upload this to the website for public information.*

7. Correspondence:

- **21/2/20-** West Mercia PCC Road Safety Strategy- launch of draft Road Safety Strategy for consultation- Survey for completion by 20th March 2020. *Action: Cllr. Burrows agreed to complete the survey on behalf of the Parish Council but commented that other Councillors could also complete the survey if they wished.*
- **26/2/20- SWDP-** Review of the South Worcestershire Development Plan (SWDP), the South Worcestershire Councils are conducting a Call for Sites inviting landowners and / or their agents / developers to submit land for potential large-scale renewable and low carbon energy projects. Cllr. Walton said this was at an early stage and that it may not be a significant issue for the Parish Council. Cllr. Pearce commented that the NDP welcomes this at an appropriate scale and that it is something we need to remain aware of.

8. Planning. – Report from Cllr. Pearce

- **17/00169:** Zourka Church Lane Broadwas – erection of 3 dwellings. Construction proceeding on site. MHDC dealing with outstanding conditions. Parish Council has raised concerns regarding removal of pedestrian access on to A44 frontage and exclusion of part of the site from the proposed gardens in the latest layout plan. Neighbours invited to express their concerns at March Parish Council meeting.
- **19/00583:** Church Lane Broadwas – erection of 13 affordable dwellings. Application refused by MHDC. Appeal submitted. New inspector appointed and informal hearing to take place at MHDC Council House on 29.04.2020. Louise Morton of Quadrant Planning will represent the Parish Council at the hearing.

- **19/00532:** 1 Cotheridge Court Cotheridge – Conversion of outbuildings into ancillary living accommodation. The Parish Council has supported this application. No change.
- **19/00957:** Stone Farm Broadwas – Conversion of former barn to dwelling. Response submitted subsequent to July meeting indicating that the Parish Council has no objections to this application. No change.
- **19/00887:** Elgar Coaches Lower Lightwood Lane Cotheridge – Demolition of existing dutch barn and construction of new coach depot. Application refused by MHDC.
- **19/01812:** Ivy house Farm Broadwas – Replacement of windows in Listed Building. The Parish Council resolved to make no comments regarding this application. No change.
- **19/01863:** Broadwas Village Hall – Single storey extension. The Parish Council is the applicant so inappropriate to submit comments. Application approved by MHDC.
- **19/01866:** Beaufoy A44 Broadwas – Erection of side extension. No objections submitted to date by neighbours. Approved 6/3/20
- **20/00030:** Ivy Barn Broadwas – Single storey extension to Listed Building. The Parish Council requested Malvern Hills District Council to ensure that the application meets the conservation requirements. No change.
- **20/00039:** Teme Spinney Hill Top Cotheridge – Replacement of garage/store destroyed in fire. The Parish Council resolved to object to this application as it considers that further development in this sensitive location within open countryside is undesirable. No change.
- **20/00310:** Cedars Farm Broadwas – Erection of hay barn. Location is not immediately adjacent to any residential properties. Following discussion, the Clerk was asked to submit the following response. “The Parish Council has no comments regarding the proposed location of the hay barn but requests MHDC to satisfy itself that the land forms part of an agricultural holding.”
- **20/00313:** Upper Howsen Farm Cotheridge – Development to facilitate change of use from agriculture to visitor accommodation- Following discussion the Parish Council decided that the *Clerk submits a response of “The Parish Council has no comments regarding this application.”*
- **Revision to SWDP:** Joint representation with other parish councils submitted expressing concern regarding change in methodology for assessing Category 2 settlements. Briefings at Guild Hall Worcester for Parish Councils on 31.03.2020. Councillors Dale and Pearce to attend.

9.Zourka Housing Development Issues.

Cllr. Brooks spoke with Aaron Black again on Friday 28th Feb 2020. Regrettably he has not yet visited the Zourka Site but he has however spoken to the developer and discussed a number of issues (?) he confirmed he still intends to visit ASAP and assess both the recent damage to verges in Church Lane (by Western Power) and more importantly to investigate the developers compliance with the construction of the three new homes being built.

Cllr. Brooks especially drew his attention to the matter of the sites raised water levels resulting from the filling in of a large Pond at Stone Farm (on the northern side of the A44 opposite the Zourka development site) this was done circa 12 years ago, and whilst a take-away drain pipe was laid to alleviate flooding it appears that this has failed to sufficiently protect damaging water levels on the site and as a result the three new building were all erected on a raised base foundation, resulting in their roof levels being much higher than was originally authorised. Residents have also warned of potentially new dangerous water run-offs that may affect their nearby properties.

Cllr. Brooks drew Mr Black’s attention to the need for his urgent attention and response to the above matters and pointed out to him that local residents have confirmed their intended attendance at our next Parish Council meeting on Monday 9th March which will require us to have the answers they seek and to ensure that the Zourka site development is brought into line with its buildings regulations and conditions.

Aaron Black reported as follows:

The planning enforcement case remains live and I will be continuing to monitor the site and provide updates as necessary.

A Breach of Condition Notice was served on the site on 19th February 2020 relating to breaches of condition relating to Sustainable Drainage Systems (SuDs) and ecology on the site. These conditions required details to be submitted to the Local Planning Authority and approved before work commenced on the site, this will not be done until a satisfactory scheme has been agreed. I am also aware that Building Control have visited the site in relation to the drainage being installed as it requires ‘signing off’ by them.

I am also aware of concerns regarding that bat barn approved as part of the development, specifically that the plans show the bottom half as being ‘open’ when in fact it has been boarded on all four sides, I can advise that our ecologist is aware of this and has raised the matter with Natural England, I am currently waiting for a reply before this matter is progressed.

Concern has also been raised to me regarding Church Lane and the verges, I have passed these matters onto the Highways Authority for their attention. When I visited the site this week Church Lane itself was in a

clean condition having just been swept. I note that works have been undertaken to the highway recently by Western Power as detailed in the screenshot below.

[cid:image010.png@01D5F3D3.A3FBB9D0]

Finally, I am aware of concerns regarding the heights of the properties, plot 2 (to the west of the site) is the most substantially complete and I have checked the height using a laser measure to confirm compliance with the approved plans. I do intend on taking further measurements as the development progresses.

* The ridge height of plot 2 when measured on the approved plans is approximately 8.29m, measured on site was 8.35m.

* The eaves height of plot 2 when measured on the approved plans is approximately 4.83m, measured on site was 4.87m.

Whilst these measurements carry a margin for error, I am satisfied that all measurements are within an acceptable degree of tolerance at present.

Cllr. Brooks has written to Aaron Black requesting further clarification on the matter of the properties finished roofline heights.

Further questions raised as still outstanding by a resident via email are:

- The blatant removal of trees and associated screening of the site. This seems far beyond that proposed in the plans.
- There is still no mention of the footpath to the A44 being arbitrarily moved to Church Lane.
- No mention either of alleged changes to individual property boundaries.
- From the huge amount of earth that has been brought to the site it appears that the developers are trying to fill the lot.

Actions agreed as noted in Public Participation (above)

10. Defibrillator Checks:

Nothing to report

11. Gigabyte/Fibre connection for Broadwas and Cotheridge project: Report from Cllrs. Burrows, Cullen and Dale.

Community Fibre Partnership (Fibre to premises/ Government funding scheme for rural communities).

Since the last report we have received initial cost from Open Reach for a total of 219 premises across the parish.

All have now been sent a letter and a form to return by the 15th March, this will allow us to determine whether the number of positive responses generates sufficient voucher income to cover the cost of all or some of the parish. (The scheme has 4 exchange box related areas).

The 27 Little Green addresses were contacted first, with an initial return date of the 5th March – this has now been extended to match the 15th for the remaining 192 addresses.

Response has been slow with 9 yes and 1 no and therefore no response from 19 addresses contacted. These are being chased up.

We have raised with the WCC team what options we may have if this was replicated across the parish.

We have also dealt with a number of queries mainly relating to the need to upgrade and or change provider once the connection is installed and initiated. This is clearly a potential barrier for some but not all.

We have arranged for an item in the next Footprints and the parish website has been updated and has the letters and forms in e form.

Once we have the returns the next task is to upload details into spreadsheets which enable the voucher value to be identified and therefore the next steps, which if affirmative would be the agreement of the funding and the scheduling of the work.

We will need some help to upload this volume of information.

We are also exploring and learning as we go, with the WCC team as to what flexibility there is, as we would want to avoid a situation where the wider benefits are not realised, because for understandable reasons some are reluctant to take part.

Cllr. Pearce thanked Cllr. Burrows for his hard work on this project.

12. Road Safety and Speed Initiatives.

Cllr. Dale reported that due to dangerous flooding on the bend by Laylocks on the A44 it may be worthwhile contacting the necessary agencies to try and get a co-ordinated solution. A response has been received from Hannah Davies from WCC which stated "*There has been multiple issues on A44 which we have been looking at and asking for clarifications as to location and Hannah has been dealing with the Parish on this. This*

location appears to have a gully that goes to a soakaway so the soakaway may be overwhelmed / failed. It is on our works list to attend with Traffic Management. For info we have already attended and carried out considerable work clearing issues at Lightwood lane junction and at the watercourse crossing near Otherton Lane”.

On the 26th February a crew with drain clearing gear were clearing the drains.

Cllr. Burrows recommended that the Parish Council maintains a watching brief and noted the points raised as to whether or not more regular cleaning would resolve the issue. It was noted that further consideration could be given by the Parish Council in being clear about and ensuring that the responsible parties worked effectively to improve drainage on the section of the A44 running through parish, as this represented a significant safety risk.

An email from David Perridge from WMP gave the following update on the 18th February.

Layby at the entrance to Brook bank-

10%=2 i.e. Prosecute at 35mph and above in a 30 limit.

In this period 73 towards Worcester 33 towards Bromyard.

Most are cars or light vans fastest speed recorded 48mph (straight to court!). Most are between 35 and 38mph.

It was noted that there had been 3 visits from the Road Safety Partnership over the last month.

Cllr. Brooks commented that speed awareness and enforcement should take place at peak commuter times.

Cllr. Burrows agreed to raise the need for further dialogue with the responsible agencies as to the overall approach and measures in place in the parish, with Cllr. Dale.

Cllr. Dale discussed the new installation of Roundels on the A44

Hannah Davies of WCC Highways sent an update and reported that installing the roundels would have been set back. She reported “If the order went to the contractor in November (providing the programme was running on schedule) then it can take a minimum of 12 weeks. WCC have had Christmas where many take holidays and WCC work with reduced resources. The last month has been dedicated to the floods which leaves around 8 weeks of programme time. She further reported that they are unable to paint in wet weather for obvious reasons so will be waiting for the water to recede from the carriageway before picking up the lining again. She would suggest a significant delay on the programme and will get an update from the engineer at her meeting next week.

13. Progress Reports:

a) **Treasurer’s Report:** copy circulated to Councillors and attached to these Minutes. All payments were Proposed by Cllr. Guest and Seconded by Cllr. Brooks to be approved. All in favour.

A Bank Reconciliation to the 29/02/20 was circulated and approved at the meeting. Cllr. Guest Proposed that it be accepted as a true record. Seconded by Cllr. Pearce. All in favour.

It was noted that at the next meeting Cllr's would be required to scrutinise and approve the end of year accounts and settlement.

b) RJC Report (Maintenance of Parish Assets)

Berryfields

Nothing to report

Broadgreen

Cars parked on green towards farm end which is forcing other vehicles to drive on the green and cutting up the edges. (Already covered on the Agenda/ programmed in by WCC completion date not identified see below).

Cllr. Brooks added that 5 moles had been caught and RJC clarified that there was no further mole activity. Also, that around 25 rabbits had been caught through ferreting but that since the flooding this has been stopped as the ferrets won't go down the rabbit holes while they are flooded. Invoice and report pending.

c) Clerk’s Report.

The clerk reported that the Parish Council’s year end is 31st March 2020 and that once all payments have been processed to 31st March and the accounts have been reconciled then the Clerk will prepare to take the Parish Council’s work to the Internal Auditor and complete the Annual Return for External Audit to PKF Littlejohn for 2019/20. The 2019.20 accounts will be signed off by the Parish Council at the April 2020 Parish Council meeting and the Annual Return at the May 2020 Annual Parish Council meeting.

14. Broad Green Verge being damaged by Vehicles.

Cllr. Brooks reported that Mr. Winkworth had reported to him that the edge Broad Green (corner) was being damaged by vehicles cutting the corner. The Clerk found out previous correspondence to WCC Highways and wrote to WCC again stating that this was an ongoing issue. WCC responded “Spoke to the depot this

morning. They have said they replaced two verge master posts on 8th Jan and are looking into a solution to making the junction safe for the bin lorry and Severn Trent etc. I'm guessing they may need to re-profile the junction to allow the larger vehicles to be able to negotiate but this will not be one of their high priority jobs and would be planned when resources become available. It may be some time before anything gets to a planning stage".

15. Summer Walks – Cllr. Guest to discuss.

Cllr. Guest suggested that a Community Walk could be created for the summer with differing routes and distances and this could perhaps be incorporated into the Grand Plan. It was suggested that suggestions of where walks may be, be requested through an article in the Footprints Magazine. Cllr. Dale to speak to the Parish Footpaths Officer. Cllr. Walton agreed to speak to Martley PC about their village walks and Cllr. Brooks agreed to talk to Cradley Walking Group. It was agreed this was a good idea.

16. Village Hall Redevelopment update.

Cllr. Brooks update: It has been a good start to 2020 as the following items have now been confirmed: Revised Planning Permission has been Approved by MHDC.

Our Big Lottery Fund application has been confirmed and has paid £10k into the V/Hall Bank Account (thanks to Sharon Downes!).

Our S106 Application is looking very positive and is likely to give us £8'300 (or possibly even a little more)!

Our Acre Stage 1 Application has been approved, and our Stage Two (which is incredibly detailed and complicated) is nearing completion and will be submitted in the next week or two (NB. our request is for £15k) We have received £500 from Councillor Grove and £500 from David Chambers (with a 2nd £500 to follow soon?).

Our Builder (Carl Gibbs) has confirmed he is on track to commence work as soon as we have raised our total funding.

We await a final quote for Air Source Heating but as it is a separate finance issue there is no hurry at present.

Cllr. Guest suggested that if there were any delays in obtaining funding that the extension progresses to making the structure "water-tight" which would only require around 50% of the total project cost. Cllr. Brooks informed the meeting that the costs were currently £63,000 for the extension excluding Air Source Heating which they feel would raise costs to around £74,000.

Discussions around VAT to pay on materials for the extension and how this could be recovered through the project.

Cllr. Burrows reported that the Village Hall Management Committee would report back to the Parish Council when they were at the point of requesting the funding (when funding for the extension was in place). Cllr Guest indicated that it was important the VHMC and the Parish Council worked closely on progressing the development.

Cllr Burrows asked for clarification regarding the Ground Source heating. Cllr Brooks explained that a quote had been obtained (c £10 – 14K) and that he understood that the higher figure cited i.e. £74k included this.

Cllr Burrows recalled that when the PC agreed to support the development at a recent meeting, that there had been a view that inclusion of the heating element would be included as this supported environmental objectives. Cllr Guest questioned whether this form of heating would be sufficient.

Cllr Brooks said it was difficult to identify when all of the funding would be in place, as the current grant application was complicated and the funder did not give any indication of how quickly they would provide an answer but he thought hopefully there would be more news in a couple of months.

Cllr Burrows reminded all of the decisions reached at a previous meeting, regarding how the Parish Council and the VHMC would work together in progressing the welcome development, and that there would be a need for this to be a formal item on a future agenda.

Cllr. Burrows requested that Cllr. Brooks thank Mr. Winkworth for his work on this project.

17. Councillors' Reports and Items for Future Agenda.

Cllr. Worrall gave an update on the Coffee Morning which took place on Saturday 7th March at 10.30am. She felt it was very successful and many attended with a buzzing atmosphere. It was set in a Meet Your Neighbour type of morning and ideas for activities were discussed and explored. Notes were stuck onto a board where people could explore the themes of the Grand Plan. These ideas would be collated and summarised. Generally, the feeling was that people were happy for a get together and there were grounds to organise another. Cllr. Burrows thanked Cllr. Worrall for her work on this event.

18. Date of next meeting: April 20th, 2020 at Broadwas Village Hall at 7.30pm

The Public Meeting closed at 9.15pm

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

15A. Treasurer's Report.

March 9th, 2020 Payments List		
Payee	Description	TOTAL
C Hirst	Clerk Salary Feb 20	£ 311.16
HMRC	Clerk Tax Feb 20	£ 77.80
C Hirst	Clerk expense to Feb 10th 2020	£ 33.25
RJC Landscaping	Open Space inspections	£ 50.00
Richard Burrows	Expenses Broadband	£ 145.93
Adrian Bullock	Jan and Feb Lengthsman	£ 342.00
TOTALS		960.14
<u>Total Cash at Bank at 29th Feb 2020</u>		
Treasurers Account		£ 17,623.73
Treasurer's Account Berryfields		£ 10,267.42
N.S. & I		£ 38,867.43
	TOTAL	£ 66,758.58

Receipts:		
Rural Payments Agency Grant		£ 237.35
	Total Receipts not previously reported	£ 237.35