

**Alderminster Parish Council**

Ordinary Meeting of the Parish Council

Wednesday 20<sup>th</sup> July 2016  
Alderminster Village Hall 7.30 pm

Present: Cllr John Melville (Chairman)  
Cllr Geoff Smith (Vice Chairman)  
Cllr James Dignan  
Cllr Karen Jones  
Cllr Mark Meadows  
Mrs M Norman (Parish Clerk and Responsible Financial Officer)

Also present: 7 members of the public

1	<b>Apologies:</b> Apologies were received from Cllr Izzi Seccombe and accepted by the Council.
2	<b>Declaration of interests</b> There were no declarations of interest.
3	<b>To receive written requests for dispensations for DPIs (if any)</b> There were no requests for dispensations.
4	<b>To grant any requests for dispensations (as appropriate)</b> No requests were granted.
5	<b>Minutes of the previous meeting on the 24<sup>th</sup> June 2016</b> The minutes of the previous meeting on the 24 <sup>th</sup> June 2016 were unanimously agreed as an accurate record and signed by the Chairman.
6	<b>Appointment of Clerk/RFO</b> It was unanimously agreed to appoint Mrs Maria Norman as Clerk and Responsible Financial Officer. Thanks were expressed to Cllr Karen Jones for acting as clerk over the last two months.
7	<b>Co-option of Mr Stuart Featherstone</b> The Chairman proposed co-opting Mr Stuart Featherstone to fill the vacant seat on the Parish Council. This was seconded by the Vice Chairman. It was unanimously resolved to co-opt Mr Featherstone onto the Council. The Clerk was asked to make arrangements for the signing of the Declaration of Acceptance of Office form.
8	<b>Public participation:</b> A member of the public present expressed concern about potholes on the corner of Campden Lawns and New Road. Cllr Smith said he had already notified Warwickshire County Council about this problem, but would contact the Highways authorities again.

9 **Report from the District Councillor or County Councillor:**

There were no reports to be made.

10 **Finance Report:**

The following payments were approved and authorised:

- a) Bryan Gerrard (grass cutting) - £350.00

11 **Clerk's Report:**

Cllr Karen Jones reported on the difficulties experienced by Councillors and members of the public in making comments on Stratford District Council's planning portal. She also noted that the Parish Council had not been notified of some planning applications in the parish. It was agreed that the new Clerk should pursue this matter with some urgency.

12 **Correspondence Report:**

Members of the public were invited to take part in an online survey on policing and community safety conducted by the Police and Crime Commissioner for Warwickshire.

13 **Audit:**

Cllr Jones had been notified by Grant Thornton, the external auditor, of the receipt of the Annual Return. She confirmed that all statutory notices in relation to the Audit had been posted on the website. Thanks were expressed to Cllr Jones for undertaking this work following the resignation of the previous clerk.

14 **Planning applications**

No planning applications had been submitted since the last Parish Council meeting:

**To receive any results of planning applications:**

The Parish Council noted the following planning decisions which had been notified since its last meeting:

- a) 16/01197/FUL Bondi, New Road, Alderminster – permission **granted** subject to conditions for construction of a new dwelling.
- b) 16-01192/FUL Bondi, New Road, Alderminster – permission **granted** subject to conditions for two storey side and rear extensions, with new access point onto New Road.

15 **Parish Clerk /RFO employment terms and conditions:**

Terms and conditions were agreed by the Council.

16 **Open space adoption – land north of Alderminster.**

The Chairman suspended standing orders to enable members of the public who wished to comment on the proposal to do so.

The Chairman and Vice Chairman had both prepared briefing papers on this topic (see appendices A and B attached). The issue before the Council was to decide whether to accept the offer of £50,000 made by Barwood Homes as consideration for the adoption by the Parish Council of the open space north of the A3400.

On resumption of standing orders it was unanimously resolved to accept the offer

	<p>made by Barwood Homes in accordance with s106 Town and Country Planning Act 1990. Following the District Council's confirmation that the open space has been laid out in accordance with approved plans, Barwood Homes will maintain the open space for 12 months. After this date the open space will be transferred to Alderminster Parish Council who will be responsible for its maintenance. It is anticipated that the final transfer will take place in approximately two years time.</p>	
17	<p><b>Community Speed monitoring:</b> Monitoring of motorists' speed through the village took place during the last two weeks of June. Nine volunteers, in teams of three, had participated in the scheme, monitoring traffic on the A3400 and New Road. Forty two drivers had exceeded the speed limit, and will receive letters of warning from the police. A second transgression will result in a police visit, and a third will incur penalty points on the driver's licence.</p> <p>The speed gun will next be available in October, and more volunteers are required to take part in the scheme.</p>	
18	<p><b>Warwickshire County Council Highways Department:</b> Cllr Smith reported that he had compiled a list of outstanding problems and submitted these to the Highways Department. To date, no progress had been made on remedying the defects, but Cllr Smith would continue to press these matters with the Highways Department.</p>	
19	<p><b>The Bell public house:</b> The alterations to The Bell had involved a change of layout of the staff car park and location of the dustbins. Cllr Jones had been in discussions with the Alscot estate regarding the churning up of the grass verges outside the pub. These had now been restored, but there was still concern about the collection of bins as the bin lorries were obliged to reverse from the main road into the new car park, posing a safety issue on the highway. Discussions with the estate were to continue.</p>	
20	<p><b>Church Clock:</b> Cllr Jones confirmed that the Parish Council had the power to contribute a sum towards the repair of the church clock. It was agreed that further consideration of the sum to be contributed would be made following a request for funding from the Parochial Council.</p>	
21	<p><b>Website:</b> Cllr Jones did not think it was necessary to have a new website, as previously discussed. The existing site was adequate for the needs of both the Parish Council and the village. The content needed to be updated and this was something which would take place on an ongoing basis.</p>	
22	<p><b>Church car park tree maintenance:</b> The Chairman said that the trees planted by the Parish Council at the bottom of the church car park were unlikely to survive unless steps were taken to cut back the overgrowth. It was agreed that this maintenance work would be attended to.</p>	

23 **HGV Traffic on New Road:**

Councillors reported an increased volume of HGV traffic on New Road by lorries gaining access to the two industrial estates on either side of the village. It was agreed that New Road was unsuitable for use by heavy goods vehicles and that steps should be taken to inform the relevant companies of this fact. Smith's Concrete had been extremely co-operative in requesting their drivers not to use New Road, and it was hoped that other companies, such as Wealdmore and Cam Grain would be equally compliant. Cllr Smith suggested that a weight limit should be imposed on New Road. It was agreed that this proposal would be investigated.

24 **Neighbourhood Plan:**

Approval had been given by the District Council for Alderminster to be accepted as a designated area. As a result, an application can now be made for funding to conduct the survey – the second stage in drawing up the Neighbourhood Plan. The Council will also approach other Parish Councils for advice in drawing up their policy statements. Areas of concern expressed by residents include the new development by Barwood Homes; the type of dwelling proposed; traffic issues; heritage buildings such as the church; schooling; light pollution; social facilities and transport.

The meeting closed at 8.40 pm.

Date of next meeting Wednesday 21<sup>st</sup> September 2016

Appendix A

**Agenda item 16      20/07/2016**

**Open Space Adoption**

Further to Outline Planning Application 14/02372/OUT and subsequent applications 15/03981/RCM and 16/01171/AMD Alderminster Parish Council (APC) received on 1st March 2016 from Barwood Homes, the developer (BH) an offer compliant with Section 106 to accept the transfer of the Open Space play area and equipment (O/S) into APC's ownership.

APC responded to the invitation by requesting further and better details of the offer and on 10th March 2016 received from BH confirmation of the offer together with Plans outlining the O/S which incorporated landscaping plans and play area equipment plans. BH also proposed that upon completion of the transfer of O/S ownership they would make a contribution towards initial maintenance costs of £25,000.00.

On 31st March 2016, in response to APC's requests for further clarification, BH advised;

1. Under the Section 106 Agreement, If the open space is to be transferred to APC then BH would maintain the open space for a period of 12 months from the date the district council confirm it has been laid out and completed in accordance with the approved plans. At the end of this 12 month period the

- open space is transferred to APC along with the commuted sum.
2. It is envisaged that grass cutting, hedge trimming and general ground maintenance will require circa 20 visits per year and the equipped play area will require a monthly inspection to make sure the equipment is in good safe working order.
  3. Two management companies have been approached for estimates –
    - a. Ground Solutions charged £2,064 for grounds maintenance, £720 for play area inspection and £1200 for public liability insurance
    - b. Premier Estates charged £4,685 for grounds maintenance and play area inspection and £1,060 for public liability insurance
  4. Whoever owns the O/S then subject to planning approval they could do with it as they see fit. However the Section 106 states that in the transfer from BH to APC or a management company there must be a covenant stating that the open space shall not be used for any other purpose other than for public open space.
  5. BH would meet all the costs of an agreed transfer
  6. As APC would own the land it is not for the planners to decide whether it can be subject to a change of use. The planners cannot apply for a change of use on land they do not own.
  7. As per point 4 above, all of the open space land can only ever be used as public open space.
  8. If the open space is transferred to a management company, APC would have no control over the land.
  9. Whoever becomes the owners of the O/S would have first call on any changes of use proposed

APC continued to negotiate with BH in order to ensure best possible solutions can be harnessed. APC have in parallel sought to investigate comparisons of maintenance costs involved, in this respect of the two companies approached one declined and the other did not respond.

Following a request by APC for BH to revisit their earlier offer BH confirmed on 14th June 2016 that their best offer, which would be full and final, would be increased to £50,000.00. In addition BH confirmed that they would maintain the O/S for a period of 12 months from the date that the District Council (SDC) confirmed that it had been laid out and completed in accordance with the approved plans. At the end of this 12 month period the O/S would be transferred to APC along with the agreed commuted sum. BH reiterated that they would also be responsible for covering APC's legal fees in association with the transfer of the O/S to APC.

On 15th June 2016 BH clarified that once SDC are satisfied that the O/S has been laid out correctly and BH have completed their obligation of 12 months maintenance SDC would then inspect the O/S again and identify whether any remedial work needs to be done which BH would have to do. Once SDC are happy that all remedial work has been satisfactorily completed then the OS would be transferred to APC and from then on be their responsibility.

**Notes**

**Adoption of Open Space north of A3400 by Alderminster Parish Council**

These notes do not form part of any recommendation nor are any considerations limited to them

**Pro:**

- APC receive a commuted cash sum from Barwood Homes.
- APC retain better control over the future of the Open Space.
- APC dictate the level of maintenance and schedule of attendance.
- Barwood Homes will meet the legal costs associate with the transfer.
- Only APC could apply to the planners for a change of use as they would be sole owners of the land.

**Cons:**

- The commuted sum would have to be realistic in order to shield the Precept for a number of years whilst the precept is gradually increased.
- No control over increasing maintenance costs.
- Responsible for safety and replacement of play equipment
- The precept would be increased to cover insurance for play equipment.
- The Parish Council would be exposed to additional liabilities.
- If adopted Barwood would maintain the O/S for just one year from landscape completion then it would be handed to APC.
- If not adopted Barwood would be responsible for the O/S for 7 years before handing it to a land management company.
- The play equipment will require a monthly professional inspection.
- Additional workload for councillors.
- If not adopted the control over the land by APC would be diminished.

Appendix B

I am going to propose that the PC accepts the offer from Barwood, as the rights and responsibilities surrounding the POS should be for the whole village. In any event, maintenance of the space and playground is almost certain to be outsourced to a specialist company. I believe it would be better if the specified standards, costs and governance of this task fell to the PC rather than a Residents' Association, who will inevitably have a narrower view and smaller budget.

The PC is best placed to determine policy for a POS which is for the whole village. Policy could cover things like dog walking, replacement of playground equipment, and maintenance schedules - it will need to balance the needs of users, residents and Council Tax payers. From current estimates, the cost of maintaining/insuring the POS is likely to be in the region of £2000-3000 pa, or £8-12pa per household across the whole parish. The PC would receive £50k to offset this increase &/or to use for other capital projects. Household costs for the Residents' Association would be £80-120pa - It seems reasonable to assume that they will look to cap this cost, particularly if the POS is being widely used by other village residents. There are risks associated with the PC taking on the POS, the main one being that we are taking responsibility for anything that needs doing or goes wrong with the new amenity - I believe that's our job, and that by outsourcing maintenance we will reduce the time demands. We should also ensure that adequate public liability insurance is in place. Concerns have been raised about possible vandalism - again, I believe that the will be in a better position to react in that event than a Residents Association would be.

I therefore propose that the PC accepts he offer from Barwood Homes, subject to confirmation that the annual maintenance costs will not exceed £4000pa in the first 3 years

<p>after we take responsibility. We should ask Barwood for more detailed design drawings and publicise these more widely. We should seek guidance from other PCs who have taken on POS and put in place appropriate policies for the amenity, contracts for maintenance and insurance, and a suitable governance approach. We will need a process for managing the £50,000 and prioritising demand for capital projects - I'd expect these to be guided by the Neighbourhood Plan.</p> <p>In summary, an asset which is intended for the whole village should be paid for and managed by the whole village.</p>	
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