

# The Parish Council of Dickens Heath

## Minutes of the Meeting of the Council held on Tuesday December 15<sup>th</sup> 2015 in the Parish Rooms, Waterside

### **Present:**

**Dickens Heath Parish Councillors;** Philip Brandum, Trevor Eames, Stephen Gussin (Chairman), Maureen Holloway, Diane Potter, Doreen Wright.

Borough Councillors: Ken Hawkins, Richard Holt

58 members of the public

Clerk: Ms Helen Marczak

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### **Minute 172 (2015/16) Apologies for Absence**

Apologies were accepted from Councillor Bob Cudmore.

### **Minute 173 (2015/16) Public Participation**

#### **Parking/Highway Issues**

A large number of residents and business owners were present to make the Parish Council aware of their frustrations with parking problems in Dickens Heath, and the following points were made:

- Many of those living in village centre apartments do not have their own parking spaces and have relied on parking in the car parks behind Mortons and Tesco. When they purchased their properties, these residents were assured that the car parks would remain public, but developers have now cordoned off a significant number of spaces for the private use of purchasers of the newly converted/built apartments. The reduced number of public spaces is causing massive problems – cars are being parked in every available space, sometimes illegally and blocking other cars in. People are desperate and this is causing friction, fights have been witnessed, and the businesses are being affected. If something is not done, it is likely that residents will leave, businesses will close and property prices will fall.
- A business owner stated that his takings are down by 25%, and that parking is a major issue. Business owners are questioning how the developer has been allowed to remove these parking spaces from the public, and why Solihull MBC has allowed the parking situation to get so bad, why has Planning allowed it to happen?
- The reduction in parking spaces in the village centre is having a knock on effect on other roads as motorists park further afield – for example a bin lorry was unable to pass cars parked on Hirdemons Way - but people have to park somewhere.
- Residents feel like they are being held to ransom.
- A resident asked whether anyone from SMBC actually lives in Dickens Heath. Borough Councillor Richard Holt stated that he has been a resident for many years, that parking in the village has been a problem for a long time, he is keen to do what he can and that he will be making representations to SMBC on this issue.
- Jean Walters, who is an advisor on the Parish Council's Planning sub-committee, stated that the Parish Council has done a lot of work on Parking, and added that the Solihull Local Plan Review is under consultation until January 22<sup>nd</sup> 2016. She urged residents to send in their comments as the Local Plan will shape the future of this area.
- Councillor Trevor Eames stated that the Planning sub-committee has been looking through historic planning conditions, and it is their view that SMBC Planning also need to look at these conditions. The original philosophy for Dickens Heath was that residents should use public transport and so the public car parks were left short of

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what would be expected. Clarification is required on which planning application is currently valid for the work about to be commenced by Elegant Homes. The Planning sub-committee believe that the original 2002 application is still valid and not the later 2011 one. They are looking at conditions that may be relevant regarding protecting car parking. For example, in residents' and business owner's leases, it states that the landlord cannot make 'substantial change'. Borough Councillor Ken Hawkins' petition from the business owners called on Highways to take some action on the parking problem, and this is due to be looked at again in 6 months. But an assessment of parking needs suggests that a further 200 spaces are required.

- Councillor Eames proposed that a way forward would be to press SMBC to review the original conditions and to enforce them, to press for a car parking management plan in accordance with the original agreement, to support traders by making representations to free holders, and possibly restricting access to car parking.
- Is SMBC in breach of its obligations? Borough Councillor Ken Hawkins has put this question to the Planners. Parking to be added to future PC agendas.

### **Village Maintenance/Litter**

There are now smaller bin stores behind Mortons, they are filling up very quickly, not all waste will fit in the bins and it is attracting rodents.

### **Future Developments**

A resident asked whether there is a fine for chopping down a tree with a TPO on it. Councillor Eames stated that it is rare for a tree with a TPO to be chopped down, and any fine would be subject to enforcement, prosecution and the decision of a Court.

### **Festival on the Green 2015**

Andrew Simpkins of Dickens Heath Village Church summarised the event which was held in September, and thanked the Parish Council for sponsoring it. Around 1,000 people attended, there were 33 stalls, 7 bands and choirs, and it was a free to enter event. The feedback from residents was that they would like the event to be run again in 2016. Smart Homes have agreed to once again be a sponsor, would the Parish Council also consider being a sponsor for 2016?

### **Minute 174 (2015/16) Declarations of Interest/Requests for Dispensations**

Councillor Doreen Wright stated that she knows the former owner of the Woodland Coppice that is subject to a current planning application.

### **Minute 175 (2015/16) Report from the Borough Councillors**

Councillor Ken Hawkins responded to the concerns about parking – he stated that almost all Borough Councillors have issues with parking, it is an on-going problem. Dickens Heath has its problems, but he doesn't believe that it is in a chaotic state. There are 170 parking spaces in the village centre, other parts of the Borough have less. The first step is that the legal status of the planning conditions needs to be checked. He said that traders have requested some parking restrictions, but BNP Paribas are currently looking to sell off Main St – so it will be a future buyer that would consider this. He suggested that a SMBC Planning Officer could attend a Parish Council meeting to do a presentation.

Councillor Richard Holt stated that the problem with the Elegant Homes developments in the village centre is that the highways and car parks are not public, there is a difficulty with enforcement because it is a private law remedy. The leases need to be looked at to see if they have been breached, and he suggested that insurance cover may allow residents and business owners to get legal advice. With regard to the suggestion that Elegant Homes may sell surplus car parking places beneath Garden Squares, he stated that SMBC should try to broker a deal so that these would be accessible to the public.

Councillor Holt has also been involved with the Combined Authority and devolution, £1 billion will be available to Regions. And with regard to housing planning, other areas may be willing to take some of the housing pressure from the Green Belt in Solihull.

**Minute 176 (2015/16) Minutes of previous meeting held on Tuesday November 17<sup>th</sup> 2015**

Proposed by Councillor Holloway, seconded by Councillor Potter, it was **Resolved** that the minutes be approved as a true and accurate record.

**Minute 177 (2015/16) Actions from the Minutes of the previous meeting**

Parish Rooms Maintenance

All downstairs bulbs (except the suspended lights) have now been changed to LED, some fluorescent strips have been replaced but one unit needs replacing, and one of the suspended lights needs looking at further.

Condition of Rumbush Lane

The condition of Rumbush Lane is being regularly monitored by SMBC, and the developers chased on a daily basis, with an inspection taking place before the Christmas holiday. Various measures are being taken to deal with the pot holes and puddles, including the regular addition of loose wood chippings.

Outstanding SMBC Maintenance Work

The Neighbourhood Co-ordinator and tree officers will look at the trees on kidney island whose roots are lifting the surrounding metal grills. Regarding the urgent maintenance required in the village – there will be an inspection in the New Year, and SMBC will come back to the Parish Council with a plan.

Slippery Green Pavements

These are of on-going concern to the Parish Council, who have offered to contribute towards an urgent cleanse amid reports of residents falling when the pavements are wet. Solihull MBC are legally responsible for the pavements, and from an insurance point of view it is not possible for the Parish Council to do it, but they are willing to make a contribution towards funding. The Clerk to chase SMBC again.

Welcome to the Village Signs

This has been on the Parish Council's agenda for a couple of years. Borough Councillor Richards, Cabinet member for Highways, has decided that the Parish Council Coat of Arms cannot be included on signs, there can be no 'branding' on Highways signs. The next step now is for Parish Councillors to suggest where the signs should be sited.

Sponsorship of Islands

SMBC have now made it quite plain that this is a non starter, they have a commercial contract for putting island sponsorship in place, and any funds raised are returned directly to SMBC. Therefore, the Parish Council could not benefit from islands sponsorship, nor use any of the sponsorship funds raised to improve the appearance of the islands. SMBC are going to look at potentially changing this to allow parish councils to attract sponsorship, but this will take some time. To be added as an agenda item for the January meeting.

Solar Christmas Lights

The solar fairy lights on various islands have not been a great success, and there have been a lot of requests from residents for the return of the solar lamp post Christmas trees. Although Plantscape have sold most of the trees, they would be able to put together 18 half trees and 4 hanging trees at a total cost of £1,610. This is substantially less than the budget of £3,000, all agreed to go ahead with this.

Youth Facility Consultation Event

This was cancelled with no reason given.

### **Minute 178 (2015/16) Planning Applications**

In introducing this item, the Chairman ruled that 'following advice from WALC and the Democratic Services Officer at SMBC, the report prepared on 10/12/15 by the Planning Sub-Committee could not be discussed at this meeting because it had been circulated in advance to members of the public. The report had not been circulated to the Parish Councillors'. It was explained that the report had been submitted to the Clerk prior to any public circulation, but this was not in time to be circulated to Parish Councillors with the meeting papers. Future best practice was discussed. It was agreed that the planning applications could be discussed and a verbal presentation made without specific reference to the said report.

Planning applications 2015/52482 and 2015/52647 have been submitted by Elegant Homes for works at Garden Squares and in the village centre. Councillor Trevor Eames gave a summary - the original planning application is dated 2002, with a minor change submitted in 2011, but as no work was carried out following the 2011 application - it is now extant and therefore the 2002 planning application should be the valid one. Everyone is keen to see Elegant Homes go ahead with the development, there is no suggestion that the Parish Council should object to the main principles of the scheme, but representations should be made in respect of amendments re change of use of building 8 and conditions. The 2011 application removed 4 retail units in this one building adjacent to the existing Main St shops, which Councillor Eames feels should be retained for the viability of the retail centre - particularly given the likelihood that a lot more properties will be built in Dickens Heath and Tidbury Green. Plus there needs to be a condition that the new developments contribute to the 'public realm' eg Main St, otherwise there will be a 2 tiered service charge which is not fair on those residents shouldering the burden of the additional expenses of Main St etc. It was agreed in principle that Councillor Eames should draft a response for Councillors to approve.

#### Planning application 2015/52622 - Woodland Coppice on Rumbush Lane

Councillor Doreen Wright feels very strongly that the oak trees should be protected, and Councillor Trevor Eames has had feedback that a lot of people are objecting. The Parish Council discussed whether they felt the coppice should be preserved, it is still Green Belt and there may be various ecological reasons for retaining it. Councillor Phil Brandum agreed that he was concerned about the trees and over-intensive development, but an objection needed to be on planning grounds. Councillor Maureen Holloway feels that the wildlife issue is also very significant as the coppice links with the nature reserve. All agreed that an objection be submitted stressing the overdevelopment and concern for the trees.

No comments on the other planning applications, including 2015/52812 - tree works at land on the North East side of Braggs Farm Lane, and 2015/52795 - a 2 storey extension to the front of 10 Elvaston Way.

### **Minute 179 (2015/16) Financial Matters**

Proposed by Councillor Wright, seconded by Councillor Holloway, **Resolved** that the payments in Appendix I of the December 15<sup>th</sup> 2015 Agenda be approved - 20 cheques totalling £2,134.28. This included an additional cheque to GBR Phoenix Beard of £166.01 for the ground rent for 2016, and the deferral of the £300 grant to Leaffield Football Club until we have the payee information.

The Parish Council currently has a surplus of £102,000 and is projecting a surplus of almost £79,000 at the year end.

The proposed budget for 2016/17 was agreed.

**Minute 180 (2015/16) Reports from Councillors who attended any outside events**

Members of the Planning sub-committee have met with the Chairman of Tidbury Green PC with a view to co-operating on a Neighbourhood Plan – further discussion to take place on how this can be taken forward.

**Minute 181 (2015/16) Solihull Local Plan Review**

Councillor Trevor Eames, along with Jean Walters, attended the Solihull Local Plan Review event. SMBC potentially have a housing shortfall of around 4,000 and are asking developers to submit suitable sites. Richborough Estates are in discussion with SMBC, and there is potential development from Tythe Barn Lane to the railway station. The consultation for the initial stages of the SLP Review is until January 22<sup>nd</sup> 2016. This plan will be shaping the area up until 2032. Councillor Eames and Jean Walters will bring a report to the next PC meeting.

**Minute 182 (2015/16) Parish Rooms**

A thank you from the organisers of a charity concert for the use of the Parish Rooms for their rehearsals.

**Minute 183 (2015/16) Local School Places**

Councillor Doreen Wright raised concerns over the availability of local school places given all the additional development in the area. It was suggested that the Parish Council should meet with the appropriate officer at SMBC to discuss this.

**Minute 184 (2015/16) Progress of SMBC Works**

SMBC had reviewed where additional double yellow lines were required, but nothing has been heard about this for several months – the Clerk to follow this up.

**Minute 185 (2015/16) Correspondence**SAC Meeting

The next SAC meeting is on Thursday January 21<sup>st</sup> 2016 in Cheswick Green, Councillors Trevor Eames and Doreen Wright will attend.

Cycling on the Pavement

A complaint has been received that this happens a lot in Dickens Heath, and many people are unaware that it is illegal. The Parish Council are aware of dangerous cycling in Dickens Heath, it has been reported to the PCSO, and residents should report any further incidences to the Police by ringing 101.

HS2 Petition to Parliament

The Promoter has responded and given assurances that they intend to co-operate with Historic England and the Planning Authority, and intend to follow good guidelines, and therefore the Parish Council's concerns will be addressed. In this case, there is no need for the Parish Council to send a representative to the House of Commons Select Committee – all agreed.

**Minute 186 (2015/16) Items for next agenda**

Rev. Peter Law Jones of the Anglican Church.

**Meeting ended 10.30 pm**

**Next Meeting : Tuesday January 19<sup>th</sup> 2016: 7.00pm The Parish Rooms**

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Date.....