

# The Parish Council of Dickens Heath

## Minutes of the Meeting of the Council held on Tuesday September 25<sup>th</sup> 2018 in the Parish Rooms, Waterside

### **Present:**

**Dickens Heath Parish Councillors;** Trevor Eames, Maureen Holloway (Chair), Diane Potter, Alan Scholes, Doreen Wright.

Solihull MBC Councillor; Ken Hawkins

Bill Robinson – an experienced Clerk, who provides training courses for Warwickshire Association of Local Councils (WALC) – present to advise on details of protocol/procedures if necessary.

39 members of the public

Clerk: Ms Helen Marczak

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### **Minute 60 (2018/19) Apologies for Absence**

Apologies were accepted from Councillors David Jones and Nargis Rashid.

### **Minute 61 (2018/19) Results of In Bloom and Winners of Garden Competition**

The Parish Council entered Dickens Heath into Heart of England In Bloom, and the Chair was delighted to announce that Councillor Doreen Wright attended the awards ceremony and received a bronze award for the village in the Small Town category. This is a great success for the first time of entering In Bloom, the Parish Council hope to build on this in future years and to get more of the community involved.

The Chair announced the winners of the best front garden competition, which was run in conjunction with In Bloom and judged by Rev Theresa Jones, and awarded the prizes to Priscilla Tickner, Mr Lee and David Bourne.

### **Minute 62 (2018/19) Statement by the Chair – Proposed Relocation of the Parish Council to the Library and Village Green/Playground**

The Chair read out a statement giving an update from the Parish Council on these important matters – the statement is included in full at the end of these minutes.

### **Minute 63 (2018/19) Public Participation**

#### Barriers at Waterside

A Waterside resident said that a barrier has been installed at the bridge at Waterside – which prevents dangerous cycling that is a risk to pedestrians. He asked whether the Parish Council would consider funding similar barriers at the Rumbush Lane end of Waterside. The Chair suggested that he should complete a grant application form.

#### Parish Council Reserve for Youth Provision

A resident commented that in 2012 the Parish Council held a reserve of £40,000 for youth provision – what has happened to it? The Chair said that 2012 was before the days of the current Parish Council, and Councillor Trevor Eames said that the Parish Council would have had overall reserves of this level as parish councils are recommended to hold reserves of around half of their precept. The Parish Council's reserves are now identified for various projects – including a new playground.

#### Sale of Parish Rooms

A resident said that it looks like SMBC will be taking forward a planning application for the community facility at the school in January 2018, with building hopefully starting soon afterwards. Would the Parish Council retain the Parish Rooms for the Youth Group to use until the facility at the school is available? The Parish Council haven't been informed about any dates for the facility at the school by SMBC, so the Chair said that they couldn't keep the

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Signature.....

Date.....

Parish Rooms just for the Youth Group. The resident then asked why there had been no public consultation over the sale of the Parish Rooms. The Chair explained in her statement that the Parish Rooms are not a suitable premises for wide community use, and they stand empty for most of the week even though they are a free resource for suitable community groups to use. The Chair added that there was no public consultation when the previous Parish Council purchased the property. The resident criticised the positioning on the agenda of the discussions about the proposed move to the library and sale of the Parish Rooms. He said that members of the public don't stay for the whole of parish council meetings so wouldn't have heard the debate. Agendas are publicized the week before the meeting, and the Chair is always willing to bring forward agenda items if they are raised during public participation.

#### Bin at Bridge in Large Nature Reserve

A resident asked whether a bin could be provided by the bridge in the large nature reserve. This to be raised with Matt Gardner of SMBC.

#### Litter in Small Nature Reserve

A resident commented that there is always lots of litter by the bench in the small nature reserve – the Clerk to ask Dickens Heath Management Co. (DHMC) if they litter pick there. He also added that the railway sleeper steps are quite rotten and getting dangerous – to be followed up with DHMC.

#### Sale of Parish Rooms

A resident thanked the Chair for her statement and said that many residents are concerned about the move to the library and sale of the Parish Rooms – he asked whether the Parish Council would reconsider. The Chair replied that the Parish Council has made its decision. The resident then asked who owns the library – the freehold is currently in the hands of liquidators. The resident commented that by selling an asset and moving to the library, which SMBC could potentially close, it is a risky venture. He asked the Parish Council again to reconsider.

#### Village Green

The same resident then brought up the Village Green, which the Parish Council are hoping to obtain from the liquidators – so that it can be in public hands. The resident said that the Village Green has no commercial value and was always going to be transferred into the ownership of Dickens Heath Management Co. (of which the resident is a shareholder). He therefore claimed that the Village Green cannot be sold/transferred to the Parish Council. The Chair replied that the Parish Council know that they will have to pay at least the legal costs of the transfer of the Village Green but other matters are still to be negotiated.

#### Parish Rooms and Village Green

A resident commented that many residents see the Parish Rooms lying empty a lot of the time, and maybe it makes sense for the Parish Council to move if all of the community groups using them can be rehomed. He asked whether there was an indicative price for the Village Green. Councillor Alan Scholes said that the Liquidators want to transfer the Village Green and the Country Park (small nature reserve) as a package, for a token charge. The Liquidators say that this will take around 12 months, they will try to deal with the Village Green as a priority – but they need to be convinced that the Village Green has no commercial value.

#### Village Green and Country Park (Small Nature Reserve)

A resident asked whether they could be sure that, if the Parish Council purchases the Village Green and Country Park, they will be protected through any changes in Parish Council. Members of the Parish Council confirmed that it would be safest to formally register the land as a village green. If the Parish Council owns the land, then they can register it as a village green. It is not a problem if the landowner agrees to it. The resident asked if this applies to the Country Park too? There are lots of planning restrictions and covenants on both pieces of land, so it would be very difficult to build on them.

Another resident commented that it was obvious that the Village Green and Country Park should be in the hands of the PC. Dickens Heath Management Co. are having a great deal of trouble in financing their obligations – the last organisation you'd want in charge of the Village Green is DHMC.

Bent Street Lamp on Main St

A resident said that a contractor has bent a street lamp at the end of Main St. Councillor Trevor Eames will get in touch with Elegant Homes about it.

Move to the Library

A resident asked what arrangements had been made about the use of the library building? The Parish Council will be meeting with SMBC library officers early in October to discuss general arrangements for sharing the building. He added that the running costs of the Parish Rooms (excluding the loans costs) were around £7,000 p.a. – he asked what the running costs would be at the library? These are being finalised, but will be less than current costs (including the loans). The resident then asked whether there had been discussions about access to the library for community groups out of opening hours? The Chair replied that it is currently difficult to manage access to the Parish Rooms and community groups all have to have keys. She assured him that the Parish Council would not deny the community groups from the Parish Rooms if located at the library building.

Move to Library

A resident asked what would happen if SMBC decided to leave the library building because it wasn't viable? Councillor Trevor Eames said that SMBC have constraints with the library – they can't sell and so they would have to find an alternative use that is of benefit to the community. They want to find an alternative use for part of the library in order to make it viable. Another resident asked whether SMBC owns the freehold of the library? They have a lease – which was 999 years when they took the lease on. The resident commented that the PC has no control over SMBC, who could just close the library. The Chair said that if the Parish Council moves in to the library, that will help SMBC with costs. SMBC also have a problem with lone workers, and the library will not open with a lone worker. The presence of the PC could allow opening hours to be extended.

Parish Rooms Location

A resident commented that there is a real issue with all of the cars dropping off and picking up at the 11+ tutoring business at Waterside. The current Parish Rooms is not a good position for a busy community premises.

Youth Group

A resident said that the loss of the playground and now the loss of a home for the Youth Group is a real issue. The Chair replied that the Parish Council feel that they are acting in the best interests of the village overall, but they are really sorry about what has happened with the Youth Group – the Parish Council never intended to make them homeless.

Marketing of Parish Rooms

A resident asked whether there has been any interest in the Parish Rooms? The Chair replied that there have been some viewings. Another resident asked how long it would be before the Parish Council move? He said that he wants the library to stay, and that the library is more important than the Parish Rooms. The Chair replied that the Parish Council don't know – but expect it to be towards the Spring of 2019.

Safety of Parish Rooms

A resident commented that the layout of the Parish Rooms must mean that there are health and safety issues with respect to young people using the premises. All groups booking the Parish Rooms have to do their own risk assessments, and the Parish Council have declined some booking applications that involved young children because they felt it was too high risk.

**Minute 64 (2018/19) Youth Facility**

Chair Maureen Holloway gave an update on the latest situation regarding youth provision. Members of the Parish Council have spoken to SMBC officers and the Police regarding interim youth provision – to cover the gap between the availability of the Parish Rooms and the opening of the new community facility at the school. The Police are planning to run a 'World Café', which will consult young people on what they want from a youth facility. The Police will fund this, it will take place at the school and is likely to happen in early November 2018. This is then due to be followed by a regular youth provision at the school, so there will be no period without anything for the young people of Dickens Heath. Residents agreed that this sounded really positive.

**Minute 65 (2018/19) Parish Council Proposal to Relocate to the Library**

The Chair then asked for a show of hands from those present at the meeting as to whether they supported the Parish Council’s proposal to relocate from the Parish Rooms to the library. The overwhelming majority of those present raised their hands in support of the proposed move, with young resident Emily adding that she wanted to support the library because it is a really good place for children to chill out.

**Minute 66 (2018/19) Declarations of Interest/Requests for Dispensations**

None.

**Minute 67 (2018/19) Report from Borough Councillors**

Borough Councillor Ken Hawkins gave an update which included the following:

- He congratulated the Parish Council on work being undertaken on behalf of the village.
- SMBC have been looking for a partner to share the library building for a while.
- He is very angry that the recent planning application at 85 Birchy Leasowes Lane was approved.
- He would like to work with the Parish Council with regard to future flood protection measures.

**Minute 68 (2018/19) Minutes of the Parish Council Meeting held on Tuesday July 10<sup>th</sup> 2018**

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

**Minute 69 (2018/19) Actions from the Minutes of the previous meeting**

Newsletter

Unfortunately the newsletter for September did not go out as planned, and so it was agreed to try again for a November newsletter with updated news – to be placed on the agenda for the October meeting.

Memorial

The memorial installation is well underway, and the memorial dedication service is planned for Saturday November 3<sup>rd</sup> 2018 at noon.

Halloween

It was agreed that a Police presence in the village for Halloween should be requested.

**Minute 70 (2018/19) Planning Applications**

No comments.

**Minute 71 (2018/19) Village Issues**

Welcome to the Village Signs

Councillor Alan Scholes confirmed that the rest of the signs are due to be installed some time after November.

Hanging Baskets

These are past their best and need to be taken down – the Clerk to contact Plantscape.

Youth Group

Chair Maureen Holloway was informed at the end of public participation that the Youth Group have not restarted at the Parish Rooms for the Autumn term, which the Parish Council were not aware of. The Clerk to ask the Youth Group leader what their plans are.

Solar Christmas Trees

It was agreed that the solar Christmas trees should be ordered again – the same number as last year.

Remembrance Sunday

The paperwork for the road closure has been submitted to SMBC. It was agreed that the Clerk should make all the usual arrangements for Remembrance Sunday. It was agreed that

Coffee Cloud be asked to provide the refreshments for both Remembrance Sunday and the memorial dedication on Saturday November 3<sup>rd</sup>.

### **Minute 72 (2018/19) Financial Matters**

Proposed by Councillor Holloway, seconded by Councillor Potter, **Resolved** that the payments in Appendix I of the September 25<sup>th</sup> 2018 Agenda be approved – 2 direct debits and 18 payments totalling £6,553.86 for August 2018 plus 6 direct debits and 22 payments totalling £6,010.75 for September 2018. September included additional payments of £26.66 to Opus for electricity, £6.75 to Alan Scholes for memorial expenses, and £725.58 to Savills for the quarterly service charge.

### Report on the Finances of the Council

This was received – there is currently a surplus of £99,000.

### Annual Governance and Accountability Return

The Annual Governance and Accountability Return for 2017/18 has been received back from the external auditor PKF Littlejohn with no action to be taken.

### **Minute 73 (2018/19) Correspondence**

#### In Bloom

Dickens Heath Allotments would like to be involved with In Bloom for next year.

#### Incidents Reported to the Police

Residents have expressed concern about a couple of recent incidents – one when a drunken person tried to break down the communal door to Market House, and another questioning whether there are sufficient Police patrols through the village given the 2 recent high speed pursuits through Dickens Heath. Both have been forwarded to the local Police team.

#### Problems with the Condition of Local Roads

Concerned residents have contacted the Parish Council with regard to the condition of Braggs Farm Lane and Cleobury Lane. These to be followed up with SMBC.

### **Minute 74 (2018/19) Items for Next Agenda**

Newsletter, Social Media Policy

**Meeting ended 9.10pm**

**Next Meeting : Tuesday October 9<sup>th</sup> 2018: 7.15pm The Parish Rooms**

**Statement by Dickens Heath Parish Council for 25<sup>th</sup> September 2018  
Council Meeting regarding issues relating to:-**

- a. The Parish Offices and Move to the Library**
- b. The Village Green including Play Area and the Country Park**
- c. The Junior Youth Club**

The present Parish Council was elected in May 2015 and over the past three years has sought to address some of the inherited position - problems regarding the viability of the council premises, acquiring the village green and the provision of community facilities especially for the young people of the village of Dickens Heath. We have also worked with Solihull Council on options to safeguard the Library and other issues to improve facilities for the village.

**The Parish Offices**

The operation of the Parish Offices from Wharf House has proved to be unsustainable and represents very poor value for the community for a variety of reasons. The premises were purchased in 2010 when the property became available after alternative arrangements for the possibilities for using the Library or Village Hall were aborted. The purchase was funded by a Mortgage Loan from the Public Sector Loans Board at a fixed interest rate when interest rates were significantly higher than they are now. We would have liked to have repaid the loan or a significant part of it but that would have triggered a penalty clause for early redemption. In retrospect the purchase and conversion costs have proved to be a bad investment.

**Suitability of Premises & Restrictions on Viability**

Apart from monthly Council Meetings for Parish Council Administration Purposes the office section is used for very restricted hours by the part time Parish Clerk and her clerical assistant, plus occasional other meetings by Councillors in the conference room.

The lease for the Parish Offices has very restricted use conditions and originally its primary use was stated as intended for use as Parish Offices and for the elderly this was minuted way back in 2010/11. It did not permit use as a Youth Club or drop in centre without a dispensation from the Landlord (which it does not have). The Parish Council has not been able to charge for lettings due to technical regulations applicable to the Parish Council for recovery of a large VAT element and use is provided free of charge for qualifying local community groups.

The premises are not suitable for many community activities because of size, layout, lack of storage, access doors, noise restrictions, low ceiling and strict lease restrictions. There isn't staffing available to control the use of groups, who are provided with keys and the responsibility for security and leaving the premises in good order. There have been problems with this and it is not a satisfactory way to be managing a valuable asset and its contents.

Despite being free to use by community groups, the actual use of the building is still minimal. It takes an inordinate amount of time to manage which the Clerk and her assistant just do not have.

A professional commercial valuation was undertaken in October 2015 which indicated there wasn't a market for business premises in Waterside at that time and the valuation was significantly below that owed on the mortgage even without the penalty redemption. It was agreed at that time to keep the position under review until market conditions improved. The indications now are that, subject to receiving a satisfactory offer together with the wider considerations, now emerging, there is a window of opportunity to sell and put the Parish Council on a sounder and more efficient footing.

### **Move to the Library**

The Parish Council has been very open in respect of Dickens Heath Library . At our very first meeting in May 2015 the future of the Parish Rooms and a move to the Library was considered in public. Twenty six

members of the public were present along with Borough Councillors Ken Hawkins, Richard Holt & Linda Brown. Councillor Brandum the previous Chairman is minuted as saying “that the previous Parish Council had been pleased and proud of the Parish Rooms. But also that, if the library is under threat a move to the library could be a possible way forward”. Since that time there has been an ongoing dialogue with Solihull Council over the future of the Dickens Heath Library which is the most expensive Community Library in the Borough. The library staff working hours were reduced to save money and as a consequence the opening hours of the library were reduced. A review has indicated that to protect the viability of the library the services could be reorganised and the layout within the ground floor area reconfigured to release the first floor as suitable for use by the Parish Council as permitted by the lease. The Parish Council had earlier indicated their support for the Library and an intention to dispose of the present offices when market conditions improved. The general terms of such an arrangement, with a ten year lease, has been agreed in principle but not finalised for the Parish Council to move to the first floor and share the amenity facilities of the kitchen and toilet. It was also seen as more fitting for the Parish Council office requirements and more accessible in the heart of the village for the medium term of our forward planning.

### **Implications for User Groups**

Considerable thought has been given to our user groups most of whom can be accommodated at the Library. These groups have been made aware of the potential move. Any surplus slots could be hired out and charged subject to meeting lease requirements.

An arrangement was agreed with Dickens Heath Sports Club in Rumbush Lane for their much larger club house to be available to the existing more active users of the Parish offices including use of their outside sports facilities. The adult Table Tennis Club have already migrated there very satisfactorily. Despite Barnardos moving out of the village some time ago we continued to allow them free use of the premises. We

were advised by their area manager that she was taking early retirement and wouldn't need use of the Parish Council offices in the future.

### **The Village Green, Children's Play Area and Country Park**

The previous Parish Council approached the Receivers for Parkridge Development Co Ltd late in 2014 with an offer of £1 for the Village Green. The low offer was made as it was not seen to have a commercial value.

It should be noted that the Receivers role was to maximise income from assets and they clearly had absolutely no interest in entering into any discussions with the Parish Council at that time. Since 2015 the current Parish Council has made repeated approaches to the Receivers directly and via the Management Company, as well as meetings with Solihull Council at a senior level for their assistance in acquiring the village green. Regrettably even letters to the Receivers from Solihull Council Solicitors went unanswered. The Parish Council tried reaching an agreement to fund repairs and upgrade the Children's Play Area after its closure on safety grounds without success. Receivers can be notoriously difficult to deal with and managing events in the village centre has proved to be very difficult over many issues, and it appears the original £1 offer was dismissed out of hand and has been a root cause of the total lack of any further interest in entering into discussions with the Parish Council.

### **Positive Update on the Receivership ending and handing back to Liquidators**

During September, the receivership of Parkridge Development Company came to an end. The Parish Council has now established a direct contact with the Liquidators who have had the residual assets including the Village Green and Country Park, handed back to them to dispose of. This has proved a very positive move and the Liquidator has indicated that he wants to deal with the Village Green and Country Park as a package. A transfer to the Parish Council is very much a preferred option. We are

now in the process of progressing discussions and clarifying details with Solihull Council Officers to take this forward as a key priority.

The arrangement and cost will much depend on establishing the covenants and restricted planning conditions preventing development on the village green and country park sites - to confirm they are of no commercial value. We would also like to see the village green area formally designated as such. The Parish Council will need to meet the fairly considerable legal and administrative costs involved. If all goes to plan this could be a one off opportunity for the Parish Council to gain control in perpetuity for the village of these two important amenity facilities. The Parish Council Reserves are adequate for this purpose without the need to increase the precept or rely on the sale of the Parish Offices to proceed.

**The Youth Group**

The junior youth group is an initiative of St. Patrick’s Church and is run by volunteers. Back in 2012 the Parish Council entered into a contract with St Patrick’s Church to accommodate the youth group in the Parish Offices on Wednesday evenings in school term times, and to jointly fund the cost of a youth worker. The Parish Council has also supported the youth club with funding for various events and equipment from time to time. When the youth worker’s contract expired last year we were advised that the Youth Club/Church did not want to renew it, they were happier to work with their own volunteers without any outside influence. The youth club has been run since that time by the volunteers under the auspices of St. Patrick’s.

The facilities at the Parish Offices have never proved suitable and both the previous Parish Council and the current one has been involved with Dickens Heath Sports Club with a view to making better facilities available there for youth and recreational use. We have designated Parish Councillor Dave Jones to deal with contact with the President of the club on behalf of the Council. The Parish Council also supports Dickens Heath Football Club who are now in their second season playing

home matches at Dickens Heath Sports Club Ground. Very regrettably there has been some confusion over the future of the junior youth group in respect of our premises from September and we are very sorry about that. We have indicated they are welcome to continue using the Parish Office pending its sale. We understand the offer at the Sports Club in Rumbush Lane with its better facilities is subject to further discussion with the Youth Club Leaders but access would mean parents taking their children to the club because of the lack of a pavement. Councillor Richard Holt presented a petition to Solihull Borough Council highways department at our request for the provision of a pavement, but this was turned down because of the costs involved. In addition a new purpose built Youth and Community Facility is proposed by Solihull Council to be located at the Dickens Heath Primary School, and to be funded by £300,000 of developers section 106 monies that can only be used for this purpose. It is intended to be a prefabricated building and subject to a pending planning application could be constructed fairly quickly. It will be managed by the school in partnership with Solihull Council. It would be available for youth, scouts, cubs and community groups and the like in the evenings and weekends and school holidays, and by the school in the day during term time. Whilst the Parish Council felt a facility using these developer funds should be more available to the wider community and had reservations on the lack of transparency on its revenue funding, it became clear there was no other suitable site option and it was agreed that the facility should proceed subject to planning approval. What we found worrying was that despite Solihull Council holding a consultation at the library during the later part of 2016 to get the views from the young people regarding the youth facility at Dickens Heath School site, only 8 responded in favour and a further 51 positive responses came from children of Dickens Heath School. Clearly it was not publicised enough to get the response expected from the majority of residents. Although, from the zero attendance at the Parish Council surgery held at the library in September 2017, it seemed that there was little interest from the residents. At the Parish Council meeting on 10 October 2017 it was confirmed that the Parish Council would not put any obstacles in the way of Solihull Council's proposals for the youth facility to be located at

the school site. The provision of the facility has been, and still is, in the hands of Solihull Borough Council and a planning application has yet to be made.

**Future Potential for Community Facilities**

Finally looking to the future, all new developments granted planning consent within the parish will be subject to a Community Infrastructure Levy (CIL) by Solihull Council. Should even some of the proposed developments in the parish go ahead this will generate substantial sums of money directly to the Parish Council to provide community facilities which will be taken into account with our longer term planning.

**By way of credits - thanks must go to** Councillor Alan Scholes for patiently liaising with PwC over many months and progressing issues they could deal with, such items as unblocking the BT Wayleave to upgrade the Garden Square central internet connection, and also ensuring that we are well placed to progress the purchase of the village green on closure of the Receivership. Finally to our clerk Helen Marczak who has been burning the midnight oil to progress these important issues on behalf of the Parish Council.

Councillor Maureen Holloway – Chair Dickens Heath Parish Council  
25<sup>th</sup> September 2018