

COLWALL PARISH COUNCIL

The minutes of the meeting of Colwall Parish Council held at The Jean Simon Room, Colwall Village Hall, Mill Lane, Colwall at 7.45 pm on Wednesday 29th August 2018.

Present: Councillors Beard, Burston, Butler, Cottam, James, Kendrick, Rees, Stock, Trafford-Roberts (Chairman), County Councillor Johnson and the Clerk.

1. Welcome and Apologies:

The Chairman welcomed those present.

Apologies were received and accepted from Councillors Bridgens, Daniels and Haynes.

2. Declarations of Interests:

The Chairman reminded Councillors of the need to declare any Interests in items on the agenda.

None were declared.

3. Minutes:

The minutes of the last meeting of the Parish Council held on the 26th July 2018 were agreed as a true and correct record and were signed by the Chairman.

The meeting was adjourned to receive reports from the County Councillor

County Councillor Johnson reported that Herefordshire Council are seeking additional funding from the LEAP scheme- details will follow if their application is successful.

Councillor Johnson also offered his assistance to the Clerk, in her ongoing dialogue with Balfour Beatty regarding the spending of the allocated S106 monies for “the proposed flood alleviation scheme at Brookmill Close” (see 4 (i) below).

The meeting was reconvened.

4 Progress Reports –

i) Flooding at Brookmill Close and remedial actions

The Clerk reported:-

Following Full Council on the 26th July 2018, the Clerk had sent the Parish Councils formal response to S Nowells “Technical Note” dated 1/5/2018.

The following response had been received dated 24th August 2018

“Karen,

With regards to the points raised we can update as follows:

1. We acknowledge that the Parish do not wish to maintain a ditch. We will make representations to the landowner, but if neither party wish to take on future responsibility for the works, further consideration of what may be appropriate will have to be undertaken.
2. i) Sufficiency of S106 Funds: The design will be costed in the coming month. Our initial estimate is that there are insufficient monies with the S106 alone, but that further funds can be accessed through the Environment Agency.
 ii) HC have approved spend by BBLP of up to £11,750 which has been split between 17-18 and 18-19 Financial Years. This includes survey works, CCTV, environmental study, topographical survey, and the design works.
 iii) As above- EA flood relief funding is available, and we have been in dialogue with them with regards to this matter.
3. The cost of the WinDes work is minimal (approx. 1 day of technical time) against the future spend and potential savings/additional cost if works were to be undertaken without surety that any measures have suitable capacity, but do represent an over-engineered solution.

Kind regards

Mark

Mark Hadley”

The clerk had sent a further email dated 28th August 2018

“Morning Mark

Thank you for your response, that has been most helpful.

Just two questions/queries

- 1. i) Confirmation of the exact amount of the remaining £30k (index-linked), that is available, following BBPLC investigative works to date.**

Whilst I appreciate from your email “HC have approved spend by BBPL of up to £11,750 split in the financial years 2017-18, 2018-19 for survey works, topographical survey and design works.

Colwall Parish Council have to date actually approved a spend of “up to a maximum of £5,000 (from the £30k index-linked) to be spent by BBPLC to undertake the viability works/research to drawn up the options available “to convey storm water from the existing headwall adjacent to the rail underpass to the existing culvert adjacent to the new housing development””.

I am trying to ascertain exactly how much of the £30k – index linked remains, and what works have been undertaken, from the descriptions above (some of which may well be duplications of themselves).

The descriptions being:-

i) The viability works/research to drawn up the options available “to convey storm water from the existing headwall adjacent to the rail underpass to the existing culvert adjacent to the new housing development”.

ii) And survey works, topographical survey and design works.

Do the survey works, topographical survey and design works follow stage i)? Or are any of them included in stage i)?

And how much of the £5k authorised was actually spent on stage i)/ spent to date?

2. Finally, are you advising that “in your professional opinion, BBPLC should not proceed without the WinDes work (which will be approx 1 day of technical time)”?

Should that be the case, can you please advise what the cost of that “approx 1 day of technical time” is please. Upon receipt of this quote I will put the request to Colwall Parish Council so that they can consider if they wish to authorise the spending of some of the £30k index linked on this report.

The Clerk advised she will refer Mark Hadley’s response to Full Council.

ii) Neighbourhood Development Plan

Councillor Stock reported the following:-

“There has been something of a pause in development of the Plan but it is now underway again.

The representations have been collected together by topic so they can be considered together and to ensure consistency. They will be put on our website shortly and also a copy of each representation as they were received.

All representations have been passed to Louise our consultant for her comments and view on the whether alterations to the Plan are required.

Many representations question the Landscape Sensitivity and Capacity Assessment and consequently Carly Tinkler has given a first response to those representations which is now being reviewed. We have also asked Carly to consider another representation which proposes an extension to the old school site development.

The target for development will have to be revisited because of beneficial additions such as behind the Rectory but also because of the planned re-development of Chevenham which will be a net reduction.

Herefordshire is currently unable to show it has a 5-year land supply and this could mean the Core Strategy will have to be revisited with a consequent risk to Plans that will no longer accord”.

iii) Proposed AONB Highways Signage – Councillor Stock had prepared a detailed report which forms an appendix to these minutes.
IT WAS AGREED that Colwall Parish Council accepted the recommendations contained therein and that the Clerk convey this to the Malvern Hills AONB.

iv) Highways Matters

Cadent Road Diversion – Following the last Full Council meeting held on the 26th July, Councillor Stock had chased up Steve Churchill – Network Regulation – NRSWA & Licensing Team Lead, Balfour Beatty on the 2nd Aug and the 16th August, for his outputs following his review of this issue.

No response has been received to either email.

IT WAS AGREED that the Parish Council would leave the matter with Balfour Beatty and not chase up again.

S106 monies Prioritisation for Highways/ Enhanced transport links with the School – The Clerk advised:-

Herefordshire Council Planning Obligations Manager Yvonne Coleman had confirmed in an email dated 20th August 2018 that “BB LP had been sent John Stocks original list for Highways works” (discussed at a meeting between John Stock and Yvonne Coleman and agreed by Colwall Parish Council February 2017) and that BBLP would be in direct contact with John Stock to discuss.

Yvonne had also confirmed, in a separate email dated 8th May 2018, “that the Highways S 106 monies identified “in this report” are included in the Balfour Beatty Annual Plan for designing this year.”

5. Co-option onto Colwall Parish Council

Following receipt of an application form and confirmation of eligibility

IT WAS RESOLVED that the Parish Council co-opt Elonka Soros on the Council. The Clerk will send on the welcome pack and invite Elonka to the next Full Council meeting on the 26th September 2018, when subject to signing the “Acceptance of Office” Elonka will become a Councillor of Colwall Parish Council.

6. Financial Matters.

i) Colwall Parish Council considered the Income and Expenditure for August 2018, as per the list circulated at the meeting.

IT WAS RESOLVED that the payments should be authorised.

7. Colwall Library

The Clerk reported

i) She had emailed Jon Chedgzoy, the Head of Herefordshire Council's Library Services, with an updated draft Service Level Agreement, which reallocated the current responsibilities of the Millennium Room Trust, following Councillor Kendrick's discussions with Jon Chedgzoy earlier this year. A response is awaited.

ii) The Clerk had received an email from the Millennium Room Trust dated the 6th August 2018, which she had referred to both the Parish Council auditor and retired Solicitor, Councillor Daniels.

Following their professional advice, the following holding response had been sent to the Chairman of the Millennium Room Trust on the 14th August 2018.

“Morning Stephen

Further to your letter of the 6th August 2018, I have consulted with both Parish Council's auditor and Solicitor about the contents and requests therein.

Based on the advice received from both parties, I would like to discuss with you their recommendations, which I have summarised below:-

1. Any funds received from the Millennium Room Trust, could be designated into a specific reserve created in Colwall Parish Council's accounts. The recommendation is that the specific reserve be designated under the heading of the “Millennium Room”, and the Parish Council could undertake that the funds in this new Reserve, would be used for the maintenance of the building; as per the specific request of the Millennium Room Trust.
2. Any fixtures, fittings and furnishings received from the Millennium Room Trust, (which are to be catalogued before any handover by the Millennium Room Trust and agreed with the Parish Council) again the Parish Council could undertake that these items are used for the purpose of the Millennium Room.
3. The Parish Council will consider at the next Full Council meeting the request for the Colwall Village Society continuing to store and maintain the local history archive in the Millennium Room.
4. Access to the Millennium Room, hall, storeroom, tearoom and toilet outside of library hours, and the responsibility thereof, is to be discussed and agreed at the next Full Council meeting.

5. Finally, regarding the sublease from Herefordshire Council to the Millennium Room Trust; subject to this being undertaken before the “winding up” of the Millennium Room Trust, the sublease could be transferred to the Walwyn Meadow Charity.

All the above will be subject to Herefordshire Council and Colwall Parish Council agreeing and signing a new service level agreement (which I am currently liaising with Herefordshire Council regarding this matter).

Perhaps you could give me a call to discuss tomorrow morning if convenient, or if not let me know when you are around during the next few days, and we can find a time that is mutually convenient to discuss in more detail.

Subject to our discussions/agreement to the above, I would like to put a detailed proposal to the Parish Council, at the meeting which is scheduled for the 29th August 2018”.

The Clerk confirmed that the Chairman of the Millennium Room Trust had contacted her by phone and was in agreement with the points raised in the email.

The Clerk proved a summary of both the letter and holding response to Full Council.

After a period of debate, IT WAS AGREED the working party need to consider the requests (particularly points 2, 3 and 4) in more detail, a formal response can be sent to the Millennium Room Trust, consequently the Clerk will send a further holding letter to the Chairman – Stephen Hart and also add the item to the agenda for the meeting on the 26th September 2018.

8. Governance update following recent legislative changes

i) IT WAS RESOLVED that Colwall Parish Council adopted the NALC Personal Data Management and Audit Policy April 2018.

ii) Following the adoption of the Herefordshire Council Code of Conduct in June 2018 re Clerk drew the Councillors attention to the flow chart contained therein to assist Councillors in their decisions as to their need to “Declare Interests” at Parish Council meetings.

iii) Requests for information under the “Freedom of Information Act” and the “Notice of Publication of Unaudited Annual Governance and Accountability Return”.

The Clerk advised Councillors of 2 recent requests for information under and what had needed to be undertaken to comply with the requests. Councillors were reminded “full disclosure” is required upon receipt of information under the “Freedom of Information Act”.

iv) IT WAS RESOLVED that Colwall Parish Council adopted the NALC Model Standing Orders 2018 (England).

9. Correspondence for Processing

i) “Herefordshire Council Cabinet Update” relating to the meeting held on 27th July 2018. No comment was made the contents therein.

ii) Update on the “Informal consultation from Herefordshire Council planning department re Planning Consultation 181274 – Site at Walwyn Garden, Walwyn Road, Colwall for 26 retirement flats and 5 dwellings plus associated buildings”.

Councillor Trafford Roberts provided a summary of the events relating to this item and advised Councillors that Councillor Stock would make a formal presentation at the Planning Committee meeting, following this meeting, having received “Amended plans for the proposed 26 retirement flats and 5 dwellings plus associated buildings at Walwyn Garden (the former bottling plant site)”.

iii) Local Government - Future of Adult Social Care Consultation.

IT WAS AGREED if a Councillor wished to review this paper and make a representation to the Parish Council at the next meeting they should contact the Clerk for details of the paper.

iv) Neighbourhood Development Plan Regulations 14 consultation - comments from Balfour with Berringtons.

Following subsequent communication between the Clerk and T Lee, this letter has been forwarded to the Neighbourhood Development Plan Working Party for inclusion in the Colwall Parish Council -Regulation 14 consultation - feedback.

10. Correspondence for Information.

See Table attached.

11. Reports of Committees.

i) **IT WAS RESOLVED** that the report from the Planning & Development Committee meeting held on the 25th July 2018 be received, approved and adopted.

ii) **IT WAS RESOLVED** that the report from the Village Amenities Committee meeting held on the 1st August 2018 be received, approved and adopted.

12. Representatives on Outside Bodies.

To receive reports from Councillors who have represented Council at meetings since the last Full Council meeting.

i) Councillor Rees reported that the Malvern Hills Trust Land Management Committee had discussed the potential resurfacing of Stowe Lane and decided that they did not wish for it to be tarmacaden. Discussions are ongoing with the applicant and the Malvern Hills Trust.

13. Date of next meeting:

To confirm the date of the next Full Council meeting, this will be held on Wednesday 26th September 2018 at the Jean Simon Room, Colwall Village Hall.

The Chairman closed the meeting at 8.55 pm.

Signed: **Date:**

Table Correspondence
August 2018

Document 1	Malvern Spa Association Invitation to the 20 th Anniversary Party 8 th September 2018.
Document 2	Unity Bank – notification of rate in interest change on deposit account – increasing to 0.4% on 3 rd August 2018.
Document 3	Herefordshire Council informal consultation – Draft Children and Young Peoples Plan for Herefordshire (Fwded to Cllr Kendrick 24 July 2018 for response on behalf of CPC by 30 th September 2018)
Document 4	Holding letter dated 14 th August from “Balfours with Berringtons “– acknowledging CPC letter to A Lloyd regarding the proposed “Linking of Colwall Primary School to the Village Footpath Network”. The letter advises that the land agent will probably be discussing this letter with the landowner at a meeting in early September 2018.
Document 5	Letter/Notification of the “Completion of the Limited Assurance Review for the Year ended 31 March 2018” dated 8 th August 2018 from PKF Littlejohn LLP.
Document 6	Malvern Hills Trust – email re the proposed public consultation plans for a Charity Commission Scheme advising that “this has been delayed as the consultation is unlikely to start until October at the earliest”.
Document 7	CPRE - Fieldwork Summer 2018 CPRE – Countryside Voice Summer 2018 Edition