

MINUTES OF THE ANNUAL MEETING OF EARLS CROOME PARISH COUNCIL HELD ON TUESDAY 25th MAY 2021 AT 7.30 PM AT EARLS CROOME VILLAGE HALL.

PRESENT: Jonathan Prior (Chairman), Penny Green, Margaret Herbert, Robin Tomkins, Charlotte Bloomfield and Tom Goodwin (Members), Jeremy Owenson (District Councillor) and the Clerk. Malcolm Tomkins (Tree Warden) Andy Millward (Lengthsman).

1) ELECTION OF CHAIR

Margaret proposed Jonathan, Robin seconded the proposal, which was agreed by all. Jonathan signed the declaration of Acceptance of Office form, specified under Section 51 of the local Government Act 2000.

2) APOLOGIES

Cllr Mark Smith & County Councillor Martin Allen (Martin had presented his report at the Parish meeting earlier as recorded in these minutes)

3) REGISTRATION AND DECLARATION OF INTEREST

- (i) The Clerk advised members of the need to update their Registration of Interest forms which are provided and kept by the monitoring officer of the Malvern Hills District Council Standards Committee.
- (ii) No declarations were declared.

4) TO NOTE THE CODE OF CONDUCT, STANDING ORDERS AND FINANCIAL REGULATIONS

The Code of Conduct for Members, which had been adopted by the Council in 2018/2019, and the Council's Standing Orders and Financial Regulations, which had also been adopted by the Council in 2018/2019 were noted.

5) PUBLIC: Two members of the public were in attendance, they had nothing specific to raise.

6) DELEGATION OF PLANNING AND OTHER MATTERS

- (a) It was agreed by all members that the function of responding to the Local Planning Authority be delegated to the Clerk.
- (b) It was agreed by all to re-adopt the terms of reference for the Staffing Committee, including delegated powers for recruitment, performance reviews and disciplinary & grievance procedures.

7) REPRESENTATIVES TO BE APPOINTED

Jonathan explained that with the variety of issues currently facing ECPC there was a need to allocate roles and responsibilities to create a fair division of the workload and assist the Clerk in knowing who to discuss each area with. He suggested that a Member be the point of contact for Open Spaces - including the Commons, Highways issues, Planning, SWDPR, Website and social media, and the Phone Box including defibrillator.

There was a general discussion regarding the need for this, Margaret suggested the Members needed time to think this over and discuss again at the July meeting. Penny suggested that at times more than one Member would be required for an area. The Clerk gave some background information and explained how this would support her and the Chairman in busy periods

8) LEGAL DOCUMENTS AND CONTRACTS

All legal documents regarding the ownership of the Village Hall and Playing Field are kept with Whatley Recordon, Solicitors in Malvern.

The contract with Worcestershire County Council to provide a Parish Lengthsman is effective until 31 March 2022, and the Parish Council's contract with Mr A Millward to provide the services of Parish Lengthsman is effective until 31 March 2022.

The contract with Worcestershire County Council to provide a Parish footpath clearing service via P3 scheme is effective until 31 December 2021, and the Parish Council's contract with Mr M Tomkins to provide the services of Parish Lengthsman is effective until 31 December 2021 – A discussion arose as Malcolm doesn't currently have a formal contract for this service. The Chairman asked the Clerk to draw up a contract for Malcolm.

The insurance contract with Zurich is due for renewal on 1st June 2021. The Members agreed to renew the insurance with Zurich but it was noted to review the insurance provider in 2022.

9) MINUTES

The minutes of the meeting held on 16 March 2021 were proposed by Penny, seconded by Tom, agreed by all and signed by the Chairman as a true record.

10) REPRESENTATIVE REPORTS

Worcestershire County Councillor Martin Allen

Martin reported that the recent Brook blockage reported at the Baughton traveller site had been rectified by the site manager following a letter from Hill Croome Parish Council. There could still be a discharge of sewage in the area, but the impact is not big enough for the Environment Agency to take any action.

Martin reported that the travel time from Worcester Parkway Station to central Birmingham was 30 mins and encouraged the use of the train when travelling to Birmingham.

Martin advised that buses were important to him in his role as a County Councillor and he would make what impact he could on the retention of rural bus services.

Martin advised that the Southern Link Road work continues to make good progress but there will be travel disruptions until its completion in March/April 2022.

Martin advised that he had been allocated a position on the Planning and Regulatory Committee and as such had to be mindful when discussing planning applications not to predetermine himself, so he could discuss, but not give opinion. Martin advised that the Cemex extraction application was scheduled for vote early in July but this was likely to be put back to autumn as further information was required.

Martin advised that despite the comments from ECPC regarding dust and noise at the Digaway Clearaway site, this was not being reported as an issue by regulatory services.

Worcester County Council are planning to build a new secondary school and Martin encouraged those present to complete the recently circulated survey as no particular location had yet be chosen for the School.

Martin had also recently circulated information regarding Airband supplying broadband to rural communities.

Martin reported that the building of the new roundabout was delayed whilst awaiting a licence from Natural England due to the crested newts being found at the location. Jonathan raised the need for frequent liaison meetings and Martin was hopeful for bi-monthly meetings, these could not start until the work begins. Jonathan advised that there was still no clarity regarding (a) the lighting, (b) the use of the 'old' road and (c) the speed limits. ECPC are keen to have a say in these matters. Martin advised that a report has been requested regarding the recent power cuts that residents in the location experienced.

Martin advised that it had been made clear to him as a Member, that all Highways issues must be reported directly onto the WCC hub, and that a reference number would be required by any County Councillor wishing to raise a Highways matter.

Malvern Hills District Councillor Jeremy Owenson

Jeremy talked about agenda items 11 and 13 as follows.

11) SWDPR

Jeremy advised that there had been an appeal upheld regarding the proposed new settlement in Rushwick. This unfortunately means that MHDC can no longer show a 5 year land supply. This leaves MHDC exposed to developers putting in applications for development without infrastructure in place. This will be ongoing until

the ratification of the SWDPR, which is still a plan in progress, and would not be of use as a planning tool for MHDC until it has government approval. Jeremy explained that the National Planning Policy framework protects rural areas such as Earls Croome however this development does leave neighbouring Parishes such as Ryall exposed.

12) HIGHWAYS MATTERS – incl. New Roundabout

Jonathan referred Members to what Martin had reported regarding the delayed start and the request for liaison meetings, and the need to keep an eye on the development of the roundabout as there still hadn't been confirmation of the approach lighting and speed limits. Another point to note was the use of the disused road at the location.

Penny advised there was still lying water near the scout hut on Quay Lane. The Clerk confirmed this had been reported on the hub and would escalate with the reference number to Martin.

Margaret reported ongoing driver danger being caused by road flooding at Dunstall by Turnpike Boarding Kennels. Margaret also reported a broken/sunken drain cover by the Church in Earls Croome – Andy confirmed this was a pedestrian hazard, having injured himself because of it! The Chairman asked the Clerk to report these to the hub. The Chairman suggested Members also report directly on the WCC website.

Margaret reported that the increased activities recently approved at Croome Composting seemed much more than applied for and asked the Clerk to follow this up. The previous County Councillor had said a condition was to keep a log of the lorry movements – can we get sight of this.

Margaret reported that work on the new solar farm at Defford was starting soon and that it would benefit from better signage. The Chairman asked the Clerk to advise WCC Highways.

13) TRAVELLER AND TRAVELLING SHOW PEOPLE SITE ALLOCATIONS DPD REVISED PREFERRED OPTIONS CONSULTATION 17 MAY TO 5 JULY 2021

Jeremy advised of the importance to review and comment on the allocations. He advised that reading the reasons why some sites are being rejected was as important as the reason for selected sites and advised Members that as sites higher up the list get rejected there would still be a need to fulfil the requirement and those further down the list may then be assessed. The allocations are suggested to be within 800m of a settlement boundary.

Jonathan agreed and asked Members to review and that a comment be formulated for submission.

14) PARISH PATHS

The Clerk confirmed that the WCC P3 allocation of £450 had been confirmed.

15) TREES

Malcolm reported that the trees planted last year were all doing well. He was compiling an article for the Bridge Magazine and for display on the Parish Notice Board.

Malcolm had requested TPO's not only for the oak on Dunstall Common but two further significant trees near to the new roundabout development, Malcolm reported that he had met with resistance by the tree officer at MHDC. The oak on Dunstall Common was rejected as it is on ECPC owned land and the other two trees are far enough away from the junction. The Members thought these were spurious reasons and raised that the trees by the junction may not be so far away when the new roundabout was implemented and that the lighting etc had not been confirmed as yet. Jeremy asked the Clerk to pass this information on and he would progress the TPO's with the MHDC officer.

16) LENGTHSMAN SCHEME

Andy thanked Malcolm for his handover training. He advised Members that he had also attended the WCC virtual lengthsman training session. The Chairman asked the Clerk to circulate Andy's contact details for any lengthsman work they may observe. Andy noted what Martin had said about reporting on the hub and gaining reference numbers before escalating any matters.

17) COMMONS

- a) **Smithmoor** -The Clerk advised that the solicitor registering the access track would require a Statement of Truth from someone to present to HM Land Registry. The solicitor will inform the Clerk who is required to do this. The Clerk confirmed she had the minutes books clearly showing the ECPC ownership.
The Clerk advised that there were several documents requiring authorization from the insurer in order to pursue the claim against Mr Teasdale's continued unauthorized and enhanced use of the ECPC owned access track. The Members asked the Clerk to circulate these, and they would read and authorize her to sign on behalf of the PC. The Clerk advised that she thought Mr Teasdale had laid water pipes alongside the track without authorization, however they do not appear to be connected to a water supply.
Jeremy advised that he thought it was wise to pursue legal avenues regarding the ECPC owned access track. The enforcement timescales being fairly lengthy and could be elongated should another revised application be presented.
- b) **Dunstall** - Malcolm reported that the dog fouling continues to be an issue, he had met the MHDC Street Scene Officer patrolling who had advised that the PC could request further signage should they feel that was necessary. Members discussed this and asked the Clerk to request x2 further signs which Malcolm would erect. Malcolm had approached an individual and the offending material had been colour marked.
Margaret reported an instance of fly tipping which she and her husband disposed of – the Members thanked Margaret.
- a) **Marsh** - Margaret asked regarding the ash die back and Malcolm confirmed the trees were numbered and regularly reviewed he would let Members know if any action was required.

18) REGISTRATION OF VILLAGE HALL & PLAYING FIELD DEEDS

The Clerk advised there was an ongoing backlog at the HM Land Registry and the solicitor would advise as soon as he had the documents.

19) PLANNING

- a) 20/01370/FUL Earls Croome Garden Centre: Erection of new replacement 1.8 picket fence, and entrance gates and removal of 7 conservatories and hard landscape areas and these areas to be replaced as hard standing level ground. – No Objection.
- b) 21/00240/HP Associated Ref: 21/00239/LB The Old Rectory, Church Lane, Earls Croome, Worcester, WR8 9DE: Single storey conservatory, extension to terrace and minor extension/ works to the adjacent existing Garden Room and Bat Roost. APPROVED.
- c) Cherry Blossom Cottage: for a car-port – new application
- d) 20/01827/FUL Baughton Stud, Smithmoor Common: Update on appeal & enforcement progress. Jeremy confirmed the appeal was against the enforcement notices and due to be decided by 31st May. Jeremy advised ECPC to keep progressing with private legal enforcements on their land and access via the ECPC owned track.

20) PHONE BOX

Penny advised the paint was peeling and in general disrepair. The Members thought it may not have been painted since it was purchased. The Members asked the Clerk to get prices for having it sanded and repainted to the correct standard.

21) FINANCE

- a) The monthly reconciliation of cash and other monies was undertaken for April & May by Charlotte & Penny.
- b) Following a review of the draft accounts, it was agreed by all that the draft accounts should be signed by the Chair and Clerk and adopted as the Council's annual accounts for the year ending 31 March 2021
- c) It was agreed that the Parish Council would use the services of Mr Mike Clemas as the internal auditor.
- d) Following a review of the AGAR exemption document, it was agreed by all to authorise the Chairman & The Clerk to sign the exemption certificate and return it to the external auditor.
- e) Following a review of section 1 of the Council's annual return for year ending 31 March 2021, it was agreed by all to authorise the Chairman and Clerk to sign section 1 of the Council's annual return for the year ending 31 March 2021.
- f) Following a review of Section 2 of the Council's Annual Return for the year ended 31st March 2021, it was agreed by all to authorise the Chairman and Clerk to sign Section 2 of the Council's Annual Return for year ending 31st March 2021

g) It was agreed by members that 14th June 2021 would be the commencement date for the exercise of Public Rights.

Payments made since last meeting were noted as follows:

Mr M Tomkins – Lengthsman payment – March	£168.00
Mr M Tomkins – lengthsman expenses	£48.38
Mrs N Nicholson – Clerk Salary- April (S/O)	£204.30
Mrs N Nicholson – Clerk working from home allowance April (S/O)	£15.00
Mr A Milward – Lengthsman Training– March	£24.00
Mr A Milward – Lengthsman payment – April	£78.00

It was agreed by all to authorize the following payments:

a) Mrs N Nicholson – Clerk salary – May (S/O)	£204.30
b) Mrs N Nicholson – Clerk Working from home allowance May (S/O)	£15.00
c) Mr A Milward – lengthsman payment – May	£TBC
d) Church Yard Grant	£175.00
e) Village Hall Grant	£130.00
f) CALC – Membership Subscription	£159.63
g) Zurich - Annual Insurance Premium	£399.22

Remittance noted:

MDCH 1 st Precept Payment	£1900.00
WCC Lengthsman reimburse February	£132.00

22. INFORMATION AND DATE OF NEXT MEETING

The next Parish Council Meeting will be held on Tuesday 13th July 2021 at 7.30 pm at Earls Croome Village Hall

Jonathan tendered his formal resignation to the Clerk. The Members thanked Jonathan for his hard work and clear leadership as both a Member and as the Chairman in recent years. The Members expressed how much Jonathan would be missed from the PC and the Community, they wished him and his wife all the best in their new home.

The Members decided to elect a new Chairman that evening, so the Council was not without a Chairman until July. Mark Smith (in his absence) had agreed to stand. Margaret proposed Mark and this was seconded by Penny and agreed by all. The Clerk would ensure the declaration and acceptance of Office was signed in her presence at the earliest opportunity.

A new vice Chair would be decided at the meeting in July.

Minutes of last months and previous meetings and other relevant information can be found at:

[My Parish \(worcestershire.gov.uk\)](http://My Parish (worcestershire.gov.uk))

Meeting Closed 9.25pm.