

**Minutes of the Parish Council Meeting  
Wednesday, 03 July 2019  
Parish Hall Elmdon Road Marston Green**

**Present:**

Cllr Frank Bunce – Chairman  
Cllr Clive Hill  
Cllr Barbara Tocher  
Cllr Jessica Rathbone  
Cllr Donna Williams  
Cllr Karen Dunn  
Cllr Kim Wallace  
Cllr Jonathan Horton

**Clerk:** Franciska Giles

**RFO:** Carole Cox

**Public:** 18 members of the public

Mr Paul Tovey – SMBC Sustainable Travel & Highway Management

**2783 The Public**

**Mr Bazeley**

Mr Bazeley enquired about who is responsible for cutting the hedges on Land Lane/Elmdon Road and Coleshill Road as both areas are heavily overgrown. The RFO said that both the Railway and Solihull Council (SMBC) and potentially some private landowners are responsible. The RFO also suggested to Mr Bazeley to take a photo so the Parish Council can send it to SMBC

**Mrs Byrnes**

- Wished to provide an update on Malthouse Row. She said that none of the residents of Malthouse Row want to take over the lane. She asked the Parish Council if they could fund the Row's repair work with the CIL money
- Cllr Karen Dunn suggested to Mrs Byrnes that there are small grants available for community projects which Malthouse Row residents could apply for. Such scheme is offered by LM who work on behalf of HS2. Cllr Karen Dunn offered to supply contact details of LM to Mrs Byrnes after the meeting.
- Cllr Jonathan Horton also said that the Parish Council could help Malthouse Row residents to write a letter to Solihull Council, and ask them on H&S ground, to fund the repair work of the Row. During the conversation Mr Paul Tovey from SMBC arrived and commented on Malthouse Row.

**2784 Mr Paul Tovey - Malthouse Row**



- Mr Tovey stated that Malthouse Row is a private road and although he understand the residents' concern he said that there are many similar private roads around the Borough. Therefore Solihull Council must be very consistent with such applications otherwise it could set a precedent which could lead to a large amount of civil applications.
- Mr Tovey understands that the Land Registry does not have a record of any ownership of Malthouse Row, possibly because nobody registered it in 1939. He advised the residents at Malthouse Row to seek professional advice from property consultant. Cllr Jonathan Horton stated that the Parish Council had used a specialised property consultant. The investigation confirmed that no owner is identified and that none of the residents have a special covenant on their deeds which suggest that they would have any responsibility to maintain the Row. Cllr Jonathan Horton also added that the residents of Malthouse Row feel that they do not know where to go from here if they would like to resolve the Row's H&S problem.
- Mr Tovey suggested that the residents should fund the emergency work together to which Mrs Byrnes replied that they have done that. Mrs Byrnes said that the residents of the Row have no objection to the public using the Row but she is concerned about its condition. As it is a public footpath, she fears that an accident is going to happen if the Row is not properly resurfaced.
- Mr Tovey advised that there is a legal process to convert a private road to a public street, however it is not an easy process. He also stated that anybody can register their interest for a private land and somebody may need to in Malthouse Row's case to start the process. That is because the council can only start their own process if they can adopt the Row from somebody.
- Mr Tovey advised that as there is no utility infrastructure present on the Row, it would need to put in. Positive drainage system must be installed too. All these work must be carried out and up and running for 12 months before the Borough Council would consider adopting Malthouse Row. Mr Tovey offered to take this matter back to SMBC and speak to Alison McGregor about it.
- Mr Byrnes asked if he could pay for a soak away system on Malthouse Row so it does not flood again and asked if the Borough Council would reimburse him for the cost. Mr Tovey offered to provide contact details of Mr Ed Bradford who is the Flood and Risk Officer at SMBC so Mr Byrnes could engage in a conversation with him.

#### **Mr Paul Tovey – Parking Restrictions**

- Mr Tovey commented on the proposed revised parking arrangements for Marston Green. He stated that the proposal was generally supported by the public and SMBC proposes implementing the new arrangements in September 2019 with a possible review after 2 years
- Mr Fox asked what is proposed for Land Lane. Mr. Tovey said that a section around the bridge on Land Lane is considered in this parking restriction proposal
- Mr Bazeley voiced his concerns about Elmdon Road/Station Road. He said that parking should be banned on the side of the Memory Garden to allow two way traffic. Mr Bazeley



stated that this section of the road is a high traffic area and motorists often force their way down without giving way to oncoming vehicles which is dangerous and could result in accidents. Mr Paul Tovey said that restricting parking on this section is an option however it is not identified in phase one. He also stated that reducing the length of the parking could be considered as he would need to allow parking when people use the Garden of Memory.

- A resident asked if there were plans of extending the station car park. Mr Tovey advised that Transport West Midlands is responsible for the carpark who has a parking improvement plan in place but there is only one carpark in Solihull which was identified to extend at the moment. Transport West Midlands (TWM) advised SMBC that they are also look at smaller urban carparks where overcapacity is an issue, like Berkswell, Hampton and possibly Marston Green. Once TWM decided on their priorities, they will submit planning applications to SMBC.

#### **Mr Paul Tovey – Private Hire Parking in Bickenhill**

- Mrs Barbara Tocher voiced her concern about private hire parking in Bickenhill. She said that the situation is getting worse by each day and that in addition of the taxis, a convoy of mini buses are regularly parking in Bickenhill. Mr Tovey said that private hire vehicles do not have any more privileges than private vehicles. He said that this matter is on SMBC list for review in November when SMBC is going to consider 131 locations where parking restriction may be needed. Mr Tovey also drew attention to the fact that parking restriction does not always solve the problem as parking is often re-distributed in the neighbouring streets or areas.
- Cllr Jonathan Horton asked if the Parish Council could be proactively supply information on this matter however Mr Tovey said that during SMBC's prioritisation process they will use a score card to make a decision on locations where parking restrictions are most needed. However, he encouraged residents to call 101 and log any incidents related to this matter so when SMBC scores the potential locations for parking restriction enforcements, they have supporting evidence.

#### **Mr Paul Tovey – Give Way Line in Bickenhill**

- Cllr Jonathan Horton thanked Mr Tovey for approving the Give Way Line to be repainted in Bickenhill. Mr Tovey clarified that he only authorised the Give Way line to be repainted at the junction with Catherine De Barnes Lane. Cllr Jonathan Horton asked if SMBC will repaint the Give Way line at the junction of St Peter's Lane too. Mr Tovey said that carriageway markings are considered as assets and the Borough Council is under pressure to reduce the overall cost of such assets. He stated that rural areas are the lowest priority and there are now no legal requirements to carry out this work. Mr Tovey also said that research suggests that when white lines are taken away the speed of travelling vehicles reduces.
- Cllr Jonathan Horton asked if Bickenhill residents could repaint these Give Way lines themselves. Mr Tovey said that the residents can apply to SMBC and the Council would consider this as an option and offered to supply the Parish Council with some quotes.



**Mr Paul Tovey – Pedestrian Crossing Request in Marston Green**

- Mr Tovey said that SMBC received a request for a pedestrian crossing on Station Road/Petrol Station junction. He said that the Borough Council must follow a two stage process where in the first stage an engineer assesses the possibility of a crossing first. In this matter, the first stage was successful. In stage two, a formal traffic survey must be carried out which is planned for September/October 2019

**Mr Paul Tovey – HS2**

- Mr Tovey advised that there are two HS2 processes the public is starting to hear about, the Enabling work and the Main work process. The Enabling work process is concentrating on moving everything out of the way for the railway. It will last for about 2.5 years. Work around Melbick Island is already under way and increased volume of HGV traffic is also noticeable. Mr Tovey advised that although more HGV traffic is planned, the lorries are not allowed to use Bickenhill Lane nor Station Road for HGV movements. The Main work process will start in approximately 1.5-2 years' time.

**Mr Paul Tovey – Planning Applications**

Cllr Clive Hill asked Mr Tovey whether SMBC's Sustainable Travel & Highway Management department ever get involved in the planning application process. Mr Tovey said that SMBC's Planning department deals with the actual application however both the Transportation department and the Highway department comment on each applications too.

**Mr Paul Tovey – Pedestrian Crossing Request in Bickenhill**

Mr Cotterill asked Mr Tovey whether there were any plans to install a crossing on Catherine De Barnes Lane in Bickenhill. Mr Tovey said that the area was assessed and there is a low demand for such a crossing. Mr Tovey however advised that that part of Catherine De Barnes Lane will be re-constructed when the M42 junction 6 works begin so there may be a possibility for a crossing in the future subject to an approval from the Secretary of State. Cllr Jonathan Horton asked whether Mr Tovey could update the Parish Council as and when Highways England submits a detailed plan of work planned in and around Bickenhill. Mr Tovey said that as SMBC is a consultee in this process too, he is happy to liaise with the Parish Council.

Cllr Frank Bunce closed the meeting to the public at 20:11

**2785 Apologies**

Cllr Wayne Hadley offered his apologies to the Clerk which were accepted

**2786 Declaration of Pecuniary Interests and Dispensations**

None

**2787 Approval of the Parish Council Minutes - Held on Wednesday 05 June 2019**



Cllr Frank Bunce asked members if they had read the minutes and if they could confirm these as a true and accurate record.

**Proposed: Cllr Jonathan Horton**

**Seconded: Cllr Jessica Rathbone**

**All in favour**

**It was resolved that the minutes were a true and accurate record**

**2788 Matters arising from the Parish Council Meeting on the 05 June 2019**

**Minute no. 2763 Wildlife Ways Presentation**

Cllr Frank Bunce advised that Mr Peter Sharples does no longer work for Solihull Metropolitan Borough Council. Cllr Jonathan Horton asked the Clerk to find out who is the new replacement for Mr Sharples.

**Action item:** *The Clerk to contact SMBC and enquire who the new replacement for Mr Sharples is*

**2789 Matters arising from the Recreation Committee Meeting – 17 June 2019**

None

**2790 Matters arising from the Planning Committee Meeting – 27 June 2019**

**Application no PL/2019/01387**

Cllr Clive Hill advised that the Planning Committee submitted a comment to SMBC on this application as follows:

*“Bickenhill & Marston Green Parish Council questions the need for an additional nursery provision in the village and is concerned about additional traffic this new nursery would create”*

**2791 Matters arising from the Finance Committee Meeting – 27 June 2019**

**2791.1 CIL Money (Minute No – 529)**

The RFO advised that the Finance Committee had met with Sheron French and Elle Dukes from Solihull MBC to clarify and outline the legislation regarding the spending of CIL monies.

In brief, it was confirmed that CIL money can be spent on projects that improve the infrastructure of the community. The decision-making process is solely within the remit of the Parish Council, however, community engagement, while it is not a stated requirement, would be seen as a positive step.

CIL monies are paid twice a year in April and October. The RFO stated that Sheron French advised that BMGPC would receive another payment of £14,869.93 due in October. This would be the final payment from the Chelmsley Lane development. The Parish Council will have to report to Solihull MBC each December on how the money has been spent. Any CIL money not spent after 5 years, the money may be re-claimed.



The RFO asked for clarification on if CIL monies can be used as donations or compensation or to benefit just one person. Sheron confirmed this would not meet the criteria of the legislation and she was willing to outline this in an email. The RFO also asked if the CIL monies would affect the Precept Application, again Sheron confirmed that they are two separate processed which do not affect each other. The RFO advised that Solihull Metropolitan Borough Council provided a Scoring Matrix on CIL spend which the Parish Council may use to mark and prioritise projects.

**2791.2 Bench Repair on 3Ms (Minute no 532.1)**

The RFO advised that the Finance Committee had discussed the cost of the bench repair and asked the Parish Councillors to approve the £148.

**Proposed: Cllr Jessica Rathbone**

**Secoded: Cllr Donna Williams**

**All in favour**

**It was resolved** that the RFO will raise the order

**2791.3 Litter Campaign Stickers (Minute no 532.2)**

The RFO stated that he raised a PO of £56 for stickers to be printed for the Litter Campaign and asked the Parish Councillors to duly note the order

**Proposed: Cllr Donna Williams**

**Secoded: Cllr Jessica Rathbone**

**All in favour**

**It was resolved** that the order was duly noted

**2792 HS2**

Cllr Karen Dunn advised that she attended an open session organised by, Fiona Woolston from LM on the 13<sup>th</sup> of June 2019. The feedback to LM was that they have to up the amount of information they are providing to the communities and Parish Councils as the pace of the ongoing works is very fast. Fiona Woolston confirmed that LM can comply with this request and suggested that leaflets will be issued and dropped-off at various locations, such as Church Hall in Bickenhill village and to the Clerk for distribution in Marston Green. Fiona Woolston also confirmed that more meetings will be organised across the area in 2019/20.

Cllr Karen Dunn advised that at the last meeting with LM, Mrs Barbara Tocher voiced her frustration over complex HS2 funding application processes. Cllr Karen Dunn and LM therefore discussed available HS2 funding and their processes and Fiona Woolston had now forwarded a summary of a simplified HS2 funding application process to Cllr Karen Dunn which Cllr Karen Dunn passed onto Mrs Barbara Tocher. Fiona Woolston also offered that if needed, she would be willing to liaise with HS2 funding applicants regarding form filling.

Cllr Karen Dunn stated that LM offering funding, namely the LM Community Fund, which can only be accessed if the applicant did not previously receive any HS2 funding. The LM Community Fund is designed with smaller projects in mind. Fiona Woolston advised that the LM Community Fund already helped many and gave an example of a redesigned new garden



at Ward End and painting at Bromford. Cllr Karen Dunn suggested that Friend of Marston Green Station Association might find this LM Community Fund of use.

Cllr Karen Dunn advised the Councillors that the next Drop-In Session organised by LM will be in Bickenhill on the 19<sup>th</sup> of July and the 10<sup>th</sup> of August in Marston Green. All other information in regards to funding and coming up open sessions are available on the HS2 website.

**2793 Airport**  
Nothing

**2794 Internal & External Committee Reports**

Cllr Frank Bunce advised that the AGM meeting of the Parish Hall was held on the 01<sup>st</sup> of July and said that he will update the Councillors on the minutes and reports at the next Parish Council meeting in September 2019

**2795 Finance – Payments for Authorisation**

The proposal was to authorise the payments detailed in the expenditure reports.

**Proposed: Cllr Clive Hill**

**Seconded: Cllr Jonathan Horton**

**All in favour**

**It was resolved** to accept the expenditure payments detailed on the reports

**2796 Correspondence**

**2796.1 Wildlife Ways**

The Clerk advised that Mr Daniel Hodson from Wildlife Ways informed the Parish Council that from early July to mid-August the landscape contractor *idverde* will be spraying the grass in selected areas to prepare for wildflower seeding in August and September. As a consequence, people may see large patches of yellowing grass followed by bare soil which could persist for some time due to the slow rate of wildflower germination. This work is essential to allow the wildflowers to establish over the winter, in preparation for them reaching their potential the following spring.

The Clerk also stated that as per Paul Tovey's suggestions on the 17<sup>th</sup> of July, it would be advisable to arrange a meeting with the Wildlife Project team to discuss any agreed and upcoming plans which are to be executed in and around Marston Green and Bickenhill.

All Councillors agreed.

**Action item:** the Clerk to arrange a meeting with Wildlife Ways project team

**2796.2 Safer Solihull Partnership**





The Clerk advised that the Parish Council received an important communication from Safer Solihull Partnership who is urging residents to report the anti-social use of motorbikes, which can be experienced at this time of year. In the past, there have been instances of people driving motorbikes, scramblers and quads recklessly over the borough's parks and open spaces, causing a nuisance and danger to others. Organisations within the Partnership including Solihull Council, Solihull Community Housing and Solihull Police, are continuing to clamp down on this type of behaviour and would like residents to contact them if they witness this type of behaviour. Anyone who witnesses anti-social behaviour (ASB) should call the ASB hotline on 0121 717 1500, the police on 101 or anonymously via Crimestoppers on 0800 555 111. People can also email address: [bikeissues@solihullcommunityhousing.org.uk](mailto:bikeissues@solihullcommunityhousing.org.uk) or go to <https://www.west-midlands.police.uk/your-options/illegal-road-bikes-and-mini-motos> to report any issues.

The Clerk asked the Councillors if they would agree to have this notice be put onto the Parish Council's Facebook page. All Councillors agreed.

**Action item:** the Clerk to put the notice from Safer Solihull Partnership onto the Parish Council's Facebook page

### **2796.3 HS2**

The Clerk advised that all upcoming Open-Sessions organised by HS2 are on the Parish Council's Facebook page and on the notice boards in Marston Green and Bickenhill village. These dates are also available on HS2's website.

### **2796.4 Councillor Resignation**

The Clerk advised that Mrs Barbara Tocher had resigned as a Councillor. On behalf of the Parish Council, the Clerk thanked Barbara for her commitment and contributions through all these many years and said that an official letter of Thanks will be sent to Mrs Tocher.

### **2797 Roads and Rights of Way**

Cllr Jonathan Horton provided an update on the M42/Junction 6 development. Cllr Jonathan Horton advised that the proposed slip road project is currently going through an approval process by the Planning Inspectorate. Cllr Jonathan Horton stated that the Parish Council submitted their Written Representation on the 3<sup>rd</sup> of June 2019. The area of concern in regard to the Compound is the North end of Bickenhill down to Church Lane. On the 6<sup>th</sup> of June 2019 Highways England provided a plan on what the Compound may look like. This is not a confirmed plan but shows what is likely to happen in the area. Cllr Jonathan Horton said that having looked at this plan, the affected parties still have concerns about it as the level of details been provided do not allow the parties to come to a conclusion and to accept the plan and still think that what Highways England is proposing is not acceptable.

Cllr Jonathan Horton stated that the Parish Council together with Bickenhill residents are committed to push the case. To support their objection to the Compound, the Parish Council have been part of some press articles, such as the Solihull Observer. Cllr Jonathan Horton also said that Hon. Dame Caroline Spellmann is supporting the Parish Council and Bickenhill





residents and Cllr Bob Sleight also raised this issue at the mid-June Cabinet Meeting in Solihull and requested that the Parish Council's Written Representation is to be submitted part of the Local Plan to Highways England.

Cllr Jonathan Horton advised that since June, another two major meeting took place.

- On the 2<sup>nd</sup> of July the Issue Specific Hearing took place, where two Planning Inspectors lead by Chief Inspector David Cullington listened to Highways England's presentation and their proposed plans. This was also the opportunity for other parties, such as the Airport and HS2 to voice their concerns. David Cullington was very receptive and wanted to understand what the major view of the involved parties is. The Parish Council registered their interest to speak at this meeting and was given permission to do so. As the outcome, the Inspectors asked Highways England whether they considered any alternative locations for the Compound to which Highways England confirmed that Bickenhill is their ideal locations.

The Planning Inspector asked Highways England to detail their strategy and look at viable alternative locations which can be discussed at the next meeting. This means that Highways England will need to work with the Airport and Solihull MBC in the next 5-6 weeks to identify potential alternative Compound locations.

- On the 3<sup>rd</sup> of July two Planning Inspectors visited Bickenhill village. The Parish Council sent their 4 representatives and many Bickenhill residents attended too. In short, the Planning Inspectors really wanted to get into the details and understand the concerns and it seemed they took on board what was said. Cllr Karen Dunn asked when the Inspectors will provide their feedback to which Cllr Jonathan Horton said that hopefully by the 3<sup>rd</sup> of September. In the meantime there will be hearings but at the moment no topics have been allocated to any of these hearings. Cllr Jonathan Horton also said that he asked the Inspectors to not to make any decision without consulting the Parish Council. The RFO also added her comments saying that based on her past experience relating to applications and Inspectorate being involved, she feels that the Inspectors, accessing the Bickenhill Compound matter, are willing to hear from the parties and have a positive attitude.

**2798 Bus and Train Services**

Nothing to report

The Parish Council Meeting was closed at 20:50 GMT

**2799 Date of Next Meeting:** Wednesday, 4<sup>th</sup> September 2019 at 19:30

Venue: Church Hall, Church Lane, Bickenhill, Solihull B92 0DN

