

FECKENHAM PARISH COUNCIL

Minutes of the Meeting held on Thursday 19 December 2013 at 7:30pm

Present Councillors: Chair R Williams
P Eaton
F Hawker
E Atkins
S Arthur

In Attendance J Eaton & RBC Cllr Chalk

Apologies and reasons: Cllrs Jordan & White

12/13/01 **Declarations of Interest:**

12/13/02 **Minutes of Previous Meeting**

The Council resolved not to approve the 21 November Minutes. **ACTION: Clerk to correct:**

1. Minute 11/13/05: *Cannot give indication on views concerning Paddocks application until meeting is held in January; (DELETE) large sewer piping a possibility through Feckenham if passes.*
2. Minute 11/13/33 – 2nd Par: *The frontages to the road are: The Wheatley's, Bayliss', Cricket Club, Checkley's and Shute's. But many people use this section of road as a turning around. J Eaton reported the path is finished, but the gate doesn't properly close. The J Eaton comments should be a separate Minute reference 11/13/34.*

12/13/03 **County Councillor Report:** Cllr Gretton reported the following via 19-12-13 email:

1. Apologies for being unable to attend.
2. Feckenham village sign on the Saltway approaching Feckenham from Alcester to be relocated at white gates: Kieran Hemstock of Worcs County Council will investigate on his return from holiday.
3. Licence for bench on Cruise Hill Lane: Carl Walker at Redditch Borough Council needs to be contacted as to exact location – should be no problem to grant a licence if it is obvious that the bench has long existed.
4. Rotting wooden posts on wide pavement at junction of Saltway. No further progress. But can I suggest – would it not be better to install metal posts suitably in keeping via FIG?
5. On general County Council matters, the main development since last meeting is that Worcestershire and Hereford Cabinets have agreed the way forward for the “Energy from Waste” plant i.e. incinerator burning non-recyclable household waste and generating electricity (and if possible heat for local factories) on the Hartlebury Industrial estate.
6. Happy Christmas and watch out for the speed camera!

12/13/04 **Borough Cllr Report:** Cllr Chalk reported the following:

1. RBC Local Plan 4 being reviewed to ensure evidence is adequate.
2. K Diggs reported Mill Lane drains are on a cyclical maintenance regime. **ACTION: FPC requested Cllr Chalk to investigate Astwood and Swansbrook Lanes.**
3. RBC will not help fund Mill Lane repair. RBC is investigating the legality of FPC repairing the bridleway.
4. WCC (C Walker) to inspect Rock Hill Lane hedge. Ownership of land in question.
5. Still not sure about FPC insurance being linked to RBC insurance.
ACTION: M Chalk to investigate if FPC can register with Information Commissioner under RBC.

Chair Williams made it clear that FPC supports the Paddocks Application.

See Public Question Time Notes at End of Minutes

PROGRESS REPORTS

12/13/05

Fig: The Clerk reports that Section 50(2) of the Highways Act 1980 allows a parish council to maintain a bridleway, whether or not any other person has a duty to maintain it, and section 43 of the Act allows it to maintain a bridleway which is a highway maintainable at the public expense. The Clerk recommends

1. FPC only helps facilitate any work carried out. Perhaps the Frontagers should be the lead on work, collecting donations and be invoiced for work. This takes the Council out of any liability issues.
2. The owner(s) of the road are identified before work is carried out.
3. If FPC does get involved in collecting donations, it should be made clear that any collected funds not used for this particular work will remain in FPC hands to be used on future highways/safety/footpaths projects.

Three quotes have been obtained which are under consideration. Donations totalling £3,000 have been promised and Feckenham CC have committed to raising at least a £1,000. Another resident has indicated a substantial contribution. Work on fundraising continues.

Chair Williams conducted a search of the Land Registry and found no evidence of registration of ownership of the un-adopted part of Mill Lane.

Chair Williams made it clear that if FPC will need to manage this project if the VAT is to be recouped.

Cllr Hawker: There are liability issues such as accident, flooding etc to be considered. Somebody owns the land and before work commences FPC should make a reasonable effort to ascertain who that may be. Perhaps FPC should seek legal advice in this matter.

Chair Williams reiterated that ownership of the land is unregistered and that FPC has liability insurance.

ACTION: Chair Williams to draft a statement of FPC intentions to repair the Bridleway and would like the owner of the land to be identified. This notice is to be published in the Parish Magazine and on the website.

There was discussion about recouping VAT. The Clerk was fairly confident that FPC could claim VAT, but that getting the work 0% VAT rated would likely not be an option.

ACTION: Clerk to confirm VAT can be recouped.

ACTION: Chair Williams to investigate the 0% VAT rated option.

12/13/06

Lengthsman: Cllr Atkins was to request the Lengthsman investigate pooling just after power station. The Clerk reported the following:

1. Ref#5937508: drains between Richardson's & Direct Floors blocked, need pipe jetting
2. Ref #5937532: drain opposite Moors Lane needs cleaning, full of roots
3. Ref #5937359: drains on both sides of Old Cider Mill drive need cleaning, can't open

12/13/07

Flooding: See Minute 12/13/06.

12/13/08

Estate Gates: See Minute 12/13/03-1

12/13/09

Footpath Warden: No update.

12/13/10

Posts & Tree Stump Opposite Forester: The Clerk reported the matter again on 13-13-13; requested tree stump pulled, three columns replaced and columns placed in such a manner as to prohibit parking on the pavement. Ref #5937223. Co Cllr Gretton was to investigate; no update.

12/13/11

Pool Barn Wall: The wall is owned by the developer. As the wall is not dangerous, Messrs Tricklebank and Furey will repair the wall when convenient.

12/13/12

Safety Mirror Rock Hill/Astwood Lanes: Debbie Degge reported the following: Whilst a mirror located on the main road may well help those joining the road, unfortunately a mirror is legally classed as an obstruction on the highway and therefore cannot be put up without the express permission of the Department for Transport. The Department of Transport are currently reviewing their guidelines with regards to mirrors and are not accepting applications for placement now until 2015. However, provision presently

requires accident data and other evidence that the site would meet the necessary criteria, which would not be the case in this instance.

There are two further concerns: (a) the lights from a vehicle emerging from a private access may shine onto the mirror and reflect into the eyes of an approaching motorist, causing considerable confusion and possibly an accident, and (b) the emerging driver may rely on the mirror, even though it might have become obscured or no longer be visible.

Before they will give approval the Department has to be satisfied that it is not reasonably practicable to improve visibility when emerging from the junction by any other means, as a mirror is a poor substitute compared with a physical improvement, which may be necessary to secure better visibility for drivers.

Hence, any improvement in visibility that can be gained by asking landowners to cut back foliage would be preferable as a first course of action.

Chair Williams believes hedge needs to be cut, may belong to Mr Cockburn. Hence, any improvement in visibility that can be gained by asking landowners to cut back foliage would be preferable as a first course of action.

Chair Williams noted that a mirror had been erected by the owners of the Forest in the garden belonging to Astwood Flats but that as no permission had been sought, said owner had removed mirror which was incorrectly positioned any way and of little benefit and placed in the car park to the Forest.

See Minute 12/13/04-4

- 12/13/13 **Bench on Cruise Hill Lane:** A request was placed for a license; ref #5739065. The Clerk requested an update on 11-11-13 – no reply. See Minute 12/13/03-3
- 12/13/14 **Walking Map Brochure:** Chair Williams reports the cost is £200-250 for 1000 copies. **ACTION: Chair to discuss design with the Whites.**
- 12/13/15 **Precept Request:** RBC has yet to make formal request for the precept. See 29-11-13 forwarded email concerning CALC report.
- 12/13/16 **Delegate User For Bank Accounts:** The Clerk is now a delegate and is awaiting the materials.
- 12/13/17 **Cllr Arthur:** Received Dec of Acceptance of Office and DPI. Matter resolved.

CURRENT AGENDA ITEMS

- 12/13/18 **TO CONSIDER FECKENHAM VILLAGE FOOTBALL CLUB JUNIOR DEVELOPMENT GRANT REQUEST FOR £2216.93**
The Council resolved to grant £250 for the improvement of the toilets. **ACTION: Clerk to include payment on February Agenda.**

CLERK'S UPDATE

- 12/13/19 **Schedule of Correspondence Not Yet Replied To**
WCC: Minerals Local Plan: 2nd Stage consult – comments due 31-1-14
WORCS Reg Serv Review of Statement of Licensing Policy; comments due 21-2-14
- 12/13/20 **Schedule of Correspondence Received** (not otherwise noted)
- 12/13/21 **Schedule of Correspondence Sent** (not otherwise noted)

PLANNING MATTERS

- 12/13/22 **FOR PARISH COUNCIL CONSIDERATION**

- 12/13/23 **RBC APPROVALS**
2013/160/LBC Brook House: Installation of a mill wheel in the recently excavated mill race and wheel pit in the hardstanding area in front of Brook House subsequent to making good the existing pit brickwork, along with protective fencing
- 12/13/24 **RBC REFUSALS**
12/13/25 **RBC PENDING**
2013/228/OUT The Paddocks Astwood Lane: 8 dwellings proving a mix of 4x2 bed, 2x3 bed 2x4 bed, one of which will be replacement dwelling for the Paddocks **SUPPORT**
- 12/13/26 **APPEALS**

COUNCILLOR REPORTS & Future Agenda Items

- 12/13/27 The Doctor's surgery has recently been closed due to flooding. The Council is concerned that the surgery will eventually close. **ACTION: Cllr Arthur to speak with Dr Cockburn.**
- 12/13/28 Cllr Hawker raised the matter of the Floodsax. Chair Williams has a small sample and will make parishioners with a high risk flooding aware of their availability.
- 12/13/29 Register FPC with Information Commissioner for February meeting.
- 12/13/30 VAS
- 12/13/31 Clerk's Contract

FINANCIAL MATTERS

12/13/32	Schedule of Invoices/Payments	
	Clerk Nov Stipend & Expenses	£261.82 LGA'72 101,11,12
	HMCR Clerk tax	£51.20 LGA'72 101,11,12
	A Farnsworth Oct Lengthsman	£181.50 PHA '36 s259/60
	Village Hall Rent Sept thru Dec	£9.99 LGA '72 s133
	*Botany Bay Winter Bedding Plants	£5.79 HA '80 s96

*Emergency Decision

- 12/13/33 **Schedule of Receipts**

Date and Venue of Next Meeting

- 12/13/34 Council Meeting at 7:30pm on 20 February 2014 at Feckenham Village Hall.

The Meeting closed at 8:45pm.

Signed
Chairman

Date

NO OPEN FORUM NOTES

Minutes prepared by Sean Arble, Clerk to the Council, 4 January 2014.