

**NEW FRANKLEY IN BIRMINGHAM PARISH COUNCIL**

At a meeting of the New Frankley  
In Birmingham Parish Council held  
at St Christopher's Church Centre,  
Holly Hill, Frankley on  
21 January 2002 at 1930 hours.

**Present**

Councillor Eric Carter (In the Chair)

Councillors Linda Banks, Michael Denny, Sidney Grey MBE,  
Reverend Derek Lewis, Kathleen Lewis, Joanna Walker  
and Geoffrey Williams.

Also in attendance –

Mr A Gunter – Lead Officer, Egghill Regeneration Project,  
Birmingham City Council

There were 7 members of the public present.

**APOLOGIES**

An apology for non-attendance was submitted on behalf of Councillor Kane (work commitments).

- 336 It was agreed that, in view of Councillor Kane's inability to attend a meeting of the Great Park Consultative Committee on Thursday, 24 January because of work commitments, Councillor Grey attend in his place.

**MINUTES**

It was proposed, seconded and -

- 337 RESOLVED: That the Minutes of the meeting of the Parish Council held on 17 December 2001, having been previously circulated, were taken as read, confirmed and signed.

**APPOINTMENTS TO OUTSIDE BODIES**

**Community Task Force Flood Management Committee**

Upon receipt of a nomination, it was agreed that Councillor Williams be appointed as one of the Council's representatives on the Community Task Force Flood Management Committee.

The Clerk advised that although he had checked the Minutes of previous meetings, he could find no record of the Chairperson having been appointed as the other Council representative on the above body. He therefore recommended that the Council take this opportunity of formally appointing the Chairperson to serve on the Community Task Force Flood Management Committee.

It was therefore, proposed, seconded and –

- 338 RESOLVED: That, for the period ending with the Annual Meeting of the Council in May 2002, Councillors Carter and Williams be appointed as this Council's representatives on the Community Task Force Flood Management Committee.

#### CHAIRPERSON'S ANNOUNCEMENTS

There were none.

#### QUESTIONS

There were none.

#### MINUTES OF THE PLANNING, ENVIRONMENTAL, PUBLIC TRANSPORT AND HIGHWAYS COMMITTEE

The Minutes of the meeting of the Planning, Environmental, Public Transport and Highways Committee held on 7 January 2002 were submitted –

(see interleaved document no. 1)

- 339 RESOLVED: That the Minutes of the meeting of the Planning, Environmental, Public Transport and Highways Committee held on the 7 January 2002 be noted.

#### VARIATION TO THE ORDER OF BUSINESS

The Chairperson stated that as Mr Gunter had another meeting to attend that evening, he proposed that the agenda item dealing with the Egghill Regeneration should be considered at this point of the meeting. On the proposition of the Chairperson it was therefore -

- 340 RESOLVED: That the order of business be varied and that agenda item 'Egghill Regeneration Project' be considered at this point in the meeting.

#### EGGHILL REGENERATION PROJECT

The following plan of the consultation proposals for the Egghill Regeneration Area was submitted -

(see interleaved document no. 2)

- 341 Mr Gunter gave a brief history of the Egghill Estate which had been built in the early fifties. It was a typical large estate of that period being built close to a major source of employment on the outskirts of the City and which had little or no support or amenities such as local shops etc. By the early nineties, the housing stock had deteriorated to such a extent that it had been accepted by the City that something had to be done. Since that time several proposals had been put forward culminating in the latest proposal. Discussions were being held with potential developers to replace the present housing stock with a mixture of private/social housing together with some commercial development. The issue of possible commercial development had always been part of the proposals although, even at this stage, there was no certainty that the area currently designated for commercial development would actually used for it. However, what was certain was that there would be no heavy industry included in the development as the City was seeking high tech industries and companies that would grow within the area and not move away when they expanded.

He was aware of the concerns of the local residents with regard to the proposals in relation to the commercial development but felt that those concerns could be addressed. There were, however, other concerns in relation to the possible increased traffic in the area as a result of the proposals and he accepted that would need to be investigated – there was a need to check whether the local roads would be adequate to cope with the possible increased in traffic. Consultations up to now had been mainly centred on the housing and he apologised for not consulting on the issue of the roads. A presentation on the proposals, including the road network would be made at a later date. He stressed that no firm decision had yet been made and therefore no application had been made to the City's Planning Department.

The Chairperson stated that as the proposals were still the subject of consultation, which local residents were involved in, he would not open the matter up for general debate. Once an application for Outline Planning Permission was submitted he would be prepared for the matter to be discussed at a future meeting of the Parish Council.

Councillor Grey felt that the opportunity should be given to those living adjacent to the development to get involved in the consultation process. The draft plan was still the subject of consultation and residents should be given the opportunity to get involved. He referred to first draft plan for the Great Park which bore no resemblance to the final plan and it was likely that it would be the same for the Egghill Regeneration Project.

At 1954 hours the Chairperson adjourned the meeting to allow members of the public to question Mr Gunter.

Mr Trefor-Jones (Grizedale Close), sought an assurance from Mr Gunter that residents from the Frankley side of Frogmill Road would be involved in the consultation, pro-rata to those already involved. He was also concerned of the impact the commercial development would have on property prices in the immediate locality. Mr Gunter stated that he had already offered to have discussions with Mr Trefor-Jones regarding representation on the consultative body. As to whether it would be pro-rata to those already involved, that would be a matter for further discussions.

Mr Trefor-Jones pointed out that the residents on the Frankley side of Frogmill Road were concerned as to the impact the commercial development and the increased traffic using Frogmill Road would have on their homes. Additionally, he suggested that the surplus land at the Longbridge Plant could provide a sufficient brown field site for the proposed commercial development to be built there. He had always assumed that the City's policy was to build houses on land freed up by demolition of houses.

The meeting re-convened at 1958 hours.

The Chairperson gave an assurance that the Parish Council would support the effected residents and, once the proposals were agreed and the application submitted for Outline Planning Permission, the matter would be discussed at a future Parish Council meeting.

#### BIRMINGHAM CONSTITUTIONAL CONVENTION

The following document was submitted -

(see interleaved document no. 3)

- 342 Councillor Grey reported that, in Frankley, the Parish Council was one step ahead of what was being proposed. The basic idea was to split the City into its 11 Constituency areas and devolve the provision of City Council services to each of the areas. A number of delegates at the Convention had requested that the services be devolved to the Ward level, but the Council felt, in the beginning, that would be too complicated. The 11 Constituency Committees, made up City Councillors and representatives of the various statutory and voluntary organisations within the Constituency area, would be responsible for carrying out the devolved services within their area although it was not currently clear what services would be devolved. The Committee could also further devolve the provision of services to a more local area such as the Parish Council. It was anticipated that the Parish

Council would be represented on the Committee, thus ensuring that the Parish Council had a greater say in what happened locally.

The next step was to set up shadow Constituency Committees which would be required to draw up proposals for the right model of governance for each of their areas. It was therefore important that the Parish Council took an active role so as to ensure that its views were taken on board. It was also important that the Parish Council showed that it was a responsible body which was capable of taking on additional functions.

### NEW FRANKLEY IN BIRMINGHAM PARISH COUNCIL'S CODE OF CONDUCT FOR MEMBERS

The following report of the Clerk was submitted -

(see interleaved document no. 4)

Following an introductory commentary by the Clerk, during which he answered Members' questions, it was proposed, seconded and -

- 343 RESOLVED:
- (i) That the Code of Conduct for Members, as set out in Annex A to the report now submitted, be adopted as the New Frankley in Birmingham Parish Council's Code of Conduct for Members;
  - (ii) that the relevant pro-forma appended to the report now submitted (Annexes B, E and F) be approved;
  - (iii) that each Elected Member of the Council give their written and signed declarations (Annex B(2)) to the Proper Officer of the Council as soon as possible and, in any event, within 28 days of this meeting of the Parish Council so as to avoid being automatically disqualified;
  - (iv) that within 28 days of this meeting of the Parish Council, each Elected Member of the Council submit signed returns for New Frankley in Birmingham Parish Council Statutory Register of Members' Interests and the Statutory Register of Gifts or Hospitality (Annexes E and F);
  - (v) that the Clerk be authorised to complete the legal formalities with regard to the adoption of New Frankley in Birmingham Parish Council's Code of Conduct for Members.

### CHANGES TO THE COUNCIL'S STANDING ORDERS

The Clerk advised that, consequent upon the adoption of the Code of Conduct for Members, a number of Standing Orders that referred to the former National Code of Local Government Conduct now needed to be amended. As Standing Order 77 required that any motion to permanently vary or revoke a Standing Order stand adjourned to the next ordinary meeting of the Council the Clerk would submit the required amendments to the next ordinary meeting of the Council.

It was therefore, proposed, seconded and –

- 344 RESOLVED: That the amendments to those Standing Orders affected by the adoption of the Code of Conduct for Members be submitted for approval to the next ordinary meeting of the Council.

### PROPOSAL TO CHANGE THE STARTING TIME OF MEETINGS OF THE COUNCIL

Following a brief discussion it was proposed by Councillor Williams, seconded and –

- 345 RESOLVED: That future meetings of the Parish Council continue to commence at 1930 hours.

### CASUAL VACANCIES

The Clerk advised that, following the resignations of Councillors Karan Bolton, Sheila Burton and David Burton, he had placed the Notices required by law on the Parish Notice Board in the Post Office advising of the vacancies. However, no claim for a by-election had been made within the time allowed and it was, therefore, up to the Council to fill the vacancies by co-option as quickly as possible. He suggested that a suitable advertisement be placed in the next edition of the Frankley Neighbourhood News inviting residents of the area or those whose place of work was in the area to apply to become a co-opted Member of the Council. If more than three applications were submitted then interviews could be arranged.

- 346 RESOLVED: That a suitable advertisement be placed in the next edition of the Frankley Neighbourhood News.

### PURCHASE OF COMPUTER SOFTWARE/HARDWARE

- A. 'The Clerk' Accountancy Package

- 347 RESOLVED: That the purchase of 'The Clerk' from Redview Computers at a cost of £270 plus VAT together with the subsequent annual fees be approved.

B. Iomega Ware Zip Drive

The Clerk stated that it was important that the Council had some facility of continually saving data files, such as the Word Processor files, from the Computer in case of Hard Drive breakdown or theft. He had suggested that the Council purchase a Zip Drive because he had a Zip Drive on his computer and the two computers would then be compatible. However, he had been advised before the meeting that the Council's computer included a re-writable CD drive and therefore there was no need to purchase another external drive as the data files could be written to re-writable CDs. The Clerk pointed out that currently, all the Parish Council files were saved on his hard drive and Zip Drive and that for ease of transfer, it would be simpler if both computers were compatible. Additionally, once the office was open, it was probable that he would still want to carry out work at home and there would therefore be a need for the easy transfer of data between the computers.

Following some further discussion, it was agreed that a re-writable CD drive be purchased and be fitted to the Clerk's computer.

- 348 RESOLVED: That approval be given to the purchase of a Re-Writable CD drive for the Clerk's Computer.

APPLICATIONS FOR GRANT AID

Hereon, Councillor Williams, as a member of the Management Committee of the Reaside Centre declared a prejudicial interest in the matter to be considered and left the room.

A Reaside Community Centre

The following application form for Grant Aid was submitted -

(see interleaved document no. 5)

Councillor Grey considered that it would be more beneficial if the Parish Council purchased the table tennis table and pool table then leased the equipment to the Centre. In that way, the Council could claim back the VAT on the items, which the Centre could not and, should the group fold up in the future, the Council could reclaim the equipment.

It was therefore, proposed, seconded and -

- 349 RESOLVED: That the Council, in accordance with its powers under Sections 137 and 139 of the Local Government Act 1972, agree to incur the following expenditure, which, in the opinion of the Council, is in the interests of the area or of its inhabitants and will benefit them in a manner commensurate with the expenditure: the purchase, up to a maximum of £350, of a pool table and a table tennis table to be leased to the Reaside Centre.

Hereon, Councillor Williams returned to the meeting.

The Clerk reported that he had received another application for grant aid since the agenda had been despatched.

B Tudor Rose Community Centre

The following application for Grant Aid was submitted -

(see interleaved document no. 6)

The Clerk advised Members that, in his opinion, the application for a grant to replace the signs did not meet the criteria for a payment under Section 137 and he, therefore, recommended that the Council refuse the application.

In response to a question from Councillor Grey as to whether the grant could be paid from any other source, the Clerk advised that it could be paid from the contingency fund but that he did not recommend that course of action as it could set a precedent for the future.

Following some further discussion, it was agreed that a decision on the application be deferred so as to enable Councillors Denny and Reverend Lewis, who were members of the Management Committee, to ascertain further information regarding the application.

- 350 RESOLVED: That a decision on the application for Grant Aid submitted by the Tudor Rose Community Centre be deferred so as to allow Councillors Denny and Reverend Lewis to ascertain further information regarding the application.

SIGNATORY TO THE COUNCIL'S CHEQUES

The following report of the Clerk was submitted -

(see interleaved document no. 7)

On the proposition of the Councillor Grey, it was agreed that Councillor Carter appointed as the replacement signatory.

- 351 RESOLVED:
- (i) That the Co-operative Bank plc ("the bank") shall continue as the Council's Bankers;
  - (ii) that the bank shall be authorised to honour all cheques and all other documents made or accepted on the Council's behalf even if such payment causes any accounts to be overdrawn or increase the existing overdraft, provided that such documents are signed by any two of the three nominated signatories;
  - (iii) that the bank shall act on all specimen signatories in accordance with any instruction, notice, request or other document in writing concerning the Council's accounts (including the opening of new accounts), affairs or property;
  - (iv) that the bank be sent a copy of any future resolutions which affect the terms of the above resolutions;
  - (v) that the bank shall be sent a copy of any changes in the Council's regulations;
  - (vi) that the bank shall be notified in writing of any change of Members;
  - (vii) that the bank shall be notified in writing of any change of official authorised to sign on the Council's behalf;
  - (viii) that the bank shall otherwise continue to operate account(s) in accordance with the Council's mandate.
  - (ix) that Councillor Carter together with Councillors Denny and Grey be the Council's nominated signatories.

#### APPROVAL OF CASUAL USER MILEAGE RATE FOR THE CLERK

The Clerk advised that as part of his Contract of Employment the car user rate payable for mileage undertaken on official duties had to be determined by resolution of the Council as either Casual or Essential User Rate. Casual Users were deemed to be those whom it was merely desirable that a car should be available when required whereas, Essential Users

were deemed to be those whose duties are of such a nature that it was essential to have a vehicle at their disposal whenever required in the interests of the efficient conduct of the business of the Council. As it was not essential that the Clerk had a car to carry out his duties, the Council were requested to resolve that the Clerk be paid the Casual Usage Mileage rate for mileage undertaken in the course of his duties.

It was therefore, proposed, seconded and –

- 352 RESOLVED: That the Casual Usage Mileage rate, as set by the National Association of Local Councils and the Society of Local Council Clerks from time to time be adopted for the Mileage incurred by the Clerk.

#### PLANNING APPLICATIONS

There were none.

#### DECISIONS MADE ON PLANNING APPLICATIONS

##### A 45 Woodham Close Frankley – Bedroom and Utility Extension

The following letter from the Planning Department was submitted -

(see interleaved document no. 8)

Members were advised that the Planning Application for the above extension, which had been considered at its last meeting, had now been approved.

- 353 RESOLVED: That the decision to grant Planning Consent for a Bedroom and Utility Extension at 45 Woodham Close, Frankley be noted.

Members were advised that, since the Agenda had been sent out, a further notification of the determination of a Planning Application had been received.

##### B 15 Quantock Close, Frankley – Erection of Attached Garage to Side

The following letter from the Planning Department was submitted -

(see interleaved document no. 9)

Members were advised that the Application for the Erection of an attached garage to the side of the property had been refused.

- 354 RESOLVED: That the decision to refuse Planning Consent for a Garage at the side of 15 Quantock Close be noted.

OFFICE ACCOMMODATION – 12 ARDEN ROAD, FRANKLEY

- 355 Members were advised that Planning Approval for the Change of Use of the Shop from Retail to Office Use had now been granted. The Clerk was in touch with the City's Property Services Division regarding the signing of the lease and it was hoped that the Council would be able to take possession of the premises shortly.

FRANKLEY CENTRE DEVELOPMENT

There were no developments to report.

CROSS CITY LINE EXTENSION

- 356 Councillor Grey reported that the Strategic Rail Authority had spent most of its money in the South East on the London Commuter Lines and although the Frankley Extension was estimated to cost in the region of £17 million it was not considered to be a major project. However, there was a fund of money which had yet to be spent in the Midlands and the Steven Byers, MP, the Secretary of State for Transport, Local Government and the Regions had told the SRA that it had to be spent.

The City's Transportation Department were still awaiting the Environmental Impact Report although they were aware that the report had been completed. Hopefully, therefore, a decision would be made on the funding in the near future and the consultation process agreed. The money was there and hopefully it would be used to fund the project.

ITEMS FOR INFORMATION ONLY

A Use of Reaside Centre as an Emergency Centre

- 357 Councillor Williams reported that the Management Committee of the Centre had agreed to its use as an emergency centre and he would be approaching the management of Safeways to see if they would be prepared to provide provisions in the case of an emergency. He would also provide the Parish Council with a list of Key Holders.

The Chairperson suggested that the Parish Council needed to set up a team of members who could be contacted in the case of emergency and who would know what action to take if an emergency occurred.

With regard to the possibility of using the Frogmill Centre as a second emergency centre, it was agreed that it would be better to get the one

centre up and running for the estate before setting up a second centre.

B 'Old' Frankley Name Plates

- 358 Councillor Denny reported that further name plates had recently appeared for 'old' Frankley which he considered had been placed in the wrong places. He requested that members kept their eyes open and if they saw signs going up, to make sure they were in the right place.

PAYMENTS

The following Schedule of Payments was submitted -

(see interleaved document no. 10)

It was proposed, seconded and –

- 359 RESOLVED: That the payments, as set out in the Schedule as now submitted, be approved.

REPORT ON ACTION TAKEN ON ISSUES RAISED BY MEMBERS OF THE PUBLIC

The following report of the Clerk was submitted -

(see interleaved document no. 11)

A Minute Nos. 155 and 258

The Clerk reported that he and the Chairperson had met a representative of Birmingham Accord on 17 January to discuss the paved area in front of the Gannow Shops/Reaside Centre. It was explained to Mrs Hart of Birmingham Accord that action needed to be taken to rectify the appalling state of the slabs in front of the shops which were a danger to pedestrians. It had been suggested to Mrs Hart that the area be tarmaced and the bollards replaced to prevent vehicles driving over the area to unload goods at the shop. In addition, it was suggested that a raised flowerbed be placed in the centre of the area as a further restriction to vehicles driving across the area. Mrs Hart said that she would discuss the matter with Mrs Woodall, the Local Housing Manger, and report back to the Clerk.

B Minute No 154

The Clerk reported that he had recently received a letter from CENTRO regarding the positioning of the shelter which was being requested. CENTRO wanted to know which of the two bus stops was used for the 'outward journey as that was the one which at which most

people would wait. However, CENTRO also had advised that there was likely that there was likely to be at least a two year wait for a shelter because of demand.

Councillor Grey pointed out that because of the circular route of the 49 'bus, there was neither an outward or inward stop. However, after some discussion it was agreed to request that CENTRO provide a shelter on Holly Hill adjacent to Tanania Close.

360 RESOLVED: That the report be noted.

LOCAL ISSUED RAISED BY MEMBERS OF THE PUBLIC

Signage for 'Old' and 'New' Frankley

361 Mr Stephenson suggested that discussions be held with representatives of the Frankley Parish Council to get their views on the subject.

It was agreed that Councillor Denny, who lived in the Frankley Parish, would informally discuss the matter with the Chairman of the Frankley Parish Council.

The meeting ended at 2120 hours.

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Chairperson