

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 July 2003 at 1930 hours.

Present

Councillor Eric Carter (In the Chair)

Councillors Linda Banks, Ian Bruckshaw, Michael Denny,
Sidney Grey MBE, William Hollis, Reverend Derek Lewis,
Kathleen Lewis, Stephen Trefor-Jones, Joanna Walker
and Geoffrey Williams.

There was 1 member of the public present.

APOLOGIES FOR ABSENCE

There were no apologies.

MINUTES

It was proposed by Councillor Grey, seconded by Councillor
Bruckshaw and -

- 703 RESOLVED: That the Minutes of the meeting of the Parish Council held on 16 June 2003, having been previously circulated, were taken as read, confirmed and signed.

CHAIRPERSON'S ANNOUNCEMENTS

There were none.

QUESTIONS

Mrs E M Pleece

- 704 Councillor Reverend Lewis reported that Mrs Pleece, of Garden Close, who had attended many meeting of the Parish Council as an interested member of the public had recently suffered a severe stroke. He requested, and it was agreed, that the Parish Council send Mrs Pleece a Get Well card.

Patch of Land to Rear of Romany Road

- 705 Councillor Joanna Walker reported that a number of residents of Romany Road had approached her requesting that an area of land

behind Romany Road be closed off. She believed that the land was originally used as a play area but now it was being used for joy-riding (motorbikes/cars) and the dumping of rubbish.

Councillor Grey undertook to take the matter up with the Housing Department.

Toucan Lights – Adjacent to the Junction of New Inns Lane and Boleyn Road

- 706 Councillor Joanna Walker questioned the reason for the delay in connecting the toucan lights at the cycle/pedestrian crossing adjacent to the junction of New Inns Lane and Boleyn Road.

In response the Chairperson advised that the delay was apparently due to a dispute as to who should pay for the electrical supply to the lights.

Dumping of Rubbish – Quantock Close/Thorntwaite Close

- 707 Councillor Linda Banks requested that consideration be given to the clearance of rubbish which was currently blocking the gully between Quantock Close and Thorntwaite Close and the provision of a “No Dumping Rubbish” sign to hopefully deter future offenders.

Councillor Grey undertook to look into the problem.

MINUTES OF THE SECTION 137 COMMITTEE – 1 JULY 2003

The following Minutes of the meeting of the Section 137 Committee held on 1 July 2003 were submitted –

(see interleaved document no. 1)

- 708 RESOLVED: That the Minutes of the meeting of the Section 137 Committee held on 1 July 2003, be noted.

APPOINTMENTS TO OUTSIDE BODIES

A Shadow Northfield Constituency Committee

It was proposed by Councillor Trefor-Jones, seconded by Councillor Bruckshaw, and –

- 709 RESOLVED: That, for the period ending with the Annual Meeting of the Council in May 2004, Councillor Carter be appointed to serve as the Parish Council's representative on the Shadow Northfield Constituency Committee.

B CENTRO – Extension of the Cross City Line

It was proposed by Councillor Reverend Lewis, seconded by Councillor Trefor-Jones and -

- 710 RESOLVED: That, for the period ending with the Annual Meeting of the Council in May 2004, Councillor Grey be authorised to attend meeting of CENTRO in connection with the extension of the Cross City Line.

TENANT PARTICIPATION ADVISORY SERVICE

- 711 At the invitation of the Chairperson, Mr Talbot, Midlands and South West Regional Manager of the Tenant Participation Advisory Service (TPAS) addressed the Council.

Following the Tenants' rejection of the City's proposals for Stock Transfer, the City had set up a Commission headed by Dr Ann Powers, to investigate the various options available to the City in relation to its Housing Stock. The Commission, following the consideration of evidence presents by various interested parties, recommended that a Community Based Housing Organisation (CBHO) should be adopted and further suggested 14 different models. Following consideration of the Commission's recommendations the City Council agreed to set up two Pathfinder Areas to trial the proposals, one of which was the Northfield Constituency.

Following competitive interviews, each of the areas appointed independent consultants chosen by the Tenants, to advise Tenants of the options available. TPAS had been chosen to work within the Northfield Constituency and had now been working in the Northfield Area for approximately two months. Following introductory meetings with the various Tenant Groups within the area, a Steering Group, comprising of Tenants from every area of Northfield, had been established.

Because the establishment of CBHO's was, in his opinion, a complicated process, the role of TPAS was to act as independent advisor to the Steering Group – to advise on the establishment of CBHO's in the area and the present the various options available. By November 2003, the Steering Group, assisted by TPAS, was required to produce a Statement of Intent relating to the establishment of CBHO's in the Northfield Area and by April 2004 the CBHO's would be established. The process relied on co-operation between all parties and that for the process to work, the City Council, the Housing Department and the Tenants all had to be genuinely involved.

The various options available for the CBHO's ranged from participative management by the City, delegated management by Tenants' Committee, to Arms Length Management Organisation (ALMO). The options available to the Steering Group were half way between the current Housing Management and the Stock Transfer proposals. He added that Stock Transfer was still one of the options that could be considered, but that it was up the Steering Group to consider which was the best option for individual CBHO's.

As to the size of the proposed CBHO's, it could be Constituency based or, as there were 20 distinct areas within the Northfield Constituency, there could be up to 20 CBHO's., However, in his opinion, it was likely that between 3 or 4 CBHO's would eventually be established. A balance between economies of scale which would be associated with a single CBHO for the Northfield Constituency and the localisation of services had to be arrived at. The City Council's proposals with regard to the devolution of services would solve some of the problems and he felt that the City's devolution process would run parallel to the establishments of CBHO's in the Northfield Area.

In response to a question from Councillor Trefor-Jones, Mr Watson confirmed that representatives from the Frankley area were on the Steering Group. Councillor Grey added that, because the proposals would affect the whole community and not just the Tenants, it was important that the whole community was involved.

STREET LIGHTING IMPROVEMENTS 2003/2004

The following report of the City Council's Chief Highway Engineer was submitted –

(see interleaved document no. 2)

Referring to the report, Councillor Grey stated that, because the three areas proposed for lighting improvements were within the Parish area, the Ward Committee had referred the report to the Parish Council for consideration and recommendation as to the improvements to be carried out.. The recommendation of the Parish Council as to which areas it considered required an upgrading of lighting would then be considered by the Ward Committee and hopefully be adopted by the Ward Committee and referred to the City's Transportation Department for action.

Councillor Grey referred to a programme to upgrade street lighting in Frankley undertaken by Bromsgrove District Council prior to the Boundary change. However, there were a numbers of closes in which the lighting had not been upgraded and these were, Wide Acres, Old Stone Close, High Timbers, Reafordway and Quarry House Close. He therefore suggested that , as part of the City's Lighting Improvement Programme 2003/2004, the Parish Council recommend the upgrading

of the street lights in Wide Acres, Old Stone Close, High Timbers, Reafordway and Quarry House Close.

On the proposition of Councillor Grey, it was seconded by Councillor Hollis and –

- 712 RESOLVED: That the Longbridge Ward Committee be advised that, as part of the City Council's Lighting Improvements Programme 2003/2004, this Parish Council requests that the street lighting in Wide Acres, Old Stone Close, High Timbers, Reafordway and Quarry House Close be considered for upgrading.

APPLICATIONS FOR GRANT AID

Hereon, Councillors Grey and Bruckshaw, as officers of the Frankley Neighbourhood Forum, declared a prejudicial interest in the following application, and left the room.

A Frankley Community News

The following application for grant aid towards the cost of producing the next edition of the community newspaper was submitted –

(see interleaved document no. 3)

It was proposed by Councillor Trefor-Jones, seconded by Councillor Hollis and -

- 713 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; a grant of £130.88 plus VAT towards the cost of the purchase of materials for the next edition of the Community Newspaper

Hereon, Councillors Grey and Bruckshaw returned to the meeting.

B Frankley Community Library

The following application for grant aid towards the cost of replacing worn and damaged audio/large print books was submitted –

(see interleaved document no. 4)

Ms Marion Chute, Community Librarian, speaking in support of the application reported that the books that the Parish Council had funded last year had proved very popular amongst borrowers. Additionally, because of the bookplate in the front of the book, borrowers were aware that the purchase of the book had been funded by the Parish Council.

In response to a question from Councillor Trefor-Jones, Ms Chute confirmed that whilst the library had received funding from NRF and SRB(5) to purchase large print/audio books, no money had been received from the City wide book fund.

It was proposed by Councillor Linda Banks, seconded by Councillor Reverend Lewis and –

- 714 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; a grant of £300 towards the cost of maintaining the high standard of books purchased through NRF funding by replacing old and damaged books.

MEMBER'S ALLOWANCES REGULATIONS 2003

The following report of the Clerk was submitted –

(see interleaved document no. 5)

Following an introductory commentary by the Clerk, a discussion ensued during which the Clerk responded to Members' questions and comments.

On the proposition of Councillor Denny, it was seconded by Councillor Trefor-Jones and –

- 715 RESOLVED: That the Parish Remuneration Panel be advised that this Parish Council, having considered the various options for the payment of Parish Allowances available under the Members' Allowances Regulations 2003, determine as follows –
- (i) that with regard to the payment of the Parish Basic Allowance, such an Allowance be payable to the Chairperson of the Parish Council only; and

- (ii) that with regard to the payment of the Parish Travelling and Subsistence Allowance, such an allowance be payable to all members of the Council undertaking approved duties and that the travel element of that allowance be paid on a per mile basis.

ANNUAL ACCOUNTS 2002/2003

A Parish Council Accounts and Balance Sheet for the Financial Year Ended 31 March 2003

The following Accounts and Balance Sheet for the Financial Year ended 31 March 2003 were submitted –

(see interleaved document no. 6)

It was proposed by Councillor Grey, seconded by Councillor Joanna Walker, and –

- 716 RESOLVED: That the Parish Accounts and Balance Sheet for the Financial Year ended 31 March 2003, as now submitted, be approved.

B Annual Return – Section One – The Statement of Accounts

The following Statement of Accounts was submitted –

(see interleaved document no. 7)

It was proposed by Councillor Trefor-Jones, seconded by Councillor Bruckshaw, and –

- 717 RESOLVED: That the Annual Return – Section One - Statement of Accounts, as now submitted, be approved.

C Annual Return – Section Two – Statement of Assurance

The following Statement of Assurance was submitted –

(see interleaved document no. 8)

It was proposed by Councillor Grey, seconded by Councillor Joanna Walker, and –

- 718 RESOLVED: That the Annual Return – Section Two – Statement of Assurance, as now submitted, be approved.

D Opinion of Internal Auditor

719 The following letter from the Internal Auditor was noted –

(see interleaved document no. 9)

FINANCIAL STATEMENT – 30 JUNE 2003

The following report of the Clerk was submitted –

(see interleaved document no. 10)

720 RESOLUTION: That the Financial Statement as at 30 June 2003 be noted.

TRAINING

There was nothing to report.

PLANNING APPLICATIONS

There were no Planning Applications for consideration.

DECISIONS MADE ON PLANNING APPLICATIONS

There were no decisions made on Planning Applications.

FRANKLEY CENTRE DEVELOPMENT

The following notes of a Meeting between the Chairperson and Vice-Chairperson and Officers of the City Council, chaired by Ward Councillor Fello were submitted –

(see interleaved document no. 11)

Councillor Grey referring to the notes of the meeting, explained that both he and the Chairperson had been invited to attend a meeting chaired by Ward Councillor Fello to discuss the Frankley Centre Regeneration. They had asked that the Clerk attend in order that the Council had a record of the meeting. Whilst the Parish Council's proposals for retail development on Site D instead of Light industrial Units had, in his opinion been generally welcomed, the two officers from the Economic Development Department, Ashy McKay and Matthew Clarkson appeared to be opposed to any development of the Centre. Ashy McKay felt that before allowing any retail development, the City should undertake a retail survey to ensure that any such project would be viable and the effect that any retail development would have on the present shopping centre. Despite being informed that, without new retail development at the Centre, the present shopping centre was in danger of becoming derelict through lack of

sustainable trade, she still considered that a survey should be carried out. However, Mr Lancaster pointed out the City had access to a survey already undertaken which could be used.

Matthew Clarkson appeared to be more interested in taking legal action against the Developer in order to regain Site C for the City than to actually taking positive action to move the development forward. The City had had over 7 years to progress the development of the Centre, but during that time Arden Park Properties was the only Developer that had expressed an interest – this was despite assurances from Matthew Clarkson and others that the City was actively marketing the Sites. Councillor Grey was of the opinion that should Matthew Clarkson get his way and be successful in regaining Site C for the City, then the Centre would remain undeveloped, as he had no confidence that Matthew Clarkson would be successful in finding an alternative developer who would be interested in developing the Centre. Because of this lack of confidence in Matthew Clarkson he had asked the Clerk to draft a letter to Mr Spooner, Director of Economic Development, requesting that another officer of the department replace Matthew Clarkson.

The following draft letter to Mr Spooner, Director of Economic Development was submitted –

(see interleaved document no.12)

It was agreed that, in addition to the letter being sent to Mr Spooner, copies be sent to sent to Councillor Coulson, Cabinet Member for Regeneration and Councillor Ffello, Ward Councillor for the Longbridge Ward.

It was proposed by Councillor Reverend Lewis, seconded by Councillor Bruckshaw, and –

- 721 RESOLVED: That the Director of Economic Development, Birmingham City Council, be advised that this Parish Council has no confidence in Mr Clarkson and does not believe that he will progress the Regeneration of Frankley Centre to the benefit of the City Council, the residents of Frankley and the Parish Council; further, the Parish Council requests therefore, that urgent consideration is given to the replacement of Mr Clarkson with another officer of the Department.

CROSS CITY LINE EXTENSION

- 722 Councillor Grey advised Members that CENTRO's latest consultation paper in connection with the various alternatives available for the line to cross Rubery Lane had recently been circulated. He reported that while at a meeting at CENTRO to discuss the proposed extension, a

senior officer of CENTRO had admitted that the only option that was thought to be viable was the extension of the line to Frankley. That obviously disappointed those opposing the extension of the line into Frankley but it would now appear that that part of the argument had now been won. However, the consultation document contained three options for the line to cross Rubery Lane.

- (i) To close Rubery Lane and to divert traffic up Frogmill Road, New Street, Arden Road and Ormond Road. This traffic diversion would obviously increase the traffic through the estate and, from the point of view of the Frankley residents would be the worst option;
- (ii) Provide a level crossing on Rubery Lane. However this option would only be considered as one of last resort should the other two options prove unviable; and
- (iii) The realignment of Rubery Lane. From the Traffic Island on the existing Rubery Lane, the road would be diverted up a new embankment crossing the line by means of a road bridge and rejoining the current Rubery Lane.

Councillor Grey felt that, in his opinion, the third option was the most preferable as it affected the least number of people. He requested that all Parish Councillors ensure that they complete the Consultation Form, copies of which were available at the Parish Office, and to encourage as many residents as possible to also complete the form.

In addition, CENTRO were also consulting residents regarding the proposal of residents on Great Park to move the proposed Rubery Lane Station back towards Longbridge. However, whether or not the station was moved would not affect the residents of Frankley.

ITEMS FOR INFORMATION ONLY

Register of Members' Interests

- 723 The Clerk reminded Members that, should their circumstances have changed since they last completed the Register, then they were obliged to complete a new form. Those Members requiring a fresh form could obtain one from the Clerk.

Dog Excrement

- 724 Councillor Reverend Lewis requested whether it was possible for the Parish Council to take action to alleviate to problems caused by dogs fouling in public places.

The Clerk advised that the Parish Council had no powers by which it could take action against those irresponsible owners who allowed

their dogs to foul in public places but did not clear up after them. On the likely assumption that Birmingham City Council had adopted a dog fouling byelaw requiring owners to clear up after their pets, it was up to the City Council to take the appropriate action. However, the problem faced by the City Council was similar to that faced by other Authorities which had adopted a dog fouling bye law and that was getting the public to report those irresponsible owners who did not clear up after their pets and to persuade those people who did report offences to attend court as a witness. Additionally, the fines levied in those cases that did reach court were often derisory.

In response to a question from a Member, the Clerk advised that it might be possible for the Parish Council to adopt a dog fouling byelaw. However, as it was likely that the City Council already had a dog fouling byelaw, it might not be legally possible for the Parish Council to adopt a similar byelaw in the same area as, in the opinion of the Clerk, it would then be possible for owners to be prosecuted twice for the same offence. However, he would consult the City Council's Legal Department and the Local Councils Association and report back to the next meeting. Additionally, should it be possible for the Parish Council to adopt a dog fouling byelaw, the success or otherwise of the application of its provisions would depend on the members of the public reporting the offence and to be willing to stand up in court as a witness.

Charter Between the Parish Council and the City Council

- 725 The Chairperson reported that in accordance with the provisions of the Local Government Act 1972 and the Local Government and Rating Act 1997, the Parish Council had the right to be consulted on those matters so designated by the Secretary of State affecting its area. A number of Parish Councils had negotiated agreements with their Principal Councils as to the matters the Principal Council would, as a matter of course, consult with the Parish Councils. Such agreements were general called Charters and he suggested that the Clerk investigate the possibility of negotiating such an agreement with the City Council.

Speeding

- 726 Councillor Bruckshaw reported that following the Forum's complaint to the Police regarding the incidents of speeding on the major roads through the estate, the Police had undertaken speed checks on the with the result that 16 motorists were caught speeding. As a result of that successful exercise, discussions were currently being undertaken with the police regarding the provision of traffic calming measures on what were perceived to be the worst stretches of road. However, such measures would require the public's support.

Councillor Trefor-Jones suggested that a form be included the next edition of the Neighbourhood News enabling residents to express their support for the introduction of traffic calming measures. He was also aware that the Police at Bournville Lane had suggested that, if enough people expressed support, the police would consider the installation of a speed camera on certain stretches of road.

Additionally, Councillor Bruckshaw was aware that a number of Parish Councils, in cooperation with their local police force, had trained their Councillors in the use of hand held speed cameras with the details of speeding motorists passed to the police for appropriate action. If the police thought that there was a problem then they were prepared to train local residents in the use of the technology and allow local residents to carry out the monitoring.

PAYMENTS

The following Schedule of Payments was submitted -

(see interleaved document no. 13)

It was proposed by Councillor Grey seconded by Councillor Williams and –

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

LOCAL ISSUED RAISED BY MEMBERS OF THE PUBLIC

There were none.

The meeting ended at 2103 hours.

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Chairperson