

**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 Monday, 19 July 2004 at 1933 hours.

Present

Councillor Eric Carter (In the Chair)

Councillors Linda Banks, Karan Bolton, Michael Denny, Sidney Grey MBE, Gareth Griffiths, Bill Hollis, Geoffrey Stephenson, Stephen Trefor-Jones, Joanna Walker and Geoffrey Williams

There were 4 members of the public present.

**APOLOGY FOR ABSENCE**

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

**MINUTES**

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

- 945 RESOLVED: That the Minutes of the meeting of the Parish Council held on 21 June 2004, having been previously circulated, were taken as read, confirmed and signed.

**DECLARATIONS OF INTEREST**

- 946 Hereon, the under mentioned Member declared his respective interests in the Agenda items indicated below –

| Councillor  | Agenda Item   | Interest  |
|-------------|---|---|
| Sidney Grey | Planning Applications Applications Nos S/03964/04/FUL and S/03967/04/FUL – Proposed Development of Land off Rubery Lane | Personal – Property owned by Councillor Grey's son will be affected by the proposed development |

### **APPOINTMENTS/NOMINATIONS TO OUTSIDE BODIES**

#### **Northfield District Assembly Convention**

Upon receipt of nominations it was –

- 947 RESOLVED: That Councillors Carter and Griffiths be appointed to attend the meeting of the Northfield District Assembly Convention to be held on Saturday 24 July 2004 between 1000 and 1600 hours at the Colmers Farm Leisure Centre.

#### **Northfield District Strategic Partnership Executive**

Upon receipt of a nomination, it was –

- 948 RESOLVED: That, for the period ending with the Annual Meeting of the Council in May 2005, Councillor Carter be nominated to serve on the Northfield District Strategic Partnership Executive as a representative of the Parish Council.

#### **Northfield District Governance Commission**

Upon receipt of a nomination, it was –

- 949 RESOLVED: That, for the period ending with the Annual Meeting of the Council in May 2005, Councillor Trefor-Jones be nominated to serve on the Northfield District Strategic Partnership Executive as a co-opted Member.

### **CHAIRPERSON'S ANNOUNCEMENTS**

There were none

### **QUESTIONS**

There were none.

**MINUTES OF THE MEETING OF THE PLANNING, ENVIRONMENTAL,  
HIGHWAYS AND PUBLIC TRANSPORT COMMITTEE**

- 950 The following Minutes of the meeting of the Planning, Environmental, Highways and Public Transport Committee held on 5 July 2004 were noted –

(see interleaved document no. 1)

**SECTION 137 EXPENDITURE**

The following report of the Clerk was submitted –

(see interleaved document no. 2)

Following brief introductory commentary from the Clerk, it was proposed by Councillor Trefor-Jones, seconded by Councillor Williams and –

- 951 RESOLVED: That the expenditure originally incurred under Section 137 of the Local Government Act 1972, in connection with the provision of transport for the Frankley Community Church Project's Lunch Club, which is actually expenditure under Section 27 of Part III of the Local Government and Rating Act 1997, be moved from Section 137 expenditure to Community Expenditure/Grants and that the amended budget be approved.

**FINANCIAL STATEMENT – 30 JUNE 2004**

- 952 The following report of the Clerk was noted –

(see interleaved document no. 3)

**TRAINING**

**Parish and Town Council Induction Day – 25 September 2004**

- 953 The Clerk reported that WALC and SLCC were running an additional one day training course on Saturday 25 September at Coleshill Town Council. Although the course was primarily aimed at recently elected Councillors, those Members who had already served a term of office but had not undergone the initial training might wish to take the opportunity of adding to their experience.

In response to a question from Councillor Trefor-Jones the Clerk advised that it was unlikely that there would be further courses organised this year as the main purpose was to provide training for newly elected councillors.

By September it would be assumed that all those councillors wishing to avail themselves of training would have done so.

Certificate in Local Council Administration

The Clerk reported that he had recently received notification from the Warwickshire Training Partnership that the cost of the resit and mentoring was £70. Approval therefore was sought for the expenditure.

- 954 RESOLVED: That approval be given to the expenditure of £70 being the resit/mentoring fee for the Certificate in Local Council Administration.

**PLANNING APPLICATIONS**

S/03964/04/FUL

Land at Rubery Lane, Rubery, Birmingham

Erection of 53 dwellings and associated infrastructure works

S/03967/04/FUL

Land at Rubery Lane, Rubery, Birmingham

Erection of 54 dwellings and associated infrastructure works

It was agreed to consider the two Applications together.

At 1950 hours the Meeting adjourned to enable Members and the Public to inspect the plans for the proposed development.

During the adjournment and at the invitation of the Chairperson, Mr Arthur Davis, Chair of the Rubery Lane Residents Association, made the following comments.

That there was a lot of concern amongst residents of Rubery Lane regarding the proposals for the following reasons -

- There were two properties adjacent the proposed development which would be surrounded on three sides by the new development;
- The increase in traffic on Rubery Lane arising from the development and the construction of an access road to the development off what was an already dangerous mini-roundabout at the junction of Rubery Lane/Ormond Road;
- The effect on the wildlife and vegetation on the proposed development site;

- The lack of consultation by the City Council with the residents of Rubery Lane.

He therefore requested that the City's Highways undertake a Traffic Survey regarding the possible increase in traffic using Rubery Lane and the proposed alterations to the mini-roundabout, that an Environmental Impact Study be carried out on the proposed development site and that the City's Planning Department arrange a public meeting to discuss the development with local residents.

At 2008 hours the meeting reconvened.

Councillor Trefor-Jones expressed concern that it appeared from the plans that a Public Right of Way was to be stopped up and not re-routed. Additionally, the layout of the dwellings appeared to include a considerable number of alleyways/rear entrances which experience had shown on Frankley to be used by criminals and he questioned whether the Police had been consulted over the design. He went on to highlight the increased possibility of flooding on Rubery Lane because the natural drainage of the area would be altered by the development. He supported Mr Davis' call for an Environmental Impact Study.

Councillor Denny stressed that the positive side of the development should be considered as he felt that the development could have a beneficial effect on Frankley. With additional residents there would be an added argument for the rail link and the regeneration of the centre and the development could make Frankley a more desirable area to live. He hoped that the concerns about crime would be taken into account.

Councillor Grey admitted that there were pluses for the development including the provision of social housing but in his opinion it would be an environmental nightmare. There was the problem of the access from the Rubery Lane junction and he questioned what alterations the developers proposed to make to the junction to ensure its safety as any such alterations would affect residents of Frankley. Because the properties were, in his opinion, far too close together, the development would affect the natural drainage of the area and that could give rise to flooding problems on Rubery Lane. With regard to the impact on the natural vegetation of the development site, he considered that as many as possible of the present trees should be retained and he agreed that an Environmental Impact Study had to be carried out. Additionally, the rear of several of the proposed properties faced onto Rubery Lane to the possible detriment of those existing properties on Rubery Lane. He supported Mr Davis' request that consultations between the City Council and residents of Rubery Lane should be carried out and urged that the Police should be consulted on the proposed layout of the development so as not to repeat

those mistakes made on Frankley.

955 RESOLVED: That the City Council's Planning Department be requested to

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- Undertake an Environmental Impact Study of the development to include the effect on the existing wildlife and vegetation of the area, and the changes to the natural drainage of the area which could result in an increased possibility of flooding on Rubery Lane;
- Refer the proposed alterations to the junction of Ormond Road and Rubery Lane to allow access to and egress from the development to the City's Highways for investigation as it is felt that the junction is already considered to be dangerous together with a request that an investigation be undertaken on the possible increase of traffic on Rubery Lane due to the development;
- Refer the plans for the development to West Midlands Police for comment as it appears that the development includes several rear-access ways which experience has shown are used by criminals;
- Convene a public meeting between the appropriate officers of the City Council and the residents of Rubery Lane to enable residents to air their concerns.

S/04381/04/NOT

Proposed Vodafone Installation at the Corner Of Frogmill Road and Tay Road, Frankley, Birmingham

It was agreed that the Council submit the same objections against the mast as were submitted to Vodafone's agents.

956 RESOLVED: That the City Council's Planning Department be advised of the following objections of the Parish Council –

- Notwithstanding the Government's position regarding the rejection of any connection between the telecommunications masts and the abnormal incidence of cases of leukaemia and cancer in their vicinity, the Council recognises the legitimate fears of nearby residents to the proposed mast and therefore requests that Mast be refused on health grounds;

- That Planning Policy Guidance Note 8 requires that, where possible, Mobile Phone Operators consider using/sharing existing masts rather than proliferate the installation of further masts. To the knowledge of the Council there are already 8 masts within a two mile radius of the proposed installation and therefore it is suggested that the operator should use one of the existing masts;
- Users of the Vodafone service report that they do not experience any difficulty with reception in the Frankley area and therefore the need for the additional mast is questioned.

### **DECISIONS MADE ON PLANNING APPLICATIONS**

There were none

### **FRANKLEY CENTRE DEVELOPMENT**

- 957 The Clerk reported that a consortium of C B Richard Ellis, Alan Baxter & Associates and Urban Practitioners had been appointed by the City Council to undertake a study of the Frankley Centre and surrounding areas with a view to producing a regeneration Master Plan. During the study the consultants would be undertaking consultations with stakeholders from Frankley and the City Council and would be submitting their report for consideration by the Frankley officers' group by mid November.

### **CROSS CITY LINE EXTENSION**

The Following letter from Mr T McGrath, Project Director, CENTRO, was submitted –

(see interleaved document no. 4)

- 958 It was pointed out that the letter from Mr McGrath set out the agreed position of the stakeholders following a conference earlier in the year. The Clerk reported that, in accordance with the resolution passed at the last meeting of the Council, he had written to all the West Midlands MEP's and the Chairman and Chief executive of the Strategic Rail authority seeking support for the proposed extension to the Rail link and requesting that alternative sources of finance be suggested. He had received two letters from the MEP's, one expressing support for the project; the other advising that European Funding would only be available for pan European transportation projects and therefore the Council should approach the Regional Development agency. It was agreed that once the letter from the Chairman and Chief Executive of the SRA was received which hopefully would set out the future position of the SRA, a letter be sent to Alistair

Darling, the Transport Minister, seeking the Government's position on the extension.

### **ITEMS FOR INFORMATION ONLY**

#### **Overgrown Hedges, Rubery Lane**

- 959 The Chairperson advised that despite numerous requests for the hedges which were overgrowing the pavements at the top of Rubery Lane to be cut back, no action had been taken. The City Council stated that the hedges were not its responsibility but had, to date, failed to establish the ownership. In the mean time the hedges continued to grow and were now dangerously restricting the width of the pavement.

#### **Replacement of Street Lighting**

- 960 The Chairperson reported that negotiations were currently underway to replace the old street lighting in Old Stone Close, Rea Fordway, High Timbers and Quarry House Close with modern more efficient lighting units. The estimated cost to completely replace the 60 units was in the region of £70,000 and currently discussions were being held with officers of the City Council as to how to fund the project.

#### **Bus Shelters**

- 961 The Chairperson reported that, despite many requests to CENTRO to provide bus shelters on Ormond Road, CENTRO were currently unable to provide those shelters. However, CENTRO had recently advised the Council that, providing there was sufficient money in the 2005/2006 budget, it was hoped that the shelters would be provided during the next financial year

#### **Black Rubbish Bags**

- 962 The Chairperson reported that he had complained to the City's Waste Management Division at Lifford Lane regarding the number of complaints which the Parish Council received concerning the delivery of black bags which were often just thrown from the van in the general direction of properties. It was often the case that they were picked up by someone other than the householder who was then short of bags.

#### **Members' Registers of Interests.**

- 963 The Clerk reported that he had been approached by the City Council's Chief Legal Officer, who was also the Monitoring Officer for both the City Council and the Parish Council regarding the publication of the Registers of Interests. The Registers pertaining to City Council Members had been

posted on the City Council's website and he was seeking approval for the Registers of Parish Council Members to also be posted on the website. The Clerk pointed out that the Registers were public documents and should therefore be freely available to the public and that the recent advice of the Information Commissioner was that, where the responsible authority operated a website, then the Registers should be available on that website. The Clerk was therefore proposing that the Registers for Parish Council Members be posted but that if anyone had valid reason for their entries not to be posted that wish would be respected.

Following a discussion during which the Clerk pointed out that, as Birmingham City Council was the authority responsible for administering the Parish Councillors' Registers it was appropriate that such Registers appeared on its website rather than the Parish Council's. He however, undertook to ensure that if possible a link could be posted on the Parish Council's website enabling access to the part of the City Council's website where the Registers would be posted.

#### Frankley Community Church Project – AGM

- 964 Councillor Denny thanked all the Councillors who had attended the recent el fresco AGM at the Rectory for their support.

#### **PAYMENTS**

The following Schedule of Payments was submitted -

(see interleaved document no. 5)

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

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

At 2040 hours the meeting adjourned so as to enable the Members of the Public to raise issues of concern

#### **LOCAL ISSUES RAISED BY MEMBERS OF THE PUBLIC**

Overgrown Vegetation – Public Pathways

Mrs M Wills, Lyall Gardens, complained about the overgrown state of the following public footpaths –

- Footpath from the lower end of Woodham Close through to Ormond Road;

- Roadside Footpath on New Inns Lane from its junction with Thurloe Crescent to its junction with the pedestrian access to Lyall Gardens – in parts it was impossible to walk on the path;
- Footpath linking Skomer Close to Boleyn Road (at rear of houses and leading to the bus stop).

Although some work had been undertaken on the footpath between Woodham Close and Ormond Road, further clearance was needed along the whole length of the path.

It was agreed that the matter be referred to the Housing Department with a request that it investigate and report to the Parish Council whether the work was on a programme and if so, why it was not being done.

#### Cross City Line

Mr Davis expressed concern at the environmental impact of the proposed Cross City Line extension and recommended that all Members read the study particularly the impact of the extension on the land adjacent to Arden Road.

Councillor Grey advised that the study to which Mr Davis referred was now out of date and that, until approval for the funding of the extension was given and the phase four engineering study undertaken, CENTRO would not be undertaking a further Environmental Impact Study.

The meeting was reconvened at 2053 hours

The meeting ended at 2053 hours.

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Chairperson